

**Legislative Council
Panel on Constitutional Affairs,
Panel on Health Services, and
Panel on Environmental Affairs**

**The Administration's Response to
Questions on the Consultancy Report on Food Safety
and Environmental Hygiene Services**

(Meeting on 15 January 1999)

Q1 In relation to food-related diseases occurring in the future, whether the Department of Health (DH) or the newly proposed Department of Food and Environmental Hygiene (new department) will be responsible for providing the services as described in para. 2.02 of the Consultant's Report; and if the DH is to be responsible for provision of such services, how is it going to co-ordinate with the new department?

A1 Under the new set-up, the DH will remain as Hong Kong Special Administrative Region(HKSAR)'s health authority while the new department will be responsible for food and environmental hygiene related matters. Accordingly, the DH will continue to be the Government's public health advisor and the executive agency for promoting health policies. The portfolio of the named international agencies in paragraph 2.02 of the Consultant's Report is multi-faceted, and both departments will work closely in discharging the HKSAR's obligations to such agencies.

Q2 On prevention of infectious diseases, is there any clear indication on how the responsibility will be divided between the DH or the new department? Why is it impossible to delegate such responsibility to either one of the departments? And if such responsibility is to be partly/in whole retained in the DH, should the proposed Advisory Council on Food and Environmental Hygiene also provide advice for the DH in that area?

A2 The prevention of food-related infectious diseases involves a wide range of cross-disciplinary and inter-sectoral activities, including disease surveillance and monitoring, veterinary health control, vector control, education, law enforcement and management at various levels of the food chain from farm to plate, etc. Under the new structure, the DH will continue to be responsible for disease surveillance and monitoring, general public health education, etc. The new department will deal with food-related matters and environmental hygiene services. Food related matters include setting of food standards, management of food safety issues, import and export control of food products, hygiene standards of food premises, etc. In case of food poisoning, notifications will continue to be received by the DH. It will then focus on investigation of food poisoning victims and other exposed persons. The new department will carry out investigations and take appropriate actions in connection with the food production chain and environmental hygiene. The two departments will maintain close working relationship. Given the nature and extent of the matter, it is difficult for a single department to undertake full responsibilities. Inter-departmental co-ordination and co-operation is necessary.

We will further consider the membership and terms of reference of the Advisory Council on Food and Environmental Hygiene proposed by the Consultant. Initially we think that the role of the Council should primarily be to advise the new Secretary for Environmental and Food and the Director of the new department on policy issues affecting food and environmental hygiene. We note that the Consultant has recommended that the Director of Health or his/her representative should be an ex-officio member in the Council.

Q3 With the proposed transfer of the 270 posts from the DH to the new department, whether the DH would still be fully able to discharge its duties under para. 2.02 of the Consultant's Report?

A3 With the transfer of all posts in the Hygiene Division of the DH to the new department, the present responsibilities of this Division will also be transferred to the new department. The DH will remain as HKSAR's health authority and discharge the related functions.

Q4 How can the proposed new structure achieve the objective of “streamlining the structure” for management of food safety and environmental hygiene, judging from the observations that (a) the recommended establishment and expenditure of the new structure as compared to those of the municipal councils are only reduced by a very small percentage, and (b) there is duplication of effort and unclear delineation of responsibilities between the DH and the new department on the control and prevention of communicable diseases?

A4 We note the recommendations of the Consultant concerning the new structure for delivery of food and environmental hygiene services. The net savings in staff costs (some \$28 million per annum) cited by the Consultant is a preliminary estimate. It has not taken into account savings in the honoraria and allowances of members of the two Provisional Municipal Councils, the operational and ancillary expenses of the two Councils’ secretariats and any further streamlining which the Administration may introduce. The proposed organisational structure and staffing of the new bureau and new department is being studied by the Administration with a view to establishing the scope for further streamlining and savings through rationalisation of services currently undertaken by the two municipal services departments.

We understand there are a total of 154 capital projects proposed by the Provisional Municipal Councils for the next five years involving some \$28,900 million in total project cost. We could critically re-assess the priorities of these projects. This may result in additional savings in terms of both capital outlay and recurrent staff and running costs.

