

# **立法會**

## ***Legislative Council***

LC Paper No. CB(2)1675/18-19  
(These minutes have been seen  
by the Administration)

Ref : CB2/PL/FE

### **Panel on Food Safety and Environmental Hygiene**

#### **Minutes of meeting held on Tuesday, 16 April 2019, at 2:30 pm in Conference Room 2 of the Legislative Council Complex**

**Members present** : Dr Hon KWOK Ka-ki (Chairman)  
Hon SHIU Ka-fai (Deputy Chairman)  
Hon Tommy CHEUNG Yu-yan, GBS, JP  
Prof Hon Joseph LEE Kok-long, SBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon Claudia MO  
Hon Steven HO Chun-yin, BBS  
Hon CHAN Chi-chuen  
Hon KWOK Wai-keung, JP  
Dr Hon Helena WONG Pik-wan  
Dr Hon Elizabeth QUAT, BBS, JP  
Dr Hon CHIANG Lai-wan, SBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon Andrew WAN Siu-kin  
Hon HO Kai-ming  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan  
Dr Hon Pierre CHAN  
Hon LAU Kwok-fan, MH  
Hon Jeremy TAM Man-ho  
Hon AU Nok-hin  
Hon Vincent CHENG Wing-shun, MH  
Hon CHAN Hoi-yan

**Member attending** : Hon KWONG Chun-yu

**Members  
absent** : Hon CHAN Han-pan, BBS, JP  
Hon CHU Hoi-dick  
Hon SHIU Ka-chun  
Hon HUI Chi-fung  
Hon Kenneth LAU Ip-keung, BBS, MH, JP

**Public Officers  
attending** : Item IV

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

Mr Gilford LAW Sun-on  
Principal Assistant Secretary for Food and Health (Food) 2

Miss Diane WONG Shuk-han  
Deputy Director (Environmental Hygiene)  
Food and Environmental Hygiene Department

Mr FORK Ping-lam  
Assistant Director (Operations) 3  
Food and Environmental Hygiene Department

Mr LAM Kam-kong  
Coordinator (Cleansing Infrastructure)  
Food and Environmental Hygiene Department

Ms Luca CHEUNG Ming-wai  
Chief Executive Officer (Planning) (Acting)/  
Senior Executive Officer (Planning) 5  
Food and Environmental Hygiene Department

Items V and VI

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

Mr Gilford LAW Sun-on  
Principal Assistant Secretary for Food and Health (Food) 2

Miss Diane WONG Shuk-han  
Deputy Director (Environmental Hygiene)  
Food and Environmental Hygiene Department

Mr CHIU Yu-chow  
Assistant Director (Grade Management and Development)  
Food and Environmental Hygiene Department

Mr Edward TSE Cheong-wo  
Project Director 3  
Architectural Services Department

Mr Alex TSE Lok-man  
Senior Project Manager 335  
Architectural Services Department

Mr Ryan LIN Wai-tung  
Senior Project Manager 321  
Architectural Services Department

Mr CHOI Wing-hing  
Chief Engineer/Land Works  
Civil Engineering and Development Department

Item VII

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

Mr Bill WONG Kwok-piu  
Principal Assistant Secretary for Food and Health (Food) 3

Dr Thomas SIT Hon-chung  
Assistant Director (Inspection and Quarantine)  
Agriculture, Fisheries and Conservation Department

Dr Mary CHOW Ka-wai  
Senior Veterinary Officer (Animal Management) Development  
Agriculture, Fisheries and Conservation Department

Dr Tommy SZE Ling-wai  
Senior Veterinary Officer (Import and Export) (Acting)  
Agriculture, Fisheries and Conservation Department

**Clerk in attendance** : Miss Josephine SO  
Chief Council Secretary (2) 2

**Staff in attendance** : Mr Clement HAU  
Council Secretary (2) 2  
  
Miss Cally LAI  
Legislative Assistant (2) 2

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**I. Confirmation of minutes**

(LC Paper Nos. CB(2)1041/18-19 and CB(2)1180/18-19)

The two sets of minutes of the meetings held on 8 January 2019 and 28 January 2019 were confirmed.

**II. Information papers issued since the last meeting**

(LC Paper Nos. CB(2)1000/18-19, CB(2)1146/18-19(01), CB(2)1215/18-19(01) and CB(2)1215/18-19(02))

2. Members noted that the following papers had been issued since the last meeting:

- (a) Report of the Subcommittee on Issues Relating to Public Markets;
- (b) Referral arising from the meeting between Legislative Council ("LegCo") Members and Wong Tai Sin District Council members on 22 March 2019 regarding the proposed redevelopment of Choi Hung Road Market for provision of other community facilities;
- (c) Letter dated 11 April 2019 from Hon SHIU Ka-chun on Government's policy on bazaar activities; and
- (d) Letter dated 11 April 2019 from Hon SHIU Ka-chun on provision of public markets.

3. Referring to the issues suggested for discussion by Mr SHIU Ka-chun as stated in his two letters above-referred in paragraph 2(c) and (d), the Chairman asked whether the Administration had any idea of when it would be ready to discuss those matters with the Panel. Under Secretary for Food and Health ("USFH") responded that:

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- (a) regarding public markets, the Subcommittee on Issues Relating to Public Markets had just completed its work in March 2019, and had discussed the arrangement of building public markets. The Administration was following up the recommendations of the Subcommittee. For new markets under planning, the Administration was pressing ahead with technical studies, project details of which were expected to be finalized in the autumn of 2019. The Administration would then brief the Panel on the latest development; and
- (b) as for bazaars, the Panel might consider discussing relevant issues at the meeting in July 2019 since the Administration planned to propose other discussion topics scheduled for the regular meetings in May and June 2019.

