

**立法會**  
**Legislative Council**

LC Paper No. CB(1)1391/17-18  
(These minutes have been seen  
by the Administration)

Ref : CB1/HS/2/16/1

**Subcommittee on Issues Relating to Bazaars**

**Minutes of the fifteenth meeting on  
Monday, 27 November 2017, at 10:45 am  
in Conference Room 2 of the Legislative Council Complex**

**Members present** : Dr Hon KWOK Ka-ki (Chairman)  
Hon LEUNG Yiu-chung  
Hon Claudia MO  
Hon Steven HO Chun-yin, BBS  
Hon YIU Si-wing, BBS  
Hon CHAN Chi-chuen  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon Martin LIAO Cheung-kong, SBS, JP  
Hon Andrew WAN Siu-kin  
Hon CHU Hoi-dick  
Hon HO Kai-ming  
Hon SHIU Ka-fai  
Hon SHIU Ka-chun  
Hon Tanya CHAN  
Hon HUI Chi-fung  
Hon LUK Chung-hung  
Hon LAU Kwok-fan, MH  
Hon KWONG Chun-yu  
Hon Jeremy TAM Man-ho

**Members absent** : Hon WONG Ting-kwong, GBS, JP  
Hon Kenneth LEUNG  
Dr Hon CHIANG Lai-wan, JP

**Public officers  
attending**

: Agenda item I

Dr CHUI Tak-yi, JP  
Under Secretary for Food and Health

Miss Diane WONG  
Principal Assistant Secretary for Food and Health  
(Food)2

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

Mr WONG Wing Hung, Stephen  
Assistant Director (Estate Management)2  
Housing Department

Ms SHU So-wah, Josephine  
Chief Estate Surveyor / Commercial Properties  
Housing Department

Mr LUK Tsz Wai, Ian  
Chief Manager / Management (Kowloon East)  
Housing Department

Mr TSE Chick Lam  
Chief Manager / Management (Kowloon West and Sai  
Kung)  
Housing Department

Agenda item II

Dr CHUI Tak-yi, JP  
Under Secretary for Food and Health

Miss Diane WONG  
Principal Assistant Secretary for Food and Health  
(Food)2

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

Miss Maggie CHOW  
Assistant Commissioner for Tourism (3)  
Tourism Commission  
Commerce and Economic Development Bureau

Mr LEE Kwok-hung, Damian, JP  
District Officer (Sham Shui Po)  
Home Affairs Department

Miss LEE Suk-ye, Ruth  
Senior Estate Surveyor/SD1 (Estate Management  
Section)  
Lands Department

Mr WONG Wing Hung, Stephen  
Assistant Director (Estate Management)<sup>2</sup>  
Housing Department

Ms SHU So-wah, Josephine  
Chief Estate Surveyor / Commercial Properties  
Housing Department

Mr CHAN Suen-to  
Senior Divisional Officer (New Territories & Kowloon  
East Fire Protection Regional Office)  
Fire Services Department

Mr LIU Wai Shing, Simon  
Chief Leisure Manager  
Leisure and Cultural Services Department

Mr HUI Wing Koon  
Senior Engineer/Gas Standards A2  
Electrical & Mechanical Services Department

**Attendance by invitation : Deputations**

Hong Kong Women Workers' Association

Ms WU Mei Lin  
Executive Director

麗閣婦女墟市擺檔群組

Mr LAM Yung Ki  
Representative

People Service Centre

Mr Frederick FUNG Kin-kee  
Chairman

The Hong Kong Council of Social Service

Ms WONG Wai Yin Dorothy  
Officer (Policy Research & Advocacy)

Community Development Alliance

Mr LEUNG Ting Fung  
Community Organizer

Supporting Grassroot Bazaar Alliance

Miss NG Ching Yan  
Representative

Democracy Groundwork

Mr CHEUNG Yin  
Representative

北區基層墟市關注組

Mr KWAN Yan Ming  
Representative

北區基層權益聯盟

Mr WONG Chi Fai  
Representative

東區墟市關注組

Mr LAM Wai Ho Louis  
Representative

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

**Staff in attendance :** Miss Sharon LO  
Senior Council Secretary (1)9

Ms Sharon CHAN  
Legislative Assistant (1)4

Ms Vivian CHAN  
Clerical Assistant (1)4

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Action

**I Issues relating to organizing bazaars in public rental housing estates**

Meeting with deputations and the Administration

(LC Paper No. CB(1)274/17-18(01) — Administration's paper on setting up of bazaars in public rental housing estates under Housing Authority)

