



DAILY INFORMATION BULLETIN

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CONTENTS

PAGE NO.

LEGISLATIVE COUNCIL MEETING:

DESCRIPTION +BRITISH+ MOST WELCOME, LOBO SAYS	1
ROAD TRAFFIC BILL 1982 BECOMES LAW	4
SUITABLE TRANSLATION FOR +RECKLESS DRIVING+ IS IMPORTANT .	6
ROAD JUNCTION STILL A PEDESTRIAN ACCIDENT PROBLEM SPOT ...	7
+DANGER SIGNALS+ RAISED ON PUBLIC LIGHT BUSES	8
TRIBUTE TO LEGCO UNOFFICIALS FOR THOROUGHLY EXAMINING ROAD TRAFFIC BILL	10
MORE PEOPLE TO BENEFIT FROM LEGAL AID	13
PUBLIC PARTICIPATION MAY ENHANCE KCR EFFICIENCY	14
BILL TO FACILITATE DELEGATION OF FINANCIAL AUTHORITIES ...	16
IMPLICATIONS OF SELECTIVE SAFEGUARDS TO HK'S FUTURE TRADE	17
EXPORT CREDIT INSURANCE DEFICIT REACHES \$5.78 MILLION	18
TDC TRADE PROMOTION BEING STEPPED UP	19
NEW STEPS BEING TAKEN TO COVER COMMODITIES TRADING	20
NEED TO PROTECT HKTA EMBLEM STRESSED	21
BETTER BENEFITS SEEN FOR WORKERS	22
PENALTY PROPOSED FOR LATE PAYMENTS OF LEVY	25
RECRUITMENT OF SOCIAL WORKERS	25

/CLEAN HK

CLEAN HK DRIVE SEEN AS A SUCCESS	26
HOSPITAL NOISE PROBLEM	26
CAR REPAIR WORKSHOPS NUISANCE EXAMINED	27
MEASURES TO REDUCE SQUATTER FIRES EXTENDED	28
FACILITIES FOR HELICOPTERS INCREASED	28
REVIEW OF APPROVED FILMS	29
NINE BILLS PASSED	29
AGREEMENT ON TWO-WAY PERMITS	30
SAFETY PRECAUTIONS IN PHYSICAL EDUCATION	30
CHRISTMAS LIGHTING IN TSUEN WAN	31
TALK ON MONITORING OF POWER COMPANIES	33
NOVEMBER CONSUMER PRICE INDEXES	34

WEDNESDAY, DECEMBER 22, 1982

- 1 -

DESCRIPTION +BRITISH+ MOST WELCOME, LOBO SAYS
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THE DESCRIPTION +BRITISH+ WHICH IS TO APPEAR OPPOSITE THE WORD +NATIONALITY+ ON THE FIRST PAGE OF ALL BRITISH DEPENDENT TERRITORIES PASSPORTS, INCLUDING HONG KONG, WAS SEEN BY THE SENIOR UNOFFICIAL MEMBER OF THE LEGISLATIVE COUNCIL, THE HON ROGER LOBO, AS +MOST WELCOME NEWS AND A GREAT RELIEF+.

HE WAS SPEAKING ON THE FOUR BILLS STEMMING FROM THE BRITISH NATIONALITY ACT 1981, WHICH WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY.

THE BILLS WERE THE IMMIGRATION (AMENDMENT) (NO. 2) BILL 1982, THE IMMIGRATION (AMENDMENT) (NO. 3) BILL 1982, THE BRITISH NATIONALITY ACT 1981 (CONSEQUENTIAL AMENDMENTS) BILL 1982 AND THE BRITISH NATIONALITY (MISCELLANEOUS PROVISIONS) (AMENDMENT) BILL 1982.

MR LOBO TOLD THE LEGISLATIVE COUNCIL THAT SINCE THE BRITISH NATIONALITY BILL WAS PASSED INTO LAW ON OCTOBER 30, 1981, THE UNOFFICIAL MEMBERS OF THE EXECUTIVE AND LEGISLATIVE COUNCILS HAD CONTINUED TO REPRESENT THAT PASSPORTS ISSUED TO HONG KONG'S BRITISH SUBJECTS SHOULD CONTAIN A NATIONALITY DESCRIPTION.

THE MATTER WAS PRESSED FURTHER WHEN THE FORMER LORD PRIVY SEAL VISITED HONG KONG IN JANUARY THIS YEAR, HE SAID.

IN MAY THIS YEAR, HE RECALLED, HER MAJESTY'S GOVERNMENT CONFIRMED THAT THERE WERE LEGAL REASONS WHY ONLY THE CITIZENSHIP DESIGNATION BDTC (BRITISH DEPENDENT TERRITORIES CITIZEN) SHOULD APPEAR IN HONG KONG BDTC PASSPORTS.

HOWEVER, MR LOBO NOTED, THIS VIEW WAS CHALLENGED BY THE ATTORNEY GENERAL WHO ARGUED THAT +IT WAS LAWFUL AND INDEED APPROPRIATE TO DESCRIBE IN A PASSPORT NOT ONLY THE HOLDER'S CATEGORY OF CITIZENSHIP, BUT ALSO THE RELATIONSHIP WHICH GIVES RISE TO THE RIGHT OF PROTECTION, I.E. NATIONALITY+.

WHEN THE PRIME MINISTER VISITED HONG KONG IN SEPTEMBER, UMELCO STRESSED AFRESH THE IMPORTANCE THEY ATTACHED TO RETAINING A NATIONALITY DESCRIPTION IN THE NEW BDTC PASSPORTS.

AND IT WAS A MATTER OF PUBLIC RECORD THAT MRS THATCHER PROMISED TO LOOK INTO THE MATTER PERSONALLY, SAID MR LOBO.

+I WOULD LIKE TO PAY PARTICULAR TRIBUTE TO THE ATTORNEY GENERAL'S ADVOCACY ON OUR BEHALF,+ HE SAID.

+BUT AT THE END OF THE DAY, IT GAVE US NOTHING NEW; NOTHING WE DID NOT ALREADY POSSESS.

/+I CAN

+I CAN ONLY SAY THAT HAD WE FAILED TO PERSUADE HMG TO OUR POINT OF VIEW, BDTG PASSPORTS ISSUED TO HONG KONG'S BRITISH SUBJECTS WOULD NOT HAVE CONTAINED A CLEAR DESCRIPTION OF NATIONALITY.+

EARLIER IN HIS SPEECH, MR LOBO GAVE A FULL ACCOUNT OF THE ROLE PLAYED BY UMELCO IN TRYING TO SAFEGUARD THE INTERESTS OF HONG KONG'S BRITISH SUBJECTS UNDER THE BRITISH NATIONALITY ACT.

HE MADE A CHRONOLOGICAL REVIEW OF DEVELOPMENTS FROM THE PUBLICATION OF THE GREEN PAPER ON BRITISH NATIONALITY IN APRIL 1977 TO THE PASSAGE OF THE BILL INTO LAW IN OCTOBER 1981.

DURING THE FOUR-AND-A-HALF-YEAR PERIOD, HE NOTED, LENGTHY DISCUSSIONS ON HONG KONG'S POSITION WERE HELD BETWEEN UMELCO MEMBERS AND SENIOR BRITISH GOVERNMENT OFFICIALS, AS WELL AS WITH A NUMBER OF INFLUENTIAL MEMBERS OF PARLIAMENT.

THESE MEETINGS TOOK PLACE IN BOTH HONG KONG AND LONDON.

ALTHOUGH SOME CONCESSIONARY AMENDMENTS WERE EVENTUALLY MADE TO THE BILL IN RESPONSE TO HONG KONG'S STRENUOUS REPRESENTATIONS, HE SAID, UMELCO REMAINED UNCONVINCED OF THE NEED FOR CHANGES IN CITIZENSHIP AND CONCERNED ABOUT THE LACK OF A DEFINITION AS REGARDS THE NATIONALITY OF HONG KONG'S BRITISH SUBJECTS.

AND THE NEW DESCRIPTION FOR HONG KONG PASSPORT HOLDERS WAS THE RESULT OF FURTHER REPRESENTATIONS BY UMELCO.

MR LOBO ALSO COMMENTED ON THE RECENT AMENDMENT TO THE BRITISH NATIONALITY ACT WHICH AFFORDED FALKLAND ISLANDERS THE RIGHT TO BRITISH CITIZENSHIP.

+THERE IS NO QUESTION THE MEASURE IS DISCRIMINATORY AGAINST OTHER DEPENDENT TERRITORIES OF WHICH HONG KONG IS MUCH THE BIGGEST,+ HE SAID.

+SIR, YOUR PREDECESSOR, LORD MACLEHOSE SPOKE ON THE FALKLANDS BILL IN THE HOUSE OF LORDS AND I THINK ACCURATELY REFLECTED OUR VIEWS.+

MR PETER C. WONG AND MR JOHN SWAINE ALSO SPOKE ON THE BILLS.

MR WONG, CONVENER OF THE LEGISLATION SCRUTINY GROUP OF UNOFFICIALS WHICH STUDIED THE BILLS, SAID HIS GROUP WAS BY AND LARGE SATISFIED WITH THEIR LEGAL AND DRAFTING ASPECTS.

HE SAID MOST OF THE PROPOSED AMENDMENTS WERE CONSEQUENTIAL, INVOLVING MAINLY CHANGES IN NOMENCLATURE.

+HOWEVER,+ HE SAID, +THE OPPORTUNITY WAS TAKEN TO TIGHTEN THE DEFINITION OF HONG KONG BELONGER AND TO IMPOSE IMMIGRATION CONTROLS ON NON-HONG KONG BELONGERS BORN AFTER DECEMBER 31, 1982 INCLUDING CHILDREN BORN TO VIETNAMESE REFUGEES.

+THESE ARE POLICY MATTERS APPROVED BY THE EXECUTIVE COUNCIL.

+GIVEN THE SPECIAL CIRCUMSTANCES OF HONG KONG, THE GROUP FEELS THAT THE PROPOSED MEASURES ARE JUSTIFIED.+

MR WONG EXPLAINED THAT THE NEW DEFINITION OF HONG KONG BELONGER ENSURED THAT THE ABSOLUTE RIGHT TO LAND AND REMAIN IN HONG KONG WAS ENJOYED ONLY BY THOSE WHO HAD ACQUIRED BDTC STATUS BY CONNECTION WITH HONG KONG.

WHILE AGREEING THAT THE NEW DEFINITION WOULD BE MORE RESTRICTIVE IN PRACTICAL TERMS, HE ESTIMATED THAT THE NUMBER OF PERSONS AFFECTED WOULD BE RELATIVELY SMALL.

HE ALSO SPELLED OUT VARIOUS CHANNELS WHEREBY A CHILD BORN AFTER DECEMBER 31, 1982 COULD BECOME A BDTC.

TO ACQUAINT THE PUBLIC WITH THE NEW LAW, MR WONG NOTED THAT THE IMMIGRATION DEPARTMENT OPERATES A SPECIAL NATIONALITY SECTION WHICH DEALS EXCLUSIVELY WITH PROBLEMS ASSOCIATED WITH THE BRITISH NATIONALITY ACT AND THE CONSEQUENTIAL AMENDMENTS TO HONG KONG'S OWN ORDINANCES.

THERE IS ALSO A TELEPHONE ENQUIRY SERVICE AND AN EXPLANATORY PAMPHLET IN ENGLISH AND CHINESE WILL SOON BE AVAILABLE, HE ADDED.

MR SWAINE CONFINED HIS COMMENTS TO THE IMMIGRATION (AMENDMENT) (NO. 2) BILL WHICH PROVIDES, INTER ALIA, A NEW DEFINITION OF +HONG KONG BELONGER+ TO ENSURE THAT THE ABSOLUTE RIGHT TO LAND AND REMAIN IN HONG KONG IS ENJOYED ONLY BY THOSE BDTCS WHO HAVE ACQUIRED BDTC BY CONNECTION WITH HONG KONG.

HE SAID THAT UNDER THE PRESENT IMMIGRATION ORDINANCE, ONLY HONG KONG BELONGERS HAVE THE ABSOLUTE RIGHT TO LAND IN HONG KONG.

BUT ONE CANNOT BE A HONG KONG BELONGER WITHOUT FIRST BEING A BRITISH SUBJECT AND SHOWING HIS HONG KONG CONNECTION, I.E. BY BIRTH, NATURALISATION OR REGISTRATION IN HONG KONG, OR BY MARRIAGE TO OR BEING THE CHILD OF SUCH A PERSON.

+THE DIFFICULTY WHICH ARISES RELATES TO THOSE CHILDREN BORN IN HONG KONG ON OR AFTER JANUARY 1, 1983 WHO DO NOT QUALIFY AS BRITISH DEPENDENT TERRITORIES CITIZENS UNDER THE CRITERIA DESCRIBED EARLIER,+ SAID MR SWAINE.

+ARE WE NEVERTHELESS TO CONSTITUTE THEM AS HONG KONG BELONGERS, THEREBY CREATING A CLASS OF BELONGER WITHOUT CITIZENSHIP?

+IT WOULD BE WITHIN OUR POWER TO DO SO BUT WOULD IT BE RIGHT FOR US TO DO SO?+ HE ASKED.

- 4 -

HE POINTED OUT THAT THE CHILDREN WHO WOULD BE CHIEFLY AFFECTED WERE THOSE BORN OF REFUGEE PARENTS AND ILLEGAL IMMIGRANTS +WHO HAVE NO LEGITIMATE CALLS ON OUR RESOURCES AND OVER WHOM WE HAVE HAD TO ENACT STRINGENT BUT NECESSARY MEASURES OF CONTROL IN RECENT YEARS+.

MR SWAINE AGREED THAT IT WAS PAINFUL TO DECIDE WHETHER THEIR CHILDREN SHOULD BE FREE OF IMMIGRATION CONTROL.

+BUT GIVEN THE CIRCUMSTANCES OF HONG KONG TODAY, THEIR EXCLUSION FROM BELONGER STATUS IS I BELIEVE JUSTIFIED,+ HE ADDED.

THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, CONFIRMED IN THE LEGISLATIVE COUNCIL TODAY THAT THE GOVERNMENT WILL BE PUBLISHING THE BRITISH NATIONALITY ACT 1981 IN THE GAZETTE ON DECEMBER 31 TOGETHER WITH THE SUBSIDIARY LEGISLATION.

+WE WILL ALSO PUBLISH ANY FURTHER SUBSIDIARY LEGISLATION THAT THE BRITISH GOVERNMENT PASSES,+ HE ADDED.

HE DESCRIBED THE SPEECH ON THE FOUR BILLS BY THE HON R.H. LOBO AS A +VERY REMARKABLE EXAMPLE OF THE REMARKABLE WAY+ IN WHICH MEMBERS OF BOTH THE EXECUTIVE AND LEGISLATIVE COUNCILS HAD FOUGHT FOR THE INTERESTS OF THE HONG KONG COMMUNITY.

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ROAD TRAFFIC BILL 1982 BECOMES LAW
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THE ROAD TRAFFIC BILL 1982 WAS PASSED INTO LAW IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) WITH AMENDMENTS TO 32 CLAUSES AND THE SCHEDULE.

