

**立法會**  
**Legislative Council**

LC Paper No. CB(2)833/20-21

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by the Administration)

Ref : CB2/PL/FE

**Panel on Food Safety and Environmental Hygiene**

**Minutes of meeting by videoconferencing  
held on Monday, 25 January 2021, at 4:30 pm  
in Conference Room 2B of the Legislative Council Complex**

**Members present** : Hon Steven HO Chun-yin, BBS (Chairman)  
Hon SHIU Ka-fai, JP (Deputy Chairman)  
Hon WONG Ting-kwong, GBS, JP  
Hon CHAN Hak-kan, BBS, JP  
Hon CHAN Han-pan, BBS, JP  
Hon KWOK Wai-keung, JP  
Hon Elizabeth QUAT, BBS, JP  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan, JP  
Dr Hon Pierre CHAN  
Hon LAU Kwok-fan, MH  
Hon Kenneth LAU Ip-keung, BBS, MH, JP  
Dr Hon CHENG Chung-tai  
Hon Vincent CHENG Wing-shun, MH, JP  
Hon Tony TSE Wai-chuen, BBS, JP

**Members absent** : Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP

**Public Officers** : 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

Ms Karyn CHAN Ching-yuen, JP  
Deputy Director (Administration and Development)  
Food and Environmental Hygiene Department

Miss Almaz LEUNG Tsz-ying  
Assistant Director (Market Special Duties)  
Food and Environmental Hygiene Department

Mr Edward TSE Cheong-wo, JP  
Deputy Director  
Architectural Services Department

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

Item V

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

Ms Chelsea WONG Wing-chee  
Principal Assistant Secretary for Food and Health (Food) 1

Dr Edwin TSUI Lok-kin  
Controller, Centre for Food Safety  
Food and Environmental Hygiene Department

Dr Samuel YEUNG Tze-kiu  
Consultant (Community Medicine) (Risk Assessment and  
Communication), Centre for Food Safety  
Food and Environmental Hygiene Department

Item VI

Miss Erica NG Lai-man, JP  
Deputy Secretary for Food and Health (Food) 1

Mr Amor WONG Yiu-tuen  
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 (Technical Services)  
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

Ms Camy YOONG  
Clerical Assistant (2) 2

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Action

**I. Application for late membership**  
(LC Paper No. CB(2)674/20-21(01))

Members accepted the application for late membership from Ms Elizabeth QUAT.

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

2. Members noted that no information paper had been issued since the last meeting.

**III. Date of next meeting and items for discussion**  
(LC Paper Nos. CB(2)599/20-21(01) and CB(2)677/20-21(01))

3. Members agreed to discuss the following two items at the next regular meeting scheduled for Tuesday, 9 February 2021 at 2:30 pm:

- (a) Promoting the sustainable development of the fisheries industry;  
and
- (b) Promotion of contactless payment in public markets.

#### **IV. Market Modernization Programme project in Aberdeen Market and related arrangements**

(LC Paper Nos. CB(2)440/20-21(04) and (05))

4. At the invitation of the Chairman, Under Secretary for Food and Health ("USFH") briefed members on the proposed overhaul project of Aberdeen Market under the Market Modernization Programme ("MMP") being implemented by the Food and Environmental Hygiene Department ("FEHD") and the proposal to create a non-recurrent commitment of \$100 million to allow timely disbursement of ex-gratia payments to the tenants affected by market development or consolidation plans, details of which were set out in the Administration's paper (LC Paper No. CB(2)440/20-21(04)). Members noted the background brief prepared by the Legislative Council Secretariat entitled "Market Modernization Programme project in Aberdeen Market" (LC Paper No. CB(2)440/20-21(05)).

##### Overhaul of Aberdeen Market

##### *The works project*

5. Mr WONG Ting-kwong, Ms Elizabeth QUAT, Mr Wilson OR, Ms YUNG Hoi-yan, Mr Vincent CHENG and Mr Tony TSE expressed support for the Administration's implementation of MMP to carry out various types of hardware improvement works for existing public markets, including the proposed overhaul project of Aberdeen Market. Mr TSE expressed appreciation that FEHD and the Architectural Services Department ("ArchSD") had brought in new ideas in designing the Aberdeen Market project.