*Submissions from deputations attending the meeting*

(LC Paper No. CB(1)286/17-18(01) — Joint submission from Supporting Grassroot Bazaar Alliance and Democracy Groundwork (Chinese version only)

LC Paper No. CB(1)286/17-18(02) — Submission from The Hong Kong Council of Social Service (Chinese version only))

Action

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

Discussion

2. The Subcommittee received views from 10 deputations attending the meeting, and noted the two written submissions provided by organizations (Index of proceedings attached at **Appendix**).

*(Post-meeting note: Two written submissions tabled at the meeting (Chinese version only) were issued to members vide Lotus Notes e-mail on 27 November 2017.)*

*(Post meeting note: A written submission received from Hong Kong Women Workers' Association (Chinese version only) after the meeting was issued to members vide LC Paper No. CB(1)307/17-18(01) on 30 November 2017.)*

3. The Subcommittee noted the following views expressed by deputations:
- (a) the Government should (i) provide details on the application procedure, consultation process, and approving criteria for setting up bazaars in public rental housing ("PRH") estates, in particular the roles and responsibilities of the Housing Department ("HD"), District Councils ("DCs") and Estate Management Advisory Committees ("EMACs") in handling the bazaar proposals; (ii) put in place an appeal mechanism for bazaar organizers when their proposals were refused; and (iii) launch a pilot scheme by setting up bazaars at PRH estates where bazaars or carnivals had been successfully held;
  - (b) HD should compile a list of suitable venues for setting up bazaars in PRH estates, including the 78 PRH estates which did not involve other owners. The list should include details of the other owners if the venues were jointly owned by the Hong Kong Housing Authority and other owners (e.g. Link Real Estate Investment Trust);

Action

- (c) HD should (i) set up communication platforms to facilitate relevant stakeholders in exchanging views on bazaar proposals; and (ii) designate officers to provide one-stop service in assisting bazaar organizers during the application for the relevant licences and to liaise with relevant departments and stakeholders;
- (d) it was unclear whether (i) bazaar organizers should first consult EMACs or DCs; and (ii) a temporary places of public entertainment licence must be required for organizing bazaars in PRH estates;
- (e) the process of EMACs in considering bazaar proposals were not transparent (e.g. bazaar organizers could not attend the meetings, reasons of refusing an application were not disclosed, etc.); and
- (f) the procedures for obtaining DCs' support on bazaar proposals were not clear (e.g. whether a committee appointed by a DC or the entire DC should discuss the bazaar proposal) and it was time consuming to seek views and support from DCs and EMACs (e.g. some DCs and EMACs would only hold meetings once every two months).

Motions

4. At 11:38 am, the Chairman informed the Subcommittee that he had received a motion from Mr SHIU Ka-chun, and said that the Subcommittee would deal with the motion after members had finished asking questions on agenda item I. At 12:13 pm, the Chairman said that the Subcommittee would proceed to deal with the proposed motion moved by Mr SHIU Ka-chun. Members had no objection.

5. Mr SHIU Ka-chun spoke on his motion. The terms of the motion were as follows –

"本委員會促請房屋署在處理屋邨墟市申請時，需考慮增設人手負責統籌工作及地區諮詢，如遞交計劃書給區議會或屋邨管理諮詢委員會等。"

(Translation)

" This Subcommittee urges the Housing Department to consider increasing the manpower in charge of coordination and district consultation in handling applications for setting up bazaars in housing

Action

estates, such as submitting proposals to District Councils or Estate Management Advisory Committees, etc."

6. The Chairman put Mr SHIU's motion to vote. All members present at the meeting voted for the motion. The Chairman declared the motion passed.