THE AMENDMENTS WERE MOVED AT THE COMMITTEE STAGE BY UNOFFICIAL MEMBER THE HON S.L. CHEN AND THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT.

THE MORE SUBSTANTIVE AMENDMENTS ARE AS FOLLOWS:

- * CLAUSE 24 (4). THE REQUIREMENT IN SUB-CLAUSES (B) AND (D) FOR THE COMMISSIONER FOR TRANSPORT TO TAKE INTO ACCOUNT ON RECEIVING AN APPLICATION TO LICENCE A MOTOR VEHICLE AS A TAXI THE NUMBER OF VEHICLES LICENSED AS TAXIS WHICH ARE OWNED BY THE APPLICANT AND HIS FINANCIAL RESOURCES IS DELETED.
- * CLAUSES 35, 36, 37 AND 38. THE AMENDMENTS ARE, BRIEFLY, TO REDUCE MAXIMUM FINE LEVELS AND TERMS OF IMPRISONMENT AND DELETE THE PROVISION FOR COMPULSORY DISQUALIFICATION FOR A FIRST OFFENCE UNDER THESE CLAUSES. PROVISION HAS ALSO BEEN MADE FOR A SUMMARY OFFENCE OF CAUSING DEATH BY RECKLESS DRIVING.

/* CLAUSE 42.

* CLAUSE 42. THE AMENDMENT PROVIDES A DIFFERENCE IN PENALTY FOR TWO RELATED OFFENCES -- FAILURE TO PRODUCE A DRIVING LICENCE ON THE SPOT AND FAILURE TO PRODUCE THE LICENCE WITHIN 72 HOURS. IT PROVIDES FOR THE SECOND OFFENCE TO CARRY A PENALTY TWICE THAT OF THE FIRST AND SETS THE FINE AT \$2 000.

* CATEGORISATION OF GOODS VEHICLES. THE AMENDMENTS MAKE IT CLEAR THAT A +LIGHT GOODS VEHICLE+ MAY HAVE A PERMITTED GROSS VEHICLE WEIGHT UP TO AND INCLUDING 5.5 TONNES; A +MEDIUM GOODS VEHICLE+ WOULD WEIGH OVER 5.5 TONNES AND UP TO AND INCLUDING 24 TONNES; A +HEAVY GOODS VEHICLE+ MAY HAVE A PERMITTED GROSS VEHICLE WEIGHT OF OVER 24 TONNES AND UP TO AND INCLUDING 38 TONNES.

IN CONNECTION WITH THE REVISED CLASSIFICATION OF GOODS VEHICLES, DRIVING LICENCE ARRANGEMENTS WILL ALSO BE CHANGED SO THAT AFTER IMPLEMENTATION OF THE BILL A PERSON WISHING TO DRIVE, FOR EXAMPLE, A HEAVY GOODS VEHICLE, WILL HAVE TO PASS THE TEST ON SUCH A VEHICLE. ALL EXISTING GOODS VEHICLE LICENCE HOLDERS WILL BE ALLOWED TO DRIVE HEAVY GOODS VEHICLES WITHOUT UNDERGOING A RE-TEST BUT HOLDERS OF GOODS VEHICLE LICENCES WISHING TO DRIVE ARTICULATED VEHICLES WILL BE REQUIRED TO PASS A RE-TEST ON THE VEHICLE.

* OPERATION OF TRANSPORT TRIBUNALS. A NEW CLAUSE IS INSERTED AFTER CLAUSE 17 TO ALLOW THE TRANSPORT TRIBUNALS TO CONSULT A LEGAL ADVISER. AMENDMENTS ARE ALSO MADE TO TRANSFER THE RESPONSIBILITY FOR SUSPENDING VEHICLE LICENCES FROM THE TRIBUNAL TO THE COMMISSIONER FOR TRANSPORT AND FOR THE TRIBUNAL TO CONSIDER APPEALS MADE AGAINST THE COMMISSIONER'S DECISION.

* CLAUSE 40 IS AMENDED TO INCREASE THE FINE FOR SPEEDING AND CLAUSES 83 (4) AND 84 (3) ARE AMENDED TO BRING THE LEVEL OF FINES FOR BREACH OF VEHICLE SUSPENSION ORDERS AND REPAIR ORDERS INTO LINE WITH OTHER FINES IN THE BILL.

* CLAUSE 68 IS AMENDED TO ENABLE THE DISQUALIFICATION PROVISIONS TO BE APPLIED TO A PERSON WHO KNOWINGLY USES A VEHICLE WITH DEFECTIVE BRAKES, TYRES OR STEERING.

* CLAUSE 85 (2) IS AMENDED TO PROVIDE FOR DOUBLE CHARGING OF EXAMINATION FEES ONLY FOR FURTHER EXAMINATIONS ON VEHICLES SUBJECT TO A VEHICLE SUSPENSION ORDER.

SUITABLE TRANSLATION FOR +RECKLESS DRIVING+ IS IMPORTANT
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THE INTRODUCTION OF +RECKLESS DRIVING+ TO REPLACE +DANGEROUS DRIVING+ BRINGS ABOUT QUITE A FEW PROBLEMS IN HONG KONG, THE HON K.C. CHAN TOLD THE LEGISLATIVE COUNCIL TODAY.

HE SAID THAT WITH 98 PER CENT OF HONG KONG'S POPULATION BEING CHINESE, A SUITABLE TRANSLATION FOR THE NEW TERM IS IMPORTANT.

+BUT I MUST ADMIT THAT AN ADEQUATE ONE IS NOT EASY TO COME BY.

+EVEN IF THE BEST TRANSLATION IS FOUND, IT STILL GIVES THE PUBLIC A FEELING OF 'NEW BOTTLE WITH THE SAME WINE',+ HE SAID.

MR CHAN WAS SPEAKING AT THE RESUMED DEBATE ON THE CONTROVERSIAL ROAD TRAFFIC BILL WHICH SEEKS TO REVAMP THE EXISTING ROAD TRAFFIC ORDINANCE.

THE BILL WAS DEBATED TWO WEEKS AGO AND THE THIRD READING WAS ADJOURNED UNTIL TODAY.

MR CHAN SAID HE WAS GLAD TO LEARN THAT THE ATTORNEY GENERAL'S OFFICE, AND NOT THE POLICE, WOULD INITIALLY DECIDE ON ALL RECKLESS DRIVING CASES.

BUT HE URGED THAT DURING THE TRIAL PERIOD, A CLEAR-CUT DEFINITION SHOULD BE FOUND WHICH COULD BE SEEN BY ALL LAYMEN AS EASY TO UNDERSTAND AND FAIR.

ON THE PROPOSED STIFFER PENALTIES, MR CHAN CONTENDED THAT IT WAS USELESS FOR MOTORISTS TO COMPLAIN BECAUSE THE EXISTING ONES HAD BEEN ERODED BY INFLATION AND THE PINCH OF THE PENALTY WAS LESS ACUTE AND COULD NOT DETER INCREASING CASUALTIES.

HE CITED STATISTICS TO SHOW THAT THERE WERE 339 335 CASUALTIES BETWEEN OCTOBER 1981 AND SEPTEMBER 1982 AND 323 546 FOR THE CORRESPONDING PERIOD LAST YEAR.

THIS SHOWS AN INCREASE OF 8.27 PER CENT IN CASUALTIES AGAINST AN INCREASE OF 4.88 PER CENT IN THE NUMBER OF VEHICLES REGISTERED.

+EVERY CARELESS AND DANGEROUS ACTION OF EACH DRIVER MAY CONTRIBUTE TO THE POOL OF CASUALTIES AND WHEN THESE FIGURES REACHED AN UNACCEPTABLE LEVEL, THE AUTHORITIES HAVE NO ALTERNATIVE BUT TO IMPOSE MORE STRINGENT AND UNPLEASANT MEASURES IN ORDER TO CUT DOWN THE ACCIDENT FIGURES,+ MR CHAN SAID.

+THINK OF THE 478 DEAD IN 1981 AND ALL THE LOSSES TO THEIR FAMILIES AND 7 446 SERIOUSLY INJURED WHO MAY BE HANDICAPPED FOR THE REST OF THEIR LIVES, THEN MOTORISTS MAY NOT FIND THE PENALTIES TOO HARSH,+ HE SAID.

ROAD JUNCTION STILL A PEDESTRIAN ACCIDENT PROBLEM SPOT
* * * *

DESPITE SAFETY MEASURES INTRODUCED, THE CHAI WAN ROAD AND SHAU KEI WAN ROAD JUNCTION AREA WAS STILL A PEDESTRIAN TRAFFIC ACCIDENT +PROBLEM SPOT+, THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, SAID IN THE LEGISLATIVE COUNCIL TODAY.

REPLYING TO A QUESTION BY THE HON MARIA TAM, MR SCOTT REPORTED THAT ALMOST ALL THE TRAFFIC ACCIDENT CASUALTIES IN THE JUNCTION WERE PEDESTRIANS, AND THE MAJOR CAUSE WAS THE LIMITED PEDESTRIAN FACILITIES FOR CROSSING SHAU KEI WAN ROAD.

MR SCOTT SAID THAT TO MAKE CROSSING SAFER AT THIS LOCATION, AN ALL-RED PHASE LASTING SIX SECONDS WAS INTRODUCED INTO THE VEHICLE TRAFFIC SIGNAL SEQUENCE IN DECEMBER LAST YEAR.

HIGHER INTENSITY TRAFFIC SIGNALS WERE ALSO INSTALLED, AND GUARD RAILS ERECTED ALONG CHAI WAN ROAD AND SHAU KEI WAN ROAD TO CHANNEL PEDESTRIANS INTO THE PROPER CROSSING PLACES.

+DESPITE THE INTRODUCTION OF THESE MEASURES AND SOME INITIAL SUCCESS IN CHECKING THE INCREASE IN THE NUMBER OF TRAFFIC ACCIDENT CASUALTIES, THIS LOCATION IS STILL A PROBLEM SPOT,+ HE SAID.

MR SCOTT SAID FURTHER MEASURES WERE BEING PREPARED, INCLUDING A SPECIFIC PEDESTRIAN PHASE IN THE SIGNAL SEQUENCE FOR PEDESTRIANS CROSSING SHAU KEI WAN ROAD, AND THE ERECTION OF ADDITIONAL SAFETY FENCES ON SHAU KEI WAN ROAD AND CHAI WAN ROAD, AND ON THE CENTRAL DIVIDER ON CHAI WAN ROAD.

REPLYING TO QUESTIONS BY THE REV THE HON JOYCE BENNETT, MR SCOTT SAID GOVERNMENT POLICY IS THAT SPEED LIMITS BE SET AT 40 MPH IN ROAD TUNNELS DURING NORMAL TWIN-TUBE OPERATION.

WHEN TRAFFIC IS RESTRICTED TO TWO-WAY FLOW IN ONE TUBE, THE SPEED LIMIT IS REDUCED TO 30 MPH FOR SAFETY REASONS, HE ADDED.

DEALING WITH THE SPEED LIMITS ON THE EAST KOWLOON ELEVATED HIGHWAY, MR SCOTT SAID THAT FOR A PERIOD, THE SPEED LIMIT SIGN ON THE SOUTHBOUND CARRIAGEWAY APPROACH INCORRECTLY SHOWED ON OCCASIONS 30 MPH.

THIS WAS BECAUSE THE VARIABLE SPEED SIGN, WHICH COULD BE SWITCHED ELECTRICALLY TO SHOW 30 OR 40 MPH, HAD BEEN INADVERTENTLY TRIGGERED DURING THE TESTING PROGRAMME OF THE COMPUTERISED TRAFFIC SURVEILLANCE SYSTEM.

+THE SIGN HAS BEEN DISCONNECTED FROM THE ELECTRICAL CIRCUITS AND SET AT 40 MPH BY MANUAL OPERATION.

+WHEN THE COMPUTERISED TRAFFIC SURVEILLANCE SYSTEM IS OPERATIONAL IN MARCH 1983, REMOTE CONTROL OF THE SPEED LIMIT SIGN WILL BE REIMPOSED,+ HE SAID.

WEDNESDAY, DECEMBER 22, 1982

- 8 -

+DANGER SIGNALS+ RAISED ON PUBLIC LIGHT BUSES
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THE REV THE HON JOYCE M. BENNETT RAISED A NUMBER OF +DANGER SIGNALS+ CONCERNING PUBLIC LIGHT BUSES WHEN SPEAKING IN SUPPORT OF THE ROAD TRAFFIC (AMENDMENT) (NO. 2) BILL WHICH WAS PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE AMENDMENT BILL PROPOSED TO DELETE THE PRESENT TWO-TON RESTRICTION ON THE UNLADEN WEIGHT OF LIGHT BUSES, AND ALLOW THE COMMISSIONER FOR TRANSPORT TO APPROVE THE REGISTRATION OF LIGHT BUSES UP TO FOUR TONS IN GROSS VEHICLE WEIGHT AND OF LARGER DIMENSIONS, SHE SAID.

WHILE AGREEING THAT PUBLIC LIGHT BUSES HAD PROVED VERY USEFUL IN HONG KONG, MISS BENNETT FELT THAT THEIR PUBLIC IMAGE WAS TOO OFTEN SPOILED BY THEIR DOUBLE-PARKING AND PARKING ON THE CORNERS OF STREETS.

SHE MENTIONED TUNG MING STREET IN KWUN TONG AND THE CORNER OF HANG ON STREET AND TUNG MING STREET AS EXAMPLES.

PUBLIC LIGHT BUSES ALSO USED TO CAUSE CHAOS TO TRAFFIC BY DOING U TURNS IN THE MIDDLE OF STREETS, SUCH AS HIP WO STREET IN KWUN TONG, SHE ADDED.

+I AM SURE OTHER MEMBERS OF THIS COUNCIL CAN SUPPLY THE AUTHORITIES WITH DETAILS OF OTHER STREETS WHERE THE PUBLIC IS TROUBLED BY THE LACK OF DISCIPLINE BY DRIVERS OF PUBLIC LIGHT BUSES.+

ON THE PROBLEMS OF DOUBLE PARKING, MISS BENNETT SAID THAT IF EACH PUBLIC LIGHT BUS COULD BE ONE FOOT LONGER IN FUTURE, FEWER VEHICLES COULD BE PARKED IN THE PRESENT PUBLIC LIGHT BUS STANDS.

+CAN WE EXPECT EVEN MORE PUBLIC LIGHT BUSES PARKING ILLEGALLY?+ SHE ASKED.

+WE MUST ENSURE THAT THESE HEAVIER AND BIGGER PUBLIC LIGHT BUSES ARE NOT DRIVEN CARELESSLY OR RECKLESSLY NOR EXCEEDING THE SPEED LIMITS.

+WERE THEY TO DO SO, THERE MAY BE EVEN MORE DANGERS THAN IN THE PAST.+

MISS BENNETT SAID ALSO THAT PUBLIC LIGHT BUS FARES SEEMED TO BE LESS UNDER CONTROL THAN OMNIBUS FARES.

