



DAILY INFORMATION BULLETIN

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PUBLIC VIEWS CAREFULLY CONSIDERED - GOVERNOR
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REPRESENTATIONS MADE OVER THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL HAD BEEN VERY CAREFULLY CONSIDERED BY MEMBERS OF THE LEGISLATIVE COUNCIL AND VERY CONSCIENTIOUSLY ANSWERED, THE GOVERNOR, SIR EDWARD YOUDE, SAID TODAY (WEDNESDAY).

SPEAKING TO REPORTERS AFTER TODAY'S LEGISLATIVE COUNCIL MEETING, SIR EDWARD SAID THE DEBATE ON THE BILL HAD BEEN A VERY IMPORTANT ONE IN THE HISTORY OF THE LEGISLATIVE COUNCIL.

+OVER THE LAST FEW MONTHS, A LARGE NUMBER OF REPRESENTATIONS HAD BEEN MADE IN RELATION TO THIS BILL,+ HE SAID.

+I HOPE THAT THE SAME WIDE PUBLICITY WILL BE GIVEN TO THE SPEECHES WHICH WERE MADE THIS AFTERNOON AS WAS GIVEN TO THOSE REPRESENTATIONS BECAUSE I THINK IT WILL THEN BE CLEAR TO THE PEOPLE OF HONG KONG THAT THE REPRESENTATIONS WERE VERY CAREFULLY CONSIDERED BY THE MEMBERS OF THE COUNCIL AND VERY CONSCIENTIOUSLY ANSWERED.

+AND IN CONCLUSION, I WOULD LIKE JUST TO PAY A TRIBUTE TO MISS TAM AND HER TEAM FOR ALL THE WORK THEY DID ON THE BILL AND TO ALL THOSE WHO MADE CONSTRUCTIVE SUGGESTIONS ON IT,+ HE SAID.

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CLEAR IDENTITY SOUGHT FOR HONG KONG
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THE PRINCIPAL OBJECTIVE OF THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL IS TO ESTABLISH A CLEAR IDENTITY FOR HONG KONG AND THE LEGISLATIVE COUNCIL OF HONG KONG, AND TO HAVE THAT IDENTITY FIRMLY ESTABLISHED IN OUR OWN STATUTE LAW, THE CHIEF SECRETARY, THE HON SIR DAVID AKERS-JONES, SAID TODAY.

SUPPORTING THE THIRD READING OF THE BILL, SIR DAVID SAID THIS IDENTITY SHOULD NOT BE DIFFUSED IN VARIOUS ORDERS AND ORDINANCES AND THE CASE LAW, PROCEDURES AND PRACTICES FOLLOWED BY A PARLIAMENT THOUSANDS OF MILES AWAY IN THE UNITED KINGDOM.

+WE NEED TO HAVE OUR OWN LAW, HERE, IN HONG KONG,+ HE SAID.

+THE LEGISLATION IS ONE OF A NUMBER OF PRACTICAL MEASURES DESIGNED TO ESTABLISH THIS IDENTITY; THIS HIGH DEGREE OF AUTONOMY AS IT HAS BEEN CALLED IN ANOTHER CONTEXT.+

/THESE MEASURES

THESE MEASURES INCLUDED THE ALTERNATIVE FORM OF OATH ENDORSED EARLIER BY THE LEGISLATIVE COUNCIL, AMENDMENTS TO THE ROYAL INSTRUCTIONS TO ENABLE ELECTIONS TO TAKE PLACE; LEGISLATION TO PROVIDE FOR VARIOUS TYPES OF ELECTION; ARRANGEMENTS FOR ADMINISTRATIVE SUPPORT FOR THE ENLARGED AND PARTLY ELECTED LEGISLATIVE COUNCIL; AND ARRANGEMENTS TO RECOMPENSE MEMBERS FOR THE LONG HOURS THEY DEVOTE TO COUNCIL BUSINESS AND THE RESPONSIBILITIES OF OFFICE, HE SAID.

+THERE IS NO HIDDEN AGENDA, NO CONCEALED MOTIVE, THIS LEGISLATION TODAY IS LINKED IN AN ORGANIC WAY TO THE OTHER MEASURES I HAVE DESCRIBED,+ HE SAID.

THE BILL WOULD SET OUT FOR MEMBERS, IN THEIR NEW, INDEPENDENT COUNCIL CHAMBER, A FRAMEWORK OF LAW DESCRIBING THEIR RIGHTS AND DEFINING THEIR OBLIGATIONS IN THE EXERCISE OF THOSE RIGHTS, HE SAID.

+IT IS THE VIEW OF THE GOVERNMENT, AND MEMBERS HAVE ENDORSED THIS VIEW, THAT THE NEW COUNCIL SHOULD HAVE THIS STATEMENT AVAILABLE TO GUIDE IT WHEN IT STARTS WORK.

+TODAY'S COUNCIL HAS GROWN AND DEVELOPED FROM THE LAWS AND PRACTICES OF THE PAST: TOMORROW'S COUNCIL CALLS FOR A CLEARER AND MORE DEFINED IDENTITY.

+FOR LAST YEAR'S WORDS BELONG TO LAST YEAR'S LANGUAGE. AND NEXT YEAR'S WORDS AWAIT ANOTHER VOICE.

+IF SUBSEQUENTLY THE COUNCIL DECIDES OR THERE IS LEGITIMATE CALL FOR AMENDMENT OR ADDITION TO THIS LAW THIS CAN BE DEBATED BY THE COUNCIL,+ HE SAID.

TURNING TO SPECIFIC DETAILS, SIR DAVID CONFIRMED THAT LEGAL REPRESENTATIVES OF WITNESSES WHEN THEY ATTEND SELECT COMMITTEES WOULD BE ADMITTED.

AS FOR PROCEDURES TO BE ADOPTED BY SELECT COMMITTEES, HE SAID THEY GENERALLY COULD NOT LOOK INTO PRIVATE AFFAIRS AND THAT THE PRIVATE LIVES OF INDIVIDUALS WERE PROTECTED BY CLAUSES ALREADY INCLUDED IN THE BILL.

+FINALLY THE JURISDICTION OF A SELECT COMMITTEE OF THIS COUNCIL IS DEFINED BY ITS TERMS OF REFERENCE WHICH IN TURN ARE STAMPED WITH THE AUTHORITY OF THE LEGISLATURE ITSELF,+ HE SAID.

THE CHIEF SECRETARY POINTED OUT THAT FEW PIECES OF LEGISLATION IN RECENT YEARS HAVE HAD THE DETAILED SCRUTINY AND THE BENEFIT OF SO MUCH USEFUL COMMENT AND ADVICE.

/HE PAID

HE PAID TRIBUTE ON BEHALF OF THE GOVERNMENT TO THE PATIENT, RESPONSIBLE AND TIRELESS MANNER IN WHICH MEMBERS OF THE LEGISLATIVE COUNCIL HAD DISCHARGED THEIR RESPONSIBILITIES IN RELATION TO THE BILL.

+THEY HAVE NOT LOST SIGHT OF THE VITAL OBJECTIVE WHICH IS TO CREATE A STRONG AND EFFECTIVE LEGISLATURE, CAPABLE OF TAKING ITS PLACE IN THE CENTRE OF THE HONG KONG WE ARE ALL SEEKING TO CREATE.

+THEY HAVE LISTENED CAREFULLY TO NUMEROUS REPRESENTATIONS FROM MANY QUARTERS.

+WHERE THESE SUGGESTIONS HAVE BEEN CONSISTENT WITH THE AIM OF CREATING AN EFFECTIVE LEGISLATURE THEY HAVE RECOMMENDED THAT THEY SHOULD BE ADOPTED.

+BUT WHERE THESE REPRESENTATIONS HAVE NOT BEEN CONSISTENT WITH THIS AIM THEY HAVE EXPLAINED THEIR REASONS FOR NOT SUPPORTING THEM. +

SIR DAVID ALSO STRESSED THAT THE BILL WAS A GOVERNMENT BILL.

+IT WAS A GOVERNMENT PROPOSAL THAT WAS PUT TO THIS COUNCIL.

+THERE HAS BEEN NO ATTEMPT TO TAKE SHELTER BEHIND UNOFFICIAL MEMBERS AND TO SHUFFLE OFF RESPONSIBILITY FOR IT, OR TO HIDE, AS HAS BEEN SUGGESTED, BEHIND THE SKIRTS OF MISS TAM.

+TO THAT EXTENT THIS BILL IS A SHARED RESPONSIBILITY.

+BUT THE PASSAGE OF THIS BILL IS A MATTER FOR THE LEGISLATIVE COUNCIL AND ONCE IT HAD BEEN INTRODUCED INTO THIS COUNCIL IT WAS FOR THE LEGISLATURE TO MAKE UP ITS MIND ABOUT IT, + HE SAID.

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PARLIAMENTARY PRIVILEGE CONCEPT FAR REMOVED

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THE AD HOC GROUP OF LEGISLATIVE COUNCILLORS SET UP TO STUDY THE POWERS AND PRIVILEGES BILL QUICKLY REALISED THAT THE CONCEPT OF PARLIAMENTARY PRIVILEGE WAS FAR REMOVED FROM THE ORDINARY LIFE OF PEOPLE IN HONG KONG, THE HON MARIA TAM SAID TODAY (WEDNESDAY).

MISS TAM, SPEAKING DURING THE THIRD READING OF THE BILL, SAID THE GROUP HAD AIMED AT RETAINING IN IT WHAT WAS IN FACT NECESSARY FOR THE COUNCIL TO FUNCTION EFFICIENTLY AND EFFECTIVELY, AND CAST ASIDE WHAT WAS INHERENTLY UNNECESSARY.

/+THE BILL

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+THE BILL NOW BEFORE COUNCIL HAS BEEN FURTHER TRIMMED DOWN TO REFLECT THIS PRACTICAL APPROACH,+ SHE SAID.

+INDEED, WE HAVE RECEIVED REPRESENTATIONS ON CLAUSES THREE, FOUR, EIGHT, 13, 14, 15, 16, 17, 19, 20 AND 24 OF THE ORIGINAL BILL AND WE HAVE ASKED FOR AMENDMENT TO ALL EXCEPT CLAUSES 3 AND 4 OF THE ORIGINAL BILL,+ SHE ADDED.

CONSIDERING THAT THE POWERS OF THE COUNCIL IN THIS BILL WERE NOW SUBJECT TO JUDICIAL REVIEW IF REQUIRED AND TRIMMED DOWN IN THE WAY THAT SHE HAD DESCRIBED, MISS TAM SAID IT WAS ACTUALLY SAFE TO GO AHEAD WITH THE THIRD READING NOW, INSTEAD OF WAITING FOR THE NEXT SESSION OF THE LEGISLATIVE COUNCIL.

+THERE IS NO BETTER EVIDENCE THAT WE DO RESPOND TO PUBLIC OPINION BY INTRODUCING THE ABOVE MENTIONED AMENDMENTS,+ SHE SAID.

+I TRUST IT IS NOT THE PUBLIC WISH THAT THE LEGISLATIVE COUNCIL MUST RESPOND TO PUBLICISED PRESSURE,+ SHE ADDED.

MISS TAM SAID SINCE THE SECOND READING OF THE BILL THE AD HOC GROUP HAD RECEIVED FURTHER REPRESENTATIONS.

SOME HAD MADE SUGGESTIONS OF AMENDMENTS, AND SOME HAD ASKED FOR A DEFERMENT UNTIL ALL DISTRICT BOARDS AND MEMBERS OF THE PUBLIC HAD EXPRESSED THEIR VIEWS ON IT, OR UNTIL THERE WERE ELECTED MEMBERS TO THE COUNCIL IN THE NEXT SESSION.

THE AD HOC GROUP WENT THROUGH ALL THE REPRESENTATIONS AND CONSIDERED EVERY POINT RAISED BY THEM, SHE SAID.

+MY COLLEAGUES SPEAKING AT THE COMMITTEE STAGE HAVE DEALT WITH CLAUSES ON WHICH WE ARE ASKING FOR AMENDMENTS.

+FOR THE CLAUSES WHICH WE ARE NOT ASKING FOR AMENDMENTS, THERE NEEDS TO BE AN ANSWER FOR THOSE WHO HAVE GIVEN US THEIR HELPFUL COMMENTS.+

CLAUSES FALLING INTO THE LATTER CATEGORY WERE:

CLAUSES 3 AND 4: THE CRITICISM WAS THAT THESE TWO CLAUSES OVERLAPPED AND THERE SHOULD BE SANCTIONS AGAINST ANY MEMBER WHO ABUSED HIS OR HER POSITION BY MAKING DEFAMATORY COMMENTS IN COUNCIL OR COMMITTEE. AFTER CONSIDERING THESE CRITICISMS, THE GROUP WAS SATISFIED THAT CLAUSE THREE STATED THE GENERAL PRINCIPLE THAT THERE SHALL BE FREEDOM OF SPEECH AND DEBATE IN THE COUNCIL; AND CLAUSE FOUR GAVE IMMUNITY FROM LEGAL PROCEEDINGS AGAINST AN INDIVIDUAL MEMBER WHO HAD MADE WRITTEN REPORTS OR PETITIONS, BILLS, RESOLUTIONS, MOTIONS ETC. TO THE COUNCIL OR COMMITTEE AND THERE WAS A DISTINCTION BETWEEN THE TWO.

/CLAUSE 7(2):

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CLAUSE 7(2): IT WAS SUGGESTED THAT THE PRESIDENT'S POWER UNDER THIS CLAUSE WAS TOO WIDE BECAUSE WITHOUT HIS GIVING SPECIAL LEAVE NO PERSON COULD GIVE EVIDENCE IN COURT IN RESPECT OF THE CONTENTS OF THE MINUTES OR RECORDS OF EVIDENCE BEFORE THE COUNCIL OR COMMITTEE. IT WAS ENVISAGED THAT THE PRESIDENT OF THE COUNCIL WOULD BE ELECTED BY MEMBERS OF THE COUNCIL AND HE SHOULD BE TRUSTED TO EXERCISE HIS DISCRETION TO GRANT SUCH SPECIAL LEAVE ACCORDING TO THE PRACTICE OF THE COUNCIL UNDER CLAUSE 7(1). IN ANY EVENT HIS ACTS WOULD BE SUBJECT TO THE SCRUTINY OF HIS MEMBERS SO THAT HE WOULD USE HIS DISCRETION REASONABLY AND JUDICIOUSLY. HENCE NO AMENDMENT WAS PROPOSED.

CLAUSE 15: THERE WERE QUESTIONS AS TO WHAT WAS THE +USAGE AND PRACTICE+ OF THE COUNCIL AND THE RELATIONSHIP BETWEEN CLAUSE 23 AND THE WORDS +ANY RESOLUTION OF THE COUNCIL+. THE USAGE AND PRACTICE OF THE COUNCIL HAD BEEN ILLUSTRATED BY THE HON ANDREW SO ON MAY 12 THIS YEAR. AS TO THE LATTER POINT THE ATTORNEY GENERAL WOULD DEAL WITH IT IN HIS REPLY AT THIRD READING AND SHE WOULD NOT REPEAT IT HERE.

CLAUSE 24: THERE HAD BEEN QUESTIONS AS TO WHETHER THE OFFICERS OF THE COUNCIL WOULD BE +UNTRAINED OF POLICE DUTIES AND POWERS+ AND THEY MAY ABUSE THEIR POWER. SHE TRUSTED THE ANSWER TO THAT MUST BE THAT THE OFFICERS MUST BE TRAINED TO UNDERSTAND THE LIMIT OF THEIR POWER UNDER THE BILL AND WOULD CARRY OUT THEIR DUTY UNDER THE OVERALL SUPERVISION OF THE PRESIDENT.

MISS TAM SAID THERE HAD BEEN A DEMAND FOR DEFERMENT BECAUSE THERE MAY STILL BE THE NEED OF FURTHER AMENDMENT.

+FIRSTLY I TRUST IT IS COMMONLY APPRECIATED THAT THE NEW LEGISLATIVE COUNCIL HAS THE POWER TO AMEND OR REPEAL ANY LAW THAT IS IN EXISTENCE IN NOVEMBER, 1985, AND CAN INDEED EXPAND OR NARROW DOWN THE POWERS AND PRIVILEGES OF THIS COUNCIL AS THE MEMBERS SEE FIT,+ SHE SAID.

SUFFICE TO SAY THAT, WITH THE VERY SIGNIFICANT AMENDMENTS MADE TO CLAUSE 23 OF THE BILL WHICH NOW SUBJECTED THE COUNCIL, THE COMMITTEE AND THE PRESIDENT'S POWER TO JUDICIAL REVIEW, THE AMENDED BILL RETAINED ONLY THE MINIMUM POWERS NEEDED FOR THE COUNCIL TO REGULATE ITS HOUSE MANAGEMENT AND TO EXTEND THE ROLE OF THE SELECT COMMITTEES FOR WHICH THE PUBLIC HAD EXPRESSED THEIR SUPPORT.

+IF THE BILL BEFORE COUNCIL TODAY SHOULD NEED ANY AMENDMENTS IN THE LIGHT OF CHANGING CIRCUMSTANCES, NO DOUBT THE FUTURE GENERATIONS OF LEGISLATIVE COUNCILLORS CAN AMEND THIS BILL AS THEY SEE FIT,+ MISS TAM SAID.

/SHE SAID

SHE SAID THERE HAD BEEN MANY QUERIES AS TO HOW THE PRESIDENT MAY EXERCISE HIS DISCRETION UNDER THE PROVISIONS OF THE BILL, AND WHETHER IT WAS OPEN FOR HIM TO ABUSE THE POWERS CONFERRED UPON HIM BY THE BILL.

+TO ANSWER THESE QUERIES I BELIEVE WE NEED ONLY LOOK AT THE REAL SITUATION.

+YOUR EXCELLENCY IS THE PRESIDENT OF THIS COUNCIL EXERCISING THE POWERS VESTED IN YOU BY THE ROYAL INSTRUCTIONS AND LETTERS PATENT AS THE GOVERNOR.+

BY NOVEMBER, 1985, 24 ELECTED UNOFFICIAL MEMBERS WOULD JOIN THE COUNCIL.

+THE AFFAIRS OF THIS COUNCIL WILL BE CONDUCTED UNDER YOUR PRESIDENCY IN THE PRESENCE OF THE ELECTED AND APPOINTED MEMBERS AND IT IS NOT LIKELY THAT THERE CAN BE ANY ABUSE OF POWER.

+IN THE MEANTIME, THE SELECT COMMITTEE WILL FUNCTION UNDER THIS NEW ORDINANCE UNDER YOUR PRESIDENCY OF THE COUNCIL.

+IF WE SHOULD THEN LOOK A FEW YEARS FORWARD WHEN A PRESIDENT WILL BE ELECTED BY MEMBERS OF THIS COUNCIL, THE MEMBERS ELECTED OR APPOINTED WILL HAVE A STRONG INFLUENCE OVER THE PRESIDENT WHO MUST ACT IN A FAIR AND REASONABLE MANNER.

