

**Minutes of the 6th Meeting of
Food and Environmental Hygiene Committee
Yau Tsim Mong District Council (2012-2015)**

Date : 31 January 2013 (Thursday)
Time : 2:40 p.m.
Venue : Yau Tsim Mong District Council Conference Room
4/F., Mong Kok Government Offices
30 Luen Wan Street
Mong Kok, Kowloon

Present:

Chairman

Mr YEUNG Tsz-hei, Benny

Vice Chairman

Mr CHAN Wai-keung

District Council Members

Mr CHUNG Kong-mo, JP
Ms KO Po-ling, BBS, MH, JP
Mr CHAN Siu-tong, MH
Mr CHOI Siu-fung, Benjamin
Mr CHONG Wing-charn, Francis
Mr CHOW Chun-fai, BBS, JP
Mr HAU Wing-cheong, BBS, MH
Mr HUNG Chiu-wah, Derek

Mr HUI Tak-leung
Mr IP Ngo-tung, Chris
Ms KWAN Sau-ling
Mr LAU Pak-kei
The Hon TO Kun-sun, James
Mr WONG Chung, John
Mr WONG Kin-san
Ms WONG Shu-ming

Co-opted Members

Ms CHENG So-ngor
Mr LEUNG Hang-fai
Ms LAM Wai-lung
Mr SHUM Chu-wah

Mr LUI Wing-kong, Vincent
Mr CHOI Vai-hung
Mr TSANG Sang
Mr TSE Ping-kwan

Representatives of the Government

Mr CHAN Hon-kwong	District Environmental Hygiene Superintendent (Mong Kok)	Food and Environmental Hygiene Department
Mr PONG Kwok-kee, James	District Environmental Hygiene Superintendent (Yau Tsim)	Food and Environmental Hygiene Department
Mr LUK Kwok-po	Chief Estate Officer/Kowloon	Lands Department
Mr LAI Ka-yin	Deputy District Leisure Manager (Yau Tsim Mong)	Leisure and Cultural Services Department
Mr YEUNG Chuen-ching, Francis	Senior Environmental Protection Officer (Regional East)1	Environmental Protection Department
Mr LAM Hung-chuen	Assistant Divisional Commander (Operations) (Tsim Sha Tsui Division)	Hong Kong Police Force

Mr FAN Ka-fai, Raymond	Sergeant, Police Community Relations Office (Yau Tsim)	Hong Kong Police Force
Mr LAU Hon-Kwan	Task Force Sub-unit Commander (2) (Mong Kok District)	Hong Kong Police Force
Mr MAK Ching-yu	Station Sergeant (Mong Kok)	Hong Kong Police Force
Mr YEUNG Yuk-sing, Wilson	Sergeant, Police Community Relations Office (Mong Kok)	Hong Kong Police Force
Ms LIU Suk-wa, Connie	Senior Executive Officer (District Management), Yau Tsim Mong District Office	Home Affairs Department

Secretary

Ms CHAN Cheuk-ka, Eliza	Executive Officer (District Council)3, Yau Tsim Mong District Office	Home Affairs Department
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In Attendance:

Mr CHAU Ngai-kwong, Aleo	Principal Estate Officer/Kowloon West (North)	Lands Department
Mr YIP Chi-kwai, Tom	Senior Town Planner/Yau Tsim Mong	Planning Department
Ms CHANG Yuen-ni, Yvonne	Senior Estate Surveyor/Kowloon Central	Lands Department
Mr CHOI Sheung-ming	Senior Structural Engineer/F4	Buildings Department
Mr LI Chi-shing, Sammy	Senior Telecommunications Engineer (Spectrum Planning)2	Office of the Communications Authority
Mr LEUNG Wing-kee	Telecommunications Engineer	Office of the Communications Authority

Absent:

Mr LEUNG Wai-kuen, Edward, JP	District Council Member
Mr Wong Man-sing, Barry, MH	District Council Member

Opening Remarks

The Chairman welcomed Members and representatives from government departments to the meeting. He reported that:

- (i) As to the change of the date of the 7th meeting of the Food and Environmental Hygiene Committee (“FEHC”), the Secretariat had sought advice from Members by circulation. Over half of the Members who had replied agreed to change the date of the meeting. The 7th FEHC meeting originally scheduled for 28 March 2013 would be advanced to Thursday, 7 March at 2:30 p.m.; and
- (ii) Mr Mohammad Munir KHAN, Police Community Relations Officer (Yau Tsim) of the Hong Kong Police Force (“HKPF”) was absent with apologies, Mr LAM Hung-chuen, Assistant Divisional Commander (Operations) (Tsim

Sha Tsui Division) and Mr Raymond FAN, Sergeant, Police Community Relations Office (Yau Tsim) of the HKPF stood in for him at the meeting.

Item 1: Confirmation of Minutes of 5th FEHC Meeting

2. Minutes of the last meeting were confirmed as the Secretariat had not received any proposal of amendment since the distribution of the draft minutes of the 5th meeting.

Item 2: Concern over Street Obstructions in Mong Kok (YTMFEHC Paper No. 1/2013)

Item 3: Concern over Illegal Display of Banners in the District (YTMFEHC Paper No. 2/2013)

2. The Chairman stated that both items 2 and 3 were related to the illegal display of banners in the district, so he proposed the two be discussed together. There was no objection to his proposal.

3. The Chairman said that the written response of the Food and Environmental Hygiene Department (“FEHD”) and Lands Department (“LandsD”) (Annexes 1 to 3) had been faxed to Members for perusal before the meeting. He then introduced the following representatives to join the discussion:

- (i) Mr CHAN Hon-kwong, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD;
- (ii) Mr James PONG, District Environmental Hygiene Superintendent (Yau Tsim) of the FEHD;
- (iii) Mr LUK Kwok-po, Chief Estate Officer/Kowloon and Mr Alee CHAU, Principal Estate Officer/Kowloon West (North) of the LandsD;
- (iv) Mr LAM Hung-chuen, Assistant Divisional Commander (Operations) (Tsim Sha Tsui Division) and Mr Raymond FAN, Sergeant, Police Community Relations Office (Yau Tsim) of the HKPF; and
- (v) Mr LAU Hon-Kwan, Task Force Sub-unit Commander (2) (Mong Kok District), Mr Mak Ching-yu, Station Sergeant (Mong Kok) and Mr Wilson YEUNG, Sergeant, Police Community Relations Office (Mong Kok) of the HKPF.

5. The Vice-chairman supplemented the contents of the paper. He strongly requested the departments concerned to step up efforts to combat illegal display of banners at the junction of Nathan Road and Argyle Street so as to improve the ground situation.

6. Mr Derek HUNG supplemented the contents of the paper. He pointed out that many rails on the streets (such as Canton Road) within the district had been used for illegal display of banners and the situation was serious. Hence, the departments concerned should pay heed to the problem and take appropriate enforcement actions.

(Mr HAU Wing-cheong and Mr CHAN Siu-tong joined the meeting at 2:44 p.m.)

