

**The Director of Audit's Report No. 64 on the Results of Value for Money
Audits**

**Chapter 3: Public cooked food markets managed by
the Food and Environmental Hygiene Department**

**Opening Remarks by the Director of Food and Environmental Hygiene
at the Public Hearing of the Public Accounts Committee of
the Legislative Council on 11 May 2015**

(English translation)

Chairman, Committee Members,

Just now, the Secretary for Food and Health has given a brief account of the background and way forward of our policy on cooked food hawker bazaars (CFHBs). In the following, I would like to briefly introduce the follow-up actions taken by the Food and Environmental Hygiene Department (FEHD) on the recommendations concerning the provision of facilities in public cooked food markets (CFMs), management of market stalls, and stall rentals by the Director of Audit (Audit).

Provision of facilities in markets

2. As regards the Audit's recommendation to FEHD for expediting the implementation of fire safety measures at CFMs, we are taking follow-up

actions in a proactive manner. Over the years, FEHD has implemented fire safety upgrading works alongside other general improvement measures at 19 Cooked Food Centres (CFCs) and 3 CFMs. We will pursue fire safety upgrading works at the remaining CFMs and CFHBs. After the release of the Audit Report, we have joined hands with the Fire Services Department and the Electrical and Mechanical Services Department in conducting a review of the fire risk at individual public cooked food venues, in the hope of finding ways to enhance the fire safety thereof as soon as possible. Enforcement actions will be taken against violations of relevant safety regulations. If any cooked food hawkers or tenants of CFCs / CFMs do not comply with the regulations, we will consider cancelling their licences or terminating their tenancy agreements as appropriate.

3. On the issue of electricity supply, FEHD will liaise with the Architectural Services Department to review the adequacy of electricity supply in CFMs and CFCs. For cooked food venues with sub-standard electricity supply, FEHD will assess the feasibility and cost-effectiveness of upgrading the supply. If upgrading works are considered feasible, FEHD will follow up on the matter with relevant departments. On the other hand, for CFMs and CFCs found not suitable for upgrading works, FEHD will establish guidelines, in consultation with relevant departments, on the use of electrical appliances and ensure that such guidelines are properly implemented and updated.

4. Regarding air-conditioning, FEHD will work with relevant departments in upgrading electricity supply for individual CFMs and CFCs, and work in close liaison with stakeholders when following up on any proposals to retrofit

air-conditioning systems. FEHD will also step up inspections, and remind stall operators to seek prior approval before installing air conditioners to ensure that using such electrical installations will not overload the electricity supply in their venues.

Management of market stalls

5. Moreover, FEHD will review the adequacy of facilities in CFMs and CFCs, and ensure that the facilities conform with public health and safety requirements. Inspections will also be stepped up to guard against violations of rules and regulations, such as obstruction, sale of liquor without a licence, and unauthorised use of stalls for purposes other than those specified in the tenancy agreements, including the conduct of food factory business. Sanction will be imposed against non-compliance.

6. On the appointment of deputies by licensed hawkers in CFHBs, FEHD has reminded staff to act strictly in accordance with the prevailing guidelines which, among other things, require that the licensee should personally operate the business after expiration of the approved period on appointment of deputy. Any extension or repeated applications for appointment of deputy will not be considered unless supported by medical grounds or special justifications.

7. As regards regulatory inspections of public cooked food venues, FEHD will ensure that irregularities, if any, are properly followed up and rectified. Our staff have been reminded to conduct timely inspections, record the details as appropriate, and take enforcement actions or issue warning letters if

irregularities are detected. Supervisors should also conduct site visits and check on the inspection records according to the departmental guidelines and Operational Manual. The frequency of inspections of CFHBs and related guidelines on inspections will be reviewed.

Stall rentals and charges

8. FEHD agrees with the Audit's recommendations on the establishment of a rental adjustment mechanism, as well as the recovery of rates and air-conditioning charges. Although our previous proposals for the market rental adjustment mechanism and the recovery of air-conditioning charges did not have the support of the Legislative Council, we will continue with our effort in identifying a suitable rental adjustment mechanism and setting up arrangements to recover the rates and air-conditioning charges.

9. Chairman, Committee Members, we will continue to proactively follow up on other recommendations in the Audit Report. We are glad to listen to your views and will fully cooperate with the Public Accounts Committee.

10. Thank you, Chairman.