



DAILY INFORMATION BULLETIN

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STATEMENT BY CHIEF SECRETARY ON REPATRIATION

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FOLLOWING IS A STATEMENT MADE BY THE CHIEF SECRETARY, THE HON SIR DAVID FORD, IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) CONCERNING THE REPATRIATION OF VIETNAMESE ILLEGAL IMMIGRANTS:

"SIR,

"THE RETURN YESTERDAY OF THE FIRST GROUP OF ILLEGAL IMMIGRANTS FROM VIETNAM TO THEIR HOMELAND ATTRACTED A GREAT DEAL OF ATTENTION BOTH IN HONG KONG AND INTERNATIONALLY. IN VIEW OF SOME OF THE COMMENTS MADE, I WOULD LIKE TO MAKE A BRIEF STATEMENT.

"SINCE 1975, OVER 170,000 PEOPLE FROM VIETNAM HAVE SOUGHT ASYLUM IN HONG KONG. WE HAVE TURNED NONE AWAY. WE HAVE TAKEN THEM ALL IN, FED AND CLOTHED THEM, HOUSED THEM TO THE BEST OF OUR ABILITY AND PROVIDED THEM WITH MEDICAL ATTENTION. THERE HAVE BEEN TIMES, AS EARLIER THIS YEAR, WHEN THE SHEER WEIGHT OF NUMBERS HAS THREATENED TO OVERWHELM OUR RESOURCES. SO FAR WE HAVE MANAGED TO PRESERVE OUR COMMITMENT TO THE POLICY OF FIRST ASYLUM.

"AS LONG AS THOSE COMING WERE CLEARLY FLEEING PERSECUTION, OUR COMMUNITY HAS BORNE THE BURDEN PATIENTLY. BUT IT HAS BEEN CLEAR FOR SOMETIME NOW THAT MOST OF THOSE WHO ARRIVE ARE NORTHERNERS AND ETHNIC VIETNAMESE SIMPLY SEEKING A BETTER LIFE. MUCH HAS BEEN MADE OF THE DANGERS THEY RISK IN COMING HERE. BUT THESE HAVE BEEN GREATLY EXAGGERATED BY PEOPLE OUTSIDE HONG KONG. SOME ARE COMING FOR MUCH OF THE WAY THROUGH CHINA AND ALL WHO COME BY SEA CALL IN AT FREQUENT INTERVALS ALONG THE COAST FOR RE-SUPPLY. WHILE NO ONE CAN BEGRUDGE THEM TRYING TO FIND A NEW LIFE IN THE WEST, THIS ALONE DOES NOT NECESSARILY QUALIFY THEM AS REFUGEES IN THE EYES OF THE INTERNATIONAL COMMUNITY. AS A RESULT MOST HAVE NO PROSPECT OF BEING RESETTLED.

"THIS SIMPLE, THOUGH TO SOME UNPALATABLE, FACT, LED US TO URGE THE INTERNATIONAL COMMUNITY TO REVIEW THE PROBLEM. HONG KONG HAS PLAYED A FULL PART IN THAT REVIEW. INDEED, WE WERE THE FIRST TO INTRODUCE SCREENING OVER A YEAR AND A HALF AGO. OUR PURPOSE WAS TO IDENTIFY THOSE WHO NEEDED THE PROTECTION OF THE INTERNATIONAL COMMUNITY AND GIVE THEM REFUGEE STATUS. WE DID THIS IN ACCORDANCE WITH INTERNATIONALLY ACCEPTED AND MONITORED PROCEDURES.

"OTHERS HAVE FOLLOWED OUR EXAMPLE. IN JUNE THIS YEAR, SCREENING AS IMPLEMENTED IN HONG KONG BECAME AN INTEGRAL PART OF THE COMPREHENSIVE PLAN OF ACTION ENDORSED BY THE INTERNATIONAL COMMUNITY. THE PLAN INCLUDES 4 IMPORTANT ELEMENTS: FIRST ASYLUM, SCREENING, RESETTLEMENT OF REFUGEES AND REPATRIATION OF NON-REFUGEES. WE ARE A PARTY TO THIS COMPREHENSIVE PLAN OF ACTION AND WE ARE IMPLEMENTING IT TO THE FULL.

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"ALL OF US, OF COURSE, WOULD PREFER THAT THOSE SCREENED OUT AS NON-REFUGEES WOULD IMMEDIATELY VOLUNTEER TO RETURN TO VIETNAM. UNFORTUNATELY, MANY, INDEED SO FAR THE VAST MAJORITY STILL CLING TO THE FORLORN HOPE THAT THE WORLD WILL CHANGE ITS MIND AND THEY WILL BE RESETTLED. WE KNOW THE INTERNATIONAL COMMUNITY KNOWS THAT THIS IS NOT THE CASE. THIS IS WHY WE HAVE FELT IT NECESSARY TO MOVE AHEAD WITH AN ORDERLY RETURN PROGRAMME FOR THOSE WHO SIMPLY COULD NOT BELIEVE THAT THE COUNTRIES TO WHICH THEY WANTED TO GO DO NOT WANT THEM.

"THE FIRST GROUP WAS SENT BACK YESTERDAY. I WOULD LIKE TO ASSURE MEMBERS THAT THERE WERE NO INCIDENTS, THAT THE ACCOMPANYING OFFICERS, BOTH MALE AND FEMALE, WERE NOT ARMED, AND THAT THE CHILDREN WHO RETURNED WERE PART OF FAMILY GROUPS. THROUGHOUT THE OPERATION OUR FIRST CONCERN WAS THE SAFETY AND DIGNITY OF THE PEOPLE CONCERNED. LET ME ALSO ASSURE MEMBERS THAT THESE PEOPLE WERE RETURNED ONLY AFTER ASSURANCES WERE RECEIVED FROM THE GOVERNMENT OF VIETNAM THAT THEY WOULD BE TREATED HUMANELY, THAT THEY WOULD NOT BE PUNISHED AND THAT THEIR RE-INTEGRATION INTO SOCIETY IN VIETNAM WOULD BE OPEN TO MONITORING. BUILDING ON THESE ARRANGEMENTS, IT IS OUR INTENTION TO PUT INTO PLACE A CONTINUING PROGRAMME TO RETURN TO VIETNAM ALL THOSE WHO ARE JUDGED NOT TO BE REFUGEES.

"THIS FIRST RETURN HAS ATTRACTED SOME CRITICISM OVERSEAS. HOWEVER, I FEEL BOUND TO SAY THAT THOSE WHO HAVE BEEN LOUDEST IN THEIR CONDEMNATION HAVE BEEN SLOWEST IN BRINGING FORWARD PRACTICAL ALTERNATIVES. I CAN ASSURE OUR CRITICS FIRST THAT WE REACHED OUR DECISION ONLY AFTER MUCH SOUL-SEARCHING AS TO WHAT WAS THE MOST HUMANE AND PRACTICAL COURSE TO FOLLOW, AND SECONDLY, THAT WE HAVE RETURNED NO ONE WHO IN THE EYES OF THE INTERNATIONAL COMMUNITY IS A BONA FIDE REFUGEE. IN THIS CONTEXT MR ROBERT VAN LEUWEN HAS CONFIRMED EXPLICITLY THAT UNHCR WAS SATISFIED THAT NONE OF THOSE RETURNED QUALIFIED AS REFUGEES.

"SIR, THIS IS NOT A ROLE OR RESPONSIBILITY WHICH WE HAVE SOUGHT. IT IS ONE WHICH GEOGRAPHY AND CIRCUMSTANCE HAS THRUST UPON US. WE HAVE RESPONDED WITH HUMANITY AND DECENCY TO A PROLONGED CRISIS. WE ARE CONFIDENT THAT OUR RECORD, IF OBJECTIVELY ASSESSED, STANDS COMPARISON WITH ANYWHERE ELSE IN THE WORLD. WE DO NOT LOOK FOR THE WORLD'S APPLAUSE, BUT WE ARE ENTITLED, I FEEL, TO ASK FOR THE WORLD'S UNDERSTANDING."

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PURPOSE OF SUPPLEMENTARY MEDICAL PROFESSIONS BILL EXPLAINED

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THE PURPOSE OF THE SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL 1989 IS TO AMEND THE PRINCIPAL ORDINANCE SO AS TO FACILITATE THE DRAFTING OF REGULATIONS FOR THE VARIOUS SUPPLEMENTARY MEDICAL PROFESSIONS, THE ACTING SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SAID TODAY (WEDNESDAY).

SPEAKING IN THE RESUMED DEBATE ON THE SECOND READING OF THE BILL IN THE LEGISLATIVE COUNCIL, MR SHIPMAN SAID THE NEED FOR THESE AMENDMENTS WAS CLEARLY EVIDENT IN THE FINAL STAGE OF DRAFTING THE REGULATIONS FOR THE REGISTRATION AND DISCIPLINARY PROCEDURES OF THE RELEVANT PROFESSIONS.

"UNLESS THE ORDINANCE IS AMENDED TO PROVIDE THE NECESSARY ENABLING PROVISIONS, THE REGULATIONS CANNOT BE MADE AND REGISTRATION OF MEMBERS OF THE CONCERNED PROFESSIONS CANNOT PROCEED," HE SAID.

THE BILL WAS FIRST INTRODUCED INTO THE COUNCIL IN JULY LAST YEAR AND SUBSEQUENTLY RE-INTRODUCED IN JANUARY THIS YEAR.

THE BASIC PRINCIPLES RELATING TO THE REGISTRATION AND DISCIPLINE OF THE SUPPLEMENTARY MEDICAL PROFESSIONS AND THE ROLE OF THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL AND THE PROFESSIONAL BOARDS WERE ACCEPTED BY THE LEGISLATIVE COUNCIL IN 1980 WHEN THE PRESENT ORDINANCE WAS PASSED.

HOWEVER, MR SHIPMAN NOTED, IN THE COURSE OF DISCUSSIONS WITH THE LEGCO AD HOC GROUP STUDYING THE BILL, A NUMBER OF FUNDAMENTAL ISSUES HAD BEEN RAISED INCLUDING, IN PARTICULAR, THE PROPOSAL THAT THERE SHOULD BE INCLUDED IN THE ORDINANCE SPECIFIC POWER FOR REGULATIONS TO BE MADE PRESCRIBING THE CIRCUMSTANCES IN WHICH MEMBERS OF THE SUPPLEMENTARY MEDICAL PROFESSIONS WOULD ACCEPT PATIENTS IN THE COURSE OF THEIR PRACTICE.

MR SHIPMAN SAID THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL AND THE FIVE PROFESSIONAL BOARDS WERE THUS CONSULTED ON THE MATTER AND RESUMPTION OF DEBATE ON THE BILL WAS ACCORDINGLY DEFERRED UNTIL TODAY TO ALLOW SUFFICIENT TIME FOR CONSULTATION.

MR SHIPMAN EXPRESSED APPRECIATION OF THE ADVICE GIVEN BY THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL AND THE BOARDS AND THE UNDERSTANDING DEMONSTRATED BY THE AD HOC GROUP IN THEIR SUPPORT FOR THE BILL.

HE SAID THAT AS A RESULT, IT WAS AGREED WITH THE AD HOC GROUP THAT AN AMENDMENT SHOULD BE MADE TO THE BILL WHICH WOULD IMPROVE THE WORKING ARRANGEMENTS BETWEEN THE COUNCIL AND THE BOARDS WITHOUT COMPROMISING ON THE PRINCIPLE THAT THE BOARDS SHOULD HAVE AUTHORITY OVER THEIR OWN CODES OF PRACTICE.

COMMENTING ON SOME GENERAL POINTS WHICH EMERGED IN THE COURSE OF DEBATE ON THE BILL, MR SHIPMAN SAID HE BELIEVED THAT THE COMPOSITION OF THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL AND THE BOARDS WAS WELL BALANCED, SO THAT THE INTERESTS OF THE PROFESSIONS AND OF THE PUBLIC COULD BE TAKEN INTO ACCOUNT.

"UNDER SECTION 3(1) OF THE SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE, THE COUNCIL COMPRISES ONE PERSON FROM EACH SUPPLEMENTARY MEDICAL PROFESSION IN ADDITION TO PERSONS NOMINATED BY THE HIGHER EDUCATION INSTITUTES, TOGETHER WITH PUBLIC OFFICERS AND FOUR OTHER PERSONS.

"IT IS OUR VIEW THAT AS THE COUNCIL HAS OVERALL RESPONSIBILITY FOR ENSURING STANDARDS OF PROFESSIONAL PRACTICE AND FOR CO-ORDINATING AND SUPERVISING THE ACTIVITIES OF THE BOARDS, IT IS IN THE PUBLIC INTEREST THAT IT SHOULD HAVE A WIDER REPRESENTATION THAN THE SUPPLEMENTARY MEDICAL PROFESSIONS THEMSELVES," HE SAID.

AS REGARDS THE BOARDS, MR SHIPMAN SAID ONLY TWO MEMBERS OF EACH BOARD WERE APPOINTED FOLLOWING NOMINATION BY A MEDICAL ASSOCIATION AND A MAJORITY OF MEMBERS WERE DRAWN FROM THE RELEVANT SUPPLEMENTARY MEDICAL PROFESSION.

"THE CHAIRMAN OF EACH BOARD IS DRAWN FROM MEMBERS OF THE COUNCIL.

"ALL MEMBERS OF THE COUNCIL AND THE BOARDS ARE APPOINTED BY THE GOVERNOR."

ON SOME MEMBERS' CONCERN THAT THE RELATIONSHIP BETWEEN THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL AND THE BOARDS HAD NOT PROVIDED A CLEAR LINE OF AUTHORITY, THUS IMPEDING THE DEVELOPMENT OF A WORKING ARRANGEMENT WHICH WAS NECESSARY TO SAFEGUARD THE PUBLIC INTEREST, MR SHIPMAN RESTATED THE INTENTION OF THE SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE WHEN IT WAS INTRODUCED IN 1980.

IT WAS THE INTENTION THAT THE BOARDS SHOULD NOT BE SUBJECT TO THE DIRECTION OF THE COUNCIL BUT THE LATTER COULD MAKE RECOMMENDATIONS TO THE BOARD CONCERNING THEIR ACTIVITIES, HE SAID, ADDING THAT THE BOARDS WERE ALSO SPECIFICALLY EMPOWERED TO DRAW UP CODES OF PRACTICE FOR THEIR OWN PROFESSIONS.

MR SHIPMAN POINTED OUT THAT ANY ATTEMPT TO ALTER THESE BASIC PRINCIPLES WOULD BE STRONGLY RESISTED BY THE BOARDS AND THE PROFESSIONS CONCERNED.

"IN PRACTICE, THE COUNCIL AND THE BOARDS HAVE CONDUCTED THEIR BUSINESS IN A SPIRIT OF CONSULTATION AND CO-OPERATION," HE SAID.

ON CODES OF PRACTICE, HE SAID THE BILL REQUIRED THE BOARDS TO NOTIFY THE COUNCIL WHEN SUCH A CODE WAS PREPARED OR REVISED, AND, AS AN ADMINISTRATIVE ARRANGEMENT, ALL THE BOARDS HAD AGREED THAT THEY WOULD FORWARD THEIR DRAFT CODE TO THE COUNCIL BEFORE THE DOCUMENT HAD BEEN FINALISED FOR PROMULGATION SO AS TO ENABLE THE COUNCIL PROPERLY TO DISCHARGE ITS FUNCTION OF MAKING RECOMMENDATIONS TO THE BOARDS.

ONE OF THE AMENDMENTS TO CLAUSE 8 SOUGHT TO FORMALISE THIS WORKING ARRANGEMENT BY PROVIDING THAT A CODE PREPARED OR REVISED BY A BOARD SHALL NOT COME INTO OPERATION UNTIL AFTER THE EXPIRY OF A SPECIFIED PERIOD. MR SHIPMAN SAID.

"THIS HELPS TO PROVIDE A DEFINITE TIMEFRAME FOR ALL CONCERNED PARTIES TO DISCHARGE THEIR FUNCTIONS AND RESPONSIBILITIES.

"IN THE MOST UNLIKELY EVENT THAT THE COUNCIL AND A PARTICULAR BOARD COULD NOT REACH A CONSENSUS ON THE CONTENT OF THE CODE, OR THAT THE CODE WERE TO CONTAIN SPECIFIC ELEMENTS OR EXCLUDE SOME ESSENTIAL FEATURES AND THUS BE AGAINST PUBLIC INTEREST, THEN THIS SPECIFIED PERIOD OF TIME WOULD ENABLE THE ADMINISTRATION TO CONSIDER WHETHER REMEDIAL MEASURES WERE JUSTIFIED," HE SAID.

ON THE POINT OF A DOCTOR'S REFERRAL, MR SHIPMAN SAID THE COUNCIL AND THE BOARDS HAD GENERALLY ACCEPTED THAT A DOCTOR'S REFERRAL IN THE PRACTICE OF SUPPLEMENTARY PROFESSIONS WAS UNDER NORMAL CIRCUMSTANCES CONSIDERED AN APPROPRIATE REQUIREMENT IN THE INTERESTS OF THE PATIENT, THOUGH IT WAS RECOGNISED THAT SPECIAL CIRCUMSTANCES MIGHT APPLY IN THE PRACTICE OF OPTOMETRY.

"ACCORDINGLY, THE CODE OF PRACTICE FOR OCCUPATIONAL THERAPISTS, PHYSIOTHERAPISTS, MEDICAL LABORATORY TECHNOLOGISTS AND RADIOGRAPHERS WILL CONTAIN THE REQUIREMENT OF REFERRAL FROM A REGISTERED MEDICAL PRACTITIONER AND, IN SOME CASES, A REGISTERED DENTAL PRACTITIONER.

