



DAILY INFORMATION BULLETIN

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AWARD OF FRANCHISES NOT TO BE DECIDED BY POLITICAL FACTORS

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THE GOVERNMENT WILL GO ON ATTEMPTING TO DO WHAT IS IN THE BEST INTEREST OF HONG KONG AND WILL NOT, UNDER ANY CIRCUMSTANCES, WHATEVER THE PRESSURES AND WHATEVER THE CRITICISMS, ALLOW THE AWARD OF FRANCHISES AND GRANTS TO BE DETERMINED BY POLITICAL RATHER THAN ECONOMIC FACTORS, THE GOVERNOR, THE RT HON CHRISTOPHER PATTEN, SAID THIS (WEDNESDAY) AFTERNOON.

RESPONDING TO MEDIA QUESTIONS ABOUT THE CONTAINER TERMINAL 9 AFTER HIS VISIT TO THE YAU TSIM MONG DISTRICT, MR PATTEN SAID: "WE NEED TO DEVELOP OUR CAPACITY IN THE PORT IN ORDER TO KEEP UP WITH GROWTH, AND IN ORDER TO PROVIDE THE PORT SERVING THE WHOLE OF SOUTHERN CHINA WHICH THE ECONOMIC REVOLUTION IN THE REGION DEMANDS.

"SO THE SOONER WE CAN GET ON WITH THINGS IN A WAY WHICH DOESN'T UNDERMINE INVESTORS' CONFIDENCE IN HONG KONG THE BETTER."

ASKED TO COMMENT ON THE REMARKS OF AN OFFICIAL OF THE HONG KONG AND MACAU AFFAIRS OFFICE THAT THE PROBLEM ON THE AIRPORT ISSUE WOULD BE RESOLVED VERY SOON, THE GOVERNOR SAID: "THERE ISN'T VERY MUCH DIVIDING THE TWO TEAMS OF NEGOTIATORS, BUT THERE HASN'T BEEN VERY MUCH FOR A VERY LONG TIME.

"OBVIOUSLY, THE SOONER WE HAVE AN AGREEMENT, AND THE SOONER WE HAVE AGREEMENT ON THE PARTICULAR FINANCING ARRANGEMENTS FOR THE PROVISIONAL AIRPORT AUTHORITY AND THE MTRC FOR THE RAILWAY, THE SOONER WE HAVE ALL THOSE THINGS IN PLACE THE BETTER."

ON THE PROVISIONAL LEGISLATURE PROPOSED BY THE PRELIMINARY WORKING COMMITTEE, THE GOVERNOR DID NOT THINK THAT IT WAS UNDERMINING THE BRITISH AUTHORITY IN HONG KONG.

"THE LEGISLATIVE COUNCIL HAS PUT FORWARD PROPOSALS AND ARRANGEMENTS FOR THE ELECTIONS TO THE LEGISLATIVE COUNCIL AND TO THE MUNICIPAL COUNCILS AND TO THE DISTRICT BOARDS, PROPOSALS WHICH ARE ENTIRELY IN LINE NOT ONLY WITH THE JOINT DECLARATION BUT ALSO IN LINE WITH THE BASIC LAW," MR PATTEN SAID.

"I AM SURE THAT CHINESE OFFICIALS WILL WANT TO ENSURE THAT THE ARRANGEMENTS ARE IN LINE WITH THE JOINT DECLARATION AND THE BASIC LAW.

"IF ANYONE WISHES TO DISRUPT THOSE ARRANGEMENTS, THEY WILL HAVE TO EXPLAIN TO THE COMMUNITY HERE IN HONG KONG WHY THAT IS NECESSARY AND WHY IT HELPS STABILITY AND THE SMOOTH TRANSITION."

TRANSCRIPT OF THE GOVERNOR'S MEDIA SESSION

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THE FOLLOWING IS THE TRANSCRIPT OF THE MEDIA SESSION BY THE GOVERNOR, THE RT HON CHRISTOPHER PATTEN, AFTER HIS VISIT TO THE YAU TSIM MONG DISTRICT TODAY (WEDNESDAY):

GOVERNOR: GOOD AFTERNOON. THIS IS THE FIRST DISTRICT VISIT I'VE MADE SINCE THE DISTRICT BOARD ELECTIONS. I WAS DELIGHTED TO SEE THE PROGRESS THAT HAS BEEN MADE SINCE MY LAST VISIT AND I WAS ALSO INTERESTED TO SEE HOW SUCCESSFULLY THE NEW DISTRICT BOARD HAS CARRIED THROUGH THE MERGER WHICH WAS MADE NECESSARY BECAUSE OF SHIFT IN POPULATION. I THINK THEY'VE COPEDED WITH SOME OF THE DIFFICULTIES INVOLVED EXTREMELY SUCCESSFULLY. THEY'VE RAISED WITH ME A NUMBER OF THE PROBLEMS THAT THEY HAVE LOCALLY, PROBLEMS LIKE CRIME AND PROBLEMS LIKE TRAFFIC CONGESTION AND THE ENVIRONMENT AND WE WILL BE LOOKING FORWARD TO WORKING WITH THE DISTRICT BOARD TO TRY TO SORT OUT AND SOLVE THOSE PROBLEMS OVER THE NEXT YEAR.

QUESTION: GOVERNOR, HOW DO YOU THINK ABOUT YOUR TRIP TO LONDON? WOULD YOU GIVE NEW VITALITY TO THE SINO-BRITISH RELATIONSHIP

GOVERNOR: WE SET OUT IN MY LEGISLATIVE COUNCIL SPEECH SOME PROPOSALS THAT WE'D LIKE TO WORK ON AND DISCUSS WITH CHINESE OFFICIALS AND IF CHINESE OFFICIALS HAVE SOME POSITIVE PROPOSALS THEMSELVES, I AM SURE THEY'LL WANT TO PUT THEM FORWARD. AS I SAID ON A NUMBER OF OCCASIONS, I THINK WHAT THE COMMUNITY WANTS TO SEE IS BETTER AND GREATER AND MORE SUCCESSFUL CO-OPERATION. THAT'S CERTAIN WHAT WE WANT AND WHAT WE ARE WORKING FOR AND I HOPE WE WILL SEE THE SAME FROM CHINESE OFFICIALS AS WELL. MY TRIP TO LONDON IS ONE OF THE REGULAR TRIPS I'VE MADE. I THINK I TOLD YOU THE DATE OF IT BACK IN JULY AND IT IS RIGHT TO GO BACK TO LONDON FOUR TIMES OR MAY BE FIVE TIMES A YEAR. MY NEXT PLANNED VISIT WILL BE AT THE END OF JANUARY AND I WON'T HAVE A VISIT TO LONDON FOR SOME TIME AFTER THAT UNLESS SOMETHING UNFORESEEN COMES UP BUT THAT'S ABOUT THE REGULAR PATTERN OF VISITS OF MY PREDECESSORS AND IT'S WHAT I'LL BE DOING AS WELL.

GOVERNOR: GOVERNOR, DO YOU THINK THAT THE PWC PROPOSAL OF PROVISIONAL LEGISLATURE IS UNDERMINING THE BRITISH AUTHORITY IN HONG KONG?

GOVERNOR: NO.

QUESTION: WHY NOT?

GOVERNOR: BECAUSE I DON'T. WHY? I MEAN, THE LEGISLATIVE COUNCIL HAS PUT FORWARD PROPOSALS AND ARRANGEMENTS FOR THE ELECTIONS TO THE LEGISLATIVE COUNCIL AND TO THE MUNICIPAL COUNCILS AND TO THE DISTRICT BOARDS, PROPOSALS WHICH ARE ENTIRELY IN LINE NOT ONLY WITH THE JOINT DECLARATION BUT ALSO IN LINE WITH THE BASIC LAW. AND I AM SURE THAT CHINESE OFFICIALS WILL WANT TO ENSURE THAT THE ARRANGEMENTS ARE IN LINE WITH THE JOINT DECLARATION AND THE BASIC LAW.

QUESTION: AND HOW ABOUT THE 1995 LEGCO PASSES SOME OF THE LAW WHICH MAY BE OVERTURNED BY THE TEMPORARY LEGISLATURE?

/GOVERNOR:

GOVERNOR: I'VE SAID THAT THE ARRANGEMENTS WHICH THE LEGISLATIVE COUNCIL VOTED FOR AT THE END OF JUNE ARE ENTIRELY IN LINE WITH THE JOINT DECLARATION AND THE BASIC LAW. IF ANYONE WISHES TO DISRUPT THOSE ARRANGEMENTS, THEY WILL HAVE TO EXPLAIN TO THE COMMUNITY HERE IN HONG KONG WHY THAT IS NECESSARY AND WHY IT HELPS STABILITY AND THE SMOOTH TRANSITION.

QUESTION: AND DO YOU THINK THAT THE PROVISIONAL LEGISLATURE IS VIOLATING THE JOINT DECLARATION?

GOVERNOR: I'VE SAID THAT THE ARRANGEMENTS WE'VE PUT IN PLACE ARE IN LINE WITH THE JOINT DECLARATION AND THE BASIC LAW AND IT IS FOR OTHERS TO EXPLAIN THEIR OWN IDEAS. A SUB-GROUP OF AN ADVISORY BODY OF THE NPC HAS PUT FORWARD SOME PROPOSALS.

QUESTION: GOVERNOR, AN OFFICIAL FROM THE HONG KONG AND MACAU AFFAIRS OFFICE SAID TODAY THAT ON THE AIRPORT ISSUE, BOTH THE CHINESE AND BRITISH SIDES HAD A PRINCIPAL AGREEMENT, AND MAYBE THE PROBLEM WILL BE RESOLVED VERY SOON. CAN YOU TELL US WHAT'S THE PROGRESS AND ARE YOU ALSO OPTIMISTIC?

GOVERNOR: I AM ALWAYS OPTIMISTIC THAT THE WHOLE COMMUNITY HAS WAITED PATIENTLY OVER THE LAST YEARS, AND I THINK PEOPLE WILL BELIEVE THERE'S AN AGREEMENT WHEN THEY SEE PEOPLE'S NAME ON THE PAPER. THERE ISN'T VERY MUCH DIVIDING THE TWO TEAMS OF NEGOTIATORS, BUT THERE HASN'T BEEN VERY MUCH FOR A VERY LONG TIME. OBVIOUSLY, THE SOONER WE HAVE AN AGREEMENT, AND THE SOONER WE HAVE AGREEMENT ON THE PARTICULAR FINANCING ARRANGEMENTS FOR THE PROVISIONAL AIRPORT AUTHORITY AND THE MTRC FOR THE RAILWAY, THE SOONER WE HAVE ALL THOSE THINGS IN PLACE THE BETTER. IN THE MEANTIME, AS SOME OF YOU WILL HAVE SEEN WHEN YOU CAME OUT TO THE AIRPORT WITH ME AND WITH DOUGLAS HURD, WE ARE MAKING VERY GOOD PROGRESS ON THE AIRPORT. IT AMAZES VISITORS THE RAPID PROGRESS THAT WE'RE MAKING ON THE BRIDGE, ON THE AIRPORT AND SO ON. BUT NEVERTHELESS, THE SOONER WE CAN HAVE A BETTER, OVERALL AGREEMENT, WHICH HAS BEEN SO ALLUSIVE FOR SO LONG, THE SOONER WE'LL BE ABLE TO WORK EVEN FASTER. AT PRESENT, WE'RE WORKING AT A PACE WHICH MOST OF THE REST OF THE WORLD IS SURPRISED BY. WE'LL BE ABLE TO DO EVEN BETTER AND WORK AT THE WINNING PACE WHICH HONG KONG REGULARLY SHOWS ONCE WE'VE GOT AN AGREEMENT.

QUESTION: IS THE ADMINISTRATION'S REFUSAL TO THE CHINESE PROPOSAL TO RE-OPEN TENDER FOR CT9 IS SIGNING A DEATH WARRANT FOR CT9 ?

GOVERNOR: NO. THE POSITION HAS BEEN MADE ABSOLUTELY CLEAR BY THE CHIEF SECRETARY, BY THE FINANCIAL SECRETARY, BY THE SECRETARY FOR ECONOMIC SERVICES AND BY THE SECRETARY FOR WORKS. AND I DON'T THINK I'VE GOT ANYTHING TO ADD TO THAT. WE NEED TO DEVELOP OUR CAPACITY IN THE PORT IN ORDER TO KEEP UP WITH GROWTH, AND IN ORDER TO PROVIDE THE PORT SERVING THE WHOLE OF SOUTHERN CHINA WHICH THE ECONOMIC REVOLUTION IN THE REGION DEMANDS. SO THE SOONER WE CAN GET ON WITH THINGS IN A WAY WHICH DOESN'T UNDERMINE INVESTORS' CONFIDENCE IN HONG KONG THE BETTER. ONE MORE.

QUESTION: WHEN WILL THE AIRPORT COMMITTEE MEET AGAIN AND DO YOU EXPECT ANY BREAKTHROUGH ?

GOVERNOR: I DON'T WANT TO ADD TO WHAT I SAID EARLIER. I VERY MUCH HOPE THAT IT'LL BE ABLE TO MEET SOON AND REACH AGREEMENT. LAST ONE.

/QUESTION:

QUESTION: DO YOU THINK THERE SEEMS TO BE A DEADLOCK FOR CT9.? WHAT FACTORSREJECT THE RE-TENDER OF CT9 ?

GOVERNOR: WE'VE MADE OUR POSITION CLEAR, THE CHIEF SECRETARY AND THE FINANCIAL SECRETARY AND OTHERS. I DON'T HAVE ANYTHING TO ADD TO WHAT THEY'VE SAID.

QUESTION: DO YOU THINK THE CONCESSIONS YOU'VE MADE ON THE AIRPORT TALK IS A MAJOR ONE SO THAT AN AGREEMENT CAN BE ACHIEVED ?

GOVERNOR: I THINK WE'VE MADE A SERIES OF MAJOR AND CONSTRUCTIVE EFFORTS TO GET AN AGREEMENT ON THE AIRPORT, AND I THINK WE'VE BEEN DOING THAT FOR SOME YEARS. SO I HOPE THAT WE MAY AT LAST HIT THE JACKPOT.

QUESTION: WHAT LESSONS CAN BE LEARNED FROM CT9 ON THE COMING CT10 OR 11 ?

GOVERNOR: WHAT YOU CAN LEARN IS THE HONG KONG GOVERNMENT WILL GO ON ATTEMPTING TO DO WHAT IS IN THE BEST INTEREST OF HONG KONG AND WILL NOT, UNDER ANY CIRCUMSTANCES, WHATEVER THE PRESSURES AND WHATEVER THE CRITICISMS, ALLOW THE AWARD OF FRANCHISES AND GRANTS AND SO ON, TO BE DETERMINED BY POLITICAL RATHER THAN ECONOMIC FACTORS. THANK YOU VERY MUCH INDEED.

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CHIEF SECRETARY'S FIRST DAY IN CANADA

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THE CHIEF SECRETARY, MRS ANSON CHAN, HAS ARRIVED IN TORONTO FOR A WEEK-LONG OFFICIAL VISIT IN CANADA. THIS IS MRS CHAN'S FIRST VISIT TO CANADA SINCE SHE BECAME CHIEF SECRETARY IN NOVEMBER 1993.

ON HER FIRST DAY IN TORONTO (TUESDAY), CHAIRMAN OF METROPOLITAN TORONTO COUNCIL, MR ALAN TONKS, HOSTED A WELCOME LUNCH IN HER HONOUR AT THE METRO HALL, WHICH WAS WELL ATTENDED BY LOCAL COMMUNITY AND BUSINESS LEADERS.

MRS CHAN SAID SHE WAS PLEASED TO BE IN TORONTO. SHE SAID HER MISSION IS TO CEMENT THE VERY STRONG TIES BETWEEN HONG KONG AND CANADA, AND TO INFORM THE CANADIAN COMMUNITY -- IN PARTICULAR THE BUSINESS COMMUNITY -- THAT HONG KONG IS LIVE AND WELL AND REMAINS AN EXCELLENT PLACE TO DO BUSINESS, TO LIVE AND WORK IN.

IN THE MORNING, MRS CHAN CALLED ON THE LIEUTENANT GOVERNOR OF ONTARIO, MR HENRY JACKMAN. SHE ALSO BRIEFED THE EDITORIAL BOARD OF THE GLOBE AND MAIL AND THE EDITOR OF THE FINANCIAL POST ON THE LATEST POLITICAL AND ECONOMIC DEVELOPMENTS IN HONG KONG. THE TWO NEWSPAPERS ARE CANADA'S MAJOR NATIONAL DAILIES.

MRS CHAN FLEW TO OTTAWA LATER IN THE AFTERNOON. SHE WILL CALL ON THE PRIME MINISTER, MR JEAN CHRETIEN, ON WEDNESDAY.

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LEGCO'S BOUNDARY REPORT IS PROPER AND FAIR

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THE BOUNDARY AND ELECTION COMMISSION (BEC) HAS STRUCK A PROPER AND FAIR BALANCE BETWEEN COMMUNITY SENSITIVITY AND THE POPULATION QUOTA CRITERION IN DRAWING UP ITS RECOMMENDATIONS ON THE DEMARCATION OF GEOGRAPHICAL CONSTITUENCY BOUNDARIES FOR THE 1995 LEGISLATIVE COUNCIL ELECTIONS.

THIS WAS STATED BY THE BEC CHAIRMAN, MR JUSTICE WOO KWOK-HING, AT A PRESS CONFERENCE TODAY (WEDNESDAY) TO ANNOUNCE DETAILS OF THE FINAL RECOMMENDATIONS.

THE RECOMMENDATIONS WERE CONTAINED IN A TWO-VOLUME REPORT. THE REPORT HAD BEEN SUBMITTED TO THE GOVERNOR, THE RT HON CHRISTOPHER PATTEN, ON SEPTEMBER 29 AND TABLED IN THE LEGCO TODAY (WEDNESDAY).

THE COMMISSION HAS CONDUCTED A PUBLIC CONSULTATION EXERCISE BETWEEN JULY 29 AND AUGUST 27 ON ITS PROPOSED RECOMMENDATIONS.

DURING THE PERIOD, IT RECEIVED A TOTAL OF 24 WRITTEN REPRESENTATIONS AND HELD THREE PUBLIC MEETINGS WITH INDIVIDUALS AND ORGANISATIONS ON THE RECOMMENDATIONS.

"THERE WAS GENERALLY NO ARGUMENT WITH THE PRINCIPLE ADOPTED BY THE COMMISSION IN DELINEATING THE PROVISIONALLY RECOMMENDED CONSTITUENCY AREAS FOR THE LEGCO ELECTION (PLCS)," MR JUSTICE WOO SAID.

TWO WRITTEN REPRESENTATIONS FOUND THE PROVISIONAL RECOMMENDATIONS SATISFACTORY, AND TWO OTHERS WELCOMED THOSE REGARDING THE GROUPING OF DISTRICT BOARD CONSTITUENCY AREAS IN WAN CHAI DISTRICT.

TWO REPRESENTATIONS MADE COUNTER-PROPOSALS GENERALLY, WHILE THE REST, 18 ALTOGETHER, OPPOSED TO CERTAIN SPECIFIC PLCS, SOME WITH COUNTER-PROPOSALS.

THERE WAS NO VIEW RECEIVED ON THE PROPOSED CONSTITUENCIES IN FIVE DISTRICTS - CENTRAL AND WESTERN, NORTH, TAI PO, SAI KUNG AND SHA TIN.

"HAVING CONSIDERED ALL THE REPRESENTATIONS VERY CAREFULLY, THE COMMISSION FEELS UNSWAYED BY THEM, NOR IS IT PERSUADED THAT THE REASONING FOR ITS DECISIONS AS SET OUT IN THE PROPOSED RECOMMENDATIONS IS WRONG OR UNSOUND.

"THE COMMISSION THEREFORE MAINTAINS ITS PROVISIONAL RECOMMENDATIONS REGARDING DELINEATION OF LEGCO'S GEOGRAPHICAL CONSTITUENCY BOUNDARIES IN TOTAL," HE SAID.

THE CHAIRMAN ALSO SAID: "THE COMMISSION CONSIDERS THAT IT HAS STRUCK A PROPER AND FAIR BALANCE BETWEEN COMMUNITY SENSITIVITY AND THE POPULATION QUOTA CRITERION IN THIS HIGHEST TIER OF REPRESENTATIVE GOVERNMENT."

