



# DAILY INFORMATION BULLETIN

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Government's statement on the Bill of Rights

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The Government issued the following statement on the Bill of Rights Ordinance today:

The Bill of Rights Ordinance

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The Government has carefully studied the Chief Justice's comments on the Bill of Rights Ordinance (BORO). It notes that the Chief Justice does not suggest that the BORO is inconsistent with the Joint Declaration or Basic Law. It welcomes the Chief Justice's acknowledgement that the BORO is part of the fabric of the laws of Hong Kong and his commitment that it will be given effect to in the courts. The Attorney General has been asked for his considered opinion on the specific points raised by the Chief Justice. His views are attached.

The Government would like to take this opportunity to re-state certain key points concerning the BORO.

Status of the Bill of Rights Ordinance

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The BORO incorporates into the law of Hong Kong the provisions of the International Covenant on Civil and Political Rights (ICCPR) as applied to Hong Kong. It was drawn up with full regard to the Joint Declaration, the Basic Law and the experience of other jurisdictions that had or were contemplating such a law. It is a law to meet the specific circumstances of Hong Kong.

The Joint Declaration and the Basic Law both provide that the ICCPR as applied to Hong Kong shall remain in force. The Basic Law further provides, in Article 39, that the ICCPR shall be implemented through the laws of the Hong Kong Special Administrative Region (HKSAR). This is precisely what the BORO does -- it is a law implementing the provisions of the ICCPR as applied to Hong Kong. This is entirely consistent with Article 39 of the Basic Law.

The BORO has a status no different to that of any other ordinances. Pre-existing legislation inconsistent with it is repealed to the extent of the inconsistency but this does not mean that the BORO comes in between other ordinances and the Basic Law. There is nothing in the BORO or the Letters Patent which gives the BORO any status superior to that of other ordinances. Like other ordinances it will be subject to the Basic Law. What is entrenched by the Letters Patent now and by the Basic Law after 30 June 1997 is the ICCPR not the BORO.

#### Review of Laws

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The BORO and the laws which have been amended in the light of it are fully consistent with the Joint Declaration and the Basic Law. Restoring laws which have been found to be inconsistent with the BORO and therefore with the ICCPR would bring these laws into conflict with Article 39 of the Basic Law. This provides that the provisions of the ICCPR as applied to Hong Kong shall remain in force and that rights shall not be restricted in contravention of the Covenant.

By the same token, to leave laws untouched which were inconsistent with the BORO and therefore with the ICCPR would bring them into conflict with Article 39 of the Basic Law after 1997.

Since 1991, the Legislative Council has enacted 36 amending ordinances or orders to bring existing legislation into line with the BORO. The issues involved have been approached with realism, and good sense balancing the protection of rights and freedoms with other needs of society such as to deal with serious crime. The amendments that have been made have not undermined the Government's authority or ability to govern. There has been no breakdown of law and order. Hong Kong people exercise their rights and freedoms in a responsible manner.

#### The Bill of Rights Ordinance and the Courts

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Pre-existing legislation inconsistent with the provisions of the BORO is repealed, not by the courts, but by the BORO itself. In enacting the BORO, the Government and the Legislature determined that the courts should have the authority to decide how the BORO should be applied in specific cases. The courts have faithfully performed their role and implemented the BORO as enacted by the Legislature.

It is noted that challenges under the BORO have been primarily concerned with provisions of the criminal law relating to the principle that it is for the prosecution to prove the accused's guilt beyond reasonable doubt. Through decisions of the Court of Appeal and Privy Council, the principles applied to such provisions are now well established. In reaching these decisions, the courts have taken care to balance individual freedoms with the public interest.

The BORO enjoys widespread support within the community. It has made the rights protected by the ICCPR justiciable in the courts of Hong Kong. It is a vital component in the protection of civil liberties and enhances the rule of law in Hong Kong. There is absolutely no reason to tamper with the Ordinance.

