

立法會
Legislative Council

LC Paper No. CB(1)756/17-18
(These minutes have been seen
by the Administration)

Ref : CB1/HS/2/16/1

Subcommittee on Issues Relating to Bazaars

**Minutes of the second meeting on
Tuesday, 20 December 2016, at 9:00 am
in Conference Room 1 of the Legislative Council Complex**

Members present : Dr Hon LAU Siu-lai (Chairman)
Dr Hon KWOK Ka-ki (Deputy Chairman)
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon WONG Ting-kwong, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon YIU Si-wing, BBS
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon Kenneth LEUNG
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon Martin LIAO Cheung-kong, SBS, JP
Dr Hon CHIANG Lai-wan, JP
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon HO Kai-ming
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan

Hon Tanya CHAN
Hon CHEUNG Kwok-kwan, JP
Hon HUI Chi-fung
Hon LAU Kwok-fan, MH
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Nathan LAW Kwun-chung
Dr Hon YIU Chung-yim

Member attending : Hon WU Chi-wai, MH

Members absent : Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon Alvin YEUNG
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon LUK Chung-hung

[According to the Judgment of the Court of First Instance of the High Court on 14 July 2017, LEUNG Kwok-hung, Nathan LAW Kwun-chung, YIU Chung-yim and LAU Siu-lai have been disqualified from assuming the office of a member of the Legislative Council, and have vacated the same since 12 October 2016, and are not entitled to act as a member of the Legislative Council.]

Public officers attending : Miss Diane WONG
Principal Assistant Secretary for Food and Health
(Food) 2
Food and Health Bureau

Mr LAM Wing Hong
Assistant Director (Operations)2
Food and Environmental Hygiene Department

Attendance by invitation : Deputations

Session 1

The Civic Party

Mr YU Tak-po Andy
Representative of the Civic Party (District Councillor
of Yau Tsim Mong District)

Captain O

Mr LAI Wai-tong
Member

Tuen Mun Community Network

Mr WONG Tan-ching
Convener of Tuen Mun Community Network

Tin Zi Zok Wai

Miss PANG Lok-yan
Community Organizer

Individual

Mr LAU Ki-wang

Individual

Mr CHENG Wai, Noah

Democratic Alliance for the Betterment and Progress of
Hong Kong

Mr WU Cheuk-him

The Hong Kong Council of Social Service

Ms WONG Wai-yin Dorothy
Officer (Policy Research Advocacy)

Tung Chung Community Development Alliance

Miss CHIU Sin-ting
Project Officer

Concerning CSSA Low Income Alliance

Mr LEE Tai-shing
Community Organizer

Community Development Alliance

Miss WONG Wing-chi
Organizer

Supporting Grassroot Bazaar Alliance

Miss NG Ching-yan
Organizer

有機墟市聯盟

Miss NG On-ki
Organizer

Concerning Tin Shui Wan Vendor Alliance

王希文先生

Individual

Mr TSANG Kin-sun

Collective Purchase Platform for Grassroots

Miss YU Cheuk-lam
Project Organizer

深水埗見光墟關注組

Mr LEE Kwok-kuen
Community Organizer

Catholic Diocese of Hong Kong Pastoral Centre for
Workers (Hong Kong Island)

Mr LAM Wai-ho Louis
Assistant Program Officer

塔冷通墟市關注組

張錦笑女士

Individual

Mr LAM Ming-yat

青年民協

何啟明先生

Community Joint Development Council

Mr MIAO Yi
Chairman

Education Bazaars of the Nonsense Foundation

Mr NG Chung-tat
Spokesperson

Individual

Mr CHAN Chi-wing

Session 2

Individual

Miss HON Kin-lam

北區墟市節聯席

Mr LI Cheong-lung

Individual

Mr HO Chi-chung

Individual

Miss TO Sze-nga

MK Love Night market

Mr CHENG Yau-shing

Individual

林仲稀先生

Individual

陳黃莉莉女士

Individual

何初寒先生

United Hawkers Development Platform

Mr CHAN Chiu-hang

我撐平民美食車

Miss YIP Po-lam
Member

Individual

余燕青女士

Individual

何健榮先生

Individual

黃曉鷗先生

Individual

張瑞麗女士

League of Social Democrats

Mr WONG Ho-ming
Vice-Chairman (External Affairs)