6. Ms Elizabeth QUAT and Ms YUNG Hoi-yan suggested that in taking forward the overhaul works for Aberdeen Market, FEHD should make reference to the project on installation of air-conditioning ("A/C") system at Tai Wai Market. In their views, rodent proofing structures (e.g. rat guards) should be installed well before the completion of all hardware improvement works; the installation of signage at public areas in the overhauled Aberdeen Market should not cause inconvenience to individual tenants; and the hygiene conditions of the refuse collection point in the overhauled market should be improved.

7. Deputy Director (Administration and Development)/FEHD ("DD(AD)/FEHD") responded that FEHD had been in touch with and would maintain communication with tenants and the Market Management Consultative Committee ("MMCC") in respect of the design of the Aberdeen Market project to ensure tenants' business operation would not be affected

Action

after the completion of the overhaul works. DD(AD)/FEHD added that rodent proofing features would be incorporated into the design of the market building and rodent control operations would be carried out during and after the completion of the overhaul works. The scope of the overhaul of Aberdeen Market covered, among others, the refurbishment of the refuse collection point in the market, which included the provision of new facilities designated for recycling of discarded foam boxes. Depending on the actual needs, FEHD would refurbish the refuse collection points in other public markets when carrying out minor refurbishment/improvement works for those markets.

Admin

8. Mr KWOK Wai-keung and Mr Wilson OR expressed concern whether the Administration could compress the works schedule for Aberdeen Market and shorten the 14-month full market closure period. Mr KWOK enquired about the mechanism for allocating the 150 stalls in the overhauled Aberdeen Market and whether priority would be given to existing stall tenants for resuming operation in the overhauled market if they wished to do so.

9. DD(AD)/FEHD advised that the existing tenants had preliminarily agreed to full closure of Aberdeen market for 14 months for the overhaul works to proceed. FEHD would explore with ArchSD on whether the project programme could be further shortened. In early 2020, the Administration collected the forms for confirmation of intention from all tenants. Based on the results, the 150 stalls to be provided in the overhauled market should be able to accommodate all tenants who opted to continue operation in the overhauled market.

10. Mr KWOK Wai-keung asked how A/C charges would be shared among tenants after the installation of A/C system in Aberdeen Market. DD(AD)/FEHD responded that while tenants would need to pay for A/C charges for their stalls and share such charges for the common areas on a pro rata basis based on the floor area of their respective stalls in accordance with established practice, the relevant A/C charges for "place-making" areas which were public spaces for enjoyment of the public would be borne by the Government.

11. Many members including the Chairman, the Deputy Chairman, Mr WONG Ting-kwong, Mr KWOK Wai-keung, Mr Wilson OR and Ms YUNG Hoi-yan said that they had received a letter from Federation of Hong Kong Kowloon New Territories Hawker Associations ("the Federation") expressing views on the implementation of MMP. According to these members, the Federation requested the Administration to shorten the closure period of Aberdeen Market for overhaul works and to compensate the tenants for the wear and tear to their tools of trade which would be left idling

Action

during the full market closure period. The Federation also called on FEHD not to (a) outsource under MMP the operation of public markets to service contractors, (b) make changes to the terms of existing tenancies; or (c) depart from the current mechanism in setting the rental level of market stalls after overhaul or minor refurbishment/improvement works. The above members requested the Administration to provide a written response to the issues and concerns raised in the letter provided by the Federation.

Admin

*(Post-meeting note: The Federation's letter (Chinese version only) was issued to members vide LC Paper No. CB(2)710/20-21(01) on 26 January 2021).*

12. DD(AD)/FEHD responded that the Administration was pleased to note that the Federation was supportive of the implementation of MMP for the purpose of improving the operating environment of public markets. FEHD would continue to maintain communication with tenants, respective MMCCs and relevant stakeholders including the Federation in respect of the implementation progress of public market improvement projects under MMP.