+AGAIN, THERE SHOULD BE VERY LITTLE DANGER OF ABUSE OF POWER BY THE PRESIDENT.+

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'FUTURE COUNCILLORS MUST KNOW WHERE THEY STAND'

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WITH A NEW-STYLE LEGISLATIVE COUNCIL COMING INTO EXISTENCE IN OCTOBER THE POWERS AND PRIVILEGES OF COUNCILLORS SHOULD BE SET OUT CLEARLY SO THAT MEMBERS KNEW EXACTLY WHERE THEY STOOD.

SPEAKING DURING THE THIRD READING OF THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL, THE HON S.L. CHEN ALSO SAID THE BILL WOULD SERVE AS A REFERENCE POINT FOR THE NEW LEGISLATURE.

+FROM THIS POINT OF VIEW, I BELIEVE THAT THE PRESENT BILL WITH THE PROPOSED AMENDMENTS INCORPORATED IS BOTH SATISFACTORY AND ADEQUATE,+ HE SAID.

SHOULD CHANGES OR IMPROVEMENTS TO ITS PROVISIONS BE REQUIRED IN THE LIGHT OF EXPERIENCE, THE BILL COULD ALWAYS BE FURTHER AMENDED IN FUTURE.

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THE LAWS OF HONG KONG WERE NOT STATIC; THEY WERE UPDATED OR AMENDED FROM TIME TO TIME.

MR CHEN SAID IT HAD ALSO BEEN SUGGESTED THAT THE STANDING ORDERS OF THE LEGISLATIVE COUNCIL SHOULD BE REVIEWED BEFORE THE BILL WAS PASSED.

+I WISH TO POINT OUT THAT STANDING ORDERS ARE AT PRESENT UNDER REVIEW, BUT I DO NOT SEE THE NEED TO DEFER THE BILL TO AWAIT THE OUTCOME OF THE REVIEW.+

FURTHERMORE, THE STANDING ORDERS COULD ALWAYS BE CHANGED IF IT PROVED TO BE NECESSARY.

HE SAID DURING THE TRANSITIONAL PERIOD, HONG KONG SHOULD LEARN TO STAND ON ITS OWN TWO FEET AND MANAGE ITS OWN AFFAIRS.

+I FIRMLY BELIEVE THAT THE BILL IS A RIGHT STEP IN THAT DIRECTION,+ HE ADDED.

EARLIER MR CHEN SAID HE WISHED TO REITERATE THAT HE SUPPORTED THE UNDERLYING PRINCIPLE AND SPIRIT OF THE BILL.

+HAVING EXAMINED THE COMMENTS AND VIEWS OF THE LEGAL AND OTHER INTERESTED GROUPS AND HEARD THE ANSWERS TO THEM IN THIS DEBATE, I AM SATISFIED THAT THE AMENDMENTS TABLED TODAY HAVE MET THEIR CRITICISMS,+ HE SAID.

+I AM THEREFORE CONVINCED THAT THERE ARE NO COMPELLING GROUNDS FOR DEFERRING THE BILL FOR A FEW WEEKS, AND EVEN LESS FOR DEFERRING IT UNTIL THE NEXT SESSION OF THE LEGISLATIVE COUNCIL.+

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NO FURTHER REASON FOR DEFERRING THIRD READING

LEGISLATIVE COUNCIL MEMBERS HAVE LISTENED CAREFULLY, STUDIED CONSCIENTIOUSLY AND ANALYSED THOROUGHLY AND HAVE COME TO THE CONCLUSION THAT THERE IS NO FURTHER REASON FOR DEFERRING THE THIRD READING OF THE POWERS AND PRIVILEGES BILL.

THIS WAS THE VIEW OF THE HON ALLEN LEE WHEN HE SPOKE DURING THE BILL'S FINAL READING IN THE COUNCIL TODAY (WEDNESDAY).

MR LEE SAID THERE WERE TWO POINTS WHICH THE PUBLIC OUGHT TO KNOW CLEARLY.

/FIRST, HE

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FIRST, HE WAS INVOLVED IN RECEIVING A REPRESENTATION ON HUMAN FREEDOM AND CIVIL RIGHTS ON CLAUSE EIGHT WHICH CONCERNS THE REGULATION OF ADMITTANCE TO PRECINCTS OF THE CHAMBER.

+IT SEEMS THAT THE PEOPLE MAKING THE REPRESENTATION HAD A MISCONCEPTION THAT THE LEGISLATIVE COUNCIL WANTS TO IMPOSE RESTRICTIONS TO LIMIT THE ENTRANCE OF THE GENERAL PUBLIC TO THE COUNCIL CHAMBER WHICH WOULD BE AN INFRINGEMENT OF HUMAN FREEDOM AND CIVIL RIGHTS,+ HE SAID.

+I IMMEDIATELY RECALLED WHAT THE UELCO DELEGATION WENT THROUGH LAST MAY IN ENTERING PARLIAMENT IN LONDON.+

FIRSTLY, THEY HAD TO APPLY FOR ENTRANCE AND UPON OBTAINING A TICKET HAD TO GO THROUGH SECURITY CHECKS.

+WE COULD NOT TAKE ANY NOTES DURING THE HOUSE OF COMMONS DEBATE ON THE MOST IMPORTANT SUBJECT CLOSEST TO OUR HEARTS - THE FUTURE OF HONG KONG.

+THESE ARE THE HOUSE RULES THAT ONE MUST OBEY IF ONE WISHES TO ATTEND THE PROCEEDINGS OF THE UNITED KINGDOM PARLIAMENT,+ MR LEE SAID.

+IN MY OPINION, CLAUSE EIGHT IS MERELY HOUSE RULES.

+I ASKED THE PEOPLE WHO MADE THE REPRESENTATION IF IT WOULD BE ACCEPTABLE TO THEM IF WE IMPLEMENTED THE RULES OF THE BRITISH PARLIAMENT.

+I WAS MET WITH SILENCE.+

IN ADDITION, PEOPLE IN THE LEGAL PROFESSION WERE CONCERNED ABOUT CLAUSE 8(3) THAT THE POWERS OF THE GOVERNOR, AS PRESIDENT OF THE COUNCIL, WERE FAR TOO WIDE IN SCOPE FOR THE PURPOSE OF MAINTAINING THE SECURITY OF THE PRECINCTS OF THE CHAMBER, ENSURING THE PROPER BEHAVIOUR AND DECORUM OF PERSONS THEREIN AND FOR OTHER ADMINISTRATIVE PURPOSES.

+WITH DUE RESPECT TO THE LEGAL PROFESSION, I INVITE THEM TO STUDY THE STANDING ORDERS OF THE COUNCIL AND THE LETTERS PATENT AND ROYAL INSTRUCTIONS TO THE GOVERNOR OF HONG KONG, IN PARTICULAR WITH REGARD TO HIS POWER,+ MR LEE SAID.

+SIR, IF YOU SHOULD EVER WISH TO EXERCISE THESE IN FULL WHICH YOU HAVE THE LEGAL RIGHT TO DO THE HONG KONG GOVERNMENT WOULD BE A DICTATORIAL GOVERNMENT.

+THEREFORE, THERE IS NO NEED TO MAKE CHANGES TO CLAUSE 8(3) AND I AM SURE DISCRETION WILL BE USED IN ANY EVENT.+

SECOND, MR LEE REFERRED TO A NEWSPAPER ARTICLE AND SAID HE WAS SHOCKED TO READ THAT A WELL-KNOWN MEMBER OF THE LEGAL PROFESSION HAD SENT A TELEX MESSAGE TO LONDON ASKING FOR THE BRITISH GOVERNMENT TO INTERVENE.

/IT WAS

IT WAS REPORTED THAT IT WAS SENT WITH THE BACKING AND SUPPORT OF THE BAR ASSOCIATION AND THE LAW SOCIETY OF HONG KONG.

ON THE SAME DATE, THE CHAIRMAN OF THE BAR ASSOCIATION AND THE PRESIDENT OF THE LAW SOCIETY ISSUED A SEPARATE STATEMENT MAKING IT CLEAR THAT THEY WERE NOT LOOKING TO LONDON FOR SUPPORT, BUT THEY WERE HAPPY TO CONSIDER ALL HELPFUL SUGGESTIONS FROM MPS OR ANYONE ELSE.

HOWEVER, THEY BOTH FELT THAT THE ISSUE WAS ONE WHICH COULD BE PERFECTLY ADEQUATELY DEALT WITH IN HONG KONG AND HONG KONG MUST LEARN TO STAND ON ITS OWN FEET.

+THE PRESS REPORT AND THE STATEMENT SEEM TO ME TO BE AMBIGUOUS,+ MR LEE SAID.

+NEVERTHELESS, THE POINT I WISH TO MAKE IS THAT THE LEGAL PROFESSION IS THE VERY PROFESSION THAT, DURING THE 1997 CRISIS OF THE PAST FEW YEARS, MADE IT CLEAR TO THE PUBLIC THAT THE INDEPENDENCE OF THE JUDICIARY OF HONG KONG MUST BE MAINTAINED AND THE LAW-MAKING PROCESS MUST BE WITHIN HONG KONG WITHOUT INTERFERENCE FROM BEIJING.

+NOW, A MESSAGE WAS SENT TO LONDON TO ASK THE BRITISH GOVERNMENT TO INTERVENE.

+I HOPE THIS MESSAGE WAS ONLY FROM AN INDIVIDUAL OF THIS PROFESSION.

+OTHERWISE, IT IS A SAD DAY FOR HONG KONG THAT THE PEOPLE INVOLVED IN THIS PROFESSION, WHICH STANDS TALL IN OUR COMMUNITY AND WHICH IS THE VERY CORNERSTONE OF THE SUCCESS OF OUR LEGAL SYSTEM, WOULD NOW BE ROCKING THE BOAT.

+MAY I COMPLIMENT AND AGREE WITH THE CHAIRMAN OF THE BAR ASSOCIATION AND THE PRESIDENT OF THE LAW SOCIETY ON THEIR STATEMENT THAT THE ISSUE IS ONE THAT CAN BE PERFECTLY ADEQUATELY DEALT WITH IN HONG KONG AND IN ANY EVENT HONG KONG HAS TO LEARN TO STAND ON ITS OWN FEET?

+THE LEGISLATURE OF HONG KONG THIS AFTERNOON IS STANDING ON ITS OWN FEET.

+FINALLY, MAY I REITERATE THAT WE HAVE LISTENED AND LISTENED CAREFULLY, WE HAVE STUDIED AND STUDIED CONSCIENTIOUSLY AND WE HAVE ANALYSED AND ANALYSED THOROUGHLY AND NOW WE ARE MAKING A DECISION THIS AFTERNOON ON THE PASSAGE OF THIS BILL?

+I AM SURE THAT WE WILL ALL LEARN FROM THIS EXPERIENCE.

+I HAVE A CLEAR CONSCIENCE IN SUPPORTING THIS BILL BECAUSE THERE IS NO SINISTER MOTIVE WHICH WAS WRONGLY IMPLIED IN SOME OF THE STATEMENTS MADE BY INDIVIDUALS AND PUBLISHED BY THE PRESS,+ MR LEE SAID.

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CLAUSE 14(2) POSTULATION BASED ON UNFOUNDED MISGIVINGS
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THE POSTULATION THAT CLAUSE 14(2) OF THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL COULD BE USED TO USHER IN COMPLETE SUBORDINATION OF THE LEGISLATURE TO THE EXECUTIVE IS BASED ON UNFOUNDED MISGIVINGS AND ERRONEOUS ASSUMPTIONS.

THIS WAS STATED BY THE HON STEPHEN CHEONG AT THE THIRD READING OF THE BILL TODAY (WEDNESDAY).

HE SAID MEMBERS OF THE AD HOC GROUP HAD EXAMINED WITH GREAT CARE THE ARGUMENTS GIVING RISE TO THE CALL FROM THE LEADERS OF THE LEGAL FRATERNITY TO DROP THIS CLAUSE.

+OUR UNANIMOUS CONCLUSION IS THAT WHILST SUCH POSTULATION MAY PROVIDE SOME INTERESTING FOOD FOR THOUGHT, THE CONCLUSIONS SEEM TO HAVE BEEN BASED ON FALSE PREMISES.

+IN THE EMOTIVE SPIRIT UNDER WHICH THIS BILL HAS BEEN DISCUSSED IN THE PAST MONTH, WE FEEL DUTY BOUND FOR THE COMMON GOOD OF HONG KONG, TO TRY OUR BEST TO EXPLAIN FIRST HOW WE PERCEIVE THE INTENTION OF THIS CLAUSE AND SECONDLY TO SOUND A NOTE OF CAUTION AGAINST THE BLIND ACCEPTANCE OF UNFOUNDED MISGIVINGS AND ERRONEOUS ASSUMPTIONS AS GROUNDS FOR REFLECTING THE CLAUSE,+ HE SAID.

HE POINTED OUT THAT CLAUSE 14(2) WAS INDEED IN A FORMAT THAT HAD BEEN USED TRADITIONALLY IN TERRITORIES WHERE THE RESPONSIBILITY FOR DEFENCE AND FOREIGN POLICY LAY WITH THE SOVEREIGN STATE.

+THE AIM IS TO SPELL OUT CLEARLY TO LEGCO MEMBERS WHERE THE LIMIT LIES IN EXERCISING THEIR FUTURE DUTIES.

+LEGCO MEMBERS CANNOT UNILATERALLY COMMAND ACCESS TO FILES CONTAINING WRITTEN COMMUNICATIONS (FOR EXAMPLE, IN THE FORM OF MINUTES, MEMORANDA, AND LETTERS) ON THE ARMED FORCES, ON MATTERS AFFECTING THE SECURITY OF HONG KONG OR ON THOSE SUCH AS FOREIGN POLICY THAT FALL DIRECTLY UNDER THE RESPONSIBILITY OF HMG AS REGARDS HONG KONG UP TO 1997 AND AFTER 1997 THE DIRECT RESPONSIBILITY UNDER THE PRC FOR THE YEARS BEYOND,+ HE SAID.

IT MUST ALSO BE EMPHASISED THAT THE DOMINANT WORD IS +CORRESPONDENCE+, WHICH MUST BE TREATED IN A MORE CAUTIOUS WAY THAN EVIDENCE, ORAL OR DOCUMENTARY, HE ADDED.

STRESSING THAT THE INTENTION OF THE BILL WAS TO LIMIT THE GOVERNOR'S POWER OF NEGATIVE INTERVENTION UNDER CLAUSE 14(2) TO THE PROTECTION OF FILES RELATING TO DEFENCE, SECURITY AND FOREIGN POLICY ONLY, MR CHEONG SAID IT WOULD BE GROSSLY UNFAIR AND WRONG TO POSTULATE THAT CLAUSE 14(2) COULD BE USED TO USHER IN COMPLETE SUBORDINATION OF THE LEGISLATURE TO THE EXECUTIVE.

/+SUCH A

+SUCH A POSTULATION IS IN OUR VIEW BASED ON THE ASSUMPTION THAT THE CHIEF EXECUTIVE EITHER NOW OR IN FUTURE WOULD NECESSARILY BE AN AUTHORITARIAN CREATURE AND THAT HE OR SHE WOULD CRAVE FOR A SUBORDINATED LEGISLATURE.

+WE BELIEVE IT WAS FURTHER PRESUMED THAT THE FUTURE ELECTED LEGISLATURE WILL BE QUITE CONTENT TO BE SUBJECTED TO SUCH SUBORDINATION.

+BOTH ASSUMPTIONS, THOUGH UNDERSTANDABLY INTELLECTUALLY, WOULD IN PRACTICE NOT HOLD TRUE IN HONG KONG ESPECIALLY IN THE LIGHT OF THE FACT THAT BOTH CHINA AND BRITAIN HAVE DISPLAYED TREMENDOUS EFFORTS AND SINCERITY IN REACHING AN AGREEMENT TO PRESERVE HONG KONG'S STABILITY AND PROSPERITY,+ HE SAID.

+OF COURSE ONE IS ENTITLED TO DOUBT, MAY BE EVEN FOREVER, BRITAIN'S AND CHINA'S TRUE INTENTIONS TOWARDS HONG KONG, YET IF ONE IS REALLY SO SCEPTICAL OF THE SINO-BRITISH JOINT DECLARATION ABOUT HONG KONG THEN NO AMENDMENT OR DELETION OF ANY CLAUSE CAN SATISFY THAT INHERENT STUBBORN DISTRUST,+ HE ADDED.

THE ESSENCE OF THE CLAUSE, HE OBSERVED, WAS MEANT TO DEAL WITH SPECIFIC MATTERS SUCH AS DEFENCE, SECURITY OR FOREIGN POLICIES WHICH WERE OUTSIDE THE JURISDICTION OF HONG KONG.

+THIS HAS ALWAYS BEEN THE CASE AND WILL ALWAYS BE SO.

+OF COURSE THE POWERS OF LEGCO ARE LIMITED, BUT THE RESTRICTIVE EFFECT OF THIS CLAUSE BITES INTO A VERY RESTRICTED AREA,+ HE SAID.

HE ADDED THAT TO SUBSCRIBE TO THE VALIDITY OF THE ARGUMENTS PUT FORWARD BY THESE PROPHETS OF DOOM NECESSITATED A BIG JUMP FROM A PRESUPPOSITION HAVING A VERY NARROW PERSPECTIVE TO A WIDE SWEEPING CONCLUSION BASED ON A GROUNDLESS PREMISE.

+IT SUPPOSES THAT THE FUTURE LEGCO WILL SUCCUMB TO THE AUTHORITARIAN CHIEF EXECUTIVE OF THE SAR WHO, ACCORDING TO THE JOINT DECLARATION, WILL BE APPOINTED BY CHINA AFTER 1997.

+IN SHORT, THE NARROW CONTEXT OF THE BILL IS TAKEN OUT TO BE COMPARED WITH THE MUCH WIDER CONTEXT OF THE JOINT DECLARATION.

+SUCH ARGUMENT ARE MISLEADING AT BEST, AND THE PEOPLE OF HONG KONG WOULD DO WELL TO PONDER ON THE POSTULATIONS RATIONALLY AND SHOULD NOT BE PERSUADED BY DRAMATIC AND SENSATIONAL ARGUMENTS TO ACCEPT QUESTIONABLE LOGIC,+ HE SAID.

HOWEVER, DESPITE THEIR REJECTING THE VALIDITY OF ARGUMENTS FOR DROPPING CLAUSE 14(2), MR CHEONG SAID IT HAD BEEN THOUGHT AND RECOGNISED THAT THE REAL MEANING OF THE CLAUSE ESPECIALLY IN RELATION TO THE PHRASE +THE RESPONSIBILITY OF HMG TO HONG KONG+ COULD BE OPEN TO MISCONSTRUCTION.

ACCORDINGLY, AMENDMENTS WERE MADE AT THE COMMITTEE STAGE AND SUCH AMENDMENTS HOPEFULLY WOULD BE REASSURING, HE ADDED.

WHILE STUDYING IN DEPTH CLAUSE 14(2), MR CHEONG SAID IT HAD BROUGHT HOME TO HIM A FEW HOME TRUTHS ABOUT HONG KONG.