FOR INSTANCE, SHE POINTED OUT, THE MINIBUS FARE WOULD +SHOOT UP+ AT THE LUNAR NEW YEAR.

+I AM CONCERNED THAT SOME DRIVERS MAY FIND THE OPERATION OF THESE LARGER VEHICLES WILL NOT BE VIABLE.

/+AM I

- 9 -

+AM I RIGHT THAT THE LARGER, HEAVIER VEHICLES WILL USE MORE FUEL PER MILE?

+WHAT CONTROLS WILL BE EXERCISED OVER THE FARES?+ SHE ASKED.

ANOTHER UNOFFICIAL, DR HO KAM-FAI, ALSO CALLED ON THE GOVERNMENT TO GUARD AGAINST LIGHT BUS OPERATORS TAKING ADVANTAGE OF CIRCUMSTANCES TO RAISE BUS FARES HIGHER THAN JUSTIFIED.

+AS THE NEW TYPE OF LIGHT BUS WILL BE LARGER, HEAVIER AND MORE POWERFUL, THE OPERATING COST IS LIKELY TO BE HIGHER THAN THAT OF THE EXISTING MODELS.

+THIS INCREASE IN OPERATING COST WILL INEVITABLY BE PASSED ONTO THE PASSENGERS.

+I WOULD THEREFORE LIKE TO ASK THE TRANSPORT DEPARTMENT TO PROTECT THE INTERESTS OF THE COMMUTING PUBLIC AND TO GUARD AGAINST LIGHT BUS OPERATORS TAKING ADVANTAGE OF THE OPPORTUNITY TO RAISE BUS FARES HIGHER THAN IS JUSTIFIED BY ANY ACTUAL INCREASE IN OPERATING COST,+ HE SAID.

DR HO NOTED THAT SOME UNSCRUPULOUS LIGHT BUS OPERATORS ALREADY HAD THE REPUTATION OF RUTHLESSLY JACKING UP THE BUS FARES UNDER CIRCUMSTANCES FAVOURABLE TO THEMSELVES, SUCH AS DURING RUSH HOURS, TYPHOON DAYS AND CERTAIN STATUTORY HOLIDAYS.

REFERRING TO CONCERN EXPRESSED BY THE UNOFFICIALS ABOUT POSSIBLE INCREASED FARES, THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, SAID THIS COULD ARISE, IF, FOR INSTANCE, THERE WAS AN INCREASE IN OPERATING COSTS FROM THE USE OF AIR-CONDITIONING IN VEHICLES.

+BUT THIS WOULD PROVIDE A BETTER SERVICE,+ HE SAID.

HE SAID ALSO THAT THE BILL WOULD ALLOW OPERATORS +TO SHOP AROUND+ FOR CHOICE OF MODELS, THUS INTRODUCING AN ELEMENT OF PRICE COMPETITION AMONG SUPPLIERS.

WITH REGARD TO CONTROL OF THE PLB'S, THIS MATTER WAS CONTINUALLY IN MIND. THERE WERE ALREADY CONSIDERABLE CONTROLS, FOR INSTANCE, THROUGH DESIGNATION OF PLB PROHIBITED ZONES.

NOTWITHSTANDING THEIR ADMITTED DISADVANTAGES, PLB'S ARE AN ACCEPTED FEATURE OF THE TRANSPORT SCENE AND PROVIDE ABOUT 19 PER CENT OF PUBLIC TRANSPORT PASSENGER JOURNEYS, MR SCOTT SAID.

HE FURTHER EXPLAINED THAT THERE IS NO GOVERNMENT CONTROL OVER FARES OF PLB'S (OTHER THAN MAXICABS) AND THEY GENERALLY FACE COMPETITION FROM FRANCHISED BUSES, THE MTR, TRAMS AND TAXIS.

+THIS TO SOME EXTENT DETERMINES THE LEVEL OF FARE WHICH THEY CAN CHARGE,+ MR SCOTT SAID.

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WEDNESDAY, DECEMBER 22, 1982

- 10 -

TRIBUTE TO LEGCO UNOFFICIALS FOR
THOROUGHLY EXAMINING ROAD TRAFFIC BILL

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THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT TODAY (WEDNESDAY) PAID TRIBUTE TO UNOFFICIAL MEMBERS OF THE LEGISLATIVE COUNCIL FOR THE THOROUGHNESS WITH WHICH THEY HAD EXAMINED THE PROPOSALS EMBODIED IN THE ROAD TRAFFIC BILL 1982.

SPEAKING IN THE COUNCIL, MR SCOTT ASSURED MEMBERS THAT THE PLETHORA OF AMENDMENTS TO THE BILL DID NOT MEAN THAT THE BILL WAS UNTIMELY OR THAT ITS PRINCIPLES HAD NOT BEEN SUFFICIENTLY WELL THOUGHT OUT BEFORE INTRODUCTION INTO THE COUNCIL.

HE SAID UNOFFICIAL MEMBERS HAD EXPRESSED PARTICULAR CONCERN ABOUT THE LEVEL OF PENALTIES FOR RECKLESS DRIVING AND AMENDMENTS WOULD BE INTRODUCED TO REDUCE THIS LEVEL SIGNIFICANTLY.

HE SAID THE INTRODUCTION OF THE CONCEPT OF RECKLESS DRIVING HAD GIVEN RISE TO OTHER CONCERNS -- ABOUT ITS DEFINITION, ITS TRANSLATION INTO CHINESE, AND HOW IT WOULD BE INTERPRETED IN PRACTICE.

MR SCOTT SAID THE ABSENCE OF A DEFINITION OF RECKLESS DRIVING IN THE BILL HAD BEEN TAKEN BY SOME COMMENTATORS TO MEAN THAT THE TERM WAS NOT CAPABLE OF PRECISE INTERPRETATION.

+THIS IS NOT SO. THE TERM 'RECKLESS DRIVING' HAS BEEN USED FOR ALMOST A DECADE IN U.K. ROAD TRAFFIC LEGISLATION, AND ITS INTERPRETATION HAS BEEN MADE CLEAR IN CASE LAW,+ HE SAID.

HE POINTED OUT THAT IN 1981 IN THE APPEAL CASE OF THE QUEEN VERSUS LAWRENCE, THE HOUSE LORDS STATED IN SPECIFIC TERMS WHAT MUST BE PROVED IN ORDER TO ESTABLISH WHETHER A PARTICULAR PIECE OF DRIVING WAS RECKLESS. THE LAW LORDS CONSIDERED THAT THE STANDARD OF THE ORDINARY PRUDENT MOTORIST SHOULD BE APPLIED AND THEY HELD THAT IT MUST BE PROVED:

- * FIRST, THAT THE DEFENDANT WAS IN FACT DRIVING THE VEHICLE IN SUCH A MANNER AS TO CREATE AN OBVIOUS AND SERIOUS RISK OF CAUSING PHYSICAL INJURY TO SOME OTHER PERSON WHO MIGHT HAPPEN TO BE USING THE ROAD OR OF DOING SUBSTANTIAL DAMAGE TO PROPERTY; AND
- * SECOND, THAT IN DRIVING IN SUCH A MANNER THAT THE DEFENDANT DID SO WITHOUT HAVING GIVEN ANY THOUGHT TO THE POSSIBILITY OF THERE BEING ANY SUCH RISK, OR HAVING RECOGNISED THAT THERE WAS SOME RISK INVOLVED, HAD NONETHELESS GONE ON TO TAKE IT.

/MR SCOTT

MR SCOTT SAID UNOFFICIAL MEMBERS, HAVING STUDIED THIS, HAD ACCEPTED THAT IT WAS NOT DESIRABLE TO DEFINE RECKLESS DRIVING IN THE BILL, BECAUSE THIS WOULD PUT THE CONCEPT IN A STRAIT JACKET AND NEGATE ITS POSSIBLE FURTHER EVOLUTION THROUGH CASE LAW.

+RESERVING THE CHARGE OF 'RECKLESS DRIVING' SOLELY FOR OFFENCES INVOLVING BODILY INJURY, AS MR CHAN KAM-CHUEN SUGGESTS, WOULD NOT I THINK HELP, BECAUSE CREATING A SERIOUS RISK OF PHYSICAL INJURY, WHETHER OR NOT ACTUALLY CAUSING IT, IS AN INTEGRAL PART OF THE CONCEPT OF RECKLESS DRIVING -- AS STATED IN THE JUDGEMENT OF THE HOUSE OF LORDS WHICH I HAVE JUST QUOTED,+ HE SAID.

HE SAID UNOFFICIAL MEMBERS ALSO REFLECTED THE CONCERN EXPRESSED BY DRIVERS' ASSOCIATION THAT THE TRANSLATION OF 'RECKLESS DRIVING' INTO CHINESE USED IN THE EXPLANATORY MEMORANDUM WAS INADEQUATE.

+THE SECRETARY FOR HOME AFFAIRS WISHES TO JOIN ME IN EXPRESSING APPRECIATION FOR THE CARE WITH WHICH UNOFFICIAL MEMBERS HAVE WORKED TO PRODUCE A TRANSLATION WHICH CLEARLY EMBODIES THE CONCEPT OF DRIVING WITHOUT REGARD TO THE CONSEQUENCES.+

A NEW CHINESE VERSION OF THE TERM WILL BE USED IN THE EXPLANATORY MEMORANDUM WHEN THE BILL IS PUBLISHED AS AN ORDINANCE. IT CAN BE RE-TRANSLATED INTO ENGLISH AS +WITHOUT REGARD TO THE CONSEQUENCES, DRIVING RECKLESSLY+.

MR SCOTT SAID ANXIETY HAD BEEN EXPRESSED AS TO WHETHER MEMBERS OF THE POLICE FORCE WOULD BE ABLE TO DISTINGUISH FAIRLY BETWEEN RECKLESS DRIVING AND CARELESS DRIVING.

HE SAID THE POLICE WOULD IN THE NORMAL COURSE BE TRAINED IN THE PROVISIONS OF THE NEW LEGISLATION, INCLUDING THE OFFENCE OF RECKLESS DRIVING.

+BUT IN ANY CASE, I MUST POINT OUT THAT THE CHARGING OF AN OFFENCE OF RECKLESS DRIVING IS NOT LEFT TO THE TRAFFIC POLICEMAN AT THE SCENE OF THE OFFENCE. THE POSSIBILITY AND NATURE OF SUCH CHARGES IS CONSIDERED AT SENIOR LEVELS WITHIN THE FORCE.+

HE SAID THE ATTORNEY GENERAL HAD ASSURED THAT AS AN ADDITIONAL SAFEGUARD, IN THE INITIAL PERIOD FOLLOWING THE IMPLEMENTATION OF THE BILL, ALL CASES CONSIDERED TO BE OFFENCES OF RECKLESS DRIVING WOULD BE REFERRED NOT ONLY TO SENIOR LEVELS WITHIN THE POLICE FORCE, BUT ALSO TO THE DIRECTOR OF PUBLIC PROSECUTIONS IN THE ATTORNEY GENERAL'S CHAMBER.

ON REDUCING THE LEVEL OF PENALTIES, MR SCOTT SAID ALTHOUGH HE RECOGNISED THAT THESE AMENDMENTS WOULD BE WELCOMED BY ONE SECTION OF THE COMMUNITY, HE COULD NOT OVERLOOK THE VIEW, WHICH HAD RECENTLY FOUND STRONG EXPRESSION IN EDITORIALS IN SOME ENGLISH AND CHINESE NEWSPAPERS, THAT PEDESTRIANS - THE SILENT MAJORITY OF ROAD USERS - DESERVE TO BE, AND MUST BE, PROTECTED FROM RECKLESS DRIVING.

+IT IS OF COURSE RIGHT TO BE PROPERLY CONCERNED ABOUT THE LIVELIHOOD OF PROFESSIONAL DRIVERS - PROVIDED THEY DRIVE SAFELY AND SENSIBLY; BUT WE MUST ALSO BE PROPERLY CONCERNED ABOUT THE SAFETY, HEALTH AND LIVELIHOOD OF PEDESTRIANS AT RISK OF BEING KILLED OR INJURED BY RECKLESS DRIVERS,+ HE ADDED.

HE EMPHASISED THAT THE REDUCTIONS IN THE PROPOSED FINES FOR SERIOUS OFFENCES, AND THE CHANGES IN THE DISQUALIFICATION PROVISIONS, SHOULD NOT BE MISINTERPRETED AS A WEAKENING OF THE GOVERNMENT'S RESOLVE TO TACKLE DRIVING BEHAVIOUR WHICH ENDANGERS THE LIVES OF OTHER ROAD USERS.

MR SCOTT JOINED THOSE UNOFFICIAL MEMBERS WHO NOTED IN THEIR SPEECHES ON DECEMBER 8 THAT FINES ACTUALLY IMPOSED IN CONNECTION WITH CONVICTIONS FOR DANGEROUS DRIVING FALL FAR SHORT OF THE EXISTING MAXIMUM PENALTY IN THE ROAD TRAFFIC ORDINANCE; AND WHO EXPRESSED THE VIEW THAT PENALTIES ON CONVICTION SHOULD REFLECT THE AIM OF DETERRENCE AS WELL AS PUNISHMENT.

+I BELIEVE THEREFORE THAT THE QUESTION OF PENALTIES SHOULD BE REVIEWED AT AN APPROPRIATE PERIOD AFTER IMPLEMENTATION OF THE BILL, AND SHALL MAKE ARRANGEMENTS ACCORDINGLY,+ HE SAID.

ON THE ROAD SAFETY IMPLICATIONS OF THE BILL, MR SCOTT SAID THE BILL IS ONLY PART OF THE GOVERNMENT'S OVERALL PLAN TO IMPROVE ROAD SAFETY.

AMONG ROAD SAFETY MEASURES WHICH WILL BE IMPLEMENTED IN 1983 ARE THE PROVISION OF MORE PEDESTRIAN FACILITIES, MORE INVESTIGATIONS INTO AND REMEDIAL WORKS AT PEDESTRIAN PROBLEM SPOTS, A PUBLICITY CAMPAIGN CONCENTRATING ON PEDESTRIAN SAFETY, AND BETTER DRIVER TRAINING AT AN OFF-STREET DRIVER DRIVING CENTRE.

MORE PEOPLE TO BENEFIT FROM LEGAL AID

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MORE PEOPLE WILL BENEFIT FROM LEGAL AID NEXT YEAR AS A RESULT OF NEW MEANS TEST LIMITS PASSED BY THE LEGISLATIVE COUNCIL TODAY, THE LAW DRAFTSMAN, THE HON G.P. NAZARETH, SAID.

UNDER A RESOLUTION WHICH MR NAZARETH MOVED THROUGH THE COUNCIL TODAY, THE MAXIMUM MONTHLY DISPOSABLE INCOME FOR CIVIL CASES WILL BE RAISED FROM \$1 000 TO \$1 500 AND THE CEILING FOR DISPOSABLE CAPITAL FROM \$10 000 TO \$15 000, EFFECTIVE FROM JANUARY 3.