#### Attachment

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The specific points made by the Chief Justice, and our comment on them, are as follows:

- (1) "The power to repeal is a legislative function and not a judicial function. Section 3(2) in effect gives the courts a legislative function though it does not specifically say so. A practical difficulty is that Magistrate A and Magistrate B may hold different views on the same issue in different cases. The resulting chaos need not be specified."

Comment: The role of the courts under s.3 is to decide whether or not challenged legislation is or is not inconsistent with the Ordinance. If a court decides that there is inconsistency, it will go on to declare that the relevant provision has been repealed by s.3(2) to the extent of the inconsistency. The repeal of inconsistent earlier provisions is effected not by a judge in the course of deciding a particular case, but rather by the legislature through s.3(2) of the Ordinance. This is made plain by Silke V.P. in *R v Sin Yau-ming* [1992] 1 HKCLR 127, 138 when he said this:

"It needs to be emphasised that the only duty of this, or any other court, considering legislation is to decide whether that legislation is or is not inconsistent with the Hong Kong Bill. This, or any other court, does not repeal legislation. That is done by the Hong Kong Bill itself. This, or any other court, does not redraft legislation or for that matter make suggestions for the form of future legislation."

The court's function in applying s.3(2) is no different to the court's function in applying the common law principle upon which s.3(2) is based. That principle is that where two pieces of legislation are inconsistent, the later law repeals the earlier one to the extent of the inconsistency. An example of the application of this principle is *L v C* [1994] 2 HKLR 92 where the High Court ruled that the time limit for applying for financial relief under the Affiliation Proceedings Ordinance had been impliedly repealed by a subsequent Ordinance.

There are other contexts in which the court's function is to rule on the compatibility of different pieces of legislation. For example, there are numerous Hong Kong cases where a court has had to decide whether subsidiary legislation is inconsistent with the Ordinance under which it is made, and therefore invalid.

Regarding the alleged "practical difficulty" of conflicting decisions by magistrates on the same issue, this is (and has been in practice) easily resolved by the Crown appealing one of the decisions to a higher court in order to get an authoritative ruling. Conflicting decisions can and do arise on non-BOR issues and are resolved in the same way. This is a feature of the existing legal system, continuation of which is guaranteed under the Joint Declaration and the Basic Law.

- (2) "The true effect of s.3(2) is to raise the Ordinance above Hong Kong's ordinary laws in spite of the fact that the Ordinance may be repealed or amended like any statute (unlike the Canadian Charter of Rights, which is incorporated into the Canadian Constitution). So instead of a "two-tier" system (that is, the Basic Law and the ordinary laws) the Bill comes in between and creates a three tier system."

Comment: The true legal effect of s.3(2) is that inconsistent pre-existing legislation is repealed to the extent of the inconsistency. However, this does not mean that the BORO comes in between other ordinances and the Basic Law. There is nothing in the BORO or the Letters Patent which gives the BORO any status superior to that of other ordinances. The position will be the same after 30 June 1997 when the Basic Law will replace the Letters Patent as Hong Kong's constitutional instrument. Then, as with all other ordinances, the BORO will be subject to the Basic Law, rather than, as now, the Letters Patent.

- (3) "It is cause for concern that our Bill of Rights Ordinance does not preserve the demarcation between the Judiciary and the Legislature as clearly as does, for example, New Zealand's Bill of Rights Act which, as I understand it, requires their Executive to bring to their Legislature's attention any bill (that is, proposed legislation) which appears to be inconsistent with their Bill of Rights. Therefore New Zealand's system may be preferable to ours."

Comment: The New Zealand Bill of Rights Act 1990 requires the Attorney General to bring to the legislature's attention any provision of a bill that appears to be inconsistent with the Bill of Rights. This requirement as to proposed legislation needs to be understood in the context of the New Zealand system, under which there is no constitutional impediment to the enactment of legislation restricting human rights. In Hong Kong, however, Article VII(5) of the Letters Patent (which mirrors Article 39 of the Basic Law) prohibits the enactment of any law after commencement of the Bill of Rights Ordinance which is inconsistent with the ICCPR as applied to Hong Kong.

