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by the Administration)

**Panel on Food Safety and Environmental Hygiene and
Panel on Environmental Affairs**

**Minutes of Joint Meeting
held on Thursday, 15 December 2005 at 10:45 am
in the Chamber of the Legislative Council Building**

Members present : Panel on Food Safety and Environmental Hygiene

Hon Fred LI Wah-ming, JP (Chairman)
* Hon WONG Yung-kan, JP (Deputy Chairman)
Hon Andrew CHENG Kar-foo
Hon Tommy CHEUNG Yu-yan, JP
Hon Vincent FANG Kang, JP
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki

Members of the Panel on Environmental Affairs

Hon CHOY So-yuk, JP (Chairman)
Hon Martin LEE Chu-ming, SC, JP
Hon CHEUNG Man-kwong
Hon SIN Chung-kai, JP
Hon Jeffrey LAM Kin-fung, SBS, JP

(* Also member of the Panel on Environmental Affairs)

Members attending : Hon CHAN Yuen-han, JP
Hon LI Fung-ying, BBS, JP
Hon WONG Kwok-hing, MH

Members absent : Panel on Food Safety and Environmental Hygiene

Hon Bernard CHAN, JP
Hon TAM Yiu-chung, GBS, JP
Dr Hon Joseph LEE Kok-long

Members of the Panel on Environmental Affairs

Hon Emily LAU Wai-hing, JP (Deputy Chairman)
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon Albert CHAN Wai-yip
Hon Audrey EU Yuet-mee, SC, JP
Hon LEE Wing-tat

Public officers attending : Mr Eddy CHAN
Deputy Secretary (Food & Environmental Hygiene)
Health, Welfare and Food Bureau

Miss Vivian KO
Principal Assistant Secretary (Food & Environmental Hygiene)
Special Duties
Health, Welfare and Food Bureau

Mr Roy TANG
Deputy Director of Environmental Protection (3)

Mr LAU Sin-pang
Deputy Director of Agriculture, Fisheries and Conservation

Ms Venner CHEUNG
Assistant Director (Administration)
Food and Environmental Hygiene Department

Attendance by invitation : Hong Kong Chinese Civil Servants' Association Food and Environmental Hygiene Foreman Branch

Mr HO Wai-ming
Chairman

Mr MOK Wing-keung
Secretary

Hong Kong Food and Environmental Hygiene Supervisory Staffs
Union

Mr LAI Kun-yiu
Chairman

Mr FU Hing-chung
Secretary

Hong Kong Food and Environmental Hygiene Department
Employees Association

Ms LI Wai-yee
Deputy Chairman

Ms LAI Sau-shan
Chief General Affairs Officer

Food and Environmental Hygiene Department Foremen Grade
Staff General Union

Ms LI Mei-siu
President

Mr LAU Wai-tak
Council Member

Hong Kong Food and Environmental Hygiene Department
Management and Law Enforcement Staff Association

Mr CHOI Chun-wah
Chairman

Mr HO Yue-ting
Director

Agriculture, Fisheries and Conservation Department Staff
Association

Mr CHAN Yin-lun
Chairman

Mr CHEUNG Yat-wah
Member

All Members of the AFCD Agricultural Officer and Fisheries Officer Grades

Mr Clive LAU
Senior Agricultural Officer

Mr Edward WONG
Senior Fisheries Officer

All Government Veterinary Officers

Dr Howard WONG Kai-hay
Senior Veterinary Officer (Veterinary Public Health)
Food and Environmental Hygiene Department

Dr Michelle YEUNG-lee
Veterinary Officer (Import and Export)
Agriculture, Fisheries and Conservation Department

Hong Kong Chinese Civil Servants' Association Environmental Protection Officer Branch