+THE TRUTH IS THAT HONG KONG HAS NEVER EXISTED AS A TOTALLY INDEPENDENT TERRITORY.

+SHE WILL NOT AND CANNOT EXIST IN FUTURE AS A TOTALLY INDEPENDENT TERRITORY.

+WE SURVIVED AND THRIVED UNDER BRITISH SOVEREIGNTY AS A COLONY AND WE AIM TO SURVIVE AND PROSPER UNDER CHINESE SOVEREIGNTY AS A SPECIAL ADMINISTRATIVE REGION,+ HE SAID.

OUR LEGISLATURE, HE CONTINUED, NOW OR IN THE FUTURE, ELECTED OR APPOINTED, WAS AND WOULD ALWAYS BE SUBJECT TO SOME LIMITATIONS AND WE COULD NOT DEMAND OR EXPECT TO BE GIVEN POWERS WHICH WERE EQUAL TO THOSE ENJOYED BY INDEPENDENT SOVEREIGN STATES.

HE POINTED OUT WE SHOULD NOT AND COULD NOT FOR EXAMPLE INVESTIGATE INTO AREAS OF DEFENCE, NATIONAL SECURITY AND FOREIGN POLICY.

+CLAUSE 14(2) STARKLY REMINDS US OF THIS REALITY AND NO ONE SHOULD HARBOUR ANY ILLUSIONS AS TO THE REASONS FOR OUR EXISTENCE AND THE ROUTE ALONG WHICH WE MUST TRAVEL IN ORDER TO ATTAIN STABILITY AND PROSPERITY IN THE FUTURE.

+THE PEOPLE OF HONG KONG CANNOT AFFORD TO BE BLINDED BY IDEALISTIC ASPIRATIONS FOR THE FULL TRAPPINGS OF A WESTERN-STYLE DEMOCRACY,+ HE SAID.

TURNING TO THE EXPERIENCE OF THE UNOFFICIALS WHO HAD TO FACE CONSTANT DILEMMA DURING THE DELIBERATION OF THIS BILL, MR CHEONG SAID THE AD HOC GROUP, ESPECIALLY THE CONVENER, WERE UNDER TREMENDOUS MENTAL PRESSURE FROM ALL SIDES IN THE PAST TWO WEEKS.

+WE EVEN HAD TO DISPEL AN UNFOUNDED THEORY THAT THIS BILL WAS BEING USED AS A POLITICAL WEAPON AGAINST THE CONVENER.

+A SHEER FANTASY I MIGHT ADD BUT NEVERTHELESS A DAMAGING ONE.

+IN SHORT, BATTLE TACTICS OF THE JUMPING ON TO THE BANDWAGONERS APPEARED TO HAVE WORKED WELL INTO PUSHING ALL OF US INTO A CORNER,+ HE SAID.

ELABORATING FURTHER ON THEIR DILEMMA, MR CHEONG SAID: +IF WE SUCCUMB TO DEMANDS WHICH ARE NOT BACKED BY ADEQUATE REASONINGS AND WERE TO DELAY THE THIRD READING UNTIL THE NEXT SESSION, WE WOULD RUN A REAL RISK OF SELLING HONG KONG DOWN THE PATH OF INEFFICIENT ADMINISTRATION WITH PRESSURE GROUPS HAPPILY BLARING OUT THEIR SO-CALLED WISHES OF THE PEOPLE IN EVERY SINGLE ISSUE OF THE DAY.

+IF WE DID NOT CONCEDE TO THE DEMAND THAT THE THIRD READING BE DEFERRED, WE STAND TO BE ACCUSED BY VOCAL AND WELL ORGANISED CAMPAIGNS OF DISCREDIT.

+FOR SURE WE WILL BE ACCUSED OF ACTING IRRESPONSIBLY AGAINST THE PROCLAIMED WISHES OF THE PEOPLE.+

HE SAID IT WAS WITH A SOMBRE REALISATION OF THIS DIFFICULT DILEMMA THAT THEY DECIDED THEY HAD TO CAST AWAY ALL THEIR EMOTIONAL HANG UPS LIKE PRIDE, FEARS AND PREJUDICES AND THAT THEY HAD TO LOOK AT ALL NEW REPRESENTATIONS COOLLY AND RATIONALLY.

HE EXPLAINED THAT MEMBERS WERE MORE INFLUENCED BY THE CONTENTS OF THE REPRESENTATIONS AND THAT THEY DID NOT MEASURE THE STRENGTH OF ANY REPRESENTATION BY JUST BEING IMPRESSED WITH THE STRENGTH OF THEIR MEDIA COVERAGE AND THE BRILLIANCE OF THEIR TACTICS IN MOBILISING THE MEDIA.

+WE ALLOWED OURSELVES AMPLE TIME TO RECEIVE REPRESENTATIONS FROM ANY ONE IN HONG KONG.

+WE DEBATED COLLECTIVELY AMONGST OURSELVES, SOMETIMES HEATEDLY, AND WE KNEW THAT THE FINAL DECISION HAD TO BE MADE BY MONDAY, JUNE 24.

+THUS, AMID THE THREAT OF GALE FORCE WINDS, WE MET AND DELIBERATED FOR SOME HOURS BEFORE REACHING A FINAL DECISION,+ HE SAID.

MEMBERS BELIEVED FIRMLY THAT THEY HAD ACTED WITH A CLEAN CONSCIENCE AND THAT BY ANY STANDARDS THEY HAD DISCHARGED THEIR DUTIES AND RESPONSIBILITIES AS LEGISLATORS FAIRLY, AND HONORABLY, HE ADDED.

MR CHEONG CONCLUDED: +LEST PEOPLE MAY RUN THE RISK OF CONFLICTING THE DUTIES OF LEGISLATORS, BE THEY APPOINTED OR ELECTED, WITH ACCEPTING EXPEDIENTLY, BLINDLY AND TIMIDLY ALL VOCAL REQUESTS, ALLOW ME TO REPEAT WHAT I BELIEVE TO BE A SIMPLE MOTTO ADOPTED I AM SURE BY ALL OF US IN THIS CHAMBER AND THAT IS:

IF AND WHEN LEGISLATIVE MEMBERS ARE FIRST SATISFIED THAT THEY HAVE BEEN CONSCIENTIOUS AND DELIGENT IN THEIR DELIBERATIONS AND IN SO DOING, SECONDLY, HAVE FULLY TAKEN INTO CONSIDERATION ALL REPRESENTATIONS WHILST TRYING, THIRDLY, TO TAKE STEPS TO AMEND WHAT MIGHT HAVE BEEN WRONG, THEN THEIR DUTIES AS LEGISLATORS WOULD HAVE BEEN DISCHARGED HONORABLY.+

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BILL PASSED IN GOOD CONSCIENCE
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LEGISLATIVE COUNCIL UNOFFICIALS WERE SATISFIED THAT THEY MIGHT, IN GOOD CONSCIENCE, PASS THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL 1985, THE HON SIR ROGER LOBO, SAID TODAY (WEDNESDAY).

HE WAS WINDING-UP DURING THE THIRD READING OF THE BILL AT TODAY'S COUNCIL MEETING.

+AS THE HARD-WORKING CONVENER OF OUR AD HOC GROUP HAS POINTED OUT, THERE IS PROBABLY NO SUCH THING AS A PERFECT BILL,+ HE SAID.

+BUT MANY HOURS AND DAYS HAVE BEEN SPENT PORING OVER ITS PROVISIONS AND THE HELPFUL REPRESENTATIONS WE HAVE RECEIVED.

+A NUMBER OF USEFUL AND DESIRABLE AMENDMENTS HAVE BEEN MADE AND WE ARE SATISFIED THAT WE MAY NOW, IN GOOD CONSCIENCE, PASS THE BILL,+ HE SAID.

SIR ROGER POINTED OUT THAT THE BILL ENSHRINED POWERS WHICH COUNCILLORS ADJUDGED NECESSARY FOR THE ORDERLY AND EFFICIENT CONDUCT OF THE COUNCIL.

+BUT IT IS NOT HOLY WRIT AND IF OUR SUCCESSORS DO NOT LIKE IT THEY WILL BE AT LIBERTY TO AMEND OR REPEAL IT AS THEY SEE FIT,+ HE SAID.

AS THE OUT-GOING SENIOR UNOFFICIAL MEMBER, SIR ROGER SAID HE COULD SPEAK WITH SOME OBJECTIVITY.

ON THE MOST PERSISTENT CALL FOR THE BILL TO BE DEFERRED, HE HAD HEARD NO ARGUMENTS OF SUBSTANCE FOR THIS STEP.

+THE BILL WAS INTRODUCED INTO THIS COUNCIL ON MAY 15 AND IT IS OUR DUTY - THE DUTY OF THE COUNCIL - TO DEAL WITH IT.

+WE ALSO BELIEVE IT IS IMPORTANT THAT THE NEW COUNCIL SHOULD KNOW WHERE IT STANDS AND SHOULD HAVE STATUTORY SUPPORT FOR ITS FUNCTIONS FROM THE OUTSET,+ HE SAID.

ON THE COMMENT THAT THE PRESIDENT'S POWERS UNDER THE BILL WERE TOO WIDE AND TOO STRONG, SIR ROGER SAID THEY WERE IN FACT IN MANY RESPECTS MORE CONSTRAINED THAN THOSE THE PRESIDENT HAD HITHERTO ENJOYED UNDER THE EXISTING STANDING ORDERS.

MOREOVER, THE ARGUMENT PRESUMED THE UNOFFICIAL MEMBERS HAD NO ROLE TO PLAY.

+THE EXERCISE OF OFFICIAL POWERS WILL ALWAYS BE MONITORED BY THE MEMBERS OF THIS COUNCIL.

/+ELECTED MEMBERS

+ELECTED MEMBERS WILL BE JOINING IN OCTOBER AND IT WILL BE THE DUTY OF THIS COUNCIL TO ENSURE THE POWERS PROVIDED UNDER THE BILL ARE NEVER MISUSED,+ HE SAID.

LASTLY, SIR ROGER REITERATED THAT UNOFFICIALS HAD CAREFULLY EXAMINED THE BILL IN THE LIGHT OF ALL THE REPRESENTATIONS THEY HAD RECEIVED - AND THEY WERE UNANIMOUS IN THEIR SUPPORT FOR ITS PROVISIONS.

+IT IS A HONG KONG ISSUE; AN ISSUE FOR THE PEOPLE OF HONG KONG

+IT IS OUR AVOWED OBJECTIVE THAT HONG KONG PEOPLE SHOULD BE LEFT TO MANAGE THEIR OWN AFFAIRS AND IT IS REGRETABLE THAT SOME CRITICS HAVE CHOSEN TO SEEK OUTSIDE SUPPORT FOR THEIR VIEWS.

+IT IS ALSO DEPLORED THAT OTHERS HAVE CHOSEN TO MAKE PERSONAL ATTACKS ON INDIVIDUAL MEMBERS OF THIS COUNCIL WHO GAIN NOTHING FROM RESISTANCE TO VOCAL AND OFTEN EMOTIONAL SECTORAL INTERESTS AND SEEK ONLY TO DISCHARGE THEIR DUTIES IN GOOD FAITH AND IN THE BEST INTERESTS OF THE COMMUNITY,+ HE SAID.

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MARIA TAM MOVES AMENDMENT TO CLAUSE 24

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AN AMENDMENT TO CLAUSE 24 OF THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL, WHICH WAS PROPOSED BY THE HON JOHN SWAINE AT THE SECOND READING STAGE, WAS MOVED BY THE HON MARIA TAM AT THE COMMITTEE STAGE TODAY (WEDNESDAY).

MR SWAINE HAD PROPOSED THAT THE CLAUSE SHOULD READ AS FOLLOWS: +THE COUNCIL, THE PRESIDENT OR ANY OFFICER OF THIS COUNCIL SHOULD NOT BE SUBJECT TO THE JURISDICTION OF ANY COURT IN RESPECT OF THE LAWFUL EXERCISE OF ANY POWER CONFERRED ON OR VESTED IN THE COUNCIL, THE PRESIDENT OR SUCH OFFICER BY OR UNDER THIS ORDINANCE OR THE STANDING ORDERS.+

MISS TAM SAID THE EFFECT OF THIS AMENDMENT WAS TO GIVE ANY PERSON SUMMONED BY THE LEGISLATIVE COUNCIL OR BY A COMMITTEE OF THE COUNCIL UNDER CLAUSES 10(1), 13(1), 13(2), 14(1) OR 16(1), TO GIVE EVIDENCE OR PRODUCE DOCUMENTS TO THE COUNCIL OR A COMMITTEE THE OPTION TO SEEK A JUDICIAL REVIEW ON WHETHER THE COUNCIL, THE COMMITTEE OR THE PRESIDENT HAD LAWFULLY EXERCISED THEIR POWER BEFORE HAVING TO ANSWER SUCH A QUESTION OR TO PRODUCE SUCH DOCUMENTS.

+IF THE COURT SHOULD RULE IN FAVOUR OF THE WITNESS, AND HOLD THAT THE PRESIDENT, COUNCIL OR COMMITTEE IS ACTING ULTRA VIRES, THAT MEANS OUTSIDE OF THEIR POWERS, THEN HE WILL NOT BE REQUIRED TO ANSWER THE QUESTION OR TO PRODUCE THE DOCUMENT IN ISSUE.

/+LIKEWISE WITH

+LIKEWISE WITH CLAUSE 17(A) AND (B) WHICH PROVIDE THE PENALTY OF OFFENCES COMMITTED UNDER CLAUSE 13 THE ORDER MADE BY THE COUNCIL OR A COMMITTEE MUST BE LAWFUL AND THE QUESTION PUT BY THEM TO A WITNESS MUST BE 'LAWFUL' AND RELEVANT,+ SHE SAID.

MISS TAM SAID THIS AMENDMENT WOULD ACHIEVE THE OBJECTIVE OF SUBJECTING THE EXERCISE OF THE LEGISLATIVE COUNCIL'S HOUSE-KEEPING AND INVESTIGATORY POWERS TO THE COURT'S SCRUTINY.

IT WAS ALSO THE OVERRIDING CLAUSE UNDER WHICH THE WORDS +USAGE AND PRACTICE+ AND THE WORDS +RESOLUTION OF THE COUNCIL+ UNDER CLAUSE 15 MUST OPERATE, SHE ADDED.

MISS TAM SAID ONE OF THE COMMENTS MADE BY THE BAR ASSOCIATION AND THE LAW SOCIETY WAS THAT THE COMBINED EFFECT OF CLAUSES 15 AND 24 RESULTED IN AMBIGUITY.

IT WAS SAID THAT CLAUSE 24, WHICH OUSTS THE JURISDICTION OF THE COURTS WHERE THIS COUNCIL HAS EXERCISED ITS POWER +LAWFULLY+, GAVE RISE TO AMBIGUITY AS TO THE POWERS GIVEN TO THE COUNCIL TO DECIDE ON MATTERS OF PRIVILEGE UNDER CLAUSE 15.

+IN FACT, A CAREFUL READING OF BOTH CLAUSES REVEALS NO AMBIGUITY AND NO INHERENT INCONSISTENCY,+ SHE SAID.

CLAUSE 15 IS CONCERNED WITH RIGHTS RELATING TO MATTERS OF EVIDENCE. MISS TAM SAID THE INTENTION OF THIS CLAUSE WAS TO ENABLE UNUSUAL QUESTIONS, IF NO SPECIFIC PROVISION HAD BEEN MADE WHICH OFFERED A SOLUTION, TO BE RESOLVED BY LOOKING AT THE USAGE AND PRACTICE OF THE COUNCIL BOTH BEFORE AND AFTER ENACTMENT OF THE BILL.

+IF A SITUATION SHOULD ARISE WHERE GUIDANCE IS NEEDED BY REFERENCE BACK TO THE PAST, IT IS ABUNDANTLY CLEAR THAT CLAUSE 15 WOULD NOT PERMIT THIS COUNCIL TO ACT, EVEN IF IT DESIRED TO DO SO WHICH IS MANIFESTLY UNLIKELY, ON SOME ALLEGED USAGE AND PRACTICE WHICH NEVER IN FACT EXISTED AT ANY TIME.

+IF THIS COUNCIL SHOULD EVER SEE FIT TO ACT IN THAT FASHION, IT WOULD LEAVE ITSELF OPEN TO CHALLENGE IN THE COURTS ON THE BASIS THAT ITS ACTION WAS NOT 'LAWFUL' WITHIN THE MEANING OF CLAUSE 24,+ SHE SAID.

MISS TAM SAID THAT THIS WAS ONLY ONE EXAMPLE OF THE WAY CLAUSE 24 WAS INTENDED TO OPERATE, THOUGH OF COURSE IT APPLIED IN RELATION TO OTHER PROVISIONS AS WELL AS CLAUSE 15.

+THERE IS NO DEGREE OF AMBIGUITY ABOUT THOSE TWO CLAUSES AND THERE IS NO BASIS FOR THE COMMENT MADE IN THAT RESPECT,+ SHE REITERATED.

CONCLUDING HER SPEECH, MISS TAM SAID ALTHOUGH TWO OUT OF 16 REPRESENTATIONS SUGGESTED THAT CLAUSE 24 SHOULD BE DELETED ALTOGETHER, UNOFFICIALS FELT THAT THE MORE PRACTICAL APPROACH AND THE MAJORITY VIEW ON THIS POINT SHOULD BE TAKEN AND CLAUSE 24 AMENDED ACCORDINGLY.

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PEOPLE NOT DEPRIVED OF FREEDOM

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UNOFFICIALS WERE SATISFIED THAT THE AMENDED CLAUSE 8 OF THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL DID NOT POSE A DEPRIVATION OF THE FREEDOM OF HONG KONG PEOPLE FROM ATTENDING OR KNOWING THE PROCEEDINGS OF COUNCIL MEETINGS, THE HON CHAN YING-LUN SAID TODAY (WENESDAY).

MOVING AMENDMENTS TO CLAUSE 8 OF THE BILL AT THE COMMITTEE STAGE, MR CHAN SAID THEY HAD BEEN THE SUBJECT OF FURTHER REPRESENTATIONS.

+THE POINTS RAISED INCLUDE RESERVATION OVER THE APPLICATION OF STANDING ORDERS TO REGULATE ADMISSION; CONCERN OVER THE POWER OF THE PRESIDENT TO ISSUE ADMINISTRATIVE INSTRUCTIONS WITHOUT BEING SUBJECTED TO RESOLUTION OF THE COUNCIL; AND WORRY OVER THE WIDE SCOPE OF INSTRUCTIONS FOR 'OTHER ADMINISTRATIVE PURPOSES',+ HE SAID.

MR CHAN SAID UNOFFICIAL MEMBERS STUDYING THE BILL HAD EXAMINED THESE POINTS AND CONSIDERED THAT THE AMENDMENTS TO CLAUSE 8 HAD ALREADY TAKEN INTO ACCOUNT THESE RESERVATIONS.

THE REFERENCE TO THE STANDING ORDERS IN REGULATING ADMISSION WAS AN AMENDMENT MADE AT THE REQUEST OF PUBLIC REPRESENTATIONS, ONE OF WHICH WAS THE HONG KONG JOURNALISTS' ASSOCIATION.