*(Post-meeting note: The Administration's written response to the two letters from Mr SHIU Ka-chun (LC Paper No. CB(2)1299/18-19(01)) was issued to members on 26 April 2019.)*

**III. Date of next meeting and items for discussion**  
(LC Paper Nos. CB(2)1182/18-19(01) and (02))

Regular meeting in May 2019

4. Members agreed to discuss the following two items at the next regular meeting scheduled for Tuesday, 14 May 2019 at 2:30 pm:

- (a) Public consultation on the proposals to enhance animal welfare; and
- (b) Creation of directorate posts in the Food and Environmental Hygiene Department for better managing and upgrading municipal infrastructure.

Item for discussion in June

*Food safety of sashimi*

5. The Chairman drew members' attention to a letter from Mr Jeremy TAM dated 15 April 2019 which was tabled at the meeting. Mr TAM expressed in his letter concern about the results of the Consumer Council's recent test on sashimi samples wherein parasites and worm eggs were

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detected and suggested that the Centre for Food Safety ("CFS") should review and update the testing parameters (such as heavy metals, pesticide residues and micro-organisms) for sashimi/raw seafood. He also suggested discussion of the food safety of sashimi at the May meeting.

*(Post-meeting note: The letter from Mr Jeremy TAM was issued to members vide LC Paper No. CB(2)1249/18-19 on 17 April 2019.)*

6. In response, USFH proposed that the matter raised in Mr Jeremy TAM's letter could be discussed at the Panel regular meeting scheduled for 11 June 2019, in the context of discussing CFS' food surveillance work. Since Mr TAM and members present had no objection to the Administration's proposal, the Chairman said that the matter would be discussed at the regular meeting in June 2019 and covered under the relevant item.

**IV. Refurbishment of public toilets managed by the Food and Environmental Hygiene Department**

(LC Paper Nos. CB(2)945/18-19(01), CB(2)1182/18-19(03), CB(2)1182/18-19(04) and CB(2)1219/18-19(01))

7. At the invitation of the Chairman, USFH briefed Members on the Government's plan to refurbish public toilets managed by the Food and Environmental Hygiene Department ("FEHD") in the coming five years, as detailed in the Administration's paper (LC Paper No. CB(2)1182/18-19(03)). Members noted the background brief on the subject (LC Paper No. CB(2)1182/18-19(04)) prepared by the LegCo Secretariat and a submission from Hong Kong Catholic Commission for Labour Affairs (LC Paper No. CB(2)1219/18-19(01)) which was tabled at the meeting.

Facility improvement and application of technologies

8. Mr Tommy CHEUNG, Mr Vincent CHENG and Mr KWOK Wai-keung suggested that the Administration should, in carrying out refurbishment works for FEHD-managed public toilets, improve the ventilation thereof. Mr CHEUNG considered that the Administration should ensure sufficient fresh air supply/air change rates in public toilets. If funding was available, consideration should be given to installing air-conditioning systems and dehumidifiers in all public toilets, so as to ameliorate the wet floor and odour problems as well as to keep temperature in public toilets at an optimal level.

9. Deputy Director (Environmental Hygiene), FEHD ("DD(EH)/FEHD") responded that in order to address the problems of inadequate ventilation and wet toilet floor arising from the humid weather in Hong Kong, FEHD would

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provide air exhaust outlet in each toilet cubicle as applicable in refurbishing a toilet. In addition, FEHD was, in consultation with the Architectural Services Department ("ArchSD") and the Electrical and Mechanical Services Department ("EMSD"), exploring the following initiatives and putting them on trial in certain projects:

- (a) considering on a case by case basis provision of air-conditioning systems and dehumidifiers, if feasible, to ameliorate the wet floor and odour problems as well as to keep temperature in public toilets at an optimal level. FEHD would put on trial the above measure in the refurbishment works of Lan Kwai Fong Public Toilet; and
- (b) considering one stop provision of wash hand basin, soap dispenser and hand dryer in the form of a Cabinet Wash Hand Basin System to alleviate the wet floor problem caused by water dripping from the hands of toilet users. Peak Tower Public Toilet, Tsuen Wan Multi-storey Carpark Building Public Toilet and Tak Wah Park Public Toilet were selected for trial use of the system in their refurbishment works.

10. Mr AU Nok-hin held the view that air-conditioning systems would achieve a better effect than dehumidifiers in ameliorating the wet floor problem of public toilets. Mr Steven HO, however, considered that in deciding whether to provide air-conditioning systems in public toilets, the Administration should take into account the importance of energy conservation.

11. Assistant Director (Operations) 3, FEHD ("AD(Ops)3/FEHD") responded that FEHD would consider a range of factors including operational costs and effectiveness of the facilities, in deciding whether to install air-conditioning systems and dehumidifiers in public toilets. While the provision of air-conditioning systems could help keep the temperature of toilets at an optimal level at times of high usage, using dehumidifiers might be more cost-effective during night time when public toilets were normally of low usage. When putting different facilities on trial, FEHD would examine how to maximize their effectiveness and benefits.

12. Mr Tommy CHEUNG, Dr Priscilla LEUNG, Mr HO Kai-ming, Dr Elizabeth QUAT and Mr Vincent CHENG considered that in refurbishing and improving the design/facilities of existing public toilets, the Administration should explore the application of technologies, having regard to overseas experience and practices. Mr CHEUNG said that in some public toilets in Hangzhou, digital display panels were used to indicate whether a toilet cubicle was occupied. Mr HO suggested that the Administration should

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consider putting on trial self-cleaning toilets (just like those used in Paris) which could help achieve efficiency and reduce the manpower resources required for performing cleansing work. Dr QUAT shared a similar view and suggested that the Administration should introduce "smart toilets" with self-cleaning, odour removal and energy-saving functions.