THESE TWO LIMITS WERE LAST RAISED TO THE EXISTING LEVELS IN 1977, HE SAID.

SINCE THEN THE COST OF LIVING AND WAGES AS WELL AS THE COST OF OBTAINING LEGAL REPRESENTATION HAD RISEN SUBSTANTIALLY, HE POINTED OUT.

MR NAZARETH ESTIMATED THAT UNDER THE NEW SCHEME, THERE WOULD BE AN INCREASE OF 16 PER CENT IN THE NUMBER OF SUCCESSFUL CIVIL LEGAL AID APPLICATIONS.

UNDER ANOTHER RESOLUTION PASSED TODAY, THE DISPOSABLE CAPITAL LIMIT FOR LEGAL AID ELIGIBILITY IN CRIMINAL CASES WILL AT THE SAME TIME BE INCREASED FROM \$10 000 TO \$15 000 WHILE THE EXISTING MAXIMUM MONTHLY DISPOSABLE INCOME OF \$1 500 WILL BE THE SAME.

MR NAZARETH SAID THAT UNLIKE CIVIL LEGAL AID CASES, MOST APPLICANTS FOR AID IN CRIMINAL CASES HAD NO DIFFICULTY IN MEETING THE MEANS TEST AS IN PRACTICE THEY LACKED THE DISPOSABLE CAPITAL OR INCOME OF THE ORDER IN QUESTION.

BUT HE EXPLAINED +IT IS DESIRABLE THAT THERE SHOULD BE UNIFORM FINANCIAL CRITERIA FOR ELIGIBILITY UNDER THE TWO LEGAL AID SCHEMES,+ WHICH THE TWO RESOLUTIONS NOW ACHIEVED.

UNDER SEPARATE AMENDMENTS, NEW SCALES OF CONTRIBUTIONS APPLICABLE TO BOTH SCHEMES WILL BE INTRODUCED FROM JANUARY 3, THEREBY ELIMINATING THEIR EXISTING DIFFERENCES.

FUTURE APPLICANTS WHO ARE FINANCIALLY ELIGIBLE FOR LEGAL AID UNDER THE EXISTING MEANS TEST LIMITS, BUT WHO WILL STILL BE REQUIRED TO PAY A CONTRIBUTION TOWARDS THEIR LEGAL COSTS, WILL PAY SMALLER AMOUNTS.

UNDER THE NEW ARRANGEMENTS, THE +THRESHOLD POINTS+ ABOVE WHICH CONTRIBUTIONS BECOME PAYABLE WILL BE RAISED TO A MONTHLY DISPOSABLE INCOME OF \$750 AND DISPOSABLE CAPITAL OF \$5 000, COMPARED WITH THE PRESENT THRESHOLDS OF \$500 AND \$3 000.

THE AMENDMENTS WILL ALSO RAISE THE LEVEL OF ALLOWANCES THAT ARE MADE WHEN CALCULATING THE DISPOSABLE CAPITAL OF APPLICANTS FOR LEGAL AID.

AMONG OTHER ADJUSTMENTS, THE DEDUCTIBLE ALLOWANCE FOR THE VALUE OF SELF-OCCUPIED RESIDENTIAL PREMISES WILL BE RAISED FROM \$40 000 TO \$300 000 AND THE CAPITAL ALLOWANCE PER DEPENDANT FROM \$1 500 TO \$3 800.

PUBLIC PARTICIPATION MAY ENHANCE KCR EFFICIENCY
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THERE IS NO COMPELLING REASON WHY THE GOVERNMENT SHOULD REMAIN INDEFINITELY THE SOLE OWNER OF THE KOWLOON-CANTON RAILWAY CORPORATION AND PUBLIC PARTICIPATION MAY ENHANCE THE CORPORATION'S EFFICIENCY, THE HON PETER C. WONG SAID IN THE LEGISLATIVE COUNCIL TODAY.

SPEAKING IN SUPPORT OF THE KOWLOON-CANTON RAILWAY CORPORATION BILL 1982, WHICH WAS PASSED WITH AMENDMENTS TODAY MR WONG DESCRIBED AS +WELCOME NEWS+ THE SECRETARY FOR TRANSPORT'S RECENT INDICATION THAT AT SOME FUTURE DATE THE PUBLIC MIGHT BE PERMITTED TO OWN SHARES OF THE CORPORATION.

THE BILL IS PARTLY BASED ON THE EXISTING KOWLOON-CANTON RAILWAY ORDINANCE AND ON THE MTR ORDINANCE, WITH CERTAIN SAFEGUARDS TO ENSURE THAT THE GOVERNMENT AS SOLE OWNER OF THE CORPORATION WILL HAVE SUBSTANTIAL POLICY CONTROLS ON FINANCIAL AND OTHER MATTERS, MR WONG POINTED OUT.

HE SAID THAT IN THIS RESPECT, THE BILL APPEARED TO REPRESENT A COMPROMISE, BALANCING THE INTEREST OF THE GOVERNMENT AND THE OPERATION OF THE CORPORATION ON PURELY COMMERCIAL PRINCIPLES.

MR WONG SAID THE COUNCIL'S COMMUNITY SERVICES WORKING GROUP FELT THAT GOVERNMENT CONTROLS, WHILE DESIRABLE IN THE PUBLIC INTEREST, SHOULD BE EXERCISED CAUTIOUSLY IN ORDER NOT TO HAMPER THE SMOOTH OPERATION OF THE CORPORATION ON COMMERCIAL PRINCIPLES.

ON THE CORPORATION'S POWERS TO ENTER PRIVATE LAND, MR WONG SAID, THERE WAS SOME CAUSE FOR CONCERN IN CERTAIN CASES WITH REGARD TO DAMAGE TO PRIVATE PROPERTY BUT +ON BALANCE, WE ACCEPT THAT IN THE MAJORITY OF CASES, THE PRIVATE LAND OWNER IS WELL PROTECTED AND IT IS UNLIKELY THAT THE CORPORATION WOULD ABUSE ITS POWERS OR BEHAVE IN AN IRRESPONSIBLE MANNER, BEARING IN MIND THAT IT WILL BE WHOLLY OWNED BY GOVERNMENT.+

TWO OTHER UNOFFICIALS ALSO SPOKE ON THE BILL.

THE HON JOHN SWAINE SAID THAT THE PROPOSED KOWLOON CANTON RAILWAY CORPORATION WOULD BE WHOLLY-OWNED BY THE GOVERNMENT.

BUT TO REFLECT ITS NATURE AS A PUBLIC CORPORATION, THE BILL PROVIDES THAT THE CORPORATION WHEN EXERCISING ITS POWERS, SHALL HAVE REGARD TO THE REASONABLE REQUIREMENTS OF THE PUBLIC TRANSPORT SYSTEM OF HONG KONG, AND THE EFFICIENCY, ECONOMY AND SAFETY OF OPERATION OF ITS SERVICES AND FACILITIES.

+THE CORPORATION'S CHARTER IS ENSHRINED IN CLAUSE 8 WHICH ENJOINS THE CORPORATION, IN SO FAR AS CONSISTENT WITH THE PROPER DISCHARGE BY IT OF ITS FUNCTIONS AND DUTIES, TO ACHIEVE A SATISFACTORY RATE OF RETURN ON THE ASSETS EMPLOYED IN ITS UNDERTAKING IN ACCORDANCE WITH ORDINARY COMMERCIAL CRITERIA,+ HE SAID.

VARIOUS FINANCIAL SAFEGUARDS WERE ALSO WRITTEN INTO THE BILL IN ORDER TO PROTECT THE GOVERNMENT'S INTEREST, HE SAID.

+BUT EXPRESS PROVISION IS MADE IN EACH CASE FOR THE GOVERNMENT'S POWERS TO BE EXERCISED ONLY AFTER CONSULTATION WITH THE CORPORATION.

+IN A SENSE THIS REFLECTS THE DILEMMA INHERENT IN THE DIVING-OFF PROCESS; TO WHAT EXTENT SHOULD THE CORPORATION THROUGH ITS BOARD BE FULLY AUTONOMOUS AND HOW MUCH RESIDUAL FINANCIAL POWER SHOULD GOVERNMENT RESERVE TO ITSELF OVER ITS STATUTORY OFFSPRING.

+AFTER MUCH THOUGHT AND DELIBERATION, THE PRESENT BILL REPRESENTS, I BELIEVE, A BALANCED PACKAGE,+ MR SWAINE SAID.

THE HON BENTON CHEUNG REGARDED THE DEVELOPMENT OF THE KCR INTO THE KCRC AS A COMPLEX AND LONG TERM PROCESS THAT MUST TAKE INTO ACCOUNT PERSONNEL, FINANCE AND A MULTITUDE OF OTHER CONSIDERATIONS.

HE THOUGHT THAT KCR, HAVING BEEN IN SERVICE FOR OVER HALF A CENTURY, MUST NOW, NOT ONLY +SWITCH TRACKS+ AS IT WERE, BUT ALSO TRANSFORM ITSELF INTO A BODY-CORPORATE.

+BY SO DOING, THE ENTIRE NATURE OF THE RAILWAY MUST ALTER BECAUSE IN ITS NEW CAPACITY, ITS MANAGEMENT BOARD IS GIVEN A MUCH GREATER FREEDOM AND WIDER DISCRETION IN THE EXERCISE OF ITS MANAGERIAL POWERS AND IN THE PERFORMANCE OF ITS STATUTORY DUTIES.

+IN THIS REGARD, THERE WILL BE A NEED FOR WATCHFUL AND CONTINUOUS REVIEWS TO ENSURE THAT THE CORRECT BALANCE OF PUBLIC AND PRIVATE INTERESTS IS MAINTAINED,+ HE SAID.

MR CHEUNG ALSO PAID TRIBUTE TO THE STAFF OF THE KCR, ESPECIALLY LONG-SERVING STAFF, FOR THEIR LOYAL AND DEDICATED SERVICE TO THE RAILWAY.

THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, EXPRESSED GRATITUDE FOR THE WISE ADVICE FROM UNOFFICIAL MEMBERS ON THE BILL.

WEDNESDAY, DECEMBER 22, 1982

- 16 -

BILL TO FACILITATE DELEGATION OF FINANCIAL AUTHORITIES
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THE PURPOSE OF THE PUBLIC FINANCE BILL 1982 IS TO PROVIDE, FOR THE FIRST TIME, A STATUTORY FRAMEWORK FOR THE CONTROL AND MANAGEMENT OF THE PUBLIC FINANCES OF HONG KONG, THE FINANCIAL SECRETARY, THE HON JOHN BREMRIDGE, SAID IN THE LEGISLATIVE COUNCIL TODAY.

THE BILL DOES NOT INTRODUCE ANY BASIC CHANGE IN THE PRESENT SYSTEM, WHICH IN ESSENCE MEETS CURRENT NEEDS, MR BREMRIDGE SAID.

+HOWEVER, THE AUTHORITIES WHICH UNDERLIE THIS SYSTEM ARE VARIOUS AND OFTEN UNTRACEABLE. THE BILL IS THEREFORE DESIGNED TO CLARIFY THESE AUTHORITIES AND TO BRING THEM TOGETHER IN ONE PLACE, + HE EXPLAINED.

HE DREW THE COUNCIL'S ATTENTION TO ONLY ONE CHANGE MADE BY THE BILL.

PROPOSALS FOR SUPPLEMENTARY PROVISIONS DURING THE COURSE OF A FINANCIAL YEAR ARE AT PRESENT FIRST EXAMINED BY THE FINANCE COMMITTEE AND, UPON ITS APPROVAL, SUBMITTED TO THE LEGISLATIVE COUNCIL FOR COVERING APPROVAL.

MR BREMRIDGE SAID THAT IN PRACTICE, THE INITIAL APPROVAL GIVEN BY THE FINANCE COMMITTEE IS TAKEN AS SUFFICIENT AUTHORITY FOR THE GOVERNMENT TO PROCEED.

THIS PRACTICE IS NOW RECOGNISED IN THE BILL WHICH PROVIDES FOR THE COMMITTEE TO APPROVE SUPPLEMENTARY PROVISIONS WITHOUT OBTAINING COVERING APPROVAL FROM THE COUNCIL, MR BREMRIDGE SAID.

THE BILL, HE POINTED OUT, WILL FACILITATE THE DELEGATION OF FINANCIAL AUTHORITIES BY SIMPLIFYING THE CHAIN AND METHOD OF DELEGATION.

IT IS INTENDED THAT THE BILL WILL COME INTO EFFECT ON APRIL 1, 1983.

DEBATE WAS ADJOURNED AFTER THE BILL WAS READ A SECOND TIME.

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WEDNESDAY, DECEMBER 22, 1982

- 17 -

IMPLICATIONS OF SELECTIVE SAFEGUARDS TO HK'S FUTURE TRADE

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THE SECRETARY FOR TRADE AND INDUSTRY, MR BILL DORWARD TODAY (WEDNESDAY) TOLD THE LEGISLATIVE COUNCIL THAT A SELECTIVE SAFEGUARDS CODE WOULD, IN THE HONG KONG GOVERNMENT'S VIEW, BECOME EFFECTIVELY AN MFA WRIT LARGE.

+THAT IS TO SAY, IT WOULD OPEN UP OPPORTUNITIES FOR DEVELOPED COUNTRIES TO APPLY THE KIND OF RESTRICTIONS WHICH BEAR MORE AND MORE HEAVILY UPON OUR TEXTILE INDUSTRY TO EACH AND EVERY AREA OF HONG KONG'S EXPORT TRADE. THE IMPLICATIONS OF THIS WILL BE IMMEDIATELY APPARENT.+

IN REPLY TO A QUESTION BY MR STEPHEN CHEONG, MR DORWARD SAID: +AFTER MANY YEARS OF EXPERIENCE AND DEBATE, HOWEVER, THE HONG KONG GOVERNMENT IS CONVINCED THAT ANY DEFINITION OF CRITERIA FOR DETERMINING INJURY IN A SELECTIVE SAFEGUARDS CODE WOULD INEVITABLY BE IMPRECISE AND OPEN TO INTERPRETATIONS WHICH COULD BE HIGHLY INIMICAL TO OUR TRADING INTERESTS.

+OUR EXPERIENCE IN TEXTILES WITH THE MFA -- WHICH IS A SELECTIVE INSTRUMENT AND A SPECIFIC DEROGATION FROM GATT RULES -- HAS SHOWN THAT IT HAS BEEN USED BY DEVELOPED COUNTRIES SOLELY AGAINST DEVELOPING COUNTRIES.

+IT IS OUR CONCERN THAT, WHATEVER GOOD INTENTIONS MIGHT BE EXPRESSED AT THE BEGINNING, A SELECTIVE SAFEGUARDS CODE WOULD ALSO DEGENERATE INTO AN INSTRUMENT WHOSE DISCIPLINES WOULD BE LESS AND LESS RESPECTED WHEN APPLIED BETWEEN UNEQUAL PARTNERS,+ HE REMARKED.