Mr Alan YIM
Chairman

Mr Arthur LEE
Executive Committee Member

Joint Committee of Hong Kong Fishermen's Organisations

Mr WAN Lam

Federation of Hong Kong Aquaculture Association

Mr LEUNG Kwun-wah

Hong Kong Fishermen's Association

Mr LAM Kun-so

Hong Kong & Kowloon Fishermen Association Limited

Mr LEUNG Kwong-yung

Sai Kung Fishermen's Association

Mr CHENG King-man

Hong Kong Fisheries Alliance

Mr KEUNG Yin-man
Chairman

Hong Kong Livestock Industry Association

Mr TAM Kwok-chu
Chairman

Mr NG Po-wing
Secretary General

Hong Kong Pig Raising Development Federation

Mr CHAN Kin-yip
Chairman

Mr CHENG Ka-shing
Vice Chairman

Hong Kong Pigfarm Association

Mr WONG Kwong-wing
Chairman

The New Territories Chicken Breeders Association Limited

Mr WONG Yuen-tai
Chairman

Mr LEE Leung-kei
Vice Chairman

World's Poultry Science Association Hong Kong Branch

Mr Peter WONG Chun-kow
President

Agriculture and Fisheries Technology Promotion Association

Mr William HAU Yiu-yin

Hong Kong Florists Association

Mr TSANG Kwok-keung

Hong Kong Florists Association

Mr WAN Chung-ping
Chairman

The Federation of Vegetable Marketing Co-operative Societies,
Limited

Mr TANG Nuen-fun
Chairman

Mr CHUNG Yim-hing
Executive Manager

Hong Kong Organic Farming Association

Ms CHU Pui-kwan
Chairperson

Clerk in Attendance : Mrs Constance LI
Chief Council Secretary (2)5

Staff in Attendance : Miss Betty MA
Senior Council Secretary (2)1

Miss Josephine SO
Council Secretary (2)1

Ms Anna CHEUNG
Legislative Assistant (2)5

Action

I Election of Chairman

Mr Fred LI was elected Chairman of the joint meeting.

II Follow-up discussion on the reorganisation plan for the food safety regulatory framework

(a) Meeting with deputations

2. The Chairman said that at the joint meeting of the Panel on Food Safety and Environmental Hygiene and Panel on Environmental Affairs on 29 November 2005, members agreed that further joint Panel meetings would be held to meet with staff in the affected departments and concerned parties to gauge their views on the reorganisation plan for the food safety regulatory framework. The Chairman further said that representatives of staff from the affected departments and of the agriculture and fisheries trades would give their views at this meeting, while academics/experts and representatives of other affected trades would attend another meeting.

3. The Chairman welcomed representatives of deputations to the meeting. The views of deputations were summarised below.

(i) Meeting with representatives of staff from the affected departments

Hong Kong Chinese Civil Servants' Association Food and Environmental Hygiene Foreman Branch

[LC Paper No. CB(2) 690/05-06(01)]

4. Mr HO Wai-ming presented the views of Hong Kong Chinese Civil Servants' Association Food and Environmental Hygiene Foreman Branch as detailed in its submission. Mr HO said that while the Association supported the proposal to reorganise the food safety regulatory framework, it expressed reservations about setting up a new Department of Agriculture and Environmental Hygiene (DAEH) to take up the responsibilities to promote and develop agriculture and fisheries activities together with maintaining environmental hygiene, as these were unrelated functions. The Administration would attach sufficient importance to environmental hygiene matters and set up a dedicated department for maintaining environmental hygiene.

5. Mr HO further said that the Administration should assure the affected staff that their conditions of service would not be affected upon reorganisation. The Administration should also take the opportunity to solve the problem of staff shortage in the health inspector, hawker control officer and foremen grades.

