

**Subcommittee on Issues Relating to Bazaars**

**Provision of information as requested at the meeting on 20 April 2017**

The information requested by the Subcommittee at its meeting on 20 April 2017 is provided at the **Annex**.

**Subcommittee on Issues Relating to Bazaars**

**Motion passed at the meeting on 20 April 2017**

**Motion passed by the Subcommittee:**

Due to the contradictions in the legislation and policies among various departments, progress can hardly be made in the policy on bazaars. In this connection, this Subcommittee moves that various departments conduct a review on relevant legislation and policies and requests them to engage in the review meeting to examine in collaboration with various stakeholders how to improve the policy on bazaars and the application process.

Moved by: Dr Hon YIU Chung-yim

**Government's response:**

The Subcommittee on Issues Relating to Bazaars (the Subcommittee) under the House Committee of the Legislative Council has held a number of meetings to conduct in-depth discussions on issues related to bazaars since December 2016. The Government has submitted papers for various discussion items, and provided supplementary information and exchanged views with attendees at the meetings. The Subcommittee has on numerous occasions invited bazaar organisers and relevant departments to attend its meetings for the exchange and sharing of experience in areas of making applications and organising bazaars. Having regard to the discussion at the Subcommittee meeting on 20 April 2017, the Government considers it more appropriate to continue the discussion of the issues related to bazaars at the Subcommittee meetings.

Motion passed by the Subcommittee:

The Housing Department advises that it keeps an open attitude towards bazaars, but its frontline staff are not aware of the policy concerned, resulting in applications being rejected. In this connection, this Subcommittee moves that the Housing Department should issue a formal notice informing frontline staff that bazaar-related applications can be accepted. A policy is even in place on cash-based transactions.

Moved by : Dr Hon YIU Chung-yim

Government's response:

As we have mentioned at various occasions, the Hong Kong Housing Authority (HA) will act in complement with the Government's policy on bazaars. The Government has been adopting a positive attitude towards specific proposals on bazaars put forward by individuals/organisations in the local community (the proponents). If the proponents have secured suitable sites and obtained support on their specific proposals from the local communities and respective District Councils (DCs), and provided that public order and safety, food safety and environmental hygiene are not compromised and public passageways are not obstructed, the Food and Health Bureau and the Food and Environmental Hygiene Department will liaise with relevant policy bureaux and departments regarding the use of sites (see Legislative Council Paper No. CB(1) 328/16-17(12)). Based on the above Government's policy, HA already has an established mechanism in handling applications for organising activities in its public rental housing (PRH) estates.

As we have indicated in previous papers submitted to the Subcommittee, in general, if a proponent put forward a specific proposal for setting up bazaar in a PRH estate, and has secured support from the local community and DC, the Housing Department (HD) will study the feasibility of the proposal and its impact in the light of the circumstances of the estate concerned. If the estate concerned involves land lease, deed of mutual covenant and other owner(s), approval from the Lands Department (LandsD) and consent of other owner(s) have to be obtained for the proposal. HD will assist the proponent to consult the owner(s) concerned and LandsD. Besides, HD has to consider the views of the residents and other stakeholders, as well as the impacts of such proposal on the estate concerned, such as whether it will cause damage to the environmental hygiene, whether it will obstruct public passageways or cause any nuisances to the residents; as well as whether it will draw in illegal hawking activities, etc. HD will assist the proponent to consult the residents and other stakeholders through the Estate Management Advisory Committee (EMAC) of the estate

concerned. We have also promulgated the above considerations and principles in handling applications for organising bazaars in PRH estates to our frontline management staff.

Since details of individual proposals for setting up bazaars are different and their impacts also vary depending on the circumstances of the estates concerned, we have to handle specific proposal on a case-by-case basis, and consider their impacts in the light of the circumstances of the estates concerned. Recently, HD has approved a proposal<sup>1</sup> for setting up a holiday bazaar in a PRH estate of HA in accordance with the above principles. The proposal has gained support from the relevant committee under DC and received no objection from EMAC of the estate concerned, other owner(s) concerned and LandsD. The proponent can implement the proposal once they have obtained the necessary permissions and licences.

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<sup>1</sup> Please refer to LC Paper No. CB(1)899/16-17(04) for details.  
<http://www.legco.gov.hk/yr16-17/english/panels/hg/papers/hg20170509cb1-899-4-e.pdf>