禮義廉屁股決定腦袋專賣店

Mr CHAN Man-wai

Clerk in attendance : Ms Connie SZETO
Chief Council Secretary (1)4

Staff in attendance : Mr Hugo CHIU
Senior Council Secretary (1)4

Ms Sharon CHAN
Legislative Assistant (1)4

Ms Vivian CHAN
Clerical Assistant (1)4

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I Proposed meetings on 10 and 21 January 2017

The Chairman informed members that the third and fourth meetings had been scheduled as follows:

- (a) 10 January 2017, from 4:30 pm to 6:30 pm, to meet with academics/experts and the Administration to discuss the economic benefits and social roles of bazaars; and

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- (b) 21 January 2017, from 9:00 am to 1:00 pm, to meet with deputations/individuals and the Administration to discuss issues relating to markets and wider issues relating to policies on bazaars.

2. As suggested by the Chairman, Dr Fernando CHEUNG and Mr SHIU Ka-chun, the following academics would be invited to give views at the Subcommittee meeting on 10 January 2017:

- (a) Mr CHOW Sung-ming of the Hong Kong Polytechnic University;
- (b) Prof NG Mee-kam of the Chinese University of Hong Kong;
- (c) Dr LEUNG Chi-yuen of the Hong Kong Polytechnic University;
and
- (d) Prof MA Kwok-ming and Prof IP Iam-chong of the Lingnan University.

3. As regards the meeting on 21 January 2017, the Chairman suggested inviting representatives from trade associations/organizations of Yen Chow Street Hawker Bazaar, Stanley Market and Graham Market. Mr SHIU Ka-chun suggested inviting representatives from Kam Sheung Road Flea Market and Mr LEUNG Yiu-chung suggested inviting trade associations/organizations of Ladies Market and Temple Street Night Market to share their experience in operating bazaars.

II Policies and issues relating to Lunar New Year bazaars - Meeting with deputations/individuals and the Administration

Relevant papers

(LC Paper No. CB(1)328/16-17(12) — Paper provided by the Administration

Meeting with deputations/individuals

(LC Paper No. CB(1)328/16-17(01) — Submission from Tuen Mun Community Network (Chinese version only)

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- LC Paper No. CB(1)328/16-17(03) — Submission from Catholic Diocese of Hong Kong Pastoral Centre for Workers (Hong Kong Island)/塔冷通墟市關注組 (Chinese version only)
- LC Paper No. CB(1)328/16-17(04) — Submission from Mr LAM Ming-yat (Chinese version only)
- LC Paper No. CB(1)328/16-17(05) — Submission from Community Joint Development Council (Chinese version only)
- LC Paper No. CB(1)328/16-17(13) — Submission from The Hong Kong Council of Social Service (Chinese version only)
- LC Paper No. CB(1)346/16-17(01) — Submission from United Hawkers Development Platform (Chinese version only)
- LC Paper No. CB(1)346/16-17(02) — Submission from The Civic Party (Chinese version only)
- LC Paper No. CB(1)346/16-17(03) — Submission from Miss TO Sze-nga (Chinese version only))
- Submissions/letters from organizations/individuals not attending the meeting*
- (LC Paper No. CB(1)328/16-17(02) — Submission from Mr CHUI Chi-kin (Chinese version only)
- LC Paper No. CB(1)328/16-17(06) — Submission from Mr YEUNG Chun-yuen (Chinese version only)
(Joint submission from 犀利哥討論區)
- LC Paper No. CB(1)328/16-17(07) — Submission from 劉彥昭先生 (Chinese version only)

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LC Paper No. CB(1)328/16-17(08) — Submission from a general public (Chinese version only)

LC Paper No. CB(1)328/16-17(09) — Submission from Dr CHOU Kwok-ping (Chinese version only)

LC Paper No. CB(1)328/16-17(10) — Submission from Mr WONG Nick (Chinese version only)

LC Paper No. CB(1)328/16-17(11) — Submission from Mr LEE Kok-man (Chinese version only)

4. The Chairman welcomed representatives of the Administration and deputations/individuals to the meeting, and reminded them that their written submissions and views presented at the meeting would not be covered by the protection and immunity provided under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382).

5. The Subcommittee received views from 40 deputations/individuals attending the meeting, and noted the seven written submissions provided by organizations/individuals which/who had not attended the meeting (Index of proceedings attached at **Appendix**).