+HONG KONG HAS THEREFORE CONSISTENTLY OPPOSED THE CONCEPT OF SELECTIVE SAFEGUARDS AND, DESPITE CONSIDERABLE PRESSURE FROM DEVELOPED COUNTRIES, THE LEGISLATION OF THAT CONCEPT HAS BEEN SUCCESSFULLY RESISTED.

+HONG KONG HAS NOT, OF COURSE, BEEN ABLE TO DO THIS ALONE. THERE HAS BEEN CLOSE AND EFFECTIVE COOPERATION AND COORDINATION AMONG DEVELOPING COUNTRIES ON THIS ISSUE. IT WILL BE IMPORTANT TO CONTINUE THAT COOPERATION AND COORDINATION IN THE FUTURE, FOR WE HAVE NOT HEARD THE LAST OF SELECTIVE SAFEGUARDS.+

MR DORWARD FORECAST THAT IN THE COMING YEAR THE DEVELOPING COUNTRIES WOULD ONCE AGAIN BE BROUGHT UNDER HEAVY PRESSURE BY THE DEVELOPED COUNTRIES TO ACCEPT OR AT LEAST ACQUIESCE IN SELECTIVE SAFEGUARDS.

+AT THE GATT MINISTERIAL MEETING WHICH I ATTENDED IN GENEVA LAST MONTH, THE DECISION WAS REACHED THAT THERE WAS A NEED FOR AN IMPROVED AND MORE EFFICIENT SAFEGUARD SYSTEM - NOT THAT THAT MEANS OR IMPLIES SELECTIVE SAFEGUARDS - AND THAT AN UNDERSTANDING ON SUCH A SYSTEM SHOULD BE DRAWN UP FOR ADOPTION BY THE GATT CONTRACTING PARTIES NOT LATER THAN ITS NOVEMBER 1983 SESSION,+ HE SAID.

/HE DISCLOSED

HE DISCLOSED THAT THE MINISTERIAL MEETING ALSO DECIDED TO LAUNCH A STUDY ON THE FUTURE OF THE MFA.

+THE SAFEGUARDS ISSUE IS PROBABLY THE SINGLE MOST IMPORTANT TRADE POLICY PROBLEM FACING HONG KONG IN 1983. I CANNOT SPECIFICALLY ANSWER MR CHEONG'S QUESTION AS TO WHAT THE IMPLICATIONS OF RECENT DEVELOPMENTS WILL BE FOR OUR FUTURE EXPORT TRADE, BUT I BELIEVE I HAVE SAID ENOUGH TO INDICATE THAT IT IS A SUBJECT WHICH WE, AND PARTICULARLY OUR GENEVA REPRESENTATIVES, WILL HAVE TO CONTINUE TO HANDLE DELICATELY BUT FIRMLY IN THE COMING MONTHS, BECAUSE THE DOWNSIDE RISK IS OBVIOUSLY CONSIDERABLE,+ MR DORWARD CONCLUDED.

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EXPORT CREDIT INSURANCE DEFICIT REACHES \$5.78 MILLION
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THE HONG KONG EXPORT CREDIT INSURANCE CORPORATION SUSTAINED AN UNDERWRITING DEFICIT OF \$5.78 MILLION IN THE 1981-82 FISCAL YEAR AS A RESULT OF A 50 PER CENT INCREASE IN CLAIMS OVER THE PRECEDING YEAR, THE SECRETARY FOR TRADE AND INDUSTRY, THE HON W. DORWARD, DISCLOSED IN THE LEGISLATIVE COUNCIL TODAY.

MR DORWARD EXPLAINED THAT RECESSION AND BANKRUPTCIES IN NEARLY ALL OVERSEAS MARKETS PLUS POLITICAL UPHEAVALS IN SOME COUNTRIES WERE THE CAUSE OF THE INCREASE WHICH RAISED THE CORPORATION'S CLAIM SETTLEMENTS TO \$20.9 MILLION.

THIS DEFICIT, HOWEVER, WAS OFFSET BY AN IMPROVED YIELD FROM INVESTMENT INCOME, WHICH INCREASED BY 34 PER CENT TO \$8.1 MILLION, LEAVING THE CORPORATION WITH AN OVERALL SURPLUS OF \$2.3 MILLION, MR DORWARD SAID WHEN TABLING THE CORPORATION'S 1981-82 ANNUAL REPORT AND ITS ACCOUNTS.

HE REPORTED MODERATE GROWTH IN THE CORPORATION'S BUSINESS DURING THE YEAR, WITH THE VALUE OF INSURED EXPORTS UP BY 8.8 PER CENT OVER THE PREVIOUS YEAR TO REACH \$3 817 MILLION.

AS IN THE PREVIOUS YEAR, THE CORPORATION'S INSURED EXPORTS REPRESENTED ABOUT 4.6 PER CENT OF HONG KONG'S TOTAL DOMESTIC EXPORTS.

GROSS PREMIUM INCOME GREW BY 6.5 PER CENT TO \$19.4 MILLION AND THE NUMBER OF INSURANCE POLICIES INCREASED BY 96 TO 1 209.

TOTAL MAXIMUM LIABILITY UNDERWRITTEN STOOD AT \$2 342 MILLION AT THE CLOSE OF THE FISCAL YEAR UNDER REVIEW, MR DORWARD SAID.

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WEDNESDAY, DECEMBER 22, 1982

- 19 -

TDC TRADE PROMOTION BEING STEPPED UP
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NO EFFORT WILL BE SPARED TO ENSURE THAT HONG KONG PRODUCTS RECEIVE THE MAXIMUM EXPOSURE OVERSEAS AND THAT HONG KONG'S REPUTATION AS A MAJOR MANUFACTURING AND TRADING CENTRE IS MAINTAINED.

THIS WAS STATED BY THE HON W.C.L. BROWN WHEN HE TABLED THE TRADE DEVELOPMENT COUNCIL'S 1981-82 ANNUAL REPORT AT THE LEGISLATIVE COUNCIL MEETING TODAY.

FOR THE YEAR UNDER REVIEW, GREAT EFFORTS WERE MADE BY THE TDC TO EXPAND PROMOTIONAL ACTIVITIES OF HONG KONG'S PRODUCTS AND IMAGE ABROAD, HE SAID.

HONG KONG'S TOTAL TRADE REACHED A RECORD OF \$265.5 BILLION, GROWING BY 24 PER CENT, LAST YEAR, EVEN THOUGH TOTAL WORLD MERCHANDISE TRADE DROPPED BY ONE PER CENT, MR BROWN POINTED OUT.

THOUGH PRODUCT PROMOTION THROUGH PARTICIPATION IN MAJOR TRADE FAIRS WAS A MAJOR PART OF THE TDC'S OBJECTIVE, THE COUNCIL WAS ALSO MINDFUL OF THE NEED TO CEMENT BETTER ECONOMIC RELATIONS WITH THE GOVERNMENTS OF MAJOR COUNTRIES, MR BROWN SAID.

DURING THE YEAR, HIGH LEVEL ECONOMIC MISSIONS, SEMINARS OR OTHER OFFICIAL VISITS WERE LED BY TDC CHAIRMAN SIR YUET-KEUNG KAN TO SUCH COUNTRIES AS FRANCE, THE UNITED ARAB EMIRATES, EGYPT, GREECE, FEDERAL REPUBLIC OF GERMANY, AUSTRIA, MEXICO AND CHINA.

+SUCH ACTIVITIES ARE LIKELY TO BE STEPPED UP IN FUTURE YEARS AS A RESULT OF SUCCESSFUL AND FRUITFUL DIALOGUES WITH SENIOR GOVERNMENT OFFICIALS AND COMMERCIAL LEADERS,+ MR BROWN SAID.

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WEDNESDAY, DECEMBER 22, 1982

- 20 -

NEW STEPS BEING TAKEN TO COVER COMMODITIES TRADING
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STEPS ARE BEING TAKEN TO BUILD UP WIDER AND CLOSER CONTACTS WITH OVERSEAS REGULATORY AUTHORITIES IN CONNECTION WITH COMMODITIES TRADING, THE SECRETARY FOR ECONOMIC SERVICES, THE HON P. JACOBS, SAID IN THE LEGISLATIVE COUNCIL TODAY.

HE SAID THIS ACTION WAS PARTICULARLY IMPORTANT BECAUSE OF THE INTERNATIONAL NATURE OF THE TRADE.

MR JACOBS WAS REPLYING TO A QUESTION BY THE HON PETER C. WONG WHO ASKED ABOUT ACTION BEING TAKEN BY THE GOVERNMENT TO CONTROL COMMODITIES AND GOLD FUTURES COMPANIES IN HONG KONG.

MR JACOBS SAID THAT SINCE THE BEGINNING OF THIS YEAR, THE COMMISSIONER FOR COMMODITIES TRADING HAD REVOKED OR SUSPENDED THE REGISTRATION OF 12 COMMODITIES DEALERS.

HE EXPLAINED THAT THESE DEALERS HAD FAILED TO COMPLY WITH VARIOUS REQUIREMENTS UNDER THE COMMODITIES TRADING ORDINANCE, INCLUDING MISUSE OF CUSTOMERS' FUNDS AND FAILURE TO EXECUTE ORDERS.

+IT IS RECOGNISED THAT THE PROVISIONS OF THE ORDINANCE, PARTICULARLY IN RELATION TO INTERVENTION, NEED TO BE STRENGTHENED,+ HE SAID.

HE POINTED OUT THAT IN MAY A WORKING PARTY CHAIRED BY THE COMMISSIONER WAS APPOINTED TO REVIEW THE ORDINANCE GENERALLY AND IN JUNE PENALTIES FOR VARIOUS OFFENCES UNDER THE ORDINANCE WERE SUBSTANTIALLY INCREASED.

THE STAFF OF THE COMMISSIONER'S OFFICE HAD ALSO BEEN STRENGTHENED DURING RECENT MONTHS, MR JACOBS POINTED OUT.

IN JULY, A NEW POST OF DEPUTY COMMISSIONER WAS CREATED TOGETHER WITH AN ADDITIONAL POST OF ASSISTANT COMMISSIONER EXPRESSLY CHARGED WITH RESPONSIBILITIES COVERING COMMODITIES TRADING.

LAST MONTH SEVERAL OTHER NEW POSTS WERE CREATED, AND AT PRESENT TWO POSTS OF SENIOR SECURITIES OFFICER AND FIVE OF SECURITIES OFFICER ARE ASSIGNED SPECIFICALLY FOR THE PURPOSES OF THE COMMODITIES TRADING ORDINANCE.

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WEDNESDAY, DECEMBER 22, 1982

- 21 -

NEED TO PROTECT HKTA EMBLEM STRESSED

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THE COMPULSORY GOLD MARKING SCHEME INTRODUCED BY THE HONG KONG TOURIST ASSOCIATION LAST JANUARY FOR ITS MEMBERS IS THE ONLY SCHEME OF ITS KIND IN THE WORLD FOR ENSURING THE QUALITY OF GOLD JEWELLERY SOLD TO TOURISTS, THE HON PETER C. WONG SAID AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IT WAS THEREFORE IMPORTANT THAT THE ASSOCIATION'S WELL-KNOWN EMBLEM IN THE FORM OF A RED CHINESE JUNK BE ADEQUATELY PROTECTED, BY AN INCREASE IN THE PENALTY FOR INFRINGEMENT, MR WONG SAID IN SUPPORTING THE MOTION FOR THE HONG KONG TOURIST ASSOCIATION (AMENDMENT) BILL 1982, WHICH WAS PASSED TODAY.

DEALING WITH ANOTHER POINT, HE SAID SECTION 4(B) OF THE PRINCIPAL ORDINANCE READS +TO FURTHER THE DEVELOPMENT OF THE COLONY AS A HOLIDAY RESORT+.

THE BILL PROPOSED TO CHANGE +HOLIDAY RESORT+ IN THE SECTION TO +TOURIST DESTINATION+, AN EXPRESSION MORE ACCURATELY REFLECTING THE ROLE THE ASSOCIATION WAS EXPECTED TO PLAY, MR WONG SAID.

HE REPORTED THAT TOURISM RECEIPTS TOTALLED \$8.1 BILLION LAST YEAR, AN INCREASE OF 13.7 PER CENT OVER THE PREVIOUS YEAR.

+WE OWE MUCH TO THE SPLENDID WORK UNDERTAKEN BY THE ASSOCIATION TO ATTRACT MORE TOURISTS, AND HENCE MORE FINANCIAL AND OTHER BENEFITS, AND TO IMPROVE THE IMAGE OF HONG KONG,+ MR WONG STATED.

CURRENTLY, THE ASSOCIATION OPERATES SOME 13 OVERSEAS OFFICES IN JAPAN, SOUTH-EAST ASIA, THE AMERICAS, BRITAIN, WEST GERMANY, FRANCE, ITALY, AUSTRALIA AND NEW ZEALAND.

+I HAVE VISITED MOST OF THESE OFFICES, AND IT IS FAIR TO SAY THAT CREDIT MUST BE GIVEN TO THE ASSOCIATION FOR THE VERY SUCCESSFUL PROMOTION WORK BEING DONE BY THESE OVERSEAS OFFICES; WHICH MAINTAIN CLOSE LIAISON WITH OUR TRADE DEVELOPMENT COUNCIL OVERSEAS OFFICES,+ MR WONG SAID.

THE SECRETARY FOR ECONOMIC SERVICES, THE HON P. JACOBS, EXPLAINED THAT ONE OF THE OBJECTS OF THE TOURIST ASSOCIATION IS TO FURTHER THE DEVELOPMENT OF HONG KONG AS A HOLIDAY RESORT.

THE TERM +HOLIDAY RESORT+ HAD, HOWEVER, SINCE TAKEN ON A SPECIAL MEANING IN THE TRAVEL INDUSTRY, NARROWER THAN THAT INTENDED, AND THE TERM +TOURIST DESTINATION+ CONVEYED THE INTENTION WITH MORE PRECISION, HE SAID.

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BETTER BENEFITS SEEN FOR WORKERS

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THE EMPLOYEES' COMPENSATION (AMENDMENT) BILL 1982 WOULD BE ANOTHER GREAT STEP FORWARD IN IMPROVING EMPLOYEES' BENEFITS, AND MORE IMPORTANTLY, AT A COST THAT EMPLOYERS COULD BEAR, DR THE HON HARRY FANG, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

+TO THOSE WHO SEEK EXTRA BENEFITS NOT YET COVERED IN THE BILL, I WOULD URGE THAT THEY ACCEPT IT AS A NEW AND BETTER PLATFORM UPON WHICH FURTHER IMPROVEMENTS COULD BE BUILT WHEN THE TIME COMES.

+AND TO THOSE WHO MAINTAIN THAT THE BILL WOULD COST EMPLOYERS MORE AND HENCE WEAKEN THEIR COMPETITIVENESS, I WOULD ASK THEM TO THINK IN TERMS OF HIGHER OUTPUT FROM A MORE CONTENTED WORKFORCE AS A RESULT OF THE IMPROVED BENEFITS,+ DR FANG SAID.