*(Post-meeting note: The terms of the motion were circulated to members vide LC Paper No. CB(1)287/17-18(01) on 29 November 2017.)*

Admin Follow-up actions to be taken by the Administration

7. The Administration was requested to respond to the following suggestions from some members regarding organizing bazaars in PRH estates:

- (a) HD should work out and publish a list of suitable venues in PRH estates to facilitate interested parties in making applications for setting up bazaars in the estates;
- (b) HD should develop a mechanism (i) to inform bazaar organizers the reasons of refusing their applications, including the reasons given by EMACs, so that organizers could modify their proposals to address the views and concerns raised by the relevant parties; and (ii) to provide an appeal or a complaint channel for bazaar organizers when their proposals were refused;
- (c) HD should implement a pilot scheme to set up bazaars at PRH estates in each of the 18 districts;
- (d) HD should designate an officer at its Headquarters responsible for coordinating bazaar-related issues in various PRH estates; and
- (e) HD should develop guidelines to assist estate management offices and frontline staff in handling bazaar proposals. The proposed guidelines should provide explicitly that bazaar proposals could be submitted to the relevant DCs and EMACs concurrently, and that bazaar organizers should be invited to the DC and EMAC meetings to explain the details of their proposals and address possible concerns from DCs and EMACs.



Action

8. The Administration was requested to provide responses to:
- (a) some Subcommittee members' suggestion of allowing bazaar proposals to be circulated to DC members of the concerned areas or the relevant area committees instead of requiring the proposals to be discussed at a DC meeting, given that DCs were consultative bodies but not the approving authorities;
  - (b) the views raised by deputations at the meeting and in their submissions, and
  - (c) the motion passed at the meeting.

## **II Concluding the work of the Subcommittee**

### Papers prepared by the Legislative Council Secretariat

- (LC Paper No. CB(1)267/17-18(01) — Summary of major issues raised and the Administration's responses (Chinese version only)
- LC Paper No. CB(1)267/17-18(02) — Major difficulties encountered by bazaar organizers
- LC Paper No. CB(1)267/17-18(03) — Administration's responses on motions passed at the meetings)

### Follow-up to previous meetings

- (LC Paper No. CB(1)182/17-18(01) — List of follow-up actions arising from the discussion at the meeting on 13 October 2017
- LC Paper No. CB(1)182/17-18(02) — List of follow-up actions arising from the discussion at the meeting on 24 October 2017

Action

- LC Paper No. CB(1)187/17-18(02) — Administration's response to issues raised at the meeting on 13 October 2017
- LC Paper No. CB(1)187/17-18(03) — Administration's response to issues raised at the meeting on 24 October 2017
- LC Paper No. CB(1)267/17-18(04) — List of follow-up actions arising from the discussion at the meeting on 7 November 2017
- LC Paper No. CB(1)280/17-18(01) — Administration's response to issues raised at the meeting on 7 November 2017)

Discussion

9. The Subcommittee deliberated (Index of proceedings attached at **Appendix**).

Motions

10. At 12:31 pm, the Chairman informed the Subcommittee that he had received a motion from Mr Jeremy TAM. The terms of the motion were as follows –

"根據《內務守則》第 22(p)條，本人動議：

在墟市事宜小組委員會報告中，列出以下建議：

1. 要求食物環境衛生署("食環署")在節日行使酌情權處理小販活動；
2. 要求康樂及文化事務署("康文署")及食環署主動安排在農曆新年花市後，善用場地已有資源供團體營辦墟市；
3. 建議政府推行「五區十市」方案，即是在立法會五個直選選區下，各選一個年宵市場及行人專用區的場地，開放予民間團體申辦農曆新年熟食墟市；