13. DD(EH)/FEHD responded that FEHD was exploring the application of technologies in public toilets with reference to the practices of other countries, including:

- (a) application of advance ozone technology on a trial basis for Sai Yee Street Garden Public Toilet in Mong Kok had commenced since end-March 2019. Ozonated water was injected into the flushing system to inhibit bacteria growth and degrade odour molecules so as to abate odour and improve air quality; and
- (b) application of Nano Confined Catalytic Oxidation ("NCCO") technology would be put on trial for Tsuen Wan Multi-storey Carpark Building Public Toilet and Tak Wah Park Public Toilet upon completion of their refurbishment works in the autumn of 2019, and for Peak Tower Public Toilet and Southorn Centre Public Toilet in Wan Chai upon completion of their refurbishment works in the summer of 2020. The NCCO technology decomposed odour molecules and pollutants into harmless water molecules and carbon dioxide so as to abate odour and improve air quality. If the above technologies were proven effective, FEHD would gradually apply these technologies to wider use in the public toilet refurbishment programme.

14. DD(EH)/FEHD and AD(Ops)3/FEHD further advised that in formulating the design of public toilets, FEHD and ArchSD would consider how best to incorporate third parties' views, such as arranging design thinking workshops to brainstorm solutions and engage stakeholders like design professionals, architects, scholars and frontline workers etc. The Administration welcomed Members' suggestions and would take them into account in exploring the application of technologies in public toilets.

15. Mr Steven HO called on the Administration to allocate additional resources to support the application of technologies in public toilets. In his view, trials/tests on various technologies should be conducted concurrently, so as to expedite the decision on whether they were suitable for application in the public toilets of Hong Kong.



Enhancement of toilet management

16. The Chairman, Mr KWOK Wai-keung, Mr Vincent CHENG, Mr Steven HO and Mr AU Nok-hin called on the Administration to improve the management of public toilets and cleansing service contracts. The Chairman suggested that the Administration should draw reference from successful experiences of other countries/places such as Singapore, and consider establishing statutory bodies to take up the management of public toilets or engaging non-profit-making organizations to promote good hygiene practices while using public toilets. Mr KWOK considered that the Administration should improve the management of all public toilets, be they managed by FEHD or other government departments (e.g. the Leisure and Cultural Services Department). Mr CHENG and Mr HO suggested that the Administration should consider engaging third-party players in monitoring the performance of cleansing service contractors and inviting District Councils ("DCs") to advise on the tendering and evaluation procedures. Mr AU held the view that FEHD's practice of awarding outsourced contracts to the lowest bidder was the root cause for inferior cleansing services. He strongly considered that FEHD should review its cleansing contract tendering system, with a view to improving the employment terms and conditions of toilet attendants and cleansing workers employed by outsourced service contractors. Mr AU asked whether and if yes, what follow-up actions would be taken by FEHD against outsourced service contractors if the latter failed to meet the required performance standards.

17. DD(EH)/FEHD and AD(Ops)3/FEHD responded that:

- (a) FEHD would refurbish its public toilets by phases. It had put in place a management mechanism for its outsourced cleansing service contracts. Performance standards, including scope of services, level of cleanliness and responsiveness, were stipulated in the contracts. The tender documents also stipulated the minimum requirements on manpower, work shifts and frequency of services according to operational needs;
- (b) FEHD staff would check whether the contractors had complied with the cleansing service contracts through site inspections, surprise checks and examination of job records. In the event of any irregularities, defaults or non-compliance with contract provisions in the delivery of public toilet cleansing services, FEHD would take follow-up actions, including the issue of verbal and written warnings, default notices and deduction of monthly payment. Such performance record would also affect

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the tenderer's future bidding for FEHD's outsourced service contracts;

- (c) FEHD did not award service contracts simply on the basis of tender price. In assessing service contractors, FEHD would uphold the requirements on service quality and observe the principle of value for money. About 40% of all the service contracts awarded during the past three years were awarded to tenderers not offering the lowest bid price;
- (d) the Administration had completed a review of the employment terms and conditions as well as labour benefits of non-skilled employees engaged by government service contractors, and had come up with improvement measures applicable to service contracts that relied heavily on the deployment of non-skilled employees. Under the improvement measures that had taken effect from 1 April 2019, the weighting of technical assessment in tender evaluation would be increased from the current 30% to 50%. The weighting of wage level of non-skilled workers (including toilet attendants) as an assessment criterion would be increased to 25% in the technical assessment. These would provide bidders with an incentive to put up higher wages of such workers in their bids. The above measures should hopefully bring about improvements to the employment terms and conditions of toilet attendants and cleansing workers; and
- (e) FEHD would take into consideration the views of DCs and relevant stakeholders, in enhancing the management of public toilets and their cleansing services. In parallel, FEHD was stepping up public education on proper use of public toilet facilities and keeping public toilets clean.

Admin

18. The Chairman and Mr AU Nok-hin requested the Administration to provide a breakdown of the follow-up actions taken by FEHD, including verbal and written warnings issued, default notices issued and monthly payment of service charge withheld or deducted, in the past three years against outsourced service contractors found to be in breach of contract provisions in performing cleansing services for public toilets.

19. Dr Priscilla LEUNG, Mr KWOK Wai-keung and Mr Andrew WAN expressed concern about the poor hygiene condition of public toilets managed by FEHD, especially considering that there were always complaints about odour problem, inadequate ventilation and wet floor. In Dr LEUNG's view, there was a need to enhance the cleanliness and the hygiene condition of

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public toilets. Mr WAN and Mr KWOK considered that FEHD should require its service contractors to increase the manpower and resources for performing the cleansing work, so as to ensure that they would provide up to standard services. Mr KWOK added that improvement measures should be worked out with regard to the hygiene condition and level of utilization of public toilets.