(Post-meeting note: Three written submissions tabled at the meeting (Chinese version only) were issued to members vide Lotus Notes e-mail on 20 December 2016.)

6. The Subcommittee noted the following views expressed by deputations and individuals:

- (a) the development of bazaars (including night markets) would
 - (i) boost local economy and tourism,
 - (ii) assist the grass-root people, housewives and elderly people to support their living by enabling them to lease sites at affordable rents to sell their products, and
 - (iii) alleviate poverty;
- (b) the Government should provide details on the application and consultation procedures for setting up bazaars;

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- (c) the use of "naked flame", instead of electricity, should be allowed in Lunar New Year bazaars and cooked food bazaars with proper firefighting and first aid facilities in place;
- (d) the Government should allow the public to set up bazaars during the first three days of the Lunar New Year and formulate a regulatory regime to ensure the smooth operation of Lunar New Year bazaars;
- (e) the Government should launch a pilot scheme by setting up bazaars at suitable locations in some districts with a view to extending the successful experience to other districts;
- (f) the Government should formulate long-term policies, provide assistance (including financial assistance) and facilities (e.g. community kitchens to assist bazaar operators to prepare food for sale), and simplify application procedures (including establishing a one-stop platform) to facilitate interested parties, in particular the grass-root people, in setting up bazaars;
- (g) before a comprehensive bazaar policy was in place, the Government should adopt a lenient approach in taking enforcement actions against street hawking activities, especially during the Lunar New Year;
- (h) the Government should consider (i) identifying suitable sites with high visitor flow in each district (e.g. pedestrian precinct, public spaces near MTR exits and open spaces in public rental housing estates) for setting up of bazaars, (ii) converting existing public markets with low occupancy into cooked food bazaars, (iii) converting the sites used for Lunar New Year Fairs for organization of Lunar New Year bazaars, and (iv) issuing new hawker licences;
- (i) the Government could make reference to the experience of Taiwan to allow non-governmental organizations ("NGOs"), local residents and hawkers to directly participate in the management of bazaars; and
- (j) instead of relying on District Councils ("DCs"), the Government should consider setting up district bazaar committees (地區墟市委員會) to facilitate discussion of bazaar proposals by relevant

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stakeholders (e.g. NGOs, hawkers, DC members and the Food and Environmental Hygiene Department).

Motions

7. At 12:52 pm, the Chairman informed the Subcommittee that she had received three motions from Mr Nathan LAW, Mr LEUNG Kwok-hung and Dr KWOK Ka-ki. Members had no objection to the Subcommittee proceeding with the motions. The Chairman invited the three members to speak on their motions.

8. Mr Nathan LAW spoke on his motion. The terms of the motion were as follows –

"墟市文化歷史悠久，街頭小販、路邊檔、地攤等不但為市民提供價廉物美的消費選擇，同時已成為香港人的集體回憶和生活文化。有見墟市隨着社會發展而日漸衰落，本會促請當局研究於全港五大選區各區選一年宵市場作試點，在農曆新年期間設立熟食墟市，藉此促進社區經濟、保留本土特色文化。"

(Translation)

"The culture of bazaars boasts a long history, whereas on-street hawkers, street stalls, sidewalk vendor stalls and so on not only offer affordable alternatives of consumption to members of the public but have also become part of the collective memories and living culture of the people of Hong Kong at the same time; given the decadence of bazaars along with the development of the community, this Subcommittee urges the authorities to look into the prospect of selecting a Lunar New Year Fair from each of the five major constituencies of Hong Kong as trial points for the establishment of cooked food bazaars during Lunar New Year with a view to fostering community economy and preserving the unique local culture."

9. The Chairman put Mr LAW's motion to vote. All members present at the meeting voted for the motion. The motion was passed.

10. Mr LEUNG Kwok-hung spoke on his motion. The terms of the motion were as follows –

"本會促請當局研究於全港五大選區各區設一行人專用區作試點，在農曆新年期間設立熟食墟市。"

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(Translation)

"That this Subcommittee urges the authorities to look into the prospect of assigning a pedestrian precinct for each of the five major constituencies of Hong Kong as pilot points for the establishment of cooked food bazaars during Lunar New Year."

11. The Chairman put Mr LEUNG's motion to vote. One member voted against and all other members voted for the motion. The motion was passed.