"HOWEVER, THE COUNCIL AND ALL THE BOARDS WERE OPPOSED TO THE PROPOSAL OF PUTTING DOCTOR'S REFERRAL IN THE LEGISLATION," HE SAID.

MR SHIPMAN SAID THE RATIONALE FOR THIS WAS THAT REFERRAL AMONG MEMBERS OF THE HEALTH CARE TEAM WAS ESSENTIALLY A PROFESSIONAL MATTER AND SHOULD BEST BE PROVIDED FOR IN THE CODE OF PRACTICE DRAWN UP BY EACH PROFESSIONAL BOARD FOR REGULATING THE PROFESSIONAL ETHICS AND CONDUCT OF MEMBERS OF THAT PROFESSION.

"THIS ARRANGEMENT ALSO OFFERS THE FLEXIBILITY TO TAILOR THE REQUIREMENT ON REFERRAL TO THE CIRCUMSTANCES OF EACH PARTICULAR PROFESSION.

"I BELIEVE THAT THE BOARDS SHOULD BE ENTRUSTED WITH THE RESPONSIBILITY TO REGULATE MEMBERS OF THEIR PROFESSION AND TO DO SO WITH THE BEST INTERESTS OF THE PUBLIC IN MIND," HE SAID.

ON THE QUESTION OF EXEMPTION OF DOCTORS FROM SECTION 21(1) OF THE SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE, MR SHIPMAN SAID THE REGULATIONS FOR THE VARIOUS SUPPLEMENTARY MEDICAL PROFESSIONS AS PRESENTLY DRAFTED WOULD EXEMPT DOCTORS WHILE PRACTISING MEDICINE, DENTISTS WHILE PRACTISING DENTISTRY AND CERTAIN OTHER CATEGORIES OF PROFESSIONS FROM THE REQUIREMENT TO REGISTER.

HE SAID THESE EXEMPTIONS WERE NECESSARY GIVEN THE INEVITABLE OVERLAP IN THE PRACTICE OF THE VARIOUS PROFESSIONS, AND THAT THE EXEMPTIONS ALSO MADE FOR CONSISTENCY WITH OTHER LAWS.

FOR EXAMPLE, HE SAID A RECIPROCAL ARRANGEMENT FOR MEMBERS OF THE SUPPLEMENTARY MEDICAL PROFESSIONS WAS PROVIDED IN THE MEDICAL REGISTRATION ORDINANCE.

MR SHIPMAN ADDED THAT THE ISSUE OF EXEMPTION WAS NOT STRICTLY RELEVANT TO THE BILL. "UNDER THE EXTANT ORDINANCE, THE GOVERNOR IN COUNCIL IS ALREADY EMPOWERED TO MAKE REGULATIONS TO EXEMPT ANY CLASS OF PERSONS FROM ALL OR ANY OF THE PROVISIONS OF THE ORDINANCE," HE SAID.

NOTING THAT CONCERN HAD ALSO BEEN EXPRESSED ABOUT THE PRACTICE OF SOME DOCTORS OF EMPLOYING UNQUALIFIED PERSONS TO PERFORM SPECIALISED FUNCTIONS SUPPLEMENTARY TO MEDICINE, MR SHIPMAN SAID HE HAD RECEIVED THE LEGAL OPINION FROM THE ATTORNEY GENERAL'S CHAMBERS THAT THIS PRACTICE WOULD NOT BE PERMISSIBLE WHEN SECTION 21 OF THE ORDINANCE CAME INTO EFFECT.

"FOLLOWING ADVICE FROM THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL, IT IS THE INTENTION OF THE ADMINISTRATION TO PURSUE THE MATTER WITH THE MEDICAL COUNCIL," HE SAID.

ON THE PROGRESS OF THE VARIOUS SETS OF DRAFT REGULATIONS, MR SHIPMAN SAID THE REGULATIONS FOR OCCUPATIONAL THERAPISTS AND MEDICAL LABORATORY TECHNOLOGISTS WERE COMPLETED LAST YEAR BUT COULD NOT ACTUALLY BE MADE UNTIL THE NECESSARY ENABLING PROVISIONS WERE PROVIDED IN THE PRINCIPAL ORDINANCE BY THIS BILL.

"DRAFTING OF THE REGULATIONS FOR PHYSIOTHERAPISTS HAS BEEN COMPLETED AND THESE WILL SHORTLY BE PUT TO THE EXECUTIVE COUNCIL.

"DRAFTING OF REGULATIONS IN REGARD TO OPTOMETRISTS AND RADIOGRAPHERS IS NEARING COMPLETION AND THEY WILL THEREAFTER BE CIRCULATED TO ALL CONCERNED ORGANISATIONS FOR COMMENT," HE SAID.

MR SHIPMAN POINTED OUT THAT THESE REGULATIONS HAD TAKEN A LONG TIME TO FINALISE BECAUSE OF THE COMPLEXITY OF THE SUBJECTS AND THE NEED TO CARRY OUT THOROUGH CONSULTATION.

"NEVERTHELESS, I SHOULD LIKE TO ASSURE MEMBERS THAT IT REMAINS OUR PRIORITY TO BRING THIS ORDINANCE INTO OPERATION AS SOON AS POSSIBLE AND, ALLOWING TIME FOR THE REGISTRATION MACHINERY TO BE ESTABLISHED, WE EXPECT THAT REGISTRATION OF THE VARIOUS PROFESSIONS WILL COMMENCE IN STAGES IN THE LATTER PART OF THE NEXT YEAR," HE SAID.

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PRACTICE OF CHIROPRACTIC NOT DIRECTLY AFFECTED

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THERE IS NOTHING IN THE PRESENT SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL 1989 THAT WOULD DIRECTLY AFFECT THE PRACTICE OF CHIROPRACTIC EXCEPT THAT IF THE BILL WOULD NOT BE PASSED THE PRESENT ORDINANCE WOULD REMAIN FLAWED AND HENCE STATUTORY REGISTRATION AND THE MAKING OF A LEGALLY ENFORCEABLE CODE OF PRACTICE COULD NOT PROCEED. THE ACTING SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SAID TODAY (WEDNESDAY).

SPEAKING AGAINST A LEGCO MOTION BY THE HON JAMES MCGREGOR, SEEKING TO DEFER DEBATE ON THE BILL, MR SHIPMAN SAID THE ISSUE NOW IN QUESTION, AS HE UNDERSTOOD IT, WAS POSED PRIMARILY BY A GROUP OF CHIROPRACTORS, WHOSE PRACTICE WAS NOT FORMALLY RECOGNISED OR REGULATED IN HONG KONG, WHO CLAIMED THAT THEIR PRACTICE WOULD BE LIMITED BY A PROPOSED PROVISION IN THE CODE OF PRACTICE FOR RADIOGRAPHERS.

MR SHIPMAN NOTED THAT IT HAD BEEN SUGGESTED THAT THE PRACTICE OF THE CHIROPRACTIC WOULD BE SEVERELY LIMITED, IF REFERRAL FROM A REGISTERED MEDICAL OR DENTAL PRACTITIONER WERE REQUIRED BEFORE A RADIOGRAPHER MAY TAKE THE X-RAY OF A PATIENT.

HE POINTED OUT THAT CHIROPRACTIC WAS NEITHER A FORMALLY RECOGNISED NOR REGULATED PROFESSION IN THE HEALTH CARE SERVICE OF HONG KONG.

"THE GOVERNMENT DOES NOT EMPLOY CHIROPRACTIC OR PROVIDE SUCH SERVICE AND THERE ARE NO TRAINING FACILITIES LOCALLY FOR THAT PROFESSION," HE ADDED.

MR SHIPMAN EXPLAINED THAT THE POWER OF EACH BOARD TO PREPARE AND TO REVISE A CODE OF PRACTICE FOR MEMBERS OF ITS OWN PROFESSION WAS ALREADY PROVIDED BY SECTION 26 OF THE ORDINANCE.

"THAT EXPLAINS WHY WE HAVE NOT SOUGHT TO CONSULT THE CHIROPRACTIC PROFESSION BEFORE INTRODUCING THIS BILL," HE SAID.

HOWEVER, MR SHIPMAN SAID THAT STAFF OF THE HEALTH AND WELFARE BRANCH HAD MET WITH REPRESENTATIVES OF THE HONG KONG CHIROPRACTIC ASSOCIATION ON PREVIOUS OCCASIONS AT THE ASSOCIATION'S REQUEST TO DISCUSS THE WIDER ISSUE OF THE PRACTICE OF THE CHIROPRACTIC IN HONG KONG AND THE CHIROPRACTIC PRACTICE ACCESS TO X-RAY TESTS.

"AS THE LATTER SUBJECT RELATES TO THE CODE OF PRACTICE TO BE PREPARED BY THE RADIOGRAPHERS BOARD, THE ASSOCIATION'S VIEWS WERE REFERRED TO THE BOARD.

"I UNDERSTAND THE ASSOCIATION HAS RECENTLY REITERATED ITS OBJECTION TO THE PROVISION ON DOCTOR'S REFERRAL IN THE PRESENT DRAFT OF THE RADIOGRAPHERS' CODE OF PRACTICE AND THE BOARD WILL BE MEETING SHORTLY TO CONSIDER THESE VIEWS," HE SAID.

/MR SHIPMAN

MR SHIPMAN ALSO MENTIONED THAT THE THE OMELCO STANDING PANEL ON HEALTH SERVICES HAD INDICATED THAT ITS MEMBERS WOULD WISH TO DISCUSS STATUS OF CHIROPRACTIC IN HONG KONG WITH THE ADMINISTRATION AND SAID THAT HE WAS ALSO OPEN TO FURTHER DIALOGUE WITH THE HONG KONG CHIROPRACTIC ASSOCIATION.

NOTING THAT MR MCGREGOR HAD NOT ELABORATED ON THE OBJECTIONS BY SOME PEOPLE IN THE SUPPLEMENTARY MEDICAL PROFESSIONS WHICH HE FELT PROVIDED GROUNDS FOR ADJOURNING THE DEBATE ON THIS BILL, MR SHIPMAN SAID THE FACT WAS THE PRESENT BILL HAD BEEN THE SUBJECT OF EXTENSIVE CONSULTATION WITH THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL AND THE BOARDS IN THE LAST FEW MONTHS AND HAD STIMULATED CONSIDERABLE DISCUSSION AMONG THE PROFESSIONS CONCERNED.

"AS A RESULT, THE PASSAGE OF THE BILL IS GENERALLY SUPPORTED BY THE COUNCIL AND THE BOARDS, SO LONG AS THE REQUIREMENT OF DOCTOR'S REFERRAL WOULD NOT BE PRESCRIBED IN THE REGULATIONS GOVERNING THE PROFESSIONS.

"HE POINTED OUT THAT A MAJORITY OF MEMBERS OF THE BOARDS WERE DRAWN FROM THE PROFESSIONS CONCERNED AND IN THE COURSE OF THESE DISCUSSIONS, A NUMBER OF ISSUES WHICH WERE RELATED TO THE SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE BUT WERE NOT DIRECTLY RELEVANT TO THE BILL HAD BEEN RAISED.

"I AGREE WITH THE AD HOC GROUP THAT SOME OF THESE ISSUES DESERVE DUE ATTENTION AND SHOULD BE LOOKED AT BY THE ADMINISTRATION WITH THE PARTIES CONCERNED.

"HOWEVER, IT WOULD BE UNREASONABLE TO LET THEM HINDER THE PASSAGE OF THE BILL," HE SAID.

HE STRESSED THAT TO DELAY REGISTRATION OF THE VARIOUS PROFESSIONS FOR THESE CONSIDERATIONS WOULD BE A SEVERE BLOW TO THE WORK DONE BY THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL AND BOARDS OVER THE YEARS AND WOULD CAUSE GREAT DISAPPOINTMENT AND FRUSTRATION AMONG MOST MEMBERS OF THE PROFESSIONS CONCERNED.

"FOR THESE REASONS, I DO NOT CONSIDER IT TO BE IN THE PUBLIC INTEREST," MR SHIPMAN SAID.

AMENDMENTS TO SUPPLEMENTARY MEDICAL PROFESSIONS BILL

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COMMITTEE STAGE AMENDMENTS TO THE SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL 1989 WERE MOVED BY THE ACTING SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE AMENDMENTS INVOLVED CLAUSES 6 AND 9 OF THE BILL.

MR SHIPMAN EXPLAINED THAT THE AMENDMENT TO CLAUSE 6 REPLACED THE NEW SECTION 15A BY AN EXPANDED VERSION SO AS TO GIVE THE PROFESSIONAL BOARDS THE DISCRETION IN HOLDING EXAMINATIONS FOR THE PURPOSE OF THE SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE BY EITHER CONDUCTING SUCH EXAMINATIONS THEMSELVES OR APPOINTING EXAMINERS TO CONDUCT EXAMINATIONS ON THEIR BEHALF.

AS DIFFERENT TYPES OF EXAMINATIONS MIGHT BE CONDUCTED FOR THE PURPOSE OF FULL REGISTRATION AND PROVISIONAL REGISTRATION UNDER THE RELEVANT PROVISIONS OF THE ORDINANCE, THE AMENDMENT TO CLAUSE 6 FURTHER PROVIDED THE BOARDS WITH THE FLEXIBILITY TO DETERMINE THE ELIGIBILITY CRITERIA FOR CANDIDATES SITTING FOR DIFFERENT TYPES OF EXAMINATIONS.

THE AMENDMENT TO CLAUSE 9 WAS IN RESPONSE TO THE CONCERN EXPRESSED BY THE AD HOC GROUP STUDYING THE BILL THAT REGISTERED PERSONS IN ANY PROFESSION MIGHT, IN THE COURSE OF PRACTISING THEIR PROFESSION, PRACTISE OR ENGAGE IN CERTAIN ACTIVITIES OUTSIDE THE SCOPE OF THEIR PROFESSIONAL TRAINING AND EXPERIENCE.

MR SHIPMAN SAID THERE WERE ALREADY EXISTING SAFEGUARDS IN CLAUSE 9 OF THE BILL WHICH ENABLED REGULATIONS TO BE MADE TO PROHIBIT OR RESTRICT MEMBERS OF THE PROFESSIONS WHO DID NOT HAVE THE REQUIRED QUALIFICATIONS FROM PRACTISING ANY SPECIFIED FUNCTION OF THAT PROFESSION.

"THE PRESENT AMENDMENT SEEKS TO ENHANCE THESE SAFEGUARDS BY ENABLING THE GOVERNOR IN COUNCIL TO MAKE REGULATIONS TO PROHIBIT OR RESTRICT PERSONS REGISTERED IN RESPECT OF ANY OF THE PROFESSIONS FROM PERFORMING, IN THE COURSE OF PRACTISING THAT PROFESSION, ANY FUNCTION OR ACTIVITY AS MAY BE SPECIFIED IN THE REGULATIONS," MR SHIPMAN EXPLAINED.

HE ADDED THAT IN ORDER TO PROVIDE THE NECESSARY FLEXIBILITY, THE AMENDMENT TO CLAUSE 9 FURTHER ENABLED SUCH RESTRICTIONS, IF THEY WERE TO BE MADE, TO APPLY TO ALL REGISTERED PERSONS OF THE PROFESSION OR TO SUCH PERSONS BY REFERENCE TO THEIR CATEGORY OR QUALIFICATION.

"THE OTHER CHANGES EFFECTED BY THE AMENDMENT ARE DRAFTING IMPROVEMENTS WHICH HAVE NOT ALTERED THE SUBSTANCE OF THE PROVISIONS," MR SHIPMAN SAID.

THE AMENDMENTS WERE PASSED BY THE COUNCIL.

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SELF-REGULATION AMONG MEDICAL BODIES EMPHASISED

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THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL (SMPC) AND THE VARIOUS SUPPLEMENTARY MEDICAL PROFESSION BOARDS SHOULD BE GIVEN A FREE HAND TO DETERMINE HOW BEST TO ACHIEVE FULL AUTONOMY WITHIN THE FRAMEWORK OF THE LAW TO REGULATE SUPPLEMENTARY MEDICAL PROFESSIONS. THE HON EDWARD HO SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING IN SUPPORT OF THE SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL 1989, MR HO SAID THE BILL HAD PROBABLY SET A RECORD IN THAT IT STRADDLED THREE LEGISLATIVE COUNCIL SESSIONS.

"THERE HAVE BEEN ARGUMENTS OVER THE PROVISIONS IN THE BILL, BUT I AM CONVINCED THAT THESE ARE NOTHING BUT HEALTHY ARGUMENTS, ALL SEEKING TO PROTECT THE INTEREST OF THE PUBLIC," SAID MR HO, THE CONVENER OF A LEGCO AD HOC GROUP WHICH SCRUTINISED THE BILL.

HE NOTED THAT ONE OF THE MAJOR DISPUTES AROSE FROM A CLAUSE WHICH SOUGHT TO REQUIRE THAT WHERE THE BOARD OF A RELEVANT SUPPLEMENTARY MEDICAL PROFESSION BOARD PREPARED A CODE OF PRACTICE AND REVISED IT SUBSEQUENTLY, THE BOARD SHOULD INFORM THE SMPC IN WRITING AND SERVE ON THE SMPC A COPY OF THE CODE OR THE REVISIONS.