/HE SAID

HE SAID EACH OF THE 20 LEGCO'S CONSTITUENCY AREAS DELINEATED HAD A POPULATION WITHIN THE 25 PER CENT RANGE OF THE POPULATION QUOTA.

THE COMMISSION SEES NO CASE WHERE IT IS DESIRABLE, LET ALONG NECESSARY, TO DEPART FROM THE RANGE, HE ADDED.

WHEN DRAWING UP THE LEGCO CONSTITUENCIES, THE COMMISSION HAS TAKEN INTO CONSIDERATION SEVERAL IMPORTANT CRITERIA:

- * EACH LEGCO CONSTITUENCY IS TO CONSIST OF A NUMBER OF COMPLETE DISTRICT BOARD CONSTITUENCY AREAS;
- * THE POPULATION IN EACH LEGCO AREA SHOULD BE AS NEAR THE POPULATION QUOTA AS IS PRACTICABLE;
- * REGARD HAS TO BE MADE TO COMMUNITY IDENTITIES, PRESERVATION OF LOCAL TIES, PHYSICAL FEATURES AND DEVELOPMENT OF THE RELEVANT AREA.

A LEGCO CONSTITUENCY AREA HAS A POPULATION OF ABOUT 300,000, 17 TIMES LARGER THAN THAT OF A DISTRICT BOARD CONSTITUENCY AREA AND THREE TIMES OF A MUNICIPAL COUNCIL CONSTITUENCY AREA.

"IN THIS HIGHEST TIER OF REPRESENTATIVE GOVERNMENT OF LEGCO, A LARGER TERRITORIAL CONCEPT MUST BE ADOPTED, BY THE COMMISSION AND THE POPULATION OR ELECTORATE ALIKE.

"THE COMMISSION IS SURE THAT APPROPRIATE ADJUSTING ARRANGEMENTS CAN ALWAYS BE MADE BY THOSE COUNCILLORS WHO ARE ALONG THE LINE OF COMMAND AND COMMUNICATION IN THREE-TIER REPRESENTATIVE SYSTEM."

VOLUME 1 OF THE REPORT IS THE REPORT PROPER WITH REASONS AND EXPLANATIONS AS TO HOW THE COMMISSION CARRIED OUT ITS DEMARCATION WORK AND HOW IT ARRIVED AT ITS PROVISIONAL RECOMMENDATIONS.

IT ALSO COMPILES THE REPRESENTATIONS MADE BY MEMBERS OF THE PUBLIC AND THE RECOMMENDATIONS PROPOSED BY THE COMMISSION, HAVING REGARD TO THE PUBLIC REPRESENTATIONS.

VOLUME 2 CONTAINS THE LISTS OF CONSTITUENCY AREAS IN RESPECT OF THE 1995 LEGCO ELECTION AND MAPS WITH RECOMMENDED NAMES FOR THE CONSTITUENCIES AND THE RECOMMENDED DEMARCATION OF LEGCO ELECTORAL BOUNDARIES.

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LRT IS SAFE

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THE DEPUTY SECRETARY FOR TRANSPORT (TRANSPORT SERVICES), MRS CARRIE YAU, SAID A PRESS REPORT TODAY (WEDNESDAY) SUGGESTING THAT THE LIGHT RAIL SYSTEM WAS "RIDDLED WITH POSSIBLE DEATHTRAPS" WAS GROSSLY UNTRUE.

SHE SAID HONG KONG'S RAIL SYSTEMS INCLUDING THE LRT WERE AMONG THE SAFEST IN THE WORLD. THE NUMBER OF ACCIDENTS INVOLVING LRT VEHICLES REMAINED STEADILY LOW IN THE PAST THREE YEARS, NAMELY 28 IN L992 AND 21 IN L993 AND 10 SO FAR THIS YEAR. IT ONLY ACCOUNTED FOR 0.2 PER CENT OF TRAFFIC ACCIDENTS IN HONG KONG.

SHE EMPHASISED THAT BOTH THE GOVERNMENT AND THE KOWLOON CANTON RAILWAY CORPORATION TOOK A SERIOUS VIEW ON RAIL ACCIDENTS.

INVESTIGATIONS CONDUCTED BY THE HONG KONG RAILWAY INSPECTORATE INTO THE CIRCUMSTANCES SURROUNDING THE LAST LRT ACCIDENT IN SEPTEMBER CONFIRMED THAT THERE WAS NO INHERENT PROBLEM WITH THE DESIGN, CONSTRUCTION OR OPERATION OF THE LRT.

"IN ORDER TO BE DOUBLE SURE THAT SAFETY IS NOT COMPROMISED IN ANY WAY, THE SECRETARY FOR TRANSPORT HAS ASKED ME TO HEAD AN INTERDEPARTMENTAL COMMITTEE WITH REPRESENTATIVES FROM KCRC TO REVIEW THE TRAFFIC SITUATION OF THE LRT WITH PARTICULAR EMPHASIS ON ALL ROAD CROSSINGS IN THE SYSTEM.

"THE COMMITTEE MET RECENTLY TO AGREE ON A NUMBER OF MEASURES TO STRENGTHEN THE SAFETY OF THE ROAD CROSSING IN THE SYSTEM.

"THESE INCLUDE A REVIEW BY THE TRANSPORT DEPARTMENT OF ALL LRT JUNCTIONS, MORE ENFORCEMENT ACTION BY THE POLICE, INTENSIFYING PUBLICITY AND A PROPOSAL TO INSTALL CAMERAS AT SOME OF THE JUNCTIONS TO DETER MOTORISTS FROM JUMPING RED LIGHTS," SHE SAID.

MRS YAU EMPHASISED THAT THERE HAD NOT BEEN ANY EVIDENCE TO SUGGEST THAT VEGETATION AT JUNCTIONS WAS A FACTOR CONTRIBUTING TO THE PREVIOUS ACCIDENTS.

"THE SAFE USE OF LRT CROSSINGS, JUST LIKE ANY OTHER ROAD JUNCTION, DEPENDS VERY MUCH ON THE OBSERVANCE OF SIGNS AND SIGNALS INSTALLED IN THESE JUNCTIONS," SHE SAID.

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FEAR OF PUBLIC WEALTH DISAPPEARING UNFOUNDED

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THE SECRETARY FOR THE TREASURY, MR DONALD TSANG, TODAY (WEDNESDAY) DISPELLED FEARS THAT HONG KONG'S PUBLIC WEALTH WOULD SOMEWHAT DISAPPEAR IN THE RUN-UP TO 1997.

IN A SPEECH ENTITLED "BASIC INSTINCT" TO THE 97 JAPANESE BUSINESS CLUB, MR TSANG SAID THERE WAS CONCERN THAT EITHER THE MONEY WOULD BE SPIRITED AWAY TO THE BENEFIT OF OTHER PARTIES OR IT WOULD BE FRITTERED AWAY IN EXTRAVAGANT SOCIAL WELFARE PROGRAMMES.

"THIS FEAR IN ANY OF ITS VARIATIONS IS TOTALLY UNFOUNDED," HE SAID.

MR TSANG EXPLAINED THAT PUBLIC EXPENDITURE IN HONG KONG WAS GOVERNED BY LAW -- THE PUBLIC FINANCE ORDINANCE -- AND EVERY PROPOSAL TO SPEND MONEY HAD TO BE PUT FORWARD BY THE ADMINISTRATION, IN PUBLIC, TO THE FINANCE COMMITTEE OF THE LEGISLATIVE COUNCIL AND JUSTIFIED.

"IT IS INCONCEIVABLE THAT THE HONG KONG GOVERNMENT WOULD PUT FORWARD A PROPOSAL TO GIVE OUR MONEY TO SOMEONE ELSE.

"IT IS EVEN MORE INCONCEIVABLE - IF SUCH A PHRASE EXISTS - THAT LEGCO WOULD APPROVE IT IF WE DID," HE SAID.

IN ADDITION, HE SAID, ALL OF GOVERNMENT'S ACTIVITIES ON SPENDING WERE SUBJECT TO SCRUTINY BY THE DIRECTOR OF AUDIT AND THE PUBLIC ACCOUNTS COMMITTEE.

"THEIR REPORTS ARE PUBLISHED, AND DEBATED IN PUBLIC. ANY HINT OF IMPROPRIETY WOULD QUICKLY BE BROUGHT TO LIGHT."

"AS YOU CAN SEE, JUST LIKE THE STAR OF BASIC INSTINCT HERSELF, WE HAVE NOTHING TO HIDE," HE SAID.

HE SAID NEITHER DIRECTLY, NOR INDIRECTLY, WOULD THE HONG KONG GOVERNMENT EVER PERMIT HONG KONG'S PUBLIC WEALTH TO BE USED FOR ANYTHING OTHER THAN THE BENEFIT OF HONG KONG PEOPLE, FROM WHOSE HARD WORK THAT WEALTH DERIVED AND UPON WHOSE BEHALF THE GOVERNMENT HELD THOSE ASSETS IN TRUST.

"IT IS OUR FIRM INTENTION TO PASS EVERYTHING TO THE SAR GOVERNMENT IN DUE COURSE, INTACT," HE SAID.

ON THE FEAR THAT THE GOVERNMENT WOULD PUT IN PLACE SOCIAL PROGRAMMES THAT WOULD DRAIN AWAY HONG KONG'S RESERVES AND UNDERMINE THE FINANCES OF THE SPECIAL ADMINISTRATIVE REGION GOVERNMENT, MR TSANG SAID IN THE RESOURCE ALLOCATION EXERCISE HELD EVERY YEAR, THE GOVERNMENT BEGAN BY CALCULATING THE TOTAL AMOUNT OF SPENDING THAT WOULD BE PERMITTED WITHIN ITS BUDGETARY GUIDELINES.

"OUR MEDIUM RANGE FORECAST AT PRESENT ASSUMES A TREND GROWTH RATE OF FIVE PER CENT PER ANNUM IN GDP. SO WE ALLOW GOVERNMENT SPENDING TO GROW BY FIVE PER CENT IN REAL TERMS EVERY YEAR.

"THEN WE CALCULATE HOW MUCH MONEY WILL BE NEEDED TO FUND EXISTING SERVICES, OR TO MEET KNOWN COMMITMENTS SUCH AS NEW SCHOOLS OR HOSPITALS COMING ON STREAM.

"BY DEDUCTING ONE FIGURE FROM THE OTHER, WE CAN DEDUCE HOW MUCH SPARE MONEY IS AVAILABLE TO START NEW PROGRAMMES," HE SAID.

MR TSANG SAID THE GOVERNMENT FOLLOWED THE SAME PROCEDURE THIS YEAR THAT IT HAD FOLLOWED FOR MORE THAN A DECADE.

HE ADDED THAT JUST TO MAKE SURE THERE COULD BE NO OVERSIGHTS, THERE WERE CHECKING MECHANISMS IN PLACE.

"BEFORE THE GOVERNOR STOOD UP TO SPEAK LAST WEEK, EVERY LINE OF HIS DRAFT SPEECH HAD BEEN CAREFULLY SCRUTINISED BY FINANCE BRANCH. AT HIS REQUEST.

"EVERY PROMISE, EVERY PROPOSAL, EVERY COMMITMENT, IS FULLY COVERED BY OUR PLANNING FORECASTS. AND WE HAVE NOT DEVIATED FROM OUR BUDGETARY GUIDELINES BY SO MUCH AS A SINGLE DOLLAR.

"INDEED, MANY PEOPLE IN HONG KONG BELIEVE THAT WE ARE NOT SPENDING ENOUGH.

"THE GOVERNMENT MUST THEREFORE SPEND WHERE EXPENDITURE IS JUSTIFIED AND AFFORDABLE, BUT IT MUST ALSO ENSURE THE BEST VALUE FOR MONEY AND REFUSE TO BE IMPRUDENT. WE HAVE WRITTEN NO BLANK CHEQUES," HE SAID.

MR TSANG SAID THE HONG KONG CIVIL SERVICE WAS MADE UP OF HONG KONG PEOPLE, THE VAST MAJORITY OF WHOM WERE ON PENSIONABLE TERMS OF SERVICE AND WOULD STILL BE WORKING, OR DRAWING A PENSION, FOR MANY YEARS AFTER 1997.

"EVEN LEAVING ASIDE THEIR SENSE OF PUBLIC DUTY, OUR CIVIL SERVANTS THEREFORE HAVE A DIRECT PERSONAL INTEREST IN ENSURING THAT HONG KONG'S PUBLIC FINANCES CONTINUE TO BE MANAGED PRUDENTLY.

"IT IS THE BEST POSSIBLE GUARANTEE OF THEIR OWN CONTINUED EMPLOYMENT, AND THE SECURITY OF THEIR PENSIONS.

"SO TO THOSE WHO STILL HAVE THEIR DOUBTS, I SAY THIS: IF YOU CANNOT BELIEVE IN OUR ALTRUISM, AT LEAST HAVE CONFIDENCE IN OUR SENSE OF SELF PRESERVATION. IT IS THE MOST BASIC INSTINCT OF ALL," HE SAID.

WEDNESDAY, OCTOBER 12, 1994

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HK TO REMAIN ECONOMIC HUB

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THE GOVERNMENT HAS COMPLETED ITS REVIEW OF MOBILE COMMUNICATIONS SERVICES IN HONG KONG AND DETAILS OF ITS PLANS TO INVITE APPLICATIONS FOR PROVIDING PERSONAL COMMUNICATIONS SERVICES (PCS) AND OTHER NEW CORDLESS TECHNOLOGY IN HONG KONG WILL BE ANNOUNCED IN THE NEXT FEW WEEKS.

THIS WAS DISCLOSED TODAY (WEDNESDAY) BY THE SECRETARY FOR ECONOMIC SERVICES, MR GORDON SIU, WHEN HE ELABORATED ON THE GOVERNMENT'S POLICY COMMITMENTS GIVEN WITH THE GOVERNOR'S ADDRESS TO THE LEGISLATIVE COUNCIL.

MR SIU SAID THE REVIEW CONCLUDED THAT WITH DEMAND FOR CELLULAR PHONES GROWING AT A RATE OF 30 PER CENT PER YEAR, THE EXISTING NETWORKS WOULD REACH CAPACITY IN A FEW YEARS TIME.

"AN ADVANCED AND EFFICIENT TELECOMMUNICATIONS SYSTEM IS ESSENTIAL TO ANY MODERN ECONOMY AND WE WILL CONTINUE TO EXPAND AND UPGRADE OUR TELECOMMUNICATIONS NETWORKS TO PROVIDE THE WIDEST CHOICE OF QUALITY TELECOMMUNICATIONS SERVICES, AT AFFORDABLE PRICES TO BOTH PRIVATE CONSUMERS AND BUSINESS OPERATORS," MR SIU SAID.

HONG KONG'S TELEPHONE AND MOBILE PHONE PENETRATION RATES ARE AMONG THE HIGHEST IN THE WORLD. THERE ARE NOW OVER ONE MILLION SUBSCRIBERS TO 35 LICENSED RADIO PAGING SERVICES, 357,000 SUBSCRIBERS TO SEVEN MOBILE TELEPHONE NETWORKS AND 160,000 SUBSCRIBERS TO THE THREE LICENSED CT2 "TELEPOINT" NETWORKS.

"SIX NEW MOBILE PHONE LICENCES USING THE LATEST PCS TECHNOLOGY WILL BE ISSUED IN EARLY 1995 AND THE NEW SERVICES WILL EXPAND OUR NETWORK CAPACITY TO OVER 1.25 MILLION SUBSCRIBERS, AND INTRODUCE MORE VIGOROUS COMPETITION IN THE MARKET," MR SIU SAID.

MR SIU SAID GOOD PROGRESS WAS BEING MADE ON THE VARIOUS DEVELOPMENTS AIMED AT ENHANCING HONG KONG'S POSITION AS THE TELECOMMUNICATIONS HUB IN THE REGION.

A NEW LICENCE TO ALLOW MULTINATIONAL CORPORATIONS AND ORGANISATIONS TO SELF-PROVIDE PRIVATE EXTERNAL CIRCUITS FOR INTRA-CORPORATE COMMUNICATION WILL BE AVAILABLE FOR APPLICATION IN THE NEXT FEW MONTHS; A BILL PROVIDING FOR THE REPLACEMENT OF THE TELECOMMUNICATIONS ORDINANCE AND THE INCORPORATION OF THE REMNANTS OF THE TELEPHONE ORDINANCE WILL BE INTRODUCED TO THE LEGISLATIVE COUNCIL IN THE FIRST QUARTER OF 1995; AND PORTABLE TELEPHONE NUMBERS, WHICH ARE EXPECTED TO SAVE CONSUMERS AND BUSINESSES MORE THAN \$1 BILLION IN THE NEXT 15 YEARS, WILL BE INTRODUCED WHEN FIXED NETWORK SERVICES ARE OPENED TO COMPETITION IN JULY NEXT YEAR.

MR SIU SAID THE GOVERNMENT WAS COMMITTED TO MAINTAINING HONG KONG'S POSITION AS A MAJOR INTERNATIONAL BUSINESS CENTRE, SERVING THE RAPIDLY GROWING REGION AND LINKING CHINA WITH THE REST OF THE WORLD.

"THE GOVERNMENT HAS TO MAKE SURE THAT HONG KONG'S PORT AND AIRPORT CAN MEET THE GROWTH IN USER DEMAND AND TIMELY IMPLEMENTATION OF THE PORT AND AIRPORT STRATEGY IS A KEY TO ACHIEVING THIS OBJECTIVE."

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ON THE NEW AIRPORT, MR SIU SAID CONSIDERABLE PROGRESS HAS BEEN MADE ON WORKS, AND SITE PREPARATION WAS NOW 70 PER CENT COMPLETE.

PREPARATIONS ARE ALSO ADVANCING ON THE ESSENTIAL SUPPORT SERVICES TO BE PROVIDED BY THE PRIVATE SECTOR AND THESE SERVICES NEED TO REACH FRUITION AT THE SAME TIME AS THE GOVERNMENT'S WORKS.

"EFFORTS ARE BEING MADE TO PUT IN PLACE AS EARLY AS POSSIBLE THE INSTITUTIONAL ARRANGEMENTS SUCH AS AN AGREEMENT ON FINANCING, THE AIRPORT BILL AND THE LAND GRANT, IN ORDER TO FACILITATE THE PROVISIONAL AIRPORT AUTHORITY'S BORROWINGS AND THE AWARD OF FRANCHISES.

"TO PREPARE FOR OUR FUTURE REQUIREMENTS, WE INTEND TO RECRUIT AND TRAIN AT LEAST 80 ADDITIONAL AIR TRAFFIC CONTROLLERS OVER THE NEXT THREE YEARS FOR THE OPENING OF THE NEW AIRPORT, TO PROCURE NEW AIR TRAFFIC CONTROL EQUIPMENT, AND TO ESTABLISH A NEW AERODROME STANDARDS DIVISION IN THE CIVIL AVIATION DEPARTMENT IN 1995/96 TO DEVELOP OPERATING AND SAFETY STANDARDS FOR CHEK LAP KOK," MR SIU SAID.

BEFORE THE OPENING OF THE NEW AIRPORT, MR SIU SAID, THE GOVERNMENT WOULD CONTINUE TO MAXIMISE THE EFFICIENT USE OF THE HONG KONG INTERNATIONAL AIRPORT BY UPGRADING AIR TRAFFIC CONTROL EQUIPMENT AT A COST OF \$160 MILLION, AND BY IMPROVING ROAD ACCESS, PUBLIC TRANSPORT AND PASSENGER PROCESSING FACILITIES.

REGARDING PORT DEVELOPMENT, MR SIU SAID THERE WAS A NEED TO CONTINUE TO EXPAND THE PORT FACILITIES, WHICH WERE THE VITAL ARTERIES OF HONG KONG'S TRADE AND ECONOMIC GROWTH.

"WE WILL CONTINUE TO WORK FOR THE EARLIEST POSSIBLE START FOR CONTAINER TERMINAL 9 AND TO CONTINUE TO PROVIDE LAND FOR CARGO BACK-UP SERVICES TO SUPPORT THE OPERATION OF THE PORT BY PROVIDING 22 HECTARES BY THE END OF 1994 AND AT LEAST A FURTHER SEVEN HECTARES BY 1997.