12. Dr KWOK Ka-ki spoke on his motion. The terms of the motion were as follows –

"本會促請政府當局於農曆新年期間對街頭擺賣活動寬鬆執法。"

(Translation)

"That this Subcommittee urges the Administration to relax the enforcement actions against on-street hawking activities during Lunar New Year."

13. The Chairman put Mr KWOK's motion to vote. Two members abstained from voting and all other members present at the meeting voted for the Motion. The motion was passed.

(Post-meeting note: The terms of the motions were circulated to members vide LC Paper No. CB(1)351/16-17(11) on 21 December 2016.)

Follow-up actions to be taken by the Administration

14. The Administration was requested to provide information on:

- (a) details of the application procedures for setting up bazaars in various districts, and factors and criteria adopted by the Administration in vetting the applications;
- (b) whether applications for setting up bazaars or Poon Choi feasts involving heating activities using "naked flame" (明火) were subject to different application procedures; details on the types of licences required, the consultation processes, and factors and criteria adopted by the Administration in vetting such applications;

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- (c) the Administration's response to Subcommittee members' suggestion of establishing a one-stop platform to facilitate the public in making applications for setting up bazaars;
- (d) a list of bazaar applications submitted to the 18 DCs in the past three years and their results of applications, including whether the applications involved heating activities using naked flame;
- (e) a list of potential sites in each of the 18 districts that might be considered for setting up bazaars, and the criteria adopted by the Administration in considering whether a site was suitable for establishing a bazaar;
- (f) the Government's policy on community kitchens;
- (g) the Administration's response to the three motions passed at the meeting; and
- (h) the Administration's response to the views raised by deputations at the meeting and concerns in their submissions.

(Post-meeting note: The Administration's written response was issued vide LC Paper No. CB(1)450/16-17(11) on 17 January 2017.)

(At 12:51 pm, the Chairman ordered that the meeting be extended for 15 minutes, and at 1:03 pm, she suggested that the meeting be further extended to 1:30 pm. Members raised no objection.)

III Any other business

15. There being no other business, the meeting ended at 1:30 pm.

**Proceedings of the second meeting of the
Subcommittee on Issues Relating to Bazaars
on Tuesday, 20 December 2016, at 9:00 am
in Conference Room 1 of the Legislative Council Complex**

Time Marker	Speaker	Subject(s)	Action Required
Agenda item I — Proposed meetings on 10 and 21 January 2017			
000819 – 001450	Chairman Dr Fernando CHEUNG Mr SHIU Ka-chun Mr LEUNG Yiu-chung	Arrangements for the meetings on 10 and 21 January 2017.	
Agenda item II — Policies and issues relating to Lunar New Year bazaars			
Session 1 — Presentation of views by deputations/individuals and the Administration's responses			
001451 – 001705	Chairman	Introductory remarks	
001706 – 002008	The Civic Party	Presentation of views [LC Paper No. CB(1)346/16-17(02) (Chinese version only)]	
002009 – 002326	Captain O	Presentation of views	
002327 – 002644	Tuen Mun Community Network	Presentation of views [LC Paper No. CB(1)328/16-17(01) (Chinese version only)]	
002645 – 003014	Tin Zi Zok Wai	Presentation of views	
003015 – 003349	Mr LAU Ki-wang	Presentation of views	
003350 – 003709	Mr CHENG Wai, Noah	Presentation of views	
003710 – 004013	Democratic Alliance for the Betterment and Progress of Hong Kong	Presentation of views	
004014 – 004325	The Hong Kong Council of Social Service	Presentation of views [LC Paper No. CB(1)328/16-17(13) (Chinese version only)]	