20. USFH and DD(EH)/FEHD responded that:

- (a) among the 799 public toilets managed by FEHD, 264 were provided with toilet attendant services with 231 of which had attendant rooms. In total, over some 900 toilet attendants were employed by FEHD's service contractors. Generally speaking, public toilets with high usage rates (i.e. a daily average of at least 300 man-times) would be provided with toilet attendants to strengthen cleansing services. Toilet attendants would ensure that consumables were timely refilled and defective facilities promptly reported. Public toilets not provided with toilet attendants were cleansed at least twice a day;
- (b) to enhance the overall hygiene condition of public toilets, FEHD had stepped up inspections (including conducting surprise inspections) and monitoring of contractor's performance in respect of public toilets with relatively high usage rates to ensure that cleansing services provided were up to standard. In November 2018, FEHD had created three posts at the rank of Senior Health Inspector. They were mainly responsible for stepping up surprise inspections of cleansing services and toilet facilities in various districts; and
- (c) on top of routine cleansing services, FEHD had set up dedicated deep cleansing teams starting from 1 March 2019 to perform regular deep cleansing services for public toilets with high usage rates. Such dedicated deep cleansing teams would be progressively extended to all public toilets over the territory upon renewal of street cleansing service contracts starting from mid-2019. The Administration would make use of the additional resources allocated by the 2019-2020 Budget to improve toilet facilities and enhance their cleanliness and hygiene.

21. Mr Andrew WAN, Mr Jeremy TAM and Dr Priscilla LEUNG expressed deep concern about the unpleasant and unfavourable work environment of toilet attendants and cleansing workers. In their view, the Administration should provide a suitable work and rest environment for toilet

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attendants, and accord priority to refurbishing those public toilets with high usage rates such that public toilet facilities and work environment of toilet cleaners could be improved concurrently. Mr WAN enquired whether the Administration had set a standard specification for the provision of toilet attendant rooms.

22. Mr Andrew WAN and Mr Jeremy TAM urged the Administration to implement measures to ensure that toilet attendants and cleansing workers were provided with meal breaks and a decent place to have meals. Mr TAM noted with concern that many part-time cleansing workers were not provided with any meal breaks. He called on the Administration to make improvement in this regard.

23. DD(EH)/FEHD and AD(Ops)3/FEHD responded that:

- (a) attendant rooms, normally at a size of around three square metres, could provide a place for toilet attendants to take rest. When building new public toilets and reprovisioning or refurbishing existing ones, FEHD would as far as possible make available attendant rooms and improve the facilities for toilet attendants, e.g. lockers, power sockets, exhaust fans, oscillating fans as well as improved ventilation and lighting; and
- (b) toilet attendants working on a shift of no less than eight hours would be provided with a one-hour meal break. Toilet attendants and cleansing workers working on a shift of less than eight hours would be provided with reasonable breaks and rest time.

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24. The Chairman and Mr Jeremy TAM requested the Administration to provide after the meeting more detailed information about the 231 public toilets provided with attendant services and attendant rooms, including (a) the standard fittings and facilities in those attendant rooms; (b) the number of attendant rooms that could meet the standard room size of three square metres; and (c) how the Administration would improve the provisions for attendant rooms, particularly for those which were below standard, when the public toilets were refurbished.

25. The Chairman and Mr Vincent CHENG considered it necessary for FEHD to arrange speedy repairs of public toilet facilities when damages or malfunctions of facilities were reported. The Chairman suggested that the Administration might consider outsourcing the maintenance and repair works to expedite the process. He enquired whether FEHD had set any pledge for timely repair of public toilet facilities.

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26. DD(EH)/FEHD responded that FEHD staff conducted inspection to check public toilet facilities for repair and maintenance. Depending on individual circumstances and merits, the frequency of inspection ranged from once every work shift, daily to once every two days. If minor defects were detected, such as replacement of light bulb or light tube, cleansing service contractors would carry out repair or replacement works within 24 hours, which was FEHD's performance pledge set for minor repairs of public toilet facilities. For more complicated defects, FEHD staff would initiate repair requests to ArchSD or EMSD to arrange timely repair works. FEHD would also discuss with the two departments from time to time how to enhance communication, fine-tune the workflow and protocol, with a view to working towards more efficient repair works of public toilet facilities. FEHD was developing an information management system for monitoring repair works of public toilet facilities.

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27. Regarding the 240-odd FEHD-managed public toilets which would commence refurbishment or facelifting works by phases in the coming five years, the Chairman requested the Administration to provide the Panel with the following information: (a) the respective number of public toilets that would be refurbished or facelifted, (b) the location and geographical distribution as well as the estimated cost range of individual toilets undertaking full-scale refurbishment or smaller-scale facelifting works, and (c) the tender specifications/requirements for providing the public toilet refurbishment works.

*(Post-meeting note: The Chinese and English versions of the Administration's response to various issues raised under this discussion item (LC Paper No. CB(2)1388/18-19(01)) were circulated to members on 7 and 9 May 2019.)*

Motions proposed by members

28. Mr Steven HO and Mr Vincent CHENG indicated an intention to jointly move a motion under this discussion item. Mr Jeremy TAM also indicated an intention to move a motion. The Chairman ruled that the two motions proposed by the above members were directly related to the agenda item under discussion and members present agreed that the motions should be dealt with. Since there was a lack of quorum at this point of time, the Chairman ordered that the quorum bell be rung to summon members before proceeding to deal with the motions. A quorum was subsequently present.

*Motion 1*

29. The Chairman put the following motion jointly moved by Mr Steven HO and Mr Vincent CHENG to vote:

(議案中文措辭)

香港作為國際大都會，但食物環境衛生署("食環署")管理的公廁的衛生情況卻一直為市民所詬病。政府今年於《財政預算案》中宣布撥款約 6 億元，在未來五年(即 2019-2020 至 2023-2024 年度)分階段為約 240 間食環署管理的公廁開展翻新或優化工程。就此，本事務委員會促請政府：

- (i) 盡快諮詢 18 區區議會，鼓勵各界人士就改善公廁一事提供意見；
- (ii) 完善公廁管理制度，包括優化食環署外判承辦商的招標機制，提升服務質素，改善員工的待遇，要求承辦商嚴格執行清潔守則；研究引入第三方(如顧問公司或區議會)參與監察承辦商的表現，並就維修損壞的公廁設施訂定服務承諾，以解決過往建築署維修設施緩慢的問題；
- (iii) 為所有公廁設廁所事務員，並優先翻新未能為廁所事務員提供合適工作及休息地方的舊式公廁；為公廁消耗品(如廁紙、洗手液)訂定衛生標準；及
- (iv) 盡快更新技術的應用；包括積極推廣 NCCO 氧聚解空氣處理技術與臭氧水注入沖廁系統技術至各個公廁，並引入智能科技提升公廁的管理與服務，例如引入人流監控系統，以收集公廁使用量等不涉及個人私隱的資訊，並善用相關數據以改善服務。