Hong Kong Food and Environmental Hygiene Supervisory Staffs Union

[LC Paper No. CB(2) 690/05-06(02)]

6. Mr FU Hing-chung presented the views of Hong Kong Food and Environmental Hygiene Supervisory Staffs Union as detailed in its submission. Mr FU said that while the Union supported the proposal to pool resources for enhancing the food safety regulatory framework, it had reservations about the establishment of DAEH, as

Action

promotion and development of agriculture and fisheries activities and maintaining environmental hygiene were unrelated services. Mr FU further said that the name of DAEH was misleading as out of the 10 000 staff working in DAEH, only about 200 agricultural and fisheries staff would be transferred from the Agriculture, Fisheries and Conservation Department (AFCD). The staff also expressed concern about the allocation of resources for these different functions in the new DAEH. Mr FU suggested that a dedicated department should be set up to take up responsibilities relating to environmental hygiene.

7. Mr FU added that the Administration should assure the affected staff that their conditions of service would not be affected upon reorganisation.

*Hong Kong Food and Environmental Hygiene Department Employees Association
[LC Paper No. CB(2) 690/05-06(03)]*

8. Ms LI Wai-ye presented the views of Hong Kong Food and Environmental Hygiene Department Employees Association as detailed in its submission. Ms LI said that the Association supported the proposal to reorganise AFCD and Food and Environmental Hygiene Department (FEHD) for better protection of public health, but more details of the proposal should be provided to staff concerned as soon as possible.

9. Ms LI further said that the Administration should assure the existing staff that the reorganisation plan would not lead to redundancy of staff. It should let the affected staff know as early as possible the organisational structure of the new departments, in particular whether their promotion prospects would be jeopardised. Training should also be provided to those who were required to undertake new duties. Ms LI added that consideration should be given to converting the temporary staff currently engaged by FEHD to permanent staff.

*Food and Environmental Hygiene Department Foremen Grade Staff General Union
[LC Paper No. CB(2) 690/05-06(04)]*

10. Ms LI Mei-siu presented the views of Food and Environmental Hygiene Department Foremen Grade Staff General Union as detailed in its submission. Ms LI said that the Union expressed strong opposition to the proposed reorganisation of FEHD and AFCD to form a new DAEH. The Union considered that the proposal aimed to create senior posts instead of strengthening the support for enhancing food safety. Upon reorganization, the new DAEH would have over 10 000 staff, with the bulk from FEHD and some 200 staff from AFCD. The Union did not see the rationale of the proposed merging, as the responsibilities of AFCD staff were entirely different from those performed by FEHD staff. She pointed out that if Environmental Protection Department (EPD) would not be renamed after merging with AFCD's Country/Marine parks and Conservation Branches, there was no need to rename FEHD as DAEH simply because of the transfer of some 200 staff from AFCD. This would be a waste of public money to rename FEHD only five years after its establishment.

Action

11. Ms LI further said that a dedicated department should be set up to take up responsibilities relating to environmental hygiene. To better utilise the existing human resources, the Administration should deploy the health inspectors currently engaging in environmental hygiene functions to perform food safety inspections. Ms LI added that as the new DAEH was mainly responsible for maintaining environmental hygiene, it would be more cost-effective for the Administration to first solve the problem of staff shortage in the health inspector grade in FEHD than taking forward the reorganisation plan.

Hong Kong Food and Environmental Hygiene Department Management and Law Enforcement Staff Association

[LC Paper No. CB(2) 690/05-06(05)]

12. Mr CHOI Chun-wah presented the views of Hong Kong Food and Environmental Hygiene Department Management and Law Enforcement Staff Association as detailed in its submission. Mr CHOI said that the Association expressed dissatisfaction that there was no prior consultation with the relevant staff associations. He urged the Administration to provide detailed information on the reorganisation plan to the affected staff and staff associations.

13. Mr CHOI further said that the new DAEH should be renamed as Environmental Hygiene, Fisheries and Conservation Department (環境衛生漁護署) to better reflect its major functions and responsibilities, given the very small establishment of agricultural and fisheries staff in the new department.

