

CONTROLLING OFFICER'S REPLY

EEB(F)164

(Question Serial No. 3830)

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (-) Not specified

Programme: (2) Environmental Hygiene and Related Services

Controlling Officer: Director of Food and Environmental Hygiene (Donald NG)

Director of Bureau: Secretary for Environment and Ecology

Question:

In Programme (2), it is mentioned under Matters Requiring Special Attention in 2025-26 that the Food and Environmental Hygiene Department will continue to take stringent enforcement actions against unlicensed food premises and food premises which pose immediate health hazards or with illegal extension of food business areas. In this connection, please advise this Committee of:

- 1) the number and nature of cases of irregularities detected, the types of premises involved, the districts concerned, as well as the number of prosecutions instituted in each of the past 5 years (2020-21 to 2024-25);
- 2) the number of repeated offenders among the persons prosecuted in the non-compliant cases in each of the past 5 years (2020-21 to 2024-25); and
- 3) whether the Department has, apart from stepping up enforcement actions, improved the licensing procedures as recommended by the Public Accounts Committee; if yes, the details; if no, the reason(s).

Asked by: Hon KAN Wai-mun, Carmen (LegCo internal reference no.: 49)

Reply:

- 1) The number of prosecutions instituted by the Food and Environmental Hygiene Department (FEHD) for operating unlicensed food business and the number of prosecutions for illegal extension of food business areas and obstruction in public places in the past 5 years are provided in Annexes I to II respectively. Besides instituting prosecution, FEHD has been more proactive in recent years in applying to the court for closure orders against food premises which persistently operate without a licence to curb contraventions. There was no case where a closure order against food premises posing immediate public health hazards was made during the period. FEHD does not keep a breakdown of the numbers of prosecutions instituted for illegal extension of food business areas/obstruction in public places by type of premises.
- 2) The numbers of cases of repeated contraventions (i.e. cases in which the persons prosecuted had previously committed the same offences) among the prosecutions

instituted in the past 5 years (2020 to 2024) were 2 776, 3 849, 3 313, 3 589 and 3 016 respectively.

- 3) FEHD has, in response to the recommendations of the Public Accounts Committee, improved the licensing procedures by expediting the implementation of an electronic-referral system among the government departments, stepping up efforts in reminding applicants to comply with the licensing requirements within specified timeframes and facilitating applicants in checking their licence application status via an online system, etc.. FEHD has also taken measures to enhance the coordination and collaboration between Regional Licensing Offices and District Environmental Hygiene Offices, including updating guidelines and upgrading the information system to facilitate inter-office referral of cases of suspected unlicensed food premises. In addition, FEHD refers cases of unlicensed food premises to the Fire Services Department and the Buildings Department for follow-up. FEHD is considering the views of the trade on whether other measures should be adopted to tackle the act of unlicensed operation of food business before obtaining a provisional licence.

Number of prosecutions for operating unlicensed food business (by district)

Year District	2020	2021	2022	2023	2024
Central and Western	198	138	170	210	105
Wan Chai	53	149	155	200	193
Eastern	130	268	159	229	142
Southern	76	190	57	66	58
Islands	19	23	12	20	28
Yau Tsim	149	222	182	209	369
Mong Kok	193	317	191	130	265
Sham Shui Po	185	219	293	241	396
Kowloon City	121	186	136	204	270
Wong Tai Sin	176	218	190	223	192
Kwun Tong	438	384	344	243	293
Kwai Tsing	167	334	304	234	86
Tsuen Wan	204	231	239	229	214
Tuen Mun	159	256	187	173	132
Yuen Long	155	482	306	233	167
North	137	187	200	216	71
Tai Po	92	181	121	121	57
Sha Tin	222	398	378	227	169
Sai Kung	178	215	151	153	77
Total	3 052	4 598	3 775	3 561	3 284

Number of prosecutions for operating unlicensed food business in 2020
(by type of premises)*

Type of premises District	Restaurant	Food Factory[#]	Factory Canteen	Siu Mei and Lo Mei Shop	Fresh Provision Shop	Cold Store
Central and Western	122	66	0	0	10	0
Wan Chai	36	11	0	0	6	0
Eastern	41	28	0	3	58	0
Southern	43	12	0	0	21	0
Islands	15	4	0	0	0	0
Yau Tsim	111	24	0	1	13	0
Mong Kok	69	85	0	5	34	0
Sham Shui Po	84	63	0	6	31	1
Kowloon City	47	36	0	4	34	0
Wong Tai Sin	57	51	0	6	62	0
Kwun Tong	208	143	0	15	72	0
Kwai Tsing	60	50	0	0	57	0
Tsuen Wan	112	52	0	0	40	0
Tuen Mun	34	51	0	6	68	0
Yuen Long	63	45	0	5	40	2
North	50	33	0	4	37	13
Tai Po	23	14	0	2	53	0
Sha Tin	73	53	2	15	79	0
Sai Kung	52	44	0	8	74	0
Total	1 300	865	2	80	789	16

*Note: The types of premises against which prosecutions were instituted for operating unlicensed food business.

#Note: Food factory includes bakery.