(English translation of the motion)

Hong Kong is an international metropolis, yet the hygiene condition of public toilets managed by the Food and Environmental Hygiene Department ("FEHD") has always attracted criticisms from the general public. As announced in this year's Budget, the Government will allocate a sum of about \$600 million to commence refurbishment or facelifting works for about 240 public toilets managed by FEHD by

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phases in the coming five years (i.e. 2019-2020 to 2023-2024). In this connection, this Panel urges the Government to:

- (i) expeditiously consult the 18 District Councils ("DCs") and encourage people from different sectors to give views on how to improve public toilets;
- (ii) improve the system for managing public toilets, including refining the tendering mechanism for FEHD's outsourced contracts, enhancing service quality, improving staff employment terms and conditions, and requiring the contractors to strictly follow the cleansing guidelines; explore the engagement of third-party players (e.g. consultants or DCs) to participate in the monitoring of the performance of contractors; and formulate performance pledges on the repair of defective public toilet facilities, so as to address past problems of slow progress of repair works carried out by the Architectural Services Department;
- (iii) deploy toilet attendants in all public toilets and give priority to refurbishing old-type toilets which fail to provide a suitable work and rest environment for toilet attendants; and formulate hygiene standards for consumables (e.g. toilet papers and hand soap) in public toilets; and
- (iv) expeditiously update the application of technologies, including proactively promoting the application of Nano Confined Catalytic Oxidation technology and the technology of injecting ozonated water into the flushing system in all public toilets; apply smart technologies to improve the management and services of public toilets, such as introducing a toilet usage monitoring system to collect data (e.g. the patronage of public toilets) which do not involve personal privacy; and properly utilize such data for service improvement.

30. The Chairman invited members to vote for or against the motion by a show of hands. Six members voted for the motion, no member voted against it and one member abstained from voting. The Chairman declared that the motion was carried.

*Motion 2*

31. The Chairman put the following motion moved by Mr Jeremy TAM to vote:

(議案中文措辭)

本事務委員會要求政府：

- (i) 檢視全港公廁的設施，改善外判公廁清潔工人的工作環境，提供合理的休息空間、用膳地方及其他基本設備；
- (ii) 應優先翻新使用率高及駐有廁所事務員的公廁，並同步改善公廁設施及清潔工人的工作環境；及
- (iii) 應確保外判清潔工人享有有薪用膳時間；食物環境衛生署應確保承辦商提供足夠人手、工具裝備及工作環境設施，增加每天駐有廁所事務員的公廁數量，並劃一派駐廁所事務員到公廁服務的時段為早晚兩更，以改善公廁服務人手安排及分擔公廁清潔工人的工作量。

(English translation of the motion)

This Panel requests the Government to:

- (i) review the facilities of all public toilets in Hong Kong, improve the work environment of outsourced public toilet cleaners, and provide them with a reasonable rest space and meal area, as well as other basic facilities;
- (ii) accord priority to refurbishing those public toilets with high usage rates and toilet attendants, so that public toilet facilities and work environment of toilet cleaners can be improved concurrently; and
- (iii) ensure that outsourced toilet cleaners are provided with paid meal breaks; and that the Food and Environmental Hygiene Department should ensure that its outsourced contractors would provide adequate manpower, tools and equipment as well as proper work environment and facilities, increase the number of public toilets that would be provided with toilet



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attendants every day, and standardize the deployment of toilet attendants to provide services in public toilets into two works shifts, i.e. one morning shift and one night shift, so as to improve the staffing arrangement for providing services in public toilets and share out the workload of public toilet cleaners.

32. The Chairman invited members to vote for or against the motion by a show of hands. Eight members voted for the motion, no member voted against it and one member abstained from voting. The Chairman declared that the motion was carried.

*(Post-meeting note: The Chinese and English versions of the Administration's response to the motions (LC Paper No. CB(2)1387/18-19(01)) were circulated to members on 7 and 9 May 2019.)*

**V. Provision of columbarium, Garden of Remembrance and related works at On Hing Lane, Shek Mun, Sha Tin**  
(LC Paper No. CB(2)1182/18-19(05))

**VI. Provision of columbarium and Garden of Remembrance at Sandy Ridge Cemetery (Phase 1 Development)**  
(LC Paper No. CB(2)1182/18-19(06))

33. The Chairman suggested and members agreed that a joint discussion be held on agenda items V and VI, as both items involved public works projects pertinent to columbarium development.

34. At the invitation of the Chairman, USFH briefed Members on FEHD's proposed projects to construct (a) a columbarium block and a garden of remembrance ("GoR") at On Hing Lane, Shek Mun in Sha Tin, with a subway in support of the provision of the columbarium; and (b) columbarium blocks and a GoR in undeveloped areas within the Sandy Ridge Cemetery in the North District. Details of the two projects were set out in the Administration's papers (LC Paper Nos. CB(2)1182/18-19(05) and (06)).

The proposed works projects and co-location of ashes

35. The Chairman, Ir Dr LO Wai-kwok and Mr Jeremy TAM expressed support for the two proposed columbarium development projects. Ir Dr LO considered that the Administration should increase the supply of public niches in response to the public demand, expedite the development of the two projects under discussion and take proactive efforts to increase the

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community acceptance of green burial as a sustainable form of ash disposal. The Chairman enquired whether the choice of co-location of ashes was open to niche allocatees in respect of the niches to be provided in the two proposed columbaria. In his view, the Administration should encourage co-location of additional ashes (i.e. shared use of niches) so as to optimize the use of land resources allocated for public columbaria.