"LOOKING TO TAKE LONGER TERM, WE WILL PRESS AHEAD WITH THE DEVELOPMENT OF LANTAU PORT TO MEET FORECAST DEMAND TOWARDS THE END OF THE DECADE. WE AIM TO HAVE THE FIRST BERTH OPEN DURING 1998 OR EARLIER IF AT ALL POSSIBLE," HE SAID.

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CONTRACT AWARDED FOR NEW AIRPORT'S RADAR SYSTEMS

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THE CENTRAL TENDER BOARD HAS APPROVED THE AWARD OF AN AIRPORT CORE PROGRAMME CONTRACT FOR THE SUPPLY AND INSTALLATION OF TWO RADAR SYSTEMS FOR THE NEW AIRPORT AT CHEK LAP KOK.

THE CONTRACT, VALUED AT ABOUT \$67 MILLION, WILL BE AWARDED BY THE GOVERNMENT TO RAYTHEON COMPANY OF THE UNITED STATES.

THE COMPANY WILL BE RESPONSIBLE FOR THE SUPPLY AND INSTALLATION OF AN APPROACH SURVEILLANCE RADAR AT SHA CHAU, AN ISLAND LOCATED NORTHWEST OF CHEK LAP KOK, AS WELL AS A ROUTE SECONDARY SURVEILLANCE RADAR AT MOUNT PARKER IN QUARRY BAY.

THE TWO RADAR SYSTEMS WILL FORM PART OF THE AIR TRAFFIC CONTROL RADAR NETWORK FOR AIRCRAFT SURVEILLANCE.

WORK WILL START LATER THIS MONTH AND WILL BE COMPLETED IN FEBRUARY 1996.

THE AWARD OF THIS CONTRACT BRINGS THE TOTAL NUMBER OF AIRPORT CORE PROGRAMME CONTRACTS AWARDED SO FAR TO 67, WITH A TOTAL VALUE OF OVER \$51.8 BILLION.

THESE INCLUDE 53 CONTRACTS WORTH OVER \$34 BILLION AWARDED BY THE GOVERNMENT, 12 CONTRACTS WORTH ABOUT \$11.5 BILLION AWARDED BY THE PROVISIONAL AIRPORT AUTHORITY, THE \$5.7 BILLION CONSTRUCTION CONTRACT AWARDED BY THE WESTERN HARBOUR TUNNEL COMPANY LIMITED, AND A \$0.6 BILLION IMMERSSED TUBE TUNNEL CONTRACT FOR THE AIRPORT RAILWAY AWARDED BY THE MASS TRANSIT RAILWAY CORPORATION.

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NEW PROCEDURE FOR BUILDINGS APPEAL TRIBUNAL PROPOSED

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THE GOVERNMENT PLANS TO INTRODUCE NEW PROCEDURE FOR HANDLING APPEALS AGAINST DECISIONS OF THE BUILDING AUTHORITY.

THE NEW PROCEDURE, SET OUT IN THE BUILDING (APPEAL) REGULATION TO BE GAZETTED ON FRIDAY, WILL REPLACE THE OLD PROVISIONS FOR APPEALING TO THE BUILDINGS APPEAL TRIBUNAL.

THE TRIBUNAL WAS ESTABLISHED UNDER THE BUILDINGS ORDINANCE TO HEAR APPEALS AGAINST THE BUILDING AUTHORITY'S DECISIONS ON MATTERS SUCH AS DISAPPROVAL OF BUILDING PLANS OR SERVING OF DEMOLITION ORDERS.

A GOVERNMENT SPOKESMAN SAID THE BUILDINGS ORDINANCE WAS AMENDED IN JULY THIS YEAR TO MAKE THE APPEAL PROVISIONS CONFORM WITH PRESENT LEGAL PRINCIPLES AND PRACTICES.

IT BROUGHT DIFFERENT APPEALS, WHICH WERE PREVIOUSLY DEALT WITH BY DIFFERENT APPEAL BODIES, UNDER ONE APPEAL TRIBUNAL.

IN LINE WITH THIS CHANGE, A NEW SET OF APPEAL PROCEDURES, WHICH SUIT CURRENT CIRCUMSTANCES, IS INTRODUCED IN THE REGULATION TO REPLACE THE OLD PROCEDURES.

ANOTHER AMENDMENT REGULATION ALSO TO BE GAZETTED SEEKS TO STREAMLINE THE REGISTRATION SYSTEM FOR RECOGNISED PROFESSIONALS AND CONTRACTORS.

UNDER THE PROPOSED BUILDING (ADMINISTRATION) (AMENDMENT) (NO.3) REGULATION 1993, AUTHORISED PERSONS, REGISTERED STRUCTURAL ENGINEERS, REGISTERED BUILDING CONTRACTORS AND REGISTERED VENTILATION CONTRACTORS MAY APPLY FOR REGISTRATION OR RETENTION OF EXISTING REGISTRATION FOR ONE OR THREE YEARS.

THE SPOKESMAN SAID THE REGISTRATION FEES HAVE BEEN REVISED TO REFLECT THE RISE IN COST INCURRED IN PROCESSING SUCH APPLICATIONS.

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STI TO ATTEND EUROPE/EAST ASIA SUMMIT

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THE SECRETARY FOR TRADE AND INDUSTRY, MR T H CHAU, LEFT TODAY (WEDNESDAY) FOR SINGAPORE TO PARTICIPATE IN THE EUROPE/EAST ASIA SUMMIT AS A GUEST OF THE WORLD ECONOMIC FORUM, THE ORGANISERS OF THE MEETING. THE MEETING WILL BE HELD FROM OCTOBER 12 TO 14.

DURING THE MEETING, WHICH WILL BE OPENED BY MR GOH CHOK TONG, PRIME MINISTER OF SINGAPORE, MR CHAU WILL SPEAK AT A PLENARY SESSION ON "THE OUTCOME OF THE URUGUAY ROUND: WILL THERE BE MORE OR LESS FRICTION?"

MR CHAU WILL ALSO SPEAK AT A LUNCH, WHICH HE WILL CO-HOST WITH THE HONG KONG TRADE DEVELOPMENT COUNCIL.

THE SUMMIT, THE AIM OF WHICH TO PROMOTE ECONOMIC AND BUSINESS LINKS BETWEEN EUROPE AND EAST ASIA, HAS BEEN ESTABLISHED AS A KEY EVENT FOR GOVERNMENT OFFICIALS, BUSINESS LEADERS AND EXPERTS FROM THESE TWO REGIONS.

THIS IS THE THIRD TIME THAT THE MEETING IS BEING HELD. THE LAST TWO MEETINGS WERE HELD IN HONG KONG IN 1992 AND 1993.

MR CHAU WILL RETURN TO HONG KONG ON SATURDAY (OCTOBER 15).

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COMMITTEE DISCUSSES EMERGENCY RELIEF GRANTS FOR FARMERS

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IMPROVEMENT OF EMERGENCY RELIEF GRANTS AND OTHER ASSISTANCE TO FARMERS AFFECTED BY NATURAL DISASTERS WERE DISCUSSED AT THE MEETING OF THE ADVISORY COMMITTEE ON AGRICULTURE AND FISHERIES (ACAF) YESTERDAY (TUESDAY).

MEMBERS NOTED THAT IN VIEW OF THE SEVERE DAMAGE SUSTAINED BY FARMS IN FLOODINGS WHICH WERE UNPRECEDENTED IN SCALE AND SEVERITY, THE ADMINISTRATION CONSIDERS IT REASONABLE TO PROVIDE ADDITIONAL ASSISTANCE TO SUCH VICTIMS UNDER THE EMERGENCY RELIEF FUND ON AN EVENT BY EVENT BASIS.

THE REVISED RATE, IF PASSED, WILL TAKE ACCOUNT OF THE EXTRA LABOUR COST REQUIRED FOR CLEARING UP AND PREPARING THE FARM LAND FOR RESUMING PRODUCTION.

THIS MEANS THAT VEGETABLE FARMERS WILL GET, INSTEAD OF THE EXISTING \$358 PER DAU CHUNG OF GRANT SUBJECT TO A MAXIMUM OF \$2,150, \$613 PER DAU CHUNG SUBJECT TO A MAXIMUM OF \$3,680.

WHILE SUPPORTING THIS IMPROVEMENT, MEMBERS REQUESTED THE ADMINISTRATION ALSO TO TAKE INTO ACCOUNT FARMERS' LOSS OF INCOME DURING THE PERIOD AFTER THE NATURAL DISASTER AND FURTHER REVISES THE RATE ACCORDINGLY.

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WEDNESDAY, OCTOBER 12, 1994

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PRINCESS ALEXANDRA VISITS HONG KONG

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HER ROYAL HIGHNESS PRINCESS ALEXANDRA AND HER HUSBAND, THE HONOURABLE SIR ANGUS OGILVY, WILL ARRIVE IN HONG KONG ON SATURDAY (OCTOBER 15) FOR A WEEK-LONG VISIT.

DURING HER STAY IN HONG KONG, THE PRINCESS WILL UNDERTAKE A NUMBER OF PUBLIC ENGAGEMENTS INCLUDING SEVERAL MAJOR EVENTS MARKING THE 150TH ANNIVERSARY OF THE ROYAL HONG KONG POLICE FORCE (RHKP).

IN HER CAPACITY AS THE RHKP'S HONORARY COMMANDANT GENERAL, THE PRINCESS WILL OFFICIATE AT A 150TH ANNIVERSARY PARADE AND TIME CAPSULE LAYING CEREMONY AT POLICE HEADQUARTERS, ATTEND AN INVITATION LADIES VOLLEYBALL MATCH AND A 150TH ANNIVERSARY RECEPTION AT THE POLICE SPORTS AND RECREATION CLUB, AND OPEN AN RHKP PAINTING AND CALLIGRAPHY CLUB EXHIBITION.

APART FROM CEREMONIAL FUNCTIONS, SHE WILL ALSO CALL AT THE BORDER TO VISIT THE POLICE UNITS AT MAN KAM TO AND PAK FU SHAN, AND MEET AUXILIARY POLICE OFFICERS AND VIEW THEIR TRAINING AT THE HEADQUARTERS OF THE ROYAL HONG KONG AUXILIARY POLICE FORCE.

HER BUSY ITINERARY ALSO COVER A VISIT TO HMS PEACOCK AT THE PRINCE OF WALES BARRACKS.

THE ROYAL PARTY WILL LEAVE HONG KONG ON OCTOBER 21.

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ATTENTION NEWS EDITORS:

HER ROYAL HIGHNESS AND HER PARTY WILL ARRIVE IN HONG KONG FROM LONDON BY FLIGHT BA027 AT 5.30 PM ON SATURDAY (OCTOBER 15). SHE WILL BE MET ON ARRIVAL BY THE GOVERNOR, THE RT HON CHRISTOPHER PATTEN, AND THE COMMISSIONER OF POLICE, MR EDDIE HUI.

ARRANGEMENTS HAVE BEEN MADE FOR A PHOTO OPPORTUNITY FOR MEDIA REPRESENTATIVES TO COVER HER ARRIVAL AT THE HONG KONG INTERNATIONAL AIRPORT. THOSE INTERESTED SHOULD ASSEMBLE AT THE AIRPORT PRESS ROOM BY 4.30 PM AT THE LATEST AND BRING ALONG THEIR PRESS IDENTITY CARDS.

GIS OFFICERS WILL BE ON HAND TO HELP.

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GOVERNOR VISITS YAU TSIM MONG DISTRICT
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THE GOVERNOR, THE RT HON CHRISTOPHER PATTEN, WAS GIVEN AN UPDATE ON DEVELOPMENTS IN YAU TSIM MONG DISTRICT DURING A WALKABOUT THIS (WEDNESDAY) AFTERNOON.

MR PATTEN FIRST VISITED THE YANG MEMORIAL METHODIST SOCIAL SERVICE WHERE HE WAS BRIEFED ON THE OPERATION OF A DAY NURSERY AND AN ACTIVITY CENTRE FOR THE MENTALLY HANDICAPPED.

LATER AT CHUNG KING MANSION, HE VIEWED THE RECENT IMPROVEMENT AND RENOVATION WORKS CARRIED OUT BY THE OWNERS' INCORPORATION. THE \$5 MILLION PROJECT INCLUDED A NEW TRANSFORMER TO ENABLE ELECTRICITY SUPPLY TO THE BUILDING TO BE UPGRADED.

HE THEN TOURED HONG LOK STREET (BIRD STREET), WHERE HE WAS TOLD OF THE PROGRESS OF THE REPROVISIONING OF THE BIRD MARKET WHICH WAS EXPECTED TO BE CLEARED BEFORE 1996 TO MAKE WAY FOR A LAND DEVELOPMENT CORPORATION PROJECT.

BEFORE CONCLUDING HIS TOUR, MR PATTEN DISCUSSED LOCAL ISSUES WITH THE YAU TSIM MONG DISTRICT BOARD MEMBERS AND COMMUNITY LEADERS AT A RECEPTION.

THE GOVERNOR WAS ACCOMPANIED ON THE TRIP BY THE REGIONAL SECRETARY FOR HONG KONG, KOWLOON AND THE NEW TERRITORIES, MISS CHRISTINE CHOW, AND THE YAU TSIM MONG DISTRICT OFFICER, MR BART IRELAND.

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AIR QUALITY REPORT FOR SEPTEMBER
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THE ENVIRONMENTAL PROTECTION DEPARTMENT TODAY (WEDNESDAY) RELEASED AIR QUALITY INFORMATION FOR LAST MONTH.

A SPOKESMAN FOR THE DEPARTMENT SAID THE PURPOSE OF THE ANNOUNCEMENT WAS TO KEEP THE PUBLIC INFORMED OF THE AIR QUALITY LEVELS IN THE TERRITORY AND TO EXPLAIN THE MEASUREMENTS.

THE ANNOUNCEMENT CONTAINS MONITORING RESULTS FROM MONG KOK, CENTRAL/WESTERN AND KWAI CHUNG, WHICH REPRESENT THREE IMPORTANT LAND USE TYPES IN THE TERRITORY :

- * LOCATIONS CLOSE TO ROAD TRAFFIC IN BUILT-UP URBAN AREAS;
- * COMBINED COMMERCIAL AND RESIDENTIAL DISTRICTS; AND
- * DISTRICTS CLOSE TO INDUSTRIAL AREAS.

THE DEPARTMENT CURRENTLY MONITORS AIR QUALITY CONTINUOUSLY AT EIGHT STATIONS, INCLUDING THE THREE MENTIONED. SHORT-TERM MEASUREMENT EXERCISES ARE ALSO UNDERTAKEN AS AND WHERE THE NEED ARISES.

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THE REPORTED AIR POLLUTANTS INCLUDE SULPHUR DIOXIDE (SO₂), NITROGEN DIOXIDE (NO₂), TOTAL SUSPENDED PARTICULATES (TSP) WHICH COMPRISE ALL SIZES OF DUST PARTICLES, AND THE RESPIRABLE FRACTION OF THE DUST (RSP).

ALL THESE POLLUTANTS CAN AFFECT RESPIRATORY HEALTH IN SUFFICIENT CONCENTRATION.

IN SEPTEMBER, THE STREET LEVEL SITE IN MONG KOK RECORDED THE HIGHEST POLLUTANT LEVELS OF THE THREE SITES, AS USUAL. HOWEVER, NO EXCEEDANCES OF THE 24-HOUR AIR QUALITY OBJECTIVES WERE RECORDED AT ANY OF THE STATIONS DURING THE MONTH.

HIGH POLLUTANT CONCENTRATIONS TENDED TO COINCIDE WITH LOW WINDSPEEDS. FOR EXAMPLE, ON SEPTEMBER 17, THE LOW WINDSPEEDS PREVENTED LOCALLY EMITTED POLLUTANTS FROM DISPERSING QUICKLY, RESULTING IN HIGHER AIR POLLUTANT CONCENTRATIONS.

THE OCCURRENCE OF A TROPICAL CYCLONE NEAR HONG KONG ON SEPTEMBER 1 AND 2 ALSO RESULTED IN HIGHER POLLUTANT CONCENTRATIONS BECAUSE DESCENDING AIR KEPT A 'LID' ON THE ATMOSPHERE OVER HONG KONG.

AS IN MOST MONTHS, THERE WERE LOW LEVELS OF SULPHUR DIOXIDE AT ALL SITES, USUALLY LESS THAN 20 PER CENT OF THE 24-HOUR AIR QUALITY OBJECTIVE. THIS INDICATES THAT THE AIR POLLUTION CONTROL (FUEL RESTRICTION) REGULATIONS, WHICH LIMIT THE AMOUNT OF SULPHUR IN FUELS, HAVE ACHIEVED THEIR OBJECTIVES.

THE GASES AND PARTICLES DESCRIBED ORIGINATED FROM VARIOUS SOURCES. SO₂ IS MOSTLY PRODUCED WHEN FUELS THAT CONTAIN SULPHUR ARE BURNED. NO₂ IS FORMED DURING COMBUSTION BY THE COMBINATION OF NITROGEN AND OXYGEN. HOWEVER THE MAJORITY OF IT IS FORMED IN THE ATMOSPHERE BY THE OXIDATION OF NITRIC OXIDE (NO), ALSO A PRODUCT OF COMBUSTION.

VEHICLE EXHAUST IS AN IMPORTANT SOURCE OF NO AND NO₂ IN TERMS OF IMPACT ON LOCAL AIR QUALITY. IT IS ALSO A MAJOR SOURCE OF AIRBORNE PARTICULATE MATTER, ESPECIALLY THE SMALLER RESPIRABLE PARTICLES.

DIESEL-ENGINED VEHICLES SUCH AS TAXIS, PUBLIC LIGHT BUSES, PASSENGER COACHES, FRANCHISED BUSES AND LIGHT AND HEAVY GOODS VEHICLES ARE THE GREATEST CONTRIBUTOR. OTHER SOURCES OF PARTICLES INCLUDE INDUSTRY, FURNACES AND BOILERS, CONSTRUCTION ACTIVITIES, THE SEA AND THE SOIL.

IT IS WORTH NOTING THAT WHILE THE WEATHER AND CLIMATE ALWAYS AFFECT THE CONCENTRATIONS OF POLLUTANTS IN THE AIR, THE ONLY SURE WAY OF REDUCING THE LEVELS IS TO REDUCE EMISSIONS FROM THE MAN-MADE SOURCES.

NOTE TO EDITORS:

FOR FURTHER INFORMATION ON THIS AIR QUALITY REPORT, PLEASE CONTACT MR RAYMOND LEUNG ON TEL 594 6401.

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MONTHLY STATISTICAL BULLETIN RELEASED

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THE LATEST ISSUE OF THE MONTHLY STATISTICAL BULLETIN, PUBLISHED BY THE HONG KONG MONETARY AUTHORITY (HKMA) TODAY (WEDNESDAY), REVEALS THAT THE OUTSTANDING AMOUNT OF HONG KONG DOLLAR NEGOTIABLE CERTIFICATES OF DEPOSIT (NCDS) AT END-AUGUST INCREASED 67 PER CENT FROM A YEAR EARLIER.

TOTAL OUTSTANDING OF HONG KONG DOLLAR NCDS AT END-AUGUST AMOUNTED TO \$48.3 BILLION, DOWN 1.3 PER CENT FROM END-JULY BUT UP 44 PER CENT FROM THE BEGINNING OF THE YEAR. THIS IS COMPARED WITH 24 PER CENT GROWTH FOR ALL OF 1993.

"THE FIGURES REFLECT A TREND THAT BANKS IN HONG KONG ARE KEEN FOR LONGER-TERM FUNDS," A SPOKESMAN FOR THE HKMA WHO REGARDS THE DROP IN AUGUST AS TEMPORARY SAYS.

THE OCTOBER ISSUE OF THE BULLETIN ALSO SHOWS THAT TOTAL VALUE OF DEBT ISSUES LODGED WITH THE HKMA'S CENTRAL MONEYMARKETS UNIT SERVICE ROSE TO \$19.2 BILLION AT END-SEPTEMBER, UP 41 PER CENT FROM END-AUGUST.

THE AVERAGE YIELD OF THE FIRST ISSUE OF FIVE-YEAR EXCHANGE FUND NOTES WAS 7.78 PER CENT FOR THE REPORTING PERIOD SINCE ITS INTRODUCTION ON SEPTEMBER 26. THE AVERAGE YIELDS FOR THREE-YEAR AND TWO-YEAR EXCHANGE FUND NOTES WERE 6.92 PER CENT AND 6.25 PER CENT RESPECTIVELY FOR SEPTEMBER.

