



# DAILY INFORMATION BULLETIN

ISSUED BY GOVERNMENT INFORMATION SERVICES  
BEACONSFIELD HOUSE, HONG KONG. TEL.: 842 8777

Wednesday, March 22, 1995

<u>Contents</u>	<u>Page No.</u>
Secretary for Recreation and Culture to retire .....	1
Statement by Governor on retirement of Secretary for Recreation and Culture	1
Govt takes further steps to improve airport site safety .....	2
Purchase of offices by Government Property Agency .....	4
Residential mortgage survey results for February 1995 .....	5
Plugs and adaptors regulation in force tomorrow .....	10
Waste charging scheme to be modified .....	11
Licensing of telecommunication services in HK .....	12
Two New Territories lots to let .....	13
Slogan Design Competition to promote teacher image .....	14
HK's largest water pumping station begins operation .....	15
Hong Kong Monetary Authority money market operations .....	16

Secretary for Recreation and Culture to retire

\*\*\*\*\*

The Government announced today (Wednesday) that the Secretary for Recreation and Culture Mr James So Yiu-cho's application for retirement has been accepted. Mr So is aged 55. He will retire from active service in late September this year.

An announcement on his successor will be made in due course.

The Chief Secretary, Mrs Anson Chan, paid tribute to Mr So for his long and loyal service.

"James has served the Government and the community with dedication for 33 years," Mrs Chan said. "He has reached 55 and has decided to exercise his option to retire. We must respect his decision. James has been a valued colleague and we will be very sorry to see him go."

Mr So has been Secretary for Recreation and Culture since June 8, 1991.

-----

Attention News Editors:

Mr So will meet media representatives in his office on the 41st floor of Revenue Tower, 5 Gloucester Road, Wan Chai at 5 pm today. You are invited to attend.

End/Wednesday, March 22, 1995

Statement by Governor on retirement of Secretary for Recreation and Culture

\*\*\*\*\*

The following statement is issued by the Governor, the Rt Hon Christopher Patten:

"Mr James So has given dedicated and valuable service to the community during his 33 years in the civil service. I have very much enjoyed working with him over the last two-and-a-half years, and like the Chief Secretary and his colleagues and friends in the civil service, I shall be very sorry to see him go."

End/Wednesday, March 22, 1995

### Govt takes further steps to improve airport site safety

\*\*\*\*\*

The Government is continuing to introduce new initiatives to further step up safety on the Airport Core Programme (ACP) sites, the Secretary for Works, Mr James Blake, said today (Wednesday).

He was speaking at the award-presentation ceremony of the 1994 ACP Construction Safety Award Scheme organised by the New Airport Projects Co-ordination Office (NAPCO).

Mr Blake said the new arrangements were designed to maintain the improving trend and to achieve the ACP safety targets. These new arrangements include:

- \* project offices to appoint more site staff to manage safety on ACP sites;
- \* Labour Department to assign more factory inspectors to its ACP team;
- \* Works Branch to introduce regulatory action against contractors who have high accident rates.

Mr Blake said considerable effort had been made last year to further enhance safety management and practices on ACP sites.

The safety efforts of all parties concerned had produced positive results and an improving trend was maintained, he said.

The fatal accident rate and non-fatal accident rate for ACP contracts in 1994 was 0.6 fatalities per thousand workers per year and 92 accidents per thousand workers per year, which was 38 per cent and 12 per cent respectively lower than the figures in 1993.

"These improvements were achieved despite an increase in the labour force of about 60 per cent. The corresponding fatal and non-fatal accident rates for the construction industry as a whole were 1.4 and 294 in 1993," he said.

However, despite the improving trend, the ACP safety results were still not good enough, Mr Blake said.

"They are still slightly higher than our targets, and it is clear that these very stringent targets for ACP will only be achieved if everybody involved - contractors, workers, consultants and Government staff alike - increase their safety endeavours still further," he said.

The ACP Construction Safety Award Scheme was introduced in 1993 to promote construction safety on the ACP works sites and to reduce accidents.

The Safety Management Award was presented to six sites with a high quality of safety management and with good safety records. The second award, the Safety Record Award, went to nine sites with good safety records.

ACP contractors had made considerable effort last year to improve safety on ACP sites. For instance, many ACP contractors have introduced safety incentive and penalty schemes and regularly publish newsletters and conduct talks to promote construction safety among their sub-contractors and workers, Mr Blake said.

He said last year, the Government had also made further effort to enhance ACP site safety. These included:

- \* appointing more site supervisory staff dedicated to safety matters to strengthen monitoring of ACP contractors' activities;
- \* appointing consultants to provide training to management and site supervisory staff to improve their safety awareness and upgrade their knowledge of construction safety;
- \* setting up safety units in the works departments to provide safety advice and carry out audits of safety standards on government sites;
- \* expanding the Labour Department's ACP team in enforcing safety legislation on ACP sites;
- \* producing and distributing pocket-sized safety hint cards to workers and supervisory staff; and
- \* introducing regulatory action against contractors who repeatedly violate safety legislation.

Mr Blake said it was pleasing to note that last year, about 50 per cent of the ACP contracts achieved the safety targets of zero fatalities and fewer than 60 reportable accidents per thousand workers per year.

"These contractors prove to all of us that the ACP safety targets, although much more stringent than the norm in Hong Kong, can in fact be achieved if given adequate priority and efforts," he said.

Also officiating at the award-presentation ceremony, the Chairman of the Consultative Committee on the New Airport and Related Projects (ACC), Dr Wong Po-yan, said: "One of our key concerns is the industrial safety of the thousands of workers working on various ACP sites.

"We firmly believe that safety of workers must take priority over programme and cost considerations.

"My committee has stressed that the safety of the thousands of workers who are building for our future must be safeguarded at all times," he said.

Dr Wong said he was glad that stringent safety requirements had been incorporated into the ACP contracts and other complementary safety measures had been introduced with the aim of achieving a high safety standard for the ACP.

"So far, the ACP safety record is amongst the best when compared with other construction sectors in Hong Kong and an improving trend is maintained.

"However, this is no reason for complacency. The ACC will continue to keep a close watch on ACP construction safety as the projects progress," he said.

Also officiating at the ceremony were Legislative Councillor, Mr James Tien; the Chairman of the Hong Kong Construction Industry Employees General Union, Mr Poon To-chuen; the Secretary-General of the Hong Kong Construction Association, Mr Patrick Chan; the Chairman of the Occupational Safety and Health Council, Professor Leung Ping-chung; the Commissioner for Labour, Mr Stephen Ip; the Acting Director of Fire Services, Mr Peter Cheung and the Director of NAPCO, Mr Billy Lam.

End/Wednesday, March 22, 1995

#### Purchase of offices by Government Property Agency

\*\*\*\*\*

In reply to media enquiries on press reports that Information Services Department would move out of Beaconsfield House, a spokesman for the Government Property Agency said:

"To protect the Government's commercial position, the Government Property Agency is unable to comment on recent press reports about the purchase of office accommodation by the Government Property Agency.

"We are considering a number of purchasing and leasing options to meet identified accommodation shortfalls.

"Our present top priority is to provide accommodation for the Legal Department and Judiciary which currently have serious shortfalls of space."

End/Wednesday, March 22, 1995

Residential mortgage survey results for February 1995

\* \* \* \* \*

The growth in residential mortgage loans for the purchase of properties in Hong Kong remained modest in February, according to the latest monthly survey conducted by the Hong Kong Monetary Authority (HKMA).

The latest figures show that the total amount of outstanding mortgage lending by the 33 institutions in the survey grew by 0.2% or \$0.5 billion in February (0.4% in January) to \$238.6 billion. The growth rate is below the monthly average of 0.88% over the last 12 months.

The annualised rate of growth in lending over the last three months was 5.0%, compared with 7.6% in the three-month period to January.

The 12-month average of outstanding loans dropped to an annualised growth rate of 10.6% from 11.5% in January.

"These figures reflect the sluggish market activity in the early part of the year," said Mr David Carse, the Deputy Chief Executive (Banking) of HKMA. "More recently however the market seems to have revived somewhat, which may show up in the figures for later months."

The amount of new loans approved but not yet drawn decreased by 5.0% or \$0.1 billion to \$2.56 billion in February.

Lending for the purchase of properties in China slightly fell by 0.3% to \$4.60 billion in February, compared with the 2.6% growth in January.

Gross loans made in February decreased both in number (to 83 from 368) and in amount (to \$50 million from \$168 million).

New loans approved in February also dropped both in number (to 181 from 242) and in amount (to \$112 million from \$186 million).