14. Mr CHOI added that the Administration should take the opportunity to review the tight staffing situation of the health inspector grade and foremen grade in FEHD. The Association suggested that Senior Overseers could take up some of the duties originally undertaken by health inspectors, and the post titles of the foremen grade should be changed to better reflect their expanded responsibilities.

Agriculture, Fisheries and Conservation Department Staff Association

[LC Paper No. CB(2) 690/05-06(06)]

15. Mr CHAN Yin-lun presented the views of Agriculture, Fisheries and Conservation Department Staff Association as detailed in its submission. Mr CHAN said that the Association expressed dissatisfaction that the Administration had not consulted the affected departments before promulgating the reorganisation plan. Mr CHAN pointed out that although a few briefing sessions had been held on the reorganisation plan, the management was unable to provide answers to some questions raised. He urged the Administration to fully take note of the concerns and views expressed by staff members.

16. Mr CHAN further said that while the Association supported the proposal to pool together resources for enhancing food safety, it opposed the reorganisation proposal.

Action

Mr CHAN added that the Association expressed grave concern that the interests of some 200 staff would be ignored after they were transferred from AFCD to the new DAEH. He stressed that the implementation details should be worked out after full consultation with the staff of affected departments, relevant trades and stakeholders.

*All Members of the AFCD Agricultural Officer and Fisheries Officer Grades
[LC Paper Nos. CB(2) 690/05-06(06) and (07) and CB(2) 710/05-06(06)]*

17. Mr Clive LAU presented the views of All Members of the AFCD Agricultural Officer and Fisheries Officer Grades as detailed in their submissions and his speaking note tabled at the meeting.

18. Mr LAU said that while the Agricultural Officers and Fisheries Officers in AFCD supported setting up CFS to enhance food safety, they considered that the Administration's reorganisation plan was unpractical and had departed from international practices. To enhance food safety, the Administration should model on international practice and adopt a comprehensive and integrated approach in food chain management (i.e. the implementation of the "From Feed to Table" concept) by establishing CFS under the purview of AFCD, instead of segregating the regulatory functions and the functions of facilitating the development of local agriculture and fisheries activities. They expressed concern that there would be no agriculture and fisheries profession upon reorganisation.

19. Mr LAU further said that Administration had not consulted the affected departments before promulgating the reorganisation plan. The Administration should form a working group to study the reorganization proposal in detail, instead of rushing into implementation.

*All Government Veterinary Officers
[LC Paper Nos. CB(2) 690/05-06(08) and CB(2) 710/05-06(07)]*

20. Dr Michelle YEUNG presented the views of All Government Veterinary Officers as detailed in their submission and her speaking note tabled at the meeting. Dr YEUNG said that Veterinary Officers of AFCD and FEHD supported the proposal to pool together existing resources for food safety and establish CFS. However, they disagreed with the arrangement of splitting AFCD's existing functions into three different departments. Such arrangement would depart from the principle of adopting a comprehensive and integrated approach in food chain management, i.e. the "From Feed to Table" concept. They suggested that all disciplines involved in food safety should be integrated into one single food safety agency. The submission also enclosed the proposed organisational structure of the food safety agency.

21. Dr YEUNG further said that Veterinary Officers in AFCD and FEHD strongly urged that there should be greater veterinary involvement in all aspects of food safety and public health, and veterinarians should be involved in policy-making, so as to ensure adequate planning, design, implementation and supervision of veterinary public

Action

health programmes, and appropriate integration and collaboration with human health programmes. They also suggested that the Administration should form a working group to study the reorganization proposal in detail.

Hong Kong Chinese Civil Servants' Association Environmental Protection Officer Branch

[LC Paper No. CB(2) 690/05-06(09)]

22. Mr Alan YIM presented the views of Hong Kong Chinese Civil Servants' Association Environmental Protection Officer Branch as detailed in its submission. Mr YIM said that the Association expressed dissatisfaction with the Administration's approach in dealing with the reorganisation plan. He pointed out that EPD staff first learnt about the reorganisation plan in late November 2005. Given the short notice, the staff side was unable to discuss the proposal in detail.