Time Marker	Speaker	Subject(s)	Action Required
004326 – 004650	Tung Chung Community Development Alliance	Presentation of views	
004651 – 005025	Chairman Concerning CSSA Low Income Alliance ("CCLIA")	Presentation of views	
005026 – 005340	Community Development Alliance	Presentation of views	
005341 – 005655	Supporting Grassroot Bazaar Alliance	Presentation of views	
005656 – 010033	有機墟市聯盟	Presentation of views	
010034 – 010352	Concerning Tin Shui Wai Vendor Alliance	Presentation of views	
010353 – 010703	Mr TSANG Kin-sun	Presentation of views	
010704 – 011019	Collective Purchase Platform for Grassroots	Presentation of views	
011020 – 011340	深水埗見光墟關注組	Presentation of views	
011341 – 011657	Catholic Diocese of Hong Kong Pastoral Centre for Workers (Hong Kong Island)	Presentation of views [LC Paper No. CB(1)328/16-17(03) (Chinese version only)]	
011658 – 012024	塔冷通墟市關注組	Presentation of views [LC Paper No. CB(1)328/16-17(03) (Chinese version only)]	
012025 – 012206	Mr LAM Ming-yat	Presentation of views [LC Paper No. CB(1)328/16-17(04) (Chinese version only)]	
012207 – 012513	青年民協	Presentation of views	
012514 – 012812	Community Joint Development Council	Presentation of views [LC Paper No. CB(1)328/16-17(05) (Chinese version only)]	