-----

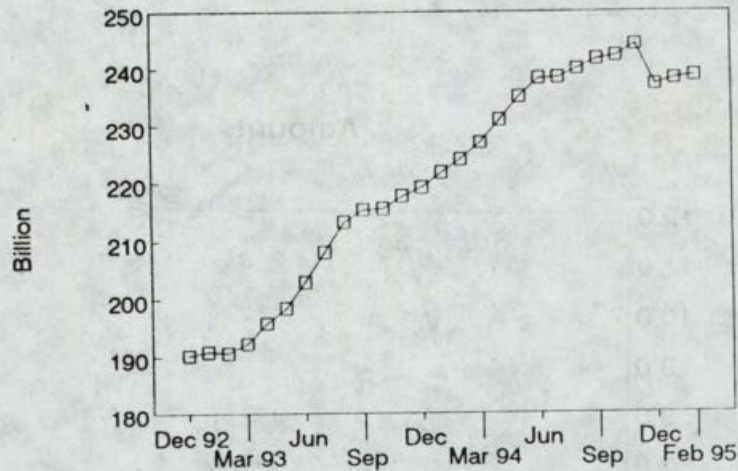
**Residential Mortgage Loans in Hong Kong  
Results of Survey for February 1995**

	<b>Feb 1995 HK\$ Mn</b>	<b>Jan 1995 HK\$ Mn</b>
<b><u>33 authorised institutions</u></b>		
<b>1. <u>Outstanding lending</u></b>		
a. Amount	238,589	238,087
b. Monthly change	0.2%	0.4%
c. Twelve-month change	10.7%	11.6%
d. Average change (annualized)		
Latest three months	5.0%	7.6%
Latest twelve months	10.6%	11.5%
<b>2. <u>Gross loans made during month</u></b>		
a. Amount	3,843	4,846
b. Number	2452	3337
<b>3. <u>New loans approved during month</u></b>		
a. Amount	3,793	4,559
b. Number	2599	3010
<b>4. <u>New loans approved during month but not yet drawn</u></b>		
a. Amount	2,560	2,694
b. Number	1832	1798

Chart A

**RESIDENTIAL MORTGAGE LOANS IN HONG KONG  
(33 institutions)**

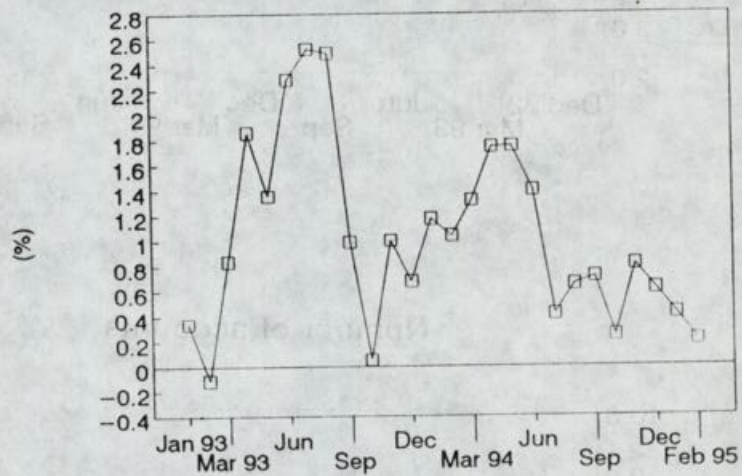
**Outstanding balance at end of month**



A1

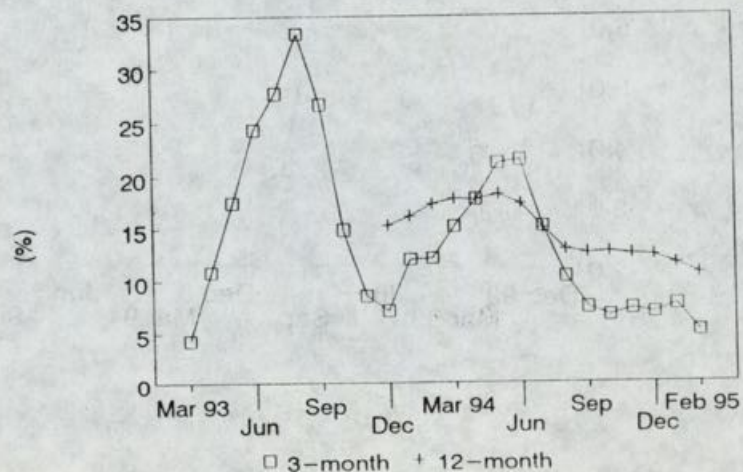
Remarks : The significant fall of outstanding balance in December 1994 was due to the effect of reclassification, securitization and sale of loans by some institutions.

**Monthly growth rate**



A2

**3-month and 12-month moving average growth rate on annualised basis**



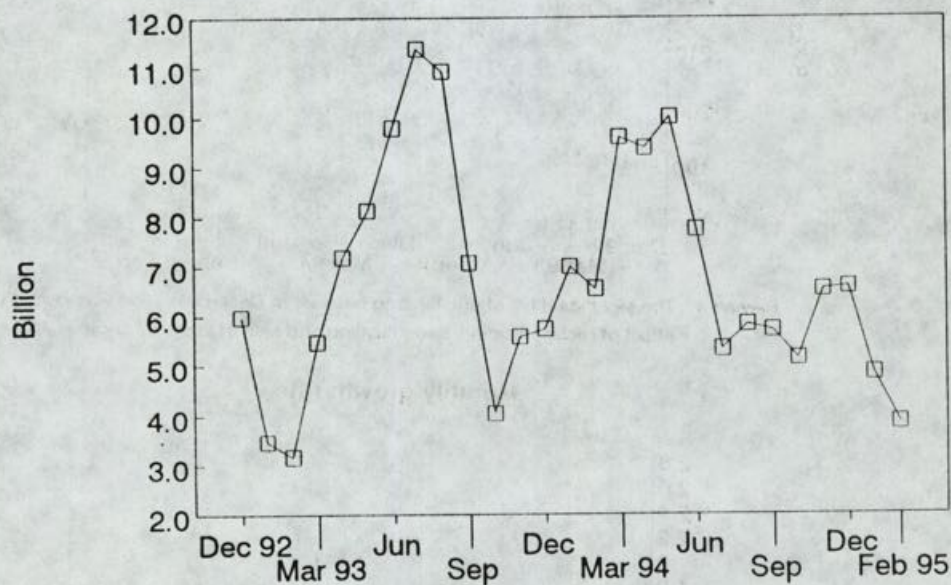
A3

Chart B

**RESIDENTIAL MORTGAGE LOANS IN HONG KONG  
(33 institutions)**

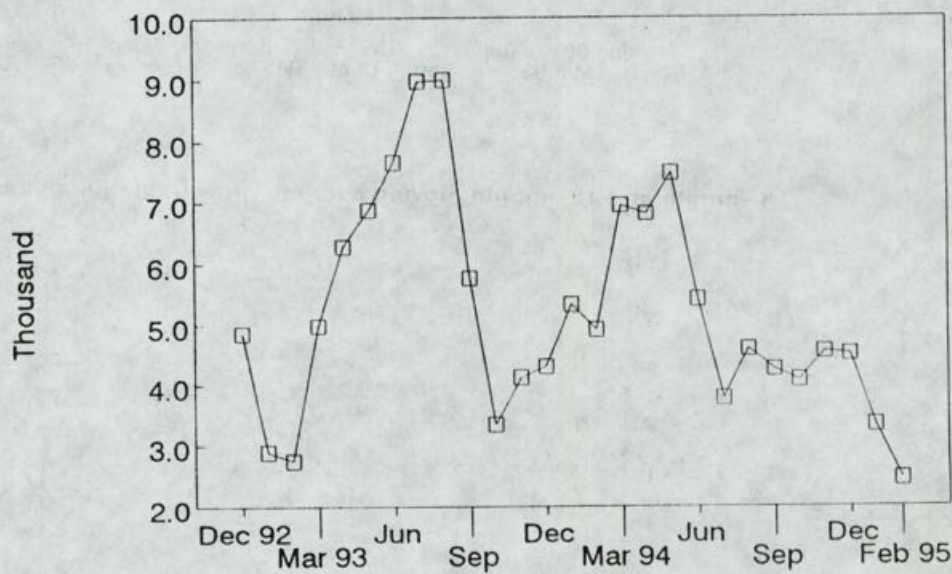
**GROSS LOANS MADE DURING THE MONTH**

Amount



B1

Number of accounts



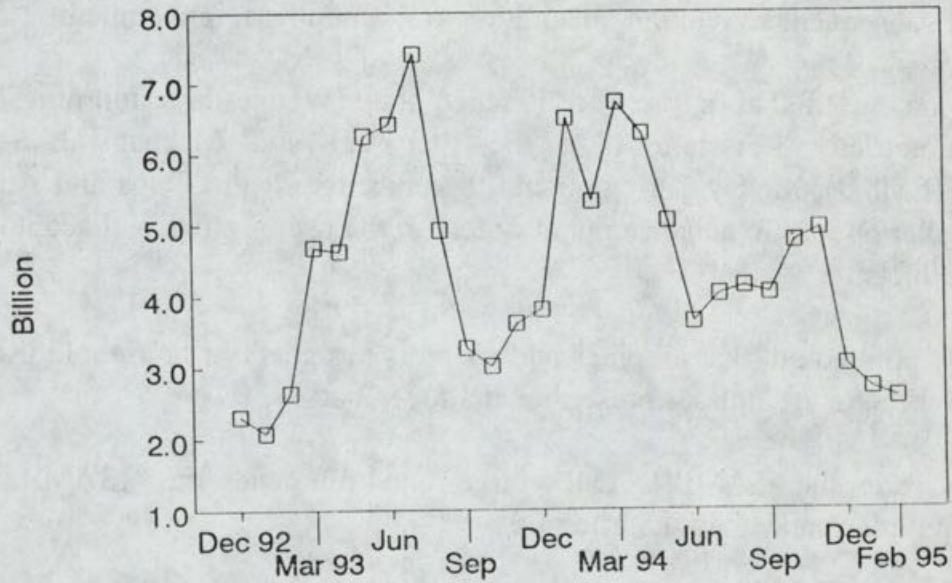
B2

Chart C

RESIDENTIAL MORTGAGE LOANS IN HONG KONG  
(33 institutions)