BROADLY SPEAKING, THE VIEWS OF THE AD HOC GROUP ON THIS CLAUSE HAD BEEN DIVIDED INTO TWO MAIN STREAMS.

ON ONE HAND, SOME MEMBERS CONSIDERED THAT THE CODE OF PRACTICE FOR THE SUPPLEMENTARY MEDICAL PROFESSIONS WERE OF SUCH IMPORTANCE THAT IT WOULD BE IN THE INTEREST OF THE PUBLIC TO REQUIRE BY LAW THAT THEIR PREPARATION AND ANY SUBSEQUENT REVISION SHOULD BE SCRUTINISED AND APPROVED BY THE SMPC.

THESE MEMBERS ARGUED THAT THE CLAUSE FAILED TO CLEARLY DEFINE THE RELATIONSHIP BETWEEN THE SMPC AND THE BOARDS AS REGARDS THE CODES OF PRACTICE FOR THE PROFESSIONS, AND THE MERE SERVICE OF COPIES OF THE CODES OF PRACTICE OR OF THEIR REVISIONS ON THE SMPC WOULD NOT ASSIST THE COUNCIL IN DISCHARGING ITS STATUTORY SUPERVISORY FUNCTIONS OVER THE BOARDS.

THESE MEMBERS WERE PARTICULARLY CONCERNED THAT THE RELEVANT PROFESSIONALS SHOULD NOT TREAT PATIENTS WITHOUT REFERRALS BY MEDICAL PRACTITIONERS, AND SUGGESTED THAT THE NEED FOR SUCH REFERRALS SHOULD NOT ONLY BE STIPULATED IN THE RESPECTIVE CODES OF PRACTICE OF THE PROFESSIONS, BUT ALSO IN THE STATUTORY REGULATIONS GOVERNING THE PROFESSIONS.

ON THE OTHER HAND, OTHER MEMBERS FELT THAT SINCE THE ENACTMENT OF THE ORDINANCE IN 1980, THE WORKING RELATIONSHIP BETWEEN THE SMPC AND THE BOARDS HAD BEEN THAT OF CONSULTATION AND CO-OPERATION. THIS RELATIONSHIP HAD SERVED THEM WELL AND SHOULD BE MAINTAINED AS BOTH PARTIES HAD EXPRESSED SATISFACTION WITH IT.

/MR HO

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MR HO SAID HE WAS PLEASED THAT THE MEMBERS HAD FINALLY AGREED TO THE PASSAGE OF THE BILL WITH SOME AMENDMENTS.

THESE AMENDMENTS WOULD STIPULATE CLEARLY IN THE ORDINANCE THAT THE CODES OF PRACTICE OF THE PROFESSIONS SHOULD NOT BE INCONSISTENT WITH THE ORDINANCE OR ANY REGULATIONS MADE UNDER IT, AND THAT ANY CODE OR ANY REVISION TO IT SHOULD NOT COME INTO EFFECT UNTIL AFTER SIX MONTHS FROM THE DATE THE SMPC RECEIVED A COPY, OR SUCH SHORTER PERIOD AS MIGHT BE AGREED BY THE SMPC AND THE BOARDS CONCERNED.

TURNING TO THE HONG KONG CHIROPRACTORS ASSOCIATION'S CLAIM THAT THE REQUIREMENT OF DOCTORS' REFERRAL WOULD POSE HARDSHIP FOR THE CHIROPRACTORS IN THAT THEY WOULD BE DEPRIVED OF THE RIGHT TO REFER PATIENTS TO RADIOGRAPHERS FOR X-RAY SERVICES, MR HO SAID THAT THE CHIROPRACTORS HAD YET TO GET RECOGNITION AS A HEALTH PROFESSION IN HONG KONG AND, AS SUCH, THE QUESTION OF THEIR BEING DEPRIVED OF A RIGHT DID NOT ARISE.

"I CAN ONLY SUGGEST THAT THE ADMINISTRATION GIVE THE CHIROPRACTORS A FAIR HEARING IN THEIR NEXT ROUND OF DISCUSSION." MR HO SAID.

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PUBLIC INTEREST SHOULD COME FIRST

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DR THE HON LEONG CHE-HUNG SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) THE HEALTH CARE TEAM SHOULD FORGO SECTORAL INTERESTS SO AS TO PROVIDE THE BEST OF CARE TO THE PUBLIC.

"FOR IT IS THROUGH A SELFLESS DEVOTION THAT WE CAN CLAIM TO BE A PROFESSION THAT CARES. THE PUBLIC MUST STAND CONVINCED THAT THIS IS WHAT WE OWE THEM AND THIS IS WHAT THE HEALTH CARE PROFESSION STRIVES FOR." HE SAID.

SPEAKING IN THE RESUMED DEBATE ON THE SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL 1989, DR LEONG SAID THE BILL WAS A CONTROVERSIAL ONE ALTHOUGH IT SOUGHT ONLY TO MAKE SOME MINOR AMENDMENTS TO THE ORDINANCE.

HOWEVER, FACTS WERE UNNECESSARILY DISTORTED THROUGH MOTIVATIONS OF SELF-VESTED INTEREST, HE ADDED.

DR LEONG SAID THE MEDICAL AND DENTAL PROFESSION HAD NEVER BEEN AGAINST THE BILL BUT FOR A BASIC GREY AREA IN THE PRINCIPAL ORDINANCE CONCERNING THE LACK OF CLARITY OF THE RELATIONSHIP BETWEEN THE SUPPLEMENTARY MEDICAL PROFESSIONS COUNCIL (SMPC) AND THE SUPPLEMENTARY MEDICAL PROFESSIONS BOARDS.

THE BOARDS WERE FORMED MOSTLY OF MEMBERS IN THE PROFESSIONS WHILE THE COUNCIL COMPRISED MEMBERS APPOINTED BY THE GOVERNOR IN THEIR PERSONAL CAPACITY AND MOST OF THEM WERE NOT MEMBERS OF THE SUPPLEMENTARY MEDICAL PROFESSIONS.

/THERE WAS

THERE WAS A LACK OF CLARITY OF A CONTROLLING ROLE OF THE COUNCIL OVER THE BOARDS, HE ADDED.

"REGRETTABLY THIS PARTICULAR POINT ON THE RELATIONSHIP BETWEEN THE COUNCIL AND BOARDS HAD NEVER BEEN ADDRESSED. IT STILL REMAINS DUBIOUS WHAT WOULD HAPPEN IF THE BOARDS AND THE COUNCIL COME TO A STALEMATE," HE SAID.

DR LEONG SAID THE MEDICAL AND DENTAL PROFESSION FELT THERE WAS NO JUSTIFICATION TO FURTHER DELAY THE BILL BECAUSE THE ADMINISTRATION HAD INFORMED THE PROFESSION THAT THERE HAD BEEN A COMPLETE UNDERSTANDING AND CONSENSUS BETWEEN THE SMPC AND THE BOARDS.

HE SAID THE MEDICAL AND DENTAL PROFESSION DID NOT PUSH THE BILL AS ALLEGED BUT THEY THOUGHT THAT MANY FLAWS DID EXIST WITHIN THE PRINCIPAL ORDINANCE AND WOULD LIKE TO SEEK FURTHER AMENDMENTS TO MAKE IT PERFECT.

HE ALSO SAID THAT IT WAS NOT TRUE THAT THE MEDICAL PROFESSION WAS ATTEMPTING TO CONTROL OTHER ALLIED MEDICAL PROFESSIONS.

"THE MEDICAL PROFESSION HAS AND WILL ALWAYS MAINTAIN THE ROLE AS CO-ORDINATOR AND LEADER OF THE HEALTH CARE TEAM AND TOGETHER PROVIDE THE BEST OF CARE TO THE PUBLIC WE SERVE," HE SAID.

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DOCTORS REMAIN HEAD OF MEDICAL PROFESSIONS

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IN SPITE OF THE DEVELOPMENT OF MANY SUB-SPECIALISATIONS, DOCTORS REMAIN THE HEAD OF A MULTI-DISCIPLINARY TEAM BEARING THE TASK OF CURING PATIENTS, DR THE HON HENRIETTA IP SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING IN SUPPORT OF THE SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL 1989, DR IP SAID THAT SHE WAS REASSURED TO LEARN THAT THE PHYSIOTHERAPISTS, RADIOGRAPHERS, MEDICAL LABORATORY TECHNOLOGISTS AND THE OCCUPATIONAL THERAPISTS ALL FELT THAT THEIR PROFESSIONS SHOULD ONLY SEE PATIENTS REFERRED BY DOCTORS, AS IT HAD ALWAYS BEEN BY LEGISLATION.

THE ISSUE REGARDING CHIROPRACTORS WAS FOR THE TIME BEING A MATTER OUTSIDE THE BILL, SHE SAID.

DR IP SAID SHE AGREED THAT EACH OF THE PROFESSIONS SHOULD BE GIVEN THE CHANCE TO REGULATE THEIR OWN PROFESSION AND, IN PARTICULAR, TO ENSURE THAT THEIR MEMBERS SHOULD PRACTISE WITHIN THEIR SCOPE.

THE BOARD SHOULD BE GIVEN THE POWER TO DISCIPLINE THEIR MEMBERS WHO TREATED PATIENTS WITHOUT REFERRAL FROM DOCTORS, SHE SAID.

/"ALTHOUGH THE

"ALTHOUGH THE CODE OF PRACTICE CAN BE REVISED BY THE BOARDS, AMENDMENTS TO THIS BILL ENSURES THAT THE OVERSEEING COUNCIL APPROVES OF ANY SUCH CHANGE, FAILING WHICH THERE IS A SIX-MONTH PERIOD FOR NECESSARY ACTIONS TO BE TAKEN BEFORE THE REVISED CODE CAN BE PUT INTO PRACTICE.

"THIS WILL GIVE TIME FOR THE ADMINISTRATION TO INFORM THE LEGISLATIVE COUNCIL AND THE GOVERNOR IN COUNCIL OF SUCH DIFFERENCE OF OPINION BETWEEN THE COUNCIL AND THE BOARDS. LEGISLATORS CAN THEN, IF FELT NECESSARY, INTRODUCE LEGISLATIVE AMENDMENTS TO MAKE IT A REQUISITE FOR DOCTOR'S REFERRAL," DR IP SAID.

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MOTION TO POSTPONE BILL'S PASSAGE

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THE HON JIMMY MCGREGOR MOVED A MOTION IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) TO SUSPEND FURTHER CONSIDERATION OF THE SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL 1989 UNTIL VARIOUS DETAILED REPRESENTATIONS FROM THE CONCERNED PROFESSIONS HAVE BEEN CONSIDERED.

THIS WOULD ALLOW THE ORGANISATIONS AND GROUPS CONCERNED TO HAVE AN OPPORTUNITY TO EXPLAIN THEIR OBJECTIONS TO THE COUNCIL. HE ADDED.

SPEAKING IN THE RESUME DEBATE ON THE BILL, MR MCGREGOR SAID THE BILL WOULD AFFECT A LARGE NUMBER OF SUPPLEMENTARY MEDICAL PROFESSIONS, SUCH AS PHYSIOTHERAPISTS AND CHIROPRACTORS, AS WELL AS MANY THOUSANDS OF PEOPLE IN HONG KONG WHO PREFERRED TO BE TREATED BY THESE PROFESSIONALS WITHOUT HAVING FIRST TO APPROACH A GENERAL PRACTITIONER EITHER FOR EXAMINATIONS OR X-RAY SERVICES.

HE SAID THE SUPPLEMENTARY MEDICAL PROFESSIONS INVOLVED CLAIMED THAT THERE WAS NO RECORD OF MISUSE OF X-RAY SERVICES THAT WOULD JUSTIFY THEIR HAVING TO REQUIRE REFERRAL TO GENERAL PRACTITIONERS WHEN X-RAYS WERE REQUIRED.

MR MCGREGOR ADMITTED THAT HE HAD LITTLE KNOWLEDGE OF THE SUBJECT, BUT THE LATE RECEIPT OF WRITTEN PROTESTS AND THE NATURE OF THESE PROTESTS HAD PERSUADED HIM THAT THERE WAS JUSTIFICATION IN SEEKING A DELAY IN THE PASSAGE OF THE BILL TO ALLOW THOSE AFFECTED TO EXPLAIN THEIR CASE.

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MORE CONSULTATION ON MEDICAL BILL NECESSARY

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THE SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL 1989 WARRANTS FURTHER CONSIDERATION AND THE GOVERNMENT AND THE OMELCO HEALTH PANEL SHOULD INDEPENDENTLY CONSULT ALL ALTERNATIVE MEDICAL GROUPS CONCERNED, THE HON ELSIE TU SAID TODAY (WEDNESDAY).

SAYING SHE WOULD VOTE AGAINST THE PASSAGE OF THE BILL, IN THE LEGISLATIVE COUNCIL, MRS TU SAID WHEN THE BILL WAS IMPLEMENTED AND WHEN THE BOARDS OF RELEVANT SUPPLEMENTARY MEDICAL PROFESSIONS INTRODUCED THEIR CODES OF PRACTICE, SOME SUPPLEMENTARY PRACTITIONERS WOULD BE AFFECTED OR EVEN PUT OUT OF BUSINESS.

"NONE OF THEM HAVE BEEN CONSULTED," SHE SAID.

MRS TU NOTED THAT THE HARDEST HIT WOULD BE THE CHIROPRACTORS, MOST OF WHOM HAD THE QUALIFICATIONS THAT WOULD ENTITLE THEM TO PRACTISE AS REGISTERED DOCTORS IN OVERSEAS COUNTRIES BUT HAD NOT BEEN ABLE TO REGISTER IN HONG KONG BECAUSE THERE WAS NO SUCH REGISTRATION SYSTEM.

SHE SAID THAT THE TRAINING OF A CHIROPRACTOR WAS AS LONG AS THAT OF A GENERAL MEDICAL PRACTITIONER AND, IN ADDITION, THE CHIROPRACTOR UNDERWENT X-RAY TRAINING WHILE A GENERAL MEDICAL PRACTITIONER DID NOT.

"YET IF THIS BILL AND THE CODES OF PRACTICE ARE IMPLEMENTED AS THEY NOW STAND, THE CHIROPRACTOR WILL HAVE NO ACCESS TO X-RAY CLINICS EXCEPT BY REFERRAL THROUGH A GENERAL MEDICAL PRACTITIONER.

"THIS CREATES AN IMPOSSIBLE OBSTACLE SINCE THE DOCTOR WILL NOT RECOGNISE CHIROPRACTIC AS AN ALTERNATIVE MEDICAL TREATMENT," SHE SAID.

MRS TU SAID THE IMPLEMENTATION OF THE BILL WOULD ALSO ADVERSELY AFFECT RECOGNISED AND QUALIFIED PHYSIOTHERAPISTS BECAUSE OF THE SUPERVISION PERIOD NOW PROPOSED.

"IT IS TOTALLY UNREASONABLE THAT A FULLY TRAINED PHYSIOTHERAPIST IS SAID TO REQUIRE SUPERVISION, WHILE A GENERAL MEDICAL PRACTITIONER CAN PRACTISE PHYSIOTHERAPY WITHOUT ANY TRAINING WHATEVER IN THAT DISCIPLINE, AND MOREOVER DOCTORS CAN TRAIN ANY UNTRAINED ASSISTANT TO CARRY OUT PHYSIOTHERAPY UNDER HIS OWN INSTRUCTIONS." SHE SAID.

MRS TU SAID THAT TO INTRODUCE CODES OF PRACTICE THAT COMPELLED THE PUBLIC TO SEE A GENERAL PRACTITIONER BEFORE THEY COULD HAVE AN X-RAY, AND TO EXCLUDE BY THIS METHOD THE ALTERNATIVE MEDICAL TREATMENT WHICH THE PATIENT MIGHT WISH TO TAKE, SEEMED TO BE INTERFERENCE WITH THE RIGHTS OF THE PUBLIC TO CHOOSE, AND AT THE SAME TIME FORCING THEM TO PAY TWICE FOR WHAT THEY GOT.

/SHE ALSO

SHE ALSO CRITICISED THE GOVERNMENT FOR TRYING TO DRAG A WIDE VARIETY OF MEDICAL DISCIPLINES UNDER THE CONTROL OF GENERAL PRACTITIONERS WHO MIGHT NOT HAVE THE TRAINING, KNOWLEDGE OR EXPERIENCE IN THE FIELDS THEY CONTROLLED.

MRS TU STRESSED THAT SHE WOULD LIKE TO SEE ALL ALTERNATIVE DISCIPLINES BROUGHT INTO LINE BY REGISTRATION OF THOSE WHO HAD THE REQUIRED TRAINING.

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CUSTODIAL PENALTIES WILL ENHANCE DETERRENT EFFECT OF LAW
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THE SANCTION OF CUSTODIAL PENALTIES PROPOSED UNDER THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (AMENDMENT) BILL 1989 WILL GREATLY ENHANCE THE DETERRENT EFFECT OF THE LAW, PARTICULARLY FOR THOSE BUSINESSES WHICH HAVE COME TO REGARD THE PAYMENT OF FINES AS A PART OF THEIR OVERHEADS, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON K.Y. YEUNG, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING IN THE RESUMED SECOND READING DEBATE ON THE BILL, MR YEUNG SAID THESE MEASURES, DRACONIAN THOUGH THEY MIGHT APPEAR TO BE AT FIRST SIGHT, WERE NECESSARY WHEN CONSIDERED AGAINST THE APPALLING RECORD OF INDUSTRIAL ACCIDENTS IN CERTAIN INDUSTRIES.