THE YIELDS SERVE AS IMPORTANT BENCHMARKS FOR OTHER HONG KONG DOLLAR DEBT INSTRUMENTS ISSUED BY THE PRIVATE SECTOR.

AT THE SAME TIME, AVERAGE DAILY TURNOVER OF EXCHANGE FUND BILLS AND NOTES DROPPED TO \$15.8 BILLION IN SEPTEMBER FROM \$23.5 BILLION IN AUGUST PROBABLY BECAUSE OF A MORE CAUTIOUS ATTITUDE TAKEN BY MARKET PARTICIPANTS IN VIEW OF THE UNCERTAINTY OF THE TIMING FOR FURTHER U.S. FEDERAL RESERVES ACTION TO RAISE INTEREST RATES.

THE BULLETIN, WHICH PUBLISHES IN THE SECOND WEEK OF EACH MONTH, WAS LAUNCHED IN SEPTEMBER AS A VEHICLE TO PROVIDE MORE DETAILED AND COMPREHENSIVE DATA ON HONG KONG'S MONETARY AND BANKING ACTIVITIES.

IMPROVING ON THE FORMAT OF THE FIRST ISSUE, THE SECOND ISSUE HAS ADDED TO THE LIST OF AUTHORISED INSTITUTIONS A SECTION ON NEW ENTRANTS AND THOSE DELETED FROM THE LIST.

WEDNESDAY, OCTOBER 12, 1994

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FANLING LOT TO LET
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THE LANDS DEPARTMENT IS INVITING TENDERS FOR THE SHORT-TERM TENANCY OF A PIECE OF GOVERNMENT LAND IN AREA 49A, FANLING, NEW TERRITORIES.

COVERING AN AREA OF 16,700 SQUARE METRES, THE LOT IS TO BE USED FOR PARKING OF VEHICLES, EXCLUDING CONTAINER VEHICLES, OR STORAGE OF GOODS INCLUDING UNREGISTERED VEHICLES BUT EXCLUDING DUSTY MATERIALS AND DANGEROUS GOODS.

THE TENANCY IS FOR ONE YEAR, AND IS RENEWABLE QUARTERLY.

CLOSING DATE FOR TENDERS IS NOON ON OCTOBER 28.

TENDER FORMS, TENDER NOTICE AND CONDITIONS MAY BE OBTAINED FROM THE LANDS DEPARTMENT, 14TH FLOOR, MURRAY BUILDING, GARDEN ROAD; THE DISTRICT LANDS OFFICES KOWLOON, 10TH FLOOR, YAU MA TEI CAR PARK BUILDING, 250 SHANGHAI STREET, KOWLOON AND THE DISTRICT LANDS OFFICE, NORTH.

TENDER PLAN CAN ALSO BE INSPECTED AT THESE OFFICES.

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CLOSURE OF KOWLOON TONG ILLEGAL STRUCTURES SOUGHT
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THE BUILDINGS DEPARTMENT IS SEEKING TO CLOSE TWO UNAUTHORISED STRUCTURES IN KOWLOON TONG SO THAT THEY CAN BE DEMOLISHED WITHOUT ENDANGERING THE OCCUPANTS AND THE PUBLIC.

THE UNAUTHORISED STRUCTURES SUCH AS FLOWER RACKS AND SMALL METAL CAGES USED FOR STORAGE PURPOSES ARE LOCATED ON THE SECOND AND EIGHTH FLOORS OF A BUILDING AT 1 MARCONI ROAD.

NOTICES APPLYING FOR THE CLOSURE ORDERS FROM THE DISTRICT COURT UNDER THE BUILDINGS ORDINANCE ON NOVEMBER 16 WERE POSTED ON THE PREMISES TODAY (WEDNESDAY).

DEMOLITION WORKS ARE EXPECTED TO START AS SOON AS THE CLOSURE ORDERS ARE ISSUED.

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HONG KONG MONETARY AUTHORITY
MONEY MARKET OPERATIONS

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	\$ MILLION	TIME (HOURS)	CUMULATIVE CHANGE (\$ MILLION)
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OPENING BALANCE IN THE ACCOUNT	1,939	0930	+555
CLOSING BALANCE IN THE ACCOUNT	2,277	1000	+555
CHANGE ATTRIBUTABLE TO :		1100	+555
MONEY MARKET ACTIVITY	+548	1200	+558
LAF TODAY	-210	1500	+558
		1600	+548
LAF RATE 3.00 BID/5.00 OFFER		TWI 121.8	*-0.1* 12.10.94

HONG KONG MONETARY AUTHORITY

EF BILLS

EF NOTES/HONG KONG GOVERNMENT BONDS

TERMS	YIELD	TERM	ISSUE	COUPON	PRICE	YIELD
1 WEEK	4.54	19 MONTHS	2605	6.35	100.14	6.35
1 MONTH	4.63	22 MONTHS	2608	6.15	99.48	6.55
3 MONTHS	4.92	30 MONTHS	3704	6.15	98.15	7.08
6 MONTHS	5.20	33 MONTHS	3707	6.95	99.56	7.25
12 MONTHS	5.79	59 MONTHS	5909	7.45	98.18	8.06

TOTAL TURNOVER OF BILLS AND BONDS - 22,833 MN

CLOSED 12 OCTOBER 1994

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DAILY INFORMATION BULLETIN

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

SUPPLEMENT

WEDNESDAY, OCTOBER 12, 1994

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LAND REGISTRY TRADING FUND ACHIEVES REMARKABLE SUCCESS

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THE LAND REGISTRY HAD MADE SIGNIFICANT ACHIEVEMENT OPERATING AS A TRADING FUND DEPARTMENT LAST YEAR, ACCORDING TO THE REGISTRY'S FIRST TRADING FUND ANNUAL REPORT Tabled in the Legislative Council today (Wednesday) by the Secretary for Planning, Environment and Lands, Mr Tony Eason.

THE LAND REGISTRY WAS ONE OF THE PIONEER TRADING FUND GOVERNMENT DEPARTMENTS ESTABLISHED ON AUGUST 1, 1993 TO OPERATE ON A SELF-FINANCING BASIS.

THE LAND REGISTRAR AND GENERAL MANAGER OF THE LAND REGISTRY TRADING FUND, MR KENNETH PANG, REPORTED A VERY SUCCESSFUL YEAR OF OPERATION IN ACHIEVING THE PRIMARY OBJECTIVE OF IMPROVING SERVICES TO CUSTOMERS IN HIS FIRST ANNUAL REPORT.

"THE LAND REGISTRY HAS NOT ONLY MET ALL THE FINANCIAL AND SERVICE PERFORMANCE STANDARDS, BUT HAS ALSO INTRODUCED NEW AND IMPROVED SERVICES TO MEET ITS CUSTOMERS' NEEDS.

"WHILE THERE WERE MANY CONTRIBUTING FACTORS, SUCCESS WAS BASICALLY THE RESULT OF THE FLEXIBLE USE OF FINANCIAL AND HUMAN RESOURCES, AND A FIRM COMMITMENT TO CUSTOMER-BASED SERVICES BY THE STAFF OF THE REGISTRY," MR PANG SAID.

THE LAND REGISTRY TRADING FUND ACHIEVED A NET PROFIT OF \$23.6 MILLION FOR THE FIRST EIGHT MONTHS ENDED MARCH 31, 1994. THIS REPRESENTS AN ANNUALISED RATE OF RETURN OF 13.5 PER CENT ON AVERAGE NET FIXED ASSETS, EXCEEDING THE TARGET OF 10 PER CENT.

"THE ACHIEVEMENT WAS DUE PRINCIPALLY TO LAND REGISTRY'S EFFECTIVE COST CONTROL MEASURES," MR PANG NOTED.

THE LAND REGISTRAR ALSO REPORTED ON THE REGISTRY'S ACHIEVEMENT OF ITS FIRST PERFORMANCE PLEDGES SETTING SERVICE STANDARDS BASED ON CUSTOMERS' EXPECTATIONS IN AUGUST 1993.

"THESE STANDARDS HAVE BEEN MET AND WERE FURTHER ENHANCED IN AUGUST THIS YEAR," HE SAID.

MR PANG ADDED THAT THE LAND REGISTRY WAS COMMITTED TO MAKING THE BEST USE OF MODERN TECHNOLOGY TO PROVIDE VALUE-FOR-MONEY SERVICES TO ITS CUSTOMERS.

"WE HAVE RECENTLY INTRODUCED A FULLY COMPUTERISED LAND SEARCH FACILITY CALL 'DIRECT ACCESS SERVICES' (DAS) FOR CUSTOMERS TO MAKE ON-LINE SEARCHES OF THE COMPUTERISED URBAN LAND REGISTERS AND PLACE ORDERS FOR COPIES OF LAND RECORDS THROUGH THEIR OWN OFFICE COMPUTER TERMINALS WITHOUT HAVING TO CALL AT OUR OFFICES," HE SAID.

OTHER EFFICIENCY IMPROVEMENT PROJECTS INCLUDE THE COMPUTERISATION OF LAND REGISTERS IN THE NEW TERRITORIES AND THE OPTICAL IMAGING OF LAND RECORDS.

/"THE ULTIMATE

"THE ULTIMATE OBJECTIVE IS TO PROVIDE A FULLY COMPUTERISED AND UNIFIED LAND REGISTER FOR THE WHOLE TERRITORY SO THAT CUSTOMERS CAN LODGE DOCUMENTS FOR REGISTRATION AND CONDUCT LAND SEARCHES AT ANY OF THE LAND REGISTRY OFFICES, AND CAN HAVE ON-LINE ACCESS TO THE CENTRALISED LAND REGISTER THROUGH THE DAS," HE EXPLAINED.

THE ANNUAL REPORT ALSO POINTS OUT THAT DRAFTING WORK ON THE PROPOSED LEGISLATION TO CONVERT THE PRESENT LAND REGISTRATION SYSTEM TO ONE OF TITLE REGISTRATION IS IN THE FINAL STAGES.

"THE NEW SYSTEM WILL GUARANTEE THAT A PERSON REGISTERED AS THE OWNER OF A PROPERTY IN THE LAND REGISTER IS THE LEGAL OWNER OF THAT PROPERTY," MR PANG SAID.

STRIDING INTO THE SECOND YEAR OF TRADING FUND OPERATION, MR PANG IS CONFIDENT THAT THE LAND REGISTRY WILL CONTINUE TO MOVE FORWARD ON ALL FRONTS TO MEET THE MANY CHALLENGES AND TO DELIVER QUALITY SERVICES TO THE PUBLIC IN THE MOST COST-EFFECTIVE WAY.

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COMPANIES REGISTRY'S FIRST REPORT
AS A TRADING FUND TABLED IN LEGCO TODAY

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THE SECRETARY FOR FINANCIAL SERVICES, MR MICHAEL CARTLAND, TABLED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) THE COMPANIES REGISTRY TRADING FUND'S FIRST ANNUAL REPORT.

THE REPORT INDICATES THAT THE REGISTRY WAS ABLE TO ACHIEVE A SURPLUS OF \$15.6 MILLION FOR THE PERIOD SINCE ITS ESTABLISHMENT AS A TRADING FUND ON AUGUST 1, 1993. THIS RESULT IS SIGNIFICANTLY BETTER THAN THE ORIGINAL PROJECTION OF \$4.3 MILLION.

ACCORDING TO THE REPORT, THE BETTER THAN EXPECTED RESULTS WERE BECAUSE OF LOWER THAN ANTICIPATED EXPENDITURE ON STAFF AND ON-COSTS CHARGED BY THE GOVERNMENT IN RESPECT OF CIVIL SERVANTS WORKING IN THE TRADING FUND, AS WELL AS LOWER THAN EXPECTED INTEREST RATES.

THE REPORT COVERS THE FIRST EIGHT MONTHS OF THE REGISTRY'S OPERATIONS FROM AUGUST 1, 1993, WHEN IT BECAME A TRADING FUND, UNTIL MARCH 31, 1994. ITS NORMAL FINANCIAL YEAR RUNS FROM APRIL 1 TO MARCH 31.

"IN ORDER TO BE ELIGIBLE FOR TRADING FUND STATUS, A GOVERNMENT DEPARTMENT MUST BE ABLE TO BE FINANCIALLY SELF SUFFICIENT AND PAY ALL ITS EXPENSES AND LIABILITIES FROM THE INCOME IT RECEIVES. THE FIRST EIGHT MONTHS' FIGURES SHOW THAT THE COMPANIES REGISTRY TRADING FUND HAS MADE A HEALTHY START," A GOVERNMENT SPOKESMAN SAID.

WHEN THE REGISTRY WAS SET UP AS A TRADING FUND, THE GOVERNMENT VESTED IN IT ASSETS WORTH \$415 MILLION, COMPRISING \$138 MILLION OF TRADING FUND CAPITAL AND \$277 MILLION OF LOAN CAPITAL. THE LOAN IS REPAYABLE IN 10 ANNUAL INSTALMENTS AND A DIVIDEND MAY BE PAYABLE ON THE TRADING FUND CAPITAL.

THE REPORT SUMMARISES THE COMPANIES REGISTRY'S SUCH MAIN FUNCTIONS AS TO INCORPORATE AND STRIKE-OFF COMPANIES, RECEIVE AND MAINTAIN INFORMATION REQUIRED TO BE SUBMITTED BY COMPANIES AND OTHER ORGANISATIONS, AND TO MAKE INFORMATION AVAILABLE TO THE PUBLIC. IT ALSO PLAYS AN ENFORCEMENT ROLE IN ENSURING COMPLIANCE WITH THE REQUIREMENTS OF THE COMPANIES AND OTHER ORDINANCES.

AS AT END OF THE 1993/94 FINANCIAL YEAR, THE TOTAL NUMBER OF COMPANIES ON THE REGISTER WAS ABOUT 430,000; THE NUMBER OF NEW INCORPORATIONS DURING THE YEAR WAS 59,784. A TOTAL OF 1.25 MILLION DOCUMENTS WERE RECEIVED FOR FILING AND AROUND 1.9 MILLION SEARCHES CONDUCTED DURING 93/94.

NEW SERVICES WHICH THE REGISTRAR OF COMPANIES EXPECTS TO INTRODUCE DURING 1994/95 INCLUDE AN INDEX OF THE DIRECTORS OF LISTED COMPANIES AS WELL AS A COMPUTERISED INDEX OF ALL DOCUMENTS FILED WITH THE REGISTRY.

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LEGCO PASSES FOUR CONSUMER PROTECTION BILLS

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THE ACTING SECRETARY FOR TRADE AND INDUSTRY, MRS REGINA IP, MOVED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) THE THIRD READING OF THE CONSUMER GOODS SAFETY BILL, SALE OF GOODS (AMENDMENT) BILL 1994, SUPPLY OF SERVICES (IMPLIED TERMS) BILL AND UNCONSCIONABLE CONTRACTS BILL.

"THE PASSAGE OF FOUR BILLS REPRESENTS A MAJOR MILESTONE IN OUR DRIVE FOR GREATER CONSUMER PROTECTION, AS THE GOVERNOR HAD PLEDGED IN HIS 1993 POLICY ADDRESS," MRS IP SAID.

"THE CONSUMER GOODS SAFETY BILL SEEKS TO IMPOSE A STATUTORY DUTY ON MANUFACTURERS, IMPORTERS AND SUPPLIERS OF CONSUMER GOODS TO ENSURE THAT THE GOODS THEY SUPPLY FOR LOCAL CONSUMPTION ARE SAFE," SHE SAID.

"IT CREATES A GENERAL SAFETY REQUIREMENT AND PROVIDES FOR JUDICIAL GUIDELINES IN DETERMINING THE REASONABLE LEVEL OF SAFETY REQUIRED OF DIFFERENT CONSUMER GOODS. THESE GUIDELINES INCLUDE THE MANNER IN WHICH THE CONSUMER GOODS ARE PRESENTED; THE USE OF ANY MARKS, INSTRUCTIONS OR WARNINGS FOR THEIR CONSUMPTION; THEIR COMPLIANCE WITH ANY RELEVANT ESTABLISHED OVERSEAS SAFETY STANDARDS; AND THE EXISTENCE OF ANY MEANS TO MAKE THEM SAFER."

THE COMMISSIONER OF CUSTOMS AND EXCISE WILL BE RESPONSIBLE FOR ENFORCING THE LEGISLATION. HE WILL BE EMPOWERED TO ISSUE NOTICES TO SUPPLIERS REQUIRING THEM TO WARN CONSUMERS OF POTENTIAL HAZARDS, AND TO RECALL OR PROHIBIT THE SUPPLY OF UNSAFE CONSUMER GOODS.

"TO FACILITATE COMPLIANCE WITH THE GENERAL SAFETY REQUIREMENT STIPULATED IN THE ORDINANCE, SUPPLIERS OF CONSUMER GOODS MAY APPROACH THE PRODUCTS STANDARD INFORMATION BUREAU OF THE INDUSTRY DEPARTMENT FOR INFORMATION ON ESTABLISHED OVERSEAS SAFETY STANDARDS APPLICABLE TO THE CONSUMER GOODS THEY SUPPLY," SAID MRS IP.

/"SUPPLIERS MAY

"SUPPLIERS MAY ALSO HAVE THEIR CONSUMER GOODS TESTED BY LABORATORIES ACCREDITED UNDER THE HONG KONG LABORATORY ACCREDITATION SCHEME AND OVERSEAS LABORATORIES WITH EQUAL STANDING," SHE ADDED.

"IN LEGAL PROCEEDINGS UNDER THE LEGISLATION, THE COURT MAY CONSIDER THE EXISTENCE OF A TESTING CERTIFICATE IN DECIDING WHETHER THERE IS A DEFENCE OF DUE DILIGENCE."

A PERSON WHO SUPPLIES UNSAFE CONSUMER GOODS COMMITS AN OFFENCE. HE SHALL BE LIABLE ON FIRST CONVICTION TO A FINE OF \$100,000 AND IMPRISONMENT FOR ONE YEAR, AND ON SUBSEQUENT CONVICTION TO A FINE OF \$500,000 AND IMPRISONMENT FOR TWO YEARS.

"THE THREE BILLS ON SALE OF GOODS, SUPPLY OF SERVICES AND UNCONSCIONABLE CONTRACTS HAVE BEEN DRAWN UP TO IMPLEMENT THE RECOMMENDATIONS OF THE LAW REFORM COMMISSION FOR THE BETTER PROTECTION OF CONSUMERS," MRS IP SAID.

THE SALE OF GOODS (AMENDMENT) BILL 1994 MODIFIES THE EXISTING LAW GOVERNING CONTRACTS FOR THE SALE OF GOODS BY IMPROVING THE DEFINITION OF MERCHANTABLE QUALITY REQUIRED OF GOODS. IT ALSO PROVIDES THAT A CONSUMER SHALL NOT BE DEEMED TO HAVE ACCEPTED THE GOODS UNLESS HE HAS HAD A REASONABLE OPPORTUNITY TO EXAMINE THEM, NOTWITHSTANDING HIS SIGNING OF AN ACCEPTANCE NOTE.

THE SUPPLY OF SERVICES (IMPLIED TERMS) BILL SEEKS TO CODIFY SOME COMMON LAW PRINCIPLES GOVERNING CONTRACTS FOR THE SUPPLY OF SERVICES. IT STIPULATES THAT A SUPPLIER OF SERVICE IS OBLIGED TO PERFORM THE SERVICE WITH REASONABLE CARE AND SKILL, AND WITHIN REASONABLE TIME.

THE BUYER ON THE OTHER HAND SHOULD PAY A REASONABLE CHARGE FOR THE SERVICE IF THIS IS NOT DETERMINED BY THE CONTRACT. THE BILL DOES NOT AFFECT ANY DUTIES ARISING FROM THE LAW IF THEY ARE STRICTER THAN THOSE IMPOSED BY THE BILL ITSELF.

"WE SHALL SEEK THE APPROVAL OF THE GOVERNOR-IN-COUNCIL TO EXEMPT COMPANY DIRECTORS AND ADVOCATES IN COURT FROM THE OPERATION OF THIS BILL," SAID MRS IP.