Action

4. 建議政府將年宵花市模式應用於營辦墟市上，即部門之間已完成處理程序，隨後招標讓團體舉辦；
5. 建議政府提供可供申請及合適用作墟市的用地列表，當中包括 康文署應公開場地的使用情況、地政總署亦應就早前「可供綠化或社區用途的空置土地的最新列表」進行評估，選取值得投入公帑具優勢的場地作墟市試點；
6. 建議訂立統一的申請程序、表格及審批機制，由食物及衛生局負責統籌申請流程；
7. 建議政府向公眾公布批准或拒絕墟市申請的理據；
8. 建議設立上訴或投訴機制，讓團體修改計劃書，促成下次墟市申請；
9. 建議房屋署協助主辦團體聯絡其他業權人士；
10. 建議房屋署增加人手，專責處理各區墟市申請；
11. 建議重發小販牌照；
12. 訂立「墟市牌照」，彌補目前食物牌照的不足；
13. 建議為墟市管辦者提供財政支援(例如成立種子基金)；
14. 建議為少數族裔提供申辦墟市的支援；
15. 建議利用空置的街市檔口作社區廚房；
16. 建議設立墟市專員，協助墟市申請。"

(Translation)

"Under rule 22(p) of the House Rules, I move that:

Action

the following suggestions be included in the report of the Subcommittee on Issues Relating to Bazaars:

1. requesting the Food and Environmental Hygiene Department ("FEHD") to exercise discretion in handling hawking activities during festivals;
2. requesting the Leisure and Cultural Services Department ("LCSD") and FEHD to actively make arrangements after Lunar New Year Fairs to optimizing the use of resources available in the venues by providing them to groups to organize bazaars;
3. proposing that the Government implement the proposal of "establishing 10 bazaars in the five major constituencies of Hong Kong", that is, selecting in each of the five geographical constituencies of the Legislative Council a venue for the Lunar New Year Fair and a pedestrian precinct for community groups to apply for the establishment of Lunar New Year cooked food bazaars;
4. proposing that the Government apply the mode of operation of Lunar New Year Fairs to bazaars, that is, tenders for holding bazaars will be invited upon completion of the procedures among departments;
5. proposing that the Government provide a list of sites suitable and available for bazaar applications, including that LCSD should make public the usage of venues, and that the Lands Department should conduct evaluation on the "updated list of vacant land for greening or community uses" published earlier with a view to selecting prime sites having a value for public money as trial sites for organizing bazaars;
6. proposing the development of a standardized application procedure, application form as well as vetting mechanism, with the Food and Health Bureau coordinating the application workflow;
7. proposing that the Government announce to the public its justifications for approving or rejecting a bazaar application;
8. proposing the establishment of a mechanism for appeal or complaint for organizations to revise their proposals so as to facilitate their next bazaar applications;

Action

9. proposing that the Housing Department assist organizers in liaising with other owners;
10. proposing that the Housing Department increase manpower dedicated to handling the bazaar applications in various districts;
11. proposing that hawker licences be re-issued;
12. developing a "bazaar licence" to make up for the deficiencies in the existing food licences;
13. proposing the provision of financial assistance to bazaar organizers (such as the establishment of a seed fund);
14. proposing the provision of support for ethnic minorities to apply for the establishment of bazaars;
15. proposing the use of vacant market stalls as community kitchens;
16. proposing the creation of a Commissioner for Bazaars ("墟市專員") to render assistance in bazaar applications. "

11. As the Subcommittee did not have a quorum at the material time, the Chairman requested the Clerk to ring the voting bell for five minutes. A quorum was presented at 12:37 pm.

12. The Chairman put Mr Jeremy TAM's motion to vote. Ten members voted for, no member voted against the motion, and two members abstained. The Chairman declared that the motion was passed. The votes of individual members were as follows:

*For*

|                    |                   |
|--------------------|-------------------|
| Ms Claudia MO      | Mr CHAN Chi-chuen |
| Dr Fernando CHEUNG | Mr WAN Siu-kin    |
| Mr CHU Hoi-dick    | Mr SHIU Ka-chun   |
| Ms Tanya CHAN      | Mr HUI Chi-fung   |
| Mr KWONG Chun-yu   | Mr Jeremy TAM     |
| (10 members)       |                   |

Action

*Abstain*

Mr YIU Si-wing  
(2 members)

Mr Martin LIAO

*(Post-meeting note:* The terms of the motion were circulated to members vide LC Paper No. CB(1)287/17-18(02) on 29 November 2017.)