SPEAKING AT THE RESUMED DEBATE ON THE BILL, DR FANG SAID THE UNOFFICIAL MEMBERS' SOCIAL AND ECONOMIC SERVICES GROUPS HAD RECEIVED REPRESENTATIONS FROM VARIOUS QUARTERS AND LATER MET TO DISCUSS THE POINTS IN DETAIL, IN CONSULTATION WITH THE ADMINISTRATION.

DESCRIBING THE BILL AS +A COMPLEX ONE+, HE REFERRED PARTICULARLY TO TWO POINTS.

THE FIRST POINT CONCERNED THE PROPOSED TWO-TIER SYSTEM OF EMPLOYEES COMPENSATION ASSESSMENT BOARDS, NAMELY THE ORDINARY ASSESSMENT BOARD AND THE SPECIAL ASSESSMENT BOARD.

HE WAS REASONABLY SATISFIED, HE SAID, WITH THE COMPOSITION OF THE ORDINARY ASSESSMENT BOARD, WHICH WOULD CONSIST OF TWO PERSONS, EITHER A MEDICAL PRACTITIONER OR A REGISTERED DENTIST, AND A LABOUR OFFICER. THIS MEANT THAT THE BOARD WOULD COMPRISE MEMBERS NOT NECESSARILY FROM THE GOVERNMENT.

BUT HE WAS CONCERNED, HOWEVER, THAT THE SPECIAL ASSESSMENT BOARD, WHICH WILL CONSIST OF AN OCCUPATIONAL HEALTH CONSULTANT (OR OFFICER), A SENIOR LABOUR OFFICER, AND A LABOUR OFFICER FROM THE ORDINARY ASSESSMENT BOARD, WOULD NOT INCLUDE MEMBERS WHO ARE EXPERTS OUTSIDE OF THE GOVERNMENT, DR FANG SAID.

WITH REGARD TO THIS POINT, THE COMMISSIONER FOR LABOUR LATER EXPLAINED THAT THE COMPOSITION OF THE SPECIAL BOARD HAD ARISEN +NOT BY DESIGN, BUT SIMPLY BECAUSE THERE ARE NOT MANY OCCUPATIONAL HEALTH CONSULTANTS OUTSIDE GOVERNMENT, AND TO INSIST ON GETTING OUTSIDE EXPERTS TO SERVE ON THE BOARD MAY RESULT IN DELAYS.+

THE COMMISSIONER ALSO POINTED OUT THAT UNDER NEW SECTION 16(E)4 HE COULD APPOINT ADDITIONAL MEMBERS TO THE BOARD, AND GAVE ASSURANCE THAT HE WOULD TAKE A LIBERAL VIEW AND REVIEW THE BOARD'S COMPOSITION AFTER A YEAR OF OPERATION, DR FANG SAID.

DR FANG THEN SUGGESTED THAT THE MEDICAL ASSOCIATIONS BE FULLY CONSULTED IN THE SELECTION OF BOARD MEMBERS.

ON THE SECOND POINT, CONCERNING COMPULSORY INSURANCE, HE POINTED OUT THAT THE BILL REQUIRES AN EMPLOYER TO TAKE OUT EITHER COMPULSORY INSURANCE OR A BANK GUARANTEE FOR THE FULL AMOUNT OF LIABILITY FOR BOTH COMPENSATION AND DAMAGES IN CASE OF AN ACCIDENT AT WORK.

HE SAID THE UNOFFICIALS HAD NOTICED THERE WOULD BE TECHNICAL DIFFICULTIES IN IMPLEMENTATION OF THE BANK GUARANTEES AND THEREFORE ASKED THE COMMISSIONER TO CONSIDER REMOVING THE PROVISION.

THE EXECUTIVE COUNCIL HAD SINCE ADVISED ON THE MATTER AND HE UNDERSTOOD THAT THE BANK GUARANTEE PROVISIONS WOULD BE DELETED AND AMENDMENTS MOVED TO THAT EFFECT.

DR FANG THEN REFERRED TO THE NEED TO PUBLICISE THE REQUIREMENTS, AND SAID HE WAS RELIEVED TO LEARN THAT THE INSURANCE REQUIREMENTS WOULD NOT BE IMPLEMENTED FOR AT LEAST A YEAR, AND THAT DURING THAT TIME EXTENSIVE PUBLICITY WOULD BE GIVEN TO THE MATTER, SO THAT EVEN THE SMALL BUSINESSES, INCLUDING COOKED FOOD STALLS, WOULD BE AWARE OF THEM.

+I WOULD LIKE TO EMPHASISE THE IMPORTANCE OF SUCH PUBLICITY,+ DR FANG SAID, IN SUPPORTING THE MOTION.

ALSO SPEAKING IN SUPPORT OF THE MOTION, THE HON SELINA CHOW URGED THE GOVERNMENT TO ASSIST AS MUCH AS POSSIBLE IN SHORTENING THE WAITING PERIOD FOR COMPENSATION IN CASES WHERE DISPUTES COULD CAUSE DELAYS.

ON THE MATTER OF COMPENSATION RATES FOR DEATH OR PERMANENT INCAPACITY, MRS CHOW CALLED FOR BIENNIAL REVIEWS OF THE LEVELS OF PAYMENT. SHE ALSO CALLED FOR A REVIEW OF BURIAL EXPENSES PAYABLE IN CASES OF DEATH WHERE THE DECEASED LEAVES NO DEPENDANTS.

THE \$3 000 NOW PROVIDED WAS FAR FROM ADEQUATE AT TODAY'S PRICES, SHE SAID.

THE COMMISSIONER FOR LABOUR, THE HON J.N. HENDERSON, STRESSED THAT HE WOULD ARRANGE FOR AN EXTENSIVE PUBLICITY PROGRAMME TO ENSURE THAT THE MESSAGE REACHED ALL EMPLOYERS, LARGE AND SMALL.

HE WOULD ALSO MAKE IT CLEAR THAT THE PROVISION WOULD INCLUDE DOMESTIC EMPLOYMENT.

MR HENDERSON ASSURED DR FANG THAT HE WOULD REVIEW THE COMPOSITION OF THE SPECIAL ASSESSMENT BOARD AFTER ABOUT A YEAR, AND WOULD CONSULT WITH MEDICAL ASSOCIATIONS.

MR HENDERSON ALSO SAID HE SHARED THE HON MRS SELINA CHOW'S VIEW THAT THE PERIOD REQUIRED FOR SETTLING CASES BE SHORTENED, AND THAT THE ADEQUACY OF THE EXISTING LEVELS OF COMPENSATION, INCLUDING BURIAL EXPENSES, SHOULD BE REVIEWED.

+THIS IS WHY VARIOUS MEASURES HAVE BEEN INCLUDED IN THE BILL IN ORDER TO EXPEDITE PAYMENT OF COMPENSATION,+ HE SAID.

IN CERTAIN CASES WHERE AN EMPLOYER DISPUTES LIABILITY OR WHERE THE RELATIONSHIP AND THE DEGREE OF DEPENDANCY OF THE DEPENDANTS HAVE TO BE DETERMINED BY THE DISTRICT COURT, THERE MIGHT BE SOME UNAVOIDABLE DELAY IN PAYMENT OF COMPENSATION, HE SAID.

IN SUCH CASES, INJURED EMPLOYEES OR THEIR DEPENDANTS WHO ENCOUNTER FINANCIAL DIFFICULTIES WOULD BE REFERRED TO THE SOCIAL WELFARE DEPARTMENT FOR ASSISTANCE UNTIL THEY EVENTUALLY OBTAIN COMPENSATION.

AND A REVIEW OF THE LEVELS OF COMPENSATION WAS BEING CONDUCTED AS A SEPARATE EXERCISE, HE ADDED.

ONE OF THE AMENDMENTS TO THE BILL WAS THE REMOVAL OF THE PROVISION OF BANK GUARANTEES AS AN ALTERNATIVE TO INSURANCE DUE TO CONSIDERABLE PRACTICAL DIFFICULTIES IN OPERATING SUCH A SCHEME.

APART FROM COMPULSORY INSURANCE, THE BILL ALSO SEEKS TO IMPROVE PROCEDURES FOR THE RECOVERY OF COMPENSATION, TO ENHANCE ENFORCEMENT OF AN EMPLOYER'S OBLIGATIONS, AND TO CLARIFY VARIOUS UNCERTAINTIES OR AMBIGUITIES IN THE EMPLOYEES' COMPENSATION ORDINANCE.

THE BILL WILL BE BROUGHT INTO OPERATION IN TWO STAGES IN ORDER TO ALLOW BOTH EMPLOYERS AND INSURANCE COMPANIES TIME TO MAKE ARRANGEMENTS TO COMPLY WITH THE PROVISIONS.

ALL THE PROVISIONS, EXCEPT THOSE CONCERNING COMPULSORY INSURANCE, WILL BE BROUGHT INTO FORCE SIX MONTHS AFTER THE DATE OF PUBLICATION OF THE AMENDING ORDINANCE IN THE GAZETTE.

THE PROVISIONS ON COMPULSORY INSURANCE WILL BE BROUGHT INTO FORCE ANOTHER SIX MONTHS LATER.

THE BILL WAS PASSED INTO LAW WITH A FEW AMENDMENTS.

WEDNESDAY, DECEMBER 22, 1982

- 25 -

PENALTY PROPOSED FOR LATE PAYMENTS OF LEVY
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A BILL WHICH SEEKS TO DISCOURAGE LATE PAYMENTS OF LEVY OR SURCHARGE TO THE PNEUMOCONIOSIS COMPENSATION FUND BOARD WAS INTRODUCED TO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE PNEUMOCONIOSIS (COMPENSATION) (AMENDMENT) BILL 1982, THE COMMISSIONER FOR LABOUR, THE HON J.N. HENDERSON, SAID THE BILL PROVIDES FOR A FIVE PER CENT PENALTY FOR LEVY OR SURCHARGE NOT PAID WITHIN THE PRESCRIBED PERIOD.

IF THE OUTSTANDING SUM IS STILL NOT PAID WITHIN THREE MONTHS AFTER THE DEADLINE, THE CONTRACTOR OR QUARRY OPERATOR WILL, IN ADDITION, HAVE TO PAY, A FURTHER PENALTY OF FIVE PER CENT OF THE TOTAL SUM.

THE PENALTIES WERE RECOMMENDED BY THE PNEUMOCONIOSIS COMPENSATION FUND BOARD DUE TO AN INCREASING NUMBER OF CASES OF NON-REPORTING OR LATE REPORTING OF WORK COMMENCEMENT, RESULTING IN THE BOARD LOSING INTEREST INCOME AND INCURRING HIGHER ADMINISTRATIVE COSTS.

MR HENDERSON POINTED OUT THAT THE BILL ALSO INTRODUCES PROVISIONS IN ORDER TO ENABLE THE FUND BOARD TO EMPLOY PROFESSIONAL QUANTITY SURVEYORS TO COUNTER-CHECK THE VALUE OF CONSTRUCTION WORKS AND TO DIVULGE INFORMATION TO THE CONSTRUCTION INDUSTRY TRAINING AUTHORITY.

DEBATE ON THE BILL WAS ADJOURNED.

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RECRUITMENT OF SOCIAL WORKERS
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THE SOCIAL WELFARE DEPARTMENT AND THE VOLUNTARY AGENCIES, TAKEN TOGETHER, WERE ENCOUNTERING NO GREATER DIFFICULTIES IN RECRUITING SOCIAL WORK ASSISTANTS NOW THAN THEY DID LAST YEAR, OR THE YEAR BEFORE THAT, THE SECRETARY FOR THE CIVIL SERVICE, THE HON MARTIN ROWLANDS, SAID IN THE LEGISLATIVE COUNCIL TODAY.

THE MAIN DIFFICULTY CONTINUES TO BE THE INSUFFICIENT OUTPUT OF DIPLOMA-HOLDERS FROM THE EDUCATIONAL INSTITUTIONS CONCERNED, AND THIS IS IN PROCESS OF BEING REMEDIED. REPORT NO. 8 DID NOT APPEAR TO HAVE HAD ANY PARTICULAR EFFECT ON THE SITUATION, HE SAID, REPLYING TO A QUESTION BY DR THE HON HARRY FANG.

MR ROWLANDS SAID THE FACTS DID NOT INDICATE A NEED FOR THE GOVERNMENT TO REVIEW ITS POSITION ON THE MATTER, BUT HE RECOGNISED THAT IT WAS OF CONCERN IN CERTAIN QUARTERS.

+ I AM WATCHING THE POSITION CLOSELY, AND I WOULD WELCOME ANY ADDITIONAL FACTS WHICH MIGHT ASSIST ME IN THIS TASK, + HE SAID.

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CLEAN HK DRIVE SEEN AS A SUCCESS

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NEARLY TWO-THIRDS OF THE PEOPLE THOUGHT THAT THE CLEAN HONG KONG CAMPAIGN, LAUNCHED IN OCTOBER LAST YEAR, HAD BEEN A SUCCESS, THE CHIEF SECRETARY, THE HON DENIS BRAY, TOLD THE LEGISLATIVE COUNCIL TODAY.

ANSWERING A QUESTION BY THE HON CHARLES YEUNG, MR BRAY SAID THAT WHILE THE CAMPAIGN IS TO END ON DECEMBER 31, +THERE WILL BE NO LET-UP IN THE GOVERNMENT'S EFFORTS TO KEEP HONG KONG CLEAN.+

MR BRAY SAID THAT ONE-THIRD OF PEOPLE SURVEYED FELT THAT THINGS WERE ABOUT THE SAME, WHILE FIVE PER CENT THOUGHT HONG KONG WAS DIRTIER NOW.

HE SAID ALSO THAT ALTHOUGH THE PENALTIES FOR LITTERING HAD BEEN SIGNIFICANTLY INCREASED, THE FINES ACTUALLY IMPOSED HAD, AFTER AN INITIAL INCREASE FOLLOWING THE LAUNCHING OF THE CAMPAIGN, DROPPED BACK TO PRE-CAMPAIGN LEVELS.

+THIS IS PUZZLING. ONE WOULD HAVE THOUGHT THAT IN THE FACE OF CONTINUING EVIDENCE OF THIS DISREGARD OF SOCIAL OBLIGATIONS PENALTIES WOULD BE STEADILY INCREASED AND NOT REDUCED,+ HE ADDED.

REFERRING TO COUNTRYSIDE AND BEACH OUTINGS, MR BRAY SAID HE COULD NOT UNDERSTAND THE THOUGHTLESSNESS OF PEOPLE WHO MAKE SPECIAL OUTINGS TO ENJOY THE COUNTRYSIDE BECAUSE IT IS BEAUTIFUL AND WHO DESTROY BEAUTY FOR OTHERS.

SOMETHING, MR BRAY SAID HOWEVER, CERTAINLY HAD BEEN ACHIEVED. THOUSANDS HAD HELPED AND IT WOULD BE STRANGE IF NOTHING HAD BEEN DONE.

+LITTER IS A DISGUSTING MARK OF THOUGHTLESSNESS AND CAN ONLY BE ELIMINATED BY PERSONAL EFFORT BY EVERYONE. IF HONG KONG PEOPLE WANT A CLEAN HONG KONG THIS CAN BE ACHIEVED IF WE TAKE JUST A LITTLE MORE CARE,+ HE SAID.

