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Panel on Food Safety and Environmental Hygiene

**Subcommittee on Issues Relating to
the Improvement of Environmental Hygiene and Cityscape**

**Information note prepared by the Legislative Council Secretariat
for the meeting on 9 February 2021**

**Administration's efforts to
improve environmental hygiene and cityscape**

This information note outlines the Administration's efforts in (a) handling unauthorized bills or posters on streets/in public places, and (b) improving street management and enforcement against illegal shop front extension ("SFE").

Handling unauthorized bills or posters on streets and in public places

2. According to information available on the website of the Food and Environmental Hygiene Department ("FEHD"), it is an offence to display bills and posters on streets or in public places without the permission of the Lands Department and FEHD, or in case of private land, without the permission of the owner or occupier. Every day, FEHD staff will, in addition to patrolling the streets and removing unauthorized posters, take out prosecution action against any person found responsible for placing such posters. Where a bill or poster is permitted to be displayed on any private land or on any Government land, the bill or poster shall be maintained in a clean and tidy condition.

3. According to the Administration's replies to the written questions raised by Hon Holden CHOW and Hon Junius HO respectively at the Council meetings of 28 October 2020 and 4 November 2020 on clearance of non-compliant display items on Government land, FEHD has been closely monitoring the situation of unauthorized display of bills or posters in public places on Government land (including those commonly known as "Lennon Walls") while the display of bills or posters on Government land without permission is handled under the respective purview of a number of Government

departments. If it involves public places on Government land, FEHD will, in accordance with the established procedures, work with relevant Government departments to conduct clean-up exercise, and carry out joint operations¹ with regard to the locations concerned, actual work required and available resources where necessary. As for the sites/facilities managed by individual departments, the departments concerned will take actions on their own as appropriate.

Improving street management and enforcement against illegal shop front extension

4. According to information available on FEHD's website, illegal extension of business by shops is a street management problem which falls within the purview of a number of Government departments. To tackle the obstruction problem, FEHD takes enforcement action under relevant provisions of the Public Health and Municipal Services Ordinance (Cap. 132) and the Summary Offences Ordinance (Cap. 228), having regard to the actual circumstances. FEHD also actively participates in inter-departmental operations, such that relevant departments can take further action under their purview to stop such unauthorized activities.

5. Following the enactment of the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570) on 24 September 2016, the Fixed Penalty System ("FPS") against SFE has been implemented. According to the Administration, this provides an additional enforcement tool which can tackle the problem of obstruction of public places caused by SFE more efficiently and effectively, and can help address the deficiency of the summons system in place, i.e. the long lead time involved in the prosecution process and the light penalties that carry insufficient deterrence. According to information provided by the Administration to the Finance Committee in April 2019, since the commencement of FPS on 24 September 2016 until 31 December 2018, FEHD had issued a total of 16 541 Fixed Penalty Notices against SFEs.

Subcommittee meeting on 9 February 2021

6. The Administration will brief members on its efforts to improve environmental hygiene and landscape (including removal of unauthorized bills or posters/graffiti on Government land, and commercial publicity materials and

¹ According to information provided by the Administration to the Finance Committee in April 2020, as at 29 February 2020, some 950 joint operations were conducted at 295 locations across the territory to clean up bills displayed or affixed without permission.

banners displayed on the roadside) at the meeting on 9 February 2021. As requested by members, the Administration will also brief the Subcommittee on improvement of street management and enforcement against SFE under this discussion item.

Council Business Division 2
Legislative Council Secretariat
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