So far as existing legislation is concerned, the New Zealand Act prohibits a court from holding any enactment to be impliedly repealed by reason of inconsistency with the Bill of Rights. That provision represented a deliberate policy choice by the New Zealand legislature based on a range of local political and other factors. Similarly, the approach in s.3 of the Hong Kong Ordinance was a deliberate policy choice by the Hong Kong legislature, made in 1991 in the light of the particular circumstances of Hong Kong. In arriving at that choice, a number of different models were considered, including but not limited to the New Zealand one. The New Zealand model is but one of several different Bill of Rights models operating throughout the world.

The repeal-by-reason-of-inconsistency approach in s.3 of the Hong Kong Ordinance was chosen to give the Ordinance a direct impact in relation to existing legislation. It is worth recalling in this respect that the Administration's original proposal for a two-year "freeze" period for existing laws, during which time suspect laws would be reviewed and amended, was rejected by the Legislative Council in favour of a one-year freeze for six key ordinances only. The commonly held view at the time was that the protection of human rights afforded under the Bill of Rights should be made fully available as soon as possible and that the authority for deciding whether local laws are consistent with the Bill should be the Judiciary not the Administration or the Legislature.

- (4) "While the Bill of Rights Ordinance (unlike the Letters Patent now and the Basic Law in future) cannot entrench anything against future repeal by ordinary legislation, it might be thought to give the Bill of Rights some quality higher than that of ordinary legislation. That too is cause for concern."

Comment: It is unclear what point is being made here. The BORO is a piece of ordinary legislation just like any other statute in Hong Kong. There is nothing in the BORO or the Letters Patent which gives the BORO any status superior to that of other ordinances. It is not entrenched and has no overriding effect in relation to future legislation. What is entrenched, before 1997 by the Letters Patent and after 1997 by the Basic Law, is the ICCPR as applied to Hong Kong. The direction in s.4 of the BORO that all future legislation shall, if possible, be construed so as to be consistent with the ICCPR as applied to Hong Kong, merely reflects this position.

End/Thursday, November 23, 1995

Informal Get Together Between Senior  
Hong Kong Civil Servants and Officials of the Chinese Side

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Following consultation with the Xinhua News Agency (Hong Kong Branch), we are pleased to announce that the first informal get together between senior Hong Kong civil servants and officials of the Chinese side will take place on 30 November 1995 at the Hong Kong Jockey Club Happy Valley Clubhouse starting at 10:30 am. It will end after lunch.

Participating officers will be:

Mr Dominic Wong  
Secretary for Housing

Mr Joseph Wong  
Secretary for Education and Manpower

Mr Fung Tung  
Director of Housing

Mr Lam Woon-kwong  
Director of Education

Mrs Fanny Law  
Deputy Director of Housing

Mr Stephen Ip  
Commissioner for Labour

They will be accompanied by Mr Michael Sze, Secretary for the Civil Service and Mr Joshua Law, Principal Assistant Secretary for the Civil Service.

End/Thursday, November 23, 1995

#### Earlier consultation on reclamation projects

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The Town Planning Board (TPB) has endorsed a government proposal to consult TPB members and the general public at an earlier stage on significant reclamation projects in the future.

The new administrative arrangement will enable TPB to consider, at an early planning stage, the proposed land uses, impacts and the overall town planning implications of future reclamation projects other than those exceptional cases that involve small-scale reclamation required for the construction of piers, landing points, utility and other facilities along the shoreline.

This will be made possible by incorporating proposals for reclamations in the process of preparing new town plans or amending existing plans under the provisions of the Town Planning Ordinance.

Once a draft town plan that involves reclamations is endorsed by TPB, it will be displayed for public inspection just like all other draft town plans.