13. The Chairman said that Members belonging to the Democratic Alliance for the Betterment and Progress of Hong Kong supported the proposed overhaul project of Aberdeen Market.

*New management model/operation mode for public markets*

14. Dr CHENG Chung-tai declared that some of his family members were operating market stalls in a public market managed by FEHD. The Chairman, Mr CHAN Han-pan, Mr Wilson OR and Dr CHENG noted with concern that FEHD would introduce a new management model/operation mode in new or overhauled public markets (including the overhauled Aberdeen Market) by strengthening the role of the service contractors in managing the markets. They enquired about the detailed scope of duties expected of the service contractors to be engaged by FEHD to manage the markets. They also expressed concern how FEHD would monitor the performance of the service contractors to ensure that the quality of management could be enhanced and existing problems (e.g. rodent infestation problem and environmental hygiene issues) be better tackled after the role of the service contractors was strengthened.

Admin

15. Dr CHENG Chung-tai cautioned that FEHD should not impose too many restrictions on the daily operation of tenants when managing public markets under the new operation mode. The Deputy Chairman asked whether the contractors to be engaged by FEHD to manage the markets

Action

would have the authority to handle tenancy matters such as termination of tenancy.

16. Mr WONG Ting-kwong opined that FEHD's existing management of public markets in respect of handling of tenancy matters, facilities maintenance and keeping/improvement of environmental hygiene conditions was far from satisfactory. He hoped that FEHD would enhance the quality of management of public markets. Mr Tony TSE enquired about the punitive actions against tenants in breach of tenancy conditions under the new operation mode.

17. DD(AD)/FEHD responded that FEHD had been engaging service contractors to provide cleansing, security and minor repair services in public markets. In response to the recommendations set out in the Office of The Ombudsman's direct investigation reports published in 2018 on FEHD's rental management and regulation of market stalls, FEHD would consider introducing management reform in new and overhauled markets by strengthening the role of the service contractors in managing the markets, with a view to enhancing business vibrancy and the overall competitiveness of public markets. Under the new management model, service contractors would be responsible for formulating promotion and development strategies for the markets, advising on the trade mix in the markets and providing assistance in enforcing tenancy agreements, etc. In response to Mr CHAN Han-pan's follow-up enquiry, DD(AD)/FEHD said that while the service contractors would be requested to advise on the trade mix in new or overhauled public markets, the final decision on the trade mix would rest solely with FEHD.

18. DD(AD)/FEHD added that as the landlord of public markets, FEHD would continue to be responsible for formulating the rental policy, determining the rental level for public market stalls and managing tenancy matters including signing of tenancy, tenancy renewal and termination. Only FEHD's market management staff had the authority to take enforcement actions against tenants who had contravened the laws or tenancy agreements. Contractors' staff did not have such authority. FEHD would issue warning letters to market stall tenants in breach of tenancy conditions and terminate the tenancy agreement if the tenant concerned was found subletting his stall to other operators. The new management model had already been introduced at FEHD Skylight Market in Tin Shui Wai. FEHD would make reference to the experience of FEHD Skylight Market when implementing those new management measures in other public markets.

19. The Chairman was concerned how FEHD could ensure that the management services for public markets would not be monopolized by

Action

certain contractors under the new management model. In response, DD(AD)/FEHD said that the selection and engagement of management services contractors for public markets would be carried out by way of open tenders. She cited FEHD Skylight Market as an example where a number of bids were received through an open tender. The Administration understood that there were quite a number of service contractors available in the market for provision of management services for public markets.

20. The Deputy Chairman and Mr WONG Ting-kwong expressed concern whether FEHD would adjust the rental level of market stalls in overhauled markets after the completion of the improvement works. Mr CHAN Han-pan asked whether FEHD would, in the future, review the terms of tenancies of market stalls to be operating in new or overhauled markets under the new operation mode and if yes, what items would be included under the review.