+WE DO NOT THEREFORE SUBSCRIBE TO THE SUGGESTION THAT IT SHOULD BE DELETED FROM THE CLAUSE, ALTHOUGH IT IS WIDELY ACCEPTED THEY REQUIRE A TOTAL REVIEW,+ HE SAID.

REGARDING THE SUGGESTION TO RESTRICT THE POWER OF THE PRESIDENT TO ISSUE ADMINISTRATIVE INSTRUCTIONS AND LIMITING THE SCOPE OF SUCH INSTRUCTIONS FOR ADMINISTRATIVE PURPOSES, MR CHAN SAID MEMBERS TOOK THE VIEW THAT THERE WERE ALREADY SUFFICIENT SAFEGUARDS IN CLAUSE 8 ITSELF AND IN THE COUNCIL AS A WHOLE.

+MEMBERS OF THE PUBLIC CAN BE ASSURED THAT CLAUSE 8(1) CLEARLY STATES THAT THE BILL IS NOT AIMED AT EXCLUDING THE PUBLIC FROM SITTINGS OF THE COUNCIL.

+CLAUSES 8(2) AND 8(3) RESPECTIVELY ARE FOR THE PURPOSES OF ORDERLY CONDUCT OF MEETINGS AND PROPER MANAGEMENT OF THE PRECINCTS OF THE CHAMBER.

+ONLY THOSE INDIVIDUALS WHO CHOOSE TO VIOLATE THE PROVISION OF THIS CLAUSE WILL BE EXCLUDED.

+MOREOVER, IF THE PRESIDENT WERE TO ISSUE AN INSTRUCTION CONTRARY TO THE WISH OF MEMBERS WITHOUT GOOD REASONS, SUCH AS BARRING THE PUBLIC FROM REGULAR MEETINGS, MEMBERS WOULD CERTAINLY QUESTION AND CHALLENGE HIM ON BEHALF OF THE PUBLIC,+ HE SAID.

/MR CHAN

MR CHAN SAID CLAUSE 8 AS AMENDED GAVE HONG KONG PEOPLE MORE FREEDOM IN ATTENDING SITTINGS OF THE LEGISLATIVE COUNCIL THAN IN THE UNITED KINGDOM PARLIAMENT.

+IN THE UK MEMBERS OF THE PUBLIC CANNOT ENTER PARLIAMENT AS OF RIGHT= ADMISSION IS SUBJECT TO REGULATIONS.

+IN THE STRANGERS' GALLERY EVEN THE WRITING OF NOTES IS NOT ALLOWED.

+THOSE NOT SITTING PROPERLY WILL BE WARNED AND ANYONE CREATING A DISTURBANCE WILL IMMEDIATELY BE EXPELLED,+ MR CHAN SAID.

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+LAWFULLY+ INSERTED IN CLAUSES
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DR THE HON HO KAM-FAI MOVED THAT CLAUSES 13 AND 14 OF THE POWERS AND PRIVILEGES BILL BE AMENDED AT THE COMMITTEE STAGE.

+THE INSERTION OF THE WORD 'LAWFULLY' IN BOTH CLAUSES IS CONSEQUENTIAL TO THE AMENDMENT TO CLAUSE 24 WHICH MY HON COLLEAGUE, THE HON MARIA TAM, HAS JUST MOVED; WHEREAS THE ADDITION OF 'SUBJECT TO SECTION 16' IN CLAUSE 14(1) IS TO ENSURE CONSISTENCY BETWEEN THE PROVISIONS UNDER THESE TWO CLAUSES,+ HE SAID.

THE PURPOSE OF ADDING THE PARENTHESIS IN CLAUSE 13 WAS IN RESPONSE TO PUBLIC CALLS FOR QUALIFYING THE PRESIDENT'S DISCRETIONARY POWER AND GIVING FURTHER PROTECTION TO A WITNESS GIVING EVIDENCE BEFORE THE COUNCIL OR A COMMITTEE, HE EXPLAINED.

+WITH THIS AMENDMENT, THE PRESIDENT SHALL BE BOUND TO EXCUSE THE WITNESS FROM ANSWERING A QUESTION OR PRODUCING A PAPER WHERE SUCH A QUESTION OR PAPER IS NOT RELEVANT TO THE SUBJECT OF ENQUIRY,+ HE SAID.

AS REGARDS THE RIGHT OF LEGAL REPRESENTATION, DR HO SAID IT WAS COVERED UNDER CLAUSE 14(1) WHERE IT WAS STATED THAT A WITNESS SHOULD BE ENTITLED +TO THE SAME RIGHT OR PRIVILEGE AS BEFORE A COURT OF LAW+.

+THIS RIGHT OR PRIVILEGE ALREADY INCLUDES THAT OF LEGAL REPRESENTATION; HENCE, NO AMENDMENT ON THIS POINT IS CONSIDERED NECESSARY,+ HE SAID.

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AMENDMENTS TO CLAUSE 14(2) DETAILED
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THE NEW CLAUSE 14(2) OF THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL HAD BEEN ARRIVED AT WITH CAREFUL DELIBERATION AND IT REPRESENTED A CONSCIOUS ATTEMPT TO PUT INTO PROPER CONTEXT HOW THE PHRASE +THE RESPONSIBILITY OF HER MAJESTY GOVERNMENT TO HONG KONG+ MIGHT BE INTERPRETED, THE HON STEPHEN CHEONG SAID TODAY (WEDNESDAY).

SPEAKING AT THE COMMITTEE STAGE OF THE BILL IN THE LEGISLATIVE COUNCIL, MR CHEONG DETAILED THE AMENDED CLAUSE 14(2) AS FOLLOWS:

+NO PERSON, OTHER THAN A PUBLIC OFFICER ACTING WITH THE CONSENT OF THE GOVERNOR, SHALL BEFORE THE COUNCIL OR A COMMITTEE -

(A) GIVE ANY EVIDENCE= OR

(B) PRODUCE ANY PAPER, BOOK, RECORD OR DOCUMENT,

RELATING TO THE CORRESPONDENCE CONCERNING

(1) ANY NAVAL, MILITARY OR AIR FORCE MATTER OR OF ANY OTHER MATTER RELATING TO THE SECURITY OF HONG KONG: OR

(2) THE RESPONSIBILITIES OF HER MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM OTHERWISE THAN WITH RESPECT TO THE ADMINISTRATION OF HONG KONG BY ITS GOVERNMENT, NOR SHALL SECONDARY EVIDENCE BE RECEIVED BY OR PRODUCED BEFORE THE COUNCIL OR A COMMITTEE OF THE CONTENTS OF ANY SUCH PAPER, BOOK, RECORD OR DOCUMENT.+

+AS WE ARE NOW IN COMMITTEE AND STANDING ORDERS GOVERNING COMMITTEE STAGE PROCEEDINGS ARE RATHER RESTRICTIVE, WITH RESPECT TO THE CONTENTS OF MY SPEECH AND, IN ORDER TO DO JUSTICE TO THIS IMPORTANT CLAUSE, I WISH TO SEEK PERMISSION TO TACKLE THIS CLAUSE IN MORE DETAIL IN THE THIRD READING DEBATE,+ MR CHEONG SAID.

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AMENDMENTS TO TWO CLAUSES MOVED
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AMENDMENTS TO CLAUSES 16 AND 19(A) AND (B) OF THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL WERE MOVED BY THE HON MRS PAULINE NG DURING THE COMMITTEE STAGE TODAY (WEDNESDAY).

SHE PROPOSED THAT CLAUSE 16 CONCERNING THE LIMITATION ON PRIVILEGE AGAINST INCRIMINATION OF SELF OR SPOUSE BE AMENDED, THE ORIGINAL WORDING OF WHICH SHE SAID MIGHT GIVE PEOPLE THE WRONG IMPRESSION THAT THE WITNESS GIVING EVIDENCE IN THE LEGISLATIVE COUNCIL ENJOYED IMMUNITY FROM PROSECUTION.

+THIS PROVISION IS NOW AMENDED ALONG THE LINES OF SECTION 44A OF THE SUPREME COURT ORDINANCE,+ SHE SAID.

APART FROM MOVING THAT CLAUSE 19(A) BE DELETED, MRS NG SAID THE HONG KONG BAR ASSOCIATION, WHEN COMMENTING ON CLAUSE 19(B), HAD INDICATED THAT THE REGARD +INSULTS+ OF LEGISLATIVE COUNCILLORS BY THE PUBLIC AS CRIMINAL OFFENCES WAS LIKELY TO HAMPER FREEDOM OF SPEECH IN HONG KONG.

SHE AGREED WITH THIS COMMENT, AND ACCORDINGLY MOVED THAT CLAUSE 19(B) BE AMENDED SO AS TO DELETE THE WORD +INSULT+ FROM THE CLAUSE.

+IN ADDITION, THE HONG KONG BAR ASSOCIATION IS OF THE OPINION THAT THE MEANING OF THE WORDS 'OR EXPECTED TO BE BROUGHT' IN CLAUSE 19(B) IS AMBIGUOUS.

+I ALSO AGREE WITH THIS COMMENT, AND THEREFORE PROPOSE THAT THE WORDS BE DELETED FROM THIS PROVISION,+ SHE SAID.

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REGIONAL COUNCIL DETAILS SET OUT IN BILL
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THE REGIONAL COUNCIL, LIKE ITS URBAN COUNTERPART, WOULD BE A FINANCIALLY AUTONOMOUS EXECUTIVE BODY WITH LEGAL AUTHORITY AND RESPONSIBILITY FOR PROVIDING SERVICES RELATING TO PUBLIC HEALTH, SANITATION, HYGIENE, RECREATION AND CULTURE OUTSIDE THE ELECTORAL JURISDICTION OF THE URBAN COUNCIL.

ITS FUNCTIONS WOULD THUS BE DISTINCT FROM THOSE OF THE HEUNG YEE KUK AND THE NEW TERRITORIES DISTRICT BOARDS, THE CHIEF SECRETARY, THE HON SIR DAVID AKERS-JONES, SAID TODAY (WEDNESDAY).

/MOVING THE

MOVING THE SECOND READING OF THE REGIONAL COUNCIL BILL (1985) WHICH HE SAID HAD LARGELY BEEN MODELLED ON THE URBAN COUNCIL ORDINANCE, SIR DAVID EXPLAINED IN DETAIL ITS SIGNIFICANT DIVERGENCES FROM THAT ORDINANCE.

HE POINTED OUT THAT ONE IMPORTANT DIFFERENCE WAS THAT RELATING TO MEMBERSHIP.

+CURRENTLY, THE URBAN COUNCIL HAS A TOTAL OF 30 MEMBERS, OF WHOM 15 ARE DIRECTLY ELECTED AND 15 ARE APPOINTED BY THE GOVERNOR. THE REGIONAL COUNCIL WILL CONSIST OF 36 MEMBERS DRAWN FROM FOUR DIFFERENT SOURCES,+ HE SAID.

TWELVE OF THEM WOULD BE DIRECTLY ELECTED, CONSTITUENCY-BASED MEMBERS, NINE WOULD BE REPRESENTATIVES ELECTED BY THE NEW TERRITORIES DISTRICT BOARDS WITHIN THE AREA OF THE REGIONAL COUNCIL FROM AMONG THEMSELVES AND THREE WOULD BE EX-OFFICIO MEMBERS - THE CHAIRMAN AND TWO VICE-CHAIRMEN OF THE HEUNG YEE KUK.

THE OTHER 12 WOULD BE APPOINTED MEMBERS, THREE OF WHOM WILL, AS CIRCUMSTANCES REQUIRE, BE MEMBERS OF THE HEUNG YEE KUK, ESPECIALLY CHOSEN TO REPRESENT THE THREE CONSTITUENCIES OF THE KUK.

+THIS LATTER ARRANGEMENT HAS BEEN AGREED BETWEEN THE GOVERNMENT AND THE KUK, AND IS DESIGNED TO ENSURE THAT THERE IS ADEQUATE REPRESENTATION OF RURAL INTERESTS AND IT CAN BE LOOKED AT AGAIN AS TIME GOES ON.

+BUT I SHOULD POINT OUT THAT, WITH THE INCLUSION OF THESE THREE MEMBERS, OF THE 24 MEMBERS OF THE PRESENT PROVISIONAL REGIONAL COUNCIL IT SO HAPPENS THAT ABOUT 14 OF THEM ARE MEMBERS OF THE HEUNG YEE KUK,+ HE ADDED.

SIR DAVID SAID ELECTIONS FOR THE 12 DIRECTLY ELECTED MEMBERS WOULD BE CONDUCTED AT THE SAME TIME AS THOSE FOR THE URBAN COUNCIL IN MARCH 1986, AND THE FIRST ELECTED MEMBERS WOULD HOLD OFFICE FOR THREE YEARS FROM APRIL 1, 1986.

+ELECTIONS FOR THE NINE REPRESENTATIVE MEMBERS OF THE DISTRICT BOARDS WILL BE HELD IN THE YEAR OF AN ORDINARY DISTRICT BOARD ELECTION.

+THE NEW TERRITORIES' DISTRICT BOARDS HAVE ALREADY ELECTED NINE SUCH REPRESENTATIVE MEMBERS TO THE PROVISIONAL REGIONAL COUNCIL AND THE LAW PRESCRIBES TRANSITIONAL ARRANGEMENTS TO PROVIDE THAT THESE PERSONS SHOULD BECOME THE REPRESENTATIVE MEMBERS OF THE REGIONAL COUNCIL UPON ITS INCEPTION, THUS ENSURING THAT SOME OF THE WORKING EXPERIENCE GAINED BY THE PROVISIONAL REGIONAL COUNCIL WILL BE CARRIED FORWARD TO THE NEW COUNCIL,+ HE SAID.

/SIR DAVID

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SIR DAVID POINTED OUT THAT THIS WOULD MEAN THAT THE PRESENT REPRESENTATIVE MEMBERS WOULD HOLD OFFICE UNTIL AN ORDINARY DISTRICT BOARD ELECTION IN APRIL 1988.

HE SAID THAT TO ENSURE A SMOOTH TRANSITION, IT IS INTENDED THAT SOME, IF NOT ALL, OF THE 12 APPOINTED MEMBERS SERVING ON THE PROVISIONAL REGIONAL COUNCIL SHOULD BE THE APPOINTED MEMBERS OF THE REGIONAL COUNCIL FOR A PERIOD YET TO BE DECIDED.

+ONE POSSIBILITY WOULD BE TO MAKE THE INITIAL APPOINTMENTS FOR ONE YEAR ONLY TO MARCH 31, 1987. IF THIS WERE DONE, THEN ROUGHLY ONE THIRD OF THE MEMBERS OF THE REGIONAL COUNCIL WOULD BE LIABLE TO BE CHANGED AT THE END OF MARCH EACH YEAR.

+THUS, OF THE ORIGINAL TERMS OF OFFICE, THOSE OF APPOINTED MEMBERS WOULD EXPIRE IN MARCH 1987, THOSE OF REPRESENTATIVE MEMBERS IN MARCH 1988, AND THOSE OF DIRECTLY ELECTED MEMBERS IN MARCH 1989.

+THIS WOULD ENSURE A DEGREE OF CONTINUITY OF MEMBERSHIP ON THE COUNCIL WHICH, IT IS BELIEVED, WILL BE OF PARTICULAR BENEFIT IN THE EARLY YEARS OF THE COUNCIL'S EXISTENCE,+ HE SAID.

SIR DAVID SAID ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN OF THE REGIONAL COUNCIL BY THE MEMBERS FROM AMONG THEMSELVES BY SECRET BALLOT ON AN ABSOLUTE MAJORITY VOTING SYSTEM WOULD TAKE PLACE AT THE FIRST MEETING OF THE REGIONAL COUNCIL HELD AFTER MARCH 31 IN A YEAR THE DIRECTLY ELECTED MEMBERS WERE ELECTED.

+THIS MEANS THAT IN NORMAL CIRCUMSTANCES A CHAIRMAN AND VICE-CHAIRMAN WILL BE ELECTED AT THREE-YEARLY INTERVALS, BEGINNING IN APRIL 1986.

+HOWEVER, IF AN OFFICER SO ELECTED IS A DISTRICT BOARD REPRESENTATIVE OR APPOINTED MEMBER WITH A LESSER TERM OF MEMBERSHIP REMAINING, HIS CONTINUANCE IN OFFICE BEYOND HIS TERM OF MEMBERSHIP WILL DEPEND ON RE-ELECTION OR REAPPOINTMENT AS THE CASE MAY BE,+ HE SAID.

HE NOTED THAT BOTH CHAIRMAN AND VICE-CHAIRMAN WOULD BE ELIGIBLE FOR RE-ELECTION UPON COMPLETION OF THEIR THREE-YEAR TERM OF OFFICE.

ELABORATING ON PART V OF THE BILL WHICH SET OUT THE POWERS AND FUNCTIONS OF THE REGIONAL COUNCIL, SIR DAVID SAID THE DRAFT BILL DIFFERED IN ONE SIGNIFICANT RESPECT FROM THE URBAN COUNCIL ORDINANCE, UNDER WHICH ALL THE URBAN COUNCIL'S POWERS WERE RESTRICTED TO THE URBAN AREAS.

+THIS HAS BEEN FOUND TO BE UNDULY LIMITING. THERE ARE, ON OCCASIONS, ACTIVITIES WHICH THE URBAN COUNCIL PROPERLY WISHES TO ORGANISE OUTSIDE THE URBAN AREAS AND IT IS LIKELY THAT THE REGIONAL COUNCIL WILL WISH TO ORGANISE SIMILAR ACTIVITIES, SUCH AS MUSEUM VISITS, FOR ITS CONSTITUENTS.

/+THEREFORE, UNDER

+THEREFORE, UNDER THIS BILL, THE REGIONAL COUNCIL WILL ONLY BE RESTRICTED TO ITS OWN AREA OF AUTHORITY IN TERMS OF ESTABLISHING AND MAINTAINING PUBLIC PLACES AND FACILITIES RELATED TO RECREATION AND CULTURE.

+THE INCLUSION OF A SIMILAR PROVISION IN THE URBAN COUNCIL ORDINANCE WILL BE PUT TO THE URBAN COUNCIL FOR CONSIDERATION IN THE NEAR FUTURE.

+IF APPROVED, THIS WILL HAVE THE FURTHER ADVANTAGE OF ALLOWING THE TWO COUNCILS TO ACT TOGETHER, FOR INSTANCE IN CONSTRUCTING AND RUNNING A STAFF TRAINING SCHOOL,+ SIR DAVID SAID.

DEBATE ON THE BILL WAS ADJOURNED.

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DESIGNATION OF COUNCIL AREAS PROPOSED
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FOR THE PURPOSE OF LEGISLATION, IT WAS PROPOSED THAT THE AREAS FALLING UNDER THE AEGIS OF THE URBAN COUNCIL AND THE NEW REGIONAL COUNCIL BE DESIGNATED THE +URBAN COUNCIL AREA+ AND THE +REGIONAL COUNCIL AREA+.