7. Mr TSE Ping-kwan pointed out that the obstruction of easy-mount frames was also found on the streets in Mong Kok. He hoped that the departments concerned could take more prosecution actions against the beneficiaries of those easy-mount frames and commercial publicity materials, and raise penalties for deterrent effect.

8. Ms KWAN Sau-ling said that many people and organisations took advantages of the loopholes in laws to display banners or easy-mount frames illegally at various locations within the district on a long-term basis, and even Members' allocated spots for banners display had been illegally occupied. Not only did these irregularities affect traffic safety, it also caused nuisance to the public. She hoped that the departments could pay heed to the problem.

9. The Chairman said that some organisations had submitted their applications to the authority concerned for banner display spots in accordance with laws, yet spots obtained through proper procedures were later occupied by non-compliant parties. He hoped that the departments concerned could rectify the situation as soon as possible. In addition, he pointed out that banners displayed at some spots might obstruct the vision of motorists, endangering the safety of motorists and pedestrians.

10. Mr Aleo CHAU said that the LandsD had implemented the "Management Scheme for the Display of Roadside Non-commercial Publicity Materials" ("Management Scheme") since 2003. Exercising authority delegated from the Director of Food and Environmental Hygiene, some officers in LandsD were authorised to give written permission for the display of roadside non-commercial publicity materials. For the display of publicity materials that was verified by LandsD as being unauthorised or non-compliant with the Management Scheme Implementation Guidelines ("Implementation Guidelines"), the Director of Food and Environmental Hygiene would remove them and recover the removal costs from the parties concerned according to the Public Health and Municipal Services Ordinance. He reiterated that the banners displayed at the junction of Nathan Road and Argyle Street had yet to apply for approval and they were not allowed by the LandsD to be hung there.

11. Mr Aleo CHAU added that Members could report to the LandsD if their allocated banner display spots were occupied by others. Upon receipt of complaints, the LandsD would remove unauthorised banners in its next joint operation with the FEHD. For cases involving unauthorised display of banners at non-designated spots, the LandsD would also collaborate with the FEHD to take follow-up actions. He supplemented that the LandsD normally conducted joint operation with the FEHD once a week.

(Ms CHENG So-ngor joined the meeting at 2:53 p.m.)

12. Mr CHAN Hon-kwong responded that the FEHD would deploy staff to remove any unauthorised commercial publicity materials (such as easy-mount frames) on streets. Provided that there was sufficient evidence, a fixed penalty notice of \$1,500 would be issued if a person was found to have illegally mounted or displayed any publicity material. Moreover, the department would take out prosecution against beneficiaries of commercial publicity materials if there was sufficient evidence.

13. Mr CHAN Hon-kwong said that according to the investigation conducted by the FEHD, the banners hung at the junction of Nathan Road and Argyle Street belonged to two organisations for expressing opinion at public places in the district. The staff of the FEHD

had reminded the persons from these two organisations, who were responsible for guarding the banners there, to pay attention to the “Management Scheme” and the relevant legislation. As the display format of some banners of the organisations might affect road safety, the FEHD had referred the case to the Police for follow-up action.

14. Mr LAM Hung-chuen responded that, upon receipt of case referrals from other departments or public complaints about illegal display of banners, the Police would deploy staff to carry out on-site inspections. Police officers would also pay attention to banners which might endanger pedestrians and motorists during routine patrols. If the above situation was found, the Police would deploy staff to remove the banners immediately. He reported that the Police had removed a banner which might endanger pedestrians and motorists at Nathan Road near Kimberly Road in October 2012. Also, a verbal warning had been issued to the person-in-charge of the organisation which illegally displayed the banner. Later, the banner was handled as lost property. In this connection, the Police did not take out any prosecution.

(Mr CHUNG Kong-mo joined the meeting at 3:00 p.m.)

15. Mr WONG Kin-san wanted to know how many staff were responsible for handling unauthorised publicity materials displayed in the district and he enquired about the current number of unauthorised banners found at the junction of Nathan Road and Argyle Street. Pointing out the serious situation of illegal display of banners in the district, he strongly requested the departments concerned to strengthen enforcement and conduct more joint operations. In addition, immediate confiscation of unauthorised publicity materials displayed was needed.

(Mr Benjamin CHOI joined the meeting at 3:03 p.m.)

16. The Vice-chairman expressed his disappointment to the responses given by the departments. Noting the long-existing problem of illegal display of banners at the junction of Nathan Road and Argyle Street, he urged the LandsD to strengthen joint operations with the FEHD to rectify the situation. In addition, he enquired why the FEHD adopted different degrees of harshness in enforcement when handling banners for opinion expression and promotional purpose displayed by organisations. He also wanted to know whether the FEHD had taken enforcement actions against illegal display of banners at night. Claiming that the above site was a traffic black spot, he strongly demanded the Police to strengthen patrol in the area and remove any unauthorised banner which might affect road safety.

17. Mr HUI Tak-leung said that Members had already reflected, on several occasions, the seriousness of the illegal display of banners in the district to the authorities at annual meetings with Members of the Legislative Council. He proposed that the authorities should amend the legislation, making illegal display of publicity materials an offence that liable to fixed penalty, in order to facilitate more effective enforcement by the departments concerned.

18. The Chairman indicated that most Members urged the authorities to show more concern over illegal display of publicity materials in the district. They also concerned that some banners might obstruct the vision of motorists which would cause traffic accidents. He hoped that the departments concerned would co-ordinate with each other and conduct more joint operations in light of the actual situation.

19. Mr Alee CHAU clarified that under the Management Scheme, some officers in LandsD were only authorised by the Director of Food and Environmental Hygiene to give

written permission for the display of roadside non-commercial publicity materials under the Public Health and Municipal Services Ordinance, yet no authorisation had been given to them to remove publicity materials that the display of which was unauthorised or non-compliant with the Implementation Guidelines. In joint operations conducted by the LandsD and FEHD, the duty of the LandsD's staff was to verify whether the display of publicity materials had been approved by the department. He added that the LandsD would continue to pay attention to the illegal display of banners at the junction of Nathan Road and Argyle Street, and refer the case to the FEHD for follow-up action. The LandsD would support the FEHD should there be any need to conduct more joint operations.

20. Mr CHAN Hon-kwong stated that the FEHD and LandsD had always followed up on the illegal display of banners at the junction of Nathan Road and Argyle Street. The FEHD found that there were some people from two organisations guarding the banners hung at the said location for a long period of time. The FEHD and the departments concerned had on several occasions sent staff to advise people there to take note of the "Management Scheme" and the relevant legislation. He reiterated that the FEHD would continue to engage with the responsible persons who guarded the banners there with a view to improve the situation.

21. The Chairman urged the departments concerned to strengthen collaboration and take more joint operations to combat illegal display of banners so as to respond to the requests of Members who had submitted the paper concerned.

