



DAILY INFORMATION BULLETIN

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CONTENTS

PAGE NO.

LEGISLATIVE COUNCIL MEETING:

+COMMON INTENTION+ ON LEGAL SYSTEM SEEN	1
LEGAL SYSTEM MUST FREELY FUNCTION BEYOND 1997 - TAM	2
ASSURANCE ON HUMAN RIGHTS SOUGHT	4
INDEPENDENT JUDICIARY A MUST - SWAINE	5
NO REASON TO STOP TSING YI WORKS STUDY	8
NEW ID CARDS SCHEME AHEAD OF SCHEDULE	9
STEPS TAKEN AGAINST ILLEGAL BUILDING WORKS	9
MORE COMMUNITY CENTRES ON WAY	10
NO SIGNIFICANT CHANGE IN ABORTION FIGURES: THONG	11
NEW POLICE COMPLAINTS SCHEME STUDIED	12
MANNING OF LABS REFLECTS WORK DONE - HAYE	13
PUBLIC HAPPY WITH ENQUIRIES SERVICES	14
BILL TO UPDATE CONVEYANCING	14
BUS OPERATORS CAN CO-EXIST: UMELCO	16
FIXED PENALTY SCHEDULE AMENDED	18
TRAFFIC SIGNS REVIEW CONDUCTED	19

/BILL SEEKS

BILL SEEKS TO PROVIDE CLARIFICATIONS	21
MOVE TO END TAX HOLD-OVER ABUSE	22
BILL ON OPTOMETRISTS BEING DRAFTED	23
FOREIGN NOTE LAW 'OBSOLETE'	24
BANKRUPTCY (AMENDMENT) BILL INTRODUCED	24
BILL TO RESTORE LAW SUB-SECTION	25
+SPEAKING NOTE+ TEXT TABLED	26
TWO MORE MOTIONS MOVED	26
TWO BILLS PASSED	26
GOVERNOR GOING TO LONDON JULY 3	27
PEOPLE TOLD: REGISTER AND VOTE	27
U.S. MAKES ANOTHER 'CALL'	29
NEW PLAN TO IMPROVE MONG KOK TRAFFIC	29
NT LIBRARY SERVICES	31
SALES OF SHARES ANNOUNCED	32
SEMINAR ON DA FOR SCHOOL HEADS	33
PLB PROHIBITED ZONES	33
CLEARWAY IN CENTRAL	33

+COMMON INTENTION+ ON LEGAL SYSTEM SEEN

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IT WAS APPARENT THAT IN APPROACHING THEIR IMPORTANT NEGOTIATIONS, BOTH THE BRITISH AND CHINESE GOVERNMENTS HAD EXPRESSED A COMMON INTENTION TO PRESERVE THE ESSENTIAL FEATURES OF HONG KONG'S LEGAL SYSTEM, THE ATTORNEY GENERAL, THE HON MICHAEL THOMAS, SAID IN THE LEGISLATIVE COUNCIL TODAY.

+CHINESE LEADERS HAVE MADE IT CLEAR THAT THEY ENVISAGE THAT HONG KONG'S VARIOUS SYSTEMS SHOULD CONTINUE AFTER 1997 AND THAT THE LAWS CURRENTLY IN FORCE WILL REMAIN BASICALLY UNCHANGED,+ MR THOMAS SAID.

SPEAKING IN THE ADJOURNMENT DEBATE ON +THE LEGAL SYSTEM AND THE FUTURE OF HONG KONG+, MR THOMAS NOTED THAT AT HIS RECENT PRESS CONFERENCE IN HONG KONG, THE SECRETARY OF STATE, SIR GEOFFREY HOWE, HAD SAID THAT IT WAS POSSIBLE TO FORESEE A SITUATION AFTER 1997 WHERE HONG KONG'S AUTONOMY WOULD INCLUDE THE MAINTENANCE OF THE TERRITORY'S OWN FAMILIAR SYSTEM OF JUSTICE.

SIR GEOFFREY HAD SAID AT THE TIME THAT THE POST-1997 LAWS OF HONG KONG, INCLUDING WRITTEN AND COMMON LAW, WOULD BE BASED UPON THE PRESENT SYSTEM.

+THIS UNITY OF PURPOSE OF THE TWO GOVERNMENTS MUST SURELY BE ONE OF THE MOST HOPEFUL SIGNS TO THE PEOPLE OF THIS TERRITORY THAT THE CONTINUATION OF THEIR LIFESTYLE AND THEIR WAY OF LIFE IS ASSURED BEYOND 1997.