THIS WAS SAID TODAY BY THE SECRETARY FOR ADMINISTRATIVE SERVICES AND INFORMATION, THE HON PETER TSAO, WHEN MOVING THE SECOND READING OF THE ELECTIONS (MISCELLANEOUS AMENDMENTS) BILL 1985.

HE STRESSED HOWEVER THAT GOVERNMENT WOULD BE HAPPY TO CONSIDER THE ADOPTION OF ANY ALTERNATIVE DESIGNATIONS THAT MIGHT BE SUGGESTED.

EXPLAINING THE PROVISIONS OF THE BILL, MR TSAO SAID IT SOUGHT TO EFFECT A RANGE OF AMENDMENTS TO THE ELECTORAL LEGISLATION TO PROVIDE FOR THE RETURN OF ELECTED MEMBERS TO THE REGIONAL COUNCIL IN MARCH 1986.

+ALTHOUGH THE AMENDMENTS ARE RESTRICTED IN THE MAIN TO EXTENDING THE PROVISIONS OF EXISTING LEGISLATION TO APPLY TO THE REGIONAL COUNCIL ELECTIONS, IT HAS BEEN NECESSARY TO INTRODUCE A NUMBER OF SLIGHT CHANGES.

+IN ADDITION, THE OPPORTUNITY IS ALSO TAKEN TO MAKE SEVERAL AMENDMENTS OF A TIDYING UP NATURE IN ORDER TO ACHIEVE A GREATER DEGREE OF OVERALL CONSISTENCY IN THE LEGISLATION,+ HE SAID.

/NOTING THAT

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NOTING THAT THE BILL PROVIDED FOR DECLARATION BY DISTRICTS OF THE JURISDICTIONAL AREAS OF THE TWO COUNCILS TO BE MADE BY ORDER OF THE GOVERNOR IN COUNCIL, MR TSAO SAID: +FOLLOWING THE 1986 ELECTIONS, IT IS OUR INTENTION TO EXAMINE WHETHER IT WOULD NOT BE MORE APPROPRIATE FOR SUCH DECLARATION TO BE MADE BY RESOLUTION OF THE LEGISLATIVE COUNCIL.+

HIGHLIGHTING ANOTHER AMENDMENT, HE POINTED OUT THAT CLAUSE 16(J) PROVIDED THAT THOSE ELECTED BY THE REGIONAL COUNCIL AREA DISTRICT BOARDS TO SERVE ON THE REGIONAL COUNCIL BE EXEMPT FROM THE PROVISIONS OF THE ELECTORAL PROVISIONS ORDINANCE.

+THE REASON FOR THIS EXEMPTION IS THAT IT IS INTENDED THE ELECTION OF THESE MEMBERS, WHICH WILL BE ON A BOARD-BY-BOARD BASIS, SHOULD BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THE REGIONAL COUNCIL BILL AND THE STANDING ORDERS OF THE BOARDS AS IN THE CASE OF THE ELECTION OF THEIR CHAIRMEN.

+GIVEN THAT THESE ELECTIONS WILL BE STRICTLY IN-HOUSE, IT IS FELT UNREASONABLE TO REQUIRE THAT THEY SHOULD ADDITIONALLY BE SUBJECT TO THE MANY FORMALITIES AND PROCEDURES APPLICABLE TO A PUBLIC ELECTION,+ HE ADDED.

AMONG OTHER AMENDMENTS EXPLAINED BY MR TSAO WAS THE PROVISION FOR AMENDMENT OF THE ELECTION EXPENSES ORDER TO SET A CEILING ON THE EXPENSES OF CANDIDATES STANDING FOR ELECTION TO THE REGIONAL COUNCIL.

IT IS PROPOSED THAT THIS SHOULD BE FIXED AT THE SAME LEVEL AS THAT FOR A CANDIDATE FOR ELECTION TO THE URBAN COUNCIL.

ON THE LEGISLATIVE TIMETABLE FOR THIS BILL, MR TSAO SAID: THE ELECTORAL PROVISIONS ORDINANCE PROVIDES FOR THE ANNUAL REGISTRATION OF ELECTORS TO COMMENCE ON AUGUST 15.

+IT IS THEREFORE PROPOSED THAT THE BILL BE ENACTED PRIOR TO THE END OF JULY, SO AS TO ENABLE THE REGIONAL COUNCIL CONSTITUENCIES THEREAFTER TO BE DECLARED AND APPLICANTS FOR REGISTRATION TO BE ADVISED OF THEIR RESPECTIVE CONSTITUENCIES UPON APPLICATION DURING THE PERIOD COMMENCING MID-AUGUST.+

DEBATE ON THE BILL WAS ADJOURNED.

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STATUTORY POWERS SOUGHT FOR CUSTOMS POST
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THE MAIN PURPOSE OF THE CUSTOMS AND EXCISE SERVICE (AMENDMENT) BILL 1985 IS TO ALLOW MORE THAN ONE ASSISTANT COMMISSIONER OF CUSTOMS AND EXCISE TO CARRY OUT STATUTORY FUNCTIONS UNDER THE ORDINANCE.

THIS WAS STATED TODAY (WEDNESDAY) BY THE SECRETARY FOR TRADE AND INDUSTRY, THE HON HARNAM GREWAL, WHEN HE MOVED THE SECOND READING OF THE BILL.

MR GREWAL SAID IT WAS ALSO INTENDED THAT THE CUSTOMS AND EXCISE SERVICE (DISCIPLINE) RULES SHOULD BE AMENDED TO EMPOWER THE COMMISSIONER TO COMPEL THE RETIREMENT OF CUSTOMS OFFICERS.

+OPPORTUNITIES HAS BEEN TAKEN TO MAKE A NUMBER OF SMALL AMENDMENTS CONSEQUENTIAL TO THE DEFEDERALISATION ON AUGUST 1, 1982, OF THE OLD TRADE, INDUSTRY AND CUSTOMS DEPARTMENT WHICH RESULTED IN THE POST OF DIRECTOR OF TRADE, INDUSTRY AND CUSTOMS LAPSING WITH EFFECT FROM THAT DATE,+ HE SAID.

DEBATE ON THE BILL WAS ADJOURNED.

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TIME RIGHT FOR NOTES BILL
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THERE WILL NEVER BE A BETTER TIME THAN NOW TO DEAL WITH +OUTMODED LEGISLATION+ WHICH MAKES IT UNLAWFUL TO USE FOREIGN CURRENCY NOTES AS A MEDIUM OF EXCHANGE IN HONG KONG, THE HON W.C.L. BROWN SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR BROWN WAS SPEAKING DURING THE RESUMED DEBATE ON THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) (REPEAL) BILL 1984.

HE SAID IF SOMEONE WHO HAD USED FOREIGN CURRENCY NOTES IN HONG KONG WAS TOLD HE WAS A CRIMINAL HE WOULD NOT ONLY FEEL INSULTED BUT WOULD DOUBTLESS CONSIDER THE WHOLE MATTER ABSURD.

+THE PURPOSE OF THIS BILL IS SIMPLY TO REMOVE AN OUTDATED PIECE OF LEGISLATION FROM THE STATUTE BOOK AND BRING THE LAW INTO LINE WITH WHAT IS ACTUALLY HAPPENING IN THE MARKET PLACE,+ HE SAID.

MR BROWN SAID THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) ORDINANCE WAS ENACTED IN 1913 TO PREVENT FOREIGN NOTES FROM COMPETING WITH LOCAL NOTES WITH THE ADVANTAGE OF NOT HAVING TO PAY STAMP DUTY AND TO PROTECT THE PUBLIC AGAINST A NOTE ISSUE IN RESPECT OF WHICH GOVERNMENT HELD NO SECURITY AND OVER WHICH IT POSSESSED NO CONTROL.

/+NONE OF

+NONE OF THESE ORIGINAL REASONS FOR THE ORDINANCE REMAINS VALID,+ HE SAID.

STAMP DUTY WAS NO LONGER LEVIED ON THE NOTE ISSUE AND IN THIS DAY AND AGE THE POSSIBLE CIRCULATION OF FOREIGN NOTES WITH UNCERTAIN BACKING IN TERMS OF PRECIOUS METAL OR OTHER SECURITY WAS ALSO NO LONGER A PRACTICAL CONCERN.

DURING THE PAST 72 YEARS, MR BROWN SAID, HONG KONG HAD UNDERGONE A SIGNIFICANT FACELIFT BOTH ECONOMICALLY AND PHYSICALLY.

FROM A SMALL ENTREPOT, HONG KONG HAD TRANSFORMED INTO ONE OF THE WORLD'S MAJOR FINANCIAL CENTRES AND A POPULAR TOURIST RESORT PATRONISED BY OVER THREE MILLION VISITORS PER YEAR.

LAST YEAR ALONE, HONG KONG EARNED AN ESTIMATED \$13 700 MILLION FROM THE TOURIST TRADE.

+IT IS NOT UNCOMMON FOR BUSINESSES TO TAKE PAYMENTS IN FOREIGN CURRENCIES, A PRACTICE WHICH IS IN PRINCIPLE ENTIRELY ACCEPTABLE BUT TECHNICALLY UNLAWFUL UNDER THE EXISTING LAW.

+THEREFORE, THERE IS OBVIOUSLY A NEED TO LEGALISE THE POSITIONS OF THOSE WHO TAKE PAYMENT IN FOREIGN CURRENCIES ESPECIALLY SINCE THE GOVERNMENT HAS NOT FOR MANY YEARS RESOLUTELY ENFORCED THE PROHIBITION.+

MR BROWN SAID SOME STILL FELT THAT THE FREE CIRCULATION OF FOREIGN CURRENCIES MIGHT AFFECT CONFIDENCE IN THE HONG KONG DOLLAR.

+IF I BELIEVE THAT I WOULD ALSO BE WORRIED, BUT I DO NOT BELIEVE IT,+ HE SAID.

SINCE THE SIGNING OF THE SINO-BRITISH AGREEMENT, THE LOCAL CURRENCY HAD REMAINED STABLE AND WAS GROWING STRONGER EVERY DAY, A SITUATION WHICH WAS UNLIKELY TO BE ALTERED BY THE PASSAGE OF THIS BILL.

+IN ANY CASE, SHOULD HONG KONG, IN THE UNLIKELY EVENT, FACE ANOTHER CURRENCY CRISIS WHICH AMOUNTED TO A COLLAPSE IN THE CONFIDENCE OF THE HONG KONG DOLLAR, I VERY MUCH DOUBT THAT THE EXISTENCE OF THIS ORDINANCE COULD DO MUCH TO ALLEVIATE THE SITUATION,+ MR BROWN SAID.

IT CERTAINLY HAD LITTLE EFFECT ON THE 1983 CURRENCY CRISIS WHICH WAS ONLY DEFUSED BY PEGGING THE LOCAL CURRENCY TO THE U.S. DOLLAR.

+I AM SATISFIED THAT THERE ARE ADEQUATE SAFEGUARDS IN OUR MONETARY SYSTEM TO PROTECT THE STATUS OF THE HONG KONG DOLLAR WHICH WOULD, CONTRARY TO POPULAR BELIEF, REMAIN THE ONLY LEGAL TENDER OF THE TERRITORY EVEN AFTER THE REPEAL BILL IS PASSED BY THIS COUNCIL,+ HE SAID.

/HE SAID

HE SAID WITH THE RATIFICATION OF THE JOINT DECLARATION HONG KONG HAD OFFICIALLY ENTERED ITS TRANSITION PERIOD.

THE TIMING ELEMENT WHICH PROMPTED THIS COUNCIL TO DEFER THE PASSAGE OF THE BILL LAST YEAR NO LONGER APPLIED.

+I BELIEVE THIS IS THE RIGHT MOMENT FOR US TO OBJECTIVELY ASSESS THE LOGIC AND RATIONALE BEHIND THIS BILL AND IN MY OPINION THERE WILL NEVER BE A BETTER TIME THAN NOW TO DEAL WITH THIS PIECE OF OUTDATED LEGISLATION,+ HE CONCLUDED.

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'OUTDATED ORDINANCE SHOULD BE REPEALED'
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SINCE THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) ORDINANCE HAD ALREADY BECOME OUTDATED, IT WAS APPROPRIATE TO REPEAL IT NOW AS A MATTER OF PRINCIPLE AND FROM THE TECHNICAL POINT OF VIEW, THE HON ANDREW SO SAID TODAY (WEDNESDAY).

SPEAKING IN SUPPORT OF THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) (REPEAL) BILL AT THE LEGISLATIVE COUNCIL MEETING, MR SO SAID WE MUST THROW AWAY THAT WHICH WAS USELESS AND OUTDATED.

+HONG KONG IS A DYNAMIC SOCIETY AND A WORLD-RENOWNED FINANCIAL CENTRE. IN ORDER TO MAINTAIN ITS VITALITY AND ENHANCE ITS STATUS, CONSTANT ATTENTION HAS TO BE PAID TO 'KEEPING IT FIT',+ HE SAID.

SO HE WISHED TO KNOW HOW MANY OUTDATED BILLS THERE WERE IN HONG KONG.

+TWO MORE? ONE MORE?+ HE ASKED.

EARLIER IN HIS SPEECH, MR SO EXPLAINED THAT THE PURPOSE AND DETERRENT EFFECT OF THE FOREIGN NOTES BILL ENACTED IN 1913 TO PROHIBIT THE CIRCULATION OF FOREIGN NOTES WERE NO LONGER APPLICABLE TO OUR PRESENT-DAY SOCIETY.

UNDER THIS BILL, ANY PERSON OTHER THAN A BANK OR A LICENSED MONEY CHANGER WHO WAS FOUND USING FOREIGN NOTES WOULD BE PROSECUTED.

THE MAXIMUM FINE WAS \$25 AND THE FOREIGN NOTES USED WOULD BE CONFISCATED.

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UPDATING OF NOTES ORDINANCE URGED
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IT HAD YET TO BE PROVED BEYOND ALL DOUBT THAT THE 72-YEAR-OLD FOREIGN NOTES (PROHIBITION OF CIRCULATION) ORDINANCE HAD OUTLIVED ITS USEFULNESS.

THIS WAS SAID BY THE HON STEPHEN CHEONG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) WHEN HE OPPOSED THE MOTION DURING THE RESUMED DEBATE ON THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) (REPEAL) BILL 1984.

MR CHEONG SAID IF WE CARED TO CAST OUR MEMORIES BACK TO SEPTEMBER 1983, WE SHOULD BE ABLE TO RECALL THAT THE ADMINISTRATION DID DRAW THE PUBLIC'S ATTENTION TO THE EXISTENCE OF THE ORDINANCE.

IN THE MIDST OF A SEVERE LOSS OF CONFIDENCE IN HONG KONG, THERE WERE WIDESPREAD RUMOURS THAT SOME SHOPKEEPERS HERE HAD LOST TOTAL CONFIDENCE IN OUR CURRENCY AND WERE DEMANDING U.S. CURRENCY AS PAYMENT FOR GOODS OR SERVICES RENDERED.

+THE GOVERNMENT HAD TO DO SOMETHING TO AVERT A POTENTIALLY DISASTROUS SITUATION,+ HE SAID.

+THE ACT OF WIDELY PUBLICISING THE EXISTENCE OF THE ORDINANCE DID HAVE A POSITIVE EFFECT IN STABILISING THE THEN CHAOTIC SITUATION.

+HOWEVER ANTIQUATED THE ORDINANCE MIGHT BE, IT DID SERVE SOME USEFUL PURPOSE.

+WHY THEN SHOULD WE CHOOSE TO DISCARD IT TOTALLY NOW?

+COULD WE NOT UPDATE THE ORDINANCE RATHER THAN THROW IT OUT ALTOGETHER?+

IF THE SOLE OBJECTIVE OF REPEALING THE ORDINANCE WAS TO CORRECT A PRESENT DAY ANOMALY SO AS TO LEGALISE THE CURRENT PRACTICE ADOPTED BY THOSE INVOLVED IN THE TOURIST TRADE OR TRADES INVOLVING FOREIGN CURRENCIES, SHOULD THE SOLUTION NOT LIE IN SO AMENDING THE ORDINANCE AS TO CORRECT THE ANOMALY WHILE PRESERVING THE SPIRIT OF THE ORDINANCE IN QUESTION? HE ASKED.

MR CHEONG SAID HE BELIEVED THE SPIRIT OF THE ORDINANCE WAS TO PROMOTE AND ESTABLISH WITHIN OUR COMMUNITY THE RIGHTFUL RECOGNITION OF THE IMPORTANCE OF OUR CURRENCY.

IF THIS ORDINANCE WAS REPEALED, HE WAS MOST CONCERNED THAT IT MIGHT BE MISREAD THAT THE ADMINISTRATION WOULD, BY CONDONING A TOTALLY FREE CIRCULATION OF FOREIGN CURRENCIES WITHIN OUR COMMUNITY, UNWITTINGLY SOW THE SEEDS OF WEAKENING THE SIGNIFICANCE OF OUR CURRENCY.

/+ONE MAY

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+ONE MAY ASK, WHAT IS TO STOP SHOPKEEPERS AT SOME POINT IN TIME IN FUTURE FROM DEMANDING FROM OUR CITIZENS FOREIGN CURRENCIES FOR WHATEVER SERVICES ARE RENDERED?

+HOW WOULD MEMBERS OF THE PUBLIC DEAL WITH SUPER-MARKETS THAT ONLY ACCEPT U.S. DOLLARS FOR DAILY GROCERIES OR THE SNACK SHOP ROUND THE CORNER DEMANDING STERLING FOR THE OCCASIONAL BOWL OF NOODLES?

+I AM TOLD THAT UNDER THOSE CIRCUMSTANCES THE OPTIONS OPEN TO THE PUBLIC WOULD BE EITHER TO SWITCH TO ANOTHER SUPERMARKET OR ANOTHER SNACK SHOP OR TO GO TO THE BANK AND EXCHANGE HK DOLLARS FOR U.S. DOLLARS OR STERLING BEFORE SUCH NEEDS CAN BE MET.

+UNFORTUNATELY, IF AND WHEN THERE IS ANOTHER CONFIDENCE CRISIS ON OUR CURRENCY, BOTH OPTIONS WOULD BE NON-OPTIONS,+ HE SAID.

MR CHEONG SAID IT MIGHT BE ARGUED THAT IF A SERIOUS EROSION OF CONFIDENCE IN THE VALUE OF THE HONG KONG DOLLAR OCCURRED RETENTION OF THIS ORDINANCE ALONE COULD NOT PREVENT WHOLESALE PERSISTENT PANIC ACTIONS TAKEN BY OUR PEOPLE THAT WOULD PRECIPITATE A POSSIBLE COLLAPSE OF OUR SYSTEMS.

THIS WAS TRUE, BUT IT WAS EQUALLY TRUE TO SAY THAT CONFIDENCE WAS A DELICATE AND SOMETIMES IRRATIONAL PSYCHOLOGICAL PHENOMENA.