22. Mr LAM Hung-chuen said that the FEHD was responsible for enforcing the Public Health and Municipal Services Ordinance and removing any publicity material that displayed without authorisation or in a way which was non-compliant with the Implementation Guidelines. Subject to the availability of manpower and resources, the Police would collaborate with other departments to conduct joint operations for improving the situation. However, he stressed that the operations concerned should be coordinated by the FEHD.

23. The Vice-chairman considered that the organisations concerned had already violated the law, although they had only sent staff to guard their publicity materials that were displayed in a way which was unauthorised or non-compliant with the Implementation Guidelines, without staging any demonstration or expressing views by other means. He questioned why the FEHD adopted different degrees of harshness in enforcement when handling illegal display of banners by Members and other political organisations.

24. Mr HUI Tak-leung enquired that, apart from the authorised staff from the FEHD, whether the Police was empowered to take enforcement actions against persons who displayed publicity materials illegally. He hoped that the Police could proactively assist the FEHD's staff in charging the non-compliant parties in order to improve the community environment.

25. The Chairman recommended the authorities to study the amendment of legislation so that law enforcement officers could be more effective in taking out prosecution against individuals or organisations that displayed publicity materials illegally.

26. Mr CHAN Hon-kwong indicated that the FEHD would continue to pay attention to the situation at the junction of Nathan Road and Argyle Street, and strengthen communication with the responsible persons who were guarding the banners in order to improve the situation.

27. Mr WONG Kin-san further asked how many staff were responsible for handling illegal display of publicity materials in the district and he wanted to know the current number of unauthorised banners found at the junction of Nathan Road and Argyle Street.

28. Mr CHAN Hon-kwong responded that the FEHD had sufficient manpower to deal with illegal display of publicity materials in the district. In addition, depending on the actual circumstances, the department would flexibly deploy manpower for carrying out joint operations with the LandsD.

Item 4: To Follow Up on Removal of Kowloon Funeral Parlour in Tai Kok Tsui (YTMFEHC Paper No. 3/2013)

29. The Chairman said that the written responses of the FEHD and Planning Department (PlanD) (Annexes 4 and 5) had been faxed to Members for perusal before the meeting. He then welcomed the following representatives to join the discussion:

- (i) Mr CHAN Hon-kwong, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD;
- (ii) Ms Yvonne CHANG, Senior Estate Surveyor/Kowloon Central of the LandsD; and
- (iii) Mr Tom YIP, Senior Town Planner/Yau Tsim Mong of the PlanD.

30. Mr LAU Pak-kei supplemented the contents of the paper. He pointed out that many members of the public requested to re-plan Tai Kok Tsui and relocate Kowloon Funeral Parlour (“KFP”) amid the development and population growth of the district. He urged the departments to follow up on the removal of KFP and embark planning on a longer term for Tai Kok Tsui.

31. Mr Benjamin CHOI supplemented the contents of the paper. He indicated that in recent years various redevelopment projects and greening works were underway in Tai Kok Tsui. He requested the departments concerned, via community planning, to relocate the KFP early in order to improve the environmental hygiene condition in the vicinity and support the long-term development of Tai Kok Tsui.

32. Mr Tom YIP responded that the site of KFP was situated on private lands. The relocation of KFP required prior consent of its lot owner, and a mutually agreed plan should be formulated by the Government and the lot owner. He added that the PlanD had not yet received relocation request from the lot owner of KFP.

33. Mr CHAN Hon-kwong responded that the FEHD had not received from the lot owner of KFP application for relocation or exchange for the site of the Hung Hom Public Funeral Parlour (“HHPFP”). He added that the operation right of the HHPFP was open for tender in November 2011, and the tender was awarded to the South China Memorial Park & Funeral Service Limited for a period of five years starting from 1 April 2012.

34. Ms Yvonne CHANG responded that the KFP was located at Kowloon Inland Lot No. 7358 and 7356. The leases of the two lots would be expired in 2036 and 2033 respectively. Upon their expiry, the lot owner had the right to extend the leases for a term of 75 years. She also added that the LandsD had not received applications for relocation or land exchange

from the lot owner of KFP since the District Council (“DC”) discussed the removal of KFP in 2009.

35. Mr LAU Pak-kei strongly requested the departments concerned to proactively follow up on the relocation of KFP. He wanted to know which department the lot owner of KFP should approach if he initiated to relocate the funeral parlour. In addition, he asked whether the departments would seek advice from the DC, local residents and other stakeholders before the renewal of leases if the lot owner wanted to extend the leases for a term of 75 years when approaching their expiry. He hoped that the authorities would consider the views of residents to amend the uses always permitted of the above two lots in order to support community development.

(Mr Francis CHONG joined the meeting at 3:22 p.m.)

36. Mr Benjamin CHOI said that even though the above lots were private lands, he urged the relevant departments to consider actively the actual needs of residents for early relocation of KFP so as to keep up with the overall development of Tai Kok Tsui and plan for the district on a longer term.

(Mr CHOW Chun-fai left the meeting at 3:23 p.m.)

37. Ms KO Po-ling recalled that the DC had discussed the removal of KFP for several times. She said that environmental pollution in the surroundings had been eased since the installation of a new furnace. However, as urban renewal took place, Tai Kok Tsui had transformed from an industrial area in the past to a residential area, she pointed out that the authorities concerned should adopt planning policies which kept abreast of the times and formulate long-term sustainable development plans for Tai Kok Tsui. In addition, she enquired whether the lot owner of KFP could actively propose to the departments for termination of the leases before expiry of the lease periods.

38. Mr Tom YIP responded that funeral facilities were currently regulated by the Food and Health Bureau (“FHB”) and FEHD. For assisting in the relocation of funeral facilities, the PlanD could find proper sites for relocation only after the lot owner of the funeral parlour had submitted relocation application to the FEHD and sought approval from the FHB. He stressed that as the lots concerned were private lands, therefore the relevant departments must get the lot owner’s consent on relocation before taking any follow-up action in this regard.

39. Mr Tom YIP supplemented that land was a valuable natural resource in Hong Kong, given the offensive nature of the funeral business, it was not easy to identify another site for relocation of the funeral parlour. He hoped that Members could understand that the relocation of KFP involved many factors, apart from land title, other considerations included policies of the authorities, feasibility of the new sites and views of community members. He said that the PlanD would review the planned uses of the relevant lots in light of the latest situation and take follow-up actions with other departments when there was concrete recommendation about the relocation of KFP.

40. Mr HAU Wing-cheong considered that there was considerable demand for funeral services in the community though the business was an offensive trade. He hoped that members of the community could be accommodative in accepting funeral facilities in their districts.

41. Mr LAU Pak-kei said that, to his knowledge, the KFP was open to relocation and he learnt from the meeting that the handling of relocation of KFP was under the policy scope of the FHB. Although the leases of the two lots would not be expired until 2036 and 2033, Members and the lot owner of KFP might communicate with the bureau concerned as soon as possible to discuss about matters regarding relocation. In addition, he enquired whether the departments had the right to prohibit the lot owner from lease renewal for the two sites.