The question about delineation of responsibilities between the Department of Health and the new department in the control and prevention of food-related infectious diseases has been addressed in A2 above.

Q5 Will the proposed structure undermine the development of agriculture and fishery industry, given the understanding that the Agriculture and Fisheries Department(AFD), which is responsible for promotion of the industry, will have many of its functions and staff providing services for these functions transferred to the new department?

A5 The proposed structure will not undermine the development of the agricultural and fisheries industries. The only staff to be transferred to the new department are those checking livestock and food birds for evidence of disease or chemical residues at import points, lairages and on farms. Staff responsible for promotion of the agricultural and fisheries industries will remain in AFD.

Q6 What is the future arrangement for control of imported seafood? Why is such not recommended for transfer to the new department?

A6 Live seafood will be the responsibility of the new department.

Q7 With respect to the transfer of the functions currently performed by the Agriculture and Fisheries Department (AFD) relating to poultry inspection and control, food animals quarantine and health checks, livestock/poultry farm hygiene inspections, as well as the coral fish harvest zones registration programme to the new department, what will be the “aftermath” arrangements within the AFD regarding its remaining functions?

A7 The aforementioned functions currently carried out by AFD were taken on only during the course of 1998. To ensure provision of fresh food supply, AFD will continue to facilitate the development and operation of the agriculture and fisheries industries by providing technical support and fresh food wholesale marketing services, administering loan funds and conducting fisheries resource conservation programmes. AFD will continue to be responsible for managing country and marine parks, nature conservation work and animal, plant and pesticide control activities.

Q8 What will be the future arrangements for management of Country Parks?

A8 Country Parks will continue to be managed by the Agriculture and Fisheries Department through its Country and Marine Parks Branch. The Director of Agriculture and Fisheries will continue to be the Country and Marine Parks Authority as specified under Section 3(2) of the Country Parks Ordinance. The AFD will be responsible to the new Bureau for Environment and Food which oversees the protection and conservation of the natural environment and urban greening.

Q9 Will there be any limitation on the development of environmental protection work after the proposed transfer of relevant responsibility to the Secretary for Environment and Food?

A9 It is our objective that the new Bureau for Environment and Food will provide a more effective instrument for the development of programmes to protect and improve the environment.

The proposed reorganisation will bring together all the main agencies responsible for waste collection and disposal. This will facilitate the comprehensive improvement of Hong Kong's waste management system, which is an objective of the Waste Reduction Framework Plan.

The new Bureau will also be tasked to improve co-ordination and effectiveness in programmes to protect and upgrade the territory's natural and urban environment, through the activities of the departments directly under it (i.e. the Environmental Protection Department, AFD and the new department) in co-operation with Highways Department, Territory Development Department and Planning Department, etc..

The continued need for very close links between environmental policy and planning/land use policy - and housing, transport and economic planning - is recognised and will be ensured during the reorganisation.

Q10 Whether there will be a review of the mechanism for application and issue of all types of licences as listed in para. 9.01 of the Consultant's Report under the Public Health and Municipal Services Ordinance (Cap. 132) to expedite the process after the transfer of relevant authority to the Director of Food and Environmental Hygiene?

A10 It is our objective that the new department will give priority to improving the various licensing systems to streamline and expedite the processes and make them more business and user friendly without compromising hygiene and safety standards.

In fact, the Provisional Municipal Councils and the two municipal services departments have been keeping their licensing systems for all types of licences under regular review so as to streamline and expedite the procedures. For example, the two departments together with Fire Services Department, Buildings Department and the Business Services Promotion Unit have meetings with representatives of the food catering

trades, the Hong Kong Tourist Association and the related professions on a regular basis to exchange views on all issues concerning the licensing of food businesses. This has led to a number of significant improvements, such as the introduction of the provisional licensing system for restaurants and its subsequent extension to other food licences. In December 1998, consultants were appointed to undertake a study to examine the whole restaurant licensing system to see how this could be further streamlined and made more business friendly while at the same time still providing adequate guarantees as regards ensuring public health and safety. The study is expected to be completed by June 1999. We are committed to take forward the recommendations of the consultancy, where appropriate.

Constitutional Affairs Bureau
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