

香港特別行政區政府  
The Government of the Hong Kong Special Administrative Region

房屋及規劃地政局  
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7 January 2006

Clerk to LegCo Panel on Housing  
Legislative Council Secretariat  
Legislative Council Building  
8 Jackson Road  
Central  
Hong Kong  
(Attn: Miss Becky Yu)

Dear Miss Yu,

**Legislative Council Panel on Housing**  
**Follow-up to Meeting on 5 December 2005**

At Panel meeting on 5 December 2005, during discussion of the Marking Scheme for Tenancy Enforcement in Public Housing Estates, Members requested information on the number of enforcement actions taken outside public housing estates under the Fixed Penalty (Public Cleanliness Offences) Ordinance (Cap. 570) and the Public Health and Municipal Services Ordinance (Cap. 132).

To maintain the environmental hygiene of public housing estates and the neighbourhood, designated officers of the Housing Department, namely Housing Managers, Assistant Housing Managers and Housing Officers, are authorised under the Fixed Penalty (Public Cleanliness Offences) Ordinance to

issue fixed penalty notices to persons committing the offences of littering, spitting and fouling of street by dog faeces. Housing Managers, Assistant Housing Managers, Housing Officers, Senior Foremen and Foremen of the Department are also empowered, under delegated authority of the Director of Food and Environmental Hygiene, to combat illegal hawking activities under the Public Health and Municipal Services Ordinance. There is no restriction under these ordinances on the enforcement area for the designated public officers, including Housing Department staff.

Notwithstanding, most enforcement actions by designated Housing Department staff are undertaken in public housing estates. Only a few enforcement actions are carried out in areas marginally outside estate boundaries. From August 2003 to November 2005, 140 fixed penalty notices were issued by Housing Department staff outside public housing estates. On the other hand, illegal hawkers often move out of the public housing estates during Housing Department's enforcement raids. To strengthen the effect of our enforcement efforts, the Housing Department from time to time launches joint operations with the Food and Environmental Hygiene Department and the Police against illegal hawking activities straddling estate boundaries. From August 2003 to November 2005, a total of 721 joint enforcement operations were launched, resulting in 135 arrests. We do not have the breakdown of the number of cases which fall outside estate boundaries in these operations.

Yours sincerely,

( Miss Joey Lam )  
for Secretary for Housing, Planning and Lands

c.c. AA/SHPL  
DD/EM