42. Ms Yvonne CHANG responded that when public tenders were invited for the two lots, where the KFP was situated, it was specified that the leases of lots were granted for a term of 75 years and renewable by the lot owner for another 75 years. However, the lot owner might also propose termination of leases before expiry of the lease periods.

43. The Chairman remarked that Members had noted that funeral facilities were regulated by the FHB and FEHD, he asked the Home Affairs Department (“HAD”) to provide contact information of the FHB to Members who had submitted the paper, so that Members and the lot owner of KFP might approach the authorities directly for follow-up on relocation of the funeral parlour after the meeting.

Item 5: Suggested Improvements to Cigarette Receptacles on the Street in Yau Tsim Mong (“YTM”) District Based on Designs in Other Countries and Designs by Private Organisations
(YTMFEHC Paper No. 4/2013)

44. The Chairman said that the written response of the FEHD (Annex 6) had been faxed to Members for perusal before the meeting. He then welcomed Mr CHAN Hon-kwong, District Environmental Hygiene Superintendent (Mong Kok) and Mr James PONG, District Environmental Hygiene Superintendent (Yau Tsim) of the FEHD to join the discussion.

45. Mr CHAN Siu-tong supplemented the contents of the paper. He reflected that the designs of the existing cigarette receptacles on the street were outdated, he hoped that the FEHD could improve the designs of local cigarette receptacles by modeling on overseas products and the designs adopted by private organisations.

46. Mr James PONG said that there was a team at the headquarters of the FEHD responsible for designing litter containers and cigarette receptacles. Not only did the team model on the designs of litter containers and cigarette receptacles adopted by other countries, it also considered views from the public when developing their designs. He added that, apart from providing litter containers with ashtrays placed on top and kerbside cigarette receptacles hung on railings, the FEHD also placed free standing cigarette receptacles at proper locations on the street.

47. Mr James PONG added that the FEHD was trying the use of some litter containers with modified ashtray lid in Yau Tsim district. The butt entry point of the ashtray on these litter containers was smaller to avoid unwanted entry of paper and other flammable objects, which might cause smoke or fire incidents. He added that the FEHD had placed a total of ten litter containers with the above design along Canton Road since September 2012, and had not received any report about smoke or fire incidents. If the results of the trial were satisfactory, the department would consider replacing the existing litter containers with the above design at other locations in the district.

48. Mr Derek HUNG said that the FEHD’s design of reducing the size of butt entry point on ashtrays shared common features with the design of inverted funnel-shaped ashtrays that

he had proposed previously. Both designs helped restrict oxygen intake to speed up the extinguishment of still burning butts. Moreover, noting that cigarette receptacles at certain locations were always full to brim, he urged the FEHD to clean these receptacles more frequently during rush hours.

49. Mr James PONG responded that the FEHD would increase the cleaning frequency of cigarette receptacles at some locations in light of the actual circumstances.

**Item 6: Electromagnetic Wave Radiation Is Bound to Exceed Limits
To Urge the Administration to Revise Standards for Installation of
Mobile Phone Transmitters
(YTMFEHC Paper No. 5/2013)**

50. The Chairman said that the written responses of the Department of Health (“DH”) and the Office of the Communications Authority (“OFCA”) (Annexes 7 and 8) had been faxed to Members for perusal before the meeting. He then welcomed the following representatives to join the discussion:

- (i) Mr Sammy LI, Senior Telecommunications Engineer (Spectrum Planning)², and Mr LEUNG Wing-kee, Telecommunications Engineer of the OFCA; and
- (ii) Mr CHOI Sheung-ming, Senior Structural Engineer/F4 of the Buildings Department (“BD”).

51. Mr WONG Kin-san supplemented the contents of the paper. He urged government departments to pay attention to the impact of electromagnetic wave radiation on public health. He hoped that the DH would continue to conduct relevant studies and made the results public to allay public concerns.

52. Mr Sammy LI responded that the Communications Authority (“CA”) required mobile phone network operators (“network operators”) to ensure compliance with the technical requirements on radio interference and radio-frequency radiation safety for their proposed radio base stations (“base station”). In addition, network operators should ensure those radio base stations, be it 2G, 3G or 4G, comply with the standard limit of the non-ionizing radiation stipulated by the International Commission on Non-ionizing Radiation Protection so as to protect the health of residents nearby.

53. Mr CHOI Sheung-ming said that owners of buildings and network operators must comply with the requirements of the CA when installing base stations. Besides, the Minor Works Control System had been fully implemented. Under the system, network operators and members of the public were required to employ prescribed building professionals and/or prescribed registered contractors to carry out minor works on radio base stations.

54. Mr WONG Kin-san wanted to know whether network operators, following the introduction of 4G communications technologies into Hong Kong, would build additional base stations which would in turn increase the overall amount of radiation. He also enquired whether the existing base station facilities were sufficient to support the development of communications technologies in the territory. In addition, he wanted to know if the BD, other than the Minor Works Control System, had regulations in place governing the

installation of base stations in buildings, including a cap on the number of stations on each street and in each building, and the distance between stations.

(Mr James TO joined the meeting at 3:50 p.m.)

(Mr HAU Wing-cheong left the meeting at 3:50 p.m.)

55. The Vice-chairman said that according to his knowledge, the Electrical and Mechanical Services Department (“EMSD”) could deploy staff to help residents measure the amount of radiation in their buildings. He requested the departments concerned to strengthen electromagnetic wave radiation monitoring so as to allay public concerns.

56. Mr CHOI Vai-hung pointed out that some network operators increased the radio transmitting power of their base stations without authorisation, in order to enhance the coverage of their mobile phone networks. It had resulted in an increase in overall amount of radiation. He asked whether the authorities had regulations in place governing the radio transmitting power of base stations and whether monitoring was conducted on a regular basis to safeguard public health.

57. Mr Francis CHONG requested the authorities to adopt other measures to monitor the installation of base stations by telecommunications service operators apart from implementing the Minor Works Control System. Besides, the authorities should communicate more frequently with the owners’ corporations of buildings in order to protect the health of residents effectively.

58. The Chairman indicated that some residents in the district had told him that the reception of signals of their televisions at home were unsatisfactory, particularly in old buildings. In this connection, he asked the relevant departments to follow up on the problem of radio interference.

(Mr Benjamin CHOI left the meeting at 4:01 p.m.)

59. Mr Sammy LI reiterated that regardless of the number of base stations installed, network operators were required to comply with the standard limit of the non-ionizing radiations stipulated by the International Commission on Non-ionizing Radiation Protection. If members of the public worried that the amount of radiation was too high at their residences, they might call the hotline of the OFCA, so that the office would send staff to measure the amount of radiation on site, it helped ease their worries.

60. Mr Sammy LI clarified that the radiofrequency electromagnetic fields produced by telecommunications transmitters or telecommunications radio base stations were classified as non-ionizing radiation, which possessed a lower level of energy and differed from ionizing radiation such as X rays and gamma rays. He added that the OFCA not only considered the operational needs of network operators, but also limited the power of transmission of base stations so as to ensure compliance with the technical requirements on radio interference and radio-frequency radiation safety. He supplemented that there were designated staff at the OFCA managing broadcasting signals and they would follow up on the reception problem of televisions in the district.