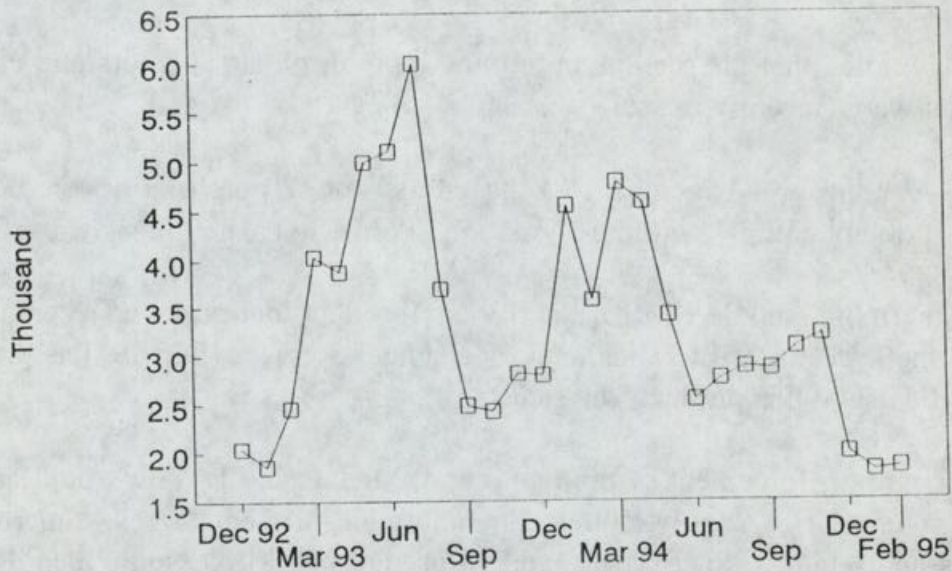
NEW LOANS APPROVED BUT NOT YET DRAWN

Amount



C1

Number of accounts



C2

### Plugs and adaptors regulation in force tomorrow

\* \* \* \* \*

The regulation governing the safety of plugs and adaptors will become effective tomorrow (Thursday) and the sale of all such products not meeting the safety standards prescribed in the regulation will be illegal.

Any person who sells or hires out, or exhibits or keeps for the purpose of sale or hiring out plugs, adaptors or electrical products not meeting the prescribed safety requirements is liable to a maximum fine of \$50,000 on first conviction, and \$100,000 on second or subsequent conviction, in addition to six months' imprisonment.

Announcing this at a press conference this (Wednesday) morning, Chief Engineer (Electricity Legislation) of the Electrical and Mechanical Services Department (EMSD), Mr Uy Tat-ping, said the objective of the Plugs and Adaptors (Safety) Regulation was to enhance public safety in the use of plugs and adaptors and electrical products.

Mr Uy pointed out that all plugs and adaptors designed for household use must comply with the safety standards prescribed in the regulation.

"They are the 5AMP/15AMP three-round-pin and the 13AMP three-rectangular-pin plugs and adaptors," he said.

The regulation also requires every electrical product designed for household use be fitted with a correct plug allowed under the regulation.

"Two-pin plugs may only be used for shavers or other electrical products designed to receive power from shaver sockets in a bathroom," Mr Uy stressed.

Mr Uy noted that the regulation did not apply to plugs, adaptors and electrical products that were currently in use.

However, he urged members of the public not to purchase or use electrical products that do not comply with the regulation in order to ensure their own safety.

"Furthermore, should EMSD identify any product that poses unacceptable risk to the user, the Director of Electrical and Mechanical Services (DEMS) has the power to prohibit the use of this product," he said.

As regards enforcement of the regulation, Mr Uy said EMSD would carry out random spot checks at supply outlets, including department stores, supermarkets, wholesalers and retailers, to seek substandard products. EMSD would also deal with complaints and accidents related to electrical products.

Meanwhile, the DEMS would encourage the public to replace their substandard products with suitable products, Mr Uy added.

Problems commonly associated with plugs include insufficient marking, and live and neutral pins too close to the periphery.

The common problems of adaptors are no safety shutters; socket rating exceeding the plug pin rating; one socket designed to accommodate more than one type of plug which lead to loose contact; and too many socket outlets.

End/Wednesday, March 22, 1995

#### Waste charging scheme to be modified

\* \* \* \* \*

The Government intends to modify the charging scheme for waste delivered to landfills by private waste collectors after further consultation with interested parties.

To make charges more closely related to the nature of waste disposed, the two-tier charging scheme for small and large vehicles will be replaced by a system of charging on a per tonne basis. This new arrangement will conform more closely with the polluter pays principle.

Initially, the charge will be set at \$43 per tonne of waste (1995 prices) to recover 50 per cent of the full cost.

Payment will be made in the form of pre-paid tickets of one-tonne and five-tonne face value, available at 32 sales offices, including one at each operational landfill.

It is also proposed that an electronic payment system be introduced next year to simplify charge collection procedures and to shorten processing time at landfills.

To address concerns about the possible impact on domestic premises currently served by private waste collectors, private waste collectors will not be charged for disposing of household waste at landfills.

The Environmental Protection Department will register private waste collectors who deliver household waste to landfills and provide them with tickets based on the quantity of household waste they collect and dispose of at landfills.

A Government spokesman said the initial charge would be moderate enough to enable waste producers to factor the additional cost into their operating accounts. Charges will increase gradually to achieve full cost recovery.

"In parallel with the charging proposals, enforcement action has been stepped up and the Waste Disposal Ordinance amended to provide a much heavier penalty against unauthorised dumping of waste."

The spokesman said the Government hoped to implement the charging scheme as soon as possible to encourage waste minimisation and to help relieve pressure on landfill capacity.

Subject to the approval by the Governor-in-Council, a regulation specifying the rates of charges will be tabled in the Legislative Council before mid-1995. Charging is expected to start in September 1995.

End/Wednesday, March 22, 1995

#### Licensing of telecommunication services in HK

\* \* \* \* \*

The Telecommunication Authority (TA), Mr Alexander Arena, has issued a statement to clarify the licensing requirements for telecommunication services offered over the public telecommunications networks in Hong Kong, in particular, Internet access and bulletin board services.

The main points of the statement are as follows:

- \* The test for licensing a service connected to public network is whether a provision of a service to the public is involved.
- \* No telecommunication licence is required for a service which only sells information.
- \* Generally, Internet access service providers in Hong Kong offer a wide range of information and messaging services. Clearly, the Internet service providers are providing a service to the public and are subject to licensing.

- \* A bulletin board service (BBS) which only provides an information service does not require a licence. However, if the scope of the service is expanded to include messaging or electronic mail capability and the service is offered generally to the public, a licence is required.
- \* The appropriate licence for the provision of telecommunication services to the public over the public telecommunications networks is the Public Non-exclusive Telecommunications Service (PNETS) licence.
- \* The PNETS licences contain conditions which allow the TA to ensure that licensees conform to the appropriate standards of behaviour and a breach of licence conditions can result in pecuniary penalties and withdrawal of licence.

For enquiries, please contact Controller of Telecommunications (Competitive Services) on tel 2961 6654 and fax: 2803 5112

The detailed statement by TA is available on application to the Office of the Telecommunications Authority and is accessible on OFTA's electronic bulletin board on tel 2834 0119.

End/Wednesday, March 22, 1995

#### Two New Territories lots to let

\* \* \* \* \*

The Lands Department is inviting tenders for the short-term tenancies of two pieces of Government land in the New Territories.

Covering an area of 3,016 square metres, the first lot at San Shing Avenue, Shek Wu Hui, Sheung Shui, serves as a fee-paying public car park for vehicles not exceeding 5.5 tonnes. The tenancy is for one year, renewable quarterly.

The second lot at Shek Pai Tau Road, Tuen Mun, has an area of 2,480 square metres for landscape or commercial gardening use. It can also be used as a plant nursery.

The tenancy is for three years, renewable quarterly.

The closing date for submission of tenders for both lots is noon on April 7.

Tender forms, tender notice and conditions may be obtained from the District Lands Office, North, District Lands Office, Tuen Mun, the District Lands Offices Kowloon, 10th floor, Yau Ma Tei Car Park Building, 250 Shanghai Street, Kowloon and the Lands Department, 14th floor, Murray Building, Garden Road.

Tender plans can also be inspected at the offices.

End/Wednesday, March 22, 1995

### Slogan Design Competition to promote teacher image

\* \* \* \* \*

The Education Department is now inviting primary and secondary students to participate in the Slogan Design Competition on Appreciation of Teachers.

The competition is aimed at promoting the image of teachers and enhancing the understanding of the public, in particular, students, on the professionalism of teachers.

A spokesman for the Education Department said: "As stated in the 1994 Policy Address, the Government has been committed to raising the status of teachers. The slogan design competition is one of the activities to promote the image of teachers and to attract more young people of high calibre to join the profession."

Students taking part in the competition are required to write one or more slogans to express gratitude to their most respectable teachers or to show their harmonious relationship with them, the spokesman said.

The winning slogan will be printed on bookmarks for distribution to all primary and secondary students.

The competition is divided into primary and secondary school groups. Winners will receive a cash prize ranging from \$200 to \$1,000 and a certificate.

The spokesman said all entries should show originality and illustrate the main theme on the most respectable teacher or student-teacher relationship.

He also reminded all participating schools to send the completed entry form and all entries to Sing Tao Daily Post, 3/F, Tower B, Sing Tao Building, 1 Wang Kwong Road, Kowloon Bay, on or before April 28, 1995.

The slogan competition is jointly organised by the Education Department, Sing Tao Daily and Sing Tao Evening Post.

End/Wednesday, March 22, 1995

### HK's largest water pumping station begins operation

\* \* \* \* \*

The largest water pumping station in Hong Kong was officially opened today (Wednesday) to mark the United Nations World Water Day.

Speaking at the opening ceremony for the Tai Po Tau "D" Pumping Station, Stage One, the Director of Water Supplies, Mr Hu Man-shiu, said it had cost \$315 million and had an initial capacity of 1.15 million cubic metres per day.

"When the pumping plants are fully installed in the later stages, the pumping station will have an ultimate capacity of 3.07 million cubic metres per day and will continue to be the focal point of Hong Kong's raw water transfer system.

"We currently receive about 70 per cent of our water from China. The rest is derived from local catchment and reservoirs. To meet the increasing demand, the Government has reached an agreement to receive more water from China.