+IF THE PARTIES TO THE NEGOTIATIONS ARE ABLE TO REACH AGREEMENT UNDER WHICH THE PEOPLE OF HONG KONG MAY EXPECT TO ENJOY THE BENEFITS OF THEIR OWN FAMILIAR LEGAL SYSTEM AFTER 1997, THAT WILL PROVIDE ONE OF THE MOST RELIABLE GUARANTEES TO THEM THAT THEIR FREEDOMS AND THEIR RIGHTS WILL CONTINUE TO BE RESPECTED AND ENJOYED IN THE YEARS AHEAD,+ MR THOMAS STATED.

HE SAID THE PRINCIPAL THEME OF THE UNOFFICIALS' CONTRIBUTIONS WAS ONE THAT WOULD +COMMAND SUPPORT THROUGHOUT THIS COUNCIL CHAMBER AND THROUGHOUT THE LENGTH AND BREADTH OF HONG KONG+.

+IN ESSENCE, THAT MESSAGE IS THAT THE LEGAL SYSTEM IS IMPORTANT TO HONG KONG AND ITS FUTURE,+ HE SAID.

+THERE CAN BE NO SOCIETY IN WHICH THE STRONG ARE HELD IN CHECK AND THE WEAK ARE PROTECTED, IN WHICH PERSONAL FREEDOM EXISTS ALONGSIDE THE FORCE AND POWER NECESSARY FOR GOOD ORDER AND GOVERNMENT, WITHOUT LAWS TO DECLARE RIGHTS AND DUTIES AND COURTS TO MAKE THEM EFFECTIVE, MR THOMAS ADDED.

HONG KONG'S LEGAL SYSTEM, HE SAID, HAD SERVED ITS PEOPLE WELL, AND THE TERRITORY HAD BEEN TRANSFORMED FROM A SMALL UNDERDEVELOPED PORT OF A FEW FISHERMEN TO A SOPHISTICATED CENTRE OF INTERNATIONAL FINANCE AND REGIONAL TRADE OF 5.5 MILLION PEOPLE.

+THE LAWS THAT HAVE TAKEN ROOT HERE HAVE PROVIDED THE BASIS FOR A SOCIETY IN WHICH THE FREEDOM OF INDIVIDUALS IS TAKEN FOR GRANTED, WHERE NO-ONE IS DENIED A FAIR TRIAL AND WHERE NO-ONE STANDS ABOVE THE LAW, HOWEVER STRONG OR POWERFUL HE MIGHT BE.

+SYSTEMS OF THIS KIND CANNOT BE THROWN TOGETHER OVERNIGHT. THEY ARE NOT ACHIEVEMENTS OF HARDWORKING COMMITTEES. THEY ARE THE PRODUCT OF HISTORY,+ HE SAID.

NOTING THAT THESE SYSTEMS DO NOT DEPEND MERELY ON THE UP-TO-DATE LETTER OF THE LAW, MR THOMAS SAID TRADITIONAL CONCEPTS OF FAIR DEALING, RULES OF NATURAL JUSTICE, PRINCIPLES OF GOOD ADMINISTRATION, ALL COME TO BE TAKEN FOR GRANTED WHEN THEY DERIVE FROM A MATURE AND DEVELOPED LEGAL SYSTEM IN WHICH GENERATIONS OF JUDGES, LAWYERS AND ADMINISTRATORS HAVE BEEN BROUGHT UP.

+SO BOTH THE SPIRIT AND THE TEXTS OF A LEGAL SYSTEM PROVIDE THE FABRIC OF A SOCIETY ON WHICH CAN BE WOVEN THE WAY OF LIFE THAT INDIVIDUALS ENJOY AND THE MANNER IN WHICH THEY EXPECT TO BE GOVERNED,+ HE SAID.

UNOFFICIALS IN THEIR SPEECHES HAD EMPHASISED PARTICULAR FEATURES OF THE LEGAL SYSTEM THAT CONTRIBUTE TO ITS IMPORTANCE, HE NOTED.

HE ADDED THAT PERHAPS ABOVE ALL ELSE, THEY HAD DEMONSTRATED THE OVERRIDING NEED FOR AN INDEPENDENT JUDICIARY APPOINTED ON MERIT, SECURE IN TENURE OF OFFICE, AND IMMUNE FROM EXTERNAL PRESSURE AND INFLUENCE.