Public views on draft town plans including objections, if there is any, will be considered by TPB under the existing provision of the Town Planning Ordinance.

The TPB's final recommendations on the draft town plans will be submitted to the Executive Council for consideration and approval.

On completion of the town planning procedures, reclamation projects will be required to be gazetted under the Foreshore and Sea-bed (Reclamations) Ordinance for affected sections of the community to make claims or raise objections.

Unresolved objections will be submitted to the Executive Council for a decision on whether the proposed projects should be authorised.

At their recent meeting, TPB members also noted that reclamation projects will come under public scrutiny again as and when they are submitted to the Legislative Council for inclusion as public works items and for funding approval.

TPB members welcomed the new administrative arrangement as a significant improvement to the consultation process on reclamations in Hong Kong. They considered that the sequence and the way that TPB, Exco and LegCo will be consulted will provide an effective check-and-balance mechanism on future reclamation proposals.

Members noted that as part of the recommendations of Metroplan, the Government is in the process of planning seven major reclamation projects in the Metro area. All of these are long-term conceptual plans and the Government has not made any commitment on them because a decision on these projects can only be taken after completion of various detailed studies to assess their implications on land uses, environment and other aspects.

At the meeting members also accepted the need to provide more land to meet the growth of Hong Kong.

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#### Provisional statistics of retail sales for September

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According to the provisional figures released today (Thursday) by the Census and Statistics Department, the value of total retail sales in September 1995, estimated at \$17.4 billion, increased by 4% when compared with September 1994.

After discounting the effect of price changes over the period, total retail sales dropped by 2% in volume.

The slight decline in volume of total retail sales in September 1995 continued to be attributable mainly to a considerable drop in sales of motor vehicles, by 26% in value or by 31% in volume.

Meanwhile, sales of some commodities recorded slight increases in value but decreases in volume. They included food, alcoholic drinks and tobacco (+1% in value, -8% in volume) and consumer durable goods (other than motor vehicles) (+3% in value, -2% in volume).

Concurrently, sales in department stores rose by 1% in value but went down by 7% in volume.

Nevertheless, there were still increases in sales of clothing and footwear (14% in value and 6% in volume); miscellaneous consumer goods (8% in value and 2% in volume) and jewellery, watches and clocks and valuable gifts (7% in value and 4% in volume). Sales in supermarkets also rose by 12% in value and 3% in volume.

Compared with August 1995 (but bearing in mind that this comparison may be affected by seasonal factors), total retail sales in September 1995 decreased by 4% in both value and volume.

Comparing the period from January to September 1995 with the same period in 1994, total retail sales rose by 5% in value, but dropped by 1% in volume.

The volume of retail sales is derived from the value of retail sales after adjusting for price changes. The relevant components of the Consumer Price Index are used as deflators.

Table 1 presents the revised total retail sales figure for August 1995 and the provisional figure for September 1995.

Table 2 shows the value and volume indices of retail sales in August and September 1995 for all retail outlets and by type of retail outlet, with average retail sales from October 1989 to September 1990 taken as 100.

Comparisons of the September 1995 results with those for August 1995 and those for September 1994, as well as comparisons of retail sales in the period from January to September 1995 with the same period in 1994 are also given.

The report containing the analysis of the September 1995 results is now on sale at \$4 per copy at the Government Publications Centre, Queensway Government Offices, ground floor, Low Block, 66 Queensway; and the Publications Unit of the Census and Statistics Department, 19th floor, Wanchai Tower, 12 Harbour Road, Wan Chai.

Enquiries about the survey results may be directed to the Wholesale and Retail Trade Statistics Section of the Census and Statistics Department on 2802 1258.