Item 7: Concern Over Management and Effectiveness of Recycled Waste Collection Boxes by the Government on the Street
(YTMFEHC Paper No. 6/2013)

61. The Chairman introduced the following representatives to join the discussion:

- (i) Mr CHAN Hon-kwong, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD;
- (ii) Mr James PONG, District Environmental Hygiene Superintendent (Yau Tsim) of the FEHD; and
- (iii) Mr Francis YEUNG, Senior Environmental Protection Officer (Regional East)1 of the Environmental Protection Department (“EPD”).

He said that the written response from the FEHD (Annex 9) had been faxed to Members for perusal before the meeting.

62. Mr James TO supplemented the contents of the paper. He pointed out that the new type of recycled waste collection boxes on the street were attached to rubbish bins. He wanted to know how the departments arranged contractors to clean this type of collection boxes. Besides, he enquired what indicators the departments had in place to reflect the effectiveness of these collection boxes on waste recycling and separation.

63. Mr CHAN Hon-kwong replied that though the new recycled waste collection boxes were attached to rubbish bins, but normally they were managed separately by different contractors. Street cleaning contractors were responsible for collecting rubbish from the rubbish bins next to collection boxes and cleaning the collection boxes, while waste recycling contractors were responsible for collection and disposal of recycled materials in collection boxes.

64. Mr HUI Tak-leung said that many people told him that the recycled waste collection boxes in the district, such as the one near Ferry Street and Tong Mi Road, were always completely filled or with unsatisfactory hygiene conditions. He suggested the FEHD to specify on collection boxes the contact phone number of the contractors, so that members of the public could notify the contractors to handle completely filled or unhygienic collection boxes as soon as possible.

65. Mr James TO wanted to know if street cleaning contractors would closely communicate with recyclers in order to speed up the clearing of collection boxes.

66. Mr CHAN Hon-kwong responded that if the public found any completely filled, damaged or unhygienic collection boxes, they might call the hotline 1823 to enquire or report the situation. The FEHD would notify the responsible contractors to follow up on site as soon as possible.

67. Ms KO Po-ling was pleased to see that the amount of wastes collected by recycled waste collection boxes increased year on year, showing a gradual enhancement of public awareness on environmental protection. She urged the staff of the FEHD to step up supervision of damaged, completely filled or unhygienic collection boxes during routine inspection.

68. Mr James TO further asked what indicators the departments had in place to reflect the effectiveness of these collection boxes on waste recycling and separation.

69. Mr HUI Tak-leung agreed with the views of Ms Ko Po-ling and hoped that the FEHD would be more proactive in conducting inspection of collection boxes on the streets and strengthen management in this regard. In addition, he pointed out that most people were not aware that they could dial 1823 to report problems of collection boxes. He suggested the FEHD to remind the public that they could use the hotline service by affixing notices onto collection boxes.

70. Mr. CHAN Hon-kwong promised to relay the requests of Members to the staff of the FEHD responsible for managing collection boxes. He reiterated that staff of the FEHD would check collection boxes during routine inspections. If there were any problems, the department would urge the contractors to rectify them as soon as possible.

**Item 8: Serious Street Obstructions by Food Premises
Imposition of Fines and Suspension of Licence Have No Deterrent Effect
(YTMFEHC Paper No. 7/2013)**

71. The Chairman introduced the following representatives to join the discussion:

- (i) Mr CHAN Hon-kwong, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD; and
- (ii) Mr LAU Hon-kwan, Task Force Sub-unit Commander (2) (Mong Kok District), Mr MAK Ching-yu, Station Sergeant (Mong Kok) and Mr Wilson YEUNG, Sergeant, Police Community Relations Office (Mong Kok) of the HKPF.

He said that the written response of the FEHD (Annex 10) had been faxed to Members for perusal before the meeting.

72. Ms WONG Shu-ming supplemented the contents of the paper. She pointed out that though food premises near Cheung Wong Road had been occupying pavements illegally for prolonged period of time, the prosecution figure was low due to insufficient blitz operations conducted by the FEHD. She strongly requested the FEHD to step up law enforcement to reduce illegal occupation of roads by food premises which caused nuisance to residents. In addition, she thanked the Police for prosecuting food premises that illegally occupied carriageways and hoped the departments would continue to pay attention to the situation.

73. Mr HUI Tak-leung reflected that illegal occupation of pavements by food premises were serious near Reclamation Street, especially around rear lanes. He urged the relevant departments to proactively prosecute non-compliant food premises and enhance the efficiency of law enforcement. For protection of public safety, he also urged the EMSD to regulate the use of gas cooking appliances so as to prevent gas explosion.

74. Mr Francis CHONG pointed out that the occupation of pavements by food premises was an age-old problem in the district and the situation was getting more serious. He reckoned that the relevant departments should confiscate tables and chairs occupying public space illegally and owners of non-compliant food premises owners should be jailed. He

believed that the said penalties were far more deterrent than verbal warnings and fines. Besides, he urged the authorities to review and amend related legislations in order to curb street obstructions by food premises with more severe measures in the long run.

75. Ms KWAN Sau-ling, by citing the example of Tsim Sha Tsui East, pointed out that prolonged occupation of pavements by food premises in the district caused nuisance to residents and tourists. It had seriously affected community image and environmental hygiene. She reckoned that the existing measures failed to combat this kind of non-compliance effectively. She hoped the departments could take stringent enforcement actions to protect the image of Hong Kong's tourism industry.

76. Mr WONG Kin-san was dissatisfied with the measures and prosecutions of the FEHD in combating illegal extension of business areas of food premises. He strongly requested the FEHD to step up law enforcement and reduce nuisance to residents caused by non-compliant food premises. He pointed out that there were also food premises occupying rear lanes for business in Soy Street (near Acesite Hotel) and he hoped the relevant departments could take follow-up actions as soon as possible. Besides, he recalled that at the 4th meeting of the FEHC, he had mentioned the problem of illegal operation of food premises at the junction of Tung Choi Street and Mong Kok Road and he had at that time stated that the current system could not ensure that the non-compliant food premises had ceased operations during the licence suspension period. He urged the authorities to plug this loophole and solve the problem of illegal operation of food premises effectively.

77. Mr LAU Pak-kei said that Members had repeatedly discussed the problem of occupation of pavements by shops at the meeting but the situation showed no improvement. He urged the departments to increase the number of inspections at other black spots in the Tai Kok Tsui district and Yau Tsim Mong district, and conduct more blitz operations and step up prosecution to combat the problem of occupation of pavements on on-going basis.