Time Marker	Speaker	Subject(s)	Action Required
012813 – 013122	Education Bazaars of the Nonsense Foundation	Presentation of views	
013123 – 013437	Mr CHAN Chi-wing	Presentation of views	
013438 – 015714	Chairman Administration	<p><u>The Administration's initial responses to deputations' views</u></p> <p><i>Policies relating to bazaars and Lunar New Year bazaars</i></p> <p>(a) the Government adopted a positive attitude towards a bottom-up approach in coming up with specific proposals for developing bazaars;</p> <p>(b) when suitable sites had been identified by organizations for establishing bazaars and support from local communities and respective District Councils ("DCs") had been obtained, the Government would facilitate liaison with relevant bureaux and departments, provided that the bazaars would not compromise public order and safety, food safety and environmental hygiene and obstruct public passageways;</p> <p>(c) DCs would be the appropriate party to gauge the local sentiments as different stakeholders (including nearby residents) might have different views on individual sites;</p> <p>(d) the Government would assist in resolving technical issues, coordinating with departments concerned and setting criteria and conditions for applying different types of licences for organizing bazaars;</p> <p>(e) the nature and positioning of bazaars could be distinctly different, such as arts fairs promoting cultural creativity, farmers' bazaars providing job opportunities for grass-root people and for boosting local economy, etc., and hence flexibility should be allowed for the development of different types of bazaars;</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>(f) the Government considered the existing policies on bazaars and hawking activities could strike a balance between allowing licensed hawking businesses to thrive on the one hand, and meeting other legitimate concerns as well as ensuring food safety, environmental hygiene and public safety on the other;</p> <p>(g) the Government maintained an open attitude on proposals of setting up bazaars in open areas in public housing estates and converting public markets with low occupancy into off-street cooked food centres;</p> <p>(h) the Government would review the need of issuing new fixed-pitch hawker licences, licences to tradesmen and new "Dai Pai Tong" licences;</p> <p><i>Bazaar proposals</i></p> <p>(i) since November 2015, the Government had received a number of proposals for organizing bazaars at sites in Sham Shui Po, North District, Tung Chung and Tin Shui Wai;</p> <p>(j) the Food and Health Bureau ("FHB") had taken the initiative to contact the DCs concerned for arranging the proposals for DCs' discussion and the Secretary for Food and Health had also encouraged DCs to render active support for bazaar development;</p> <p>(k) two district-led bazaars had been successfully held in Kiu Kiang Street and Maple Street in Sham Shui Po in 2015 and during the Lunar New Year in 2016 respectively, and various forms of bazaars like farmers' bazaars, morning bazaars, arts fairs and carnivals, had also been organized in the past;</p> <p>(l) regarding Lunar New Year bazaars, an organization had planned to hold a cooked</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>food bazaar again in Maple Street during Lunar New Year in 2017 and another organization had proposed to hold a bazaar at the junction between Tung Chau Street and Yen Chow Street during the same period;</p> <p>(m) the Government had proposed to organize a Lunar New Year bazaar at MacPherson Playground in Mong Kok but the proposal was voted down by the Yau Tsim Mong ("YTM") DC in the end;</p> <p><i>Enforcement actions against street hawking activities</i></p> <p>(n) in general, if illegal hawking involving selling of dry goods was found causing obstruction to pedestrian passageways, verbal warning would be given to the hawkers concerned and dispersal action would be taken;</p> <p>(o) for illegal hawking involving selling of cooked food, prohibited food or restricted food, having regards to public safety, food safety and environmental hygiene, enforcement action would be taken depending on the on-site situation;</p> <p><i>Cooked food and community kitchens</i></p> <p>(p) to ensure food safety, any person who planned to prepare and/or manufacture food for sale for human consumption off the premises was required to obtain a food factory licence under the Food Business Regulation (Cap. 132X) ("FBR"), and preparation of food in domestic premises was prohibited under FBR;</p> <p>(q) the Government adopted an open attitude regarding community kitchens, so long as food safety and environmental hygiene would not be compromised; and</p> <p>(r) the Government encouraged the use of electricity for reheating cooked food for</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>sale in cooked food bazaars due to potential safety hazard associated with the use of "naked flame".</p>	
<p>015715 – 020542</p>	<p>Chairman Mr LEUNG Yiu-chung Administration CCLIA 深水埗見光墟關注組</p>	<p>The Chairman and Mr LEUNG requested the Administration to provide written responses to the views raised by deputations at the meeting and in their submissions.</p> <p>On enforcement actions against street hawking activities during the Lunar New Year, the Government reiterated that if the hawking activities involved selling of dry goods, verbal warning would be given to the hawkers concerned and dispersal action would be taken. However, if the hawking activities involved selling of cooked food, particularly using "naked flame" on crowded passageways, enforcement action would be taken. The Government noted a member's view that frontline enforcement officers should adopt a tolerating attitude towards street hawking activities during the Lunar New Year.</p> <p>Regarding the procedure for consulting the local communities on bazaar proposals, the Government advised that –</p> <p>(a) a bazaar organizer would study potential sites and conduct site visits to identify suitable one for organizing bazaars;</p> <p>(b) the organizer would then consult the DC members and local communities concerned regarding the venue and mode of operation of the proposed bazaar with a view to reaching a consensus among various stakeholders; and</p> <p>(c) with the support of the local communities, the bazaar proposal would then be submitted to the DC concerned for consideration and endorsement.</p>	<p>The Administration to take action as paragraph 14 of the minutes</p>
<p>020543 – 021238</p>	<p>Mr Jeremy TAM The Civic Party Administration Chairman</p>	<p>Mr TAM sought details regarding the Administration's proposal of organizing a cooked food bazaar during the Lunar New Year at MacPherson Playground in Mong Kok and</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>the concerns of YTM DC on the proposal.</p> <p>Mr YU of the Civic Party (also a member of YTM DC) advised that –</p> <p>(a) YTM DC discussed the proposal on 24 November 2016 and it was noted that the Administration had not consulted the local communities before submitting the proposal to YTM DC;</p> <p>(b) it was noted that activities of similar nature, such as Poon Choi feasts, had been organized at MacPherson Playground before;</p> <p>(c) DC members had diverse views on the bazaar venue and some members proposed organizing the bazaar at Fa Hui Park instead (i.e. the venue for Lunar New Year Fair); and</p> <p>(d) the proposal was voted down in the end.</p> <p>The Government responded that –</p> <p>(a) it would take time for the Government to resolve some technical issues (e.g. electricity supply) before submitting the proposal to YTM DC;</p> <p>(b) Fa Hui Park was located in Sham Shui Po;</p> <p>(c) the scale and duration of Poon Choi feasts were incomparable with that of cooked food bazaars; and</p> <p>(d) organizers of Poon Choi feasts would also need to apply relevant licences and observe required food and environmental hygiene, public order and safety requirements.</p>	
021239 – 021927	Dr Fernando CHEUNG Administration Chairman	In response to the Chairman's concern about the absence of political appointees of the Government from the meeting, the Government said that it was a common practice for the officers-in-charge of relevant bureaux/departments (i.e. FHB and Food and	