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TABLE 1 : TOTAL RETAIL SALES

Total Retail Sales for September 1995 (Provisional Figure) = HK\$17,411.6 million  
for August 1995 (Revised Figure) = HK\$18,193.2 million

TABLE 2 : VALUE AND VOLUME INDICES OF RETAIL SALES FOR AUGUST 1995 AND SEPTEMBER 1995

(Monthly average of Oct 89 - Sept 90 = 100)

Type of Outlet	Type of index	Index number		September 1995 compared with August 1995		September 1995 compared with September 1994		Jan - Sep 1995 compared with Jan - Sep 1994		
		August 1995 (Revised figures)	September 1995 (Provisional figures)	(Points)	(%)	(Points)	(%)	(Points)	(%)	
<b>(A) FOR ALL RETAIL OUTLETS</b>										
	Value	193.7	185.4	-8.3	-4.3	+7.0	+4.0	+8.6	+4.9	
	Volume	142.4	136.4	-6.0	-4.2	-2.8	-2.0	-1.9	-1.4	
<b>(B) BY TYPE OF RETAIL OUTLETS</b>										
Food, alcoholic drinks and tobacco (other than supermarkets)	Value	148.7	148.0	-0.7	-0.5	+0.8	+0.6	+5.6	+4.2	
	Volume	100.3	100.3	#	#	-8.5	-7.8	-2.9	-2.8	
Supermarkets $\phi$	Value	177.1	184.9	+7.8	+4.4	+19.6	+11.8	+12.8	+8.2	
	Volume	116.2	120.1	+3.8	+3.3	+4.0	+3.4	+0.4	+0.3	
Fuels	Value	198.5	168.7	-29.9	-15.0	-0.4	-0.2	+10.3	+6.7	
	Volume	128.4	109.1	-19.3	-15.0	-7.2	-6.2	-0.7	-0.6	
Clothing, footwear and allied products	Value	315.6	273.0	-42.6	-13.5	+34.3	+14.4	+33.8	+13.6	
	Volume	208.3	178.8	-29.5	-14.2	+10.6	+6.3	+5.5	+3.1	
Consumer durable goods	Value	144.7	174.9	+30.1	+20.8	-15.8	-8.3	-19.6	-10.9	
	Volume	115.9	140.1	+24.2	+20.9	-18.1	-11.4	-21.8	-14.4	
- Motor vehicles and parts	Value	120.4	134.2	+13.8	+11.5	-46.7	-25.8	-47.5	-25.8	
	Volume	79.9	88.9	+9.0	+11.2	-39.1	-30.5	-43.9	-32.4	
- Consumer durable goods other than motor vehicles and parts	Value	162.3	204.3	+41.9	+25.8	+6.5	+3.3	+0.6	+0.3	
	Volume	141.9	177.2	+35.2	+24.8	-3.0	-1.6	-5.8	-3.6	
Department stores	Value	164.4	138.5	-25.9	-15.7	+0.8	+0.6	+5.9	+3.9	
	Volume	113.9	94.7	-19.2	-16.9	-7.2	-7.0	-5.3	-4.7	
Jewellery, watches and clocks, and valuable gifts	Value	162.7	164.7	+2.0	+1.2	+11.0	+7.1	+8.5	+5.0	
	Volume	149.7	151.9	+2.2	+1.5	+6.1	+4.2	+4.9	+3.0	
Other consumer goods not elsewhere classified	Value	282.5	244.5	-38.0	-13.5	+17.5	+7.7	+29.2	+14.5	
	Volume	213.7	181.9	-31.8	-14.9	+4.2	+2.3	+14.5	+9.0	

NOTE :  $\phi$  Not including supermarkets operating in department stores.  
# denotes a figure within  $\pm 0.05$   
The underlined figures were rounded up to 5.

Licence for satellite earth station approved

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The Governor-in-Council has approved the grant of a licence, under the Telecommunication Ordinance, to Asia Satellite Telecommunications Company Limited (AsiaSat), a company registered in Hong Kong for the establishment of radio stations on board a new satellite and of an earth station in Hong Kong to control and monitor it, a government spokesman announced today (Thursday).

AsiaSat has been licensed earlier on to operate a satellite, AsiaSat-2, which will be launched by the China Great Wall Industry Corporation from Xichang in China on around November 28, 1995.