"The annual quantity of water received from China will rise progressively from the present 690 million cubic metres to 1,100 million cubic metres in around 2008.

"An extensive programme of new works has been implemented to distribute this water. The new pumping station is one of the major elements of these new works," Mr Hu added.

Speaking at the same occasion, the Chairman of the Legislative Council's Public Works Sub-committee, Dr Samuel Wong Ping-wai, said "the Water Supplies Department has undertaken many far-sighted projects of world class status to keep pace with the ever-growing demand for water.

"The Tai Po Tai 'D' Pumping Station where we are present today is one of the components of the third scheme for the reception and transfer of the much increased East River water supply to meet Hong Kong's demand beyond 1994," Dr Wong said.

Dr Wong also noted that the Department will spend in 1995/96 nearly \$2.2 billion in expanding and improving the water supply system, including building new treatment works, supply to new towns, the new airport and new ports development and to meet the demand generated from the fast track housing development programme.

"All these works are an essential part of all the infrastructures that we have embarked on to maintain Hong Kong's status as a most prosperous city in Asia," Dr Wong added.

The occasion was also marked by the announcement of winners and presentation of prizes for the World Water Day Essay Competition organised by the Secretariat of the International Water Supply Association - Asia Pacific Group (IWSA-ASPAC) in collaboration with the Education Department and the Water Supplies Department.

Mr Hu, the current Chairman of IWSA-ASPAC, said the essay competition, with the theme "Water is Life", was launched to promote the awareness of Hong Kong students on the protection and conservation of the territory's scarce water resource.

Denise Woo Kar-yan of the Diocesan Girls' School and Yum Chun-wa of Queen Elizabeth School won the English and Chinese categories of the competition respectively. Prizes for the winners included round trip air tickets to London, Taipei and Manila.

March 22 of each year has been declared by the United Nations as the World Water Day. The declaration is in consideration of the importance of water resource development to economic productivity and social well-being; the growing scarcity of water resources; and the requirement of public awareness at local, regional and international levels for the promotion of water conservation.

End/Wednesday, March 22, 1995

#### Hong Kong Monetary Authority money market operations

\*\*\*\*\*

	<u>\$ million</u>	<u>Time (hours)</u>	<u>Cumulative change (\$million)</u>
Opening balance in the account	1,366	0930	+1,247
Closing balance in the account	1,908	1000	+1,247
Change attributable to :		1100	+1,264
Money market activity	+1,244	1200	+1,244
LAF today	-702	1500	+1,244
		1600	+1,244

LAF rate 4.25% bid/6.25% offer TWI 118.1 \*-0.1\* 22.3.95

Hong Kong Monetary Authority

EF bills		EF notes/Hong Kong Government bonds				
Terms	Yield	Term	Issue	Coupon	Price	Yield
1 week	5.04	14 months	2605	6.35	100.13	6.32
1 month	5.14	23 months	2702	7.50	101.47	6.78
3 months	5.54	28 months	3707	6.95	100.29	6.92
6 months	5.80	34 months	3801	8.00	102.39	7.18
12 months	6.22	60 months	5003	7.75	100.67	7.73

Total turnover of bills and bonds - \$20,300 million

Closed March 22, 1995

End/Wednesday, March 22, 1995



# DAILY INFORMATION BULLETIN

ISSUED BY GOVERNMENT INFORMATION SERVICES  
BEACONSFIELD HOUSE, HONG KONG. TEL.: 842 8777

## SUPPLEMENT

Wednesday, March 22, 1995

<u>Contents</u>	<u>Page No.</u>
<u>Legislative Council meeting :</u>	
Minimum sentences for serious crimes undesirable .....	1
Measures to fight election graft .....	1
Right of abode .....	3
Effect of Kaohsiung off-shore transshipment centre on HK .....	4
Vietnamese migrants and refugees in HK .....	5
Privately-run carparks .....	9
Derivative transactions of banks .....	10
Judges too lenient .....	11
Public displays of new airport project .....	12
Relocation of ferry piers .....	14

/Drug abuse .....

<b><u>Contents</u></b>	<b><u>Page No.</u></b>
Drug abuse of young people in Yuen Long .....	16
Water seepage problems .....	17
Ban on election advertisement .....	19
Unlicensed cinemas .....	20
Home help services to AIDS patients .....	22
Hospital Authority remuneration package .....	23
Environmental implications of projected increase in port throughput .....	25
Various departments at work to tackle juvenile crimes .....	28
Appointment of barristers in private practice as deputy judges .....	29
Wage ceiling .....	31

Minimum sentences for serious crimes undesirable

\* \* \* \* \*

The administration is not considering introducing legislation to require the courts to impose specific sentences fixed by law for serious crimes, the Attorney General, the Hon Jeremy Mathews, said today (Wednesday).

In a written reply to a question raised by Dr the Hon David Li Kwok-po in the Legislative Council today, Mr Mathews said there was a specific sentence for murder which was a mandatory sentence of imprisonment for life since the enactment of the Crimes (Amendment) Ordinance 1993.

He noted that other serious crimes did not carry mandatory sentences, but were subject to a maximum sentence.

"The circumstances in which a particular type of offence may be committed are infinitely varied and there may be strong mitigating circumstances in respect of even serious offences.

"A fixed or minimum sentence for serious crimes will not allow the judge to take into account all the relevant circumstances when imposing an appropriate sentence," Mr Mathews said.

He added that one possible effect of having offences which carried a fixed or minimum sentence might be an undesirable reluctance on the part of judges and juries to convict.

End/Wednesday, March 22, 1995

Measures to fight election graft

\* \* \* \* \*

Following is a question by Dr the Hon David Li Kwok-po and a written reply by the Secretary for Constitutional Affairs, Mr Nicholas Ng, in the Legislative Council today (Wednesday):

Question:

According to the ICAC, 289 complaints on election graft were reported in 1994. In view of the upcoming Legislative Council election this year, will the Government inform this Council what further steps will be taken to ensure that proper procedures will be followed during the election?

Answer:

It is important that elections conducted in Hong Kong should not be tainted by graft and other irregularities. The Corrupt and Illegal Practices Ordinance sets out the legal framework against such practices.

Everything possible will be done by the Administration and the Boundary and Election Commission (BEC) to ensure that the Legislative Council elections in September will be as honest and clean as possible.

To this end, the ICAC would ensure that candidates and their agents are fully aware of the relevant requirements and procedures to conduct a clean campaign. Their officers would visit all candidates to explain the do's and don'ts under the Corrupt & Illegal Practices Ordinance. An information package would be given to each candidate to provide an introduction to the law, illustrative cases and answers to common problems. Publicity literature for candidates' agents and campaign helpers would also be produced. ICAC officers would also take part in briefings for candidates organised by the BEC.

As for the general electorate, the ICAC would publicise, during the election period, the "Support Clean Elections" message through the mass media, posters and press advertisements. Advisory leaflets would be mailed to all registered electors. A hot-line would be set up to enable the public to make enquiries and to report any suspected irregularities. A dedicated team of 30 ICAC officers would investigate complaints from candidates and members of the public.

In addition to the efforts of the ICAC, the BEC would further refine, with experience gained from the March Municipal Councils elections, its comprehensive set of guidelines on election-related activities for the coming Legislative Council elections. The complaint procedures instituted by the Commission would encourage mutual policing and help ensure that the electoral legislation and guidelines are compiled with, and that the Legislative Council elections would be open, clean and honest.

End/Wednesday, March 22, 1995

Right of abode

\* \* \* \* \*

Following is a question by Dr the Hon Leong Che-hung and a written reply by the Secretary for Security, Mr Peter Lai, in the Legislative Council today (Wednesday):

Question:

Will the Government inform this Council :

In its response to the Legislative Council's motion debate on full British citizenship for all British Dependent Territories Citizens (BDTC)/British National (Overseas)(BNO) passport holders in Hong Kong, the British Government stated that the Joint Declaration enabled all Hong Kong BDTCs to retain the right of abode in Hong Kong. In this connection, will the Administration seek elucidation to ascertain :

- (a) whether BDTC passport holders who also possess Canadian or Australian passports can retain the right of abode in the territory after 1997, taking into consideration that Britain, Canada and Australia allow dual nationality but China does not; and
- (b) if the answer to (a) is in the negative, whether there are or will be two categories of BDTC/BNO passport holders, one with the right of abode in Hong Kong, and the other without?

Reply :

Mr President,

Section XIV of Annex I to the Joint Declaration and article 24 of the Basic Law provide that persons not of Chinese nationality shall subject to certain conditions be granted the right of abode. The answers to the Honourable Dr C H Leong's sequential questions therefore depend crucially on the precise way in which these provisions are to be implemented. We are seeking clarification from the Chinese side, in the context of our wider discussion in the Joint Liaison Group on the "right of abode" issue.

End/Wednesday, March 22, 1995

Effect of Kaohsiung off-shore transshipment centre on HK

\* \* \* \* \*

Following is a question by the Hon Henry Tang Ying-yen and a written reply by the acting Secretary for Economic Services, Mrs Elizabeth Bosher, in the Legislative Council today (Wednesday):

Question:

It is learnt that Taiwan plans to set up an off-shore transshipment centre at Kaohsiung before 1997. In this regard, will the Government inform this Council whether it will evaluate the effect of such a plan on the air services, shipping trade and tourism of the territory; if so, how the evaluation will be conducted?

Answer :

Mr President,

The Kaohsiung centre is apparently designed to cater for shipping, rather than air, links with the mainland; hence the impact on air services should be minimal. We see little potential impact on Hong Kong's tourism industry.