13. The Subcommittee agreed to conclude its work and submit its report to the House Committee in due course.

**III Any other business**

14. There being no other business, the meeting ended at 12:40 pm.

Council Business Division 1  
Legislative Council Secretariat  
12 September 2018

**Proceedings of the fifteenth meeting of the  
Subcommittee on Issues Relating to Bazaars  
on Monday, 27 November 2017, at 10:45 am  
in Conference Room 2 of the Legislative Council Complex**

| <b>Time Marker</b>  | <b>Speaker</b>  | <b>Subject(s)</b>  | <b>Action Required</b> |
|---|---|--|------------------------|
| <b>Agenda item I — Issues relating to organizing bazaars in public rental housing estates</b> |   |  |                        |
| <b>Presentation of views by deputations and the Administration's responses</b>                |   |  |                        |
| 001130 –<br>001321  | Chairman<br>Administration                                      | Introductory remarks                                       |                        |
| 001322 –<br>001729  | Chairman<br>Hong Kong Women<br>Workers' Association             | Presentation of views<br>[LC Paper No. CB(1)307/17-18(01)] |                        |
| 001730 –<br>002035  | Chairman<br>麗閣婦女墟市擺檔群組  | Presentation of views                                      |                        |
| 002036 –<br>002340  | Chairman<br>People Service Centre<br>("PSC")                    | Presentation of views                                      |                        |
| 002341 –<br>002649  | Chairman<br>The Hong Kong Council<br>of Social Service          | Presentation of views<br>[LC Paper No. CB(1)286/17-18(02)] |                        |
| 002650 –<br>002907  | Chairman<br>Community Development<br>Alliance                   | Presentation of views                                      |                        |
| 002908 –<br>003229  | Chairman<br>Supporting Grassroot<br>Bazaar Alliance<br>("SGBA") | Presentation of views<br>[LC Paper No. CB(1)286/17-18(01)] |                        |
| 003230 –<br>003547  | Chairman<br>Democracy Groundwork<br>("DG")                      | Presentation of views<br>[LC Paper No. CB(1)286/17-18(01)] |                        |
| 003548 –<br>003850  | Chairman<br>北區基層墟市關注組   | Presentation of views                                      |                        |
| 003851 –<br>004226  | Chairman<br>北區基層權益聯盟  | Presentation of views                                      |                        |

| <b>Time Marker</b> | <b>Speaker</b>             | <b>Subject(s)</b>   | <b>Action Required</b> |
|--------------------|----------------------------|---|------------------------|
| 004227 –<br>004533 | Chairman<br>東區墟市關注組        | Presentation of views   |                        |
| 004534 –<br>005244 | Chairman<br>Administration | <p>The Administration's initial responses to deputations' views as follows –</p> <ul style="list-style-type: none"> <li>(a) the Housing Department ("HD") handled bazaar proposals in public rental housing ("PRH") estates in complement with the Government's policy;</li> <li>(b) HD would assist the organizers to consult residents and other estate stakeholders through the Estate Management Advisory Committees ("EMACs") of the estates concerned. If the estate involved other owners and Government lease restrictions, HD would also assist the organizers to consult other owners and the Lands Department;</li> <li>(c) the organizers should also obtain support on the bazaar proposals from the District Councils ("DCs") concerned in accordance with the Government's policy on bazaars;</li> <li>(d) HD had provided to the Subcommittee a list of 78 PRH estates which did not involve other owners;</li> <li>(e) it would not be feasible to compile a list of suitable venues for setting up bazaars in PRH estates as HD had to consider specific bazaar proposals on a case-by-case basis taking into account the nature and impact of individual bazaar proposals and the views of residents and other stakeholders of the estate concerned;</li> <li>(f) a temporary places of public entertainment licence would be required if a bazaar involved "entertainment" activities as defined under the Places of Public Entertainment Ordinance (Cap. 172) ("PPEO"), but could be exempted if the bazaar was to be held in</li> </ul> |                        |