23. Mr YIM further said that EPD staff had expressed concern that the transfer of AFCD's functions on nature conservation and country/marine parks to EPD would undermine the latter's core functions in protecting the deteriorating environment. Moreover, EPD's existing resources would be over-stretched to cater for the additional staff from AFCD, as the size of EPD would be doubled after the transfer took place. Mr YIM pointed out that overseas experience revealed that it was not uncommon for nature conservation and environmental protection to be performed by different departments. Mr YIM urged that affected staff should be given ample opportunities to express their views on the proposal.

(ii) Meeting with agriculture and fisheries trades

Joint Committee of Hong Kong Fishermen's Organisations

[LC Paper No. CB(2) 699/05-06(01)]

24. Mr WAN Lam presented the views of Joint Committee of Hong Kong Fishermen's Organisations as detailed in its submission. Mr WAN said that the organisation supported the proposal of establishing the CFS, but objected to the splitting up of AFCD into three departments and the establishment of DFSIQ. The fisheries industry expressed concern that upon reorganisation, there would be no dedicated department looking after the interests of and providing ready assistance to the industry, as the major functions of the new DFSIQ were inspection, quarantine and regulation of food products. Mr WAN further said that the most effective way to enhance food safety was the implementation of "From Feed to Table" concept, and that CSF should be formed under AFCD.

25. Mr WAN expressed dissatisfaction that the Administration had not consulted the fisheries industry before putting forward the reorganisation plan. The fisheries industry also queried whether the reorganisation proposal would have breached Article 119 of the Basic Law which provided that the Government should formulate appropriate

Action

policy to promote and coordinate the development of various trades, including agriculture and fisheries.

Federation of Hong Kong Aquaculture Association
[LC Paper No. CB(2) 710/05-06(01)]

26. Mr LEUNG Kwun-wah presented the views of Federation of Hong Kong Aquaculture Association as detailed in its submission tabled at the meeting. Mr LEUNG said that the Association strongly opposed the establishment of DFSIQ as the new department was tasked to regulate the agriculture and fisheries industries, and not to promote and facilitate the development of agriculture and fisheries activities. Moreover, there would be significant increase in costs as it would involve an additional recurrent expenditure of \$150 million. The Association was of the view that the most effective way to enhance food safety was the implementation of “From Feed to Table” concept, and that CSF should be formed under AFCD.

27. Mr LEUNG stressed that AFCD was playing a very important role in the development of agriculture and fisheries activities, and AFCD should not be dissolved as a result of the reorganisation.

Hong Kong Fishermen’s Association
[LC Paper No. CB(2) 699/05-06(02)]

28. Mr LAM Kun-so presented the views of Hong Kong Fishermen’s Association as detailed in its submission. Mr LAM said that the Association objected to the split-up of AFCD, and it considered that the regulatory functions and functions on facilitating and promoting the development of the agriculture and fisheries industries should continue to be carried out by AFCD. The Association also opposed establishing the new DFSIQ which was tasked to regulate but not promote the agriculture and fisheries industries. Mr LAM further said that the most effective way to enhance food safety was the implementation of “From Feed to Table” concept, and that CSF should be formed under AFCD.

Hong Kong & Kowloon Fishermen Association Limited

29. Mr LEUNG Kwong-yung said that the Association opposed the proposal of splitting up AFCD and establishing DFSIQ to separate the regulatory functions from facilitation of development of agriculture and fisheries activities. He expressed concern that there would be no more policy for sustainable development of agriculture and fisheries upon reorganisation. Mr LEUNG further said that the fisheries industry considered that CFS should be formed under AFCD, in order to minimise disruption to the industry and to facilitate AFCD to implement the “From Feed to Table” concept.