VERY OFTEN, UNDESIRABLE EFFECTS ON CONFIDENCE COULD BE TRIGGERED OFF BY RUMOURS; AND IN A LOT OF CASES, IN ORDER TO COUNTER THE EVILS OF RUMOUR, A MECHANISM WAS NEEDED TO PROVIDE SOME BREATHING SPACE TO DEFUSE A POTENTIALLY DISASTROUS SITUATION.

THE USE OF THE ORDINANCE BY THE ADMINISTRATION IN 1983 SUCCESSFULLY SERVED TO ILLUSTRATE THIS POINT VIVIDLY, HE SAID.

+THE ORDINANCE, WITHOUT ANY TEETH THEN, WAS PROVEN TO BE A USEFUL MECHANISM TO PROVIDE THE MUCH-NEEDED BREATHING SPACE.

+SO FAR NO ARGUMENT FORWARDED BY THE ADMINISTRATION IS CONVINCING ENOUGH TO JUSTIFY THAT THIS ORDINANCE NEEDS TO BE THROWN OUT ALTOGETHER.

+I SUBMIT THAT TO UPDATE THE ORDINANCE IS PERHAPS THE MORE ADVISABLE ALTERNATIVE,+ MR CHEONG SAID.

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'REPEAL OF FOREIGN NOTES BILL TIMELY'

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REPEAL OF THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) ORDINANCE IS TIMELY, THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, SAID TODAY (WEDNESDAY).

CONCLUDING THE RESUMED DEBATE ON THE SECOND READING OF THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) (REPEAL) BILL 1984, MR JACOBS THANKED THE HON BILL BROWN AND THE HON ANDREW SO FOR THEIR SUPPORT.

+AND MR BROWN HAS SAID THAT THE ORDINANCE HAD LITTLE EFFECT IN THE 1983 CURRENCY CRISIS.

+I AGREE WITH HIS VIEW IN WHICH RESPECT I THINK MR CHEONG IS OVER-STATING THE VALUE OF THIS ORDINANCE AT THAT TIME.

+BUT APART FROM THIS I BELIEVE THE ALTERNATIVE COURSE SUGGESTED BY MR CHEONG OF UPDATING THE ORDINANCE WOULD PRESENT VERY CONSIDERABLE PRACTICAL DIFFICULTIES PARTICULARLY IN RELATION TO THE ENFORCEMENT OF THE PROVISIONS OF THE AMENDED LEGISLATION,+ HE SAID.

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REQUIREMENTS ON BANKS UNDER REVIEW

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A REVIEW OF REQUIREMENTS PLACED ON BANKS AND DEPOSIT-TAKING COMPANIES WAS EXPECTED TO BE FINISHED BY THE END OF THE SUMMER, AND RECOMMENDATIONS WOULD THEN BE PRESENTED TO THE EXECUTIVE COUNCIL, THE FINANCIAL SECRETARY, THE HON PIERS JACOBS SAID TODAY.

REPLYING TO A QUESTION BY THE HON ANDREW SO ON GOVERNMENT PLANS FOR BETTER SUPERVISION OF BANKS, MR JACOBS SAID THAT THERE WAS NO DOUBT SOME CHANGES WERE NEEDED IN THE REQUIREMENTS PLACED ON BANKS AND DEPOSIT-TAKING COMPANIES.

THE REVIEW OF THOSE REQUIREMENTS HAD ADVANCED TO THE STAGE OF CONSULTATIONS WITH THE BANKING ADVISORY COMMITTEE AND THE DEPOSIT-TAKING COMPANIES ADVISORY COMMITTEE.

+WORK IS IN HAND IN THE LIGHT OF THESE CONSULTATIONS AND WE HOPE THAT THE REVIEW WILL BE FINISHED BY THE END OF THE SUMMER SO THAT RECOMMENDATIONS MAY THEN BE PRESENTED TO EXECUTIVE COUNCIL,+ MR JACOBS SAID.

MR JACOBS SAID THAT WHILE EXISTING LEGISLATION ALREADY GAVE WIDE RANGING POWERS TO THE BANKING COMMISSIONER, THE PROCESS OF SUPERVISION WAS, AND HAD TO BE, SUBJECT TO CONTINUOUS EXAMINATION AND IMPROVEMENT SO THAT IT WAS CAPABLE OF MATCHING DEVELOPMENTS IN THE BANKING AND DEPOSIT-TAKING SECTORS.

/HE ADDED

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HE ADDED THAT THE REVIEW WOULD TAKE INTO ACCOUNT ANY LESSONS TO BE LEARNT FROM RECENT EVENTS AND, IN PARTICULAR, POINTS MADE BY LEGISLATIVE COUNCIL MEMBERS DURING THE DEBATE ON JUNE 7.

MR JACOBS ALSO RECALLED THAT SIR JOHN BREMRIDGE HAD INFORMED THE COUNCIL ON FEBRUARY 27, WHEN MOVING THE APPROPRIATION BILL 1985, THAT A REVIEW OF PRUDENTIAL SUPERVISION OF BANKING IN HONG KONG WAS BEING CARRIED OUT FOLLOWING THE EXAMINATION OF A REPORT BY A TEAM FROM THE BANK OF ENGLAND CONCERNING THE EXISTING SYSTEM.

IN REPLY TO ANOTHER QUESTION BY MR SO, MR JACOBS SAID THAT ARGUMENTS FOR AND AGAINST THE ESTABLISHMENT OF A DEPOSIT INSURANCE SCHEME WERE BEING STUDIED YET AGAIN.

AND THE MATTER WOULD BE DISCUSSED WITH THE BANKING ADVISORY COMMITTEE AND THE DEPOSIT-TAKING ADVISORY COMMITTEE LATER THIS YEAR, HE ADDED.

MR JACOBS RECALLED THAT THE SUBJECT OF SUCH A DEPOSIT INSURANCE SCHEME HAD BEEN AIRED ON A NUMBER OF OCCASIONS.

THE MATTER HAD ALSO BEEN BROUGHT UP BY SIR JOHN BREMRIDGE DURING THE PASSAGE OF THE OVERSEAS TRUST BANK (ACQUISITION) ORDINANCE ON JUNE 7, WHEN HE POINTED OUT THAT THERE WERE ARGUMENTS BOTH FOR AND AGAINST SUCH A SCHEME, MR JACOBS SAID.

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STEPS BEING TAKEN AGAINST PROTECTIONISM
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HONG KONG IS CONCENTRATING ITS EFFORTS ON ATTEMPTS TO REDUCE SUPPORT FOR THE THURMOND-JENKINS BILL, THE MOST IMMEDIATE THREAT TO OUR TRADE, THE SECRETARY FOR TRADE AND INDUSTRY, THE HON HARNAM GREWAL, SAID TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON STEPHEN CHEONG, HE SAID THAT TWO STEPS WERE BEING TAKEN TO COUNTER THE GROWING TIDE OF PROTECTIONISM IN THE UNITED STATES.

FIRST, HONG KONG SOUGHT WITH SOME SUCCESS TO ENCOURAGE AND LIAISE WITH DOMESTIC U.S. INTERESTS WHICH WOULD BE AFFECTED BY INCREASED U.S. PROTECTIONISM THROUGH REDUCED IMPORTS OR THROUGH REDUCED EXPORT OPPORTUNITIES TO MANY COUNTRIES AFFECTED BY SUCH MEASURES.

+A MAJOR EFFORT IS BEING MOUNTED TO ACTIVATE MULTINATIONAL CORPORATIONS THROUGH THEIR BRANCHES IN HONG KONG BY DRAWING ATTENTION TO THE DAMAGING EFFECTS OF THE BILL,+ MR GREWAL SAID.

/+ AT THE

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+AT THE SAME TIME, KEY MAJOR COMPANIES IN HONG KONG ARE BEING URGED TO INFLUENCE THE SITUATION THROUGH THEIR LOBBYISTS AND HIGH-LEVEL CONTACTS IN THE UNITED STATES.

+HONG KONG ALSO MAINTAINS DIRECT COMMUNICATIONS WITH KEY U.S. OFFICIALS AND POLITICIANS. AS A MATTER OF FACT, MR ERIC HO WAS IN WASHINGTON LAST WEEK TO SEE SENIOR OFFICIALS AND MEMBERS OF THE CONGRESS WITH A VIEW TO INFLUENCING THEIR THINKING. IN ALL THIS THE ACTIVITIES OF OUR TWO LOBBYISTS AND OUR OFFICES IN NEW YORK AND WASHINGTON ARE CRUCIAL,+ HE ADDED.

SECONDLY, HONG KONG PARTICIPATED ACTIVELY IN INTERNATIONAL EFFORTS TO STEM THE TIDE, THE LATEST MANIFESTATION OF WHICH WAS A JOINT STATEMENT BY THE DEVELOPING COUNTRIES AT THE GATT COUNCIL MEETING ON JUNE 5, CONDEMNING THE THURMOND-JENKINS BILL AS PRESSURE TACTICS APPLIED BY UNITED STATES DOMESTIC TEXTILE INTERESTS ON THE EVE OF MULTILATERAL NEGOTIATIONS, IN DIRECT CONTRADICTION WITH UNITED STATES' COMMITMENTS UNDER THE MULTIFIBRE ARRANGEMENT, THE BILATERAL AGREEMENTS AND THE GATT MINISTERIAL DECLARATION.

AS REGARD THE INCREASE IN THE STRENGTH AND EFFECTIVENESS OF HONG KONG'S REPRESENTATIVE OFFICE IN WASHINGTON, MR GREWAL SAID THAT ARRANGEMENTS WERE IN HAND TO AUGMENT THE WASHINGTON OFFICE AT APPROPRIATE LEVEL.

+THE PRINCIPAL DIFFICULTY IN THE WAY OF PROVIDING ADDITIONAL STAFF HAS BEEN A SHORTAGE OF FUNDS AS NO PROVISION WAS MADE IN THE CURRENT ESTIMATES.

+HOWEVER, SAVINGS ARE ANTICIPATED ELSEWHERE WHICH SHOULD ENABLE THE NECESSARY STAFF TO BE PROVIDED,+ HE SAID.

+AS AN INTERIM MEASURE, THE POSSIBILITY OF PROVIDING RELIEF THROUGH REDEPLOYMENT OF EXISTING RESOURCES FROM OTHER OFFICES IS BEING EXAMINED WITH A VIEW TO POSTING STAFF TO WASHINGTON AS SOON AS THIS CAN BE ARRANGED,+ HE ADDED.

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ASSISTANCE SCHEME AT ADVANCED PLANNING STAGE

A PROPOSED SCHEME TO MAKE EX-GRATIA PAYMENTS FROM THE TRAFFIC ACCIDENT VICTIMS ASSISTANCE SCHEME - TAVAS - TO ROAD ACCIDENT VICTIMS DEPRIVED OF LEGAL REDRESS FOLLOWING THE COLLAPSE OF INSURANCE FIRMS HAD REACHED AN ADVANCED STAGE OF PLANNING, THE SECRETARY FOR ECONOMIC SERVICES, THE HON GERRY HIGGINSON, SAID TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY DR THE HON HO KAM-FAI CONCERNING THE PROGRESS OF THE SCHEME, MR HIGGINSON SAID THAT THE ADVICE OF THE TRAFFIC ACCIDENT VICTIMS ASSISTANCE ADVISORY COMMITTEE WOULD BE SOUGHT IN THE NEAR FUTURE ON THE MERITS OF THE PROPOSAL BEFORE THE MATTER WAS SUBMITTED TO THE EXECUTIVE COUNCIL.

MR HIGGINSON SAID THAT SINCE 1980 FIVE MOTOR VEHICLE INSURANCE COMPANIES HAD BECOME INSOLVENT AND THE FAILURE TO PROVIDE INDEMNITY CAUSED CONSIDERABLE HARDSHIP FOR PEOPLE INJURED IN ACCIDENTS INVOLVING VEHICLES INSURED WITH THESE COMPANIES.

+IMMEDIATE FINANCIAL RELIEF FOR THOSE AFFECTED WAS, OF COURSE, MADE AVAILABLE THROUGH THE PROVISIONS OF THE EXISTING TRAFFIC ACCIDENT VICTIMS ASSISTANCE SCHEME, KNOWN AS TAVAS,+ HE SAID.

AS MANY OF THE VICTIMS WERE UNABLE TO RECEIVE ADEQUATE COMPENSATION FROM THE INSOLVENT COMPANIES, CONSIDERATION HAD BEEN GIVEN TO SEE WHAT COULD BE DONE TO HELP THEM WITHOUT IMPOSING AN ADDITIONAL OR AN UNACCEPTABLE BURDEN ON THE GENERAL TAXPAYER, HE ADDED.

MR HIGGINSON EMPHASISED THAT THE PROPOSAL BEING WORKED UP WAS LIMITED TO THOSE WHO HAVE BEEN ADVERSELY AFFECTED BY THE INSOLVENCY OF THE FIVE INSURANCE COMPANIES.

ON ANY POSSIBLE FUTURE INSOLVENCIES, HE SAID, GOVERNMENT HAS ENTERED INTO A PROVISIONAL AGREEMENT WITH THE MOTOR INSURERS' BUREAU OF HONG KONG TO PROVIDE FOR THE BUREAU TO OPERATE AN INSOLVENCY FUND SCHEME TO COVER THIRD PARTY DEATH OR BODILY INJURY CLAIMS AGAINST INSOLVENT INSURERS.

RIVER WATER REGULARLY MONITORED

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THE WATER QUALITY OF THE FOUR PRINCIPAL RIVERS DISCHARGING INTO TOLO HARBOUR WAS REGULARLY MONITORED BY THE ENVIRONMENTAL PROTECTION AGENCY, AND COMPREHENSIVE SURVEYS COVERING MINOR RIVERS AND STREAMS IN THE TOLO HARBOUR AND CHANNEL WATER CONTROL ZONE WERE CARRIED OUT FROM TIME TO TIME, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS TOLD THE LEGISLATIVE COUNCIL TODAY.

SPEAKING IN REPLY TO A QUESTION BY THE HON ANDREW SO, MR CHAMBERS QUOTED THE MOST RECENT SURVEY, COMPLETED IN 1982, COVERING ALL THE 30 STREAMS AROUND TOLO HARBOUR.

THE WATER QUALITY AT 22 PER CENT OF THE SAMPLING POINTS WAS FOUND TO BE 'GOOD', 35 PER CENT 'MEDIUM' AND 43 PER CENT 'BAD', HE SAID.

+THIS IS NOTHING TO BE PROUD OF, BUT COMPARES QUITE FAVOURABLY WITH THE AVERAGE FOR THE NEW TERRITORIES, WHICH SHOWED THAT ONLY 15 PER CENT OF THE SAMPLING POINTS HAD 'GOOD' OR 'EXCELLENT' WATER QUALITY AND 67 PER CENT 'BAD' OR 'VERY BAD',+ HE SAID.

MR CHAMBERS SAID THAT THERE WAS NO EVIDENCE THAT THE SITUATION HAD CHANGED SIGNIFICANTLY SINCE THE SURVEY WAS COMPLETED.

HOWEVER, MR CHAMBERS POINTED OUT THAT REGULAR MONITORING OF THE LAM TSUEN RIVER, TAI PO RIVER, FO TAN NULLAH AND SHING MUN RIVER INDICATED THAT THEY WERE SUBJECT TO SEASONAL FLUCTUATIONS, WITH HIGHER LEVELS OF POLLUTION DURING THE DRY WINTER MONTHS AND LOWER LEVELS IN SUMMER, WHEN ABUNDANT RAINFALL DILUTED AND FLUSHED AWAY THE POLLUTANT LOADS.

HE SAID THAT SINCE 1981, THE WATER QUALITY OF THE LAM TSUEN RIVER HAD IMPROVED FROM BEING CONSISTENTLY 'VERY BAD' TO 'GOOD' OR 'EXCELLENT', AT LEAST IN THE WET SEASON.

+THIS IS DUE TO THE REPLACEMENT IN THE LOWER CATCHMENT AREA OF HEAVILY POLLUTING SMALL FACTORIES, UNSEWERED HOUSES AND LIVESTOCK INDUSTRIES BY PLANNED URBAN DEVELOPMENT WITH PROPER SEWERAGE,+ HE SAID.

OVER THIS PERIOD THE OTHER THREE RIVERS, ORIGINALLY CLASSIFIED 'GOOD' OR 'MEDIUM', HAD NOT IMPROVED, HE SAID.

IN THE CASE OF THE FO TAN NULLAH AND SHING MUN RIVER, MR CHAMBERS SAID THAT THERE WAS SOME EVIDENCE OF A DETERIORATING TREND, PROBABLY DUE TO CONNECTIONS OF INDUSTRIAL EFFLUENTS TO THE SURFACE WATER DRAINAGE SYSTEM.

/HE SAID

HE SAID THAT ABOUT 25 PER CENT OF THE TOTAL POLLUTION LOAD ON TOLO HARBOUR CAME FROM INDUSTRY, 48 PER CENT FROM AGRICULTURE, AND 27 PER CENT FROM DOMESTIC SOURCES IN AREAS NOT SERVED BY THE SEWERAGE SYSTEM.

MR CHAMBERS ALSO TOLD THE COUNCIL THAT IN VIEW OF ITS USE FOR RECREATIONAL PURPOSES, THE BACTERIAL QUALITY OF THE SHING MUN RIVER HAD BEEN CAREFULLY ASSESSED BY THE ENVIRONMENTAL PROTECTION AGENCY.

+THE STATE OF THE LOWER SHING MUN RIVER IS DEFINITELY UNACCEPTABLE,+ HE SAID, AND THEREFORE, SWIMMING WAS DEFINITELY NOT RECOMMENDED.

HE ADMITTED THAT THE CONTINUATION AND INTENSIFICATION OF THE GOVERNMENT'S EFFORTS ON POLLUTION CONTROL IN THIS AREA WAS VITALLY IMPORTANT.

+DISTRICT WORKING GROUPS HAVE BEEN ESTABLISHED IN SHA TIN AND TAI PO AND ACTION IS IN HAND TO IMPROVE THE MAIN RIVERS BY THE CONTROL OF POLLUTION DISCHARGES AS WELL AS SUCH REMEDIAL MEASURES AS DESILTING, REFUSE CLEARANCE AND IMPROVEMENTS TO THE FLOW,+ HE SAID.

IN ADDITION, THE DRAFT WATER POLLUTION CONTROL (GENERAL) REGULATIONS, WHICH HAD RECENTLY BEEN GAZETTED FOR PUBLIC INFORMATION AND COMMENT, WERE INTENDED TO ENABLE INDUSTRIAL POLLUTION TO BE CONTAINED IN THE SHORT TERM AND IMPROVED IN THE LONGER TERM, HE SAID.

+SEPARATE MEASURES ARE ALSO BEING DEVELOPED TO DEAL WITH THE PROBLEMS OF AGRICULTURAL AND TOXIC INDUSTRIAL WASTES,+ HE ADDED.

IT WAS INTENDED THAT THESE LEGISLATIVE MEASURES, TOGETHER WITH THE EXTENSION OF THE SEWERAGE NETWORKS, SHOULD LEAD TO A REDUCTION OF THE OVERALL POLLUTION LOAD IN THE AREA, MR CHAMBERS CONCLUDED.

