



中華人民共和國香港特別行政區政府總部食物及衛生局
Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

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(Translation)

19 July 2013

Clerk to Panel on Food Safety and Environmental Hygiene
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn.: Mr Jove CHAN)
[Fax: 2185 7845]

Dear Mr Chan,

**LegCo Panel on Food Safety and Environmental Hygiene
Follow-up to Special Meeting on 21 June 2013**

Thank you for your letter of 27 June 2013, requesting a written reply from us in response to the motion passed at the captioned meeting. I am authorised to reply as follows.

To reduce the fire risks posed by on-street hawking activities in the fixed-pitch hawker areas (the hawker areas), the Government considers it necessary to improve the fire resisting capability and design of hawker stalls, and to relocate stalls away from staircase discharge points of buildings or locations that may obstruct emergency vehicular access or the operation of aerial ladders.

On 3 June 2013, the Government launched a five-year Assistance Scheme which aims at providing financial assistance to licensed hawkers in the 43 hawker areas for stall reconstruction and relocation in order to

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expedite the work of reducing fire risks in those areas. Besides, an ex-gratia payment (EGP) is payable under the Assistance Scheme for voluntary surrender of hawker licences. This would help expedite the release of vacant pitches and hence facilitate the relocation of stalls which at present pose higher fire risks. Of the stalls currently operating in the 43 hawker areas, around 550 are those that warrant relocation as they pose higher fire risks.

Part (1) of the motion: Arranging for hawker licences equal to the number of those recovered for application by registered assistants in the same district and members of the public, with priority given to the former

As mentioned above, under the Assistance Scheme, a one-off EGP is payable to eligible hawkers who opt for voluntary surrender of their hawker licences. This is to facilitate timely vacation of space for the early relocation of stalls which at present pose higher fire risks, for protecting public safety.

The above arrangement aims at releasing vacant pitches for the purpose of relocation. Therefore, the space vacated upon the surrender of licences has to be used, as a matter of priority, for relocating stalls which pose higher fire risks. The suggestion in the motion that the Government should issue new licences equal to the number of licences recovered will result in the licence surrender arrangement failing to serve the intended purpose of expeditiously reducing fire risks in hawker areas.

Members have expressed the view that if the voluntary licence surrender arrangement received overwhelming response, resulting in a large number of vacant stalls in an individual hawker area which far exceeded the number of stalls to be relocated, hence affecting its sustainability, the Administration should consider re-issuing new hawker licences to fill the vacant stalls. The Government has noted the suggestion. In fact, the five-year Assistance Scheme is still at a very preliminary stage. Since the licence surrender arrangement is voluntary in nature, the Administration has yet to make an accurate projection on the total number of licences that may be voluntarily surrendered. The Administration will re-visit the aforesaid suggestion after the Assistance Scheme has been implemented for a period of time. The circumstances of each hawker area, including fire safety and environmental hygiene considerations, the business environment, and the views of the District Councils and local residents will be duly taken into account. If it is decided that re-issuing of new hawker licences should be considered, the Government will make reference to past experience and the views of

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stakeholders, including the proposal to allow priority for registered assistants to apply for hawker licences.

Part (2) of the motion: Undertaking to retain and preserve the existing bazaars

The Government fully recognises the history of hawking in Hong Kong. Hawker areas are very often conveniently located and provide more shopping choices for the general public. The unique culture of street hawkers/hawker bazaars has become part of the everyday life of many Hong Kong residents. Some hawker areas have become tourist attractions. The Government believes that the best way to preserve the tradition related to hawking lies in maintaining the current flexible and low cost environment. This enables hawker areas to operate and develop in a vibrant and organic manner.

Whilst striving to provide a conducive environment for hawking activities in Hong Kong, the Government is also duty bound to regulate on-street hawking activities to maintain order, to reduce environmental nuisance and to minimise fire risks to nearby residents. In going forward, the Government will as before seek to strike a reasonable balance between these two aspects of our work.

Yours sincerely,

[signed]

(Vinci CHAN)

for Secretary for Food and Health

c.c.: Director of Food and Environmental Hygiene
(Attn.: Mr FAN Yung-kai)
[Fax: 2530 1368]