"THE DUTIES OF COMPANY DIRECTORS HAVE BEEN LAID DOWN ALREADY IN THE COMPANIES ORDINANCE AND COMMON LAW," SHE EXPLAINED, "WHEREAS THE PROPOSED EXEMPTION OF ADVOCATES IN COURT IS A LIMITED ONE. IT ONLY RELATES TO THE CONDUCT OF PROCEEDINGS IN COURTS AND THE PREPARATION OF PRE-TRIAL WORK. THE PROPOSAL WILL ALLOW COMMON LAW TO DEVELOP NATURALLY IN THIS AREA."

THE UNCONSCIONABLE CONTRACTS BILL EMPOWERS THE COURT TO STRIKE DOWN OR REWRITE UNCONSCIONABLE TERMS IN CONSUMER CONTRACTS. THE ORDINANCE PROVIDES GUIDELINES TO THE COURT IN DETERMINING UNCONSCIONABILITY.

"IN PREPARING THESE FOUR PIECES OF LEGISLATION, WE FULLY RECOGNISE THE NEED FOR STRIKING A BALANCE BETWEEN ENHANCING CONSUMER PROTECTION AND NOT INTERFERING UNNECESSARILY WITH THE WAY IN WHICH BUSINESS IS CONDUCTED," MRS IP SAID.

"WE BELIEVE THESE BILLS WILL PROVIDE OUR CONSUMERS WITH APPROPRIATE LEGAL REMEDIES AGAINST UNFAIR TRADE PRACTICES."

THE SALE OF GOODS (AMENDMENT) BILL 1994 AND THE SUPPLY OF SERVICES (IMPLIED TERMS) BILL WILL COME INTO IMMEDIATE EFFECT UPON THEIR ENACTMENT ON OCTOBER 20, 1994.

THE CONSUMER GOODS SAFETY BILL AND THE UNCONSCIONABLE CONTRACTS BILL WILL BE COMMENCED IN OCTOBER 1995 TO ALLOW A ONE-YEAR GRACE PERIOD FOR THE TRADE AND INDUSTRY TO ADJUST.

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ROAD TRAFFIC ORDINANCE STREAMLINED AND UPDATED
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A BILL SEEKING TO STREAMLINING AND UPDATING THE ROAD TRAFFIC ORDINANCE WAS PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

A GOVERNMENT SPOKESMAN SAID THE ROAD TRAFFIC (AMENDMENT) (NO. 2) BILL 1994 TRANSFERRED THE POWERS OF THE GOVERNOR-IN-COUNCIL IN MAKING REGULATIONS ON A WIDE VARIETY OF OPERATIONAL MATTERS AND IN REVISING THE ROAD USERS' CODE TO THE SECRETARY FOR TRANSPORT.

"HOWEVER, THE POWERS TO MAKE REGULATIONS IN THE MORE SENSITIVE AREAS, SUCH AS FEES AND CHARGES, PUBLIC TRANSPORT FARES, POWERS OF ARREST AND POLICE POWERS, WILL BE RETAINED BY THE GOVERNOR-IN-COUNCIL," THE SPOKESMAN SAID.

THE BILL ALSO REMOVES THE REQUIREMENT THAT A PUBLIC OFFICER SHOULD SERVE IN THE TRANSPORT TRIBUNAL AND ALLOWS THE TRIBUNAL TO SELECT ITS OWN LEGAL ADVISER, INSTEAD OF CHOOSING FROM A PANEL APPOINTED BY THE ATTORNEY GENERAL, TO DEMONSTRATE THE INDEPENDENCE AND IMPARTIALITY OF THE TRIBUNAL.

IT PROVIDES FOR THE COMMISSIONER FOR TRANSPORT TO REFUSE TO LICENSE OR TO CANCEL THE LICENCE OF A VEHICLE IF ITS VEHICLE IDENTIFICATION NUMBER HAD BEEN ALTERED OR TAMPERED WITH.

IT ALSO EXTENDS THE CONTROL ON BICYCLES AND TRICYCLES TO MULTICYCLES, A NEW TYPE OF PEDAL CYCLE WITH FOUR WHEELS.

THE BILL WILL COME INTO EFFECT ON OCTOBER 28 THIS YEAR.

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PROSECUTORS NO LONGER RELY ON
SECTION 25 OF PREVENTION OF BRIBERY ORDINANCE

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IN THE LIGHT OF CASE LAW UNDER THE BILL OF RIGHTS ORDINANCE CONCERNING PRESUMPTIONS, PROSECUTORS HAVE BEEN INSTRUCTED TO INVITE THE COURTS NOT TO RELY UPON SECTION 25 OF THE PREVENTION OF BRIBERY ORDINANCE, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY THE HON ANNA WU HUNG-YUK, MR MATHEWS SAID SECTION 25 OF THE PREVENTION OF BRIBERY ORDINANCE WAS USED RELATING TO PROSECUTIONS FOR BRIBERY UNDER SECTION 4 OR 5 OF THAT ORDINANCE.

IT PROVIDES THAT, WHERE IT IS PROVED THAT THE ACCUSED GAVE OR ACCEPTED AN ADVANTAGE, THE ADVANTAGE SHALL BE PRESUMED TO HAVE BEEN GIVEN AND ACCEPTED FOR THE PURPOSES ALLEGED IN THE PARTICULARS OF THE OFFENCE, UNLESS THE CONTRARY IS PROVED.

IN THE LIGHT OF CASE LAW UNDER THE BILL OF RIGHTS ORDINANCE CONCERNING PRESUMPTIONS, PROSECUTORS WOULD NOW HAVE TO PROVE THAT AN ALLEGED ADVANTAGE WAS GIVEN AND ACCEPTED FOR THE PURPOSES ALLEGED, HE SAID.

HE ADDED: "SHOULD THE SECTION BE CHALLENGED AS BEING INCONSISTENT WITH THE BILL OF RIGHTS ORDINANCE, PROSECUTORS ARE INSTRUCTED TO INFORM THE COURT THAT IT IS THE CROWN'S VIEW THAT THE SECTION HAS BEEN REPEALED BY THE BILL OF RIGHTS ORDINANCE."

HE ALSO NOTED THAT SECTION 25 OF THE PREVENTION OF BRIBERY ORDINANCE WAS BEING CONSIDERED BY THE INDEPENDENT ICAC REVIEW COMMITTEE IN THE LIGHT OF LEGAL ADVICE CONCERNING THE BILL OF RIGHTS ORDINANCE.

ON OTHER STATUTORY PROVISIONS WHICH MIGHT BE INCONSISTENT WITH THE BILL OF RIGHTS ORDINANCE, MR MATHEWS SAID IT WAS NOT THE POLICY OF THE ADMINISTRATION TO DECLINE TO RELY ON ANY PROVISION OF THE CRIMINAL LAW BECAUSE IT MIGHT POSSIBLY BE INCONSISTENT WITH THE BILL OF RIGHTS ORDINANCE.

HOWEVER, IF THE LEGAL DEPARTMENT CONSIDERED THAT SUCH A PROVISION WAS INCONSISTENT WITH THE BILL OF RIGHTS ORDINANCE, PROSECUTORS WOULD BE INSTRUCTED NOT TO RELY UPON THE PROVISION AND LEGISLATIVE STEPS WOULD BE TAKEN TO DELETE THE PROVISION FROM THE ORDINANCE CONCERNED, HE SAID.

HE NOTED THAT SOME PROVISIONS HAD ALREADY BEEN DELETED FOR THAT REASON AND STEPS WERE BEING TAKEN TO DELETE FIVE ADDITIONAL PROVISIONS.

THE ARE:

- * SECTION 8(D) OF THE SUMMARY OFFENCES ORDINANCE (CAP. 228), WHICH MAKES IT AN OFFENCE FOR PEOPLE TO ASSEMBLE IN THE NIGHT-TIME WITHOUT REASONABLE EXCUSE, OR FOR A PERSON TO FAIL TO REPORT SUCH AN ASSEMBLY;

- * SECTION 30 OF THE SUMMARY OFFENCES ORDINANCE WHICH MAKES IT AN OFFENCE FOR A PERSON TO BE IN POSSESSION OF ANYTHING REASONABLY SUSPECTED OF HAVING BEEN STOLEN AND TO FAIL TO GIVE A SATISFACTORY ACCOUNT OF HOW HE CAME BY THAT THING;
- * SECTION 4(4) OF THE MASSAGE ESTABLISHMENTS ORDINANCE (CAP. 266), WHICH PROVIDES FOR AN ENHANCED PENALTY IN CERTAIN CIRCUMSTANCES, UNLESS THE DEFENDANT PROVES CERTAIN FACTS;
- * SECTION 29(6)(A)(I) AND (II) OF THE THEFT ORDINANCE (CAP. 210), UNDER WHICH TWO PRESUMPTIONS OPERATE AGAINST A PERSON ACCUSED OF CERTAIN OFFENCES INVOLVING THE DISHONEST USE OF CHEQUES; AND
- * SECTION 40(A) OF THE DUTIABLE COMMODITIES ORDINANCE (CAP.109) WHICH CREATES A PRESUMPTION THAT ANY GOODS TO WHICH THE ORDINANCE APPLIES ARE DUTIABLE GOODS.

PROVISIONS TO DELETE THE FIRST FOUR ITEMS WERE CONTAINED IN THE ADMINISTRATION OF JUSTICE (MISCELLANEOUS PROVISIONS) BILL 1994, WHICH WAS NOW BEFORE THE COUNCIL, MR MATHEWS SAID.

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MOTION DEBATE ON RIGHT OF ABODE IN UK

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FOLLOWING IS THE SPEECH BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, IN THE LEGCO MOTION DEBATE ON RIGHT OF ABODE IN UK FOR ALL HONG KONG BRITISH NATIONALS:

MR PRESIDENT:

NATIONALITY AND RIGHT OF ABODE HAVE A DIRECT BEARING ON HONG KONG PEOPLE'S LIVES. THEY ARE SUBJECTS IN WHICH HONG KONG PEOPLE HAVE A SPECIAL AND DIRECT INTEREST. THEY ARE AMONG THE ISSUES AT THE HEART OF THE TRANSITION.

THE MOTION BEFORE US TODAY PROPOSES THAT ALL BRITISH NATIONALS IN HONG KONG SHOULD BE GRANTED BRITISH CITIZENSHIP AND, THEREBY, THE RIGHT OF ABODE IN THE UNITED KINGDOM. THIS HAS BEEN DEBATED PREVIOUSLY IN THIS COUNCIL; IT HAS BEEN THOROUGHLY DEBATED IN THE BRITISH PARLIAMENT; AND IT HAS - AND IS - OFTEN DISCUSSED IN THE COMMUNITY AT LARGE.

THE ISSUE WAS DISCUSSED AT LENGTH BY THE LEGISLATIVE COUNCIL IN THE LATTER HALF OF 1989. AT THAT TIME THE HONG KONG GOVERNMENT MADE ITS POSITION CLEAR; WE BELIEVED THAT THE BEST SOLUTION WOULD BE FOR BRITAIN TO GRANT THE RIGHT OF ABODE IN THE UNITED KINGDOM TO ALL BRITISH NATIONALS IN HONG KONG. THAT WAS OUR POSITION THEN; AND IT REMAINS OUR POSITION TODAY.

/OUR LOBBYING

OUR LOBBYING EFFORTS - AND THE EFFORTS OF MANY MEMBERS OF THIS COUNCIL - RESULTED, IN LATE 1989, IN THE ESTABLISHMENT OF THE BRITISH NATIONALITY SELECTION SCHEME. THIS SCHEME DID NOT GO AS FAR AS WE WISH. NEVERTHELESS, DESPITE ITS LIMITATIONS, I BELIEVE THAT IT HAS HELPED - AS WAS ITS AIM - TO ENCOURAGE PEOPLE TO REMAIN IN HONG KONG, AND TO ENSURE THAT BUSINESS AND THE ADMINISTRATION CONTINUE TO FUNCTION EFFECTIVELY AND SUCCESSFULLY.

WE WILL CONTINUE TO URGE THE BRITISH GOVERNMENT TO GO FURTHER. BUT MEMBERS WILL BE AWARE OF THE EXTENSIVE DEBATE THAT HAS ALREADY TAKEN PLACE IN BRITAIN ON THE MATTER. THE QUESTION OF GRANTING FULL BRITISH CITIZENSHIP TO HONG KONG BDTCS WAS CONSIDERED CAREFULLY AND THOROUGHLY BY PARLIAMENT WHEN IT DEBATED THE BRITISH NATIONALITY (HONG KONG) ACT IN 1990. IT IS NOT A POSITION THAT HAS THE SUPPORT OF EITHER THE BRITISH GOVERNMENT OR THE MAJOR OPPOSITION PARTY IN BRITAIN.

WE HAVE IN PREPARATION FOR THIS DEBATE CONSULTED THE BRITISH GOVERNMENT ON THIS SUBJECT ONCE MORE. AND THE BRITISH GOVERNMENT HAS REITERATED ITS POSITION. IN THEIR VIEW, THE AWARD OF CITIZENSHIP TO 50,000 HEADS OF HOUSEHOLD WAS THE RIGHT RESPONSE, WHICH HAS HELPED TO BOLSTER CONFIDENCE IN HONG KONG. NOTHING HAS HAPPENED SINCE THE SCHEME WAS SET UP TO CHANGE THEIR VIEW. THE BRITISH GOVERNMENT ARE NOT PREPARED TO AWARD CITIZENSHIP TO ALL THE APPROXIMATELY 3.5 MILLION BDTCS; THEY CONSIDER THAT THEY COULD NOT BIND A FUTURE BRITISH GOVERNMENT TO SUCH A LARGE POTENTIAL IMMIGRATION COMMITMENT. THEY CONSIDER THAT THE GREAT MAJORITY OF BDTCS HAVE MADE CLEAR THAT THEY WISH TO CONTINUE TO LIVE IN HONG KONG; AND THEY ARE CONFIDENT THAT THE JOINT DECLARATION MAKES PROVISION FOR ALL BDTCS WHO WISH TO CONTINUE TO RESIDE IN HONG KONG TO DO SO.

WE WILL CONTINUE TO PRESS THE BRITISH GOVERNMENT AND TO PUT OUR POSITION AND THE POSITION OF THIS COUNCIL TO THEM. BUT I HAVE TO SAY TO MEMBERS THAT, ON THE BASIS OF OUR MOST RECENT CONTACTS, AND ON THE BASIS OF THE CONSISTENTLY EXPRESSED POSITION OF THE BRITISH GOVERNMENT IN RECENT YEARS, IT WOULD BE UNREALISTIC TO EXPECT A CHANGE OF POLICY.

IN LINE WITH OUR CONSISTENT POSITION, WE WILL BE VOTING FOR THIS MOTION TODAY. BUT WE BELIEVE ALSO THAT OUR ENERGIES SHOULD BE DIRECTED TO ENSURING THAT HONG KONG REMAINS A PLACE WHERE HONG KONG PEOPLE WANT TO REMAIN; THAT ITS WAY OF LIFE AND ITS PROSPERITY ARE PRESERVED AND UNDERPINNED, THAT THE LETTER AND THE SPIRIT OF THE SAFEGUARDS FOR HONG KONG'S FUTURE PROVIDED BY THE JOINT DECLARATION ARE HONOURED IN FULL.

MR PRESIDENT, I SHOULD ALSO LIKE TO SPEAK ABOUT THE SPECIAL CASE FOR BRITISH CITIZENSHIP FOR THE ETHNIC MINORITIES. WITHOUT DETRACTING FROM OUR SUPPORT FOR THE GRANT OF BRITISH CITIZENSHIP TO ALL HONG KONG BDTCS, WE HAVE GIVEN OUR SUPPORT PARTICULARLY FOR THE GRANT OF CITIZENSHIP AND RIGHT OF ABODE IN THE UNITED KINGDOM TO THE ETHNIC MINORITIES WHO ARE BDTCS. THE BRITISH GOVERNMENT HAS NOT AS YET ACCEPTED OUR ARGUMENTS ON BEHALF OF THE ETHNIC MINORITIES, ALTHOUGH THESE HAVE THE SUPPORT OF A CONSIDERABLE NUMBER OF MEMBERS OF THE PARLIAMENT INCLUDING MEMBERS OF THE FOREIGN AFFAIRS COMMITTEE. WE WILL CONTINUE TO PRESS THEIR CASE. THANK YOU, MR PRESIDENT.

MOTION DEBATE ON KWUN LUNG LAU LANDSLIP

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FOLLOWING IS THE SPEECH BY THE SECRETARY FOR WORKS, MR JAMES BLAKE, IN THE MOTION DEBATE ON KWUN LUNG LAU LANDSLIP IN THE LEGISLATIVE COUNCIL TONIGHT (WEDNESDAY):

MR. PRESIDENT,

IT IS FOR LEGCO TO DECIDE WHETHER OR NOT IT SHOULD CONDUCT ITS OWN ENQUIRY INTO THE KWUN LUNG LAU (KLL) CASE AND RELATED ISSUES. HOWEVER, MAY I ASK THAT MEMBERS SERIOUSLY CONSIDER WHETHER OR NOT THEY WILL BE IN A BETTER POSITION TO JUDGE THE NEED FOR A SELECT COMMITTEE, UNDER THE STATED ORDINANCE, FOLLOWING THE FULL TECHNICAL REPORT ON THE TRAGEDY AT KLL BECOMING AVAILABLE IN ABOUT SEVEN WEEKS FROM NOW.

THE VERY COMPLEX ONGOING TECHNICAL INVESTIGATIONS AND ANALYSES ARE REQUIRED TO DETERMINE THE CAUSES OF THE SLOPE AND WALL FAILURE. IT MUST BE ASKED THE QUESTION AS TO WHETHER A SELECT COMMITTEE, IN VIEW OF THESE COMPLICATIONS, IS BETTER PLACED TO CARRY OUT THIS TASK RATHER THAN THE INDEPENDENCE OF AN INTERNATIONAL EXPERT SUCH AS PROFESSOR MORGENSTERN AND THE PRESENT TEAM OF EXPERTS IN THE GEOTECHNICAL ENGINEERING OFFICE. PARALLEL LINES OF ENQUIRY COULD WELL LEAD TO CONFUSION, NOT CLARITY.

WE ARE ALREADY COMPLETING MUCH OF A COMPREHENSIVE INVESTIGATION, INCLUDING ARCHIVE RESEARCH, INTERVIEWS, TOPOGRAPHIC SURVEYS, SURVEYS OF EXISTING SERVICES, GEOLOGICAL MAPPING, DRILLING AND SAMPLING, EXCAVATION OF TRIAL PITS, STUDY OF GROUNDWATER CONDITIONS, LABORATORY TESTING. WE ARE NOW PROCEEDING WITH THE EXTENSIVE ENGINEERING ANALYSES. THIS WORK WILL CONTINUE AS QUICKLY AS POSSIBLE UNTIL CONCLUSIONS CAN BE DRAWN AS TO THE CAUSES OF THE FAILURE. ONLY THEN WILL IT BE POSSIBLE TO DETERMINE WHETHER THE LANDSLIP COULD HAVE BEEN PREVENTED.

PROFESSOR MORGENSTERN HAS ALSO ACCEPTED IN HIS BRIEF A REQUIREMENT THAT IN ADDITION TO HIS FINDINGS ON THE CAUSE OF THE KLL COLLAPSE, HE SHOULD ALSO ADVISE GOVERNMENT ON THE ADEQUACY OF OUR CURRENT APPROACH TO SLOPE SAFETY. THIS ADVICE CAN INCLUDE ANY FURTHER MEASURES THAT HE CONSIDERS COULD IMPROVE SLOPE SAFETY IN HK.

REVIEWING THE EXCELLENT PROGRESS THUS FAR WITH THE INVESTIGATION GIVES ME ASSURANCE THAT ENQUIRY COMPLETION BY THE END OF NOVEMBER WITHIN FOUR MONTHS OF THE INCIDENT, ALTHOUGH A VERY DEMANDING TASK, CAN BE ACHIEVED. FOR THIS REASON, THE PROFESSIONALS IN THE GEOTECHNICAL ENGINEERING OFFICE ARE CONCENTRATING THEIR EFFORTS ON THIS TASK, WITHOUT BEING DISTRACTED BY OTHER ISSUES. THIS IS TO ENSURE THAT THE PROGRESS AND THE QUALITY OF THE REPORT WILL RECEIVE ABSOLUTE PRIORITY, A PRIORITY THAT COULD WELL BE ADVERSELY AFFECTED BY ANOTHER LINE OF ENQUIRY BEING OPENED AT THIS TIME.