36. DD(EH)/FEHD replied that in view of the growing demand for public niches, the Administration would explore more sustainable ways to utilize columbarium facilities. For example, FEHD had been encouraging and facilitating co-location of ashes in public niches by relaxing the definition of "close relative" and allowing the public to place more than two sets of ashes in a standard niche and more than four sets in a large niche with effect from January 2014. Co-location of ashes in the niches to be provided in the two proposed columbaria would be open to niche allocatees. In addition, the Administration had been promoting green burial.

37. Dr Elizabeth QUAT was concerned whether FEHD had provided clear guidelines to its frontline staff for handling applications for co-location of ashes in public niches. She said that she had received a complaint in which the niche allocatee was not allowed to place an additional set of ashes of a deceased family member in a standard niche in an FEHD-managed columbarium already allocated for use by the niche allocatee.

38. DD(EH)/FEHD replied that FEHD had been promoting the co-location of ashes in public niches through the Internet, advertisements and distribution of printed materials (such as promotional posters and leaflets). FEHD would continue to enhance its publicity efforts in this respect. DD(EH)/FEHD invited Dr QUAT to refer the complaint case which she had cited to FEHD for follow-up.

Impact of the Shek Mun project on traffic and pedestrian flow

39. Noting that the proposed columbarium project at Shek Mun would provide about 40 000 niches and GoR facilities, Dr Elizabeth QUAT and Mr Steven HO expressed concern about its impact on the traffic condition in Sha Tin, particularly during the grave sweeping periods. To tackle the anticipated increase in the number of visitors for the proposed columbarium development, Dr QUAT suggested that special bus services between designated points (such as Shek Mun MTR station) and the proposed columbarium at On Hing Lane should be arranged during the grave sweeping seasons. Besides, the Administration should encourage visitors/grave sweepers to use mass transportation. The Chairman held the view that the Administration should explore measures which helped reduce both vehicular

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and pedestrian flows during the grave-sweeping seasons, so as to bring the traffic impact to an acceptable level. He suggested that the Administration might limit access to public niches during the grave sweeping seasons or encourage visitors to pay tribute to the ancestors outside the peak periods.

40. DD(EH)/FEHD responded that:

- (a) the Health and Environment Committee ("HEC") of Sha Tin District Council ("STDC") had been consulted on the proposed columbarium development, and HEC supported the development. According to the Traffic Impact Assessment ("TIA") Study and the TIA Review Study conducted in 2012 and 2017 respectively, the additional traffic and pedestrian volume arising from the proposed columbarium during the Ching Ming and Chung Yeung festive periods should be manageable with the implementation of the improvement measures as mentioned in paragraphs 5(c) and 6 of the Administration's paper;
- (b) after the commissioning of the proposed columbarium project at Shek Mun, FEHD would work closely with the Hong Kong Police Force and relevant departments to ensure that effective traffic and crowd control measures were implemented during the grave sweeping seasons; and
- (c) when the proposed columbarium commenced operation, the Administration would assess whether special bus services were required and, if yes, consider how such services should be provided. According to the motion passed by HEC on special bus services, the designated stop was Sha Tin MTR station.

41. Mr Steven HO considered that the Administration should plan ahead with relevant government bureaux/departments and introduce suitable traffic and pedestrian flow management arrangements during the grave sweeping seasons. He echoed with Dr Elizabeth QUAT that special bus services should be arranged during the grave sweeping seasons, in order to cater for the anticipated increase in the number of visitors for the proposed columbarium development. Mr HO requested the Administration to advise after the meeting whether his and Dr QUAT's suggestion of providing special bus services would be favourably considered.

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42. Dr Elizabeth QUAT asked whether the Administration would favourably consider STDC members' suggestion of constructing a covered pedestrian access route connecting On Yiu Street, On Muk Street and the

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proposed columbarium at On Hing Lane, with a view to enhancing the accessibility to the columbarium.

43. DD(EH)/FEHD responded that the proposed columbarium project at Shek Mun would include the construction of a subway underneath and across Tate's Cairn Highway connecting On Muk Street and the columbarium site. Trees planted along the footpath from the subway to the columbarium site would provide shelter from the sun. That said, the Administration would consider the suggestion of providing retractable awnings on top of the trellis with benches.

Burial services for abortuses of less than 24 weeks' gestation

44. Mr Jeremy TAM expressed appreciation for FEHD in setting up the Garden of Forever Love in Wo Hop Shek Cemetery for keeping abortuses of less than 24 weeks' gestation. Noting that GoRs would be provided in both columbarium projects under discussion, Mr TAM suggested that cremation facilities for abortuses of less than 24 weeks' gestation should also be provided in both columbaria. Mr TAM, Mr KWONG Chun-yu and Dr Elizabeth QUAT considered that the Administration should put in place measures for handling abortuses, including setting aside space for burial of abortuses.

45. DD(EH)/FEHD responded that:

- (a) the current public demand for the burial and scattering of cremains of abortuses of less than 24 weeks' gestation could be met by the facilities provided by the Catholic Diocese of Hong Kong, the Board of Management of the Chinese Permanent Cemeteries and FEHD. FEHD was currently processing applications from some private cemeteries which planned to provide similar facilities; and
- (b) FEHD would consider Members' suggestion, and identify suitable locations for keeping or scattering of cremains of abortuses. Demand-wise and logistically, it might be better to plan the facilities for cremating abortuses, on the basis of a single location. The Government was exploring an appropriate site for locating the furnaces, having regard to technical feasibility and local feedback. It would also continue to review and improve the workflow and procedures for handling abortuses.

46. Mr KWONG Chun-yu asked about the procedures for parents of abortuses of less than 24 weeks' gestation to claim back and arrange burial/cremation of abortuses. DD(EH)/FEHD responded that grief teams of

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the Hospital Authority ("HA") would also handle cases of abortuses of less than 24 weeks' gestation stored in public hospitals. Parents would be allowed to claim the abortuses as per their wishes where feasible and provided that relevant legal requirements and such conditions relating to public health perspective had been met. The hospitals would cater for the needs of the parents as far as possible and remind them of the matters requiring attention in the handling of abortuses, including public health requirements and burial arrangement considerations. HA would also consider simplifying the claim procedure so as to facilitate parents to collect their abortuses at a suitable time.