HE POINTED OUT THAT IN THE CONSTRUCTION INDUSTRY, FOR EXAMPLE, THE ANNUAL ACCIDENT RATE HAD ALMOST DOUBLED, FROM ONE OUT OF EVERY FIVE WORKERS IN 1979 TO NEARLY TWO OUT OF EVERY FIVE LAST YEAR.

"TO GIVE A FURTHER EXAMPLE OF THE SERIOUSNESS OF THE PROBLEM, NO FEWER THAN 459 WORKERS WERE INJURED DURING THE LAST YEAR OF THE CONSTRUCTION OF THE HONG KONG CONVENTION AND EXHIBITION CENTRE. OF THIS NUMBER, TWO DIED AND 90 WERE SERIOUSLY INJURED, OF WHOM 36 WERE PERMANENTLY DISABLED.

"IT IS AGAINST A RECORD SUCH AS THIS THAT ONE WONDERS AT WHAT COST IN TERMS OF HUMAN SUFFERING WE ARE ACHIEVING PROGRESS," MR YEUNG SAID.

HE STRESSED THAT THE GOVERNMENT WAS AWARE OF THE CONCERN EXPRESSED BY MEMBERS AND OTHERS OUTSIDE THE COUNCIL THAT THE LAW MUST BE FAIR AND THAT NO ONE WHO BORE NO BLAME OR RESPONSIBILITY SHOULD BE SENT TO GOAL.

"I CAN ASSURE MEMBERS THAT, AS WITH OTHER OFFENCES, NO PROSECUTION UNDER THE ORDINANCE WILL BE TAKEN LIGHTLY," HE ADDED.

MR YEUNG POINTED OUT THAT THE AMENDMENTS TO BE MOVED AT THE COMMITTEE STAGE WOULD, MOREOVER, ENSURE THAT ONLY THOSE PROPRIETORS WHO HAD THE MANAGEMENT OR CONTROL OF THE WORK PLACE, AND THOSE WHO COMMITTED AN OFFENCE WITHOUT A REASONABLE EXCUSE, WOULD BE LIABLE TO PROSECUTION LEADING TO A CUSTODIAL SENTENCE.

/HE SAID

HE SAID HE COULD NOT AGREE WITH THE ARGUMENT THAT THE BURDEN OF PROVIDING AND MAINTAINING A SAFE WORKING ENVIRONMENT RESTED ONLY WITH THE EMPLOYER.

"IT MUST BE IN THE INTERESTS OF EMPLOYEES TO CO-OPERATE WITH THEIR EMPLOYER IN MAKING SURE THAT ADEQUATE SAFETY MEASURES ARE TAKEN.

"AND CLEARLY EACH EMPLOYEE HAS AN OBLIGATION TO AVOID PUTTING HIMSELF AND OTHERS WORKING WITH HIM AT RISK," HE SAID.

MR YEUNG SAID THE BILL WAS AN IMPORTANT LANDMARK IN THE FIGHT AGAINST INDUSTRIAL ACCIDENTS.

IT INTRODUCED A SET OF GENERAL DUTIES THAT WOULD PLACE UPON BOTH EMPLOYERS AND EMPLOYEES THE RESPONSIBILITY TO ENSURE THAT PRACTICES AT WORK AND WORKING ENVIRONMENTS WERE SAFE.

MR YEUNG SAID THE GOVERNMENT PROPOSED TO GIVE EMPLOYERS AND EMPLOYEES SUFFICIENT TIME TO ACQUAINT THEMSELVES WITH THE NEW INDUSTRIAL SAFETY DUTIES AND THE PENALTIES PROVIDED FOR IN THE BILL.

"ACCORDINGLY, WE WILL ONLY BRING THE LAW INTO EFFECT 12 MONTHS AFTER THE BILL HAS BEEN ENACTED. DURING THIS TIME THE LABOUR DEPARTMENT WILL MOUNT A PUBLICITY CAMPAIGN TO EXPLAIN THE BILL.

"THE DEPARTMENT WILL ALSO ASSIST EMPLOYERS AND EMPLOYEES IN PREPARING THEMSELVES, FOR EXAMPLE BY PROVIDING SUITABLE TRAINING IN INDUSTRIAL SAFETY PRACTICES AND ADVICE ON THE INTRODUCTION OF SAFETY SYSTEMS.

"THIS INCLUDES ENCOURAGING THE ESTABLISHMENT OF IN-PLANT SAFETY COMMITTEES," MR YEUNG SAID.

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CONCERTED EFFORTS NEEDED TO PROMOTE INDUSTRIAL SAFETY
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THE PROMOTION OF INDUSTRIAL SAFETY REQUIRES THE CONCERTED EFFORTS OF ALL. THE HON MIRIAM LAU TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING IN SUPPORT OF THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (AMENDMENT) BILL 1989. MRS LAU SAID THAT THE DETERRENT EFFECT OF THE CUSTODIAL PENALTIES PROPOSED UNDER THE BILL AIMED TO DRIVE HOME THE MESSAGE THAT INDUSTRIAL SAFETY WAS THE RESPONSIBILITY OF EVERYBODY.

"IF ANYONE SHOULD BLATANTLY DISREGARD THE SAME, THE PRICE THEY HAVE TO PAY IS NOT ONLY MONEY BUT ALSO THEIR OWN LIBERTY," SHE SAID.

MRS LAU NOTED THAT THE BILL SOUGHT TO INTRODUCE THREE IMPORTANT CHANGES, STATING:

/"FIRSTLY, A

"FIRSTLY, A GENERAL DUTY IS IMPOSED ON PROPRIETORS TO ENSURE THE HEALTH AND SAFETY OF THEIR EMPLOYEES, ATTRACTING, IN CASE OF BREACH, A FINE AS WELL AS A CUSTODIAL SENTENCE.

"SECONDLY, EMPLOYEES THEMSELVES ARE CHARGED WITH THE DUTY OF TAKING REASONABLE CARE FOR THE HEALTH AND SAFETY OF THEMSELVES AND OTHERS THAT MAY BE AFFECTED BY THEIR ACTS OR OMISSIONS, ATTRACTING IN CASE OF BREACH A FINE, AND IN CASE OF WILFUL BREACH WITHOUT REASONABLE EXCUSE, A FINE AS WELL AS A CUSTODIAL SENTENCE."

"THIRDLY, AMENDMENTS ARE MADE TO SUBSIDIARY LEGISLATION TO INTRODUCE CUSTODIAL PENALTIES TO OFFENCES WHICH HITHERTO ONLY ATTRACTED A FINE."

MRS LAU NOTED THAT THE BILL HAD AROUSED STRONG REACTIONS FROM BOTH PROPRIETORS AND EMPLOYEES.

THE MAIN COMPLAINT OF PROPRIETORS WAS THAT, APART FROM THE CATCH-ALL DEFINITION OF THE TERM "PROPRIETOR", IT WAS UNFAIR AND UNCONSCIONABLE TO IMPOSE CUSTODIAL PENALTIES ON THEM, SHE SAID.

SHE SAID THE PROPRIETORS ALSO COMPLAINED OF THE DISPARITY IN TREATMENT BETWEEN THEM AND THE EMPLOYEES -- THAT EMPLOYEES WOULD BE LIABLE TO A CUSTODIAL SENTENCE ONLY IF THEIR ACTS OR OMISSIONS WERE PROVEN TO BE WILFUL, WHEREAS PROPRIETORS WOULD BE LIABLE TO SUCH PENALTIES EVEN IF SUCH WILFUL ELEMENT WAS ABSENT.

MRS LAU STRESSED THAT THERE WAS NO DOUBT THAT THE SPIRIT OF THE LAW WAS TO PROMOTE INDUSTRIAL SAFETY BUT EQUALLY IMPORTANT WAS TO ENSURE THAT OUR LAWS WERE JUST AND EQUITABLE.

INSISTING THAT TO GROUND LIABILITY FOR CUSTODIAL PENALTIES AGAINST SOME ONE WHO MIGHT NOT BE THE TRUE CULPRIT WAS GROSSLY UNFAIR, MRS LAU SAID SHE WAS PLEASED THAT THE ADMINISTRATION WAS NOW PREPARED TO NARROW DOWN THE WIDTH OF THE DEFINITION OF "PROPRIETOR" AND TO ACCEPT THAT A "REASONABLE EXCUSE" ELEMENT BE BUILT INTO THOSE PROVISIONS WHICH CARRIED WITH THEM STRICT LIABILITY.

"THE ADMINISTRATION IS ALSO PREPARED TO ACCEPT INCLUSION OF A 'WILFUL AND WITHOUT REASONABLE EXCUSE' ELEMENT IN THE PROVISION RELATING TO THE GENERAL DUTIES OF THE PROPRIETOR INSOFAR AS THE SAME ATTRACTS A CUSTODIAL PENALTY," SHE ADDED.

MRS LAU CALLED ON THE GOVERNMENT TO ENCOURAGE THE ESTABLISHMENT OF IN-PLANT SAFETY COMMITTEES IN INDUSTRIAL UNDERTAKINGS SO THAT PROPRIETORS AND EMPLOYEES COULD PUT THEIR HEADS TOGETHER TO FORMULATE SAFETY RULES PERTAINING TO THEIR OWN INDUSTRY.

SHE SAID THE ADMINISTRATION SHOULD ALSO RENDER AS MUCH GUIDANCE AND ASSISTANCE AS POSSIBLE TO MEMBERS OF THE INDUSTRY, SO AS TO ENSURE THAT NO UNDUE HARDSHIP WOULD BE CAUSED.

AS REGARDS THE EMPLOYEES, MRS LAU SAID WHILST THE PRIMARY DUTY OF PROVIDING A SAFE SYSTEM OF WORK RESTED ON THE PROPRIETORS, THE EMPLOYEES SHOULD NOT BE EXONERATED FROM ALL RESPONSIBILITY.

"EVEN IF THE PENALTY MAY SOUND A BIT DRACONIAN, THE PROVISION REALLY AIMS TO CATCH ONLY THOSE WHO ACT WILFULLY, AND FOR THOSE WHO ACT WILFULLY IN DISREGARD FOR THE SAFETY OF OTHERS, THERE CAN BE NO SYMPATHY," SHE SAID.

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ONLY MOST UNSCRUPULOUS EMPLOYERS SHOULD BE JAILED

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THE HON JAMES TIEN SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) THAT HE HOPES ONLY THE MOST UNSCRUPULOUS OF EMPLOYERS AND THE MOST NEGLIGENT OF EMPLOYEES WOULD BE JAILED FOR VIOLATING THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (AMENDMENT) BILL 1989.

SPEAKING IN THE RESUMED DEBATE ON THE BILL, WHICH AIMED AT PROMOTING INDUSTRIAL SAFETY, MR TIEN HOPED THAT EMPLOYERS WOULD ALWAYS BE GIVEN THE BENEFIT OF THE DOUBT, WITH DUE ATTENTION TO THE NOTION OF "WILFULNESS" AND "REASONABLE EXCUSE".

HE SAID THERE WAS A DISTINCTION BETWEEN THE WORK OF THE EXECUTIVES AND SUPERVISORY STAFF IN THE FACTORIES WHO WERE RESPONSIBLE FOR ENSURING THAT THE WORKERS WERE USING THE NECESSARY SAFETY MEASURES.

THE ORIGINAL ORDINANCE HAD FAILED TO RECOGNISE THE DISTINCTION AND REFERRED TO THEM GENERALLY AS "THE PROPRIETOR", WHICH WOULD BE UNFAIR TO THE FACTORY MANAGEMENT AND EXECUTIVES.

"I DO NOT ACCEPT THAT IT IS SENSIBLE OR REASONABLE TO HOLD THIS DREADFUL THREAT OVER THE HARD-WORKING INDUSTRIAL COMMUNITY. WORK, NOT PRISON, SHOULD BE OUR GOAL.

"I REFUSE TO SEE THE NEED FOR ENTREPRENEURS TO BE THREATENED WITH IMPRISONMENT," HE SAID.

MR TIEN SAID HE WOULD SUPPORT THE BILL WITH RESERVATIONS AND URGED THAT THERE SHOULD BE A REVIEW WITHIN A STIPULATED PERIOD OF ABOUT TWO YEARS.

ALTHOUGH THE BILL WOULD INCLUDE A CUSTODIAL SENTENCE FOR THE OFFENDERS, MR TIEN SAID THERE WAS STILL A FUNDAMENTAL FLAW IN THE IDEA.

HE SAID THAT BOTH THE EMPLOYERS AND EMPLOYEES WOULD NOT BE BENEFITTED BY SUCH A PROPOSED PENALTY, AND A HIGHER COMPENSATION FOR THE INJURED WORKER WOULD SEEM TO BE MORE APPROPRIATE.

/MR TIEN

MR TIEN ALSO NOTED THAT THERE WERE BROADER CONSIDERATIONS TO BE TAKEN INTO ACCOUNT REGARDING THIS BILL, NAMELY THE LABOUR SHORTAGE, BRAIN DRAIN AND POTENTIAL INVESTMENT IN INDUSTRY.

"GIVEN THE CURRENT LABOUR SHORTAGE, WE HAVE AN ECONOMIC SITUATION IN WHICH THE LAW MAY BE UNREASONABLY TILTED IN FAVOUR OF THE CARELESS EMPLOYEE.

"THE EFFECT OF THIS BILL WILL GIVE THE UPPER HAND TO THE EMPLOYEE, BUT THE ORDINARY EMPLOYER CANNOT DISMISS. NOR EVEN BE UNDULY HARSH WITH HIS EMPLOYEES, EVEN WHEN THEY FAIL TO USE SAFETY EQUIPMENT PROPERLY.

"FURTHERMORE, THE CURRENT BRAIN DRAIN AND LABOUR SHORTAGE PROBLEM HAVE CAUSED MANY IMPORTANT SUPERVISORY POSTS WHICH REQUIRE QUALIFIED PERSONNEL TO BE EITHER LEFT VACANT OR FILLED BY INEXPERIENCED PEOPLE," HE SAID.

"THIS WOULD DISCOURAGE INVESTORS FROM INVESTING IN MORE SOPHISTICATED EQUIPMENT.

"ANOTHER CONSIDERATION IS WHETHER POTENTIAL INVESTORS ARE PREPARED TO DEVOTE THEIR RESOURCES TO INDUSTRIES WHICH MAKE EXCESSIVE DEMANDS UPON SAFETY EQUIPMENT WHICH COULD BE BOTH EXTENSIVE AND EXPENSIVE," HE ADDED.

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SUMMARY OF CHANGES TO APPROVED ESTIMATES

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A SUMMARY OF ALL CHANGES MADE TO THE APPROVED ESTIMATES OF EXPENDITURE FOR THE FIRST QUARTER OF THE FINANCIAL YEAR 1989-90 WAS TABLED BY THE FINANCIAL SECRETARY, THE HON SIR PIERS JACOBS, IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SIR PIERS SAID SUPPLEMENTARY PROVISION OF \$180.2 MILLION HAD BEEN APPROVED.

"IT WAS FULLY OFFSET EITHER BY SAVINGS UNDER THE SAME OR OTHER HEADS OF EXPENDITURE OR BY THE DELETION OF FUNDS UNDER THE ADDITIONAL COMMITMENTS SUBHEADS.

"THIS INCLUDED \$79.7 MILLION COMPRISING A START-UP GRANT OF \$38.5 MILLION AND A RECURRENT GRANT OF \$41.2 MILLION FOR THE GOVERNMENT'S CONTRIBUTION TOWARDS THE COST OF THE SECURITIES AND FUTURES COMMISSION," HE SAID.

SIR PIERS ALSO SAID THAT APPROVED NON-RECURRENT COMMITMENTS HAD BEEN INCREASED BY \$515.9 MILLION DURING THE PERIOD, AND NEW NON-RECURRENT COMMITMENTS OF \$74.5 MILLION HAD ALSO BEEN APPROVED.

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"IN THE SAME PERIOD, A NET INCREASE OF 2,685 POSTS WAS APPROVED," HE SAID.

ITEMS IN THE SUMMARY HAD BEEN APPROVED EITHER BY THE FINANCE COMMITTEE OR UNDER DELEGATED AUTHORITY AND THE LATTER HAD BEEN REPORTED TO THE FINANCE COMMITTEE, SIR PIERS ADDED.

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MOTION ON TRANSFER OF STATUTORY FUNCTIONS PASSED

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A MOTION ENABLING THE DIRECTOR OF PLANNING TO ASSUME HIS ROLE WITH EFFECT FROM JANUARY 1, 1990 WAS PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE MOTION, THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, THE HON GRAHAM BARNES, SAID "THIS MOTION ARISES FROM THE FORMATION OF THE NEW PLANNING DEPARTMENT WITH EFFECT FROM JANUARY 1, 1990.

"TO ENABLE THE DIRECTOR OF PLANNING TO ASSUME HIS ROLE WITH EFFECT FROM THAT DATE, CERTAIN STATUTORY FUNCTIONS (NAMELY THE PREPARATION OF ANY PLAN OR SKETCH THAT THE CHAIRMAN OF THE TOWN PLANNING BOARD MAY REQUIRE) NEED TO BE TRANSFERRED TO HIM.

"THE STAFF RESOURCES TO ESTABLISH THE NEW DEPARTMENT WERE CONSIDERED AND APPROVED BY THE FINANCE COMMITTEE OF THIS COUNCIL ON DECEMBER 8, 1989," MR BARNES SAID.

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CHARGES FOR 'INFOLINE' SERVICE

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THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) PASSED A MOTION ON CHARGES FOR THE NEW "INFOLINE" SERVICE THAT THE HONG KONG TELEPHONE COMPANY PROPOSES TO INTRODUCE.

