



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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Fax No.: 2136 3282

(Translation)

31 July 2013

Hon. Alan LEONG Kah-kit
Chairman of Panel on Food Safety and Environmental Hygiene
Legislative Council
1 Legislative Council Road
Central, Hong Kong
[Fax: 2509 3101]

Dear Hon. Leong,

**Meeting of the Panel on Food Safety and Environmental Hygiene on
9 July 2013**

We would like to set out below our response to the commentaries made by the Panel when discussing the three agenda items at the captioned meeting, namely (a) supply of live cattle in Hong Kong; (b) improvement of operating environment of public markets and related issues – progress update; and (c) fire safety requirements for food premises.

Supply of live cattle in Hong Kong

At the meeting, you expressed disappointment and dissatisfaction that the information submitted by the Administration and our response to Members' enquiries had failed to elucidate what it was that had been holding the Government back from opening up the live cattle market.

(Translation)

At the meeting, we pointed out that the Administration was exploring with the Ministry of Commerce opening up the business of the live cattle agent to competition. We hope Members will understand that opening up the market, involving as it does the Mainland's export management, is not a measure that the Hong Kong Special Administrative Region Government could unilaterally decide upon. We were hence unable to provide a concrete timetable on the opening up of the market at the meeting.

As had been indicated at the meeting, we will report to the Panel as and when there are further developments on the matter.

Improvement of operating environment of public markets and related issues – Progress update

Regarding public markets, the Panel proposed at the beginning of this legislative session a discussion schedule (i.e. January, April and July 2013) to consider the proposed rental adjustment mechanism and related issues. When we consulted the Panel at the meeting of 8 January 2013 on the latest proposed rental adjustment mechanism for public market stalls, Members requested the Administration to conduct a comprehensive review covering the policy and usage of public markets before the proposed rental adjustment mechanism was put into place.

You wrote to this Bureau on 11 January 2013, urging the Administration to respond to the request for the review at the Panel meeting in April. In our reply of 28 February 2013, we made known our plan to examine the positioning and functions of public markets in present-day circumstances, including how best to further improve the operating environment of public markets. We also stated that since the review would take time, we intended to report to the Panel on progress in the second half of this year.

Subsequently, you wrote to us again on 28 March 2013, requesting that the Administration report to the Panel at the meeting in April on the latest state of the review. In response, we briefed Members at the meeting of 16 April 2013 on the Administration's plan to engage a consultant to assist in developing proposals for improving the operating environment of public markets thereby enabling them to fulfil their functions in a manner befitting their positioning. After the meeting, you again requested that the Administration report to the Panel in July on the work progress of the study.

(Translation)

On 30 April 2013, we had a meeting with you and the Deputy Chairman of the Panel to discuss the relevant issues. We said that the preparatory work for engagement of the consultant was then underway with a view to commencing the study in the fourth quarter of this year; and if everything went well, the consultant was expected to submit the preliminary findings of the study in mid-2014. We also pointed out during the meeting that in view of the above work schedule, we would focus mainly on internal work in the coming months and hence might not be able to provide further updated information for discussion by the Panel in July.

Nevertheless, at your request, we gave at the Panel meeting on 9 July 2013 an account of the preferred positioning and functions of public markets in present-day circumstances and the perspectives through which we expect the consultant to go about conducting the study, as well as the areas to be covered. The relevant information was set out in paragraphs 3 to 4 and 7 to 11 of the Panel paper (LC Paper No. CB(2)1511/12-13(02)).

At the meeting of 9 July 2013, you indicated that even though the consultancy brief could not be fully made public due to confidentiality, you still hoped the Panel could be informed of the relevant parts so as to provide views on the direction or perspective of the consultancy study.

To facilitate Members in getting a better grasp of materials in the consultancy brief that could be disclosed, we would issue in due course an information note on the relevant parts of the brief to the Clerk to the Panel for Members' reference.

At the meeting of 9 July 2013, a Member questioned the need for engaging a consultant for the study. This act was made in response to a suggestion raised by Members at the meeting of 8 January 2013 who considered that the Administration should invite experts with experience in retail operations to give advice. In this connection, the Government decided to engage a consultant with expertise in retail consulting to assist in coming up with concrete improvement proposals for public markets. In the process, the consultant may draw in experts from the retail, design and other professions as necessary and would have to collect views from different stakeholders. As mentioned above, we reported to the Panel at the meeting of 16 April 2013 on our plan to engage the consultant. It received general support from the Panel at the time.

(Translation)

Fire safety requirements for food premises

At the captioned meeting, you said you could not understand why it was necessary to deal with the agenda item about fire safety requirements for food premises on that day. You saw no urgency for that item.

“Fire safety requirements for food premises” was included in the list of proposed items we submitted to the Legislative Council (LegCo) early this year. According to the list of items for discussion prepared by the LegCo Secretariat for the Panel meeting of April 2013, that item was scheduled for discussion in July 2013.

We would like to clarify that we did not intend and had never attempted to rush the Panel into endorsing this item. Although 40 minutes were allowed for discussion of the item as set out on the agenda, it was unfortunate that the Panel’s deliberation was adjourned even before Members had an opportunity to scrutinize and discuss the subject matters in question.

As had been set out in the Panel paper, the Administration was minded to roll out the proposed fire safety requirements for food premises in the first quarter of 2014, subject to approval of the Panel. Now that deliberation of the item has been adjourned until the next meeting, implementation of the relevant measures would probably have to be deferred accordingly.

Thank you very much for your attention.

Yours sincerely,

[signed]

(Christopher K.B. WONG)
for Secretary for Food and Health

c.c.: Director of Food and Environmental Hygiene