

CONTROLLING OFFICER'S REPLY

EEB(F)092

(Question Serial No. 2619)

Head: (49) Food and Environmental Hygiene Department

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

Programme: (-) Not specified

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

Director of Bureau: Secretary for Environment and Ecology

Question:

With regard to the enforcement against shop front extension (SFE), please advise this Committee of:

- (a) the number of prosecutions initiated and the number of fixed penalty notices issued by the Food and Environmental Hygiene Department against SFE in the past 3 years;
- (b) the number of complaints against SFE received by the Department in each of the past 3 years;
- (c) the average numbers of inspections and enforcement actions against SFE blackspots in each month of the past year, and their changes as compared with the same period in the previous year;
- (d) the expenditures and staff establishments of the Hawkers Sections and Cleansing Sub-sections of the Department; and
- (e) the changes in the numbers of complaints, prosecutions and inspections before and after the implementation of the new legislation against SFE on 17 August 2025, the changes in the staff establishments, and the ways to evaluate the effectiveness of the new legislation.

Asked by: Hon HO Chun-yin, Steven (LegCo internal reference no.: 33)

Reply:

- (a) The number of prosecutions initiated and the number of fixed penalty notices (FPNs) issued by the Food and Environmental Hygiene Department (FEHD) against shop front extension (SFE) in the past 3 years are as follows:

	2023	2024	2025
Number of prosecutions ^{Note}	3 070	1 272	641
Number of FPNs	7 713	1 290	1 355

Note: Including prosecutions with summonses served and arrests instituted.

- (b) The numbers of complaints against SFE received by FEHD in the past 3 years (from 2023 to 2025) were 18 649, 12 971 and 12 452 respectively.

(c) In 2024 and 2025, FEHD and the Hong Kong Police Force mounted 1 688 and 1 018 joint enforcement operations respectively against SFE blackspots in various districts across the territory. In 2025, the Government amended the Public Health and Municipal Services Ordinance (Cap. 132) and other related ordinances to include provisions to address SFE, empowering FEHD to take enforcement actions against SFE independently, thereby enhancing enforcement efficiency and deterrence. With the implementation of the amended ordinance on 17 August 2025, enforcement officers of FEHD can tackle SFE problems independently without relying on the power of the Police. As a result, the frequency of inter-departmental joint operations has decreased accordingly. As SFE inspection is part of the daily street inspection work of FEHD, a breakdown of the number of inspections against SFE blackspots is not available.

(d) The revised estimates of the expenditures and staff establishments of the Hawkers Sections and Cleansing Sub-sections of FEHD in the 2025-26 financial year are as follows:

Hawkers Sections		Cleansing Sub-sections	
Expenditure (\$ billion)	Staff establishment ^{Note 1}	Expenditure (\$ billion)	Staff establishment ^{Note 2}
1.379	2 598	5.048	3 089

Note 1: Including staff from the Health Inspector and Hawker Control Officer grades as well as Workmen I and II.

Note 2: Including staff from the Health Inspector, Foreman and Ganger grades as well as Workmen I and II.

(e) With the implementation of the amended ordinance on 17 August 2025, enforcement officers of FEHD can handle SFE problems independently without relying on the power of the Police. By comparing the data for the period from the month in which the amended ordinance took effect to the end of the year with that for the same period in the previous year (i.e. from August to December in 2024 and 2025), it was found that the staff establishment of FEHD responsible for taking enforcement actions against SFE remained unchanged, while the numbers of complaints related to SFE in the 2 periods were broadly the same, which stood at about 4 200 cases. As regards enforcement, during the above 2 periods, FEHD issued 650 and 690 FPNs respectively against SFE, and there were respectively 55 (11.4 tonnes) and 50 (7.37 tonnes) cases involving the removal of obstructions. The amended legislation, which has been operating smoothly, has enhanced the efficiency of FEHD in addressing SFE problems.

- End -