Sai Kung Fishermen’s Association
[LC Paper No. CB(2) 710/05-06(03)]

Action

30. Mr CHENG King-man presented the views of Sai Kung Fishermen's Association as detailed in its submission tabled at the meeting. Mr CHENG said that the Association strongly opposed the formation of DFSIQ and splitting up AFCD into three departments. The Association was concerned that the interests of the agriculture and fisheries industry would be undermined upon reorganisation. Mr CHENG further said that the Association agreed to the need to enhance food safety, but considered that this should be achieved by the implementation of the "From Feed to Table" concept. He added that CFS should be formed under AFCD.

Hong Kong Fisheries Alliance

31. Mr KEUNG Yin-man said that as the fisheries industry had just learnt about the reorganisation plan, the organisation was unable to make specific comments on the proposal. He requested the Administration to explain in details the merits of the proposal to the agriculture and fisheries industry.

Hong Kong Livestock Industry Association and Hong Kong Pig Raising Development Federation

[LC Paper No. CB(2) 690/05-06(10)]

32. Mr NG Po-wing and Mr CHAN Kin-yip presented the views of Hong Kong Livestock Industry Association and Hong Kong Pig Raising Development Federation as detailed in their joint submission. Mr NG and Mr CHAN said that AFCD had made great efforts in developing and promoting agriculture and fisheries activities in the past decades. The agriculture and fisheries industry considered that AFCD possessed the professional knowledge and experience to implement the "From Feed to Table" concept. It was inappropriate for non-professional staff to assume overall responsibility for public health and related inspection and quarantine matters. They strongly opposed to the dissolution of AFCD, and considered it more appropriate for veterinarians to take the lead in food safety matters. They suggested that CFS should be formed under AFCD.

Hong Kong Pigfarm Association

33. Mr WONG Kwong-wing said that the Hong Kong Pigfarm Association strongly opposed the reorganisation proposal. He expressed concern that upon reorganization, the promotion and development of agriculture and fisheries activities would be taken up by senior officials who did not have the relevant professional knowledge and experience. Mr WONG considered that the proposal might have violate Article 119 of the Basic Law, as the reorganisation plan showed that the Administration no longer attached importance to the agriculture and fisheries industry. Mr WONG stressed that no drastic change should be made to AFCD, and that CFS should be formed under AFCD.

The New Territories Chicken Breeders Association Limited

[LC Paper No. CB(2) 690/05-06(11)]

Action

34. Mr WONG Yuen-tai presented the views of The New Territories Chicken Breeders Association Limited as detailed in its submission. Mr WONG said that the Association strongly opposed the proposal to reorganise AFCD as it would have negative impact on the agriculture and fisheries industry, and undermine the functions of AFCD and its support to the industry. The Association considered that the functions of regulating and promoting the development of agriculture and fisheries activities should continue to be carried out by one department. Mr WONG further said that to ensure food safety, AFCD should take the lead in implementing the “From Feed to Table” concept, and CFS should be formed under AFCD.

World’s Poultry Science Association Hong Kong Branch
[LC Paper No. CB(2) 710/05-06(04)]

35. Mr Peter WONG presented the views of World’s Poultry Science Association Hong Kong Branch as detailed in its submission tabled at the meeting. Mr WONG said that the most effective way to ensure food safety was to exercise control at source. The operational responsibilities including inspection and quarantine, and promotion of development of agriculture and fisheries activities should come under one single department. Mr WONG further said that CFS should be overseen by officials who had professional knowledge and experience in public health and food safety. He therefore considered that CFS should be formed under AFCD. Mr WONG urged the Administration to take into account views expressed by the agriculture and fisheries industry on the reorganisation plan.