This will be the company's second satellite network set up to provide telecommunications and television distribution services to countries and territories in the Asia Pacific region.

The licence approved by the Governor-in-Council is to enable the company to establish radio stations on board AsiaSat-2 and an earth station in Stanley for the control and monitoring of the satellite.

AsiaSat-2 is the third satellite operated by a Hong Kong company. The first two are AsiaSat-1 and APSTAR-I, which were launched in 1990 and 1994 respectively.

End/Thursday, November 23, 1995

Improved compensation for pneumoconiotics

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The Government is proposing a number of improvements to the Pneumoconiosis Compensation Scheme for persons diagnosed after January 1, 1981 to be suffering from pneumoconiosis.

The proposed improvements to be made through the enactment of the Pneumoconiosis (Compensation) (Amendment) Bill 1995 will include substantial improvements to both the compensation package and the assessment method of incapacity.

To provide the Pneumoconiosis Compensation Fund Board (PCFB) with sufficient funds to tide over its immediate cashflow problems and to finance the proposed improvements in the short term, the Government, subject to the approval of the Finance Committee of the Legislative Council, will provide an interest-bearing bridging loan of \$80 million to the Board.

To meet the long-term commitments arising from the proposed improvements, the levy rate on the building and construction industry and the quarrying industry will be raised from 0.3 per cent to 0.4 per cent through a resolution to the Legislative Council.

A spokesman for the Education and Manpower Branch pointed out that under the Bill, all eligible pneumoconiotics would receive a monthly payment of \$2,100 for pain, suffering and loss of amenities (PSLA) irrespective of their degree of incapacity.

The proposal will also enable more than half of the pneumoconiotics who opted for the present scheme after 1993 but could not receive any part of the PSLA payment because they have not been assessed to be suffering from additional degree of incapacity, to receive compensation for PSLA.

Other proposed improvement measures under the Bill are:

- \* The Pneumoconiosis Medical Board (PMB) will be empowered to adjust a pneumoconiotic's degree of lung function loss as measured by the specified FVC (Forced Vital Capacity) test by up to 5 per cent so as to take into account the varying physical conditions of pneumoconiotics taking the test.

If a pneumoconiotic cannot perform the FVC test at all due to certain co-existing medical conditions such as stroke and tracheotomy, PMB will have the power to assess the degree of the pneumoconiotic's loss of lung function on the basis of other relevant clinical tests, or physical or radiological findings.

- \* PCFB will reimburse medical expenses to those who have paid such expenses on behalf of a deceased pneumoconiotic regardless whether the deceased pneumoconiotic had made the claims before the death. This new measure will replace the existing arrangement of making all such payments to the family members of the deceased pneumoconiotic even if they are not the one who paid for those expenses; and

- \* The statutory functions of PCFB will be expanded to cover the implementation of rehabilitation programs in addition to its current duties to conduct and finance educational, publicity, research and other programs for the prevention of pneumoconiosis.

The Bill will be gazetted tomorrow (Friday) and introduced into the Legislative Council on December 6, 1995.

For those pneumoconiotics who were diagnosed to be suffering from the disease before the establishment of the statutory scheme in January 1981, the spokesman pointed out that a separate administrative scheme had been introduced in July 1993 under which they received an adjusted quarterly ex-gratia payment until death. The present quarterly payment is \$10,560.

"The proposed improvements under the Bill will not be extended to this group of pneumoconiotics as they have been taken care of under a separate scheme. However, following the completion of a recent review, the Government aims to introduce certain improvements which will also take effect on the same date as those provided in the Bill," the spokesman said.

The improvement measures are:

- \* PCFB will pay and provide the pneumoconiotics with wheelchair, oxygen concentrator/cylinder and accessories in line with those provided for under the statutory scheme;
- \* the quarterly payments will be adjusted annually on July 1 each year in accordance with changes in the CPI(A); and
- \* reimbursement of funeral expenses will be revised in accordance with the biennial adjustment of the corresponding ceiling under the statutory scheme.