78. Mr CHAN Hon-kwong responded that the FEHD was vigilant about the illegal extension of business areas by food premises in the district. On top of routine inspections, staff of the department conducted blitz operations against black spots in the district from time to time. Besides, in order to enhance the deterrent effects to the licensees of non-compliant food premises, licensees of premises, which had been granted officially with food business licences, would not only be liable to fines upon conviction but also be registered under the department's Demerit Points System if they were found extending business areas illegally. Having demerit points accumulated to a prescribed level within 12 months, the food business licence concerned would be suspended or cancelled.

79. Mr CHAN Hon-kwong added that, in last year, licences of two food premises in Cheung Wong Road had been suspended for three times after accumulating points to the prescribed level under the department's Demerit Point System. Regarding the problem of illegal operation during period of licence suspension by food premises at the junction of Tung Choi Street and Mong Kok Road, the FEHD was processing the suspension of licences of the food premises involved under the established mechanism. He supplemented that as licensees whose license got suspended would in general lodge appeal to the Licensing Appeals Board and the Municipal Services Appeals Board for restoring their licenses, therefore the procedure for suspending licences of non-compliant food premises took time.

80. Mr James TO asked the FEHD how it could ensure those non-compliant food premises in Cheung Wong Road with licences suspended ceased operations during the licence

suspension period. He questioned the deterrent effect of the Demerit Point System and suggested the FEHD to adopt more targeted enforcement strategies and raise the penalty so as to deter non-compliant food premises effectively. Besides, he wanted to know under what circumstances the FEHD would report to the court figures of public complaints against the non-compliant food premises concerned, so that the court could consider imposing heavier penalty on those licencees.

81. Ms KO Po-ling said that there were many food premises operating in the Yau Tsim Mong district. The problem of illegal extension of business area by food premises was very serious. She urged the departments to conduct more blitz operations, step up law enforcement and raise relevant penalties so as to create deterrent effect. Moreover, she enquired about the establishment and staff deployment of the FEHD.

82. Ms WONG Shu-ming stated that the current mechanism failed to curb effectively illegal occupation of pavements by food premises, she urged the authorities to raise penalty and amend legislations to plug loopholes in laws, for better efficiency in law enforcement. In addition, she reflected that many members of the public supported the departments' enforcement actions against non-compliant food premises. She hoped that the FEHD and the Police would strengthen their co-ordination in this regard and increase the number of inspections.

83. Mr HUI Tak-leung urged the authorities to review relevant legislations so that law enforcement officers of the FEHD could prosecute food premises that occupied pavements more effectively. In addition, he asked the Police to step up prosecution of food premises that obstructed streets during routine patrols, in order to improve community environment.

84. Mr CHOI Vai-hung pointed out that there were also illegal extension of business area by food premises in the vicinity of Stanford Hotel and Acesite Hotel in Soy Street, and at the junction of Fa Yuen Street and Soy Street. He hoped the FEHD could follow up the situation.

85. Mr CHAN Hon-kwong responded that the FEHD would deploy staff to inspect non-compliant food premises during the period their licences were suspended. If any licensee was found not abiding by the order of business suspension issued by the FEHD, the department would make prosecution immediately and consider revoking the food business licence concerned according to the existing mechanism. He supplemented that food premises with licences being suspended must suspend their business and were needed to keep paying for rental and other operating expenses, therefore considerable losses would be incurred. Hence, he believed that the current mechanism and related penalties had certain deterrent effect to non-compliant food premises.

86. Mr CHAN Hon-kwong added that if licensed food premises were found carrying on business beyond the confines of the approved areas, the FEHD would institute prosecutions according to the Public Health and Municipal Services Ordinance. Licensees would be liable to a maximum fine of \$10,000 and imprisonment of three months upon conviction. He said that the FEHD would continue to provide the court with records of non-compliance and information about business scale of non-compliant food premises. If necessary, the FEHD would provide the court with number of complaints received to facilitate the court in considering imposing heavier penalties. He reiterated that the FEHD would, according to the actual situation, continue to deploy staff flexibly to maintain its enforcement efforts and combat illegal occupation of pavements by food premises.

87. Mr MAK Ching-yu said the Police had all along been following up on the problem of occupation of pavements by food premises in Cheung Wong Road, and had made prosecutions and issued penalty tickets. The Mong Kok Police District would continue to monitor the situation of Cheung Wong Road and other black spots in the Mong Kok district and would be willing to conduct joint operations with other departments to improve the situation.

Item 9: Any Other Business

88. Ms WONG Shu-ming thanked the Highways Department and Drainage Services Department for renewing the drains in the vicinity of Mong Kok Market in Canton Road. But she pointed out that many stall owners told her that there was serious rodent infestation in the area, therefore she urged the FEHD to adopt more effective ways to control rodent infestation.

89. Mr CHAN Hon-kwong responded that the FEHD would follow up the rodent infestation problem in the above location.

90. There being no other business, the Chairman closed the meeting at 4:45 p.m. The next meeting would be held at 2:30 p.m. on 7 March 2013.

Yau Tsim Mong District Council Secretariat
February 2013

Only Chinese version is available

Annex 1

油尖旺食物及環境衛生委員會第 1 / 2013 號文件

關注旺角區內街道受阻的問題

食物環境衛生署的回應如下：

1. 地政總署由2003年5月起實施「路旁展示非商業宣傳品管理計劃」(管理計劃)，以管理路旁展示的非商業宣傳品。為推行管理計劃，地政總署部分職員獲食物環境衛生署署長授權，根據《公眾衛生及市政條例》(第132章)第104A(1)(b)條就路旁展示非商業宣傳品發出准許。食物環境衛生署則根據上述法例第104C(1)條負責移除經地政總署核實未經許可或不遵照實施指引而展示的宣傳品，並向相關人士追討移除費用。
2. 就事涉地點（旺角彌敦道及亞皆老街交界處）所懸掛的橫額，據本署調查所得，主要源於兩個團體在區內一些公眾地方懸掛橫額以表達意見。本署人員已提醒該兩個團體的在場負責人士注意「管理計劃」及法例的相關規定。至於有關團體部分橫額的展示方式可能會影響使用有關道路的行人及駕駛者的安全，本署已轉介警方跟進。
3. 本署及其他相關部門會繼續留意上址情況及恰當地處理相關事宜。在有需要時，會採取執法行動。

食物環境衛生署

2013 年 1 月

2012 至 2015 年度
油尖旺區議會食物及環境衛生委員會第 6 次會議
2013 年 1 月 31 日

「關注旺角區內街道受阻的問題」

就上述「關注旺角區內街道受阻的問題」文件，地政總署九龍西區地政處(本處)回應如下。

地政總署由二〇〇三年五月起實施「路旁展示非商業宣傳品管理計劃」(下稱「管理計劃」)，以管理路旁展示的非商業宣傳品，並於二〇一一年八月對管理計劃的實施指引作出修訂。這些非商業宣傳品通常由非牟利機構，區議會及其轄下委員會、立法會議員和區議會議員等展示，藉以推廣／宣傳非商業活動、公眾關注的活動、以及公眾一般關注或令公眾受益的資料。