Time Marker	Speaker	Subject(s)	Action Required
		<p>Environmental Hygiene Department ("FEHD") in the case of bazaar) to attend Subcommittee meetings.</p> <p>Dr CHEUNG suggested inviting other relevant bureaux/departments (e.g. Commerce and Economic Development Bureau and Labour and Welfare Bureau) to attend Subcommittee meetings in the future as the development of bazaars could help boost local economy, develop social network and preserve local culture and alleviate poverty.</p>	
021928 – 022723	Mr LEUNG Kwok-hung Administration Chairman Captain O	<p>Regarding the use of "naked flame" in Poon Choi feasts, the Government clarified that liquefied petroleum gas ("LPG") cartridges were usually used for reheating cooked food in Poon Choi feasts, and this was different from the use of "naked flame" which referred to the use of LPG cylinders for heating cooked food. The Government encouraged the use of electricity for heating food in cooked food bazaars.</p> <p>The Chairman requested the Administration to provide written responses to the questions raised by Mr LAI of Caption O on the application procedures for setting up bazaars and Poon Choi feasts, the criteria adopted in vetting such applications, and a detailed explanation on "naked flame".</p>	The Administration to take action as paragraph 14 of the minutes
022724 – 023122	Mr Andrew WAN Administration Chairman	<p>Mr WAN urged the Administration to relax enforcement actions against street hawking activities during festive periods, including the Lunar New Year, and apply the same enforcement standards across districts.</p> <p>The Government explained that the nature of individual bazaars varied. Each bazaar proposal would be considered on its own merits (such as venue, mode of operation, etc.) following the established mechanism.</p>	
023123 – 023539	Mr HUI Chi-fung Administration Chairman	Mr HUI opined that the conditions of "not compromising public order and safety, food safety and environmental hygiene and obstruct public passageways" were indeed restrictions	The Administration to take action as paragraph 14 of

Time Marker	Speaker	Subject(s)	Action Required
		<p>imposed on bazaar operators. He requested the Administration to (a) provide a list of bazaar applications submitted to the 18 DCs in the past three years and results of the applications, including whether the applications involved heating activities using "naked flame", and (b) relax the enforcement actions against street hawking activities during the Lunar New Year.</p> <p>The Government stressed that nearby residents might have concerns over possible traffic, noise and environmental hygiene problems caused by a proposed bazaar. Such concerns had to be addressed appropriately. The best arrangements would be for the DC concerned to gauge the local sentiments and obtain acceptance of nearby residents on the bazaar proposal. The Government had encouraged DCs to render active support for bazaar development. The Government also maintained an open attitude on any proposals of setting up bazaars in public markets with low occupancy.</p>	the minutes
023540 – 024245	Mr Steven HO Administration Chairman	Mr HO was of the view that the bottom-up approach for organizing bazaars should only be a transitional arrangement. The Administration should review and refine the approach in formulating a bazaar policy in the long term, including identifying suitable sites for setting up of bazaars.	
024246 – 025343	Break		
Session 2 — Presentation of views by deputations/individuals and the Administration's responses			
025344 – 025725	Chairman	Introductory remarks	
025726 – 030019	Miss HON Kin-lam	Presentation of views	
030020 – 030241	北區墟市節聯席	Presentation of views	

Time Marker	Speaker	Subject(s)	Action Required
030242 – 030555	Mr HO Chi-chung	Presentation of views	
030556 – 030757	Miss TO Sze-nga	Presentation of views [LC Paper No. CB(1)346/16-17(03) (Chinese version only)]	
030758 – 031104	MK Love Night market	Presentation of views	
031105 – 031253	林仲稀先生	Presentation of views	
031254 – 031614	陳黃莉莉女士	Presentation of views	
031615 – 031927	何初寒先生	Presentation of views	
031928 – 032252	United Hawkers Development Platform	Presentation of views [LC Paper No. CB(1)346/16-17(01) (Chinese version only)]	
032253 – 032613	我撐平民美食車	Presentation of views	
032614 – 032926	余燕青女士	Presentation of views	
032927 – 033223	何健榮先生	Presentation of views	
033224 – 033608	黃曉鷗先生	Presentation of views	
033609 – 033943	張瑞麗女士	Presentation of views	
033944 – 034351	League of Social Democrats	Presentation of views	
034352 – 034719	禮義廉屁股決定腦袋專 賣店	Presentation of views	
034720 – 035235	Chairman Administration	<u>The Administration's initial responses to deputation's views</u>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>The Government responded that –</p> <ul style="list-style-type: none"> (a) a Hawker Assistance Scheme was introduced since 2013 which provided an option for on-street fixed-pitch hawkers to surrender their licences for ex-gratia payments. The Government would stock-take the number of vacant stalls, and review the need of issuing new on-street fixed-pitch hawker licences; (b) the Government would consider issuing new "Dai Pai Tong" licences on a pilot basis, subject to the support of the relevant DCs; (c) the Government might consider converting, on a pilot basis, exiting public markets with low occupancy into off-street cooked food centres; (d) the Government had been consulting various DCs on the issue of licences to unlicensed street tradesmen with characteristics reminiscent of Hong Kong's local culture and heritage; (e) the Government would take different enforcement actions against illegal hawking of dry goods and cooked food, prohibited food or restricted food; (f) the Government encouraged the use of electricity, but maintained an open attitude towards the use of "naked flame", for heating cooked food in cooked food bazaars; and (g) the former Sheung Wan Gala Point was not under the regulation of any bureaux/departments and no licence had ever been granted for the stall operators there. 	
035236 – 035549	Mr Nathan LAW Chairman	Voting on the motion moved by Mr Nathan LAW	