| Time Marker        | Speaker                                       | Subject(s)  | Action Required   |
|--------------------|---|---|---|
|                    |   | <p>leisure venues managed by the Leisure and Cultural Services Department ("LCSD") as the use of LCSD's venues was governed by the Pleasure Grounds Regulation (Cap. 132BC); and</p> <p>(g) a temporary food factory licence would be required if bazaar activities involved the selling of cooked food.</p>  |   |
| 005245 –<br>005724 | Chairman<br>Mr SHIU Ka-chun<br>Administration | <p>Mr SHIU's views and concerns as follows –</p> <p>(a) HD should compile a list of suitable venues for setting up bazaars in the 78 PRH estates which did not involve other owners, and a list of common areas in PRH estates where the common areas were jointly owned by the Hong Kong Housing Authority and other owners with details of the owners concerned;</p> <p>(b) HD should provide information on the charges for setting up bazaars, with and without cash transactions, at venues in PRH estates;</p> <p>(c) HD should provide one-stop service to assist bazaar organizers in taking forward their proposals (e.g. to apply for the relevant licences, liaise with relevant departments and stakeholders, etc.), and put in place an appeal mechanism; and</p> <p>(d) bazaar organizers should be invited to attend the DC and EMAC meetings to facilitate discussion of the bazaar proposals and address the concerns of stakeholders.</p> <p>The Administration reiterated that specific bazaar proposals had to be considered on a case-by-case basis taking into account the nature and impact of individual bazaar proposals and the views of residents and other stakeholders of the estate concerned. Hence, it was not feasible to compile a list of suitable venues for setting up bazaars in the 78 PRH estates which did not involve other owners.</p> | <p>The Administration to take action as paragraph 7(a) of the minutes</p> <p>The Administration to take action as paragraph 7(e) of the minutes</p> |

| <b>Time Marker</b> | <b>Speaker</b>                                   | <b>Subject(s)</b>   | <b>Action Required</b> |
|--------------------|--|---|------------------------|
| 005725 –<br>010239 | Chairman<br>Dr Fernando CHEUNG<br>Administration | <p>Dr CHEUNG expressed views and concerns as follows –</p> <ul style="list-style-type: none"> <li>(a) it was unclear if bazaar organizers should first consult EMACs or DCs;</li> <li>(b) the procedures for obtaining support from DCs was also unclear; and</li> <li>(c) the Administration should (i) take a more active role in promoting the development of bazaars, and (ii) designate an officer and/or establish a one-stop platform to assist bazaar organizers in making applications for setting up bazaars.</li> </ul> <p>The Administration responded that –</p> <ul style="list-style-type: none"> <li>(a) HD would assist bazaar organizers to consult EMACs and other owner(s) and if there were objections to the bazaar proposals from owner(s) or other stakeholders in the estates, HD would attempt to narrow down the differences by coordinating with the relevant parties, with a view to facilitating consensus among the organizers, the owner(s) concerned or other stakeholders as far as possible to facilitate implementation of the proposals; and</li> <li>(b) there was no requirement on whether DC or EMAC should be consulted first. They might be consulted concurrently.</li> </ul> |                        |
| 010240 –<br>010911 | Chairman<br>Mr LEUNG Yiu-chung<br>Administration | <p>Mr LEUNG questioned the need to consult the relevant DC on a bazaar proposal as it should suffice to obtain the support of EMAC of the estate concerned, given that the local DC member was also a member of EMAC. He enquired about the role of HD in handling a bazaar application, in particular if HD, being the site owner, would approve the application even if there was objection from the EMAC of the estate concerned.</p>  |                        |

| Time Marker        | Speaker   | Subject(s)   | Action Required  |
|--------------------|---|--|--|
|                    |   | <p>The Administration advised that –</p> <p>(a) PRH estates were densely populated and open spaces on the ground level were often public passageways, sitting-out areas or common spaces for residents' use, hence the views of residents and other stakeholders needed to be taken into account when considering a bazaar proposal;</p> <p>(b) if objection to a bazaar proposal was raised by EMAC, HD would carry out coordination work to narrow down the differences, with a view to facilitating consensus between the organizer and EMAC. In some cases, the organizers had been invited to attend EMAC to present their proposals; and</p> <p>(c) it was necessary and appropriate for DCs to discuss bazaar proposals in the respective districts, so as to address concerns of various stakeholders.</p> |  |
| 010912 –<br>011356 | Chairman<br>Mr LEUNG Che-cheung<br>Administration | <p>Mr LEUNG pointed out that consultation of bazaar proposals at DCs might arouse disputes among political parties. He suggested allowing bazaar proposals to be circulated to DC members of the concerned areas or the relevant area committees instead of requiring the proposals to be discussed at a DC meeting.</p> <p>The Administration said that –</p> <p>(a) bazaar activities might cause inconvenience to nearby residents and affect the business of shops in the vicinity and DCs would be an appropriate party to gauge the local sentiments; and</p> <p>(b) it would refer Mr LEUNG's suggestion to DCs for their consideration.</p>  | The Administration to take action as paragraph 8(a) of the minutes |
| 011357 –<br>011913 | Chairman<br>Ms Claudia MO<br>Administration       | Ms MO was of the view that cash transactions should be allowed in bazaars held in PRH estates. She urged the Administration to appoint a Commissioner for Bazaars ("墟市   |  |