/WE HAVE

WE HAVE GIVEN A PUBLIC ASSURANCE THAT WE WILL BE OPEN AND TRANSPARENT. THUS FAR WE HAVE PUBLISHED OUR INITIAL REPORT ON THE INVESTIGATION AND THE RELATED REPORTS FROM THE HOUSING SOCIETY CONSULTANTS. WE WILL ALSO PUBLISH IN FULL OUR FINAL FINDINGS AS WELL AS PROFESSOR MORGENSTERN'S INDEPENDENT REPORT. I DO NOT SEE FULL TRANSPARENCY TO BE A PROBLEM. ALL RELEVANT PUBLIC BODIES AND OFFICERS ARE AVAILABLE TO CO-OPERATE FULLY WITH LEGCO MEMBERS NO MATTER WHETHER THEY ARE AUTHORIZED UNDER THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) ORDINANCE OR NOT.

THE HONOURABLE MEMBERS HAVE TODAY RESTATED THE VIEWS WHICH WERE PUT FORWARD IN CONNECTION WITH A COMMISSION OF INQUIRY.

- THE CAUSES OF THE LANDSLIP AND WHETHER IT COULD HAVE BEEN PREVENTED.
- THE ADEQUACY OF OUR EXISTING LEGISLATION, POLICY AND RESOURCES.
- THE ADEQUACY OR OTHERWISE OF CONTINGENCY MEASURES FOR EMERGENCY SERVICES.
- ANY IMPROVEMENT AND REMEDIAL MEASURES THAT COULD BE ADOPTED TO PREVENT THE RECURRENCE AND IDENTIFYING THOSE WHO SHOULD BE HELD RESPONSIBLE.

I BELIEVE THAT THE SELECT COMMITTEE, IF APPOINTED, WOULD INDEED BE TASKED TO ENQUIRE INTO THESE SIMILAR CONCERNS AND IN THIS REGARD, THE FOLLOWING COMMENTS MAY BE HELPFUL.

AS TO THE FIRST CONCERNS I.E. THE CAUSE OF THE FAILURE, PARTIES RESPONSIBLE AND IMPROVEMENT MEASURES TO BE ADOPTED, IT WILL NOT BE POSSIBLE TO ADDRESS THESE PROPERLY WITHOUT THE FULL TECHNICAL INVESTIGATION REPORT. HENCE THE DECISION BY THE GOVERNOR-IN-COUNCIL TO AWAIT THE REPORT BEFORE DECIDING ON A COMMISSION OF ENQUIRY. THIS IS NOT A STALLING TACTIC. IT ADDRESSES THE REALITY OF THE SITUATION, WHILE UTILISING THE BEST AVAILABLE EXPERTISE TO DEAL WITH THIS FIRST CRITICALLY IMPORTANT STAGES OF THE ENQUIRY INTO THIS MATTER.

AS TO THE ADEQUACY OF THE LEGISLATION, POLICY AND RESOURCES IN THE PREVENTION OF LANDSLIPS, THE WORKS BRANCH IS CURRENTLY OVERSEEING A FOCUSED REVIEW INTO THESE MATTERS. THIS IS BEING COMPLETED WITH SEPARATE RESOURCES, THAT IN PARALLEL WITH THE TECHNICAL INVESTIGATION, AND I WILL BE PLEASED TO REPORT TO MEMBERS ON THE OUTCOME OF OUR REVIEW, WITH AS MUCH DETAIL AS MEMBERS REQUIRE. I WOULD ALSO ADD THAT DEPARTMENTAL REVIEWS OF SLOPE SAFETY POLICY HAVE BEEN UNDERTAKEN AT VARIOUS TIMES SINCE THE 1980S. FURTHERMORE IT IS CLEARLY A MATTER OF RECORD THAT SINCE THE ESTABLISHMENT OF THE GEOTECHNICAL ENGINEERING OFFICE, THERE HAVE BEEN SIGNIFICANT IMPROVEMENTS IN THE SAFETY OF SLOPES. AS TO THE ADEQUACY OF THE RESOURCES THAT WE ARE CURRENTLY USING, THIS WILL BE TOUCHED UPON IN OUR REVIEW AND I WILL BRING THIS TO OUR HONOURABLE MEMBERS FOR THEIR CAREFUL CONSIDERATION IN DUE COURSE.

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ON THE CONTINGENCY MEASURES FOR EMERGENCY SITUATIONS, THE FACTS OF THE MEASURES THAT WE HAVE TAKEN IMMEDIATELY FOLLOWING THIS EMERGENCY HAVE ALREADY BEEN LAID BEFORE MEMBERS BY WAY OF A DETAILED REPORT. SUFFICIENT TO SAY THAT INFORMATION SHOWS THAT ALL POLICE, FIRE SERVICE, HOUSING SOCIETY, BUILDINGS DEPARTMENT, DISTRICT ENGINEERS FROM GEOTECHNICAL ENGINEERING OFFICE AND SOCIAL WELFARE DEPARTMENT STAFF WERE ON SITE PROMPTLY. A COMMAND POST WAS SET UP BY 9.16 PM AND ABOUT 2,500 RESIDENTS WERE SAFELY EVACUATED BY 10.30 PM. TEMPORARY SHELTERS WERE OPENED. MEALS, BLANKETS, AND RELIEF ARTICLES WERE PROVIDED. A 24-HOUR HOTLINE WAS SET UP BY THE DISTRICT OFFICE TO FACILITATE ENQUIRIES. ALL OF THESE AND OTHER POST-INCIDENT ACTIONS TOOK PLACE PROMPTLY IN VERY DIFFICULT CONDITIONS. I ARRIVED BACK FROM LONDON JUST A FEW HOURS BEFORE THE INCIDENT IN TIME TO VISIT THE SITE THAT NIGHT AND THE FOLLOWING MORNING TO SEE THE EFFECTIVENESS OF THESE MEASURES.

MEMBERS WOULD BE WISHED TO BE ASSURED THAT IN THE EVENT THAT THE TECHNICAL INVESTIGATION DOES PROVIDE EVIDENCE A FURTHER INQUIRY IS NEEDED INTO THE CONDUCT OF PUBLIC BODIES OR PUBLIC OFFICERS IN THE CIRCUMSTANCES OF THE TRAGEDY, THE APPROPRIATE ACTION WILL BE TAKEN. THE CHIEF SECRETARY IS ON RECORD TO CONFIRM THAT THE GOVERNMENT IS NOT AVOIDING THIS ISSUE. WHILST THE ESSENTIAL FIRST STEP IS TO IDENTIFY THE CAUSE OF THE SLOPE FAILURE, THE TECHNICAL ENQUIRY PHASE DOES NOT PRECLUDE FURTHER ENQUIRY ON THE QUESTION OF RESPONSIBILITY, BUT INDEED THIS PRESENT PHASE IS ESSENTIAL TO PROVIDE THE BODY OF EVIDENCE NEEDED TO DETERMINE RESPONSIBILITY.

MR PRESIDENT, TO SUM UP, TECHNICAL INVESTIGATION IS NOW WELL IN HAND. THE INDEPENDENT REPORT FROM PROFESSOR MORGENSTERN AND THE FINDINGS OF OUR OWN TECHNICAL INVESTIGATION SHOULD BE AVAILABLE IN JUST A FEW WEEKS. OUR ACTIONS ARE OPEN AND TRANSPARENT. THE EXISTING COMMUNICATION CHANNELS BETWEEN LEGCO AND THE ADMINISTRATION ARE EFFECTIVE AND AVAILABLE TO MEMBERS AT ALL TIMES. THE APPOINTMENT OF A SELECT COMMITTEE AT THIS TIME WILL NOT ADD TO THE PRESENT ENQUIRIES. AND INDEED MAY WELL HAVE AN ADVERSE EFFECT ON THE PROGRESS AND QUALITY OF THE CURRENT INVESTIGATION. MR PRESIDENT, MAY I ASK HONOURABLE MEMBERS TO KEEP THIS IMPORTANT POINTS IN MIND WHEN THEY MAKE THEIR INDIVIDUAL DECISIONS. THANK YOU.

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WEDNESDAY, OCTOBER 12, 1994

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CONTROL OF PRIVATE MEDICAL PRACTICES

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THE FOLLOWING IS A WRITTEN REPLY BY THE SECRETARY FOR HEALTH AND WELFARE, MRS KATHERINE FOK, TO A QUESTION BY THE HON ERIC LI IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

- (A) THE PROVISIONS GOVERNING THE INCORPORATION OF COMPANIES ARE CONTAINED IN PART I OF THE COMPANIES ORDINANCE (CAP 32). SECTION 4 OF THIS ORDINANCE PROVIDES THAT ANY TWO OR MORE PERSONS, ASSOCIATED FOR ANY LAWFUL PURPOSE, MAY FORM AN INCORPORATED COMPANY WITH LIMITED LIABILITY. THERE ARE NO SPECIFIC PROVISIONS WHICH PROHIBIT AN INVESTOR FROM INCORPORATING A LIMITED COMPANY TO OWN A MEDICAL PRACTICE WHICH IS UNDER THE DIRECT SUPERVISION OF A REGISTERED MEDICAL PRACTITIONER OR A GROUP OF REGISTERED MEDICAL PRACTITIONERS. IF THE OBJECTS OF A COMPANY DO NOT APPEAR TO BE ILLEGAL, THE REGISTRAR OF COMPANIES CANNOT REFUSE THE INCORPORATION.
- (B) THERE ARE NO SPECIFIC STATUTORY PROVISIONS WHICH PROHIBIT AN INDIVIDUAL DOCTOR OR A GROUP OF DOCTORS FROM INCORPORATING A COMPANY TO CARRY ON THE BUSINESS OF MEDICAL PRACTICE, OR TO INVEST IN SUCH A BUSINESS.
- (C) UNDER THE MEDICAL CLINICS ORDINANCE (CAP 343), PRIVATE CONSULTING ROOMS USED EXCLUSIVELY BY REGISTERED MEDICAL PRACTITIONERS IN THE COURSE OF THEIR PRACTICE ON THEIR OWN ACCOUNT AND NOT BEARING ANY TITLE OR DESCRIPTIONS WHICH INCLUDE THE WORD "CLINIC" OR "POLYCLINIC" IN THE ENGLISH LANGUAGE ARE SPECIFICALLY EXEMPTED FROM THE REGISTRATION REQUIREMENTS OF THAT ORDINANCE. NEVERTHELESS, ALL REGISTERED MEDICAL PRACTITIONERS ARE RESPONSIBLE FOR THE STANDARD OF THEIR PROFESSIONAL PRACTICE AND ARE SUBJECT TO THE CONTROL OF THE MEDICAL REGISTRATION ORDINANCE (CAP 161) AND THE PROFESSIONAL CODE OF CONDUCT ISSUED BY THE MEDICAL COUNCIL.
- (D) THE ANSWER TO (C) ABOVE IS THE SAME WHETHER OR NOT THE MEDICAL PRACTICE IS INCORPORATED UNDER THE COMPANIES ORDINANCE IN THE SITUATIONS AS DESCRIBED IN (A) AND (B) ABOVE.

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WEDNESDAY, OCTOBER 12, 1994

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APPLIED RESEARCH AND DEVELOPMENT FUND

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THE FOLLOWING IS A SPEECH BY THE ACTING SECRETARY FOR TRADE AND INDUSTRY, MRS REGINA IP, IN RESPONSE TO A QUESTION BY THE HON NGAI SHIU-KIT IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

THE APPLIED RESEARCH AND DEVELOPMENT FUNDING SCHEME IS ADMINISTERED BY THE GOVERNMENT-OWNED APPLIED RESEARCH AND DEVELOPMENT FUND CO LTD, WHICH IS REQUIRED TO SEEK A RETURN OF FIVE PER CENT ON FUNDS ADVANCED FROM THE CAPITAL INVESTMENT FUND. SINCE THE SCHEME WAS LAUNCHED IN FEBRUARY 1993, THERE HAVE BEEN SOME 300 ENQUIRIES, LEADING TO 28 APPLICATIONS, OF WHICH TEN HAVE BEEN APPROVED AND SIX ARE BEING PROCESSED. (THIS APPROVAL RATE COMPARES FAVOURABLY WITH PRIVATE SECTOR VENTURE CAPITAL COMPANIES.)

NEVETHELESS, AS THE ORIGINAL EXPECTATION WAS THAT THE SCHEME WOULD HELP TO FUND AN AVERAGE OF 20 PROJECTS EACH YEAR, THE COMPANY IS CONSIDERING CHANGES TO THE SCHEME TO MAKE IT MORE ATTRACTIVE TO POTENTIAL APPLICANTS, INCLUDING STREAMLINING THE APPLICATION PROCESS, EXPANDING BOTH THE PROPORTION AND THE SCOPE OF EXPENDITURE WHICH MAY BE COVERED BY FUNDING, AND BY MAKING MORE OF THE FUNDING AVAILABLE THROUGH EQUITY PARTICIPATION RATHER THAN REPAYABLE, INTEREST-BEARING LOANS. THE COMPANY HAS RECOMMENDED AGAINST MAKING OUTRIGHT GRANTS TO APPLICANTS, BUT HAS SUGGESTED THAT THE OBLIGATION TO ACHIEVE A FIVE PER CENT RATE OF RETURN BE LIFTED, NOTING THAT THIS WOULD ENABLE IT TO OFFER SOFT LOANS AND TO ASSUME A HIGHER LEVEL OF RISK.

THE GOVERNMENT IS GIVING CAREFUL CONSIDERATION TO PROPOSALS TO INCREASE THE PROPORTION OF EXPENDITURE WHICH MAY BE FUNDED AND TO REMOVE THE REQUIREMENT TO ACHIEVE A FIVE PER CENT RATE OF RETURN, BOTH OF WHICH WOULD REQUIRE THE CONSENT OF THE FINANCE COMMITTEE OF THIS COUNCIL.

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APPLIED RESEARCH CENTRE

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THE FOLLOWING IS A SPEECH BY THE ACTING SECRETARY FOR TRADE AND INDUSTRY, MRS REGINA IP, IN RESPONSE TO A QUESTION BY THE HON NGAI SHIU-KIT IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

THE GOVERNMENT HAS ASKED THE INDUSTRY AND TECHNOLOGY DEVELOPMENT COUNCIL TO ADVISE ON THE ESTABLISHMENT OF AN APPLIED RESEARCH CENTRE, AND EXPECTS TO RECEIVE ITS RECOMMENDATIONS IN THE NEAR FUTURE. FUNDING PROPOSALS WILL BE MADE TO THE FINANCE COMMITTEE OF THIS COUNCIL AS SOON AS POSSIBLE THEREAFTER.

/THE COUNCIL

THE COUNCIL BRINGS TOGETHER REPRESENTATIVES FROM MANY INDUSTRIAL SECTORS AND ORGANISATIONS, AND IS THUS WELL PLACED TO REFLECT THE VIEWS OF THE MANUFACTURING SECTOR.

IN CONSIDERING WHETHER A NEW OR EXISTING ORGANISATION COULD BEST DISCHARGE THE PROPOSED FUNCTIONS OF THE APPLIED RESEARCH CENTRE, FACTORS SUCH AS THE ABILITY AND WILLINGNESS OF EXISTING ORGANISATIONS TO DO SO, AND THE SCOPE FOR OPERATIONAL AND FINANCIAL SYNERGIES WOULD BE TAKEN INTO ACCOUNT.

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PUBLIC HOUSING FOR ELDERLY

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FOLLOWING IS A SPEECH MADE BY THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, IN HIS WRITTEN REPLY TO A QUESTION BY THE HON ZACHARY WONG WAI-YIN IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

(A) IN THE PAST THREE YEARS; THERE WERE 7 CASES OF CONFLICT BETWEEN ELDERLY PEOPLE IN SHARED FLATS IN PUBLIC HOUSING ESTATES WHICH RESULTED IN INJURY OR DEATH. 4 DEATHS WERE CAUSED.

(B) THERE ARE 10,790 TENANTS SHARING ACCOMMODATION IN PUBLIC HOUSING ESTATES. IN THE PAST THREE YEARS, 490 COMPLAINTS ABOUT CONFLICT WERE RECEIVED. IN SUCH CASES HOUSING DEPARTMENT STAFF NORMALLY INTERVIEW THOSE CONCERNED TO TRY TO RESOLVE THE DISPUTE. WHILE MANY DISPUTES ARE RESOLVED OR DEFUSED IN THIS WAY, OTHERS ARE REFERRED TO THE SOCIAL WELFARE DEPARTMENT FOR COUNSELLING AND ASSISTANCE, INCLUDING MEDICAL AND PSYCHIATRIC HELP AND THE PROVISION OF HOME CARE SERVICES.

WHERE DISPUTES APPEAR MORE SERIOUS, TRANSFERS ARE ARRANGED BY THE HOUSING DEPARTMENT AS SOON AS PRACTICABLE. IN THE PAST THREE YEARS, A TOTAL OF 161 TRANSFERS HAVE BEEN ARRANGED IN SUCH CIRCUMSTANCES.

(C) AS WELL AS MAKING UNITS WITH SHARED FACILITIES AVAILABLE TO ELDERLY TENANTS FOR WHOM SUCH ACCOMMODATION IS SUITABLE, THE HOUSING DEPARTMENT ALSO PROVIDES PURPOSE-BUILT SELF-CONTAINED FLATS FOR 1 OR 2-PERSON HOUSEHOLDS AS PART OF THE PUBLIC HOUSING DEVELOPMENT PROGRAMME. A TOTAL OF 38,000 SMALL FLATS, NEW AND REFURBISHED, WILL BE AVAILABLE FOR ALLOCATION TO 1 OR 2-PERSON AND MOSTLY ELDERLY HOUSEHOLDS FROM 1994/95 TO 1998/99.

THE HOUSING DEPARTMENT HAS ALSO ADOPTED OTHER MEASURES TO PREVENT AND RESOLVE CONFLICTS AMONG ELDERLY TENANTS. UNDER THE HOUSING FOR SENIOR CITIZENS SCHEME, HOSTEL ACCOMMODATION WITH A WARDEN SERVICE TO HELP RESIDENTS GET ON TOGETHER BETTER IS PROVIDED. THERE ARE NOW 15 HOUSING FOR SENIOR CITIZENS PROJECTS, WITH ANOTHER 38 PROVIDING 4,900 PLACES COMING ON STREAM IN THE NEXT 5 YEARS.

IN ADDITION, THE HOUSING DEPARTMENT STARTED AN ESTATE LIAISON OFFICERS SCHEME IN 1991 TO LOOK AFTER THE ELDERLY IN PUBLIC HOUSING ESTATES. THIS SCHEME HAS BEEN EXTENDED TO TEN ESTATES.

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HONORARIA FOR DEPUTY JUDGES TO BE ADJUSTED

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THE FOLLOWING IS A SPEECH BY THE ACTING CHIEF SECRETARY, MR MICHAEL LEUNG, IN RESPONSE TO A QUESTION BY THE HON EMILY LAU IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

- (A) THE CURRENT DAILY HONORARIA FOR DEPUTY HIGH COURT JUDGES, DEPUTY DISTRICT COURT JUDGES AND TEMPORARY MAGISTRATES ARE \$4,600, \$3,750 AND \$2,500 RESPECTIVELY.
- (B) THE RATES WERE LAST REVISED IN JUNE 1989.
- (C) THE JUDICIARY ADMINISTRATOR ACCEPTS THAT THERE IS A CASE FOR ADJUSTING THESE RATES, AND HOPES TO BE ABLE TO PUT FORWARD PROPOSALS TO THE FINANCE COMMITTEE WITHIN THE NEXT YEAR.
- (D) ALTHOUGH THE HONORARIA ARE NOT DESIGNED TO COMPENSATE DEPUTY JUDGES AND TEMPORARY MAGISTRATES FOR THEIR LOSS OF EARNINGS, THE EXISTING RATES HAVE NOT KEPT PACE WITH INFLATION. SOME PRACTITIONERS, PARTICULARLY THE MORE JUNIOR ONES, HAVE CITED THIS AS A REASON FOR THEIR REFUSAL TO SERVE AS DEPUTY JUDGES AND TEMPORARY MAGISTRATES.

