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3 June 2003

The Honourable Fred Li
Chairman of the LegCo Panel on Food Safety and Environmental Hygiene
Legislative Council Building
8 Jackson Road
Central
Hong Kong
(Fax No: 2509 0775)

Dear

**Proposed resolution to be moved by the Secretary for Health, Welfare and Food
under the Fixed Penalty (Public Cleanliness Offences) Ordinance**

Further to the meeting of the LegCo Panel on Food Safety and Environmental Hygiene (FSEH) held this Monday, I write to inform you of the Administration's intention to withdraw the original motion scheduled for the LegCo sitting on 18 June 2003. This is to enable the Administration to include in an amended resolution dog fouling and illegal posting of bills under the proposed increase in fixed penalty, as suggested by Members of the Panel and the public.

I understand the original motion has been scheduled for discussion by the House Committee on 6 June 2003 and I have therefore taken the liberty to copy this letter to the Chairman of the House Committee to keep her informed of the latest development.

It remains the Administration's intention to move the amended resolution on 18 June 2003 and, in this connection, I would be very grateful to have the support of the FSEH Panel and the House Committee in seeking a waiver from the President of the Legislative Council on the notice requirement.

I attach for the information of the FSEH Panel and the House Committee a copy of the "blues" of the amended resolution.

Yours sincerely,

(Dr E K YEOH)
Secretary for Health, Welfare and Food

Encl.

c.c.

Chairman, House Committee	(Attn: Hon Mrs Selina Chow)	2810 9099
Clerk to LegCo	(Attn: Ms Miranda Hon)	2537 1204

FIXED PENALTY (PUBLIC CLEANLINESS OFFENCES) ORDINANCE

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under section 18 of the Fixed Penalty (Public Cleanliness Offences) Ordinance (Cap. 570) on 18 June 2003.

RESOLVED –

- (a) that Schedule 1 to the Fixed Penalty (Public Cleanliness Offences) Ordinance be amended in items 1, 2, 3, 4, 5, 6, 7 and 8 by repealing "\$600" and substituting "\$1,500"; and
- (b) that this Resolution shall come into operation on 26 June 2003.

Clerk to the Legislative Council

2003

Explanatory Note

The purpose of this Resolution is to increase the fixed penalty in relation to the following offences from \$600 to \$1,500 –

- (a) display of bills or posters without permission;
- (b) depositing of litter or waste in public places;
- (c) spitting in public places;
- (d) fouling of street by dog faeces;
- (e) depositing of litter in country parks and special areas;
- (f) spitting in country parks and special areas;
- (g) marine littering; and
- (h) unlawful depositing of waste.

《定額罰款(公眾地方潔淨罪行)條例》

立法會決議

立法會於 2003 年 6 月 18 日根據《定額罰款(公眾地方潔淨罪行)條例》(第 570 章)第 18 條提出和通過的決議。

議決 —

- (a) 《定額罰款(公眾地方潔淨罪行)條例》附表 1 第 1、2、3、4、5、6、7 及 8 項現予修訂，廢除“\$600”而代以“\$1,500”；及
- (b) 本決議自 2003 年 6 月 26 日起實施。

立法會秘書

2003 年 月 日

註釋

本決議旨在將有關以下罪行的定額罰款由\$600 調高至\$1,500 —

- (a) 未經准許而展示招貼或海報；
- (b) 將扔棄物或廢物棄置在公眾地方；

- (c) 在公眾地方吐痰；
- (d) 犬隻糞便弄污街道；
- (e) 在郊野公園及特別地區棄置廢物；
- (f) 在郊野公園及特別地區吐痰；
- (g) 海上棄置廢物；及
- (h) 非法存放廢物。