THE MOTION TO EFFECT THE NECESSARY AMENDMENTS TO PART FIVE OF THE SCHEDULE OF CHARGES UNDER THE TELEPHONE ORDINANCE WAS MOVED BY THE SECRETARY FOR ECONOMIC SERVICES, THE HON ANSON CHAN.

MRS CHAN SAID THE SERVICE WOULD BE USED BY COMPETITIVE SUPPLIERS OF PRE-RECORDED ENTERTAINMENT OR INFORMATION MESSAGES TO DELIVER THEIR SERVICES TO THE PUBLIC.

THESE MESSAGES WOULD RANGE FROM WEATHER FORECASTS, AIRLINE INFORMATION, SPORTS RESULTS TO FOREIGN CURRENCIES, STOCK MARKET, MEDICAL SERVICES AND TOURIST INFORMATION.

"TELCO WILL BE ABLE TO CHARGE A MAXIMUM OF \$2,880 PER ANNUM FOR A LINE CONNECTING A MESSAGE PROVIDER'S MESSAGE DELIVERY EQUIPMENT TO THE PUBLIC TELEPHONE NETWORK. \$600 FOR CONNECTION OF EACH LINE AND FOR REMOVAL TO A DIFFERENT BUILDING, AND \$275 FOR REMOVAL INSIDE THE SAME BUILDING.

"ALL THESE NEW CHARGES ARE THE SAME AS EXISTING CHARGES FOR COMPARABLE SERVICES AND AS SUCH ARE CONSIDERED JUSTIFIED. THE COMPANY WILL ALSO BE ABLE TO LEVY A \$1 A MINUTE LINE USAGE CHARGE. THE ADMINISTRATION IS SATISFIED THAT THIS IS FULLY JUSTIFIED BY THE ADDITIONAL COSTS FOR THE COMPANY IN PROVIDING THE INFOLINE SERVICE," MRS CHAN SAID.

MRS CHAN SAID FOR TECHNICAL REASONS THE TELEPHONE LINES TO BE USED IN THE INFOLINE SERVICE TO CONNECT THE EQUIPMENT OF MESSAGE PROVIDERS TO THE PUBLIC TELEPHONE NETWORK NEEDED TO BE OF AN EXISTING TYPE KNOWN AS DIRECT DIALLING IN.

"THE CURRENT APPROVED CHARGE FOR SUCH LINES IS \$2,880 PER ANNUM. TELCO PROPOSES THAT THE SAME CHARGE SHOULD BE LEVIED FOR THESE LINES UNDER THE INFOLINE SERVICE.

"FOR CONNECTION AND REMOVAL OF SUCH LINES, TELCO SIMILARLY PROPOSES TO LEVY THE SAME CHARGES AS CURRENTLY PROVIDED FOR IN THE CASE OF OTHER TYPES OF TELEPHONE LINE. THAT IS: \$600 FOR CONNECTION AND REMOVAL TO A DIFFERENT BUILDING AND \$275 FOR REMOVAL INSIDE THE SAME BUILDING," MRS CHAN ADDED.

SHE SAID THAT TELCO ALSO PROPOSED TO CHARGE THE MESSAGE PROVIDERS A \$1 PER MINUTE CHARGE FOR USAGE OF EACH LINE.

THIS CHARGE WAS REQUIRED TO DEFRAY THE COSTS INVOLVED IN MEASURING THE DURATION OF CALLS MADE TO THE MESSAGE PROVIDERS' SERVICES, THE PREPARATION OF ITEMISED BILLS AND OTHER ASSOCIATED WORK.

"I SHOULD EMPHASISE THAT ALL OF THESE CHARGES ARE TO BE LEVIED BY TELCO ON THE MESSAGE SERVICE PROVIDERS AND NOT ON CALLERS TO THE MESSAGE SERVICES.

"THE RATES AT WHICH CALLERS ARE CHARGED WILL BE SET BY THE SERVICE PROVIDERS THEMSELVES. AS THE SERVICE PROVIDERS WILL BE IN COMPETITION WITH EACH OTHER, THEIR CHARGES WILL BE SUBJECT TO NORMAL MARKET FORCES.

"IN ORDER TO ENSURE MINIMUM ACCEPTABLE STANDARDS OF TECHNICAL QUALITY, MESSAGE CONTENT AND ADVERTISING PRACTICE, TELCO WILL REQUIRE MESSAGE PROVIDERS TO ABIDE BY A CODE OF PRACTICE AS A CONDITION OF PROVISION OF THE INFOLINE SERVICE," MRS CHAN SAID.

WEDNESDAY, DECEMBER 13, 1989

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ADEQUATE RESOURCES REQUIRED FOR HELPING HANDICAPPED

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IT IS A MATTER OF PRIORITY THAT ADEQUATE RESOURCES ARE ALLOCATED FOR THE PURPOSE OF IMPROVING THE EMPLOYMENT PROSPECTS OF THE MENTALLY HANDICAPPED, DR THE HON HENRIETTA IP SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SHE SAID EFFORTS WERE BEING MADE TO PROVIDE JOB OPPORTUNITIES AND SUSTAIN EMPLOYMENT THROUGH THE INITIATION BY THE QUEEN ELIZABETH FOUNDATION FOR THE MENTALLY HANDICAPPED OF PROJECTS SUCH AS THE LAUNCHING OF A PLACEMENT SERVICE FOR THE MENTALLY HANDICAPPED.

TABLING THE FIRST ANNUAL REPORT OF THE FOUNDATION IN THE COUNCIL, DR IP SAID THE FOUNDATION'S AIMS WERE TO FURTHER THE WELFARE, EDUCATION AND TRAINING OF THE MENTALLY HANDICAPPED, AND PROMOTE THEIR EMPLOYMENT PROSPECTS.

DR IP, WHO IS CHAIRMAN OF THE COUNCIL OF THE FOUNDATION SAID THE FOUNDATION WHICH WAS SET UP IN AUGUST LAST YEAR HAD RECEIVED 38 APPLICATIONS FOR GRANTS AMOUNTING TO OVER \$6 MILLION FROM VARIOUS VOLUNTARY AGENCIES AND GOVERNMENT DEPARTMENTS SINCE OCTOBER.

SHE SAID THE TOTAL AMOUNT OF GRANTS APPROVED FOR 1988-89 WAS ABOUT \$1.95 MILLION AND THE COMMITTED SUM APPROVED FOR RECURRENT GRANTS FOR 1989-90 WAS ABOUT \$1.85 MILLION.

MAJOR GRANTS MADE FOR PROJECTS INCLUDED COMMUNITY LIVING SKILLS TRAINING, PROVISION OF A HOME FOR THE MILDLY MENTALLY HANDICAPPED CHILDREN, VOCATIONAL TRAINING AND SUPPORTED EMPLOYMENT SCHEME, TEMPORARY RESIDENTIAL CARE SERVICE, GATEWAY MOVEMENT TO PROMOTE THE INTEGRATION OF MENTALLY HANDICAPPED PERSONS, HOTLINE SERVICE, TRAINING COURSE ON CLEANSING AND SERVICING AND SUMMER ACTIVITIES CLASSES FOR MENTALLY HANDICAPPED CHILDREN, SHE SAID.

OTHER ALLOCATIONS INCLUDED GRANTS FOR THE PURCHASE OF EQUIPMENT AND ORGANISATION OF COURSES FOR THE TRAINING AND EDUCATION OF THE MENTALLY HANDICAPPED, SHE ADDED.

IN SUMMING UP, DR IP SAID: "THE FOUNDATION HAS WITHIN A RELATIVELY SHORT PERIOD OF TIME DEMONSTRATED ITS INITIATIVE AND DETERMINATION IN SPONSORING OR ENHANCING A WIDE RANGE OF MUCH NEEDED SERVICES FOR THE MENTALLY HANDICAPPED. I AM CONFIDENT THAT ITS WORK WILL GO FROM STRENGTH TO STRENGTH."

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WEDNESDAY, DECEMBER 13, 1989

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GOVT NOT COMPLACENT ON INDUSTRIAL POLICY

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ALTHOUGH ITS POLICY ON INDUSTRY HAS WORKED WELL SO FAR, THE GOVERNMENT IS NOT AND MUST NOT BE COMPLACENT WITH THE POLICY'S SUCCESS, THE FINANCIAL SECRETARY, THE HON SIR PIERS JACOBS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION FROM PROF THE HON C.K. POON, SIR PIERS SAID THE GOVERNMENT CONTINUED TO REVIEW THE ADEQUACY OF ITS SUPPORT SERVICES AND FACILITIES, AND THE ADVICE OF THE INDUSTRY DEVELOPMENT BOARD WOULD AS USUAL BE SOUGHT IN THAT CONNECTION.

MR POON HAD ASKED WHETHER THE GOVERNMENT WOULD REVIEW ITS INDUSTRIAL POLICY IN ORDER TO MAINTAIN AND IMPROVE HONG KONG'S COMPETITIVE EDGE IN VIEW OF KEEN COMPETITION THAT NEWLY DEVELOPED ECONOMIES IN SOUTHEAST ASIA POSED TO HONG KONG'S INDUSTRIES.

SIR PIERS SAID IT WAS A SUBJECT WHICH HAD BEEN RIGHTLY RAISED IN THE COUNCIL FROM TIME TO TIME BECAUSE IT WAS A MATTER OF GREAT IMPORTANCE.

HE SAID THAT, ESSENTIALLY, THE GOVERNMENT'S INDUSTRIAL POLICY WAS DESIGNED TO ALLOW MARKET FORCES TO DETERMINE THE DIRECTION TAKEN BY INDUSTRY.

THE GOVERNMENT'S ROLE WAS TO FACILITATE AND ENCOURAGE GROWTH THROUGH THE PROVISION OF NECESSARY INFRASTRUCTURAL AND DEVELOPMENTAL SUPPORT.

"THIS POLICY HAS SERVED HONG KONG WELL. OVER THE YEARS, WE HAVE WITNESSED MANY MANUFACTURERS ADAPTING AND ADJUSTING THEIR PRODUCTION METHODS IN RESPONSE TO CHANGING MARKET CONDITIONS.

"WE HAVE ALSO SEEN GREATER DIVERSIFICATION AND IMPROVEMENT OF OUR MANUFACTURED PRODUCTS.

"IN RESPONSE TO PRESSURE OF DEMAND, SOME OF OUR MORE LABOUR INTENSIVE MANUFACTURING PROCESSES HAVE MOVED OUT OF THE TERRITORY TO OTHER LOWER COST PRODUCTION CENTRES.

"THIS IS A CONTINUING PROCESS WHICH HAS ALLOWED THE LIMITED RESOURCES OF OUR ECONOMY TO BE PUT TO BETTER AND MORE FRUITFUL USE.

"AS A RESULT, HONG KONG HAS BEEN ABLE TO ACHIEVE A HIGHER VALUE ADDED AND HAS REMAINED HIGHLY COMPETITIVE," SIR PIERS SAID.

SIR PIERS ALSO SAID THAT WHILE THE GOVERNMENT BELIEVED INVESTMENT DECISIONS WERE BEST TAKEN BY THOSE DIRECTLY INVOLVED, IT DID REVIEW AND EXPAND THE RANGE OF PUBLIC SERVICES AND FACILITIES FROM TIME TO TIME IN ORDER TO MEET DEMAND.

/HE POINTED

HE POINTED OUT THAT RELEVANT EXAMPLES INCLUDED THE RECENT ESTABLISHMENT OF THE HONG KONG PLASTICS TECHNOLOGY CENTRE AND A CLOTHING TECHNOLOGY DEMONSTRATION CENTRE.

SIR PIERS SAID THAT, FURTHERMORE, THE GOVERNOR, IN HIS ADDRESS TO THE COUNCIL IN OCTOBER, HAD REFERRED TO THE DECISION TO BUILD A NEW TECHNOLOGY CENTRE TO FACILITATE THE DEVELOPMENT OF NEW TECHNOLOGY-BASED BUSINESSES.

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EFFORTS MADE TO OVERCOME RELUCTANCE TO DONATE ORGANS

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VARIOUS EDUCATIONAL AND PUBLICITY MEASURES ARE TAKEN TO HELP TO OVERCOME THE RELUCTANCE OF MANY PEOPLE TO DONATE THEIR ORGANS FOR THERAPEUTIC USE AFTER THEIR DEATH, AND THE RELUCTANCE OF RELATIVES TO GIVE THEIR CONSENT, THE ACTING SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION FROM DR THE HON LEONG CHE-HUNG, MR SHIPMAN SAID THESE MEASURES HAD CONTRIBUTED TO AN INCREASE IN THE NUMBER OF RENAL TRANSPLANTS PERFORMED IN RECENT YEARS, ALTHOUGH THE LEVEL STILL FELL FAR SHORT OF DEMAND.

HE SAID IT HAD BEEN CONSIDERED THAT PUBLIC OPINION WOULD BE AGAINST ANY RADICAL CHANGE IN THE LAW TO ALLOW TRANSPLANTATIONS TO TAKE PLACE WITHOUT EVIDENCE OF CONSENT, THIS WAS STILL LIKELY TO BE THE CASE.

"HOWEVER, THE SITUATION WILL BE KEPT UNDER REVIEW, AND FURTHER THOUGHT WILL BE GIVEN TO WAYS OF IMPROVING THE SUPPLY OF ORGANS FOR TRANSPLANTATION WITHIN OR BY AMENDMENT TO THE PRESENT LAW, SUBJECT TO ADEQUATE SAFEGUARDS BEING PRESERVED," HE SAID.

MR SHIPMAN SAID THE VARIOUS EDUCATIONAL AND PUBLICITY MEASURES INCLUDED THE DISSEMINATION OF INFORMATION THROUGH PAMPHLETS AND THE MASS MEDIA, SUCH AS ANNOUNCEMENTS OF PUBLIC INTEREST ON TELEVISION, DISPLAY OF POSTERS, AND ARRANGING TALKS AND SEMINARS.

SOME OF THESE TALKS AND SEMINARS WERE DIRECTED PARTICULARLY AT THE MEDICAL PROFESSION TO SEEK THEIR CO-OPERATION IN IDENTIFYING POTENTIAL DONORS AND IN ADVISING THEM HOW TO SIGNIFY THEIR CONSENT.

IN ADDITION, A SPECIAL UNIT WAS ESTABLISHED IN DECEMBER LAST YEAR TO IMPROVE CO-ORDINATION IN THE ARRANGEMENTS LEADING TO ORGAN TRANSPLANTATION.

MR SHIPMAN POINTED OUT THAT THERE WAS ALREADY PROVISION IN THE MEDICAL (THERAPY, EDUCATION AND RESEARCH) ORDINANCE FOR DOCTORS TO REMOVE ANY PART OF A DECEASED PERSON'S BODY FOR THERAPEUTIC PURPOSES WHERE THE DECEASED PERSON HAD EXPRESSED SUCH A REQUEST IN WRITING AT ANY TIME OR ORALLY IN THE PRESENCE OF TWO OR MORE WITNESSES DURING HIS LAST ILLNESS.

"WHERE THERE IS EVIDENCE THAT SUCH CONSENT HAS BEEN GIVEN, AND NO REASON TO BELIEVE THAT IT HAS SUBSEQUENTLY BEEN REVOKED, THE CONSENT OF THE NEXT OF KIN IS NOT REQUIRED BEFORE TRANSPLANTATION MAY BE PERFORMED.

"THE SAME ORDINANCE ALSO PROVIDES THAT IN THE ABSENCE OF SUCH AN EXPRESSED WISH ON BEHALF OF THE DECEASED, THE REMOVAL OF HIS ORGANS MAY PROCEED WITH THE CONSENT OF THE REGISTERED NEXT OF KIN, SUBJECT TO THERE BEING NO REASON TO BELIEVE THAT THE DECEASED HAD EXPRESSED OBJECTION OR THAT THE SURVIVING SPOUSE, PARENT OR CHILD OF THE DECEASED SO OBJECTS," HE SAID. 19

THE ORDINANCE, WHICH WAS SIMILAR TO THE 1961 HUMAN TISSUE ACT IN THE UNITED KINGDOM, PROVIDED ADEQUATE LEGAL BACKING FOR THE TRANSPLANTATION OF ORGANS WHERE THE NECESSARY CONSENT HAD BEEN OBTAINED.

"TO FACILITATE THE READY AVAILABILITY OF EVIDENCE OF CONSENT, KIDNEY AND EYE DONATION CARDS ARE ISSUED BY THE HOSPITAL SERVICES DEPARTMENT ON REQUEST," MR SHIPMAN SAID.

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ACTIVITIES PERMITTED ACCORDING TO LAW

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THE CHIEF SECRETARY, THE HON SIR DAVID FORD, TODAY (WEDNESDAY) ASSURED MEMBERS OF THE LEGISLATIVE COUNCIL THAT BOTH NOW AND IN THE FUTURE, THE ACTIVITIES PERMITTED, OR NOT PERMITTED, IN HONG KONG, ARE DECIDED ENTIRELY IN ACCORDANCE WITH THE LAW OF HONG KONG.

IN REPLY TO A QUESTION FROM THE HON RONALD CHOW, SIR DAVID SAID NO INDIVIDUAL OR GROUP OF INDIVIDUALS IN HONG KONG ENJOYED MORE TOLERANCE OR SUFFERED MORE RESTRICTION THAN THE LAW ALLOWED. 19

"WHERE THE LAW CONFERS ANY DISCRETION ON THE AUTHORITY CONCERNED, THE ADMINISTRATION TAKES THE OVERALL PUBLIC INTEREST INTO ACCOUNT IN EXERCISING THAT DISCRETION," THE CHIEF SECRETARY SAID.