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CORRUPTION COMPLAINTS

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THE FOLLOWING IS A SPEECH BY THE ACTING CHIEF SECRETARY, MR MICHAEL LEUNG, IN RESPONSE TO A QUESTION BY THE HON MRS SELINA CHOW IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

THE GOVERNMENT SECTOR ACCOUNTED FOR 42 PER CENT OF THE 3,284 COMPLAINTS OF ALLEGED CORRUPTION REPORTED TO THE ICAC IN 1993. DURING THAT YEAR, THE ICAC RECEIVED 1,365 GOVERNMENT SECTOR COMPLAINTS. IN 1990, THE FIGURE WAS 1,125, IN 1991 978 AND IN 1992 1,032. SO FAR THIS YEAR, 1,008 COMPLAINTS HAVE BEEN RECEIVED.

NOT ALL ALLEGATIONS WERE CAPABLE OF INVESTIGATION. 834 FELL INTO THE INVESTIGATED CATEGORY IN 1993. CORRESPONDING FIGURES FOR 1990 TO 1992 WERE 513, 577 AND 661. THIS YEAR, 656 COMPLAINTS WERE SO FAR CAPABLE OF INVESTIGATION.

IN 1993, ON THE ADVICE OF THE ATTORNEY GENERAL'S CHAMBERS, PROSECUTIONS WERE CONDUCTED AGAINST 44 GOVERNMENT SERVANTS AND A FURTHER 18 WERE OFFICIALLY CAUTIONED ON ADVICE THAT PROSECUTION WOULD NOT BE IN THE PUBLIC INTEREST. THE FIGURES FOR PROSECUTION IN THE THREE PREVIOUS YEARS WERE 29, 33 AND 26 AND FOR CAUTIONS 19, 18 AND 25. IN 1994 SO FAR, 31 GOVERNMENT SERVANTS HAVE BEEN PROSECUTED AND 12 CAUTIONED.

ARISING FROM THE PROSECUTIONS IN 1993, 24 GOVERNMENT SERVANTS WERE CONVICTED. IN THE PREVIOUS THREE YEARS, THE FIGURES WERE 15, 18 AND 15 AND SO FAR IN 1994 19 OFFICERS HAVE BEEN CONVICTED.

IT SHOULD BE NOTED THAT STATISTICS FOR EACH YEAR DO NOT PRECISELY INTER-RELATE. INVESTIGATIONS OF REPORTS MADE IN ONE YEAR MAY AND FREQUENTLY DO RUN INTO THE NEXT YEAR(S) AND PROSECUTIONS ARISING FROM THEM WILL BE ACCORDINGLY CARRIED FORWARD FROM ONE YEAR TO ANOTHER. IN A TIME OF HEAVY CASELOAD AND INCREASINGLY COMPLEX CRIME, INVESTIGATIONS TAKE LONGER TO COMPLETE AND THIS ALSO MAKES CORRELATION BY YEARS IMPRECISE.

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OMBUDSMAN RECOMMENDATIONS ACCEPTED

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THE FOLLOWING IS A SPEECH BY THE ACTING CHIEF SECRETARY, THE HON MICHAEL LEUNG, WHEN TABLING THE GOVERNMENT MINUTE IN RESPONSE TO COMAC'S SIXTH ANNUAL REPORT IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

WHEN PRESENTING THE SIXTH ANNUAL REPORT OF THE COMMISSIONER FOR ADMINISTRATIVE COMPLAINTS TO THE COUNCIL ON 6 JULY, THE CHIEF SECRETARY SAID THAT A GOVERNMENT MINUTE WOULD BE PREPARED IN THREE MONTHS' TIME, AND THAT THIS WOULD OUTLINE THE ACTION THAT THE GOVERNMENT HAS TAKEN OR PROPOSES TO TAKE IN RESPONSE TO THE RECOMMENDATIONS MADE BY COMAC IN RELATION TO THE CASES LISTED IN HIS REPORT ON WHICH COMPLAINTS WERE FOUND TO BE SUBSTANTIATED OR PARTIALLY SUBSTANTIATED. THIS GOVERNMENT MINUTE IS TABLED TODAY.

IN 1993-94, COMAC FOUND 37 COMPLAINT CASES TO BE SUBSTANTIATED OR PARTIALLY SUBSTANTIATED. IN THE MAJORITY OF THESE CASES, THE BRANCHES OR DEPARTMENTS INVOLVED HAVE ACCEPTED AND FOLLOWED UP ALL OF COMAC'S RECOMMENDATIONS. THERE ARE THREE CASES IN WHICH ONE OF COMAC'S RECOMMENDED MEASURES HAS HAD TO BE MODIFIED BECAUSE OF OPERATIONAL CONSTRAINTS. I AM REFERRING TO CASES NOS. OCAC 24/93 (A COMPLAINT AGAINST THE BUILDINGS DEPARTMENT), OCAC 65/93 (AGAINST THE LABOUR DEPARTMENT) AND OCAC5/93 (AGAINST THE LANDS DEPARTMENT). THE REASONS FOR THE MODIFICATIONS ARE SET OUT IN THE MINUTE.

SHOULD ANY MEMBER WISH TO HAVE FURTHER CLARIFICATION ON ANY OF THE EXPLANATIONS GIVEN IN THE GOVERNMENT MINUTE, THE ADMINISTRATION WOULD BE PLEASED TO PROVIDE THIS.

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MINUTES ON PUBLIC ACCOUNTS COMMITTEE TABLED

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THE FOLLOWING IS A SPEECH BY THE ACTING CHIEF SECRETARY, THE HON MICHAEL LEUNG, WHEN INTRODUCING THE GOVERNMENT MINUTES IN RESPONSE TO REPORT NO. 21A AND 22 OF THE PUBLIC ACCOUNTS COMMITTEE IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

LAI'D ON THE TABLE TODAY ARE THE GOVERNMENT MINUTES WHICH RESPOND RESPECTIVELY TO REPORTS NO. 21A AND NO. 22 OF THE PUBLIC ACCOUNTS COMMITTEE. THE MINUTES SET OUT THE ACTIONS THE GOVERNMENT HAS TAKEN, OR IS PLANNING TO TAKE, ON THE CONCLUSIONS AND RECOMMENDATIONS IN THE REPORTS.

THE HONOURABLE PETER WONG, CHAIRMAN OF THE PUBLIC ACCOUNTS COMMITTEE, SPOKE IN THIS COUNCIL ON 1 JUNE 1994 AND 6 JULY 1994 WHEN TABLING THE TWO PAC REPORTS. I WOULD LIKE TO TAKE THIS OPPORTUNITY TO RESPOND TO SOME OF THE POINTS HE MADE.

PAC REPORT NO. 21A DEALS WITH TWO OUTSTANDING ISSUES, NAMELY, PROVIDENT FUND AND SUPERANNUATION SCHEMES OPERATED BY SUBVENTED ORGANISATIONS, AND THE SALE OF A COMMERCIAL SITE IN GARDEN ROAD.

AS REGARDS THE FIRST ISSUE, WE NOTE THAT THE COMMITTEE'S CONCERN IS FOCUSED PRIMARILY ON THE SUPERANNUATION SCHEMES OF THE UPGC-FUNDED INSTITUTIONS. WE WELCOME THE COMMITTEE'S SUPPORT OF OUR VIEW THAT IT SHOULD BE THE RESPONSIBILITY OF THE INSTITUTIONS CONCERNED TO ENSURE THAT THEIR SCHEMES ARE WELL MANAGED. THE UPGC ACCEPTS THE NEED FOR ACTIVE MONITORING OF THE SCHEMES. IT REQUIRES THE INSTITUTIONS TO SUBMIT ANNUAL REPORTS AND ACTUARIAL ADVICE ON THE FINANCIAL PERFORMANCE OF THEIR SUPERANNUATION SCHEMES. THIS ENABLES THE UPGC TO CONSIDER AND, IF NECESSARY, ADVISE THE INSTITUTIONS ON THE REMEDIAL ACTION TO BE TAKEN TO RECTIFY ANY DOUBTS OVER THE LONGER TERM FINANCIAL VIABILITY OF ANY OF THE SCHEMES.

THE COMMITTEE DREW ATTENTION SPECIFICALLY TO THE LONG-TERM FINANCIAL POSITION OF THE SUPERANNUATION SCHEMES OF THE HKU AND THE CUHK. THE TWO INSTITUTIONS HAVE RECENTLY SUBMITTED REPORTS TO THE UPGC ON THEIR PLANS TO ADDRESS THE MATTER. THE UPGC WILL CONSIDER THESE REPORTS AT ITS FORTHCOMING MEETING. WE WILL INFORM THE PAC OF THE STEPS TAKEN BY THE INSTITUTIONS IN DUE COURSE.

ON THE SECOND ISSUE, WE HAVE LOOKED VERY CAREFULLY INTO THE WAY IN WHICH THE SALE OF THE COMMERCIAL SITE IN GARDEN ROAD WAS HANDLED. OUR CONCLUSION IS THAT THERE IS NO EVIDENCE TO SUBSTANTIATE ANY ACT OF MISCONDUCT WHICH WOULD WARRANT DISCIPLINARY PROCEEDINGS. THE EVIDENCE INDICATES THAT THE OFFICERS CONCERNED TOOK ACCOUNT OF A NUMBER OF CONSIDERATIONS WHICH THEY FELT JUSTIFIED THEIR DECISIONS AND ACTED IN GOOD FAITH. THEIR JUDGEMENT MAY NOW BE QUESTIONED, BUT THAT DOES NOT CONSTITUTE MISCONDUCT WARRANTING DISCIPLINARY ACTION. WE WOULD LIKE TO REASSURE MEMBERS THAT THE CENTRAL TENDER BOARD WILL CONTINUE TO DISCUSS AND RECORD FULLY ANY SUBSTANTIAL DIFFERENCES IN TENDER PRICES IN CONSIDERING WHETHER TO ACCEPT A TENDER.

I NOW TURN TO PAC REPORT NO. 22 WHICH EXAMINES THE RESULTS OF VARIOUS VALUE FOR MONEY AUDITS. FIRST, ON THE QUESTION OF FEES AND CHARGES. I WISH TO ASSURE MEMBERS THAT WE ARE DETERMINED TO ACHIEVE THE POLICY OBJECTIVE THAT FEES CHARGED BY THE GOVERNMENT SHOULD, WITH CERTAIN SPECIFIC EXCEPTIONS, BE SET AT A LEVEL TO RECOVER THE FULL COST OF PROVIDING THE GOODS OR SERVICES. WE AGREE WITH THE PAC'S OBSERVATION THAT THE LONGER THE TIME SPAN BETWEEN FEE INCREASES, THE LARGER THE INCREASE WOULD HAVE TO BE AND HENCE THE MORE DIFFICULT IT WOULD BE TO SECURE PUBLIC ACCEPTANCE.

THAT IS WHY WE HAVE REFINED OUR SYSTEM LAST YEAR FOR MONITORING AND IMPLEMENTING FEE REVIEWS AND ADJUSTMENTS. FEES AND CHARGES FOR GOODS OR SERVICES, WHERE CLIENTS OR USERS SHOULD PAY THE FULL COSTS INCURRED, ARE REVIEWED ANNUALLY TO TAKE ACCOUNT OF INFLATION. THEY ARE ALSO SUBJECT TO A FULL COSTING EXERCISE EVERY FOUR YEARS. FOR BOTH TYPES OF EXERCISES, THE DEPARTMENTS WORK TO A PRE-DETERMINED SCHEDULE. THIS ENSURES THAT INCREASES IN GOVERNMENT FEES AND CHARGES ARE PHASED DURING THE COURSE OF THE YEAR TO REDUCE THE IMPACT ON THE PUBLIC AT ANY ONE TIME. I AM PLEASED TO REPORT THAT THIS SYSTEM HAS BEEN WORKING WELL. THERE ARE, HOWEVER, STILL INSTANCES WHERE FULL COST RECOVERY CANNOT YET BE ACHIEVED. FOR EXAMPLE, IN THE CASE OF LICENSING HOTELS, GUESTHOUSES AND CLUBS, THE FULL COST OF OPERATING THE LICENSING SCHEMES WILL ONLY BE RECOVERABLE UPON FULL IMPLEMENTATION OF THE SCHEMES.

IN HIS SPEECH, MR WONG COMMENTED ON THE INADEQUACIES IN THE PLANNING OF A NUMBER OF GOVERNMENT AND PUBLIC PROJECTS. I AGREE THAT THE DEPARTMENTS CONCERNED SHOULD MAKE EVERY EFFORT TO WORK OUT THEIR PRECISE REQUIREMENTS AT THE PLANNING AND DESIGN STAGE. THE GOVERNMENT MINUTE SETS OUT IN DETAIL THE ACTIONS WE HAVE TAKEN IN RESPONSE TO PAC'S ADVICE IN THIS REGARD, BOTH PROJECT-SPECIFIC AND IN GENERAL TERMS. I WISH TO ASSURE MEMBERS THAT THE ADMINISTRATION IS CONSCIOUS OF THE NEED TO ENSURE THAT GOVERNMENT PROJECTS ARE ADEQUATELY PLANNED, THAT THEY ARE COMPLETED ON TIME AND WITHIN BUDGET, AND THAT THEY ACHIEVE THEIR INTENDED OBJECTIVES.

ON THE UTILISATION OF SPACE IN THE HOUSING AUTHORITY HEADQUARTERS BUILDING, TO WHICH MR WONG REFERRED IN PARTICULAR, THE DIRECTOR OF HOUSING HAS, IN HIS RESPONSE IN THE GOVERNMENT MINUTE, ASSURED THE PAC THAT HE WILL CONTINUE TO PROVIDE THE HOUSING AUTHORITY WITH ALL RELEVANT INFORMATION TO FACILITATE THE AUTHORITY IN ITS CONSIDERATIONS OF HOUSING POLICY AND OTHER DEVELOPMENT PROPOSALS. THE HOUSING AUTHORITY, LIKE THE GOVERNMENT, FULLY RECOGNISES THE IMPORTANCE OF THE PAC'S OBSERVATIONS AND RECOMMENDATIONS. IN THE LIGHT OF THE PAC'S REPORT, THE HOUSING AUTHORITY HAS REQUESTED THE HOUSING DEPARTMENT TO CONDUCT A COMPREHENSIVE REVIEW OF THE ALLOCATION AND UTILISATION OF OFFICE SPACE AT THE HOUSING AUTHORITY HEADQUARTERS BUILDING. THE DIRECTOR OF HOUSING WILL PROVIDE TO THE PAC THE RESULTS OF THE REVIEW.

MR PRESIDENT, THE GOVERNMENT IS COMMITTED TO WORKING CLOSELY WITH THE AUDIT DEPARTMENT AND THE PUBLIC ACCOUNTS COMMITTEE IN THE QUEST FOR THE MORE EFFICIENT USE OF PUBLIC FUNDS. I AM CONFIDENT THAT THE MEASURES WE HAVE TAKEN, OR ARE PLANNING TO TAKE, WILL GO A LONG WAY TOWARDS THIS END.

WEED AND PEST CONTROL

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THE FOLLOWING IS A SPEECH BY THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, IN RESPONSE TO A QUESTION BY THE HON SAMUEL WONG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

- (A) PESTICIDES AND HERBICIDES ARE USED TO CONTROL THE GROWTH OF INSECTS, FUNGI AND WEEDS ON GOLF COURSES. THE USE OF THESE PESTICIDES AND HERBICIDES IS GOVERNED BY THE PESTICIDES ORDINANCE.

THERE IS NO EVIDENCE TO SUGGEST THAT EXCESSIVE PESTICIDES OR HERBICIDES HAVE BEEN USED ON GOLF COURSES. NOR IS THERE EVIDENCE TO SHOW THAT LAND OR WATER COURSES IN THEIR VICINITY HAVE BEEN POLLUTED BY PESTICIDES.

- (B) THE ADMINISTRATION HAS BEEN ENCOURAGING THE USE OF BIOLOGICAL AND MANUAL CONTROL OF WEEDS AND PESTS (I.E. HAND-WEEDING AND HAND-PICKING) ON GOLF COURSES. THE AGRICULTURE AND FISHERIES DEPARTMENT IS CURRENTLY DISCUSSING WITH THE HONG KONG GOLF ASSOCIATION THE PREPARATION OF A CODE OF PRACTICE ON WEED AND PEST CONTROL. THE CODE WOULD ADVOCATE THE USE OF NON-CHEMICAL CONTROLS WHEREVER THIS IS POSSIBLE.

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ADVISORY BOARD MEETINGS

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THE FOLLOWING IS A SPEECH BY THE SECRETARY FOR HOME AFFIARS, MR MICHAEL SUEN, IN REPLY TO A QUESTION BY THE HON MISS EMILY LAU IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

AT PRESENT, A NUMBER OF ADVISORY BOARDS AND COMMITTEES ALREADY ROUTINELY CONDUCT THEIR MEETINGS IN PUBLIC AND GENERALLY MAKE AVAILABLE THEIR PAPERS FOR PUBLIC INSPECTION. IN THE CASE OF ANOTHER 41 BOARDS AND COMMITTEES, THE CHAIRMAN AND/OR MEMBERS HOLD PRESS BRIEFINGS TO EXPLAIN MATTERS DISCUSSED BY THE BOARD OR COMMITTEE CONCERNED ON MATTERS OF PUBLIC INTEREST. ALTERNATIVELY, PRESS RELEASES ARE ISSUED FROM TIME TO TIME BY SOME BOARDS AND COMMITTEES TO KEEP THE MEDIA AND THE PUBLIC INFORMED. THERE IS THEREFORE A DEGREE OF OPENNESS BEING PRACTISED BY SOME BOARDS AND COMMITTEES ALREADY. ACCORDING TO THE LATEST STATISTICS, MORE THAN 180 BOARDS AND COMMITTEES CONCERNED HAVE ALREADY ADOPTED ONE OF THE TWO WAYS TO INCREASE THE LEVEL OF OPENNESS. I SHOULD ALSO POINT OUT IN THIS CONNECTION THAT THERE IS AN INCREASING TREND TOWARDS MORE FORMAL PUBLIC CONSULTATION ON MAJOR POLICY INITIATIVES BEFORE THEY ARE IMPLEMENTED.

IN CONSIDERING WHETHER OTHER BOARDS & COMMITTEES CAN BE MORE OPEN, IT HAS TO BE BORNE IN MIND THAT THE BUSINESS TRANACTED BY THE 350 ADVISORY BOARDS AND COMMITTEES VARY GREATLY IN NATURE. SOME HANDLE CONFIDENTIAL OR COMMERCIALY SENSITIVE INFORMATION ON A REGULAR BASIS WHILE OTHERS RENDER ADVICE ON GENERAL ISSUES AND DEAL WITH ROUTINE MATTERS. IT WOULD THEREFORE NOT BE APPROPRIATE TO APPLY ANY ACROSS-THE-BOARD MEASURES TO MAKE THESE BOARDS AND COMMITTEES MORE OPEN. INDEED IT WOULD NOT BE REALISTIC TO EXPECT THAT SOME OF THESE BOARDS CAN OPERATE PUBLICLY.

HAVING SAID THIS, WE RECOGNIZE THE COMMUNITY'S ASPIRATION FOR EASIER ACCESS TO INFORMATION. I INTEND TO ASK POLICY SECRETARIES AND HEADS OF DEPARTMENTS TO EXAMINE THE NATURE AND OPERATION OF THE ADVISORY BOARDS AND COMMITTEES UNDER THEIR PURVIEW AND TO CONSIDER WHICH BOARD OR COMMITTEE CAN BE MADE MORE OPEN. A KEY CONSIDERATION IN THIS REGARD WOULD OBVIOUSLY BE AN ASSESSMENT AS TO WHETHER THE RELEASE OF INFORMATION WOULD HAMPER THE SMOOTH OPERATION OF THE BOARD OR COMMITTEE, OR PREJUDICE THE FRANK EXCHANGE OF VIEWS AMONG MEMBERS. WHERE THE POLICY SECRETARY OR HEAD OF DEPARTMENT CONSIDERS THAT THERE IS A CASE FOR A BOARD OR COMMITTEE TO BE MADE MORE ACCESSIBLE TO THE PUBLIC, SHE OR HE WOULD CONSULT THE BOARD OR COMMITTEE CONCERNED AND SEEK AGREEMENT TO PUT IN PLACE APPROPRIATE MEASURES.