21. DD(AD)/FEHD responded that in its direct investigation reports, The Ombudsman had commented that FEHD's rental management of market stalls must serve the overall public interest, as public markets were community facilities provided by the Government for the general public while the sale of goods in market stalls was purely commercial activities. According to the established mechanism, FEHD would, in determining the rental level for market stalls, make reference to the reference rentals as assessed by the Rating and Valuation Department ("RVD"). In response to The Ombudsman's other recommendations, FEHD was also reviewing the tenancy renewal system, the stall succession arrangement and the limit on the number of stalls that could be rented by a single person, etc., in order to ensure fairness and prudent use of public resources. FEHD would maintain communication with relevant stakeholders during the process.

22. Mr WONG Ting-kwong opined that since public markets were basic community facilities for the general public, RVD should not assess the rentals for market stalls merely out of commercial considerations. DD(AD)/FEHD responded that RVD would take into account a number of factors (including the location and size of a stall, the facilities of the public market and the auction results of similar types of stalls in open auctions, etc.) when assessing the reference rentals of market stalls.

*Creation of a non-recurrent commitment*

23. The Chairman and Mr Tony TSE sought details about the concessionary arrangements to be made to tenants affected by the overhaul of Aberdeen Market. DD(AD)/FEHD responded that existing tenants who opted to resume business in the overhauled market could participate in a restricted auction to bid for stalls at concessionary upset prices before open



Action

auctions were held. Apart from the rental concession offered for the first three-year tenancy, existing tenants could enjoy a waiver of rentals and A/C charges for a certain period. Following the recommendation made by The Ombudsman in 2018, there would be no automatic renewal of tenancy after the first three-year tenancy. FEHD would consider relevant factors, including the performance of tenants, in processing tenancy renewal. For tenants who chose to close down the business or relocate to the vacant stalls of designated FEHD markets to continue operation, a one-off ex-gratia payment would be provided to them.

Admin

24. In respect of the proposed creation of a non-recurrent commitment of \$100 million for disbursement of ex-gratia payments to tenants affected by market development or consolidation plans, the Chairman requested the Administration to provide supplementary information on the formulae/criteria/factors to be adopted/considered for calculating the ex-gratia payments to be disbursed to tenants; and whether other compensation options would be made available to affected tenants and, if yes, the details.

Other issues relating to MMP and management of public markets

Admin

25. Mr Wilson OR enquired about the timetable for taking forward various overhaul and minor refurbishment/improvement works projects under MMP. DD(AD)/FEHD responded that apart from the overhaul project of Aberdeen Market, FEHD was also actively pursuing the other three public market overhaul projects (i.e. Yeung Uk Road Market, Ngau Tau Kok Market and Kowloon City Market) as well as minor refurbishment/improvement works for about 10 public markets in different districts across the territory. After consulting tenants and respective MMCCs, FEHD had already commenced minor improvement works for some of those markets.

26. In response to Mr Tony TSE's enquiry, USFH said that the \$2 billion earmarked for implementing the 10-year MMP did not cover expenses for constructing new public markets. The Administration would separately seek funding approval from the Finance Committee for the construction of six new public markets which were at different stages of planning.

27. Ms Elizabeth QUAT enquired about the progress of promoting contactless payment among market stall tenants. DD(AD)/FEHD responded that FEHD had launched a subsidy scheme for promotion of contactless payment in public markets under the Anti-epidemic Fund. Under the scheme, a one-off subsidy at a flat rate of \$5,000 per stall was provided to tenants of public markets and cooked food stalls under FEHD or the Hong Kong Housing Authority for the use of contactless payment. During the application

Action

period of the subsidy scheme, FEHD received more than 3 500 applications. FEHD would continue to promote contactless payment among market stall tenants and patrons. It was noteworthy that all stall tenants in FEHD Skylight Market had already installed contactless payment devices.

28. Mr Vincent CHENG showed at the meeting photos of fresh provisions and goods being piled up by shop vendors on pavements at Pei Ho Street, Ki Lung Street, Tai Nan Street and Kweilin Street in Sham Shui Po. He expressed concern that street obstruction problems caused by shop front extension had become serious in recent years at locations near public markets in various districts, causing traffic congestion and environmental hygiene problems as well as creating unfairness to tenants selling similar kinds of goods in public markets. He expressed dissatisfaction that FEHD had not taken out prosecution against street obstruction in Sham Shui Po, in spite of his repeated complaints. Ms YUNG Hoi-yan also considered that FEHD should step up its efforts in monitoring the environmental hygiene conditions in the vicinity of public markets.