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TAX WRITTEN OFF

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TAX WRITTEN OFF AS IRRECOVERABLE IN THE FINANCIAL YEAR 1984-85 AMOUNTED TO \$27.46 MILLION, THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, SAID TODAY.

IN THE THREE PRECEDING FINANCIAL YEARS, THE AMOUNTS WRITTEN OFF WERE \$10.22 MILLION, \$7.51 MILLION, AND \$12.14 MILLION RESPECTIVELY, HE SAID.

MR JACOBS EXPLAINED THAT TAX ASSESSED IN ANY FINANCIAL YEAR WOULD NOT NORMALLY BE CONSIDERED AS IRRECOVERABLE UNTIL ALL POSSIBLE RECOVERY PROCEDURES HAD BEEN PURSUED.

HE WAS REPLYING TO A QUESTION BY THE HON RITA FAN.

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WEDNESDAY, JUNE 26, 1985

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CONTROL OF PRIVATE BILLIARD CLUBS STUDIED
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THE SECRETARY FOR MUNICIPAL SERVICES WAS LOOKING INTO THE COMPLEX ISSUES INVOLVED IN DETERMINING WHETHER AND HOW SOME MEASURE OF CONTROL SHOULD BE INTRODUCED OVER THE OPERATION OF BILLIARD CENTRES BY SO-CALLED PRIVATE CLUBS, THE CHIEF SECRETARY, THE HON SIR DAVID AKERS-JONES, SAID TODAY.

SIR DAVID HAD EARLIER SAID, IN REPLY TO A QUESTION BY THE HON PAULINE NG IN THE LEGISLATIVE COUNCIL, THAT THE GOVERNMENT DID NOT EXERCISE SUPERVISION OVER THE OPERATION OF BILLIARD CENTRES RUN BY PRIVATE CLUBS.

NOR DID THE LICENSING CONDITIONS APPLICABLE TO PUBLIC CENTRES APPLY TO PRIVATE CLUBS.

MRS NG HAD ASKED ABOUT SUPERVISION OVER BILLIARD CENTRES RUN BY PRIVATE CLUBS, AND ABOUT SAFEGUARDS TO ENSURE THAT +SO-CALLED PRIVATE CLUBS+ WERE NOT BEING USED TO CIRCUMVENT THE LICENSING CONDITIONS APPLICABLE TO PUBLIC BILLIARD CENTRES.

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TWO BANK BILLS GET SECOND READINGS
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A BILL PROVIDING FOR THE TRANSFER OF THE UNDERTAKING OF THE ROYAL BANK OF SCOTLAND PUBLIC LIMITED COMPANY TO THE ROYAL BANK OF SCOTLAND GROUP PUBLIC LIMITED COMPANY WAS GIVEN ITS SECOND READING IN THE LEGISLATIVE COUNCIL TODAY.

SENIOR MEMBER THE HON SIR ROGER LOBO, SAID THE ROYAL BANK OF SCOTLAND, A UNITED KINGDOM-RECOGNISED BANK AND A LICENSED BANK IN HONG KONG, PROPOSED TO MERGE ITS WORLDWIDE BUSINESS WITH THAT OF WILLIAMS AND GLYN'S BANK, ALSO A UNITED KINGDOM-RECOGNISED BANK, BUT WITH NO BANKING BUSINESS IN HONG KONG.

+BOTH THE ROYAL BANK OF SCOTLAND AND THE WILLIAMS AND GLYN'S BANK ARE EXISTING SUBSIDIARIES OF THE ROYAL BANK OF SCOTLAND GROUP AND IT IS PROPOSED TO EFFECT THE MERGER BY THE TRANSFER OF THE BUSINESSES OF THE TWO BANKS TO A THIRD SUBSIDIARY OF THE SAME GROUP, RBSG PLC - THE NEW BANK,+ SIR ROGER SAID.

HE SAID LEGISLATION WAS BEING PROMOTED IN THE UNITED KINGDOM TO EFFECT THE MERGER THERE AND THE PURPOSE OF THE PRESENT BILL WAS TO EFFECT THE TRANSFER OF THE ROYAL BANK OF SCOTLAND'S HONG KONG BUSINESS TO THE NEW BANK.

/WHEN THE

WHEN THE MERGER TOOK PLACE, HE SAID, THE NEW BANK WOULD TAKE OVER THE NAME +THE ROYAL BANK OF SCOTLAND PLC+ FROM THE PRESENT ROYAL BANK OF SCOTLAND. THERE WOULD, THEREFORE, BE NO EFFECTIVE CHANGE IN THE NAME UNDER WHICH THE HONG KONG BANKING BUSINESS TRANSFERRED FROM THE EXISTING ROYAL BANK OF SCOTLAND TO THE NEW BANK WAS CARRIED ON.

+BY EFFECTING THE MERGER IN HONG KONG BY WAY OF LEGISLATION RATHER THAN BY OTHER MEANS, SUBSTANTIAL COST AND TIME SAVINGS WILL BE MADE TO THE BENEFIT OF THE HONG KONG CUSTOMERS OF THE ROYAL BANK OF SCOTLAND,+ SIR ROGER SAID.

THE SECOND READING WAS ALSO GIVEN TO THE LLOYDS BANK (MERGER) BILL.

THE HON W.C.L. BROWN SAID THE PURPOSE OF THE BILL WAS TO MAKE PROVISION IN HONG KONG FOR THE FUSION OF THE UNDERTAKING OF LLOYDS BANK PLC AND THAT OF LLOYDS BANK INTERNATIONAL LIMITED.

LLOYDS BANK INTERNATIONAL LIMITED WAS A BANK LICENSED UNDER THE BANKING ORDINANCE AND WAS A WHOLLY OWNED SUBSIDIARY OF LLOYDS BANK PLC, MR BROWN SAID.

BOTH COMPANIES WERE INCORPORATED IN ENGLAND.

+THE DECISION TO MERGE LLOYDS BANK PLC AND LLOYDS BANK INTERNATIONAL LIMITED WAS TAKEN SOME WHILE AGO IN LONDON,+ HE SAID.

IN ACCORDANCE WITH NORMAL PRACTICE, IT WAS DECIDED THAT THE MERGER SHOULD BE EFFECTED BY AN ACT OF THE UNITED KINGDOM PARLIAMENT.

THIS ACT HAD SUBSEQUENTLY BEEN PASSED AS THE LLOYDS BANK (MERGER) ACT 1985.

CONSEQUENTLY, LEGAL ADVICE WAS TAKEN IN ALL THE COUNTRIES IN WHICH LLOYDS BANK INTERNATIONAL LIMITED OPERATED AS TO THE EFFECT OF THE LLOYDS BANK (MERGER) ACT 1985.

IN HONG KONG, THE ADVICE WAS THAT IT WAS BY NO MEANS CERTAIN THAT IT WOULD BE EFFECTIVE TO VEST ALL THE RIGHTS AND LIABILITIES OF LLOYDS BANK INTERNATIONAL LIMITED IN LLOYDS BANK PLC AND IT WAS THEREFORE SUGGESTED THAT A HONG KONG ORDINANCE SHOULD BE ENACTED IN SUBSTANTIALLY THE SAME TERMS AS THE UK ACT.

+THE BILL LAID BEFORE THIS COUNCIL SEEKS TO GIVE LEGISLATIVE EFFECTS TO THIS PROPOSAL,+ MR BROWN SAID.

HE SAID THE BILL, IF ENACTED, WOULD BE, IN ALL MATERIAL RESPECTS, IDENTICAL WITH THE UNITED KINGDOM LLOYDS BANK (MERGER) ACT 1985.

DEBATE ON THE BILLS, BOTH UNOFFICIAL MEMBER'S BILLS, WAS ADJOURNED.

WEDNESDAY, JUNE 26, 1985

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FOUR BILLS PASSED
* * *

FOUR BILLS, THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) BILL 1985, THE FOREIGN NOTES (PROHIBITION OF CIRCULATION)(REPEAL) BILL 1984, THE FOREIGN JUDGEMENTS (RESTRICTION ON RECOGNITION AND ENFORCEMENT) BILL 1985 AND THE DANGEROUS GOODS (CONSIGNMENT BY AIR)(SAFETY) BILL 1985 WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY.

FIVE BILLS, INCLUDING TWO UNOFFICIAL MEMBER'S BILLS, WERE INTRODUCED AND READ A SECOND TIME AND DEBATE ON THEM WAS ADJOURNED.

THEY ARE THE REGIONAL COUNCIL BILL 1985, THE ELECTIONS (MISCELLANEOUS AMENDMENTS) BILL 1985, THE CUSTOMS AND EXCISE SERVICE (AMENDMENT) BILL 1985, THE ROYAL BANK OF SCOTLAND BILL 1985 AND THE LLOYDS BANK (MERGER) BILL 1985.

THE MEETING WAS ADJOURNED TO JULY 10.

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WEDNESDAY, JUNE 26, 1985

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FIRST MEETING DATE SET
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THE BRITISH AND CHINESE GOVERNMENTS HAVE AGREED THAT THE FIRST MEETING OF THE SINO-BRITISH LAND COMMISSION WILL TAKE PLACE IN HONG KONG BETWEEN JULY 10-12, 1985.

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FINANCE COMMITTEE APPROVES MTRC EQUITY INJECTION
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THE FINANCE COMMITTEE TODAY (WEDNESDAY) ACCEPTED A FINANCIAL COMMITMENT OF \$2 500 MILLION IN EQUITY INJECTIONS FOR THE MASS TRANSIT RAILWAY CORPORATION OVER THE NEXT THREE YEARS.

THE COMMITTEE ALSO APPROVED A FURTHER POSSIBLE COMMITMENT OF UP TO \$2 500 MILLION IN EQUITY INJECTIONS TO BE MADE ON OR AFTER THE END OF 1989.

OF THE INITIAL \$2 500 MILLION THE FINANCE COMMITTEE GAVE THE GO AHEAD FOR THE TRANSFER OF \$1 500 MILLION TO THE MASS TRANSIT FUND SO THAT THE FIRST EQUITY INJECTION COULD BE MADE DURING THE CURRENT FINANCIAL YEAR.

IN APPROVING THE EQUITY INJECTIONS THE FINANCE COMMITTEE NOTED THAT THE MTRC WOULD ISSUE TO THE GOVERNMENT \$5 000 MILLION IN ORDINARY SHARES, \$1 500 MILLION BY THE END OF THIS YEAR AND \$1 000 MILLION BY THE END OF MARCH 1988.

UP TO \$2 500 MILLION MAY BE PAYABLE ON OR AFTER THE END OF DECEMBER 1989, SUBJECT TO THE MTRC'S CASH FLOW REQUIREMENTS AND THE AGREEMENT OF THE GOVERNMENT.

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WEDNESDAY, JUNE 26, 1985

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HONORARIA FOR PROVISIONAL REGIONAL COUNCIL MEMBERS
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THE FINANCE COMMITTEE TODAY APPROVED PROPOSED RATES OF HONORARIUM AND OFFICE RENT ALLOWANCE FOR MEMBERS OF THE PROVISIONAL REGIONAL COUNCIL, ESTIMATED TO BE ABOUT \$2.6 MILLION FOR THE CURRENT FINANCIAL YEAR.

TO ENABLE MEMBERS OF THE COUNCIL TO CARRY OUT THEIR DUTIES, EACH MEMBER MAY CLAIM UP TO \$7 000 A MONTH IN HONORARIUM AND THE CHAIRMAN AND VICE-CHAIRMAN \$28 000 AND \$14 000 RESPECTIVELY. THEY ARE ALSO ENTITLED TO CLAIM AN OFFICE RENT ALLOWANCE OF UP TO \$1 750 A MONTH.

THE HONORARIUM IS INTENDED TO COVER SECRETARIAL, CLERICAL, TRAVELLING, ENTERTAINMENT, AND OTHER EXPENSES. THE OFFICE RENT ALLOWANCE WILL ENABLE MEMBERS TO RENT OFFICE ACCOMMODATION FOR COUNCIL WORK. PAYMENT OF THESE ALLOWANCES IS INTENDED TO ENSURE THAT THE LESS WELL-TO-DO COUNCIL MEMBERS WILL BE ABLE TO FUNCTION EFFECTIVELY WITHOUT UNDUE FINANCIAL CONSTRAINTS.

THE HIGHER RATES FOR THE CHAIRMAN AND VICE-CHAIRMAN ARE IN RECOGNITION OF THE ADDITIONAL RESPONSIBILITIES WHICH WILL BE BORNE BY THEM.

PROVISION FOR THIS EXPENDITURE HAS BEEN INCLUDED IN THE 1985-86 ESTIMATES OF THE REGIONAL SERVICES DEPARTMENT, WHICH IS THE EXECUTIVE ARM OF THE COUNCIL. HOWEVER IT WILL BE BORNE BY THE REGIONAL COUNCIL FROM APRIL NEXT YEAR WHEN IT BECOMES FINANCIALLY AUTONOMOUS.

IT MAY BE RECALLED THAT ON MAY 8, 1984 THE GOVERNOR-IN-COUNCIL ORDERED THAT A REGIONAL COUNCIL SHOULD BE SET UP ON APRIL 1, 1986 TO COVER THE AREA OUTSIDE THE JURISDICTION OF THE URBAN COUNCIL AND THAT A PROVISIONAL REGIONAL COUNCIL SHOULD BE ESTABLISHED ON APRIL 1, 1985 TO ALLOW WORKING EXPERIENCE TO BE GAINED BEFORE THE FULL COUNCIL COMES INTO BEING.

THE PROVISIONAL REGIONAL COUNCIL IS VESTED WITH THE FUNCTIONS OF ADVISING THE GOVERNOR ON THE PLANNING, INAUGURAL AND OPERATIONAL MATTERS RELATING TO THE ESTABLISHMENT OF THE REGIONAL COUNCIL, AND ON MATTERS RELATING TO PUBLIC HEALTH, SANITATION, HYGIENE, RECREATION AND CULTURE IN THE NON-URBAN AREAS.

THE PROVISIONAL REGIONAL COUNCIL CONSISTS OF 24 MEMBERS, OF WHOM 12 ARE APPOINTED BY THE GOVERNOR, NINE ARE ELECTED FROM AMONG MEMBERS OF EACH DISTRICT BOARD IN THE NON-URBAN AREAS, AND THREE ARE EX-OFFICIO MEMBERS, I.E. THE CHAIRMAN AND THE TWO VICE-CHAIRMEN OF THE HEUNG YEE KUK.

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WEDNESDAY, JUNE 26, 1985

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SWING SCHEME FOR U.S. MARKET ANNOUNCED
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THE TRADE DEPARTMENT TODAY (WEDNESDAY) ANNOUNCED THE OPERATION OF 1985 SWING SCHEME PHASE III STAGE II OF EXPORT OF RESTRAINED TEXTILES TO THE UNITED STATES WITH EFFECT FROM FRIDAY (JUNE 28).

SWING MARGIN AVAILABLE FOR APPLICATION IS AS FOLLOWS:

<u>CATEGORY</u>	<u>QUANTITY</u>
313	5 692 000 SYD
317	6 424 000 SYD
347 (FROM 348 ONLY)	(934 000 DOZ)
348 (FROM 347 ONLY)	(527 000 DOZ)
351	12 000 DOZ
369(1)	40 000 LB
605(1)	25 000 LB
633/634	9 000 DOZ
633/634 (FROM 635 ONLY)	(4 000 DOZ)
635	29 000 DOZ
635 (FROM 633/634 ONLY)	(142 000 DOZ)
636	6 000 DOZ
644	30 DOZ SET
647	5 000 DOZ
652	1 198 000 DOZ
659(2)	41 000 LB
436	5 000 DOZ
443	300 DOZ SET

A COMBINED FREE QUOTA/SWING SCHEME WILL ALSO BE OPERATED WITH EFFECT FROM THE SAME DATE.

/QUANTITIES AVAILABLE

WEDNESDAY, JUNE 26, 1985

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QUANTITIES AVAILABLE FOR APPLICATION EITHER AS SWING OR AS FREE QUOTA ARE AS FOLLOWS:

<u>CATEGORY</u>	<u>QUANTITY</u>
315	440 000 SYD
319	11 335 000 SYD
359(1)	269 000 LB
359(2)	388 000 LB
359(3)	1 371 000 LB
604	55 000 LB
659(1)	491 000 LB

THE DEPARTMENT SPOKESMAN SAID ALL APPLICATIONS UNDER THE ABOVE TWO SCHEMES WOULD BE CONSIDERED ON A DAY-BY-DAY BASIS.

A NOTICE TO EXPORTERS CONTAINING DETAILS OF THE SCHEMES IS BEING ISSUED AND COPIES OF THE NOTICE ARE ALSO AVAILABLE FROM THE U.S.A. SECTION OF THE TRADE DEPARTMENT, 15TH FLOOR, OCEAN CENTRE, CANTON ROAD, KOWLOON.

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5 195 LATE APPLICATIONS RECEIVED
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UP TO 4 PM TODAY (WEDNESDAY), 5 195 LATE APPLICATIONS FOR REGISTRATION AS ELECTORS IN THE LEGISLATIVE COUNCIL ELECTIONS HAVE BEEN RECEIVED. AS A RESULT OF THE EARLIER REGISTRATION EXERCISE, 34 531 ELECTORS HAVE ALREADY BEEN INCLUDED IN THE PROVISIONAL REGISTER PUBLISHED ON JUNE 21.

A STATISTICAL BREAKDOWN IS AS FOLLOWS:

	<u>ESTIMATED SIZE OF ELECTORATE</u>	<u>NUMBER OF ELECTORS ON PROVISIONAL REGISTER</u>	<u>LATE APPLICATIONS RECEIVED</u>
<u>ELECTORAL COLLEGE</u>	434	428	5

/FUNCTIONAL CONSTITUENCIES

FUNCTIONAL CONSTITUENCIES

COMMERCIAL I	2 300	681	512
COMMERCIAL II	5 175	1 730	819
INDUSTRIAL I	707	364	65
INDUSTRIAL II	2 219	913	229
FINANCIAL	141	119	8
LABOUR	390	285	9
SOCIAL SERVICES	155	129	12
MEDICAL	4 540	2 109	456
LEGAL	1 500	727	196
TEACHING	49 047	25 337	2 385
ENGINEERING, ARCHITECTURAL, SURVEYING AND PLANNING	2 500	1 709	499
<u>TOTAL</u>	<u>69 108</u>	<u>34 531</u>	<u>5 195</u>

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CONSUMER PRICE INDEXES FOR MAY
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THE CONSUMER PRICE INDEX (A) ROSE BY 3.2 PER CENT AND THE CONSUMER PRICE INDEX (B) BY 3.6 PER CENT BETWEEN MAY 1984 AND MAY 1985, ACCORDING TO FIGURES PUBLISHED TODAY BY THE CENSUS AND STATISTICS DEPARTMENT.