Motion proposed by member

47. Mr Jeremy TAM indicated an intention to move a motion. The Chairman ruled that the motion was directly related to the two agenda items under discussion and members present agreed that the motion should be dealt with. Since, at this point of time, there was a lack of quorum, the Chairman ordered that the quorum bell be rung to summon members before proceeding to deal with the motion. A quorum was subsequently present.

*Motion*

48. The Chairman put the following motion moved by Mr Jeremy TAM to vote:

(議案中文措辭)

鑒於現時香港可以安葬不足 24 周流產胎兒的地方不足，本事務委員會要求在沙田石門安興里骨灰安置所及紀念花園項目、以及沙嶺墳場骨灰安置所及紀念花園項目中預留地方，仿效天主教聖十字架墳場設置"天使花園"及其他紀念花園可撒放先人骨灰的安排，讓親人安葬及紀念不足 24 周的流產胎兒。

(English translation of the motion)

Given the current shortage in Hong Kong of burial grounds for stillborn foetuses of less than 24 weeks' gestation, this Panel requests that under the construction projects for columbarium and garden of remembrance ("GoR") at On Hing Lane, Shek Mun, Sha Tin and for columbarium and GoR at Sandy Ridge Cemetery, space be reserved for the burial and remembrance of stillborn foetuses of less than 24 weeks' gestation by the families, by making reference to the setting up of "Angel Garden" at the Holy Cross Catholic Cemetery and the arrangement of scattering ashes of the deceased in other GoRs.

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49. All members who participated in the voting voted in favour of this motion. The Chairman declared that the motion was carried.

*(Post-meeting note: The Administration's response to the motion was issued vide LC Paper No. CB(2)1348/18-19 on 2 May 2019.)*

50. Concluding the discussion, the Chairman said that members present were generally supportive of the two proposed columbarium development projects, and had no objection to the Administration submitting the relevant funding proposals to the Public Works Subcommittee and the Finance Committee.

**VII. Handling illegal importation of cats and dogs**

(LC Paper Nos. CB(2)1004/18-19(01), CB(2)1010/18-19(01), CB(2)1023/18-19(01), CB(2)1036/18-19(01), CB(2)1079/18-19(01), CB(2)1134/18-19(01), CB(2)1143/18-19(01) and CB(2)1218/18-19(01))

51. At the invitation of the Chairman, USFH briefed Members on how the Government handled illegal importation of cats and dogs, as set out in the Administration's paper (LC Paper No. CB(2)1218/18-19(01)).

Recent case of handling of a dog from an unknown source found on a cargo ship from Thailand

52. Ms Claudia MO, Mr KWONG Chun-yu and Dr Elizabeth QUAT expressed strong disappointment with the way the Government handled a recent case where a dog from an unknown source ("the dog") was found on a cargo ship from Thailand ("the incident") and was euthanized by the Agriculture, Fisheries and Conservation Department ("AFCD"). Ms MO, Mr KWONG and Mr CHAN Chi-chuen considered that the decision to euthanize the dog was taken too hastily without giving sufficient time for the owner to claim back the dog. Besides, AFCD had not followed the normal practice of keeping unclaimed animals in quarantine in the Animal Management Centres ("AMCs") for four days before euthanasia was performed. Mr KWONG and Dr QUAT held the view that if the dog did not show any signs of violent and aggressive behaviour or infection of rabies or any other zoonotic diseases, AFCD should have kept the dog in quarantine instead of euthanizing it hastily.

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53. In response, Principal Assistant Secretary for Food and Health (Food) 3 ("PASFH(F)3") and Assistant Director (Inspection and Quarantine), AFCD ("AD(IQ)/AFCD") gave an account of the incident:

- (a) AFCD received a request for assistance from a shipping company on 11 and 12 March 2019 to help and receive a dog of an unknown source found on its cargo ship, which departed from Laem Chabang, Thailand for Hong Kong. That company believed that the dog was a stray animal, and could not provide information on the dog's health condition or vaccination record. The captain of the ship subsequently signed a declaration form surrendering the illegally imported dog and passed it to AFCD staff. The dog concerned without a permit issued by AFCD was regarded as illegally imported;
- (b) after receiving the dog on 12 March 2019, AFCD's veterinary officer thoroughly examined the dog and did not find any microchip implanted. Since AFCD classified the export places of cats and dogs into three groups in accordance with their risk of rabies and Thailand was classified as a Group III country (i.e. where rabies cases were reported and the disease was not under effective control), the dog's risk of spreading rabies was considered extremely high in the absence of supporting document or medical record accompanying the dog. The veterinary officer euthanized the dog according to established procedures. AFCD had not received any enquiry or report related to any alleged owner of the dog prior to the euthanasia; and
- (c) the practice of keeping in AMCs unclaimed cats and dogs without a microchip for at least four days only applied to lost or stray animals found in Hong Kong, but not for animals illegally imported into Hong Kong from other countries.

54. Ms Claudia MO and Mr KWONG Chun-yu considered AFCD's way of handling the dog inappropriate and inhumane. The incident had aroused strong dissatisfaction among members of the public and animal welfare organizations. The Chairman, Ms MO, Mr CHAN Chi-chuen and Dr Elizabeth QUAT considered that improvements should be made to the AFCD's procedures and arrangements for handling animals which entered Hong Kong illegally and incidentally, so as to prevent recurrence of similar incidents.