Time Marker	Speaker	Subject(s)	Action Required
035550 – 035759	Mr LEUNG Kwok-hung Chairman	Voting on the motion moved by Mr LEUNG Kwok-hung	
035800 – 040005	Dr KWOK Ka-ki Chairman	Voting on the motion moved by Dr KWOK Ka-ki	
040006 – 040457	Dr KWOK Ka-ki Administration Chairman	<p>Regarding conversion of the sites for Lunar New Year Fairs to set up Lunar New Year bazaars, the Government said that –</p> <p>(a) a seamless conversion would be impossible as it took time to clean up the sites;</p> <p>(b) whether the sites used for Lunar New Year Fairs could be used for Lunar New Year bazaars would depend on the nature and operational details of the bazaars; and</p> <p>(c) each bazaar proposal would be considered on its own merits and relevant departments would provide comments on a case-by-case basis.</p>	
040458 – 041008	Mr YIU Si-wing Administration Chairman	<p>Mr YIU suggested that the Administration should consider introducing a licensing system to promote the development of bazaars in suitable locations on a long-term basis. To better regulate bazaars set up during festive periods, a proper application procedure (including the type of temporary licences required) should be developed and the Government should provide briefings and training to bazaar operators.</p> <p>The Government reiterated that if organizations could identify suitable sites for setting up bazaars and obtain the support from local communities and respective DCs, FEHD would co-ordinate with the departments concerned to help bazaar operators to apply for relevant temporary licences required.</p>	
041009 – 041629	Mr CHU Hoi-dick Administration	<p>Mr CHU expressed concern on the complicated procedures in putting forward a bazaar proposal.</p> <p>The Government emphasized that FEHD would act as a one-stop platform to assist bazaar</p>	

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		<p>operators to apply for the relevant licences and would convey departments' requirements to the operators. Bazaar proposals might be rejected if the proposed venues were found not suitable or not available for setting up bazaars.</p> <p>On the enforcement actions against morning bazaars, the Government explained that if complaints were received from local residents, FEHD staff would take enforcement action depending on the on-site situation (e.g. whether there was obstruction in public access). Only very limited enforcement actions had been taken against morning bazaars in the past.</p>	
041630 – 042058	Mr KWONG Chun-yu Chairman	Mr KWONG urged the Administration to formulate a comprehensive bazaar policy meeting public aspirations and work out detailed plans to facilitate the development of bazaars.	
042059 – 042328	Mr SHIU Ka-chun Administration Chairman	<p>Mr SHIU sought information on the Administration's policy on community kitchens and cooked food bazaars, and its assistance to bazaar operators.</p> <p>The Government reiterated that it adopted a positive and open attitude towards community kitchens, so long as food safety and environmental hygiene would not be compromised.</p>	The Administration to take action as paragraph 14 of the minutes
042329 – 042828	Mr SHIU Ka-fai Administration Chairman	<p>Mr SHIU expressed support for the development of bazaars as it could provide residents with a vibrant local economy and a viable alternative to shop for basic necessities at affordable prices as well as boost tourism. As different stakeholders might have different concerns on the location and the mode of operation of a bazaar, it was necessary to reach a consensus, in particular to obtain acceptance from nearby residents.</p> <p>The Government said that it would keep in view the future development of bazaars and review the relevant policies and procedures where necessary.</p>	

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042829 – 043314	Mr CHU Hoi-dick Chairman Administration	Mr CHU and the Chairman requested the Administration to provide details regarding the application procedures for setting up bazaars (including the licences required and the relevant consultation process), and the factors and criteria adopted by the Administration in vetting the applications.	The Administration to take action as paragraph 14 of the minutes

Council Business Division 1
Legislative Council Secretariat
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