29. USFH responded that FEHD would follow up with Mr Vincent CHENG after the meeting on the cases he had referred to. DD(AD)/FEHD said that FEHD would step up inspection and enforcement against street obstruction problems near public markets, for the purpose of maintaining environmental hygiene and orderliness.

30. The Chairman requested the Administration to provide the Panel with supplementary information as requested by members in paragraphs 8, 11, 14, 24 and 25 above and, as and where appropriate, to include the information in its paper(s) to be submitted to the Public Works Subcommittee and the Finance Committee when funding approval for the overhaul project of Aberdeen Market was sought.

**V. Public consultation on the proposed amendments to the Harmful Substances in Food Regulations (Cap. 132AF)**

(Consultation document entitled "Proposed amendments to the Harmful Substances in Food Regulations (Cap. 132AF)", LC Paper Nos. CB(2)599/20-21(03) and CB(2)511/20-21(01))

31. At the invitation of the Chairman, USFH briefed members on the Administration's proposal to amend the Harmful Substances in Food Regulations (Cap. 132AF) ("the Regulations") so as to (a) strengthen the regulatory control over three types of mycotoxins in food, (b) set maximum levels ("MLs") for five types of other harmful substances in edible fats and oils, condiments and formula products intended for infants and (c) regard

Action

partially hydrogenated oils ("PHOs") as a prohibited substance in food. Details of the proposed amendments were set out in the Administration's paper (LC Paper No. CB(2)599/20-21(03)).

32. The Chairman, Ms YUNG Hoi-yan and Mr Tony TSE expressed support for the proposed amendments to the Regulations for strengthening the regulation of harmful substances. Ms YUNG was concerned whether Hong Kong was lagging behind other overseas jurisdictions in reviewing the regulatory control over harmful substances in food.

33. Controller, Centre for Food Safety ("Controller/CFS") responded that the Administration (specifically, the Centre for Food Safety ("CFS") of FEHD) had been closely monitoring international developments on the safeguarding of food safety, including making reference to the food safety standards of the Codex Alimentarius Commission ("Codex") and other places, with a view to reviewing local food safety standards and regulatory arrangements from time to time. It should be noted that amendments had been made to the Regulations several times in the past to strengthen the regulation over certain harmful substances in food. For certain harmful substances and foods/food groups that were of greater food safety risks to the local population but without corresponding Codex standards (e.g some types of aflatoxin), CFS had formulated relevant proposals by making reference to the practices of other places and taking into account the local situation.

34. The Chairman noted with concern that some mycotoxins and harmful substances such as aflatoxin, benzo[a]pyrene ("B[a]P") and melamine were involved in major food incidents occurred in Hong Kong several years ago. He asked why it took so long for CFS to complete the review on the safety standards of those harmful substances in food. He further asked under what circumstances that the Administration would review the regulatory control over other harmful substances in food, and what other studies in relation to food safety were being conducted by the Administration.

35. Controller/CFS responded that in updating the regulatory arrangements for harmful substances in food including aflatoxin, B[a]P and melamine, CFS had been making reference to the food safety standards adopted by Codex and overseas jurisdictions as well as the dietary practices of the local population and risk assessment results. For instance, as Codex had provided a specific ML for melamine in "liquid infant formula" at 0.15 mg/kg in its General Standard for Contaminants and Toxins in Food and Feed, the Administration proposed to adopt the same standard by updating the existing Regulations. The Administration also proposed to make reference to the World Health Organization ("WHO")'s recommendation and the relevant measures adopted in other places to prohibit under the Regulations the

Action

import of any edible fats and oils containing PHOs (the main source of industrially-produced trans fatty acids which contributed significantly to an increased risk of coronary heart diseases) and the sale of any food (including edible fats and oils) containing PHOs. CFS would continue to update local food safety standards and regulatory arrangements based on scientific evidence.