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Major amendments to trade classification system in 1996

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The Hong Kong Imports and Exports Classification List (Harmonised System) (HKIECL) 1992 Edition, used mainly for import and export declaration purposes, will undergo major amendments as from January 1, 1996, the Customs and Excise Department announced today (Thursday).

The Hong Kong Imports and Exports Classification List (Harmonised System) is devised on the basis of the Harmonised Commodity Description and Coding System developed by the World Customs Organisation. Hong Kong has adopted this system in full since 1992.

In 1993, the World Customs Organisation recommended some 400 sets of amendments to the Harmonised Commodity Description and Coding System. Contracting parties to the International Convention of this system are required to adopt these amendments as from January 1, 1996.

To ensure that Hong Kong's classification system continues to be compatible with those of its major trading partners, Hong Kong will also implement the amendments recommended by World Customs Organisation as from January 1, 1996.

A 1996 edition of the classification list incorporating the amendments has been published for traders' use.

A spokesman for the Customs and Excise Department said it was a legal requirement for every person in Hong Kong to lodge accurate and complete declarations within 14 days after importation and exportation of goods.

As from January 1, 1996, importers and exporters should provide commodity item code numbers in accordance with the 1996 edition of the classification list when lodging import or export declarations.

While the Customs and Excise Department enforces the legal requirements relating to import and export declarations, the Census and Statistics Department is the department which designs and modifies the commodity classification system in accordance with the recommendations of the World Customs Organisation.

The Census and Statistics Department is also responsible for processing trade data reported on declarations to produce trade statistics which serve as one of the major economic indicators of Hong Kong.

All trade statistics publications in Hong Kong are analysed in accordance with the third revision of the Standard International Trade Classification (SITC Rev. 3) which has a direct correlation with the Harmonised Commodity Description and Coding System.

While the Hong Kong Imports and Exports Classification List has undergone amendments, the third revision of the Standard International Trade Classification will continue to be adopted for trade statistics reporting.

The co-operation of importers and exporters in submitting accurate and complete declarations in a timely manner is essential to maintain the accuracy of Hong Kong's external trade statistics.

To facilitate traders who are familiar with the 1992 edition of the classification list in finding the appropriate code numbers in the 1996 edition, a summary of the differences between the two editions is also appended to the 1996 edition. A Chinese version of the 1996 edition of the classification list is also available for traders' reference.

Both English and Chinese versions of the 1996 classification list are now on sale at \$72 a copy and can be purchased from the following offices:

(a) Hong Kong Collection Office, Customs and Excise Department, Second floor, 38 Pier Road, Central.

(b) Kowloon Collection Office, Customs and Excise Department, Ground floor, Middle Road Multi-storey Carpark Building, Tsim Sha Tsui.

(c) Government Publications Centre, Low Block, Ground floor, 66 Queensway, Hong Kong.

(d) Publication Unit, Census and Statistics Department, 19th floor, Wanchai Tower 12 Harbour Road, Wan Chai.

Enquiries on the list can be directed to the Census and Statistics Department Trade Declaration Enquiry Hotline 2877 1818.

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Educational Services Sub-committee meeting

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The chairman of the Educational Services Liaison Sub-committee, Mr Herman S M Hu, said he is confident that the Sub-committee will successfully carry out its advisory functions in the next two years with full support and active participation by members.

Speaking at the Sub-committee's first meeting in the second term today (Thursday), Mr Hu said the committee has 16 members, among whom 10 were selected from 167 applicants from members of the public.

Mr Hu, who has been re-appointed chairman of the Sub-committee, said he was happy with the enthusiastic response and the balanced composition of the Sub-committee.