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HOSPITAL NOISE PROBLEM

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THE MEDICAL COMMITTEE OF THE CARITAS MEDICAL CENTRE WILL HAVE TO EXAMINE THE PROBLEM OF NOISE AND AIR POLLUTION AFFECTING THE HOSPITAL, BEFORE SUBMITTING PROPOSALS TO THE GOVERNMENT TO SUBVENT AIR-CONDITIONING IN THE WARDS, THE DIRECTOR OF MEDICAL AND HEALTH SERVICES, DR THE HON K.L. THONG, SAID IN THE LEGISLATIVE COUNCIL TODAY.

DR THONG SAID A LETTER FROM THE MEDICAL SUPERINTENDENT OF THE HOSPITAL ON THE MATTER HAD BEEN RECEIVED BY THE DEPARTMENT ONLY A FEW DAYS AGO.

- 27 -

HE WAS REPLYING TO A QUESTION BY THE HON WONG LAM WHO ASKED IF THE GOVERNMENT HAD ANY PLANS TO SUBVENT AIR-CONDITIONING IN THE CMC WARDS WHICH WERE +BADLY AFFECTED BY NOISE AND AIR POLLUTION ARISING FROM SURROUNDING FACTORIES AND TRAFFIC.+

DR THONG SAID HE WOULD REFER THE PROPOSAL TO THE MEDICAL COMMITTEE OF THE CMC FOR EXAMINATION AND RECOMMENDATIONS.

+IF THE PROPOSAL IS FOUND TO BE WORTHY OF SUPPORT BY THE MEDICAL COMMITTEE, A FORMAL SUBMISSION SHOULD THEN BE MADE TO THE GOVERNMENT FOR ITS CONSIDERATION WITH A VIEW TO OBTAINING THE NECESSARY FUNDS,+ HE SAID.

+IN VIEW OF THIS, IT IS PREMATURE FOR THE GOVERNMENT AT THIS STAGE TO HAVE ANY CONCRETE PLANS FOR SUBVENTING AIR-CONDITIONING IN ANY OF THE WARDS OF THE HOSPITAL,+ HE ADDED.

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CAR REPAIR WORKSHOPS NUISANCE EXAMINED

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THE GOVERNMENT IS EXAMINING THE POSSIBILITY OF IMPOSING CERTAIN CONDITIONS AND RESTRAINTS UPON CAR REPAIR WORKSHOPS IN THE URBAN AREA WITH A VIEW TO REDUCING THE NUISANCE THEY CAUSE.

THIS WAS DISCLOSED BY THE SECRETARY FOR DISTRICT ADMINISTRATION, THE HON DAVID AKERS-JONES, AT THE LEGISLATIVE COUNCIL TODAY IN REPLY TO A QUESTION BY DR THE HON HO KAM-FAI.

MR AKERS-JONES SAID THE GOVERNMENT WAS AWARE OF THE PROBLEMS CAUSED BY THESE WORKSHOPS AND HAD BEEN TRYING TO FIND A SOLUTION TO ACCOMMODATING VEHICLE REPAIR SHOPS FOR MANY YEARS WITHOUT MUCH SUCCESS.

IN 1979 THERE WERE ABOUT 800 SUCH WORKSHOPS AND THERE WERE MORE NOW, HE SAID.

+THEY ARE BASICALLY AN INDUSTRIAL ACTIVITY AND SOME SITES HAVE BEEN MADE AVAILABLE IN INDUSTRIAL AREAS. BUT THIS CAN ONLY PROVIDE A SMALL PART OF THE ANSWER.

+THE BASIC PROBLEM IS THAT THE DEMAND FOR CAR REPAIRING SERVICE EXISTS WHERE CARS ARE FOUND. THE INNER URBAN DISTRICTS ARE PLACES WHERE THE DEMAND IS GREATEST, BUT THEY ARE SO FULLY DEVELOPED THAT SUITABLE SITES ARE SIMPLY NOT AVAILABLE,+ HE SAID.

HE SAID THE WORKSHOPS, THEREFORE, MADE IMPROPER USE OF THE GROUND FLOORS OF RESIDENTIAL BUILDINGS AND SPILLED OVER TO THE PAVEMENTS AND ROADWAY.

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- 28 -

MEASURES TO REDUCE SQUATTER FIRES EXTENDED

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THE HOUSING DEPARTMENT IS PROGRESSIVELY EXTENDING ITS PROGRAMME TO UPGRADE SAFETY MEASURES IN SQUATTER AREAS TO REDUCE FIRE RISKS.

THE SECRETARY FOR HOUSING, THE HON DONALD LIAO, TOLD THE LEGISLATIVE COUNCIL TODAY WORK HAD ALREADY BEEN COMPLETED IN THE LARGE SQUATTER CONCENTRATIONS IN SAU MAU PING, LAM TIN AND CHEUNG LUNG TIN WHERE FIRE BREAKS AND IMPROVED ACCESS AND WATER SUPPLIES FOR FIGHTING HAD BEEN PROVIDED.

THE PROGRAMME WAS NOW BEING EXTENDED TO OTHER VULNERABLE AREAS.

MR LIAO SAID THAT DURING THE LAST TWELVE MONTHS 30 ADDITIONAL SCHEMES HAD ALSO BEEN COMPLETED TO PROVIDE LEGAL SUPPLIES OF ELECTRICITY TO ESTABLISHED SQUATTER AREAS.

THIS BROUGHT TO 96 THE NUMBER OF SUCH SCHEMES COMPLETED AND WOULD ALSO HELP TO REDUCE FIRE RISKS AS ILLEGAL TAPPING IN THE PAST TENDED TO CAUSE FIRES.

+WE WILL CONTINUE TO PROVIDE SUCH SUPPLIES WHEREVER PRACTICABLE,+ HE SAID.

MR LIAO ALSO NOTED THAT FOLLOWING THE DEVASTATING SERIES OF FIRES IN SQUATTER AREAS LAST WINTER, THE GOVERNMENT INFORMATION SERVICES HAD MOUNTED A FIRE PREVENTION PUBLICITY CAMPAIGN DIRECTED SPECIFICALLY AT RESIDENTS OF SQUATTER AREAS.

+AT THE SAME TIME, CONTINUED EFFORT HAS BEEN MADE TO ENCOURAGE THE FORMATION OF LOCAL FIRE WATCH TEAMS, WHOSE VOLUNTEER MEMBERS PLAY A VITAL PART BOTH IN STIMULATING AN AWARENESS AMONG RESIDENTS OF THE DANGER OF FIRES AND AS A FIRST LINE OF DEFENCE WHEN FIRES OCCUR,+ HE ADDED.

MORE THAN 140 SUCH TEAMS HAD ALREADY BEEN ORGANISED BY THE DISTRICT OFFICES WITH THE ASSISTANCE FROM THE FIRE SERVICES DEPARTMENT, HE SAID.

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FACILITIES FOR HELICOPTERS INCREASED

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THE DIFFICULTIES ARISING FROM INCREASING TRAFFIC CONGESTION IN THE NEW TERRITORIES LED THE GOVERNMENT TO REVIEW THE USE OF HELICOPTERS FOR THE URGENT TRANSFER OF PATIENTS TO HOSPITAL EARLIER THIS YEAR, THE SECRETARY FOR SECURITY, THE HON D.G. JEAFFRESON, SAID TODAY.

+AS A RESULT, SINCE OCTOBER 5, FACILITIES FOR THIS SERVICE HAVE BEEN INCREASED. LANDING SITES ARE NOW AVAILABLE THROUGHOUT THE NEW TERRITORIES INCLUDING THE NEW TOWNS FOR THIS PURPOSE,+ HE SAID, REPLYING TO A QUESTION BY THE HON CHEUNG YAN-LUNG IN THE LEGISLATIVE COUNCIL.

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REVIEW OF APPROVED FILMS

A FILM APPROVED FOR EXHIBITION BY THE FILM CENSORS MAY BE REVIEWED ON APPLICATION RECEIVED EITHER FROM FILM PRODUCERS OR DISTRIBUTORS OR FROM THE PUBLIC, THE CHIEF SECRETARY, THE HON D.C. BRAY, SAID IN THE LEGISLATIVE COUNCIL TODAY.

+IF A FILM PRODUCER OR DISTRIBUTOR IS AGGRIEVED BY ANY DECISION OF THE FILM CENSORS HE MAY APPLY DIRECT TO THE FILM CENSORSHIP AUTHORITY FOR A REVIEW BY THE BOARD OF REVIEW.

+MEMBERS OF THE PUBLIC WHO OBJECT TO A FILM BEING EXHIBITED IN THE FORM AS APPROVED BY THE FILM CENSOR MAY REQUEST A REVIEW, BY WRITING TO THE CHIEF SECRETARY STATING THE GROUNDS OF THE OBJECTION,+ HE SAID.

IF THE FILM HAS NOT ALREADY BEEN REFERRED TO THE BOARD OF REVIEW, THE CHIEF SECRETARY MAY, IF HE SEES FIT, ORDER THAT THE FILM BE REVIEWED BY THE BOARD AND MAY IMPOSE ANY CONDITIONS FOR THE REVIEW HE THINKS JUSTIFIED. HE MAY ORDER THAT THE FILM NOT BE EXHIBITED UNTIL IT HAS BEEN REVIEWED, MR BRAY SAID, REPLYING TO A QUESTION BY THE HON SELINA CHOW.

THE DECISION OF THE BOARD OF REVIEW, MR BRAY POINTED OUT, SUPERSEDES ANY MADE BY THE FILM CENSORS AND IS FINAL.

+THE PRESENT SYSTEM, WHICH PROVIDES FOR REVIEW BOTH ON APPLICATION FROM INTERESTED PARTIES IN THE FILM INDUSTRY, AND ALSO FROM CITIZENS CONCERNED GENERALLY WITH CENSORSHIP STANDARDS IS FAIR.

+IT ENSURES ON THE ONE HAND THAT THE REQUIREMENTS OF THE FILM INDUSTRY ARE CAREFULLY CONSIDERED, AND, ON THE OTHER, THAT CENSORSHIP STANDARDS REFLECT THE STANDARDS OF THE AVERAGE HONG KONG RESIDENT,+ MR BRAY SAID.

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NINE BILLS PASSED

NINE BILLS WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THEY ARE THE KOWLOON-CANTON RAILWAY CORPORATION BILL 1982, THE ROAD TRAFFIC (AMENDMENT) (NO. 2) BILL 1982, THE ROAD TRAFFIC BILL 1982, THE EMPLOYEES' COMPENSATION (AMENDMENT) BILL 1982, THE HONG KONG TOURIST ASSOCIATION (AMENDMENT) BILL 1982, THE IMMIGRATION (AMENDMENT) (NO. 2) BILL 1982, THE IMMIGRATION (AMENDMENT) (NO. 3) BILL 1982, THE BRITISH NATIONALITY ACT 1981 (CONSEQUENTIAL AMENDMENT) BILL 1982 AND THE BRITISH NATIONALITY (MISCELLANEOUS PROVISIONS) (AMENDMENT) BILL 1982.

TWO OTHER BILLS, THE PUBLIC FINANCE BILL 1982 AND THE PNEUMOCONIOSIS (COMPENSATION) (AMENDMENT) BILL 1982 WERE INTRODUCED AND READ A SECOND TIME AND DEBATE ON THEM WAS ADJOURNED.

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WEDNESDAY, DECEMBER 22, 1982

- 30 -

AGREEMENT ON TWO-WAY PERMITS

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CONTACTS WITH THE CHINESE AUTHORITIES ABOUT VISITORS TO HONG KONG HAVE BEEN TAKING PLACE FOR SOME TIME, BOTH THROUGH DIPLOMATIC CHANNELS AND LOCALLY THROUGH THE HONG KONG BRANCH OF THE NEW CHINA NEWS AGENCY.

A DELEGATION OF HONG KONG OFFICIALS HEADED BY THE POLITICAL ADVISER, MR R.J.T. MCLAREN, AND INCLUDING THE DIRECTOR OF IMMIGRATION, MR R.G.B. BRIDGE, AND THE DEPUTY SECRETARY FOR SECURITY, MR P.J. WILLIAMSON, VISITED CANTON ON DECEMBER 17 FOR DETAILED DISCUSSIONS WITH GUANGDONG OFFICIALS LED BY THE DIRECTOR OF THE PROVINCIAL FOREIGN AFFAIRS OFFICE, MR YANG KEZHONG. THE DISCUSSIONS TOOK PLACE IN A VERY FRIENDLY ATMOSPHERE AND BOTH SIDES EXPRESSED THEIR SATISFACTION WITH THE DEVELOPMENT OF COOPERATION IN THIS FIELD.

IT HAS BEEN AGREED WITH THE CHINESE AUTHORITIES THAT VISITORS ARRIVING IN HONG KONG ON OR AFTER DECEMBER 23, 1982 WILL BE REQUIRED TO RETURN HOME ON OR BEFORE THE EXPIRY DATE OF THEIR TWO-WAY PERMITS. IF NECESSARY, STEPS WILL BE TAKEN TO ENSURE THAT ALL SUCH VISITORS DO IN FACT LEAVE HONG KONG AT THE END OF THEIR AUTHORISED VISITS.

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SAFETY PRECAUTIONS IN PHYSICAL EDUCATION

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THE EDUCATION DEPARTMENT HAS URGED SCHOOL HEADS AND TEACHERS OF PHYSICAL EDUCATION TO PAY SPECIAL ATTENTION TO SAFETY PRECAUTIONS IN PHYSICAL EDUCATION.

A HANDBOOK ON THE SUBJECT HAS RECENTLY BEEN PUBLISHED BY THE CURRICULUM DEVELOPMENT COMMITTEE OF THE EDUCATION DEPARTMENT, WITH THE AIM OF HELPING TEACHERS INVOLVED IN PHYSICAL EDUCATION TO AVOID UNNECESSARY RISKS SO AS TO REDUCE THE POSSIBILITIES OF ACCIDENTS.

+THE WEARING OF PROPER CLOTHING AND SUITABLE FOOTWEAR FOR THE APPROPRIATE PHYSICAL ACTIVITY IS AN IMPORTANT SAFETY FACTOR,+ SAYS THE HANDBOOK.

WHEN STRENUOUS MUSCULAR EFFORT IS DEMANDED, THE BODY SHOULD BE THOROUGHLY +WARMED UP+, IT ADDS.

IT IS ESSENTIAL THAT THE EQUIPMENT FOR PHYSICAL ACTIVITIES SHOULD BE CAREFULLY EXAMINED AT REGULAR INTERVALS AND STORED PROPERLY SO THAT UNAUTHORISED USE IS PREVENTED. TEACHERS AND PUPILS ARE STRONGLY ADVISED TO CHECK THE CONDITIONS OF EQUIPMENT BEFORE USE.

