

Amended law for hawkers 'excessive'

By JAYSON WONG

THE Urban Council should not implement amended regulations governing illegal hawkers because they were too harsh, a hawker spokesman said yesterday.

Mr Wat Chiu, chairman of the Federation of Hong-kong Kowloon New Territories Hawker Associations, said the council should issue more licences to deal with the problems caused by the estimated 20,000 illegal hawkers in the territory.

The council's vice-chairman, Mrs Elsie Tu, and other councillors yesterday met hawkers to discuss the recently amended regulations.

Amendments to the Principal Ordinance, which took effect on June 25, raised the maximum penalties for illegal hawking to \$2,500 and one month's imprisonment plus a \$150 daily fine on the first conviction.

For second and subsequent convictions, the maximum penalty is \$5,000 and six months' imprisonment.

Previously the maximum penalty was \$1,000 plus a \$50 daily fine. There was no provision for a jail sentence in the by-laws.

Mrs Tu also announced yesterday that the council's White Paper on hawker poli-



Mrs Elsie Tu

cies would be released on Tuesday.

Prepared by the council's markets and street traders select committee, the White Paper would contain a few major changes from the 1985 Green Paper, Mrs Tu said.

These changes related to areas which had raised public concern in the past two years, she said.

Mr Wat said yesterday that sentencing illegal hawkers to jail was outdated and, as they were making an in-

creasing contribution to society, the Government should not impose such harsh penalties.

The council's senior Crown counsel, Mr Edward Johnson, said there had been provision for jail sentences for illegal hawking from as far back as 1935.

This provision in the by-law was deleted in May because the Public Health and Municipal Services Ordinance had had its own section since 1973 dealing with illegal hawking offences.

Mr Johnson yesterday said the provision was essential to safeguard the public from illegal hawking.

Mrs Tu added that the maximum penalty was designed to eliminate only the worst offenders among the illegal hawkers. "The tough penalties are aimed at young thugs trying to break into hawkers' ranks," she said.

Mrs Tu could recollect only two cases in recent years in which illegal hawkers had been given jail sentences. She had intervened in one case - involving a mother with seven children - and succeeded in having the jail sentence overturned.

She assured hawker representatives she would again intervene if any hawker was, in her opinion, unjustly given a jail sentence.

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