REGARDING THE QUESTION ON THE INTERNATIONAL CONVENANT ON CIVIL AND POLITICAL RIGHTS, AS APPLIED TO HONG KONG, SIR DAVID SAID IT WOULD REMAIN IN FORCE AS PROVIDED FOR IN THE JOINT DECLARATION.

/THE CHIEF

THE CHIEF SECRETARY REITERATED THAT THE GOVERNMENT INTENDED TO ENACT A JUSTICIABLE BILL OF RIGHTS FOR HONG KONG WHICH WOULD IMPLEMENT THE RELEVANT PROVISIONS OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, AS APPLIED TO HONG KONG.

"THERE IS THUS NO QUESTION OF THE RIGHTS CURRENTLY ENJOYED BY THE PEOPLE OF HONG KONG UNDER THE COVENANT BEING REDUCED IN ANY WAY," HE SAID.

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BAN ON CHANGE OF JOB SPECIFIED IN HELPER'S VISA
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A FOREIGN DOMESTIC HELPER IS ALLOWED TO WORK IN HONG KONG FOR A SPECIFIC EMPLOYER UNDER AN APPROVED CONTRACT OF EMPLOYMENT WHICH IS NORMALLY VALID FOR TWO YEARS, THE SECRETARY FOR SECURITY, THE HON GEOFFREY BARNES, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION FROM THE HON ELSIE TU, MR BARNES EMPHASISED THAT CHANGE OF EMPLOYMENT WAS NOT PERMITTED.

"THESE CONDITIONS ARE SPECIFIED IN THE VISAS ISSUED TO FOREIGN DOMESTIC HELPERS," HE SAID.

ON ARRIVAL IN HONG KONG, A HELPER'S PASSPORT WAS ENDORSED WITH A CONDITION OF STAY ALLOWING HER TO REMAIN IN HONG KONG FOR SIX MONTHS OR FOR TWO WEEKS AFTER THE TERMINATION OF HER CONTRACT, WHICHEVER WAS THE SHORTER PERIOD.

"THE CONDITIONS IMPOSED ON THE VISA ARE ALSO ENDORSED ON THE PASSPORT," MR BARNES POINTED OUT.

AS REGARDS THE LIMITATION OF STAY, MR BARNES EXPLAINED THAT SO LONG AS THE HELPER REMAINED IN THE SAME EMPLOYMENT, HER STAY WOULD BE EXTENDED FOR SIX MONTHS AT A TIME, WITH THE SAME CONDITIONS OF STAY IMPOSED.

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GUEST HOUSE LICENSING SCHEME SOON
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A BILL TO ENACT ENABLING LEGISLATION FOR THE LICENSING OF GUEST HOUSES IS EXPECTED TO BE INTRODUCED INTO THE LEGISLATIVE COUNCIL DURING THE CURRENT SESSION.

THIS WAS STATED BY THE SECRETARY FOR HOME AFFAIRS, THE HON PETER TSAO, IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) IN REPLY TO A QUESTION FROM THE HON MARTIN BARROW.

/MR TSAO

MR TSAO SAID THE DECISION TO LICENSE GUEST HOUSES WAS MADE BY THE ADMINISTRATION IN SEPTEMBER LAST YEAR, IN ORDER TO SECURE ACCEPTABLE STANDARDS OF FIRE SAFETY, STRUCTURAL SAFETY AND ENVIRONMENTAL HYGIENE.

IN NOVEMBER, AN INTER-DEPARTMENTAL PLANNING COMMITTEE WAS SET UP TO WORK OUT THE NECESSARY ADMINISTRATIVE AND LEGISLATIVE FRAMEWORK.

THE PLANNING COMMITTEE COMPLETED ITS WORK IN JANUARY THIS YEAR, BUT WE WERE UNABLE TO LAUNCH A LICENSING SCHEME UNTIL FUNDS BECAME AVAILABLE.

"I AM HAPPY TO SAY THAT I AM NOW IN A POSITION TO TAKE THIS MATTER FORWARD TO THE EXECUTIVE COUNCIL, HOPEFULLY SOME TIME NEXT MONTH," MR TSAO SAID.

AS TO A FIRE TO WHICH MR BARROW REFERRED, WHICH OCCURRED IN CHUNG KING MANSIONS ON NOVEMBER 16, MR TSAO SAID IT INVOLVED THE FRONT PORTION OF THE SHOPPING ARCADE IN THE BASEMENT.

"THE FIRE DID NOT INVOLVE ANY GUEST HOUSES SITUATED ON THE UPPER FLOORS, ALTHOUGH AT ONE STAGE SOME UPPER FLOOR OCCUPANTS, INCLUDING THOSE IN GUEST HOUSES IN THE BUILDING, WERE EVACUATED AS A PRECAUTION."

MR TSAO SAID THAT SINCE AUGUST 1 LAST YEAR, 884 GUEST HOUSES IN THE TERRITORY HAD BEEN INSPECTED BY THE FIRE SERVICES DEPARTMENT; 284 OF THEM WERE PATRONISED BY TOURISTS.

"THE LATTER HAVE ALL BEEN GIVEN ADVICE AND DIRECTIONS IN THE INTERIM ON A RANGE OF FIRE PROTECTION MEASURES INCLUDING THE REMOVAL OF FIRE HAZARDS, THE INSTALLATION OF EXIT SIGNS, PROVISION OF FIRE EXTINGUISHERS; AND FOR THE LARGER ESTABLISHMENTS, THE INSTALLATION OF AUTOMATIC SMOKE DETECTION SYSTEMS.

"EACH OPERATOR HAS BEEN GIVEN TWO TO FOUR MONTHS TO COMPLY WITH THE REQUIREMENTS," MR TSAO SAID.

HE ALSO SAID THAT AS AT NOVEMBER 22, 127 TOURIST GUEST HOUSES HAD FULLY COMPLIED WITH THESE REQUIREMENTS AND 91 OTHERS HAD BEEN SERVED WITH FIRE HAZARD ABATEMENT NOTICES TO REQUIRE COMPLIANCE.

"I AM SATISFIED THAT THESE INTERIM MEASURES HAVE ALREADY RESULTED IN SOME IMPROVEMENTS IN FIRE PREVENTION.

"GUEST HOUSE OPERATORS HAVE GENERALLY BECOME MUCH MORE CONSCIOUS OF THE NEED TO MAINTAIN FIRE SAFETY MEASURES.

"EXITS ARE NOW CLEARLY INDICATED, EXTINGUISHERS ARE PROVIDED AND WHERE SMOKE DETECTORS HAVE BEEN INSTALLED OCCUPANTS CAN NOW BE WARNED AT A VERY EARLY STAGE," HE SAID.

MR TSAO ALSO SAID THAT AS AN EDUCATION PROGRAMME FOR TOURISTS WHO MIGHT NOT BE FAMILIAR WITH THE HONG KONG ENVIRONMENT, A SPECIAL FIRE SAFETY PAMPHLET HAD BEEN PREPARED BY THE ADMINISTRATION AND WAS DISTRIBUTED TO ALL GUEST HOUSES ACCOMODATING TOURISTS.

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BUS FARE STRUCTURE FOR SOUTHERN DISTRICT REVIEWED
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THE GOVERNMENT'S REVIEW OF THE CHINA MOTOR BUS COMPANY'S FARE STRUCTURE FOR SOUTHERN DISTRICT HAD MADE TWO MAIN RECOMMENDATIONS, THE SECRETARY FOR TRANSPORT, THE HON MICHAEL LEUNG, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION FROM THE HON SO CHAU YIM-PING, MR LEUNG SAID THE RECOMMENDATIONS WERE:

- * A SIMPLIFICATION OF CMB'S FARE STRUCTURE BY COMBINING THE EXISTING EIGHT ROUTE GROUPS INTO FIVE; AND
- * A PROGRESSIVE NARROWING DOWN OF THE DISPARITIES IN FARES NOW EXISTING BETWEEN SOUTHERN AND NON-SOUTHERN ROUTES OF THE SAME JOURNEY DISTANCE.

MR LEUNG SAID THE REVIEW WOULD BE DISCUSSED WITH THE TRANSPORT ADVISORY COMMITTEE AND THAT CMB AND THE DISTRICT BOARDS CONCERNED WOULD BE CONSULTED.

"IF AGREED, THESE RECOMMENDATIONS WILL BE IMPLEMENTED IN STAGES THROUGH A LOWER INCREASE FOR SOUTHERN ROUTES IN FUTURE FARE REVISIONS, AND RATIONALISATION OF LOSS-INCURRING ROUTES," HE SAID.

MR LEUNG ADDED THAT THE OBJECTIVES WERE TO REDUCE CROSS-SUBSIDISATION BETWEEN DIFFERENT ROUTE GROUPS AND TO ENSURE THAT THE INTERNAL ROUTES IN SOUTHERN DISTRICT WHICH SERVED ABERDEEN WOULD NOT BE MORE EXPENSIVE THAN NORTH SHORE ROUTES FOR A SIMILAR JOURNEY DISTANCE.

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ANNUAL ESTIMATE CONTROLS FUNDS FOR MINOR PROJECTS
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THE TOTAL AMOUNT OF FUNDS AVAILABLE TO DISTRICT OFFICES FOR CARRYING OUT MINOR ENVIRONMENTAL IMPROVEMENT PROJECTS AND COMMUNITY INVOLVEMENT PROJECTS IS CONTROLLED BY AN ANNUAL ESTIMATE EXERCISE, THE SECRETARY FOR HOME AFFAIRS, THE HON PETER TSAO, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR TSAO WAS REPLYING TO A QUESTION FROM THE HON ROSANNA TAM WHO WANTED TO KNOW THE CRITERIA FOR ALLOCATING FUNDS TO DISTRICT OFFICES FOR THOSE PROJECTS AND WHETHER A REVIEW WOULD BE MADE TO ENSURE THAT THOSE DISTRICTS WHICH HAD MORE URGENT NEEDS FOR SUCH PROJECTS WERE PROVIDED WITH MORE FUNDS.

/MR TSAO

MR TSAO SAID THAT AFTER FUNDS WERE VOTED BY THE LEGISLATIVE COUNCIL, UNDER HEAD 53 SUBHEAD 215, THE CITY AND NEW TERRITORIES ADMINISTRATION HEADQUARTERS TOOK INTO ACCOUNT A NUMBER OF FACTORS FOR ALLOCATING FUNDS TO INDIVIDUAL DISTRICT OFFICES.

THESE INCLUDED:

- (1) POPULATION OF THE DISTRICTS AND THE NEED FOR MORE COMMUNITY INVOLVEMENT PROJECTS AS A RESULT OF NEW POPULATION INTAKES,
- (2) EXISTING PROVISION OF COMMUNITY FACILITIES IN THE DISTRICTS AND THE NEED FOR MORE MINOR ENVIRONMENTAL IMPROVEMENT PROJECTS,
- (3) GEOGRAPHICAL SPREAD OF THE DISTRICTS,
- (4) PAST EXPENDITURE PATTERNS OF INDIVIDUAL DISTRICTS, AND
- (5) ADDITIONAL REQUIREMENTS ARISING FROM PLANNED LARGE-SCALE PROJECTS SUCH AS DISTRICT FESTIVALS.

MR TSAO SAID THAT, IN ESSENCE, THE PREPARATION OF THE ESTIMATES FOR HEAD 53 SUBHEAD 215 WAS IN ITSELF A REVIEW FOR THE YEAR YET TO COMMENCE.

"THE CRITERIA FOR THE ALLOCATION ARE FLEXIBLY APPLIED SO THAT THEY COULD ACCOMMODATE THE VARYING NEEDS OF DIFFERENT DISTRICTS.

"THE SPENDING POSITION OF THE VOTE IS THEN EXAMINED IN DECEMBER EACH YEAR SO THAT MINOR VIREMENT OF FUNDS COULD BE ARRANGED BETWEEN DISTRICTS," HE SAID.

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EFFECTIVE SELF-REGULATION A BETTER SOLUTION

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THE GOVERNMENT DOES NOT AT PRESENT PROPOSE TO INTRODUCE ANY MEASURES REQUIRING THE TRANSLATION INTO CHINESE OF EXEMPTION CLAUSES IN INSURANCE CONTRACTS, THE FINANCIAL SECRETARY, THE HON SIR PIERS JACOBS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

"WE BELIEVE THAT IN THIS AREA EFFECTIVE SELF-REGULATION IS GENERALLY A BETTER SOLUTION THAN LEGISLATION," SIR PIERS SAID IN REPLYING TO A QUESTION FROM THE HON DAVID CHEUNG.

HE EXPLAINED THAT IT WAS RECOGNISED THAT AS A MATTER OF GOOD MARKET PRACTICE, INSURANCE CONTRACTS SHOULD BE AVAILABLE WITH A CHINESE VERSION, AND THE INSURANCE INDUSTRY WAS WORKING TOWARDS THIS OBJECTIVE.

/"TO THIS

"TO THIS END, CHINESE TRANSLATIONS HAVE BEEN MADE OF THE STANDARD POLICY FORMS FOR MOTOR VEHICLE AND EMPLOYEES' COMPENSATION INSURANCE, AND OF COURSE THE TRANSLATIONS WOULD INCLUDE EXEMPTION CLAUSES WHERE APPROPRIATE," HE SAID.

SIR PIERS ALSO NOTED THAT IN THE CONTEXT OF SELF REGULATION THE INSURANCE INDUSTRY IN HONG KONG HAD ITSELF RECENTLY ADOPTED STATEMENTS OF PRACTICE FOR GENERAL AND LIFE INSURANCE BUSINESS.

"THESE STATEMENTS REQUIRE INSURERS TO CONTINUE TO DEVELOP CLEARER AND MORE EXPLICIT PROPOSAL FORMS AND POLICY DOCUMENTS," HE ADDED.

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NO RESETTLEMENT FOR COMMERCIAL TENANTS UPON CLEARANCE

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COMMERCIAL TENANTS ON CROWN LAND ARE NOT OFFERED RESETTLEMENT UPON CLEARANCE, AND ARE OFFERED EX-GRATIA PAYMENTS INSTEAD, THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, THE HON GRAHAM BARNES, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

ONLY LICENSED HAWKERS WERE OFFERED ASSISTANCE IN RESITING UPON CLEARANCE.

THIS WAS TO PREVENT THEM FROM RESORTING TO UNLICENSED AND UNCONTROLLED HAWKING, MR BARNES SAID IN A WRITTEN REPLY TO A QUESTION FROM THE HON TAI CHIN-WAH ON WHY THE GOVERNMENT DID NOT OFFER RESETTLEMENT TO COMMERCIAL TENANTS ON CROWN LAND UPON CLEARANCE.

MR BARNES SAID WHEN THE HOUSING AUTHORITY REDEVELOPED ITS OWN ESTATES, IT WAS DEALING WITH ITS OWN LAWFUL TENANTS WHOM IT ALLOWED TO BID BY RESTRICTIVE TENDER FOR SHOPS IN THE ESTATES.

"BUT WHEN THE AUTHORITY CARRIES OUT A CLEARANCE OF CROWN LAND IT IS ACTING MOSTLY AS GOVERNMENT'S AGENT," HE SAID.

THE GOVERNMENT DID OFFER ACCOMMODATION IN ITS RESETTLEMENT ESTATES FOR BUSINESSES CLEARED FROM CROWN LAND IN THE EARLY DAYS OF THE RESETTLEMENT PROGRAMME, WHETHER THEY WERE HELD ON CROWN LAND LICENCE OR NOT.

BUT THIS ARRANGEMENT VERY SOON BECAME IMPRACTICABLE AND WAS ABANDONED BEFORE CLEARANCE BECAME THE HOUSING AUTHORITY'S RESPONSIBILITY IN 1970. MR BARNES SAID.

"WITH THE EXCEPTION OF WORKSHOPS AND SMALL FACTORIES CLEARED FROM CROWN LAND, THE AUTHORITY HAS NEVER OFFERED ACCOMMODATION TO COMMERCIAL CLEARERS FROM CROWN LAND: EX-GRATIA PAYMENTS ARE MADE INSTEAD," HE SAID.

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IN THE CASE OF WORKSHOPS AND FACTORIES. THE AUTHORITY HAD OFFERED ACCOMMODATION IN ITS OWN FLATTED FACTORIES.

BUT THIS PRACTICE WAS ABANDONED IN FAVOUR OF A SYSTEM OF EX-GRATIA PAYMENTS IN 1982, WHEN THE HOUSING AUTHORITY, WITH THE AGREEMENT OF THE GOVERNMENT, STOPPED CONSTRUCTING FACTORY ACCOMMODATION BECAUSE A PLENTIFUL SUPPLY OF PRIVATE ACCOMMODATION WAS AVAILABLE.

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STEPS TO EASE CLERICAL WORKLOAD IN SCHOOLS
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THE GOVERNMENT IS AWARE OF THE INCREASING CLERICAL WORKLOAD IN AIDED SCHOOLS, AND IS TAKING STEPS TO RELIEVE THE SITUATION, AS PART OF A PACKAGE OF MEASURES TO IMPROVE THE WORKING ENVIRONMENT IN SCHOOLS, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON K.Y. YEUNG, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION FROM THE HON PEGGY LAM, MR YEUNG SAID THE QUESTION IMPLIED THAT ADDITIONAL CLERICAL POSTS WOULD BE THE BEST SOLUTION.

