



中華人民共和國香港特別行政區政府總部食物及衛生局

Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

Clerk to Panel on Food Safety and Environmental Hygiene
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn.: Mr Clement HAU)

15 July 2019

Dear Mr HAU,

**Motion passed at the Special Meeting of
Panel on Food Safety and Environmental Hygiene on 28 January 2019**

We received your letter dated 29 January 2019. Our response to the motion passed at the special meeting on 28 January is as follow:

Priority to be given to registered assistants for allocation of surplus pitches

As at 31 May 2019, there were 435 hawker pitches within or outside the 43 fixed-pitch hawker areas which are released through the surrender of hawker licences under the Hawker Assistance Scheme or due to other reasons, and thus suitable for re-allocation.

We will apportion all 435 suitable pitches equally among the four categories of applicants through a fair and impartial pitch allocation mechanism, so as to provide them with a reasonable opportunity to enter the hawking trade. If any short-listed applicants give up their right to select a pitch, standby applicants will be able to select the released vacant pitches according to the number of such pitches for their category and their priority order on the waiting list for that category. Subsequently, if the number of applicants in individual categories is less than the quota of pitches, the remaining standby applicants will be able to select the released pitches according to their priority order on the waiting list.

We are aware of the aspiration of registered assistants. Yet, registered assistants are merely assistants to their hawker licensees. The only purpose of the hawker registration system is to differentiate those assistants employed by licensed hawkers to assist in the business from others to avoid them being prosecuted for unlicensed hawking when the hawker licensees cannot personally attend to the hawking activity at the pitches concerned due to reasonable cause. In other words, the implementation of the registration system is purely enforcement-based. We do not acknowledge the status of assistants as equivalent to hawkers. We estimate that a large number of members of the public would participate in the upcoming exercise for allocating suitable hawker pitches. To strike a balance between fair allocation and the needs of all parties, we have included registered assistant as an independent category and set aside one-fourth of the suitable hawker pitches for eligible registered assistants. In this way, they are already treated more favourably than members of the public and given a greater chance of being allocated a pitch.

Implementing “Hawker Assistance Scheme” regularly

Two major fires broke out at the hawker stalls at Fa Yuen Street in Mongkok in December 2010 and November 2011, with the latter causing a considerable number of casualties in the adjoining buildings. The fire

risks reflected in these two fires related not only to enforcement management and the materials used for construction of stalls, but also to the stalls which are located directly in front of staircase discharge points of buildings or emergency vehicular access. When a fire breaks out, the fire may easily spread to the staircase discharge points of nearby buildings while the dense smoke will create the "chimney effect", posing serious threats to the lives and property of the residents living upstairs. In view of this, the Government implemented the "Hawker Assistance Scheme" which sought to improve the fire resisting capability and design of hawker stalls, and to relocate stalls away from staircase discharge points of buildings or emergency vehicular access, so as to reduce the loss of lives and property in the event of a fire.

The Government will consider offering suitable hawker pitches vacated in the future for allocation to interested parties on a regular basis to optimise the use of public resources and maintain an overall vibrant operating environment of the hawker areas.

Yours sincerely,



(Irene CHEUNG)

for Secretary for Food and Health Bureau

c.c. Director of Food and Environmental Hygiene