為推行「管理計劃」，地政總署部分職員獲食物環境衛生署署長授權，根據《公眾衛生及市政條例》(第 132 章)第 104A (1) (b) 條就路旁展示非商業宣傳品發出准許。食物環境衛生署則根據上述法例第 104C (1) 條負責移走經地政總署核實為未經許可或不遵照實施指引而展示的宣傳品，並向相關人士追討移走費用。

在旺角彌敦道及亞皆老街交界放置及懸掛的橫額，並沒有向本處申請或獲得本處准許懸掛。

地政總署
九龍西區地政處
2013 年 1 月 21 日

關注區內違規橫額問題

食物環境衛生署的回應如下：

1. 本署收到涉嫌違例宣傳品的投訴後，會派員到場調查，並視乎有關宣傳品屬商業或非商業性質，採取不同的處理方法。地政總署由2003年5月起實施「路旁展示非商業宣傳品管理計劃」(管理計劃)，以管理路旁展示的非商業宣傳品。為推行管理計劃，本署與地政總署會定期採取聯合行動，移除未經許可或不遵照實施指引而展示的宣傳品，及向有關人士追討費用。至於展示商業宣傳品，本署會在有足夠證據的情況下，向該等違例者發出1,500元定額罰款通知書，並移走有關宣傳品。此外，如有足夠證據，本署會向商業宣傳品的受益人作出檢控。
2. 在2012年6月至12月期間，本署在油尖旺區收到約730宗相關投訴，並已採取跟進行動，檢走21張未經許可或許可期已過的非商業橫額。此外，亦檢走1,610個商業宣傳品，以及提出280宗檢控和發出50張1,500元定額罰款通知書。
3. 至於近月在油尖旺區街道上出現的懷疑違例橫額，據本署調查所得，上述情況主要源於有兩個團體在區內公眾地方懸掛橫額以表達意見。本署已提醒在場負責人士注意管理計劃及相關法例的規定。若有關團體部分橫額的展示方式可能會影響使用有關道路的行人及駕駛者的安全，本署會轉介警方跟進。本署會繼續留意油尖旺區內的情況及恰當地處理相關情況。

食物環境衛生署

2013 年 1 月

本署檔號: (83) in L/M (6) in FEHD C&C(SD) 31-65/25/3 HHPFP Pt.2

九龍旺角聯運街 30 號
旺角政府合署 4 樓
油尖旺區議會
食物及環境衛生委員會
(經辦人: 陳卓嘉女士)
(傳真號碼: 2722 7696)

Only Chinese version is available

Annex 4

油尖旺食物及環境衛生委員會第 3 / 2013 號文件

陳女士:

大角咀九龍殯儀館

就委員會對九龍殯儀館的營運及大角咀區的土地運用所提出的意見和查詢, 我獲授權回覆如下。

政府在2011年11月為紅磡殯儀館的經營權進行公開招標。中標者(省港澳陵園禮儀有限公司)投得由2012年4月1日起計的五年營運權。

九龍殯儀館處於九龍地段7358號及7356號, 兩幅土地的租約期將於2036年及2033年屆滿。根據記錄, 本署並無接獲九龍殯儀館有關搬遷或要求交換紅磡殯儀館所在地地權的申請。

如有任何進一步查詢, 歡迎致電本人或與衛生總督察(墳場及火葬場)特別職務嚴清霞女士聯絡 (電話: 2867 5788)。

本署旺角區環境衛生總監陳漢光先生將出席1月31日的會議。

食物環境衛生署署長

(楊鎮海



代行)

副本送：

食物及衛生局局長 (經辦人：洪思敏女士) (傳真：2136 3281)

地政總署署長 (經辦人：甯漢豪女士 JP) (傳真：2868 4707)

規劃署署長 (經辦人：凌嘉勤先生 JP) (傳真：2116 0751)

2013 年 1 月 15 日

九龍殯儀館的地盤在《旺角分區計劃大綱草圖編號S/K3/29》（下稱「該圖」）上劃為「其它指定用途」註明「殯儀館」地帶。根據該圖的註釋，「殯儀館」在該地帶上屬經常准許的用途。

根據本處的資料，九龍殯儀館屬於私人物業。就2009年委員會曾討論的遷移方案，食物及環境衛生署已於本月15日的回覆內作出交待。

本處葉子季先生（高級城市規劃師/油尖旺）將出席1月31日的會議。

規劃署
荃灣及西九龍規劃處
2013年1月28日

建議參考外國及私人機構的設計
改善區內街道煙蒂箱

食物環境衛生署的回應如下：

1. 本署在設計廢屑箱及煙蒂箱時，會考慮多方面因素，包括是否方便市民使用、本署的清理和保養、以及外觀等。此外，本署亦會參考其他國家的設計及市民的意見，以切合實際需要。現時，除附設於廢屑箱頂上的煙灰缸外，本署並會在街道上合適的位置，例如人流眾多或吸煙人士聚集的地點，設置獨立式座地煙蒂箱或掛在路旁欄杆的煙蒂箱。
2. 就區議會關注廢屑箱的煙灰缸冒煙的情況，本署現正在油尖區進行試驗一款經改良的煙灰缸蓋。該款煙灰缸蓋供投放煙頭的投放孔較現時使用的為小，以避免紙屑或其他易燃物品誤放於煙灰缸內致燃燒及冒煙。如試驗效果滿意，本署會考慮在區內其他地點使用。
3. 現時，本署在油尖旺區繁忙或人流聚集的公眾地點共擺放了 148 個獨立座地式或懸掛式煙蒂箱供市民使用。本署會因應區內實際情況(例如：人流、行人路的大小、位置的方便程度、市民的需求，以及實際運作需要等因素)，在適當的地點增設煙蒂箱及增加收集的頻次，避免煙蒂箱滿溢的情況。

食物環境衛生署
2013 年 1 月

MEMO

From Director of Health
Ref. (10) in DH CL/1-55/1/9 Pt. VII

Tel. No. 2125 2072
Fax No. 2601 4209
Date 24 January 2013

To Director of Home Affairs Department
Attn. Miss Eliza CHAN,
Secretary, FEHC of YTMDC

Your Ref. _____
Dated 17.1.2013 Fax No. 2722 7696
Total Pages 3

The 6th Meeting of FEHC
Yau Tsim Mong District Council on 31 January 2013

I refer to your memo dated 17 January 2013 regarding “有關流動通訊發射站所產生的“射頻電磁場”問題”。

2. As Department of Health (DH) does not have any regulatory role on the issue, DH can only provide some background information and inputs to address certain aspects of Questions 3 & 4 at Annex. Please be informed that no DH representative shall attend the meeting.