"HOWEVER, SINCE MANPOWER IS BOTH SCARCE AND EXPENSIVE WE ARE EXAMINING OTHER, POSSIBLY MORE COST EFFECTIVE WAYS OF TACKLING THE PROBLEM, SUCH AS REDEFINING THE DUTIES OF CLERICAL AND WORKMAN GRADE STAFF, SIMPLIFYING THE PAPERWORK REQUIRED BY THE EDUCATION DEPARTMENT, AND PROVIDING SCHOOLS WITH MORE OFFICE EQUIPMENT, SUCH AS PHOTOCOPIERS," HE SAID.

MR YEUNG EXPLAINED THAT FROM APRIL NEXT YEAR AIDED PRIMARY AND SPECIAL SCHOOLS WOULD BE ABLE TO PROVIDE A TEMPORARY REPLACEMENT WHEN THEIR CLERK TOOK APPROVED SICK LEAVE OR MATERNITY LEAVE OF 14 DAYS OR MORE.

"CLERKS IN THESE SCHOOLS WILL IN ADDITION RECEIVE FULL PAY RATHER THAN TWO-THIRDS PAY WHEN ON SICK LEAVE OR MATERNITY LEAVE, AN IMPROVEMENT TO CONDITIONS OF SERVICE WHICH SHOULD HELP TO REDUCE WASTAGE AMONG CLERICAL STAFF IN AIDED SCHOOLS," HE ADDED.

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WEDNESDAY, DECEMBER 13, 1989

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FACILITIES FOR PEOPLE TAKING MORNING EXERCISE

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THE CITY AND NEW TERRITORIES ADMINISTRATION (CNTA) COMPLETED A TOTAL OF 103 PROJECTS FOR PEOPLE TAKING MORNING EXERCISE AT A COST OF \$10.7 MILLION IN THE PAST TWO YEARS, THE SECRETARY FOR HOME AFFAIRS, THE HON PETER TSAO, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION FROM THE HON POON CHI-FAI. MR TSAO SAID THE PROVISION AND IMPROVEMENT OF FACILITIES FOR PEOPLE TAKING MORNING EXERCISE WAS UNDERTAKEN BY THE AGRICULTURE AND FISHERIES DEPARTMENT (AFD) WITHIN THE COUNTRY PARKS AND BY THE RESPECTIVE DISTRICT OFFICES OF THE CNTA FOR OTHER PLACES.

THE FACILITIES BUILT BY THE AFD UNDER THE COUNTRY PARKS PROGRAMME INCLUDED MORNING WALKERS' GARDENS, SHELTERS, PLATFORMS AND SIMPLE EQUIPMENT FOR FITNESS EXERCISES AND JOGGING TRAILS.

THOSE CONSTRUCTED BY THE CNTA WERE MAINLY PAVILIONS, PAVED STEPS, GUARD RAILS, ACCESS ROADS, FOOTPATHS AND LEVEL EXERCISE GROUNDS.

FINANCIAL RESOURCES HAD BEEN PROVIDED FROM THE DISTRICT BOARDS MINOR ENVIRONMENTAL IMPROVEMENT PROGRAMME (MEI) IN BOTH THE URBAN REGION AND THE NEW TERRITORIES, AND FROM LOCAL PUBLIC WORKS (LPW) FUNDS FOR THE RURAL AREAS OF THE NEW TERRITORIES.

IN 1990-91, THE CNTA WOULD BE SPENDING SOME \$4 MILLION FOR 54 PROJECTS. IN ADDITION, THE AFD WOULD SPEND ABOUT \$0.6 MILLION WITHIN THE COUNTRY PARKS.

THESE FACILITIES WERE BUILT IN ACCORDANCE WITH APPROVED ENGINEERING AND DESIGN STANDARDS, HAVING FULL REGARD TO STRUCTURAL SAFETY, AND WERE MAINTAINED BY THE CNTA AND THE AFD.

MR TSAO SAID THAT IN MOST OF THE MORNING WALKERS' GARDENS AND RECREATION SITES INSIDE THE COUNTRY PARKS, EMERGENCY TELEPHONE HELP LINES HAD BEEN INSTALLED AND THE PLACES WERE PATROLLED BY PARK WARDENS.

THERE WERE ALSO REGULAR POLICE PATROLS IN THE MORE POPULAR TRAILS OR GARDENS.

"WHILST MOST OF THESE FACILITIES ARE LOCATED IN EASILY ACCESSIBLE LOCATIONS, IT IS ALWAYS ADVISABLE FOR THOSE ELDERLY AND FRAIL EXERCISE GOERS TO BE ACCOMPANIED DURING THEIR MORNING EXERCISE." HE NOTED.

MR TSAO SAID THE NEED FOR FACILITIES FOR PEOPLE TAKING MORNING EXERCISE WAS MONITORED CLOSELY BY BOTH THE CNTA AND AFD, AND FEEDBACK FROM DISTRICT BOARD MEMBERS AND OTHER LOCAL RESIDENTS WAS TAKEN INTO ACCOUNT.

/"THE PRESENT

"THE PRESENT FINANCIAL AND MANAGEMENT ARRANGEMENTS PROVIDE FLEXIBILITY TO MEET PUBLIC DEMANDS FOR SUCH FACILITIES QUICKLY WHERE JUSTIFIED.

"WE DO NOT SEE A NEED TO SET UP A SPECIAL FUND TO CO-ORDINATE IMPROVEMENT WORKS FOR SUCH FACILITIES AT PRESENT BUT WILL KEEP THE SITUATION UNDER REVIEW AND WILL ALWAYS WELCOME SUGGESTIONS FOR FURTHER IMPROVEMENT," HE SAID.

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BILLS PASSED AFTER DEBATES

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THE SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL 1989 AND THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (AMENDMENT) BILL 1989 WERE PASSED IN THE LEGISLATIVE COUNCIL MEETING TODAY (WEDNESDAY).

EIGHT MEMBERS SPOKE IN THE RESUMED SECOND READING DEBATE ON THE SUPPLEMENTARY MEDICAL PROFESSIONS (AMENDMENT) BILL.

DURING THE DEBATE, THE HON JAMES MCGREGOR MOVED A MOTION THAT PASSAGE OF THE BILL BE POSTPONED, BUT THIS WAS DEFEATED.

THE ACTING SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SPOKE IN THE DEBATE ON MR MCGREGOR'S MOTION, IN WHICH SIX MEMBERS SPOKE, AND HE ALSO WOUND UP THE SECOND READING DEBATE. MR SHIPMAN MOVED AMENDMENTS TO THE BILL IN THE COMMITTEE STAGE, AND THESE WERE PASSED.

SIX MEMBERS SPOKE IN THE RESUMED SECOND READING DEBATE ON THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (AMENDMENT) BILL, AND THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON K.Y. YEUNG, WOUND UP THE DEBATE.

THE URBAN COUNCIL (AMENDMENT) BILL 1989, THE REGIONAL COUNCIL (AMENDMENT) BILL 1989, AND THE FIRST PACIFIC BANK LIMITED BILL 1989, A PRIVATE BILL, WERE ALSO PASSED.

THE NEXT MEETING OF THE COUNCIL WILL BE ON WEDNESDAY, JANUARY 10.

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WEDNESDAY, DECEMBER 13, 1989

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EXTENSIVE PUBLIC CONSULTATION ON LANGUAGE REPORT

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THE EDUCATION DEPARTMENT'S RECENT REVIEW OF LANGUAGE IMPROVEMENT MEASURES HAS PROPOSED THE FORMULATION OF A NEW POLICY ON THE MEDIUM OF INSTRUCTION, THE SECRETARY FOR EDUCATION AND MANPOWER, MR K.Y. YEUNG, SAID TODAY (WEDNESDAY).

SPEAKING AT THE OPENING CEREMONY OF THE INSTITUTE OF LANGUAGE IN EDUCATION'S INTERNATIONAL CONFERENCE "LULTAC 89", MR YEUNG SAID THE REVIEW CONTAINED NO FEWER THAN 78 RECOMMENDATIONS, BOTH MAJOR AND MINOR.

"PARED DOWN TO THE ESSENTIALS, THESE RECOMMENDATIONS SUGGEST THAT SOME FORM OF LANGUAGE GROUPING IN SECONDARY EDUCATION WOULD OFFER THE MOST EFFECTIVE AND LASTING SOLUTION TO THE PROBLEM," HE SAID.

"BUT IT IS A PROPOSAL THAT MANY FACE WITH TREPIDATION, AND I DO NOT SAY THIS LIGHTLY."

MR YEUNG SAID THE MANY RELATED ISSUES OF STRATEGIC IMPORTANCE WOULD HAVE TO BE ADDRESSED AND RESOLVED IN THE FIRST INSTANCE.

"THAT IS WHY WE ARE NOW CONSULTING EXTENSIVELY ON THE EDUCATION DEPARTMENT'S REPORT," HE SAID.

"IT WILL BE NECESSARY TO TAKE THE IDEAS IN THE REPORT AND THE PUBLIC RESPONSE THEY HAVE RECEIVED TO THE HIGHEST POSSIBLE LEVEL FOR SOME HARD-NOSED DECISIONS ON OUR MEDIUM OF INSTRUCTION POLICY.

"ONLY THEN WILL IT BE POSSIBLE FOR OUR PLANNERS AND EXPERTS TO WORK OUT THE MOST EDUCATIONALLY EFFECTIVE MEANS OF IMPLEMENTATION."

MR YEUNG POINTED OUT THAT THE CRUX OF THE PROBLEM FACED IN HONG KONG WAS THAT ON THE ONE HAND, A LARGE NUMBER OF CHILDREN LEARNT MORE EFFECTIVELY IN THE MEDIUM OF CHINESE, BUT ON THE OTHER HAND, THE DEVELOPMENT OF ENGLISH SKILLS WAS ESSENTIAL FOR PROGRESSION TO TERTIARY EDUCATION AND EMPLOYMENT.

"THE PRESENT SITUATION, IN WHICH MANY SCHOOLS USE A MIXTURE OF BOTH ENGLISH AND CHINESE, OFTEN RESULTS IN STUDENTS MASTERING NEITHER LANGUAGE EFFECTIVELY," HE SAID.

EARLIER IN HIS WELCOMING ADDRESS, THE DIRECTOR OF EDUCATION, MR Y.T. LI, SAID THAT SINCE THE MID-19TH CENTURY, QUESTIONS HAD BEEN RAISED IN HONG KONG ABOUT STANDARDS IN THE USE OF ENGLISH AND CHINESE.

HE SAID THESE HAD, AT VARIOUS TIMES, POINTED TO INADEQUATE RESULTS IN SCHOOL OR TERTIARY LEVEL EXAMINATIONS OR TO THE LACK OF ABILITY TO USE LANGUAGE TO PERFORM SPECIFIC SKILLS IN THE MARKET PLACE AND IN COMMUNITY SERVICE.

/BUT MR

BUT MR LI WAS QUICK TO POINT OUT THAT THE POPULATION GROWTH FACTOR HAD SOMETIMES BEEN MISSED, FOR EXAMPLE THE IMPACT ON STANDARDS OF THE VERY LARGE INCREASE IN STUDENT INTAKE FOLLOWING THE INTRODUCTION OF FREE AND COMPULSORY JUNIOR SECONDARY EDUCATION IN 1978.

"ANOTHER MAJOR FACTOR AFFECTING STANDARDS HAS BEEN THE ECONOMIC GROWTH OF HONG KONG WHICH HAS LED TO A CONCOMITANT DEMAND BY TRADE, INDUSTRY AND THE MEDIA FOR SKILLED LABOUR AND EMPLOYEES WITH COMPETENCE IN BOTH CHINESE AND ENGLISH.

"THIS HAS MADE EXTRAORDINARY DEMANDS ON THE SCHOOLS," HE ADDED.

TO REVIEW THE MEASURES INTRODUCED IN RECENT YEARS TO IMPROVE THE USE OF CHINESE AND ENGLISH, AN EDUCATION DEPARTMENT WORKING GROUP WAS SET UP IN DECEMBER LAST YEAR.

THE GROUP LATER CAME UP WITH SOME SIGNIFICANT RECOMMENDATIONS IN RELATION TO THE MEDIA OF INSTRUCTION, THE PLACING OF SECONDARY PUPILS IN CLASSES WHICH MIGHT USE EITHER CHINESE OR ENGLISH AS THE MEDIA OF INSTRUCTION, AND THE SETTING AND ASSESSING OF LEVELS AND TARGETS OF ACHIEVEMENT.

THE CONFERENCE WHICH CARRIES THE THEME "LANGUAGE USE, LANGUAGE TEACHING AND THE CURRICULUM", IS ORGANISED BY THE EDUCATION DEPARTMENT'S INSTITUTE OF LANGUAGE IN EDUCATION.

MORE THAN 260 PARTICIPANTS FROM 21 COUNTRIES AND HONG KONG ARE TAKING PART IN THE THREE-DAY EVENT WHICH WILL LAST UNTIL FRIDAY.

SOME 140 PAPERS IN ENGLISH AND CHINESE WILL BE PRESENTED DURING THE CONFERENCE. THERE WILL ALSO BE FOUR WORKSHOPS AND A PANEL DISCUSSION ON LANGUAGE PLANNING AND IMPLEMENTING LANGUAGE USE.

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SCHOOLS NEED GREATER DIVERSITY TO MEET CHALLENGES

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THE CHALLENGES WHICH EDUCATION WILL PRESENT IN HONG KONG DURING THE NEXT FEW YEARS WILL BE SUCH AS TO REQUIRE A VERY MARKED SENSE OF PURPOSE AND DIRECTION ON THE PART OF ADMINISTRATORS, SCHOOL HEADS, TEACHERS AND THE SUPPORTING PROFESSIONS, AS WELL AS THEIR UNFLAGGING DETERMINATION.

THIS WAS STATED BY THE DEPUTY DIRECTOR OF EDUCATION, MR JOHN WINFIELD, AT THE OPENING OF AN INTERNATIONAL CONFERENCE ON "SCHOOL-BASED INNOVATIONS : LOOKING FORWARD TO THE 1990'S" TODAY (WEDNESDAY).

MR WINFIELD SAID THAT PARALLEL WITH THE MOST SIGNIFICANT POLITICAL DEVELOPMENTS IN HONG KONG'S HISTORY, THE EDUCATION SYSTEM WOULD NEED RENEWED VIGOUR AND MUCH GREATER FLEXIBILITY IN THE NEXT DECADE.

/"IT WILL

"IT WILL NEED, IN PARTICULAR, A WIDER RECOGNITION AND UNDERSTANDING OF THE FACT THAT THE SYSTEM NO LONGER OPERATES AS IT DID IN THE 1950'S OR 60'S.

"AS A COMMUNITY WE NEED TO FACE SQUARELY, AND ACCEPT WITHOUT REGRET, THE FACT THAT EDUCATION IS NO LONGER THE PRIVILEGE OF A SELECT MINORITY.

"IT IS EVERY CHILD'S RIGHT. AND THAT MEANS A MORE READY ACKNOWLEDGMENT THAT THE ENTIRE SPECTRUM OF ABILITY WITHIN OUR COMMUNITY IS TO BE FOUND IN OUR SCHOOLS AS A RESULT OF THE MASSIVE EXPANSION AND IMPROVEMENTS OF THE 1970'S AND 80'S."

MR WINFIELD TOLD THE CONFERENCE THAT ACADEMIC POTENTIAL COULD NO LONGER BE THE MAIN YARDSTICK TO MEASURE A CHILD'S PROGRESS.

AS IT WAS POINTLESS AND GROSSLY UNFAIR TO TRY TO FIT EVERY CHILD INTO THE SAME EDUCATION MOULD. HE BELIEVED A GREATER DIVERSITY IN THE LOCAL SCHOOL SYSTEM WAS NECESSARY - NOT SO MUCH IN THE VARIETY OF INSTITUTIONS AVAILABLE AS IN THE VARIETY OF PROFESSIONAL SKILLS AVAILABLE TO TEACHERS AND SCHOOL HEADS.

"TO SOME EXTENT, THIS IMPLIES GREATER SPECIALISATION, SINCE IT IS CLEARLY UNREALISTIC TO EXPECT ALL TEACHERS TO BE ABLE TO RESPOND WITH EQUAL SUCCESS TO ALL SITUATIONS WHICH MIGHT ARISE IN A SYSTEM OF MASS EDUCATION," HE SAID.

NOTING THAT THE AIM OF THE CONFERENCE WAS "TO PROMOTE CONTINUOUS GROWTH AND ENCOURAGE SCHOOL-BASED INITIATIVES TO MEET THE CHALLENGES OF THE 1990'S". MR WINFIELD SAID SCHOOL-BASED WORK COULD FLOURISH BEST WHERE THE INDIVIDUAL SCHOOL WAS PERCEIVED AS A UNIQUE COMMUNITY.

HE SAID THE SKILLS DERIVED BY TEACHERS FROM SUCH WORK WERE ALWAYS TRANSFERABLE, WITH MODIFICATION WHERE NECESSARY, TO OTHER SITUATIONS IN OTHER SCHOOLS.

HOWEVER, HE REMINDED THE PARTICIPANTS THAT THE GREATER THE DEGREE OF FREEDOM CREATED WITHIN THE SCHOOL COMMUNITY BY SCHOOL-BASED WORK, THE GREATER THE DEGREE OF RESPONSIBILITY WHICH HEADS AND TEACHERS MUST EXERCISE IN DISCHARGING THEIR PROFESSIONAL DUTIES EFFECTIVELY.