Number of prosecutions for operating unlicensed food business in 2021
(by type of premises)*

Type of premises District	Restaurant	Food Factory[#]	Factory Canteen	Siu Mei and Lo Mei Shop	Fresh Provision Shop	Cold Store
Central and Western	79	38	0	0	21	0
Wan Chai	103	36	0	1	9	0
Eastern	83	78	0	12	95	0
Southern	73	85	0	0	32	0
Islands	15	8	0	0	0	0
Yau Tsim	161	46	0	1	14	0
Mong Kok	159	98	0	6	54	0
Sham Shui Po	78	83	0	14	44	0
Kowloon City	68	62	0	8	48	0
Wong Tai Sin	80	60	0	14	64	0
Kwun Tong	174	125	0	23	62	0
Kwai Tsing	93	153	3	12	73	0
Tsuen Wan	81	86	0	2	62	0
Tuen Mun	77	101	0	20	58	0
Yuen Long	201	153	0	17	108	3
North	73	54	1	8	42	9
Tai Po	39	51	0	13	78	0
Sha Tin	138	131	1	26	102	0
Sai Kung	71	91	0	40	13	0
Total	1 846	1 539	5	217	979	12

*Note: The types of premises against which prosecutions were instituted for operating unlicensed food business.

#Note: Food factory includes bakery.

Number of prosecutions for operating unlicensed food business in 2022
(by type of premises)*

Type of premises District	Restaurant	Food Factory[#]	Factory Canteen	Siu Mei and Lo Mei Shop	Fresh Provision Shop	Cold Store
Central and Western	106	57	0	0	7	0
Wan Chai	107	24	0	4	20	0
Eastern	50	50	0	10	49	0
Southern	26	23	0	2	6	0
Islands	8	4	0	0	0	0
Yau Tsim	127	49	0	1	5	0
Mong Kok	77	70	0	11	33	0
Sham Shui Po	108	95	0	12	78	0
Kowloon City	72	44	0	1	19	0
Wong Tai Sin	87	64	0	12	27	0
Kwun Tong	184	87	0	27	46	0
Kwai Tsing	56	143	1	25	75	4
Tsuen Wan	56	89	0	0	91	3
Tuen Mun	75	53	1	10	48	0
Yuen Long	86	108	0	20	91	1
North	58	47	4	8	77	6
Tai Po	37	23	0	4	57	0
Sha Tin	101	127	0	14	135	1
Sai Kung	51	51	0	17	32	0
Total	1 472	1 208	6	178	896	15

*Note: The types of premises against which prosecutions were instituted for operating unlicensed food business.

#Note: Food factory includes bakery.

Number of prosecutions for operating unlicensed food business in 2023
(by type of premises)*

Type of premises District	Restaurant	Food Factory[#]	Factory Canteen	Siu Mei and Lo Mei Shop	Fresh Provision Shop	Cold Store
Central and Western	98	107	0	0	5	0
Wan Chai	132	34	0	7	27	0
Eastern	49	54	1	7	118	0
Southern	22	25	0	10	9	0
Islands	7	10	1	1	1	0
Yau Tsim	158	50	0	0	1	0
Mong Kok	68	43	1	4	14	0
Sham Shui Po	134	53	0	3	51	0
Kowloon City	95	67	0	2	40	0
Wong Tai Sin	117	36	0	23	44	3
Kwun Tong	143	73	0	14	13	0
Kwai Tsing	39	106	0	24	61	4
Tsuen Wan	92	70	0	7	54	6
Tuen Mun	67	59	1	9	37	0
Yuen Long	146	43	0	5	37	2
North	90	23	0	4	98	1
Tai Po	42	35	0	2	42	0
Sha Tin	81	42	0	3	99	2
Sai Kung	37	47	0	16	53	0
Total	1 617	977	4	141	804	18

*Note: The types of premises against which prosecutions were instituted for operating unlicensed food business.

#Note: Food factory includes bakery.

Number of prosecutions for operating unlicensed food business in 2024
(by type of premises)*

Type of premises District	Restaurant	Food Factory[#]	Factory Canteen	Siu Mei and Lo Mei Shop	Fresh Provision Shop	Cold Store
Central and Western	83	20	0	0	2	0
Wan Chai	130	59	0	0	4	0
Eastern	45	31	5	8	53	0
Southern	35	12	0	3	8	0
Islands	10	17	0	0	1	0
Yau Tsim	299	67	0	3	0	0
Mong Kok	166	74	0	5	20	0
Sham Shui Po	246	85	0	3	62	0
Kowloon City	149	93	0	1	27	0
Wong Tai Sin	104	55	0	0	33	0
Kwun Tong	169	93	1	6	24	0
Kwai Tsing	21	37	1	8	19	0
Tsuen Wan	125	73	0	3	11	2
Tuen Mun	60	45	1	0	26	0
Yuen Long	99	33	0	4	20	11
North	30	12	0	3	25	1
Tai Po	15	22	0	3	17	0
Sha Tin	52	58	2	2	48	7
Sai Kung	43	23	0	6	5	0
Total	1 881	909	10	58	405	21

*Note: The types of premises against which prosecutions were instituted for operating unlicensed food business.

#Note: Food factory includes bakery.

**Number of prosecutions for illegal extension of food business areas /
obstruction in public places[@]**

District \ Year	2020	2021	2022	2023	2024
Central and Western	20	24	15	16	51
Wan Chai	55	63	71	43	46
Eastern	103	129	90	81	14
Southern	6	27	25	4	6
Islands	32	26	27	35	34
Yau Tsim	60	73	73	319	146
Mong Kok	112	156	139	99	77
Sham Shui Po	121	187	159	221	144
Kowloon City	42	28	50	45	32
Wong Tai Sin	99	92	72	76	51
Kwun Tong	116	82	53	35	13
Kwai Tsing	41	39	84	93	51
Tsuen Wan	187	163	167	423	24
Tuen Mun	261	298	418	301	84
Yuen Long	207	243	198	210	189
North	27	42	47	91	43
Tai Po	59	82	89	86	30
Sha Tin	43	50	81	70	70
Sai Kung	68	107	126	106	31
Total	1 659	1 911	1 984	2 354	1 136

[@]Note: FEHD does not keep a breakdown by type of premises involved.

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