+THE COUNCIL WOULD DO WELL TO PONDER UPON THESE VIEWS OF FELLOW MEMBERS WHO ENJOY A DISTINGUISHED STATUS IN THE LEGAL PROFESSION AND WHO SPEAK WITH SUCH EVIDENT CONVICTION AND CONCERN,+ HE SAID.

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LEGAL SYSTEM MUST FREELY FUNCTION BEYOND 1997 - TAM
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HONG KONG'S LEGAL SYSTEM MUST BE ALLOWED TO FREELY FUNCTION BEYOND 1997 IN ORDER TO MAINTAIN INTERNATIONAL CONFIDENCE IN HONG KONG, THE HON MARIA TAM SAID IN THE LEGISLATIVE COUNCIL TODAY.

+IT IS ABSOLUTELY ESSENTIAL THAT WHEN WE TALK ABOUT MAINTAINING THE FREEDOMS AND RIGHTS OF THE INDIVIDUAL UNDER THE LAW, WE CAN IN FACT MAINTAIN THE QUALITY OF SUCH FREEDOMS AND RIGHTS AS WE KNOW THEM NOW,+ SHE SAID IN AN ADJOURNMENT DEBATE.

+THE TEST OF THE QUALITY OF SUCH FREEDOMS AND RIGHTS LIES NOT ONLY IN THE IMPORTANCE OF THE DOCUMENT IN WHICH THE WORDS ARE WRITTEN, BUT ALSO IN THE ACTUAL PRACTICE OF THE LAW, AND IN GIVING THE INDIVIDUAL MAXIMUM PROTECTION FROM THE VIOLATION OR DEPRIVATION OF SUCH RIGHTS AND FREEDOMS.+

/MISS TAM

WEDNESDAY, JUNE 27, 1984

- 3 -

MISS TAM SAID SHE BELIEVED THAT TO GIVE SUCH PROTECTION, +WE MUST DEFINE THE RIGHTS AND OBLIGATION ACCORDING TO THE AUTHORITIES AND PRINCIPLE DERIVING FROM THE SOURCES OF OUR LAW - THE RULES OF EQUITY, THE COMMON LAW AND THE INTERNATIONAL TREATIES.

+THE COMMON LAW PRECEDENTS ARE RICH IN EXAMPLES OF HOW THE VARIOUS RIGHTS OF THE INDIVIDUAL MAY BE EXERCISED AND PROTECTED EVEN AGAINST THE STATE. TO THAT WE MUST ADHERE.

+THE JUDGES AND LAWYERS WHO ARE CHARGED WITH THE TASK OF PROTECTING SUCH RIGHTS AND FREEDOMS MUST DO SO WITHOUT FEAR OR FAVOUR,+ SHE SAID.

MISS TAM SAID THAT THE REMOVAL AND APPOINTMENT OF HONG KONG JUDGES MUST REST ON THE STRENGTH OF JUDICIAL QUALITY ALONE, THAT LAWYERS MUST BE ALLOWED TO ACT FOR THEIR CLIENTS AND ADVISE THEM IN CONFIDENCE.

+IN ORDER TO MAINTAIN THE QUALITY AND INTEGRITY OF OUR LEGAL SYSTEM AND PRACTICE I PROPOSE THAT THE FINAL COURT OF APPEAL MUST REMAIN IN THE HONG KONG SAR= THAT OUR COURTS WILL INTERPRET THE LAWS ENACTED IN THE HKSAR AND THAT THE LEGISLATURE OF THE SAR WILL BE FREE TO ENACT THE LAWS GOVERNING ITS TRADE, ECONOMY, FINANCE, ETC. IN ALL ASPECTS EXCEPT FOREIGN AFFAIRS AND EXTERNAL DEFENCE,+ SHE SAID.

SHE SAID SHE BELIEVED THAT THERE WOULD BE OPPORTUNITIES FOR THE LEGISLATIVE COUNCIL TO EXPRESS VIEWS ON THE +BASIC LAW+ WHICH WOULD TAKE SOME TIME TO DRAFT.

+THE PEOPLE OF HONG KONG AND THE WORLD WILL BE LOOKING TO THE SINO-BRITISH AGREEMENT TO SEE WHAT IS GOING TO BE THE FUTURE OF HONG KONG. THERE MUST BE SUFFICIENT DETAILS IN THE AGREEMENT TO UPHOLD LOCAL AND INTERNATIONAL CONFIDENCE,+ SHE SAID.