3. Should you have further enquiries, please feel free to contact me at 2125 2072.



(Ms Kathy KWONG)
for Director of Health

就油尖旺區議會黃建新議員、莊永燦議員、黃舒明議員、及黃頌議員的提問，本署現謹覆如下：

有關流動通訊發射站所產生的“射頻電磁場”問題

電訊發射器或流動通訊發射站所產生的“射頻電磁場”，屬於非電離輻射的一種，與X光、核輻射等電離輻射不相同。簡單而言，非電離輻射的能量較低，不足以改變物質的化學性質，亦不能打破人體內的化學鍵而造成傷害。射頻電磁場被人體吸收後，可能產生少量熱能，但經人體自行調節體溫後，一般不會引致不良的健康影響。迄今為止，累積的證據均無顯示無線電發射站和電訊發射器所產生的射頻電磁場會對健康構成短期或長期的影響。

部分暴露於非電離輻射的人士可能出現多種不明確的健康問題或徵狀，包括皮膚徵狀、疲勞、頭暈、心悸、噁心等，因而認為這些徵狀與電磁場有關。根據世界衛生組織的資料，此情況泛指「電磁場超敏反應」。世衛指出，「電磁場超敏反應」並不是醫學診斷，也不是任何公認綜合症的一部分。現今並沒有科學證據確立電磁場會導致上述的健康問題及徵狀。

「國際非電離輻射防護委員會」（ICNIRP）根據科學文獻結果及有關健康風險評估，制定了《限制時變電場、磁場和電磁場暴露的導則》（《限制導則》），並獲世界衛生組織認可。現有的《限制導則》涵蓋多種電磁場的暴露限值，包括流動通訊所使用的電磁波。《限制導則》已考慮可能出現的急性健康影響，並制訂安全的暴露限值。

世界衛生組織鼓勵各國採用《限制導則》，並認為現時沒有充分證據顯示人體暴露於《限制導則》內建議的限值水平以下的電磁場，會對健康造成不良影響。通訊事務管理局辦公室負責規管本港的通訊裝置。就針對電磁場的標準，據本署所知，通訊事務管理局辦公室是採納ICNIRP所制定的電磁場《限制導則》，以保障公眾健康。

衛生署一直關注電磁場對人體健康影響的研究。如之前所述，流動通訊發射站所產生的“射頻電磁場”對健康的影響仍有待進一步研究。國際上多個專業權威組織，包括世界衛生組織、電機和電子工程師學會及國際非電離輻射防護委員會定期監察並總結國際間眾多學術和科研機構的有關研究結果。現時衛生署並無就此進行研究，但會留意國際間就電磁場對健康影響的最新科研結果，以及其他權威機構發出的相關報告，以便掌握最新資料及向通訊事務管理局辦公室提供相關專業醫學意見。

衛生署

二零一三年一月

Attachment 1

通訊事務管理局就有關提問/要求回應如下:

提問/要求(1): 油尖旺區內現時有多少住宅大廈被電訊商安裝基站? 安裝基站要求及標準為何? 電訊商可否未經大廈業主或政府部門同意下安裝基站?

為了確保流動電話網絡有足夠的覆蓋範圍, 以向市民提供無間斷的通訊服務, 流動網絡營辦商(營辦商)須按運作需要, 在全港各處設置無線電基站(基站)。根據本局的資料, 油尖旺區現時大約有680幢大廈設有基站, 惟本局並沒有有關大廈屬於住宅或商業樓宇的分項數字。

營辦商在大廈天台設置基站前, 須按情況需要, 除了取得大廈業主或管理人的同意外, 亦須取得本局的批准。根據現行申請程序, 營辦商須確保擬設的基站符合關於防止無線電干擾及輻射安全的技術要求。此外, 營辦商也須遵從規劃署、屋宇署及地政總署的規定。

提問/要求(2): 隨著本港引入4G LTE技術, 當局會如何就電訊商加強服務與居民改善生活健康作出適當平衡?

本局經諮詢衛生署後, 已採用「國際非電離輻射防護委員會」(簡稱「ICNIRP」)所制定的非電離輻射限值作為輻射安全標準, 以保障市民健康。營辦商設置的所有基站(包括 4G通訊技術的基站), 都必須符合ICNIRP輻射限值。

提問/要求(4): 要求特區政府正視市民對電磁波輻射對人體健康的憂慮, 收緊並修訂有關設立基站的電磁波輻射標準。

本局會不時向衛生署就基站輻射對健康的影響尋求相關專業意見, 據衛生署的專業意見, 現時並無科學證據顯示符合ICNIRP輻射限值的基站會對市民健康造成不良損害, 末有需要修訂現行的輻射安全標準。

關注政府在街道上設立環保回收箱的管理和成效

食物環境衛生署的回應如下：

1. 現時，本署在油尖旺區的公眾地點共擺放了125套廢料回收箱，全部均以不鏽鋼物料製造。
2. 在廢料回收箱的日常運作上，本署會按工作的性質安排不同的承辦商負責：收集回收物料承辦商負責收集回收箱內的回收廢料；街道潔淨承辦商則負責收集附設於回收箱內的垃圾箱的廢物及清洗回收箱。在日常巡查中，本署人員會留意回收箱是否有損毀的情況。此外，承辦商於日常工作時，亦會檢查有關設施，如發現有欠妥善，會通知本署跟進。
3. 於2010年、2011年及2012年，本署在油尖旺區廢料回收箱收集到的回收廢料分別為5.3公噸、8公噸及13.2公噸。

食物環境衛生署
2013 年 1 月

食肆嚴重阻街，罰款停牌「零阻嚇」

食物環境衛生署的回應如下：

1. 本署非常關注長旺道附近食肆的經營情況及擺放枱椅在店前公眾地方的問題，除了例行巡查外，本署人員亦不時採取突擊行動，打擊食肆阻街的違規行為。在過去一年，本署人員共進行了 35 次突擊巡查，並就食肆在批准的範圍以外經營及在公眾地方造成阻礙提出共 15 宗檢控。
2. 本署若發現領有本署簽發正式食物業牌照的處所在批准的範圍以外經營，會根據《公眾衛生及市政條例》(第 132 章)的食物業規例作出檢控，一經定罪，最高可被罰款 10,000 元及監禁三個月。對於經營者佔用公眾地方造成阻礙，本署會根據《簡易程序治罪條例》(第 228 章)作出檢控，一經定罪，最高可被罰款 5000 元或監禁三個月。
3. 為加強對違例食肆持牌人的阻嚇力，就領有本署簽發正式食物業牌照的處所在批准的範圍以外經營的檢控，一經法庭定罪，持牌人除可被判罰款外，亦會在本署施行的「違例記分制」被記下相應的違例分數。倘持牌人在 12 個月內被記下指定分數，有關的食物業牌照將被暫時吊銷或取消。在過去一年，上址食肆因在「違例記分制」被記下足夠的違例分數，被本署三次暫時吊銷牌照。
4. 鑑於有關食肆屢犯不改，本署除加強執法外，亦會加快處理個案的時間及安排，並在法庭考慮判刑時，將有關處所過往的違例記錄和經營規模，以及有需要時，將收到的投訴數目告知法庭，以便法庭考慮判處更高的刑罰。

5. 本署會繼續留意上址情況，及採取適當行動。

食物環境衛生署

2013 年 1 月