

Subcommittee on Issues Relating to Bazaars

Major difficulties encountered by bazaar organizers

Application procedures

- (a) the current bazaar application procedures are complicated, not transparent (e.g. unclear vetting process, different criteria adopted by various departments in determining whether a site was suitable for setting up bazaars), and processing of applications takes a long time;
- (b) various licences may be required for the setting up of bazaars and the licensing requirements are complicated:
 - (i) a places of public entertainment licence or a temporary places of public entertainment licence is required if the bazaar involves activities defined as "entertainment" under the Places of Public Entertainment Ordinance (Cap. 172);
 - (ii) a temporary food factory licence is required under the Food Business Regulation (Cap. 132X) if the bazaar activities involve the selling of cooked food;
 - (iii) a restricted food permit is required under the Food Business Regulation (Cap. 132X) if the bazaar activities involve the sale of restricted foods; and
 - (iv) a fresh provision shop licence is required under the Food Business Regulation (Cap. 132X) if the bazaar activities involve the selling of fresh, chilled or frozen meats, fish, poultry, etc.;
- (c) the use of "naked flame" is not allowed in cooked food bazaars, hence bazaar operators can only use electricity to prepare food or re-heat pre-cooked food for sale in cooked food bazaars;
- (d) the organizers need to invest a lot of resources, including manpower and financial resources, to apply for establishing bazaars and the Government has not provided any assistance (e.g. no one-stop platform/designated office for assisting organizers in the entire process, no seed fund, no list of sites/venues suitable for establishing bazaars, etc.) to facilitate them in making applications;
- (e) it is difficult and time-consuming for bazaar organizers to identify suitable sites (including suitable venues in public rental housing ("PRH") estates) and obtain support from local communities and respective DCs in setting up bazaars;

Consultation with the District Councils

- (f) different District Councils ("DCs") have different mechanisms in handling bazaar proposals (e.g. may or may not have designated committee to handle bazaar proposals, requiring the organizers to submit concrete proposals for consideration, approving in principle a venue for setting up bazaars which can be applied by all interested parties, serving only as a discussion platform without voting on the proposals);

Lands Department

- (g) the list of vacant land for greening or community uses compiled by the Lands Department is not useful as it lacks details of the sites, and bazaars organizers have found that most of the sites in the list are not suitable for setting up bazaars (e.g. slopes, small in size, etc.);

Fire Services Department

- (h) stringent fire safety requirements for cooked food bazaars (e.g. one 4.5 kg CO2 gas type fire extinguisher is required at each food stall, only one stove is allowed to be used in each stall, etc.);
- (i) the requirement of one meter between each stove used in a food stall has posed difficulty for operators in preparing cooked food as only one stove can be used in each stall given the limited size of the stall;

Leisure and Cultural Services Department

- (j) bazaar organizers encounter difficulties in applying to the Leisure and Cultural Services Department ("LCSD") for setting up bazaars at leisure venues (as bazaars were regarded a non-designated use of leisure venues). LCSD's reasons for declining bazaar applications include complaints from local communities, the use of venues should not be on a recurrent basis, etc.;

Housing Department

- (k) estate offices and frontline staff of the Housing Department ("HD") are not aware of the bazaar application procedures and the new application form developed by HD for setting up bazaars in PRH estates, and still does not allow bazaars with cash transactions to be organized at PRH estates; and

- (1) consent from other private owners is required for establishing bazaars at the common areas of PRH estates that are jointly-owned by the Housing Authority and other private owners (e.g. Link Real Estate Investment Trust).

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