In regard to shipping, the Port Development Board Secretariat has carried out a preliminary evaluation of the possible effect on Hong Kong. The result of this evaluation is that we expect the centre to have a relatively small impact on overall port throughput. Specifically we estimate a 1.1% reduction in the growth of port traffic in the period 1994-96, and 0.7% in the period 1996-2001. On the other hand, there is also potential for an overall expansion in trade between Taiwan and the mainland as a result of the centre's establishment; some of this trade for reasons of price, service quality or convenience is likely to flow through Hong Kong and would tend to offset any reduction in port traffic.

Our estimates of the effect of the transshipment centre on Hong Kong will be kept under review as more information on its development becomes available.

End/Wednesday, March 22, 1995

Vietnamese migrants and refugees in HK

\*\*\*\*\*

Following is a question by the Hon Micheael Ho Mun-ka and a written reply by the Secretary for Security, Mr Peter Lai, in the Legislative Council today (Wednesday):

Question :

Regarding Vietnamese migrants and refugees stranded in Hong Kong, will the government inform this Council of :

- (a) the respective numbers of Vietnamese migrants and refugees now staying in the various centres managed by the Correctional Services Department;
- (b) the respective numbers of Correctional Services Department personnel presently working in those centres as well as the staffing establishment by rank; and
- (c) the personal emoluments and other operating costs in each of those centres in the 1994-95 financial year together with a detailed itemised breakdown?

Reply :

Mr President,

- (a) The Correctional Services Department does not manage any centres for refugees. The total number of Vietnamese migrants in Vietnamese detention centres managed by the Correctional Services Department is about 15,300.
- (b) The staffing establishment and the corresponding strength by rank in the Vietnamese Division of the Correctional Services Department is at Annex.
- (c) The personal emoluments and other operating costs in each of the Vietnamese migrant detention centres in the 1994-95 financial year are as follows :

	<u>Personal Emoluments</u> (\$ Million)	<u>Other Operating Costs*</u> (\$ Million)	<u>Total</u> (\$ Million)
Whitehead Detention Centre	182.78	17.68	200.46
High Island Detention Centre	55.55	7.99	63.54
Chimawan Detention Centre	25.21	2.38	27.59
Green Island Reception Centre	11.76	0.55	12.31
	-----	-----	-----
Total	275.30	28.60	303.90

\* Other operating costs include temporary staff, transport and travelling, maintenance charges, stores and general administration expenses.

-----

Establishment & Strength of VM Centres  
(as at 06.03.95)

Annex

RANK	VIETNAMESE DIVISION						TOTAL
	HQ	CDC(U) *	CDC(L)	GIRC	HIDC	WHDC	
<b>Custodial Staff</b>							
Assistant Commissioner	1 (S)						1
Chief Superintendent							0
Senior Superintendent						1	1
Superintendent						1	2
Chief Officer					1	4	5
Principal Officer						2	2
Officer				2	1	2	13
Assistant Officer I				1	1	1	10
Assistant Officer II				3	1	5	41
Sub-total	2 + 1 (S)			3	2	6	51
Officer (VM)				3	2	6	47
Assistant Officer II (VM)				3	4	11	25
Sub-total				5	5	10	31
Officer (VM)				40	19	50	247
Assistant Officer I (VM)				18	11	66	221
Assistant Officer II (VM)				1		143	8
Sub-total				1	31	7	107
Sub-total	2 + 1 (S)	0	54	25	212	336	630 + 1 (S)
Sub-total	3	5	58	27	190	430	713
<b>VM Staff</b>							
Officer (VM)				4	2		34
Assistant Officer II (VM)				22			23
Sub-total				22	0	0	268
Sub-total	0	0	22	0	0	300	322
Sub-total	0	0	29	18	0	244	289
Total	2 + 1 (S)	0	78	25	212	636	952 + 1 (S)
Total	3	5	87	43	190	674	1002

/to be continued

Legend : Establishment + Supernumerary Posts  
Strength

\* Chimawan Detention Centre (Upper) ceased to be a Vietnamese migrant detention centre with effect from 1.12.1994

- HQ - Headquarters
- CDC(L) - Chimawan Detention Centre (Lower)
- GIRC - Green Island Reception Centre
- HIDC - High Island Detention Centre
- WHDC - Whitehead Detention Centre

- Cont'd -

RANK	VIETNAMESE DIVISION						TOTAL
	HQ	CDC(U)*	CDC(L)	GIRC	HIDC	WHDC	
<b>Other Departmental Grades Staff</b>							
Technical Instructor (CS) (Catering)						5	5
Instructor (CS) (Catering)			2			12	14
			2		1	11	14
Instructor (CS)							0
							0
Workman II				2	4	15	21
				1	4	8	13
Total	6	0	2	2	4	27	41
	0	0	2	1	5	24	67
<b>General Grades Staff</b>							
Senior Administrative Officer						1	1
							0
Administrative Officer	1						0
							1
Senior Clerical Officer						1	1
						1	1
Clerical Officer I	1				1	3	5
	1					3	4
Clerical Officer II	1			1	3	16	21
	1			1	5	13	20
Clerical Assistant					1	3	4
					1	3	4
Office Assistant					1	4	5
					1	4	5
Personal Secretary II						1	1
						1	1
Typist					1	3	4
					1	3	4
Supplies Supervisor I	1					1	2
	1					1	2
Supplies Supervisor II	1				1	3	5
	1				1	3	5
Supplies Assistant				1	2	1	4
				1	2		3
Total	4	0	0	2	10	37	53
	5	0	0	2	11	32	102
<b>GRAND TOTAL</b>							
	12 + 1 (S)	0	78	29	228	700	1046 + 1 (S)
	8	5	89	46	206	730	1084

End/Wednesday, March 22, 1995

Privately-run carpark

\* \* \* \* \*

Following is a question by the Hon Steven Poon Kwok-lim and a written reply by the Secretary for Planning, Environment and Lands, Mr Tony Eason, in the Legislative Council today (Wednesday):

Question:

It is learnt that operators of certain privately-run carparks in the territory have used some of the parking spaces as the venues for car shows or selling second-hand cars, thus substantially reducing the number of parking spaces available for public use. In this connection, will the Government inform this Council:

- (a) whether there is any requirement stipulated by the Government that all parking spaces in a carpark are to be exclusively used for parking when granting approval of the building plan of the carpark; and
- (b) whether the conversion of part of a privately-run carpark to other commercial usage (such as car shows or selling second-hand cars) is in breach of any regulations; if so, what measures will be taken by the Government to ensure that the relevant regulations are complied with by the carpark operators?

Answer:

Mr President,

- (a) Carpark operated on private lots are subject to the lease conditions governing the particular lot and these can vary considerably from one case to another.
- (b) The use of carparking spaces on private lots for other commercial uses, such as car sales or shows, does not necessarily breach the lease conditions therefore. Lease enforcement action can be taken against breaches of lease conditions if these do occur however.

End/Wednesday, March 22, 1995

Derivative transactions of banks

\* \* \* \* \*

Following is a question by Dr the Hon Huang Chen-ya and a written reply by the Secretary for Financial Services, Mr Michael Cartland, in the Legislative Council today (Wednesday):

Question:

Following the progressive abolition of the Interest Rate Agreement, some banks have, one after another, offered various kinds of derivatives in order to secure more retail customers. In this connection, will the Government inform this Council:

- (a) whether government approval has to be sought before the banks offer such derivatives to their clients; if so, which department is responsible and what the procedures are for granting the approval;
- (b) whether the advertisements put out by the banks for such derivatives are subject to the regulation of the Securities and Futures Commission or the Monetary Authority; if so, what the regulating procedures are; and
- (c) what legislation is in place to safeguard the customers' investment in these derivatives?

Reply:

We do not see a direct link between the deregulation of the interest rate cap on time deposits governed by the Interest Rate Rules and the introduction of derivative products by banks. Such products are more likely the result of product innovation by banks aided by the development, and more common use, of derivatives.

Regarding (a), the Monetary Authority, as the regulator of banks, expects that all the activities of banks should be conducted in a responsible, honest and business-like manner. Banks are therefore required to be financially sound, to be prudently managed by fit and proper persons and to have adequate systems of internal control for the various aspects of their business, including derivatives related business. Within this overall framework, it is not generally the practice of the Monetary Authority to require banks to obtain its prior approval for each and every new business product. However, where certain products raise risk-related issues (such as deposit-linked derivatives), banks are expected to consult with the Monetary Authority in advance. In such cases, the primary focus is to ensure that banks fully understand the nature of the risks involved and have systems and controls to manage those risks.

As regards (b), advertisements by banks on their products do not need to be pre-approved. Nevertheless, the Monetary Authority recognises the credit, legal and reputational risks to the banks should they engage in derivatives transactions with customers who do not fully understand the risks involved. In issuing a guideline on risk management of derivatives in December 1994, the Monetary Authority therefore reminded banks that for their own protection, they should have policies and procedures reasonably to ensure that their customers have the capability to understand the nature and risks of derivatives transactions into which they enter. They should also provide the customers with sufficient information to help them understand the risks. The Monetary Authority has followed this up in particular cases by means of on-site examinations.

On (c), provisions in the Banking Ordinance ensure that banks manage their risks properly so as to safeguard the stability of the banking system and protect the interests of depositors. However, banking supervision is not generally designed to protect bank customers in respect of specific products. Furthermore, guidance of the kind described in the previous paragraph will help to achieve the objective of protecting not only the banks but also their customers against imprudent marketing of derivative products. In general, to safeguard their own interest, investors would have to be aware of the risks associated with any of their investment activities and to seek professional advice if necessary.

End/Wednesday, March 22, 1995

#### Judges too lenient

\* \* \* \* \*

Following is a question by the Hon David Li Kwok-po and a written reply by the Attorney General, Mr Jeremy Mathews, in the Legislative Council today (Wednesday):

#### Question:

According to a recent survey commissioned by a local English newspaper, more than half of the people of Hong Kong think the territory's judges are too lenient with criminals. Will the Government inform this Council whether it is considering or will consider introducing legislation to require the courts to impose specific sentences fixed by law for serious crimes such as murder, manslaughter and rape?