Agriculture and Fisheries Technology Promotion Association
[LC Paper No. CB(2) 710/05-06(05)]

36. Mr William HAU presented the views of Agriculture and Fisheries Technology Promotion Association as detailed in its submission tabled at the meeting. Mr HAU said that the Administration should take into account the staff morale and views of the affected trades before proceeding with the reorganization plan. Mr HAU further said that the Association held strong views against the reorganization proposal. Given that the “From Feed to Table” concept implemented by AFCD had proven effective and was the best way to enhance food safety, AFCD should not be split up but should take up responsibilities on food safety surveillance. He added that CFS should be formed under AFCD.

Hong Kong Florists Association
[LC Paper No. CB(2) 699/05-06(03)]

37. Mr WAN Chung-ping presented the views of Hong Kong Florists Association as detailed in its submission. Mr WAN said that the Association objected to splitting AFCD into three departments. There were concerned that upon reorganization, the interests of the agriculture industry, which was currently looked after by AFCD, would

Action

be ignored. Mr WAN further said that the responsibilities of the new DFSIQ relating to food safety matters should be taken up by AFCD.

38. Mr WAN pointed out that the Administration had not consulted the agriculture and fisheries industry before putting forward the proposal. He urged the Administration to consult the relevant trades on the proposal, and formulate long-term agriculture policy and strategy in accordance with Article 119 of the Basic Law.

The Federation of Vegetable Marketing Co-operative Societies, Limited
[LC Paper No. CB(2) 690/05-06(12)]

39. Mr CHUNG Yim-hing presented the views of The Federation of Vegetable Marketing Co-operative Societies, Limited as detailed in its submission. Mr CHUNG said that the organisation opposed the proposal to reorganise AFCD and transfer its existing functions to three different departments. He considered that the most effective way to ensure food safety was to control at source, and CFS should be formed under AFCD. Mr CHUNG urged the Administration to listen to the views of the agriculture and fisheries trades before taking a decision on the reorganisation plan and the long-term policy on agriculture and fisheries.

Hong Kong Organic Farming Association

40. Ms CHU Pui-kwan said that the Hong Kong Organic Farming Association considered that as promulgated by the World Health Organisation and Food and Agriculture Organisation, the food chain approach (i.e. the "From Feed to Table" concept) was an effective means to reduce food-borne hazards. Ms CHU further said that the agriculture and fisheries trades did not want to see the dissolution of AFCD. They considered that CFS should be formed under AFCD, and AFCD should continue its role of promoting and developing agriculture and fisheries activities.

(b) Meeting with the Administration
[LC Paper Nos. CB(2) 464/05-06(01), 699/05-06(04) and (05)]

41. Deputy Secretary for Health, Welfare and Food (Food and Environmental Hygiene) (DS(FEH)) gave the following response to deputations' views and concerns -

- (a) The reorganisation plan had not breached the relevant provisions in the Basic Law. The Administration would continue to develop and promote agriculture and fisheries activities which would be performed by the new DAEH, while Health, Welfare and Food Bureau (HWFB) would continue to be responsible for the policy formulation and resource allocation in this respect;
- (b) other countries/places also had the practice of separating the regulatory and facilitation functions under their food safety control systems;

Action

- (c) it was not the Administration's intention to expand the directorate establishment through the reorganisation plan. The additional recurrent expenditure of \$150 million was for the creation of 225 new posts, including additional veterinarians and agriculture and fisheries related professionals; and
- (d) the Administration attached great importance to staff morale in the affected departments, and the views and concerns expressed by concerned parties on the reorganisation plan.

42. Deputy Director of Environmental Protection (DD/EPD) said that the Environment, Transport and Works Bureau (ETWB) fully supported the policy commitment to enhancing food safety. As ETWB was currently responsible for conservation policies, it was logical to transfer AFCD's operational responsibilities on conservation and management of country/marine parks to EPD together with the existing staff. DD/EPD further said that the proposed merger would not add new responsibilities to ETWB.