IN THE MEANTIME, BOARDS AND COMMITTEES, WHERE POSSIBLE, WOULD BE ENCOURAGED TO KEEP THE PUBLIC AND THE MEDIA INFORMED OF THE PROGRESS OF THEIR WORK EITHER BY WAY OF REGULAR PRESS RELEASES OR PRESS BRIEFINGS.

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RAILWAY DEVELOPMENT STRATEGY

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THE FOLLOWING IS A SPEECH BY THE SECRETARY FOR TRANSPORT, MR HAIDER BARMA, IN A WRITTEN REPLY TO A QUESTION BY THE HON ALFRED TSO IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

IN THE MOTION DEBATE HELD ON 9 MARCH THIS YEAR, I DID INFORM MEMBERS THAT WE HOPED TO FINALIZE THE RAILWAY DEVELOPMENT STRATEGY WITHIN THREE MONTHS. THIS FORECAST HAS PROVEN TO BE OVER OPTIMISTIC. MORE TIME HAS BEEN REQUIRED FOR ADDITIONAL STUDIES, FOR EXAMPLE ON HOW BEST TO MEET THE TRAVEL NEEDS OF EASTERN NEW TERRITORIES RESIDENTS, ESPECIALLY ARISING FROM THE FINDINGS OF THE TASK FORCE ON LAND SUPPLY AND PROPERTY PRICES. INSOFAR AS THE NORTH WEST NEW TERRITORIES RAILWAY IS CONCERNED, WHICH IS ALSO KNOWN AS THE WESTERN CORRIDOR RAILWAY, THIS REMAINS A HIGH PRIORITY UNDER OUR PROPOSED RAILWAY STRATEGY. I REMAIN CONFIDENT THAT DESPITE THE DELAY IN ANNOUNCING THE STRATEGY, IT CAN BE COMPLETED AND OPERATIONAL BY 2001.

/THE STRATEGY

THE STRATEGY IS NOW ALMOST FINALIZED AND THE NEXT STEP WILL BE TO DISCUSS THIS WITH THE CHINESE SIDE, SINCE MOST OF THE EXPENDITURE ON NEW RAILWAYS WILL BE POST 1997, THEREAFTER WE WOULD ANNOUNCE THE STRATEGY PUBLICLY. I HOPE THAT WE CAN HAVE DISCUSSIONS WITH THE CHINESE SIDE VERY SOON.

AS REGARDS THE SECOND PART OF THE QUESTION, WE UNDERSTAND THAT THE GUANGZHOU TO ZHUHAI RAILWAY WILL RUN ALONG THE WEST BANK OF THE PEARL RIVER DELTA AND THAT IT WILL NOT HAVE ANY DIRECT CONNECTION TO HONG KONG. IN THE CIRCUMSTANCES, IT SHOULD NOT DIRECTLY IMPACT ON OUR PROPOSED NORTH WEST NEW TERRITORIES RAILWAY. BUT THIS IS PRECISELY THE SORT OF SUBJECT AND DETAIL WE WISH TO DISCUSS WITH THE CHINESE OFFICIALS IN THE CONTEXT OF IMPROVING COOPERATION ON INFRASTRUCTURAL DEVELOPMENTS. AS THE GOVERNOR ANNOUNCED IN HIS POLICY ADDRESS LAST WEEK, WE WILL BE RESPONDING TO VALUABLE SUGGESTIONS FROM CHINESE OFFICIALS IN THIS REGARD.

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LIGHT RAIL TRAFFIC ACCIDENTS

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FOLLOWING IS THE WRITTEN REPLY BY THE SECRETARY FOR TRANSPORT, MR HAIDER BARMA, TO THE HON ZACHARY WONG'S QUESTION IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

THERE WERE 28 TRAFFIC ACCIDENTS INVOLVING LIGHT RAIL VEHICLES (LRVS) IN 1992, 21 IN 1993 AND 10 UP TO END SEPTEMBER THIS YEAR, RESULTING IN A TOTAL OF 150 CASUALTIES.

NO LRV HAS BEEN WRITTEN OFF. ABOUT \$1.8 MILLION HAS BEEN SPENT ON REPAIRS AND MAINTENANCE ARISING FROM THESE ACCIDENTS. PART OF THE EXPENSES INCURRED HAVE BEEN RECOVERED FROM INSURANCE OR DAMAGES CLAIMED FROM THE OTHER PARTIES INVOLVED IN THESE ACCIDENTS.

THE CONSTRUCTION OF FLYOVERS OR TUNNELS AT JUNCTIONS TO SEGREGATE LRVS WITH OTHER ROAD TRAFFIC IS NOT A PRACTICAL PROPOSITION GIVEN THE VAST LAND IMPLICATIONS, FINANCIAL EXPENDITURE AND OPERATIONAL CONSTRAINTS INVOLVED.

LRVS ARE GIVEN A DEGREE OF PRIORITY AT SIGNAL JUNCTIONS. HOWEVER, TRANSPORT DEPARTMENT MONITORS ROAD TRAFFIC VOLUMES SO AS TO DETERMINE WHETHER SUCH PRIORITY NEEDS TO BE ADJUSTED. THERE IS NO EVIDENCE THAT THE CURRENT ARRANGEMENTS HAVE CONTRIBUTED TO ACCIDENTS.

AN INTER-DEPARTMENTAL COMMITTEE HAS RECENTLY CONVENED TO CONSIDER WAYS OF ENHANCING SAFETY AND HAS RECOMMENDED THAT -

(A) THE TRANSPORT DEPARTMENT SHOULD ENSURE THAT ALL TRAFFIC SIGNS AND SIGNALS ARE IN ORDER AND THE PHASING OF TRAFFIC SIGNALS IS APPROPRIATE;

/(B) THE POLICE

(B) THE POLICE SHOULD STEP UP LAW ENFORCEMENT TO DETER MOTORISTS FROM IGNORING TRAFFIC SIGNALS AND REGULATIONS;

(C) "RED LIGHT" CAMERAS SHOULD BE INSTALLED AT SOME OF THE ROAD JUNCTIONS TO DETER MOTORISTS FROM JUMPING LIGHTS; AND

(D) PUBLICITY ON TV TARGETED AT MOTORISTS TO EXERCISE EXTRA CAUTION AT LRT JUNCTIONS SHOULD BE LAUNCHED.

IN ADDITION, THE KCRC WILL ALSO ORGANISE MORE ROAD SAFETY ACTIVITIES IN CONJUNCTION WITH THE POLICE IN TUEN MUN AND YUEN LONG.

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SERVICES OF HK HOSPITALS REGULATED

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THE FOLLOWING IS A SPEECH BY THE SECRETARY FOR HEALTH AND WELFARE, MRS KATHERINE FOK, IN REPLY TO A QUESTION BY THE HON HUANG CHEN-YA IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

ALL HOSPITALS IN HONG KONG ARE REGULATED BY VARIOUS ORDINANCES PRESCRIBING CONDITIONS ON ACCOMMODATION, STAFFING LEVEL AND EQUIPMENT, QUALIFICATIONS OF PROFESSIONAL STAFF AS WELL AS REGULATIONS ON DRUGS, FIRE SAFETY, STORAGE OF DANGEROUS GOODS AND OTHER OPERATIONAL MATTERS.

SINCE 1993, THE QUALITY OF SERVICE PROVISION AND PATIENT CARE IN PUBLIC HOSPITAL HAS BEEN STRENGTHENED THROUGH THE ESTABLISHMENT OF QUALITY ASSURANCE MECHANISM IN ALL CLINICAL SPECIALTIES. THIS HAS RESULTED IN THE ADOPTION OF STRUCTURED APPROACHES INCLUDING "MEDICAL AUDIT" TO ENSURE CONFORMANCE TO ESTABLISHED PROFESSIONAL PRACTICE AND STANDARDS.

FURTHERMORE, TO ASSIST PRIVATE HOSPITALS IN SAFEGUARDING THE QUALITY OF PATIENT CARE, THE DIRECTOR OF HEALTH HAS ISSUED A SET OF GUIDELINES ENDORSED BY THE FORMER MEDICAL DEVELOPMENT ADVISORY COMMITTEE TO ALL THEIR OPERATORS COVERING ASPECTS INCLUDING ORGANISATIONAL STRUCTURE, PERSONNEL AND EQUIPMENT, PATIENTS' RIGHTS, STAFF DEVELOPMENT AND EDUCATION. SUPPLEMENTARY NOTES ON SPECIFIC ISSUES ARE ALSO PROMULGATED AS AND WHEN NECESSARY.

IN KEEPING WITH THE INTERNATIONAL CLASSIFICATION CODING SYSTEM, INFORMATION IS COLLATED BY DEPARTMENT OF HEALTH AND PUBLISHED IN ITS ANNUAL REPORT IN THE FORM OF MORBIDITY AND MORTALITY DATA FOR VARIOUS DISEASE CONDITIONS RATHER THAN ACCORDING TO MAJOR SURGICAL OPERATIONS. THESE FIGURES ARE SUBSEQUENTLY USED AS A MONITORING TOOL ON THE EPIDEMIOLOGICAL PATTERN OF DISEASES IN THE COMMUNITY. HOWEVER, SINCE THESE STATISTICS ARE AFFECTED BY FACTORS SUCH AS THE PRE-OPERATIVE HEALTH CONDITION, DEMOGRAPHIC STRUCTURE AND CASEMIX, THEY SHOULD NOT BE INTERPRETED AS AN INDICATOR OF THE PERFORMANCE OF ANY PARTICULAR HOSPITAL.

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WEDNESDAY, OCTOBER 12, 1994

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SECOND READING OF TIMBER STORES BILL

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THE FOLLOWING IS A SPEECH BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, ON SECOND READING OF TIMBER STORES BILL IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

I MOVE THAT THE TIMBER STORES BILL BE READ A SECOND TIME. THIS BILL SEEKS TO ESTABLISH AN INDEPENDENT ORDINANCE FOR THE LICENSING OF TIMBER STORES.

THE LICENSING OF TIMBER STORES IS AT PRESENT EFFECTED UNDER THE MISCELLANEOUS LICENCES ORDINANCE, WHICH COVERS A VARIETY OF UNRELATED ESTABLISHMENTS, RANGING FROM AUCTIONEERS TO TIMBER STORES; PUBLIC DANCE HALLS AND PHYSIOTHERAPY CLINICS. IN 1982, THE VARIOUS LICENSING FUNCTIONS UNDER THIS ORDINANCE WERE REVIEWED; IT WAS DECIDED THAT THE ORDINANCE SHOULD IN DUE COURSE BE REPEALED, AFTER EACH LICENSING FUNCTION WAS PROVIDED FOR ELSEWHERE OR ABOLISHED.

A LICENSING SYSTEM FOR TIMBER STORES IS NECESSARY TO ENSURE FIRE SAFETY. WITHOUT A LICENSING SYSTEM, THE DIRECTOR OF FIRE SERVICES WOULD NOT BE ABLE TO ENSURE COMPLIANCE WITH FIRE SAFETY STANDARDS AND REQUIREMENTS IN TIMBER STORES. THE MOST PRACTICAL WAY OF PROVIDING A LICENSING SYSTEM IS TO ENACT AN INDEPENDENT ORDINANCE RELATING TO TIMBER STORES, OF WHICH THERE ARE NOW ABOUT 120 OPERATING IN THE TERRITORY.

THE PROVISIONS IN THE BILL GENERALLY FOLLOW THOSE AT PRESENT IN THE MISCELLANEOUS LICENCES ORDINANCE. BUT THERE IS ONE NEW PROVISION IN CLAUSE 10, WHEREBY ANY PERSON AGGRIEVED BY A DECISION OF THE DIRECTOR OF FIRE SERVICES IN A MATTER RELATING TO A TIMBER STORE LICENCE MAY APPEAL TO THE RECENTLY ESTABLISHED ADMINISTRATIVE APPEALS BOARD. THE BOARD SHALL GIVE THE APPELLANT AN OPPORTUNITY TO BE HEARD AND, AFTER CONSIDERING THE APPEAL, MAY CONFIRM, VARY OR REVERSE THE DECISION MADE BY THE DIRECTOR OF FIRE SERVICES.

THE BILL ALSO UPDATES THE FEES CHARGED FOR TIMBER STORE LICENCES, WHICH HAVE NOT BEEN REVISED SINCE 1984. THE FEES WILL BE INCREASED TO ACHIEVE COST RECOVERY FOR THE PROCESSING OF APPLICATIONS FOR THE GRANT, RENEWAL, TRANSFER, AMENDMENT AND DUPLICATION OF A LICENCE.

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SECOND READING OF MATRIMONIAL CAUSES (AMENDMENT) BILL 1994

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THE FOLLOWING IS A SPEECH BY THE SECRETARY FOR HOME AFFAIRS, THE HON MR MICHAEL M Y SUEN, ON SECOND READING OF THE MATRIMONIAL CAUSES (AMENDMENT) BILL 1994 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY):

MR PRESIDENT,

I MOVE THAT THE MATRIMONIAL CAUSES (AMENDMENT) BILL 1994 BE READ A SECOND TIME.

THE LAW OF DIVORCE IN HONG KONG HAS REMAINED ESSENTIALLY UNCHANGED SINCE THE EARLY 1970S. SINCE THEN, THERE HAVE BEEN SIGNIFICANT CHANGES IN COMMUNITY ATTITUDES TOWARDS DIVORCE. IT IS AGAINST THIS BACKGROUND, AND WITH DUE REGARD TO THE OUTCOME OF WIDE-RANGING CONSULTATION AND A SURVEY OF PUBLIC OPINION, THAT THE LAW REFORM COMMISSION HAS RECOMMENDED A THOROUGH OVERHAUL OF THIS AREA OF THE LAW. THE MATRIMONIAL CAUSES (AMENDMENT) BILL 1994 SEEKS TO IMPLEMENT THE LAW REFORM COMMISSION'S RECOMMENDATIONS.

UNDER THE PRESENT LAW, DIVORCE PROCEEDINGS MUST BE CONDUCTED ON THE ADVERSARIAL BASIS OF PETITIONER AND RESPONDENT. THE SOLE GROUND FOR DIVORCE IS IRRETRIEVABLE BREAKDOWN OF MARRIAGE. TO ESTABLISH THIS STATE OF AFFAIRS, APPLICATIONS FOR DIVORCE HAVE TO BE BASED ON ONE OR MORE OF FIVE FACTS. THESE INCLUDE SEPARATION FOR TWO YEARS WHERE BOTH PARTIES CONSENT TO THE DIVORCE AND SEPARATION FOR FIVE YEARS WHERE ONE PARTY DOES NOT CONSENT. THE PRESENT LAW ALSO PROVIDES THAT PETITIONS FOR DIVORCE CANNOT NORMALLY BE MADE UNTIL THREE YEARS AFTER MARRIAGE.

THE REFORMS EMBODIED IN THE BILL ARE INTENDED TO BRING THE LAW OF DIVORCE INTO LINE WITH CURRENT DAY COMMUNITY EXPECTATIONS AND REDUCE THE HARDSHIP, ACRIMONY AND DISTRESS IN DIVORCE PROCEEDINGS. THESE AIMS ARE TO BE ACHIEVED BY REDUCTIONS IN THE MINIMUM PERIODS OF SEPARATION AND MARRIAGE BEFORE DIVORCE PROCEEDINGS MAY BE COMMENCED, AS WELL AS THROUGH PROVISION OF A NEW NON-ADVERSARIAL PROCEDURE OF DIVORCE BY MUTUAL CONSENT. PROCEEDINGS ON THIS BASIS MAY RELY ON THE FACTS OF EITHER ONE YEAR'S SEPARATION OR ONE YEAR'S PRIOR NOTICE OF INTENTION TO DIVORCE DURING WHICH THERE WOULD BE NO SEPARATION REQUIREMENT.

THE OPPORTUNITY HAS ALSO BEEN TAKEN IN THE BILL TO REMEDY PROVISIONS IN THE PRINCIPAL ORDINANCE FOR DIFFERENTIAL TREATMENT BETWEEN THE SEXES WITH RESPECT TO THE COURT'S JURISDICTION AND DIVORCE PROCEEDINGS CITING THE FACT OF ADULTERY, WHICH MAY NOT BE COMPATIBLE WITH THE BILL OF RIGHTS.

TURNING TO THE MAIN PARTS OF THE BILL : CLAUSES 3 TO 6 PROVIDE FOR HUSBANDS AND WIVES TO BE SUBJECT TO THE SAME CRITERIA WITH RESPECT TO THE COURT'S JURISDICTION IN MATRIMONIAL PROCEEDINGS UNDER THE ORDINANCE. HABITUAL RESIDENCE IN HONG KONG FOR THREE YEARS IS INCLUDED AS A NEW BASIS FOR JURISDICTION.

CLAUSE 7 PROVIDES FOR REDUCTIONS IN THE MINIMUM PERIODS OF SEPARATION IN DIVORCE PROCEEDINGS FROM TWO YEARS TO ONE YEAR, WHERE BOTH PARTIES CONSENT, AND FROM FIVE YEARS TO TWO YEARS, WHERE ONE PARTY DOES NOT CONSENT. WITH THE LATTER REDUCTION, THE CURRENT FACT OF DESERTION FOR TWO YEARS WILL BECOME REDUNDANT. ACCORDINGLY, THIS CLAUSE PROVIDES FOR ITS REPEAL. THE CLAUSE ALSO PROVIDES FOR THE NEW PROCEDURE OF JOINT APPLICATION FOR DIVORCE BY MUTUAL CONSENT.

WITH RESPECT TO THE CURRENT THREE-YEAR PROHIBITION, EXCEPT IN SPECIAL CIRCUMSTANCES, ON DIVORCE EARLY IN MARRIAGE, CLAUSE 8 PROVIDES FOR A REDUCTION TO ONE YEAR.

CLAUSE 9 PROVIDES FOR PROCEEDINGS FOR DIVORCE IN CASES OF PRIOR JUDICIAL SEPARATION TO TAKE ACCOUNT OF THE NEW PROCEDURE OF JOINT APPLICATIONS FOR DIVORCE. IT ALSO PROVIDES FOR HUSBANDS AND WIVES TO BE TREATED EQUALLY IN DIVORCE PETITIONS CITING ADULTERY.

CLAUSE 16 PROVIDES FOR THE ABOLITION OF ACTIONS FOR DAMAGES FOR ADULTERY.

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LEGCO PASSES MOTION ON BRITISH CITIZENSHIP FOR HK
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A MOTION URGING THE BRITISH GOVERNMENT TO REVIEW ITS POLICY AND TO HONOUR ITS OBLIGATION TO ALL BRITISH DEPENDENT TERRITORIES CITIZENS AND BRITISH NATIONALS (OVERSEAS) IN HONG KONG BY EXTENDING TO THEM FULL BRITISH CITIZENSHIP WAS PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE MOTION, TO WHICH THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, REPLIED, WAS MOVED BY THE HON EMILY LAU.

MEANWHILE, ANOTHER MOTION MOVED BY HON ALBERT CHAN WHICH CALLED FOR A SELECT COMMITTEE BE APPOINTED TO ENQUIRE INTO THE KWUN LUNG LAU LANDSLIP AND RELATED ISSUES WAS ALSO PASSED. THE SECRETARY FOR WORKS, MR JAMES BLAKE, REPLIED FOR THE GOVERNMENT.

MEMBERS ALSO ASKED A TOTAL OF 19 QUESTIONS AND PASSED 10 BILLS WITH AMENDMENTS. THESE BILLS WERE THE ORGANISED AND SERIOUS CRIMES BILL, CRIMINAL PROCEDURE (AMENDMENT) BILL 1992; CONSUMER GOODS SAFETY BILL; SALE OF GOODS (AMENDMENT) BILL 1994; SUPPLY OF SERVICES (IMPLIED TERMS) BILL; UNCONSCIONABLE CONTRACTS BILL; HONG KONG AIRPORT (CONTROL OF OBSTRUCTIONS) (AMENDMENT) BILL 1993; ROAD TRAFFIC (AMENDMENT) BILL 1994; RESIDENTIAL CARE HOMES (ELDELY PERSONS) BILL; AND THE SMOKING (PUBLIC HEALTH) (AMENDMENT) BILL 1994.

INTRODUCED FOR THE FIRST AND SECOND READINGS AT TODAY'S SITTING WERE THREE BILLS - THE MATRIMONIAL CAUSES (AMENDMENT) BILL 1994, THE TIMBER STORES BILL AND THE BUILDINGS (AMENDMENT) (NO.2) BILL 1994.

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