Answer:

Mr President,

There is a specific sentence for murder. Since the enactment of the Crimes (Amendment) Ordinance 1993, any person convicted of murder receives a mandatory sentence of imprisonment for life.

Other serious crimes do not carry mandatory sentences, but are subject to a maximum sentence. The circumstances in which a particular type of offence may be committed are infinitely varied. There may be strong mitigating circumstances in respect of even serious offences. A fixed or minimum sentence would not allow the judge to take into account all the relevant circumstances when imposing an appropriate sentence.

In addition, one possible effect of having offences which carry a fixed or minimum sentence might be an undesirable reluctance on the part of judges and juries to convict.

The Administration is not considering introducing legislation of the type referred to in the question.

End/Wednesday, March 22, 1995

Public displays of new airport project

\* \* \* \* \*

Following is a question by the Hon Jimmy McGregor and a written reply by the Secretary for Works, Mr James Blake, in the Legislative Council today (Wednesday):

Question:

It is learnt that the Provisional Airport Authority has arranged public displays on the progress of the Chek Lap Kok airport project and its associated transport systems in order to provide Hong Kong people with information on the airport project. Will the Government inform this Council whether it will arrange for a number of public displays of descriptive and pictorial illustrations of such progress, with an indication of the percentage completion of each of the principal core projects, at appropriate venues much frequented by the public; and if so, whether such displays will be up-dated each month until the completion of the airport project?

Answer:

Mr President,

The New Airport Projects Co-ordination Office (NAPCO) has organised 10 exhibitions between August 1994 and March 1995 in different districts throughout Hong Kong. The aim of these district exhibitions is to keep the public informed of the 10 projects in the Airport Core Programme (ACP), including the new airport at Chek Lap Kok and its associated transport systems, and the steady progress that has been made on the works. The exhibitions feature descriptive texts on the ACP projects and their progress, photographic displays of the project sites, models and video films. An indication of the percentage completion of each of the 10 projects is included in the text and these figures are updated from time to time.

The exhibitions have been held about monthly in prominent and convenient venues which attract high pedestrian flow. These include Lok Fu Centre, Pacific Place, Tsuen Wan Plaza, City Plaza, Tuen Mun Plaza, Times Square, Shatin New Town Plaza, Telford Garden, Landmark and Ocean Terminal. The 10 exhibitions held so far have attracted a total estimate of 163,000 visitors. The final exhibition of this series will be held at the Shun Tak Centre from 24 to 26 March 1995.

There is no immediate plan to repeat this series of district exhibitions for the time being. Instead, we are planning to establish an ACP viewing and exhibition centre for the public this year. Other formats of local exhibitions are also being considered.

Apart from exhibitions, NAPCO uses a number of other channels to disseminate information on the ACP to the public. These include the bi-monthly publication of a newsletter and progress fact sheet to keep the public abreast of key developments and progress on the ACP. A total of 45,000 copies are published and distributed to about 2,500 individuals and companies both locally and overseas by direct mailing and to the public through district offices and the Municipal Councils etc. In addition, NAPCO regularly issues press releases and photographs to highlight achievements of major milestones on the ACP and these are widely covered in the press.

Briefings and site visits on the ACP are also organised for different members of the local and overseas communities, including community leaders, academics, professional and business groups. For school students in particular, we have also produced teaching kits on the ACP and organised briefings and exhibitions to cater for their interests specifically.

As the ACP projects are building towards peak production, we are aware of the growing importance to keep the people of Hong Kong updated on the ACP progress. We will continue to use the above channels to disseminate the relevant information to the public.

End/Wednesday, March 22, 1995

#### Relocation of ferry piers

\* \* \* \* \*

Following is a question by the Hon Zachary Wong Wai-yin and a written reply by the Secretary for Transport, Mr Haider Barma, in the Legislative Council today (Wednesday):

Question:

Some of the existing ferry terminals in the Central District will be relocated to new ferry terminals in the reclamation area as a result of the Phase 1 Central and Wan Chai Reclamation works. In this connection, will the Government inform this Council:

- (a) of the ferry routes to be affected;
- (b) of the distance between the new terminals and the existing terminals to be relocated; and
- (c) what measures will be taken to minimise inconvenience to passengers, such as the provision of feeder buses and the construction of a covered pedestrian walkway?

Reply :

Mr President,

The relocation of ferry piers under Phase 1 of the Central and Wan Chai Reclamation project is scheduled to take place in stages between March 1995 and early 1997. Upon completion of the project in 1997, public ferry services will be accommodated in five new permanent piers on Central Reclamation - four for the ferry services of Hong Kong & Yaumati Ferry (HYF) and one for the licensed ferry service between Central and Discovery Bay.

HYF's Central to Jordan Road passenger service has been relocated to a temporary pier on the eastern edge of the reclamation with effect from 17 March 1995. Ferry routes serving Tuen Mun, Tsuen Wan and Tsing Yi and the outlying islands will be relocated to new permanent piers on the northern edge of the reclamation in May 1995.

The walking distance between the existing piers and the new piers on the reclamation is estimated to be about 900 metres. However, the actual walking distance for ferry passengers will vary depending on their origin and destination. Also, passengers arriving by land transport such as buses and taxis should not be adversely affected because there are interchange facilities adjacent to the new piers. These facilities include a bus terminus and waiting areas for taxis and private cars. One bus route has already been relocated to the new bus terminus and another six bus routes will be relocated by May 1995. A well lit covered walkway leading to the ferry piers and adequate directional signs have been provided and more facilities are being constructed to provide easy and convenient access for ferry passengers. Publicity will be arranged through notices at piers, pamphlets and press releases to advise passengers of the changes.

End/Wednesday, March 21, 1995

Drug abuse of young people in Yuen Long

\* \* \* \* \*

Following is a question by the Hon Zachary Wong Wai-yin and a written reply by the Secretary for Security, Mr Peter Lai, in the Legislative Council today (Wednesday):

Question :

The problem of drug abuse by young people has become increasingly serious in Yuen Long. It is learnt that the Government is planning to set up a drug addiction treatment centre in Yuen Long to provide services to first-time young drug abusers. In this connection, will the Government inform this Council :

- (a) of the estimated number of young people abusing drugs in Yuen Long; of this number, how many are students and what is the age of the youngest drug abuser;
- (b) of the objectives of the proposed drug addiction treatment centre and the details of its specific plan; and
- (c) what are the factors that will be taken into consideration in determining the location of the treatment centre; and whether the public will be consulted before any decision is taken; if so, how the public consultation will be carried out; if not, why not?

Answer :

Mr President,

- (a) The number of young drug abusers (below the age of 21) in Yuen Long district reported to the Central Registry of Drug Abuse was 316 in 1994. Statistics on the number of students among these young drug abusers are not available. The age of the youngest drug offender reported in Yuen Long is 10.
- (b) The objective of the proposed drug addiction treatment centre, to be operated by the Society for the Aid and Rehabilitation of Drug Abusers (SARDA), is to develop an alternative facility wholly and exclusively for the treatment of young male drug abusers. A new facility is required because existing treatment facilities on the remote island of Shek Kwu Chau do not segregate young abusers from addicts with a long history of abuse and, accordingly, the environment there is not entirely conducive to the restoration of young abusers to a drug-free life.

The project has been endorsed by the Action Committee Against Narcotics and approved for funding by the Community Chest. The proposed centre will provide an in-patient treatment facility for young male drug abusers under the age of 25, with an initial capacity of 20 beds, to be progressively increased to 30 over a period of three years. Once admitted, a patient will undergo a programme of detoxification and counselling by a team of medical, nursing and social work staff. The residential treatment and rehabilitation programme takes eight weeks, during which time the family of a patient will be involved. On completion of the residential programme, the patient will be discharged from the centre and transferred to an aftercare programme in one of SARDA's three regional centres.

- (c) Since the participation and support of the families of young drug abusers is considered important in helping to encourage them turn over a new leaf, it is essential that the proposed centre should not be located in areas too remote from the community. On the other hand, care will be taken not to set up the centre in a densely populated area. As regards the requirements of the centre, apart from adequate space to provide the necessary facilities and accommodation, some open space within the centre is needed to enable activities to be organised for the young patients during their stay there.

No firm decision has been taken on precisely where the centre should be located, although a number of sites, including the vacant premises of a disused school in Yuen Long, have been examined. The relevant District Board will be consulted in due course.

End/Wednesday, March 22, 1995

#### Water seepage problems

\* \* \* \* \*

Following is a question by the Hon Emily Lau Wai-hing and a written reply by the Secretary for Housing, Mr Dominic Wong, in the Legislative Council today (Wednesday):

Question:

Regarding the frequent complaints by residents of public housing estates about water seepage problems in their flats, will the Government inform this Council:

- (a) of the total number of complaints received by the Housing Authority about water seepage problems in public housing and Home Ownership Scheme (HOS) flats under its management which have been occupied for less than three years, together with a breakdown of the causes of water seepage; and how many of such complaints have resulted in repair work being carried out;
- (b) of the ten public housing/HOS estates occupied for less than three years having the largest number of complaints about water seepage problems, together with the names of the respective contractors;
- (c) whether the Housing Authority has put in place any regulating mechanism to ensure that water seepage problems will not occur in public housing and HOS flats as a result of the negligence of the contractors or defects in building design; if so, what such mechanism is, and why water seepage problems still occur frequently; and
- (d) what measures the Housing Authority has taken to improve the quality of public housing/HOS flats in order to prevent the occurrence of water seepage problems after the flats are occupied?