THE CPI(A) AND CPI(B) FOR MAY 1985 WERE 159.0 AND 159.4 RESPECTIVELY, OR 4.9 POINTS AND 5.5 POINTS RESPECTIVELY HIGHER THAN THOSE FOR MAY 1984. COMPARED WITH APRIL 1985 AND BEARING IN MIND THAT THIS COMPARISON IS AFFECTED BY SEASONAL FACTORS, CPI(A) DECREASED BY 0.9 POINT OR 0.6 PER CENT AND CPI(B), BY 0.6 POINT OR 0.4 PER CENT.

THE AVERAGE CPI(A) AND AVERAGE CPI(B) FOR THE 12 MONTHS ENDED MAY 1985, BOTH AT 157.1, WERE 5.3 PER CENT AND 5.8 PER CENT RESPECTIVELY HIGHER THAN THE AVERAGES FOR THE 12 MONTHS ENDED MAY 1984.

/DURING THE

DURING THE THREE-MONTH PERIOD ENDED MAY 1985, THE SEASONALLY ADJUSTED CPI(A) AND CPI(B) BOTH INCREASED AT AN AVERAGE RATE OF 0.5 PER CENT EACH MONTH.

DURING MAY, FOOD PRICES, ESPECIALLY THOSE OF FRESH VEGETABLES, WERE LOWER.

THE CPI(A) AND CPI(B) ARE BASED ON THE EXPENDITURE PATTERNS OF 50 PER CENT AND 30 PER CENT, RESPECTIVELY, OF URBAN HOUSEHOLDS IN HONG KONG, WHICH WERE DERIVED FROM THE 1979-80 HOUSEHOLD EXPENDITURE SURVEY. THE CPI(A) REFERS TO HOUSEHOLDS SPENDING BETWEEN \$1 000 AND \$3 499 A MONTH, AND THE CPI(B) TO HOUSEHOLDS SPENDING BETWEEN \$3 500 AND \$6 499 A MONTH AT THAT TIME.

THE INDEXES FOR MAY 1985 IN RESPECT OF THE NINE COMMODITY/SERVICE SECTIONS IN THE TWO CONSUMER PRICE INDEXES ARE GIVEN BELOW, TOGETHER WITH THOSE FOR APRIL 1985 AND MAY 1984.

(OCTOBER 1979 TO SEPTEMBER 1980 AVERAGE = 100)

SECTION	CPI(A)			CPI(B)		
	MAY 84	APR 85	MAY 85	MAY 84	APR 85	MAY 85
FOODSTUFFS	154.8	157.0	154.5	155.4	157.7	155.6
HOUSING	143.7	154.4	154.8	144.0	153.7	154.2
FUEL AND LIGHT	148.7	146.8	146.8	148.4	146.7	146.7
ALCOHOLIC DRINKS AND TOBACCO (FOR HOME CONSUMPTION)	208.0	231.6	233.5	200.7	222.1	223.9
CLOTHING AND FOOTWEAR	156.4	169.4	170.4	157.8	171.9	172.4
DURABLE GOODS	125.8	123.9	123.5	129.5	128.7	128.2
MISCELLANEOUS GOODS	150.1	151.6	151.6	147.1	148.6	148.6
TRANSPORT AND VEHICLES	169.5	181.6	181.8	171.4	182.3	182.4
SERVICES	166.8	180.8	181.6	165.1	176.8	177.4
ALL ITEMS	154.1	159.9	159.0	153.9	160.0	159.4

/COMPARED WITH

COMPARED WITH APRIL 1985, THE INDEX FOR FOODSTUFFS DECREASED BY 2.5 POINTS IN CPI(A) AND 2.1 POINTS IN CPI(B). THE AVERAGE RETAIL PRICE OF FRESH VEGETABLES DECREASED DUE TO ADEQUATE SUPPLY. THE AVERAGE RETAIL PRICES OF LIVE POULTRY AND SALT-WATER FISH ALSO WENT DOWN. ON THE OTHER HAND, THE AVERAGE RETAIL PRICE OF FRESH FRUIT ROSE AS A RESULT OF HIGHER PRICES OF SEASONAL FRUIT, MAINLY, PEARS AND WATER MELONS. THE EFFECT OF MOVEMENTS IN THE RETAIL PRICES OF OTHER FOOD ITEMS ON THE INDEX FOR FOODSTUFFS WAS INSIGNIFICANT.

THE INDEX FOR HOUSING WENT UP BY 0.4 POINT IN CPI(A) AND 0.5 POINT IN CPI(B) AS A RESULT OF HIGHER RENTS FOR SOME PRIVATE DWELLINGS.

HIGHER PRICES OF CIGARETTES AND CHINESE WINES PUSHED UP THE INDEX FOR ALCOHOLIC DRINKS AND TOBACCO (FOR HOME CONSUMPTION) BY 1.9 POINTS IN CPI(A) AND 1.8 POINTS IN CPI(B).

THE INDEX FOR CLOTHING AND FOOTWEAR ROSE BY 1.0 POINT IN CPI(A) AND 0.5 POINT IN CPI(B) DUE TO HIGHER PRICES OF OUTERCLOTHING.

THE INDEX FOR DURABLE GOODS DECREASED BY 0.4 POINT IN CPI(A) AND 0.5 POINT IN CPI(B) BECAUSE OF LOWER PRICES OF TELEVISION SETS, SOUND EQUIPMENT AND ELECTRICAL CONSUMER GOODS.

THE INDEX FOR SERVICES INCREASED BY 0.8 POINT IN CPI(A) AND 0.6 POINT IN CPI(B) AS A RESULT OF HIGHER CHARGES FOR MEDICAL TREATMENT AND HAIRDRESSING.

PRICE MOVEMENTS IN OTHER SECTIONS WERE INSIGNIFICANT.

(FIGURES REFER TO CPI SERIES NOT SEASONALLY ADJUSTED UNLESS OTHERWISE SPECIFIED. ALL PERCENTAGE CHANGES ARE DERIVED FROM CPI FIGURES TO 2 DECIMAL PLACES.)

DETAILS OF THESE PRICE MOVEMENTS ARE GIVEN IN THE +CONSUMER PRICE INDEX REPORT+ FOR MAY 1985, WHICH IS AVAILABLE AT \$3 PER COPY FROM THE GOVERNMENT PUBLICATIONS CENTRE, GENERAL POST OFFICE BUILDING, GROUND FLOOR, CONNAUGHT PLACE, HONG KONG, OR FROM THE CENSUS AND STATISTICS DEPARTMENT, ROOM 1904, 19TH FLOOR, KAI TAK COMMERCIAL BUILDING, 317 DES VOEUX ROAD CENTRAL, HONG KONG= OR FROM THE INFORMATION SERVICES DEPARTMENT, BASKERVILLE HOUSE, DUDELL STREET, HONG KONG, FOR LOCAL AND OVERSEAS MAILINGS.

FOR ENQUIRIES ABOUT THE CONSUMER PRICE INDEXES, PLEASE CONTACT THE CONSUMER PRICE INDEX SECTION OF THE CENSUS AND STATISTICS DEPARTMENT AT TELEPHONE NO. 3-7216512.

WEDNESDAY, JUNE 26, 1985

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LIQUOR LICENSING BOARD TURNS DOWN APPLICATION
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THE URBAN COUNCIL'S LIQUOR LICENSING BOARD TURNED DOWN THE APPLICATION FOR THE RENEWAL OF THE LIQUOR LICENCE OF THE WAH DO BAR AND NIGHT CLUB IN NATHAN ROAD AT ITS MONTHLY MEETING TODAY (WEDNESDAY).

THE DECISION WAS REACHED IN THE LIGHT OF OBJECTIONS FROM THE POLICE THAT VICE ACTIVITIES WERE STRONGLY SUSPECTED TO HAVE TAKEN PLACE ON THE CLUB PREMISES.

ALSO AT THE MEETING, THE BOARD GAVE APPROVAL TO RENEW THE LIQUOR LICENCE OF PACIFIC LOUNGE AT TAK SHING STREET, KOWLOON, FOR SIX MONTHS ON THE CONDITION THAT NO LIQUOR WOULD BE SOLD ON THE PREMISES BETWEEN MIDNIGHT AND 8 A.M.

AN APPLICATION FOR THE NEW ISSUE OF A CLUB LIQUOR LICENCE BY KA WO RECREATIONAL AND GENERAL ASSOCIATION LIMITED AT JAFFE ROAD, WAN CHAI, WAS ADJOURNED UPON THE REQUEST OF THE APPLICANT.

TODAY'S MEETING WAS PRESIDED OVER BY THE BOARD CHAIRMAN, MR PETER C.K. CHAN, AND ATTENDED BY MR KWAN LIM-HO, MISS CECILIA YEUNG, MR SAMUEL WONG, MRS MARGARET LI AND MR FAN KAM-PING.

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GOOD RESPONSE IN SALES OF HOS FLATS
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A TOTAL OF 320 FLATS WERE SOLD TODAY UNDER PHASE VII B OF THE HOME OWNERSHIP SCHEME.

+THIS IS A REMARKABLE DAILY SALES RECORD, AND IS THE SECOND HIGHEST NUMBER OF FLATS SOLD IN ONE DAY,+ SAID A SPOKESMAN FOR THE HOUSING AUTHORITY.

+ALL THE FLATS SOLD ARE LOCATED AT TWO PRIVATE SECTOR PARTICIPATION SCHEME PROJECTS - GREENWOOD TERRACE IN CHAI WAN AND PRIME VIEW GARDEN IN TUEN MUN,+ HE ADDED.

OVER 80 PER CENT OF 5 020 FLATS AT FOUR PSPS DEVELOPMENT UNDER PHASE VII B OF THE SCHEME HAVE SO FAR BEEN TAKEN UP BY APPLICANTS.

/FLATS AT

FLATS AT THE OTHER TWO PROJECTS, HOLFORD GARDENS IN SHA TIN AND SUN LAI GARDEN IN NGAU CHI WAN, HAVE ALL BEEN SOLD OUT EARLIER THIS MONTH.

WITH GROSS AREA BETWEEN 48.6 TO 69.4 SQUARE METRES THE REMAINING FLATS AT GREENWOOD TERRACE AND PRIME VIEW GARDEN ARE STILL AVAILABLE FOR SELECTION AT THE HOME OWNERSHIP CENTRE IN HO MAN TIN AT PRICES FROM \$104 000 TO \$364 700 EACH.

ELIGIBLE APPLICANTS OF THE HOME OWNERSHIP SCHEME PHASE VII B WHO HAVE NOT SELECTED THEIR FLATS WILL STILL HAVE A CHANCE TO SELECT THEIR FLATS AT THE CENTRE.

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TAX RESERVE CERTIFICATE INTEREST RATE DOWN
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FROM TOMORROW (THURSDAY), THE NEW ANNUAL RATE OF INTEREST ON TAX RESERVE CERTIFICATES WILL BE 3.6 PER CENT (TAX FREE) AS AGAINST THE CURRENT RATE OF 4.08 PER CENT (TAX FREE).

NOTICE OF THIS WAS PUBLISHED IN AN EXTRAORDINARY ISSUE OF THE GAZETTE YESTERDAY.

INTEREST ON TAX RESERVE CERTIFICATES IS CALCULATED IN MONTHLY STEPS AND THE NEW RATE WILL BE \$0.30 PER MONTH PER \$100. INTEREST WILL BE CREDITED AS BEFORE IN RESPECT OF COMPLETE MONTHS BETWEEN PURCHASE AND SURRENDER IN PAYMENT OF TAX.

INTEREST IS ONLY CREDITED WHEN CERTIFICATES ARE USED TO PAY TAX AND NO INTEREST IS DUE WHERE THE PRINCIPAL VALUE OF A CERTIFICATE IS REPAID BY A CHEQUE.

THE NEW RATE WILL APPLY TO ALL CERTIFICATES ISSUED TOMORROW (JUNE 27) OR AFTER.

CERTIFICATES ISSUED BEFORE JUNE 27 WILL CONTINUE TO EARN INTEREST AS FOLLOWS:

- 10.08 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER JULY 6, 1984 AND BEFORE JULY 13, 1984;
- 12.84 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER JULY 13, 1984 AND BEFORE AUGUST 10, 1984;
- 10.8 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER AUGUST 10, 1984 AND BEFORE AUGUST 31, 1984;

/9.6 PER CENT

- 9.6 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER AUGUST 31, 1984 AND BEFORE OCTOBER 5, 1984;
- 8.52 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER OCTOBER 5, 1984 AND BEFORE OCTOBER 31, 1984;
- 8.04 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER OCTOBER 31, 1984 AND BEFORE NOVEMBER 28, 1984;
- 7.56 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER NOVEMBER 28, 1984 AND BEFORE DECEMBER 28, 1984;
- 7.08 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER DECEMBER 28, 1984 AND BEFORE JANUARY 16, 1985;
- 6.6 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER JANUARY 16, 1985 AND BEFORE JANUARY 30, 1985;
- 5.52 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER JANUARY 30, 1985 AND BEFORE APRIL 3, 1985;
- 5.04 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER APRIL 3, 1985 AND BEFORE APRIL 24, 1985;
- 4.56 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER APRIL 24, 1985 AND BEFORE MAY 22, 1985; AND
- 4.08 PER CENT PER ANNUM FOR CERTIFICATES ISSUED ON OR AFTER MAY 22, 1985 AND BEFORE JUNE 27, 1985

BUT ALWAYS SUBJECT TO THE GENERAL RULE THAT INTEREST CEASES TO ACCRUE AFTER 36 COMPLETE MONTHS WITHOUT SURRENDER FOR PAYMENT OF TAX.

EXAMPLE: \$1 000 CERTIFICATES PURCHASED ON JULY 3, 1985, AUGUST 3, 1985 AND SEPTEMBER 3, 1985 RESPECTIVELY, SURRENDER IN PAYMENT OF TAX DUE ON OCTOBER 2, 1985 WILL HAVE INTEREST CALCULATED AS FOLLOWS:

ON \$1 000, JULY 3, 1985 TO OCTOBER 2, 1985 THREE COMPLETE MONTHS AT \$3.00 PER MONTH	= \$ 9.00
ON \$1 000, AUGUST 3, 1985 TO OCTOBER 2, 1985 TWO COMPLETE MONTHS AT \$3.00 PER MONTH	= \$ 6.00
ON \$1 000, SEPTEMBER 3, 1985 TO OCTOBER 2, 1985 ONE COMPLETE MONTH AT \$3.00 PER MONTH	= \$ 3.00
	----- \$18.00 =====

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DATE SET FOR SECOND YOUTH CONFERENCE

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THE SECOND STAGE OF THE CONFERENCE ON +YOUTH POLICIES IN PERSPECTIVE+ WILL BE HELD AT THE HONG KONG POLYTECHNIC ON JULY 28 AND 29.

THIS IS A FOLLOW-UP TO THE STAGE I YOUTH CONFERENCE HELD AT THE UNIVERSITY OF HONG KONG IN APRIL THIS YEAR.

THE CONFERENCE WILL BE ORGANISED BY THE CENTRAL CO-ORDINATING COMMITTEE ON 1985 INTERNATIONAL YOUTH YEAR (CCCIYY) IN ASSOCIATION WITH THE HONG KONG FEDERATION OF STUDENTS (HKFS).

DETAILS OF THE EVENT WILL BE ANNOUNCED AT A PRESS CONFERENCE ON FRIDAY (JUNE 28) AT 2.30 PM IN CONFERENCE ROOM L409, LIBRARY BUILDING, HONG KONG POLYTECHNIC, HUNG HOM.

THE CHAIRMAN OF ACTIVITIES SUB-COMMITTEE OF THE CCCIYY, MR LO KING-MAN, AND THE PRESIDENT OF THE HKFS, MR FUNG WAI-KWONG, WILL BE SPEAKING AT THE PRESS CONFERENCE. ALSO PRESENT WILL BE THE CHAIRMAN OF THE HKFS ORGANISING COMMITTEE OF THE STAGE II CONFERENCE, MISS HO YIM-MING.

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DB MEMBERS VISIT PRISONS

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A GROUP OF SOUTHERN DISTRICT BOARD MEMBERS TODAY (WEDNESDAY) VISITED TWO PRISONS IN THEIR DISTRICT TO SEE HOW INMATES SPENT THEIR TIME.

LED BY THE CHAIRMAN OF THE SOUTHERN DISTRICT BOARD, MR LAM KWOK-KWONG, AND THE SOUTHERN DISTRICT OFFICER, MR EDDY CHAN, THE 16-MEMBER PARTY VISITED MA HANG PRISON AND STANLEY PRISON AND SAW PRISONERS AT WORK IN A VARIETY OF TRADES IN THE WORKSHOPS, WHILE SOME WERE ENGAGED IN DOMESTIC SERVICES. A NUMBER OF INMATES WERE ALSO UNDERGOING VOCATIONAL TRAINING IN TELEVISION AND RADIO-REPAIRING.

THE PARTY ALSO SAW OFFICERS OF THE CORRECTIONAL SERVICES DEPARTMENT UNDERGOING TRAINING AT THE STAFF TRAINING INSTITUTE IN STANLEY.

BEFORE CONCLUDING THE VISIT, THEY MET THE COMMISSIONER OF CORRECTIONAL SERVICES, MR THOMAS GARNER, FOR DISCUSSION.

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WEDNESDAY, JUNE 26, 1985

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BOARD TO DISCUSS TRANSFER OF FACILITIES
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CENTRAL AND WESTERN DISTRICT BOARD MEMBERS WILL MEET TOMORROW (THURSDAY) TO DISCUSS THE TRANSFER OF COMMUNITY CENTRE FACILITIES FROM THE SOCIAL WELFARE DEPARTMENT TO THE CITY AND NEW TERRITORIES ADMINISTRATION.

THIS FOLLOWS A RECENT MEETING OF THE COMMUNITY BUILDING COMMITTEE, WHICH DECIDED THAT THE MATTER SHOULD BE BROUGHT UP FOR CONSIDERATION BY THE FULL BOARD.

MEMBERS WILL ALSO DISCUSS THE ADOPTION OF THE REVISED DISTRICT BOARD STANDING ORDERS AND THE MEET-THE-PUBLIC SCHEME.

OTHER ITEMS ON THE AGENDA INCLUDE THE APPOINTMENT OF CO-OPTED MEMBERS OF DB COMMITTEES, PROGRAMME OF VISITS, APPLICATION OF DB FUNDS AND PROGRESS REPORTS OF THE VARIOUS COMMITTEES.

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BUTE STREET REROUTING
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THE SECTION OF BUTE STREET NEAR ITS JUNCTION WITH NORTHBOUND NATHAN ROAD WILL REMAIN CLOSED UNTIL JULY 20 TO FACILITATE CONSTRUCTION WORK.

THE SECTION OF BUTE STREET BETWEEN PORTLAND STREET AND SHANGHAI STREET WILL CONTINUE TO BE ROUTED ONE-WAY WESTBOUND.

MOTORISTS ON BUTE STREET HEADING TOWARDS LAI CHI KOK ROAD AND NATHAN ROAD NORTHBOUND ARE ADVISED TO DIVERT INTO SHANGHAI STREET SOUTHBOUND, MONG KOK ROAD, SAI YEUNG CHOI STREET, ARGYLE STREET AND NATHAN ROAD.

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