36. Mr Tony TSE expressed concern about the impact of setting MLs for harmful substances (including B[a]P, glycidyl fatty acid esters and melamine) in formula products intended for infants on the supply of such products. Controller/CFS responded that considering that infants who could not be breastfed or whose parents opted not to do so were fed with formula products, the Administration proposed to enhance the food safety standards of formula products intended for infants by making reference to the practices of Codex and the European Union. At present, food sold in Hong Kong (including formula products) could generally comply with the proposed new standards. According to the testing results of the samples collected by CFS under its regular Food Surveillance Programme and relevant risk assessments in recent years, more than 95% of the relevant samples could meet the proposed MLs for harmful substances in foods/food groups.

37. Controller/CFS further advised that to provide sufficient time for the food trade and the private testing and laboratory sector to get prepared for the updated food safety standards, the Administration proposed to allow a grace period of 18 months for the Amendment Regulations to be gazetted to come into force. The Administration had been maintaining close liaison with relevant stakeholders of the trade, including suppliers of formula products, on the proposed amendments and the implementation arrangements (e.g. applicable standards for different types of food products, the testing methods, the length of the grace period and the potential impact on food supply). The Administration would take into account the views received during the public consultation period in finalizing the legislative proposals.

38. Mr Tony TSE was concerned how consumers would be informed of the food safety risks posed by infant formula products which failed to meet the updated standards. Controller/CFS responded that CFS would assess the food safety risks of relevant products after the implementation of the new food safety standards and regulatory arrangements, and would take appropriate actions (e.g. instructing vendors to stop selling the products) if immediate health risks in food samples were detected.

39. Ms Yung Hoi-yan said that as some harmful substances proposed to be regulated were classified as "carcinogenic to humans" by the International Agency for Research on Cancer of WHO, the proposed grace period should

Action

be shortened for early implementation of the updated standards of those harmful substances in food to protect public health. In response to Ms YUNG's enquiry about the existing regulatory control over formula products intended for infants, Controller/CFS said that CFS had been regularly collecting samples of formula products for testing of harmful substances, metallic contaminants as well as monitoring the nutrient content. CFS also conducted compliance checks in respect of the labelling requirements for formula products.

40. Mr Tony TSE asked why an ML of patulin (excessive intake of which might cause symptoms such as nausea, gastrointestinal disturbance and vomiting) was proposed for apple juice and other beverages to which apple juice had been added, but not apple itself. In response, Controller/CFS explained that patulin was produced by a variety of moulds and mostly occurred in rotten apples. As the amount of patulin found in rotten apples in food was normally lower than the amount found in apple juice, and having noted a number of recent cases involving substantial amount of patulin found in relevant juice products, the Administration proposed to make reference to the standard of patulin in apple juice under the Codex General Standard to incorporate in the Regulations an ML of 50µg/kg for "patulin" in apple juice and other beverages to which apple juice had been added.

**VI. Public consultation on the proposals to amend Schedule 2 to the Veterinary Surgeons Registration Ordinance (Cap. 529) to facilitate clinical training of veterinary students**

(Consultation document entitled "Proposals to amend Schedule 2 to the Veterinary Surgeons Registration Ordinance (Cap. 529) to facilitate clinical training of veterinary students", LC Paper Nos. CB(2)599/20-21(02) and CB(2)396/20-21(01))

41. At the invitation of the Chairman, Deputy Secretary for Food and Health (Food) 1 ("DSFH(F)1") briefed members on the proposals to amend Schedule 2 to the Veterinary Surgeons Registration Ordinance (Cap. 529) ("VSRO"), as set out in the Administration's paper (LC Paper No. CB(2)599/20-21(02)).