Answer:

Mr President,

Water seepage problems in newly completed public housing estates involve ceilings, windows, external walls and expansion joints. Common causes are the varying standards of workmanship on surface drainage and tenants' unauthorised modifications which damage waterproof materials and surface drainage in the toilet, kitchen and balcony areas. Given the short notice, it is not possible to include in this reply details of complaints about water seepage in all public housing rental estates which are less than three years old. This information will be provided separately as soon as possible. As Home Ownership Scheme flat owners themselves are responsible for maintenance works, the Housing Department does not keep a record of such complaints.

Upon receipt of complaints about water seepage in public housing rental estates, estate management staff will refer them to the District Maintenance Office of the Housing Department for follow-up action. However, if the defects are found within the Defects Liability Period (i.e. within one year of flat completion), repair work will be undertaken by the main contractor.

The quality of housing construction is maintained through a contractor's performance monitoring system. The detailed requirements are set out in the contract specifications and contract drawings. The contractor is bound by the Conditions of Contract to construct the flats and to deliver the end product to the Housing Department in accordance with the requirements specified.

Apart from providing site staff to inspect regularly the work of each construction project, the Housing Department also requires its own project staff, e.g. architects and engineers, to visit the site periodically to check that the flats are completed to the required standard. Both site and project staff are guided by procedures set out in the Housing Department's Quality Management Manuals. This mechanism enables each item of work to be checked at every stage of a public housing construction project so that in case of defects, corrective action is taken before the flats are occupied. As indicated above, the contractor is still held responsible for rectifying any defects within one year of hand over of the flats.

End/Wednesday, March 22, 1995

#### Ban on election advertisement

\* \* \* \* \*

Following is a question by the Hon Henry Tang Ying-yen and a written reply by the Secretary for Constitutional Affairs, Mr Nicholas Ng, in the Legislative Council today (Wednesday):

Question:

As candidates for the Legislative Council election are not allowed to advertise in the electronic media to promote their candidature, will the Government inform this Council:

- (a) of the reasons for banning election advertising through the electronic media by candidates;
- (b) whether the relevant provisions in the Bill of Rights Ordinance governing freedom of expression have been taken into account in this connection; and
- (c) whether it will consider relaxing the control so that candidates for the new functional constituencies may choose any form of media which they consider to be effective for launching their election campaign?

Answer:

TV and radio are extremely influential mass media. They reach into virtually every household in Hong Kong. It is therefore important to ensure that they are not being used to give any particular groups or individuals undue influence or prominence. Given the very high cost for TV and radio advertising, allowing election candidates to place advertisements on TV and radio to promote their campaigns would give rich candidates significant advantage, and would place candidates with limited financial means at a disadvantageous position.

In the interest of open and fair elections, we believe a more equitable option is for Government to make use of some of the air-time available to it on TV and radio for candidates to introduce their platforms. We are now looking into how this might best be arranged for the Legislative Council elections in September this year, including the elections of the 9 new functional constituencies. In devising the arrangements, a central consideration will be to give candidates fair and equal access.

Although candidates for the Legislative Council elections will not be allowed to place advertisement on TV and radio, they will have access to the electronic media through air-time provided by Government. The relevant provisions of the Bill of Rights Ordinance governing the right to freedom of expression has been taken into account in this connection.

End/Wednesday, March 22, 1995

Unlicensed cinemas

\* \* \* \* \*

The following is a question by Dr the Hon Tang Siu-tong and a written reply by the Secretary for Recreation and Culture, Mr James So, in the Legislative Council today (Wednesday):

Question:

It is learnt that a number of cinemas in the territory have started operating before licences are granted by the Urban Council and the Regional Council. In connection with this, will the Government inform this Council:

- (a) what is the total number of cinemas now operating without licence in the territory; why this situation has arisen; where should the victims go for filing compensation claims in the event of an outbreak of fire in these cinemas; and
- (b) what is the normal time required for the Government to process cinema licence applications; and whether there is a need to review and improve the procedures for processing such applications?

Reply :

There are at present five unlicensed cinemas all operating within the Urban Council (UC) areas. The UC have taken prosecution action against the owners of all these cinemas. All these cinema owners have been convicted and fined, ranging from \$6,000 to \$10,000, plus a daily fine of several hundred dollars. This situation has arisen mainly because the cinema owners are unable to satisfy all the licensing requirements imposed by the licensing authority, which is the Urban Council in the urban area and the Regional Council in the New Territories, prior to opening their doors for business.

In the event of an accident such as a fire, victims could claim legal remedies against the person causing the fire, including the owner of the unlicensed cinemas who would be culpable for operating a place of public entertainment without a valid licence.

Under current licensing procedures, the licensing authority working in conjunction with other departments concerned, including the Buildings Department and the Fire Services Department, would normally complete the initial vetting of an application for a cinema licence and issue to the applicant the licensing requirements within one to two months. The time taken for a licence to be issued would depend very much on the time the applicant successfully complied with all the requirements. Past experience has shown that it would normally take an applicant around nine to fourteen months to fully satisfy with all the licensing requirements.

The licensing authority keeps the licensing procedures under constant review to ensure that applications are dealt with efficiently without compromising any safety or hygiene requirements. The licensing authority will continue to monitor the operation of the licensing procedures and introduce improvements as and when necessary.

End/Wednesday, March 22, 1995

Home help services to AIDS patients

\* \* \* \* \*

Following is a question by Dr the Hon Lam Kui-shing and a written reply by the Secretary for Health and Welfare, Mrs Katherine Fok, in the Legislative Council today (Wednesday):

Question:

In view of the refusal of home helpers in some government-subsidised organisations to attend to AIDS patients, will the Government inform this Council:

- (a) what short-term measures are in place to cope with the situation;
- (b) whether there is any concrete plan to enhance the home helpers' understanding of AIDS; if so, what the details are and what is the timetable for its implementation; and
- (c) whether the Government has reviewed the appropriateness and adequacy of the present educational work in promoting the understanding of AIDS; if so, what the result of the review is; if not, when such a review will be conducted?

Answer:

- (a) Home help services are provided by government-subsidised organisations. It is known that some home helpers have expressed a reluctance to deal with AIDS patients. Efforts are, therefore, being stepped up to enhance home helpers' understanding of AIDS through briefings and seminars with a view to preparing them for providing services to needy AIDS patients.
- (b) In conjunction with the Hong Kong Council of Social Service, the Social Welfare Department will implement the following measures to reinforce training and support for home help staff -
  - \* Pamphlets on AIDS resource centres will be issued to home help staff next month so that they know where to seek advice and information on AIDS directly.

- \* seminars, 40 training workshops and 30 orientation visits will be organised in 1995/96 for all home help staff to enhance their understanding of AIDS.
  - \* The component of AIDS education in all basic and refresher training courses for home help staff will be strengthened.
  - \* Operational guidelines on handling AIDS patients are under preparation and will be issued to home help staff within this year.
- (c) The Advisory Council on AIDS and its Committee on Education and Publicity on AIDS have all along built in evaluation as a component of the educational programmes conducted. In general, the results have indicated that the programmes are appropriate and effective for the target groups served. In order to determine the overall effectiveness and appropriateness of current publicity and educational programmes on AIDS, two research programmes are being undertaken to assess the knowledge, attitude and behaviour of the public towards AIDS and AIDS-related issues. Preliminary findings of the researches are expected to be available in mid-1996. The publicity and educational programmes on AIDS may be appropriately modified in the light of these findings.

End/Wednesday, March 22, 1995

Hospital Authority remuneration package

\* \* \* \* \*

Following is a question by the Hon Emily Lau and a written reply by the Secretary for Health and Welfare, Mrs Katherine Fok, in the Legislative Council today (Wednesday):

Question:

As part of their remuneration package, staff of the Hospital Authority (HA) receive a basic salary as well as a monthly cash allowance at a rate up to 60% of their basic salary. This has resulted in high spending by the Government on medical care, but the patients have not been able to benefit from it directly. In this connection, will the Government inform this Council :

- (a) whether the policy of adjusting the cash allowance in line with salary increases is consistent with the Government's prevailing policy on fringe benefits;
- (b) whether, in view of the ever-increasing amount of the cash allowance, the existing discrepancy in the remuneration package between the medical staff of the HA and those of private hospitals will be widened further;
- (c) whether the cash allowance, which is intended to substitute some of the fringe benefits, includes an element of housing benefits; how many employees of the HA are now receiving both the cash allowance and benefits under the home loan interests subsidy scheme separately provided by the HA; and whether the provision of such housing benefits runs counter to the Government's established policy of not allowing the receipt of "double benefits"; and
- (d) whether a review will be conducted on the HA's remuneration package with a view to urging the HA to adopt another set of employment terms, which is similar to that offered to officers at comparable ranks in the Civil Services, in the recruitment of new staff?

Reply:

The remuneration package for employees of the Hospital Authority was drawn up by an independent firm of consultants. This remuneration package was designed on the basis that it would be comparable to the civil service package in terms of the overall cost to the employer. It comprises a basic salary and cash allowance, a non-contributory provident fund scheme, annual vacation, medical and dental treatment, life and disability insurance as well as a housing loan interest subsidy scheme. The level of cash allowance was determined on the basis of the partial encashment of certain civil service fringe benefits including retirement benefits, leave and housing benefits. It currently ranges from 8% to 60% of an employee's basic salary.

While the Housing Loan Interest Subsidy Scheme is an element of housing benefit within the Hospital Authority remuneration package, the cash allowance is non-accountable and not regarded as a housing benefit. Employees of the Authority who receive both an interest subsidy under the Scheme and the cash allowance do not, therefore, contravene the "no double housing benefits" rule. There are 3,627 employees currently receiving interest subsidy under the Scheme.