| Time Marker        | Speaker                    | Subject(s)  | Action Required   |
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|                    |                            | <p>專員") to coordinate efforts of and enhance communication among various government departments and parties during the application process for setting up bazaars.</p> <p>The Administration advised that if the organizer of the proposed bazaar and the bazaar activity were non-profit making in nature, HD would charge the fees for the venue on a concessionary basis and cash transactions at the venue might be involved. For example, a concessionary rate of \$600 per day was charged for organizing the non-profit-making bazaar by a non-profit making organization at Tin Yiu Estate and cash transactions were involved at the venue.</p>  |   |
| 011914 –<br>012432 | Chairman<br>Administration | <p>The Chairman enquired if HD would consider –</p> <ul style="list-style-type: none"> <li>(a) compiling a list of suitable venues for setting up bazaars in PRH estates;</li> <li>(b) informing the bazaar organizers the reasons of refusing their applications and assisting the organizers to modify their proposals to address the views and concerns raised by stakeholders;</li> <li>(c) implementing a pilot scheme to set up bazaars at PRH estates in each of the 18 districts; and</li> <li>(d) designating an officer from the Headquarters to take up the coordination work on bazaar-related issues in various PRH estates.</li> </ul> <p>The Administration advised that –</p> <ul style="list-style-type: none"> <li>(a) it would not be feasible to compile a list of suitable venues for setting up bazaars in PRH estates as HD had to consider bazaar proposals on a case-by-case basis taking</li> </ul> | <p>The Administration to take action as paragraph 7(a) of the minutes</p> <p>The Administration to take action as paragraph 7(b) of the minutes</p> <p>The Administration to take action as paragraph 7(c) of the minutes</p> <p>The Administration to take action as paragraph 7(d) of the minutes</p> |

| Time Marker        | Speaker                            | Subject(s)  | Action Required |
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|                    |                                    | <p>into account the nature and impact of individual bazaar proposals and the views of residents and other stakeholders of the estate concerned;</p> <p>(b) bazaar organizers should identify venues in PRH estates they considered appropriate for holding bazaars and submit applications to HD for consideration;</p> <p>(c) bazaar organizers would be informed of the reasons of refusing their applications and HD would attempt to narrow down the differences by coordinating with relevant parties, with a view to facilitating consensus between the organizers and the stakeholders as far as possible for implementing the proposals; and</p> <p>(d) HD had established mechanism for handling bazaar proposals and estate management staff would assist organizers in taking forward their proposals.</p> |                 |
| 012433 –<br>012846 | Chairman<br>SGBA<br>Administration | <p>Miss NG of SGBA sought clarification on –</p> <p>(a) whether a temporary places of public entertainment licence was required for organizing bazaars in PRH estates, in particular the bazaars involved selling dry goods but without any stage performance and musical entertainment; and</p> <p>(b) the responsible department that would assist bazaar organizers in submitting their proposals to respective DCs for discussion.</p> <p>The Administration said that –</p> <p>(a) a temporary places of public entertainment licence was required if the bazaars involved "entertainment" activities as defined under PPEO;</p> <p>(b) a licence/permit would be required if the bazaar activities involved any "food</p>   |                 |