Its membership comprises three members from the Board of Education, three parents, two students, two teachers, two school administrators, two members of the general public and two representatives from the Education Department

The Sub-committee was first set up in November 1993 under the Board of Education as a channel for the public to exchange views with the Education Department on educational services and to make suggestions to improve the services.

The last Sub-committee during its term had made a number of valuable suggestions to the Education Department to improve its services. Some of them have been implemented and others will be followed up in the future.

These suggestions include adding more pre-recorded messages to the department's 24-hour Automatic Telephone Enquiry Service 2891 0099, stepping up publicity of special education services, installing direction signs for the Careers and Guidance Service Section and printing a telephone directory of the department.

Members of the second term of the Sub-committee will serve for two years from November 1995.

End/Thursday, November 23, 1995

Community Electronic Trading Service regulations approved

\* \* \* \* \*

Three Import and Export (Amendment) Regulations have been approved by the Governor-in-Council to facilitate the implementation of a Community Electronic Trading Service (CETS) in Hong Kong.

The regulations are: the Import and Export (General) (Amendment) Regulation 1995, the Import and Export (Fees) (Amendment) (No. 2) Regulation 1995 and the Import and Export (Registration) (Amendment) Regulation.

A government spokesman said today (Thursday): "The Government agreed to the implementation of the CETS in 1992.

"The objective of the service is to adopt electronic data interchange (EDI) and other techniques to improve the facilitation of international trade for the Hong Kong trading community."

"Initially, the trading community will be able to apply for restrained textiles export licences and to lodge import and export declarations through the CETS," he said.

"The approval of the three amendment regulations completes the legislative amendments needed to make it possible for EDI to be also used in addition to current paper-based methods.

"Two ordinances, namely the Import and Export (Amendment) Ordinance 1995 and the Industrial Training (Clothing Industry) (Amendment) (No. 2) Ordinance 1995, were passed by the Legislative Council in May this year for the same purpose."

A trial service will be launched in 1996. Pending the successful completion of this trial, the CETS will be opened up to the entire trading community later in the same year.

End/Thursday, November 23, 1995

### Dualling of Sha Tau Kok Road in Fanling

\* \* \* \* \*

An Assistant Director of the Highways Department, Mr Peter Orange, today (Thursday) signed a contract with the China Road and Bridge Corporation for the dualling of a section of Sha Tau Kok Road from Lung Yeuk Tau to Ping Che Road.

The \$164-million contract includes the widening and reconstruction of this section of Sha Tau Kok Road (about 2.6 kilometres) from single two-lane to dual two-lane flexible carriageway with a roundabout at Ma Liu Shui San Tsuen and another at Lau Shui Heung.

Works also include the construction of a footbridge near Ma Liu Shui San Tsuen, installation of noise barriers, associated drainage, street lighting, landscaping, water main diversions, retaining walls and slope works as well as other ancillary works.

"The traffic flow between Fanling town and Ping Che will be improved after the works completed," Mr Orange said.

Works will commence later this month for completion in 30 months.

End/Thursday, November 23, 1995

### Hong Kong Monetary Authority money market operations

\* \* \* \* \*

	\$ million	Time (hours)	Cumulative change (\$million)
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Opening balance in the account	1,709	0930	-437
Closing balance in the account	1,272	1000	-437
Change attributable to :		1100	-437
Money market activity	-437	1200	-437
LAF today	NIL	1500	-437
		1600	-437

LAF rate 4.25% bid/6.25% offer TWI 122.1 \*-0.1\* 23.11.95

Hong Kong Monetary Authority

EF bills		EF notes				
Terms	Yield	Term	Issue	Coupon	Price	Yield
1 week	5.53	2 years	2711	5.60	99.91	5.73
1 month	5.49	3 years	3810	6.15	100.54	6.03
3 months	5.52	5 years	5009	6.95	101.74	6.63
6 months	5.54	5 years	M502	7.30	100.90	7.21
12 months	5.57					

Total turnover of EF bills and notes - \$11,558 million

Closed November 23, 1995

End/Thursday, November 23, 1995