The Hospital Authority remuneration package is a unique package designed to encourage the staff working in former government and subvented hospitals to opt for transfer to the Authority. It was endorsed by the Executive Council and approved by the Finance Committee of the Legislative Council.

Since the majority of medical staff working in private hospitals are not salaried employees whose income is determined largely on an individual basis by virtue of their professional qualification, specialised expertise and profile of clients, it would not be appropriate to compare directly their salary package with that of Hospital Authority employees.

The Administration is conscious of the need to contain cost escalation in the provision of medical services. The comparability of employment terms between Hospital Authority staff and their counterparts in the civil service will be a subject of discussion between Government and the Authority. However, any consequential adjustment to the remuneration package offered to new employees must be made having due regard to the impact on staff morale as well as the need to recruit and retain qualified professionals.

End/Wednesday, March 22, 1995

Environmental implications of projected increase in port throughput

\* \* \* \* \*

Following is a question by the Hon Christine Loh Kung-wai and a written reply by the Secretary for Planning, Environment and Lands, Mr Tony Eason, in the Legislative Council today (Wednesday):

Question:

As stated in the Port Development Strategy Review, the Port Development Board is pursuing a level of port expansion which will increase the volume of freight cargo moved by road through the territory from 20 million tonnes in 1996 to 70 million tonnes in 2011, an increase of 250%. Will the Administration inform this Council of -

- (a) the estimated air quality impact of this increase, both in terms of predicted vehicle emission levels of major pollutants and in relation to the Air Quality Objectives;

- (b) the infrastructure support required to meet the increase in cargo volume moved by road together with the estimated capital cost of such infrastructure support; and
- (c) the estimated area of land required for efficient container back-up movements and container storage?

Reply:

Mr President,

The answers to the three parts of this question are as follows:

- (a) The acceptability of the port development proposals in environmental terms was addressed in the original Port and Airport Development Strategy (PADS) studies. Although the Port Development Strategy Review did not itself examine the detailed environmental implications of the projected increase in port throughput, this will be the subject of a separate study by the Environmental Protection and Planning Departments of the environmental implications of the projected increase in port and airport throughput. The aim will be to assess all the key issues associated with further economic development in Hong Kong and evaluate their cumulative environmental impacts. This will assist the formulation of plans to achieve a sustainable development pattern for Hong Kong. Full public consultation will be part of this process.
- (b) The projected increase in freight traffic will require the provision of new transport infrastructure. A number of projects are planned for this purpose which will not only serve the port, but the whole of Hong Kong. A list of these projects is annexed.
- (c) Based on the findings of the 'Study on Port Back-up Land and Open Storage Requirements' published by the Planning Department in 1994, we estimate that a total of about 500 hectares of port back-up land will be required by 2011.

**Major Transport Projects**

<b><u>Project</u></b>	<b><u>Estimated Capital Cost</u></b>
a) Western Corridor Railway from the border to the container port, including a spur line to the container port (port rail line)	The port rail line will cost \$8 billion.
b) Route 3 (Country Park Section)	\$7 billion (to be financed entirely by a private sector consortium)
c) Ting Kau Bridge	\$2 billion
d) Route 16 (Sha Tin to Cheung Sha Wan)	\$2.7 billion (probably to be built by a private sector consortium)
e) Duplicate Tsing Yi South Bridge	\$1.034 billion
f) Improvements to Lok Ma Chau border crossing	\$200 million
g) New Road from Man Kam To Crossing to NT Circular Road	\$2.4 million

End/Wednesday, March 22, 1995

Various departments at work to tackle juvenile crimes

\* \* \* \* \*

Following is a question by Rev the Hon Fung Chi-wood and a written reply by the Secretary for Security, Mr Peter Lai, in the Legislative Council today (Wednesday):

Question:

Regarding the problem of juvenile delinquency in the Tai Po District, will the Government inform this Council whether:

- (a) there is an upward trend in the number of crimes committed by juveniles in the Tai Po District recently; if so, what are the factors leading to such a situation;
- (b) the relevant government departments have any specific short term plans to improve the situation; and
- (c) consideration will be given to strengthening the Police manpower in the District as well as deploying another outreaching social work team to serve the District in addition to the one provided in June 1993?

Reply:

Mr President,

- (a) There has been an upward trend in the number of young persons (under 21 years of age) arrested for crime in Tai Po. The figures are as follows - in 1991, 873 were arrested; in 1992, the number was 1,006; in 1993, it was 1,179; and in 1994 it was 1,583. The increase is mainly attributable to the increase in the arrests of young persons for shoptheft and dangerous drugs offences.
- (b) The problem of young offenders is a matter of considerable concern to the Government and a number of departments are involved in tackling it. Specifically, in Tai Po, the Police Force has stepped up covert operations against drug traffickers. The Force is currently conducting special weekly operations to check on amusement game centres, which are frequented by young persons. The Force also plans to promote the Junior Police Call, in order to foster a police-youth partnership in the fight against crime; in addition, its community relations officers will increase visits to schools. The Force will also intensify both uniform and plain clothes patrols in school areas and areas frequented by young persons.

The Social Welfare Department, together with subvented Children and Youth Services in the district, will in the coming few months set up 40 guidance groups to provide support to youth-at-risk; organise three anti-drug campaigns to educate young persons against drugs; and formulate eight volunteer training programmes to help prevent drug abuse and enhance positive peer influence among young people.

From the prevention angle, the Education Department will continue to encourage dialogue among teachers and school social workers, promote home-school co-operation, produce leaflets on good parenting, organise annual seminars for schools on unruly and delinquent behaviour, promote a "whole school approach to guidance" in order to cultivate a positive and caring environment in schools, help schools promote moral education; and run training programmes for teachers on moral education.

- (c) The Police manpower in the Tai Po district is considered adequate; there will be an additional 17 disciplined posts created for the Task Force and Patrol Sub-unit of Tai Po Division in 1995/96.

The Social Welfare Department, in conjunction with the Hong Kong Council of Social Service, has just completed a review of its outreaching social work. The review has recommended further expansion of the service from 1996/97 onwards and identified Tai Po district as one of the 13 priority areas for the provision of more outreaching teams. The review report is being considered by the Administration.

End/Wednesday, March 22, 1995

#### Appointment of barristers in private practice as deputy judges

\*\*\*\*\*

Following is a question by the Hon Eric Li Ka-cheung and a written reply by the Chief Secretary, Mrs Anson Chan, in the Legislative Council today (Wednesday):

#### Question:

Regarding the appointment of recorders and deputy judges of the High Court to hear cases, will the Government inform this Council :

- (a) of the number of occasions during the past 5 years on which barristers from private practice have been appointed to sit as deputy judges under section 10 of the Supreme Court Ordinance;
- (b) since the enactment in July 1994 of section 6A of the Supreme Court Ordinance how many barristers have indicated their willingness to be appointed as recorders, and how many have actually been appointed;
- (c) whether the recorder system has resulted in any recorders sitting to hear cases; if not, when the system will be implemented and what is the likely number of cases to be heard by recorders during the next year;
- (d) how much notice of sitting dates is given to recorders and deputy judges from private practice; and
- (e) whether there is any system in place whereby recorders or deputy judges can be made available at short notice to hear a case if the assigned judge is unavailable; if so, how often has it been used and on how many occasions has a recorder or deputy judge from private practice declined to sit?

Reply:

Mr President,

- (a) During the past 5 years, there were 32 occasions when barristers in private practice were appointed to sit as deputy judges of the High Court under section 10 of the Supreme Court Ordinance (Cap 4).
- (b) A total of 40 barristers have indicated interest in becoming recorders of the High Court. The Judicial Service Commission has made a preliminary assessment of the suitability of these barristers and is drawing up a shortlist of suitable candidates. Appointments will be made by the Governor upon receipt of the Judicial Service Commission's advice.
- (c) Pending receipt of the advice of the Judicial Service Commission, it is not possible to estimate the number of recorders to be appointed during the next year and the likely number of cases to be heard by them. Once appointed, a recorder is expected to sit in the High Court for at least 4 weeks each year. It is estimated that approximately 10 recorders will share the workload of one full-time judge.

- (d) Sitting dates for deputy judges (and recorders in the future) are normally arranged a few months in advance.
- (e) Since July 1994, the Judiciary has kept a list of barristers in private practice who are prepared to sit as deputy judges of the High Court at short notice. So far two barristers from the list have been invited to take up cases just a few days in advance and both accepted these urgent appointments.

End/Wednesday, March 22, 1995

#### Wage ceiling

\* \* \* \* \*

Following is a question by the Hon Lee Cheuk-yan and a written reply by the Secretary for Education and Man Power, Mr Michael Leung, in the Legislative Council today (Wednesday):

Question:

Will the Government inform this Council whether it will review and raise the wage ceiling of \$15,000 for the purpose of determining the severance payment, long service payment and compensation for injuries at work as stipulated in the Employment Ordinance and the Employees' Compensation Ordinance; if so, whether it will propose amendments to these two Ordinances within the current legislative session; if not, why not?

Answer:

The wage ceiling for the calculation of severance payment and long service payment under the Employment Ordinance is now being reviewed. Subject to the advice of the Labour Advisory Board (LAB) on the issue, we plan to introduce the relevant amendments to the Employment Ordinance into the Legislative Council as soon as practicable.

As regards the calculation of compensation payments under the Employees' Compensation Ordinance, the levels of payments for different compensation items are governed by different factors, and wage movements is just one of them. The wage level should therefore be considered in the context of the regular annual review on the levels of all the various compensation items for injuries at work under the Employees' Compensation Ordinance. The LAB will be consulted later in the year and subject to its advice, we hope to effect appropriate changes through a Legco resolution by the end of the year so that the new levels of compensation can come into effect in early 1996.

End/Wednesday, March 22, 1995