43. Mr WONG Kwok-hing noted that most deputations pointed out that the Administration had not consulted the staff of affected departments, the agriculture and fisheries trades and other key stakeholders on the reorganisation plan. Mr WONG asked why the Administration refused to meet with the staff of affected departments, and why the Administration had proposed to split up AFCD into three departments. Mr WONG commented that the proposed reorganisation only aimed to increase senior posts and reduce junior posts, and it would also lead to additional costs such as new uniforms and new letterheads.

44. DS(FEH) said that the management of the affected departments had held briefing sessions to explain the reorganisation proposal to their staff. DS(FEH) reiterated that the Administration had not taken a decision on the proposal yet, and it would carefully consider the views expressed and continue discussion with the stakeholders.

45. Mr Vincent FANG thanked the deputations for attending the meeting. Mr FANG commented that it was unbelievable that the Administration had not communicated with the staff prior to the promulgation of the reorganisation plan. He said that the Administration should not make use meetings of Legislative Council committees as an avenue for staff consultation. Mr FANG further said that while he supported enhancing food safety control at source and setting up the CFS, the Administration should examine what would be the best way to take forward the improvements required. Concerning the need for splitting up AFCD's functions, Mr FANG asked whether there were examples of conflict of roles in existing AFCD performing the regulatory and facilitation functions. The Chairman asked whether AFCD had encountered any difficulties in discharging its dual role in regulating and facilitating the agriculture and fisheries industry.

Action

46. DS(FEH) responded that segregation of the regulatory and facilitation functions would best serve the interests of the consumers and the agriculture and fisheries industry. For example, the new DAEH would be able to allocate more resources to the development of agriculture and fisheries activities not related to food safety, such as the development of offshore fishing.

47. Dr KWOK Ka-ki said that he supported setting up the CFS to enhance food safety and protection of public health. He pointed out that the Administration's paper did not provide information on ways to enhance food safety upon reorganisation, but only requested for the creation of four additional directorate posts and 221 non-directorate posts. Dr KWOK asked representatives of the staff of AFCD whether the Administration had sought their professional advice before putting forward the reorganisation plan.

48. Mr Clive LAU and Dr Michelle YEUNG of AFCD said that the AFCD staff had not been consulted on the reorganisation plan.

49. Dr KWOK Ka-ki said that the recent food incidents such as discovery of malachite green in freshwater fish were mainly due to lax control over the safety of imported food, and such incidents were not related to conflict of roles of AFCD in regulating and facilitating the agriculture and fisheries industry. Dr KWOK considered that given the views expressed by staff and agriculture and fisheries trades, the Administration should not split up AFCD and should reconsider the reorganisation proposal. Dr KWOK further said that he would not support the upgrading of posts unless the Administration had fully discussed with the staff.

50. Mr WONG Yung-kun said that the Administration was in the wrong direction in pursuing the reorganisation proposal. He envisaged that limited resources would be allocated for the development and promotion of agriculture and fisheries activities, as the 200 agricultural and fisheries staff represented a very small establishment in the new DAEH. Mr WONG further said that it would be more effective to enhance food safety by improving the quality of food at source, and this could only be achieved through the efforts made by the veterinarians. He considered that the Controller of CFS should be a veterinary professional, and not a medical doctor or Administrative Officer. Mr WONG added that Members belonging to the Democratic Alliance for the Betterment and Progress of Hong Kong supported the proposal to set up CFS to enhance food safety, but objected to the current reorganisation proposal.

51. The Chairman concluded that members of the joint meeting expressed reservations about the reorganisation proposal. He urged the Administration to continue to discuss with staff of the affected departments. The Chairman further said that the Administration should take into account members' views and submit a revised proposal to the Panels for further discussion.

Action

52. The Chairman reminded members that another joint meeting would be held on 6 January 2006 to receive views from academics/experts and representatives from other relevant trades on the reorganisation plan.

53. There being no other business, the meeting ended at 12:55 pm.

Council Business Division 2
Legislative Council Secretariat
9 May 2006