THE HANDBOOK SAYS THAT PUPILS WHEN PRACTISING MUST BE UNDER THE DIRECT SUPERVISION OF THE TEACHER, AND PRACTICES MUST ONLY TAKE PLACE IN THE SPECIFIC PLACES SET APART FOR THE PHYSICAL ACTIVITY.

/+TO TEACH

+TO TEACH ACTIVITIES OF A MORE HAZARDOUS NATURE SUCH AS CANOEING, SAILING AND TRAMPOLINING, THE TEACHER IS REQUIRED TO POSSESS A SPECIFIC QUALIFICATION SO THAT HE IS ABLE TO GIVE DEMONSTRATIONS AND INSTRUCTIONS IN THE SAFEST MANNER,+ IT ADDS.

THE HANDBOOK ALSO DESCRIBES IN DETAIL THE SPECIFIC SAFETY PRECAUTIONARY MEASURES REGARDING ATHLETICS, CANOEING, SAILING, GYMNASTICS, TRAMPOLINING, EDUCATIONAL GYMNASTICS, HIKING, EXPEDITIONING AND SWIMMING.

+THE RECOMMENDATIONS SUGGESTED IN THE HANDBOOK, HOWEVER, ARE NOT HARD AND FAST RULES. TEACHERS OF PHYSICAL EDUCATION SHOULD TAKE THEIR OWN PRECAUTIONS IN ADDITION TO THE RECOMMENDATIONS,+ A SPOKESMAN FOR THE EDUCATION DEPARTMENT SAID.

HE ADDED THAT GENERALLY SPEAKING SMALLER CHILDREN NEED MORE GUIDANCE AND PROTECTION, AND SAFETY PRECAUTIONS ARE MORE IMPORTANT IN THE EARLY LEARNING STAGES.

PARENTS ARE ALSO URGED TO INFORM SCHOOL PROMPTLY IF THEIR CHILDREN NEED TO BE EXEMPTED FROM PARTICIPATING IN PHYSICAL EDUCATION LESSONS FOR ANY REASONS.

THE SPOKESMAN EMPHASIZED THAT PHYSICAL EDUCATION IS PART OF THE SCHOOL CURRICULUM AND THEREFORE ANY REQUEST FOR EXEMPTION SHOULD BE SUPPORTED BY A CERTIFICATE SIGNED BY A RECOGNISED MEDICAL PRACTITIONER. THIS MEDICAL CERTIFICATE SHOULD ALSO INDICATE THE PERIOD OF TIME DURING WHICH EXEMPTION IS NECESSARY, HE SAID.

+ALL STUDENTS EXEMPTED FROM PHYSICAL EDUCATION LESSONS SHOULD NOT BE ALLOWED TO TAKE PART IN ANY SUCH LESSONS UNTIL THE EXEMPTION PERIOD IS OVER AND A WRITTEN CONFIRMATION FROM PARENTS IS RECEIVED,+ THE SPOKESMAN SAID.

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CHRISTMAS LIGHTING IN TSUEN WAN

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GLITTERING LIGHTS AND CHRISTMAS CAROLS BY A CHILDREN'S CHOIR FILLED THE AIR OF TSUEN WAN THIS (WEDNESDAY) EVENING FOLLOWING A SWITCH-ON CEREMONY BY MRS JANE AKERS-JONES, WIFE OF THE SECRETARY FOR DISTRICT ADMINISTRATION.

SOME 6 000 COLOURFUL LIGHT BULBS, GARLANDS AND BANNERS OF SEASON'S GREETINGS, DECORATED THE AREAS ALONG TAI HO ROAD AND CASTLE PEAK ROAD AS WELL AS THE TWO ROUNDABOUTS AT KWAI CHUNG ROAD AND OUTSIDE THE TSUEN WAN TOWN HALL WHERE THE SWITCH-ON CEREMONY WAS HELD.

FOR THE NEXT TWO WEEKS, THE TWO-KILOMETRE-LONG FESTIVE LIGHTING WILL BE ON BETWEEN 5 PM AND 1 AM EVERY NIGHT, AND UNTIL 3 AM ON CHRISTMAS AND NEW YEAR'S EVES.

THE FESTIVE DECORATIONS ARE PART OF THE DISTRICT'S CELEBRATIONS WHICH INCLUDE A VARIETY SHOW BY A TELEVISION STATION, A PERFORMANCE BY POPULAR CANTONESE OPERA SINGER SUN MA SZE TSANG AND A CONCERT BY THE HONG KONG PHILHARMONIC ORCHESTRA.

SPEAKING AT THE SWITCH-ON CEREMONY, THE DISTRICT COMMISSIONER, MR HAMISH MACLEOD, CONGRATULATED THE DISTRICT BOARD MEMBERS WHO HAD MANAGED TO COMPLETE THE CHRISTMAS PROGRAMME WITH GOOD RESULTS IN ONLY TWO MONTHS.

+I MUST ALSO THANK SOME OF THE PRIVATE ENTERPRISES IN TSUEN WAN FOR ANSWERING OUR CALL FOR A COLOURFUL AND FESTIVE TSUEN WAN BY DECORATING THEIR OWN BUILDINGS,+ HE SAID.

+THIS IS THE FIRST TIME TSUEN WAN HAS HAD CHRISTMAS LIGHTS. I AM SURE THAT THEY MAY BE TAKEN AS SYMBOLISING THE BRIGHT FUTURE BEFORE US DESPITE ANY CURRENT UNCERTAINTIES,+ HE ADDED.

A SUM OF \$200 000 HAS BEEN ALLOCATED FOR THE LIGHTING DECORATIONS AND FESTIVE ACTIVITIES WHICH RANGE FROM TEA PARTIES AND FILM SHOWS FOR THE YOUNG, DISCO NIGHTS FOR TEENAGERS TO CONCERTS AND CANTONESE OPERAS FOR ADULTS.

TOMORROW (THURSDAY), A NUMBER OF CHRISTMAS CELEBRATION ACTIVITIES HAVE BEEN ORGANISED BY DISTRICT BOARDS AND COMMUNITY ASSOCIATIONS INCLUDING:

* A CARNIVAL BY THE HONG KONG GIRL GUIDES TUEN MUN DISTRICT ASSOCIATION AT THE SHUN TAK FRATERNAL ASSOCIATION LEUNG KAU KUI COLLEGE AT ON TING ESTATE, BEGINNING AT 2 PM.

THE CARNIVAL, FEATURING 10 GAME STALLS, WILL BE OFFICIATED BY THE DEPUTY COMMISSIONER OF HONG KONG GIRL GUIDES ASSOCIATION, MRS JANE AKERS-JONES.

* A VARIETY SHOW ORGANISED BY THE LOCAL CHILDREN AND YOUTH CENTRE AT 8 PM AT LEK YUEN COMMUNITY HALL IN SHA TIN.

* A CHRISTMAS GALA CONSISTING GAME STALLS AND BAND PERFORMANCES AT 2.30 PM AT KEI CHI PRIMARY SCHOOL, TAI PO.

* A CHRISTMAS CAROL COMPETITION AT THE YMCA CENTRE AT KWAI SHING CIRCUIT, STARTING AT 8 PM WHEN 15 TEAMS FROM LOCAL SCHOOLS AND ORGANISATIONS WILL TAKE PART.

* A CARNIVAL AT THE TAI WO PING TEMPORARY HOUSING AREA IN SHAM SHUI PO STARTING AT 8 PM.

WEDNESDAY, DECEMBER 22, 1982

- 33 -

TALK ON MONITORING OF POWER COMPANIES
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SHAM SHUI PO DISTRICT BOARD MEMBERS WILL BE BRIEFED ON THE MONITORING OF POWER COMPANIES AND ELECTRICITY CHARGES AT A MEETING TOMORROW (THURSDAY) AFTERNOON.

SPEAKING ON THE SUBJECT WILL BE A CHIEF TREASURY ACCOUNTANT, MR P.G. WINDER.

ANOTHER GUEST SPEAKER, CHIEF TOWN PLANNER (KOWLOON) OF THE URBAN DISTRICT PLANNING TEAM, MR L.K.C. WONG, WILL BRIEF MEMBERS ON THE SHEK KIP MEI PLANNING AREA AND THE DRAFT SHEK KIP MEI OUTLINE DEVELOPMENT PLAN.

OTHER ITEMS ON THE AGENDA WILL INCLUDE SHEK KIP MEI REDEVELOPMENT PHASE IV B, SOCIAL CENTRES FOR THE ELDERLY, ACCESS AND TRANSPORT REQUIREMENTS FOR THE DISABLED, AND THE NAM CHEONG STREET NULLAH DECKING.

TOMORROW MORNING, THE YUEN LONG DISTRICT BOARD WILL ALSO HOLD A MEETING WHEN A REPORT BY ITS SOCIAL SERVICES COMMITTEE ON SERVICES OF POK OI HOSPITAL WILL BE TABLED.

AT THE MEETING, BOARD MEMBERS WILL BE BRIEFED ON ARRANGEMENTS FOR THE COMING LUNAR NEW YEAR FAIR, AND ON A PROPOSED PHASING-OUT PROGRAMME FOR UNLICENSED FOOD BUSINESS IN UNDEVELOPED AREAS IN THE NEW TERRITORIES.

TWO UNOFFICIAL MEMBERS WILL RAISE THE ISSUE OF SERVICES FOR THE ELDERLY AND GOVERNMENT CONSULTATION WITH THE DISTRICT BOARD.

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NOTE TO EDITORS:

YOU ARE INVITED TO COVER THE YUEN LONG AND SHAM SHUI PO DISTRICT BOARD MEETINGS TO BE HELD TOMORROW (THURSDAY).

THE YUEN LONG DB MEETING WILL BE HELD AT 9 AM AT THE YUEN LONG DISTRICT OFFICE, CASTLE PEAK ROAD, YUEN LONG. A 14-SEATER GOVERNMENT VAN FOR PRESS REPRESENTATIVES WILL LEAVE KOWLOON PUBLIC PIER AT 7.45 AM.

THE SHAM SHUI PO DB MEETING WILL BE HELD AT THE CONFERENCE ROOM OF SHAM SHUI PO DISTRICT OFFICE, 37-39 TONKIN STREET, STARTING AT 2 PM.

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NOVEMBER CONSUMER PRICE INDEXES
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THE CONSUMER PRICE INDEX (A) AND CONSUMER PRICE INDEX (B) FOR NOVEMBER 1982 WERE BOTH 134, THE SAME AS IN THE PRECEDING MONTH, ACCORDING TO FIGURES PUBLISHED BY THE CENSUS AND STATISTICS DEPARTMENT TODAY (WEDNESDAY).

COMPARED WITH THE SAME MONTH OF THE PRECEDING YEAR, C.P.I. (A) INCREASED BY 10 POINTS OR 8.1 PER CENT AND C.P.I. (B), BY 11 POINTS OR 8.9 PER CENT.

DURING NOVEMBER, TAXI FARES AND PRICES OF JEWELLERY, CLOTHING AND FOOTWEAR INCREASED. ON THE OTHER HAND, FOOD PRICES, ESPECIALLY THOSE OF FRESH VEGETABLES, WERE LOWER.

THE C.P.I. (A) AND C.P.I. (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 C.P.I. (A) REFERRED TO HOUSEHOLDS SPENDING BETWEEN \$1 000 AND \$3 499 A MONTH AND THE C.P.I. (B) TO HOUSEHOLDS SPENDING BETWEEN \$3 500 AND \$6 499 A MONTH AT THAT TIME.

THE INDEXES FOR NOVEMBER 1982 IN RESPECT OF THE NINE COMMODITY/SERVICE SECTIONS IN THE TWO CONSUMER PRICE INDEXES ARE GIVEN BELOW, TOGETHER WITH THOSE FOR OCTOBER 1982 AND NOVEMBER 1981.

(OCTOBER 1979 TO SEPTEMBER 1980
AVERAGE = 100)

SECTION	C.P.I. (A)			C.P.I. (B)		
	NOV 81	OCT 82	NOV 82	NOV 81	OCT 82	NOV 82
FOODSTUFFS	126	139	138	126	139	138
HOUSING	119	129	129	119	129	129
FUEL AND LIGHT	135	138	140	136	138	140
ALCOHOLIC DRINKS AND TOBACCO (FOR HOME CONSUMPTION)	117	124	125	117	124	124
CLOTHING AND FOOTWEAR	124	133	137	125	134	137
DURABLE GOODS	108	108	108	110	110	110
MISCELLANEOUS GOODS	119	125	126	116	123	125

/TRANSPORT AND

TRANSPORT AND VEHICLES	135	142	145	131	143	146
SERVICES	125	140	140	124	139	139
ALL ITEMS	124	134	134	123	134	134

THE INDEX FOR FOODSTUFFS DECREASED BY ONE POINT IN BOTH C.P.I. (A) AND C.P.I. (B). REDUCTIONS WERE RECORDED IN THE AVERAGE RETAIL PRICES OF FRESH VEGETABLES, SALT-WATER FISH AND LIVE POULTRY. ON THE OTHER HAND, THE AVERAGE RETAIL PRICES OF FRESH FRUIT WENT UP AS A RESULT OF HIGHER PRICES OF ORANGES CAUSED BY REDUCED SUPPLY AND THE APPRECIATION OF THE U.S. DOLLAR AGAINST THE HONG KONG DOLLAR.

THE INDEX FOR FUEL AND LIGHT INCREASED BY TWO POINTS IN BOTH C.P.I. (A) AND C.P.I. (B), REFLECTING THE FULL IMPACT OF THE RISES IN THE PRICES OF KEROSENE AND LIQUEFIED PETROLEUM GAS SINCE OCTOBER 1982 AS WELL AS HIGHER CHARGES FOR ELECTRICITY AND TOWNGAS CAUSED BY INCREASED FUEL COSTS.

THE INDEX FOR CLOTHING AND FOOTWEAR INCREASED BY FOUR POINTS IN C.P.I. (A) AND BY THREE POINTS IN C.P.I. (B) AS A RESULT OF HIGHER PRICES OF WINTER OUTERCLOTHING WHICH CAME ONTO THE MARKET DURING THE MONTH.

HIGHER PRICES OF JEWELLERY CAUSED THE INDEX FOR MISCELLANEOUS GOODS TO INCREASE BY ONE POINT IN C.P.I. (A) AND BY TWO POINTS IN C.P.I. (B).

THE INDEX FOR TRANSPORT AND VEHICLES INCREASED BY THREE POINTS IN BOTH C.P.I. (A) AND C.P.I. (B) OWING TO HIGHER TAXI FARES.

PRICE MOVEMENTS IN THE OTHER SECTIONS WERE INSIGNIFICANT.

DETAILS OF THESE PRICE MOVEMENTS ARE GIVEN IN THE +CONSUMER PRICE INDEX REPORT+ FOR NOVEMBER 1982. BOTH ENGLISH AND CHINESE VERSIONS OF THIS REPORT ARE AVAILABLE AT \$3 PER COPY AT THE GOVERNMENT PUBLICATIONS CENTRE, GENERAL POST OFFICE BUILDING, GROUND FLOOR, CONNAUGHT PLACE, HONG KONG. 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.