| Time Marker        | Speaker                                  | Subject(s)  | Action Required  |
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|                    |  | <p>business" as defined under the Food Business Regulation (Cap. 132X);</p> <p>(c) the Food and Environmental Hygiene Department ("FEHD") or the Home Affairs Department would assist bazaar organizers to submit their proposals to respective DCs for discussion; and</p> <p>(d) HD would assist the organizers to consult residents and other stakeholders through EMACs.</p>  |  |
| 012847 –<br>013157 | Chairman<br>DG<br>Administration         | <p>The enquiry and suggestion of Mr CHEUNG of DG were as follows –</p> <p>(a) whether FEHD would assist bazaar organizers to submit their proposals to DCs before HD approved the applications for the use of venues in PRH estates for setting up bazaars; and</p> <p>(b) HD should develop guidelines to assist estate management offices and frontline staff in handling bazaar proposals. The proposed guidelines should provide explicitly that bazaar proposals could be submitted to the relevant DCs and EMACs concurrently, and that bazaar organizers should be invited to the DC and EMAC meetings to explain the details of their proposals and address possible concerns from DCs and EMACs.</p> <p>The Administration said that upon receiving a bazaar proposal, FEHD would facilitate the bazaar organizer in liaising with relevant departments (including departments in charge of venues and the relevant District Offices).</p> | The Administration to take action as paragraph 7(e) of the minutes |
| 013158 –<br>013253 | Chairman<br>Mr SHIU Ka-chun              | Voting on the motion moved by Mr SHIU Ka-Chun   |  |
| 013254 –<br>013459 | Chairman<br>麗閣婦女墟市擺檔群組<br>Administration | Mr LAM of 麗閣婦女墟市擺檔群組 pointed out that the proposal for setting up a bazaar at Lai Kok Estate was rejected by the EMAC which claimed that only carnival could be organized in Lai Kok Estate. He enquired  |  |

| Time Marker   | Speaker   | Subject(s)   | Action Required |
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|   |   | <p>about the conditions under which a bazaar proposal would be approved by an EMAC.</p> <p>The Administration said that HD would consider the impacts of a bazaar proposal on the PRH estates, including whether the proposal would cause environmental hygiene problems, obstruction of public passageways, nuisances to residents, etc. As regards the case of Lai Kok Estate, HD would review the case and the relevant estate management office would follow up with respective parties.</p> |                 |
| 013500 –<br>013801  | Chairman<br>PSC<br>Administration                                     | <p>Mr FUNG of PSC was of the view that –</p> <p>(a) DC should not be required to approve bazaar proposals;</p> <p>(b) bazaar organizers should be invited to the DC and EMAC meetings to explain the details of their proposals and address possible concerns from DCs and EMACs; and</p> <p>(c) the Government should designate officers to provide one-stop service to assist bazaar organizers to liaise with relevant departments and stakeholders.</p>                                      |                 |
| <b>Agenda item II — Concluding the work of the Subcommittee</b> |   |  |                 |
| 013802 –<br>014442  | Chairman<br>Administration  | <p>The Chairman drew members' attention to the three discussion papers issued before the meeting (i.e. LC Paper Nos. CB(1)267/17-18(01), (02) and (03)).</p> <p>Briefing by the Administration on its written responses to issues raised at the meetings on 24 October and 7 November 2017</p> <p>[LC Paper No. CB(1)187/17-18(03)<br/>LC Paper No. CB(1)280/17-18(01)]</p>  |                 |
| 014443 –<br>015806  | Chairman<br>Ms Claudia MO<br>Mr Jeremy TAM<br>Mr Martin LIAO<br>Clerk | <p>Voting on the motion moved by Mr Jeremy TAM</p> <p>Discussion on the rules and procedures of moving a motion without notice during a Subcommittee meeting</p>   |                 |

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|   |                            | <p>The Chairman informed members that when submitting the Subcommittee's report to the House Committee ("HC"), he would seek HC's approval for priority allocation of a debate slot for him to move a motion to take note of the Subcommittee's report and recommendations at a Council meeting.</p> <p>Members agreed.</p> |                        |
| <b>Agenda item III — Any other business</b> |                            |   |                        |
| 015807 –<br>020019                          | Chairman<br>Administration | Concluding remarks  |                        |

Council Business Division 1  
Legislative Council Secretariat  
12 September 2018