42. Mr Tony TSE expressed support for the Administration's proposals to add to Schedule 2 to VSRO a new provision to permit any person who was in full time study of a veterinary programme at a veterinary school, college or institution established locally or recognized by the Veterinary Surgeons Board of Hong Kong ("VSB") to practise acts of veterinary surgery under the direct and continuous supervision of a registered veterinary surgeon as part of the training requirement under that veterinary programme, so as to facilitate

Action

clinical training of veterinary students. He asked whether the Administration would set any target numbers of student intake and graduates for receiving veterinary training at veterinary schools, colleges or institutions established locally, after the scope of exemptions for veterinary students was expanded.

43. DSFH(F)1 responded that the veterinary school established by the City University of Hong Kong ("CityU") in 2014 had an annual intake of around 20 veterinary students for its six-year Bachelor of Veterinary Medicine programme. Similar to the curricular structure of veterinary programmes in academic institutions of other jurisdictions, veterinary students of CityU were required to undertake clinical training from their fifth year of study and a year of clinical rotation in their final year at various places like CityU's veterinary clinic, livestock farms, aquaculture farms and private veterinary clinics, etc. It was expected that around 100 students would have acquired all necessary competencies to graduate and practise as a veterinarian in about five or six years' time. Currently, there were about 1 000 registered veterinary surgeons in Hong Kong. Upon CityU's veterinary students' graduation, the number of locally trained veterinary surgeons would account for about one-tenth of the total number of registered veterinary surgeons in the territory. Hong Kong's number of qualified veterinary surgeons as a percentage of the population compared well with overseas places.

44. Mr Tony TSE noted that to provide adequate protection, the Administration proposed that it should be stipulated by VSB in the Code of Practice for the Guidance of Registered Veterinary Surgeons that the owner's consent must be sought before a veterinary student might perform any exempted veterinary surgery acts on an animal. He asked whether veterinary surgery acts could be performed by a veterinary student on a stray animal for which the owner's consent could not be obtained.

45. Assistant Director (Inspection and Quarantine), Agriculture, Fisheries and Conservation Department ("AD(IQ)/AFCD") responded that veterinary students were normally required to take care of pet animals, such as cats and dogs, during the clinical training. In general, the owner's consent could be obtained on site for a veterinary student to perform veterinary surgery acts on an animal under the supervision of a registered veterinary surgeon if the veterinary surgery acts were carried out in private veterinary clinics. As for those veterinary students undertaking clinic training in CityU's veterinary clinic, the animals used for clinical training purposes were acquired and owned by CityU, thereby abating the need to seek the owner's consent in such cases.

Action

46. The Chairman said that the agriculture and fisheries sector was supportive of the Administration's proposals to amend Schedule 2 to VSRO to facilitate clinical training of veterinary students. He sought details on the level of oversight that would be required from a registered veterinary surgeon as a condition to the proposed exemptions for veterinary students. DSFH(F)1 responded that as veterinary students might need to perform veterinary acts (e.g. surgical and anaesthetic) the nature of which was more invasive than the currently permitted ones, it was proposed that the highest level of oversight should be required and that the registered veterinary surgeon should be responsible for the veterinary surgery acts performed by the persons under his or her "direct and continuous supervision". As stipulated in Schedule 2 to VSRO, "direct and continuous supervision" meant "specific instruction given by a person on how a certain act is to be performed, with the person being present on the premises on which the act is performed to monitor the whole process and to provide assistance when appropriate".

47. The Chairman expressed concern about possible abuse of the proposed exemptions for veterinary students. For instance, there might be cases in which veterinary students were asked to perform veterinary surgery acts in private veterinary clinics on behalf of registered veterinary surgeons due to commercial considerations.

48. AD(IQ)/AFCD responded that as one's reputation was very important in the veterinary profession and registered veterinary surgeons practising in Hong Kong were of high professional standards, it was unlikely that registered veterinary surgeons would request a veterinary student to perform veterinary surgery acts on their behalf out of commercial considerations. So far, AFCD was not aware of any complaints or cases of such nature. DSFH(F)1 added that the Administration would consider the views received during the public consultation exercise in finalizing the legislative proposals. The feedbacks received thus far had been positive. The Administration planned to brief members on the outcome of the public consultation and its finalized legislative proposals in March 2021.

**VII. Any other business**

49. There being no other business, the meeting ended at 6:20 pm.