"RESPONSIBILITY LIES AT THE ROOTS OF PROFESSIONALISM," MR WINFIELD SAID. "INDEED, IT IS THE READY ACCEPTANCE OF RESPONSIBILITY WHICH MAKES THE PRACTICE OF A PROFESSION INTELLECTUALLY AND EMOTIONALLY REWARDING."

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BOE MEMBERS VISIT AIDED PRIMARY SCHOOL WITH MIXED-MODE SYSTEM
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A GROUP OF BOARD OF EDUCATION (BOE) MEMBERS VISITED THE PRIMARY SECTION OF MUN SANG COLLEGE IN DUMBARTON ROAD, KOWLOON CITY, TODAY (WEDNESDAY).

THEY INCLUDED BOE CHAIRMAN, MRS RITA FAN, AND MEMBERS MR CHAN YING-LUN, MISS BOW SUI-MAY, MRS MINNIE LAI, MR TAM MAN-KWAN AND MRS NANCY YUNG.

ACCOMPANYING THEM ON THE VISIT WERE THE ACTING ASSISTANT DIRECTOR OF EDUCATION (SCHOOLS), MR KWAN SHUN-TSUN, THE SENIOR EDUCATION OFFICER (KOWLOON CITY), MR CHIU PING-KWAN, AND THE BOE SECRETARY, SENIOR EDUCATION OFFICER MR LAU KWONG-MO.

DURING THE TOUR, THE VISITORS NOTED THAT THE AIDED PRIMARY SCHOOL OPERATES A WHOLE-DAY PRIMARY SYSTEM FOR PRIMARY 5 AND 6 AND A BI-SESSIONAL SYSTEM FOR PRIMARY 1 TO 4.

THE BOE MEMBERS LEARNT THAT THE MIXED-MODE SYSTEM ENABLES MORE CLASSES TO BE RUN TO MEET THE DEMAND FOR SCHOOL PLACES IN THE DISTRICT.

AT PRESENT, THE SCHOOL OPERATES 47 PRIMARY CLASSES WITH A TOTAL ENROLMENT OF ABOUT 450 STUDENTS.

FACILITIES AT THE SCHOOL INCLUDE A STANDARD 25-METRE TRAINING SWIMMING POOL, A SCHOOL HALL, TWO PLAYROOMS, TWO GYMNASIUMS, TWO PLAYGROUNDS, TWO LIBRARIES, 23 SPECIAL ROOMS AND 71 CLASSROOMS FOR SECONDARY, PRIMARY AND KINDERGARTEN STUDENTS.

THE BOE MEMBERS WERE ALSO TOLD THAT THE SCHOOL OFFERS A WIDE RANGE OF EXTRA-CURRICULAR ACTIVITIES TO CATER FOR THE NEEDS AND INTERESTS OF STUDENTS.

THESE ACTIVITIES INCLUDE SPORTS CLUBS, CULTURAL CLUBS, STRING ORCHESTRA AND SOCIAL SERVICE GROUPS.

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ANTI-CORRUPTION FILM SHOWS IN SSP
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AN ANTI-CORRUPTION FILM WILL BE SHOWN TO RESIDENTS IN SHAM SHUI PO AS ONE OF THE 55 PROGRAMMES OF THE DISTRICT FESTIVAL.

THE FILM SHOW HAS BEEN ORGANISED BY THE DISTRICT'S INDUSTRIAL LIAISON COMMITTEE WITH ASSISTANCE FROM THE DISTRICT OFFICE AND THE ICAC, AS WELL AS SPONSORSHIP FROM THE DISTRICT BOARD, TO PROMOTE THE FIGHT AGAINST CORRUPTION.

/THE FILM,

THE FILM, ENTITLED "A BETTER TOMORROW", WILL BE SHOWN TOMORROW (THURSDAY) AT THE LAI KOK COMMUNITY HALL AND ON DECEMBER 21 AT THE SHEK KIP MEI COMMUNITY HALL.

BOTH SCREENINGS WILL BEGIN AT 8 PM AND BE FOLLOWED BY A BRIEF TALK BY ICAC STAFF AND A QUIZ BASED ON THE FILM.

TICKETS ARE AVAILABLE FREE OF CHARGE AT THE SHAM SHUI PO DISTRICT OFFICE AND ITS SUB-OFFICES.

THOSE WHO ATTEND THE FILM SHOWS WILL BE GIVEN COMPLIMENTARY TICKETS FOR ANOTHER FILM - "AN AUTUMN'S TALE" - TO BE HELD ON JANUARY 7, DURING WHICH PRIZES WILL BE PRESENTED TO WINNERS OF THE QUIZ CONTEST.

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PROBLEMS AT ROAD JUNCTIONS ON AGENDA

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THE TRAFFIC AND TRANSPORT COMMITTEE OF THE KOWLOON CITY DISTRICT BOARD WILL STUDY WAYS TO SOLVE TRAFFIC PROBLEMS AT SOME ROAD JUNCTIONS IN THE DISTRICT AT ITS MEETING TOMORROW (THURSDAY).

THE COMMITTEE WILL ALSO DISCUSS A MEMBER'S REQUEST FOR DISPLAYING TRAFFIC SIGNS ALONG THE WATERFRONT IN HUNG HOM WAN STREET.

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NOTE TO EDITORS:

MEDIA REPRESENTATIVES ARE INVITED TO COVER THE MEETING WHICH WILL BE HELD IN THE KOWLOON CITY DISTRICT OFFICE CONFERENCE ROOM, 141 KAU PUI LUNG ROAD, TO KWA WAN, BEGINNING AT 2.15 PM.

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YUEN LONG DB COMMITTEE TO DISCUSS TRANSPORT ISSUES

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THE YUEN LONG DISTRICT BOARD'S TRAFFIC AND TRANSPORT COMMITTEE WILL DISCUSS A NUMBER OF TRAFFIC AND TRANSPORT MATTERS AT ITS MEETING ON FRIDAY (DECEMBER 15).

TWO MEMBERS WILL ASK WHAT MEASURES THE GOVERNMENT WILL TAKE TO EASE RUSH HOUR TRAFFIC ALONG THE SECTION OF CASTLE PEAK ROAD BETWEEN TUEN MUN AND YUEN LONG.

MEMBERS WILL ALSO URGE THE TRANSPORT DEPARTMENT TO RECONSIDER A PROPOSAL TO INTRODUCE AN EXPRESS BUS ROUTE RUNNING FROM LONG PING ESTATE TO KOWLOON.

/IN ADDITION,

IN ADDITION, THE COMMITTEE WILL DISCUSS A TRANSPORT DEPARTMENT REPORT WHICH GIVES AN ANALYSIS ON LAST YEAR'S ROAD TRAFFIC ACCIDENT STATISTICS IN VARIOUS DISTRICTS.

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NOTE TO EDITORS:

YOU ARE INVITED TO COVER THE MEETING OF THE YUEN LONG DISTRICT BOARD'S TRAFFIC AND TRANSPORT COMMITTEE TO BE HELD ON FRIDAY (DECEMBER 15) IN THE DB CONFERENCE ROOM, 13TH FLOOR, YUEN LONG GOVERNMENT OFFICES, 2 KIU LOK SQUARE, YUEN LONG. THE MEETING WILL BEGIN AT 10 AM.

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AIDS EXHIBITION IN KWUN TONG

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A THREE-DAY EXHIBITION ON AIDS WILL BEGIN ON FRIDAY (DECEMBER 15) AT THE LOK WAH ESTATE COMMUNITY CENTRE IN KWUN TONG.

THE EXHIBITION IS THE FIRST IN A SERIES OF MOBILE EXHIBITIONS ORGANISED BY THE STEERING COMMITTEE ON AIDS EDUCATION ACTIVITIES 1989.

"THE MAIN PURPOSE OF THE EXHIBITION IS TO INCREASE COMMUNITY AWARENESS AND KNOWLEDGE CONCERNING AIDS, ESPECIALLY AMONG THE YOUNG PEOPLE," A SPOKESMAN FOR THE STEERING COMMITTEE SAID TODAY (WEDNESDAY).

"IT ALSO AIMS AT FOSTERING A POSITIVE, SYMPATHETIC AND SUPPORTIVE ATTITUDE IN THE COMMUNITY TOWARDS AIDS PATIENTS AND CARRIERS," HE ADDED.

THE EXHIBITION, BASED ON INFORMATION PROVIDED BY THE AIDS COUNSELLING AND HEALTH EDUCATION SERVICE OF THE DEPARTMENT OF HEALTH, COVERS VARIOUS ASPECTS OF AIDS.

APART FROM SHOWING THE WORLDWIDE TREND OF THE DISEASE, IT ALSO ILLUSTRATES HOW AIDS THREATENS THE LOCAL COMMUNITY AND THE WAYS IN WHICH THIS CAN BE COUNTERED.

MEDICAL STAFF WILL BE PRESENT AT THE EXHIBITION TO GIVE ADVICE AND ANSWER PUBLIC ENQUIRIES.

EDUCATION AND INFORMATION LEAFLETS ON AIDS WILL BE DISTRIBUTED TO VISITORS, WHO WILL ALSO HAVE A CHANCE TO WIN HANDSOME PRIZES BY ANSWERING A QUIZ DESIGNED TO TEST THEIR KNOWLEDGE ON AIDS.

THE EXHIBITION WILL RUN UNTIL SUNDAY (DECEMBER 17). THE NEXT ONE WILL BE HELD FROM DECEMBER 21 TO 23 AT LEVEL ONE EXHIBITION AREA, NEW WORLD CENTRE, TSIM SHA TSUI.

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STATUTORY HOLIDAY REMINDER

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THE LABOUR DEPARTMENT TODAY (WEDNESDAY) REMINDED EMPLOYERS THAT THE CHINESE WINTER SOLSTICE FESTIVAL THIS YEAR FALLS ON DECEMBER 22.

A SPOKESMAN FOR THE DEPARTMENT SAID EMPLOYERS SHOULD APPOINT EITHER THAT DAY OR CHRISTMAS DAY (DECEMBER 25) AS A STATUTORY HOLIDAY FOR THEIR EMPLOYEES.

UNDER THE EMPLOYMENT ORDINANCE, ALL MANUAL EMPLOYEES AND THOSE NON-MANUAL EMPLOYEES EARNING NOT MORE THAN \$11,500 A MONTH ARE ENTITLED TO THE HOLIDAY AND MUST BE PAID FOR THE DAY OFF IF THEY HAVE WORKED CONTINUOUSLY FOR THREE MONTHS IMMEDIATELY PRECEDING THE STATUTORY HOLIDAY.

HOLIDAY PAY SHOULD BE EQUIVALENT TO AN EMPLOYEE'S EARNINGS ON A NORMAL WORKING DAY AND SHOULD INCLUDE BASIC WAGES AS WELL AS ALLOWANCES THAT CAN BE EXPRESSED IN MONEY TERMS, SUCH AS MEALS AND COST OF LIVING ALLOWANCES.

WHERE THE EARNINGS VARY FROM DAY TO DAY, HOLIDAY PAY SHOULD BE THE AVERAGE DAILY EARNINGS DURING EVERY COMPLETE WAGE PERIOD, WHICH COULD BE BETWEEN 28 DAYS AND 31 DAYS, PRECEDING THE HOLIDAY.

IF AN EMPLOYEE IS REQUIRED TO WORK ON A STATUTORY HOLIDAY, HE MUST BE GIVEN AN ALTERNATIVE DAY OFF WITHIN 60 DAYS BEFORE OR AFTER THAT DAY.

ENQUIRIES ABOUT STATUTORY HOLIDAYS MAY BE MADE AT ANY BRANCH OFFICE OF THE LABOUR RELATIONS SERVICE.

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SEVEN GOVT SITES TO LET BY TENDER

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THE BUILDINGS AND LANDS DEPARTMENT IS INVITING TENDERS FOR THE SHORT TERM TENANCY OF SEVEN PIECES OF GOVERNMENT LAND.

THE FIRST TWO LOTS, WHICH ARE LOCATED IN LAM FOOK STREET AND LAM HING STREET, KOWLOON BAY, ARE FOR OPEN PARKING OF MOTOR VEHICLES, EXCLUDING CONTAINER VEHICLES.

MEASURING ABOUT 1,300 AND 1,800 SQUARE METRES RESPECTIVELY, THE TENANCY FOR BOTH LOTS IS SIX MONTHS, RENEWABLE MONTHLY AFTERWARDS.

THE THIRD SITE IS A 1,860-SQUARE-METRE LOT AT CORNWALL STREET, KOWLOON. IT IS FOR OPEN STORAGE OF THE TENANTS' GOODS.

/THE TENANCY

THE TENANCY IS RENEWABLE QUARTERLY AFTER AN INITIAL LEASE PERIOD OF THREE YEARS.

ANOTHER TWO LOTS, EACH MEASURING ABOUT 2,075 SQUARE METRES, ARE LOCATED AT LEI KING ROAD, SAI WAN HO RECLAMATION. THEY ARE BOTH FOR OPEN STORAGE OF THE TENANTS' GOODS, EXCLUDING DANGEROUS GOODS AND GOODS PRODUCING DUSTY, ODOROUS OR GASEOUS EMISSION.

THE TENANCY FOR BOTH LOTS IS FOR ONE YEAR, RENEWABLE QUARTERLY AFTERWARDS.

THE SIXTH LOT, A 3,750-SQUARE-METRE LOT IN AREA 26C, KWAI CHUNG, IS TO BE USED AS AN OPEN STORAGE AREA EXCLUDING CONTAINERS AND VEHICLES.

THE TENANCY IS FOR ONE YEAR, RENEWABLE MONTHLY AFTERWARDS.

THE SEVENTH LOT, AT AREA 26A, KWAI CHUNG, HAS AN AREA OF 18,770 SQUARE METRES. IT IS FOR A FEE-PAYING PUBLIC PARKING AREA FOR CONTAINER TRACTORS AND TRAILERS.

THE TENANCY IS FOR ONE YEAR, RENEWABLE QUARTERLY AFTERWARDS.

THE TENDERS FOR ALL LOTS SHOULD BE SUBMITTED BEFORE NOON ON DECEMBER 29.

FORMS OF TENDER, TENDER NOTICE AND CONDITIONS MAY BE OBTAINED FROM, AND TENDER PLAN INSPECTED AT, THE DISTRICT LANDS OFFICE OF HONG KONG WEST, HONG KONG EAST, KOWLOON WEST, KOWLOON EAST AND KWAI TSING AS WELL AS THE BUILDINGS AND LANDS DEPARTMENT, 14TH FLOOR, MURRAY BUILDING, GARDEN ROAD, HONG KONG.

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TEMPORARY URBAN CLEARWAYS IN SHEUNG WAN

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THE TRANSPORT DEPARTMENT ANNOUNCES THAT FROM 10 AM ON FRIDAY (DECEMBER 15), THE NORTHERN KERBSIDE LANE OF WING LOK STREET IN SHEUNG WAN BETWEEN HOUSE NOS. 154 AND 180 WILL BE DESIGNATED AN URBAN CLEARWAY ROUND-THE-CLOCK.

THIS MEASURE WILL LAST FOR ABOUT THREE WEEKS TO FACILITATE DRAINAGE WORKS.

AT THE SAME TIME, THE NORTHERN KERBSIDE LANE OF CONNAUGHT ROAD CENTRAL FROM ITS JUNCTION WITH THE EXIT ROAD OF THE MACAU FERRY BUS TERMINUS TO A POINT ABOUT 165 METRES EAST OF THE SAME JUNCTION WILL ALSO BE MADE A 24-HOUR DAILY URBAN CLEARWAY FOR ABOUT THREE MONTHS BECAUSE OF ROAD CONSTRUCTION WORKS.

NO VEHICLES EXCEPT FRANCHISED BUSES WILL BE ALLOWED TO STOP FOR PASSENGERS OR GOODS WITHIN THE RESTRICTED AREAS.

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TRAFFIC ARRANGEMENTS IN THREE DISTRICTS

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THE TRANSPORT DEPARTMENT ANNOUNCES THAT FROM 10 AM ON FRIDAY (DECEMBER 15), IN WONG TAI SIN, WING CHI PATH AND THE SECTION OF LUNG CHI PATH BETWEEN WING CHI PATH AND ITS EASTERN END WILL BE CLOSED FOR FOUR WEEKS TO FACILITATE DRAINAGE WORKS.

THE NORTHERN KERBSIDE LANE OF CASTLE PEAK ROAD BETWEEN ITS JUNCTION WITH TUNG CHAU WEST STREET IN SHAM SHUI PO AND A POINT ABOUT 75 METRES WEST OF THE SAME JUNCTION WILL BE DESIGNATED AN URBAN CLEARWAY FROM 7 AM TO 10 AM AND 4 PM TO 7 PM DAILY.

NO VEHICLES EXCEPT FRANCHISED BUSES WILL BE ALLOWED TO STOP FOR PASSENGERS OR GOODS IN THE RESTRICTED AREA.

ALSO FROM 10 AM ON FRIDAY, SIU LEI YUEN ROAD IN SHA TIN WILL BE DESIGNATED AN URBAN CLEARWAY BETWEEN 7 AM AND MIDNIGHT DAILY.

DRIVERS OF ALL MOTOR VEHICLES, EXCEPT THOSE WITH PERMITS ISSUED BY THE COMMISSIONER FOR TRANSPORT, WILL BE PROHIBITED FROM STOPPING FOR PASSENGERS AND GOODS WITHIN THE RESTRICTED ZONE.

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