55. USFH and AD(IQ)/AFCD responded that while AFCD would endeavour to safeguard public health and prevent and control rabies, having regard to the public's views on the handling of this unprecedented case,

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AFCD would review the procedures and arrangements for handling special cases of illegal animal importation. In conducting the review, the following factors would be taken into account:

- (a) the identification of the animal's country/place of origin and whether there was disease outbreak therein;
- (b) whether the animal concerned had any keeper;
- (c) whether the animal concerned was a lost or stray animal;
- (d) whether the animal concerned had shown any clinical signs indicating infection of rabies or any other zoonotic diseases; and
- (e) the risk of spreading transmissible diseases of the animal concerned, etc.

56. AD(IQ)/AFCD further said that if the animal concerned had a keeper, his/her inclination and the feasibility of repatriating the animal would also be considered. In reviewing the procedures and arrangements for handling special cases of illegal animal importation, the Administration would make reference to general handling arrangements adopted by other countries or places, and seek legal and expert advice. The review was targeted to be completed in about three months.

57. Mr CHAN Chi-chuen said that there might be cases where illegally imported cats/dogs might have travelled (e.g. through passenger or cargo ships) to a number of countries/places before arrival at Hong Kong. Under such circumstances, it might not be feasible to identify the country/place of origin of the animals or to assess accurately their risk of spreading rabies.

58. The Chairman considered that the Administration should adopt a more humane approach in handling unclaimed animals illegally imported from other countries/places. AFCD should keep the animals in AMCs for a longer period of time instead of performing euthanasia hastily. In his view, consideration should be given to referring illegal animal import cases to officers of higher rank for handling, when necessary. AD(IQ)/AFCD responded that the Administration would take into account Members' views in reviewing the procedures and arrangements for handling special cases involving illegal animal importation. At the Chairman's request, the Administration would provide the Panel with the outcome of AFCD's review.

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59. Mr KWONG Chun-yu strongly considered that the Administration should avoid performing euthanasia on unclaimed animals, which should be



the last resort for handling stray animals. He requested the Administration to provide the total expenditure incurred by AFCD on animal euthanasia over the past three years, and the percentage share of the expenditure on euthanizing illegally imported cats or dogs.

AFCD's handling of illegal importation of cats and dogs

60. The Chairman sought details about AFCD's current handling of illegal importation of cats and dogs, including the inspection and quarantine arrangement in relation to those animals suspected of having rabies. He also asked about the number of cases involving illegally imported dogs and cats over the past few years.

61. PASFH(F)3 and AD(IQ)/AFCD responded that:

- (a) regarding illegal importation of cats and dogs, if AFCD could confirm the owner or representative, depending on the inclination of the owner or representative, and the risk of rabies of the country/place of origin, the animals concerned might be repatriated, or stay in Hong Kong after completing the necessary quarantine procedures as assessed and required by AFCD's veterinary officer. The procedures included the provision and examination of health certification, vaccination and isolation, etc. However, if a cat or dog was illegally imported from a country/place of high risk of rabies and was not accompanied by records or information on health conditions, its risk of rabies infection would be regarded as extremely high;
- (b) given the long incubation period of rabies, the disease could not be diagnosed in an infected animal during the incubation period. Coupled with the fact that there was no effective test to rule out rabies infection in a live animal, it was not practical to isolate the cat/dog for an observation period to rule out any possibility of infection. As such, an animal with no keeper or surrendered by its keeper was euthanized in accordance with section 6 of the Rabies Ordinance (Cap. 421) to safeguard public and animal health. Some overseas places would also consider euthanizing illegal imported cats/dogs to safeguard their animal and public health; and
- (c) the number of illegally imported cats and dogs seized by AFCD in 2016, 2017 and 2018 was 22, 27 and 7 respectively; and the number of illegally imported dogs repatriated in 2016 and 2017 was 9 and 14 respectively.

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62. Mr Steven HO noted with concern that for stray animals, AFCD kept potentially infected animals and rabies-free animals in the same area of detention in AMCs. He expressed worries that the mixing of animals might increase the risk of disease transmission among animals. He enquired how AFCD categorized stray animals caught or animals received from owners and sent to AFCD's AMCs for observation and the duration of the detention period for these animals at AMCs.

63. AD(IQ)/AFCD responded that AFCD had four AMCs across the territory. These centres were set up for the purpose of providing specific services to the public, including vaccination and licensing of dogs, as well as temporarily housing animals under rabies quarantine, stray animals caught or animals surrendered by owners which were pending adoption. Animals with potential risk of rabies infection would be kept in isolation, to ensure that they would not be in contact with other animals. On the detention period for animals at AMCs, AD(IQ)/AFCD advised that:

- (a) for animals with microchip implanted: AFCD would try to find their owners, which might last for weeks;
- (b) for healthy and docile animals suitable for adoption: they might stay at AMCs for months until re-homing could be arranged; and
- (c) for stray animals not suitable for adoption: animals assessed to be unsuitable for re-homing due to health or temperament reasons would be euthanized.

*(To allow sufficient time for discussion, the Chairman directed that the meeting be extended for 10 minutes.)*

64. Mr Jeremy TAM expressed concern about a recent incident where two cats were illegally imported from Taiwan to Hong Kong by a woman. He enquired what follow-up actions had been taken by AFCD in response to the incident, including whether any prosecution actions had been taken.

65. AD(IQ)/AFCD and Senior Veterinary Officer (Import and Export) (Acting) responded that AFCD was working closely with the Hong Kong Police Force and seeking legal advice from the Department of Justice on how the matter would be pursued. As the two cats were exported from Taiwan (a place where rabies cases were few and the disease was under effective control), the cats' risk of rabies infection was considered low. The two cats had been examined by a registered veterinarian and were found to be healthy.

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They had been returned to the keeper (who was appointed by, and would act on behalf of, the cats' owner) for undergoing home quarantine.

66. Mr Jeremy TAM said that there were speculations that the two cats were smuggled into Hong Kong through the use of health certificates and microchips belonging to some other cats. In his view, AFCD officers at boundary control points should stay vigilant in preventing illegal importation of animals. AD(IQ)/AFCD responded that the Administration noted Members' views.

**VIII. Any other business**

67. There being no other business, the meeting ended at 5:04 pm.

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