+IT IS, THEREFORE, OUR VIEW THAT IN ORDER TO PRESERVE THE INTEGRITY OF OUR LEGAL SYSTEM THE PROPOSALS MADE BY MEMBERS HERE TODAY MUST BE REFLECTED IN SUFFICIENT DETAILS IN THE AGREEMENT OVER THE FUTURE OF HONG KONG, AND EVENTUALLY IN THE CONTENTS OF THE BASIC LAW,+ SHE CONCLUDED.

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ASSURANCE ON HUMAN RIGHTS SOUGHT

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BASIC HUMAN RIGHTS DO NOT COME FROM THE LAW BUT THEY MUST BE PROTECTED BY THE LAW, REV HON PATRICK MCGOVERN SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING IN THE ADJOURNMENT DEBATE, FR MCGOVERN DESCRIBED THE SORT OF DETAILS HE CONSIDERED THAT SHOULD BE SPELT OUT AND GUARANTEED IN THE PROPOSED BASIC LAW IF HUMAN RIGHTS WERE TO BE PROTECTED.

HE OBSERVED THAT ONE OF THE MOST FUNDAMENTAL YEARNINGS OF PEOPLES' HEARTS WAS THE DESIRE FOR FREEDOM, NOT ONLY IN HONG KONG BUT ALL OVER THE WORLD.

+IT IS HARD TO DEFINE FREEDOM, BUT PEOPLE KNOW WHEN THEY HAVE IT AND WHEN THEY HAVE NOT,+ HE SAID.

HE CITED THE MOVEMENT OF THOUSANDS OF REFUGEES IN RECENT DECADES ESPECIALLY IN EUROPE, AFRICA AND ASIA AS +A VIVID WITNESS TO THAT FACT+.

+IN THIS CENTURY THE WORLD COMMUNITY HAS CLARIFIED ITS COLLECTIVE THOUGHT AND HAS COME NEARER TO DEFINING OR DESCRIBING WHAT FREEDOM IS.

+THE BEST EFFORT SO FAR IS CONTAINED IN THE 'UNIVERSAL DECLARATION OF HUMAN RIGHTS' ADOPTED AND PROCLAIMED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON THE 10TH OF DECEMBER 1948,+ HE NOTED.

HE TABLED THE DECLARATION AS AN APPENDIX TO HIS SPEECH.

HE POINTED OUT THAT SOME OF THE BROAD PRINCIPLES OF THE DECLARATION OF HUMAN RIGHTS HAD BEEN SPELT OUT IN GREATER DETAIL IN OTHER UNITED NATIONS DOCUMENTS AND THE 'DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND DISCRIMINATION BASED ON RELIGION OR BELIEF' WAS ONE OF THESE FOLLOW UP DOCUMENTS.

COMMENTING ON THIS DOCUMENT, FR MCGOVERN SAID, +THE DIFFICULTIES IN GETTING AN AGREED DRAFT WERE SUCH THAT IT TOOK 20 YEARS TO ARRIVE AT THE VERSION PUBLISHED IN 1981.+

+THIS GIVES IN ARTICLE ONE NOT MERELY 'FREEDOM OF BELIEF' BUT THE RIGHT INDIVIDUALLY OR IN COMMUNITY WITH OTHERS AND IN PUBLIC OR PRIVATE TO MANIFEST ONE'S RELIGION OR BELIEF IN WORSHIP, OBSERVANCE, PRACTICE AND TEACHING',+ HE QUOTED.

HE NOTED THAT EVERY WORD HAD A MEANING AND SIGNIFICANCE BROADENING THE APPLICATION OF THE GENERAL PRINCIPLE OF THE ORIGINAL UNIVERSAL DECLARATION.

/+I GIVE

+I GIVE THIS AS AN ILLUSTRATION OF THE SORT OF DETAIL WHICH MUST BE SPELT OUT AND GUARANTEED IN THE PROPOSED BASIC LAW IF HUMAN RIGHTS ARE TO BE PROTECTED,+ HE SAID.

HE BELIEVED THAT NOT ONLY IN THE CASE OF RELIGION BUT IN ALMOST ANY OTHER FIELD SUCH AS COMMERCE, NAVIGATION OR NATIONALITY THAT SUCH DETAIL WAS NECESSARY.

HE ADDED, +IN THE PARTICULAR CIRCUMSTANCES OF THE PROPOSED BASIC LAW FOR HONG KONG THE MEANING OF WORDS IS PARTICULARLY IMPORTANT.+

HE STRESSED THAT WORDS MUST BE USED IN THEIR INTERNATIONALLY ACCEPTED MEANING.

+FOR EXAMPLE WORDS LIKE 'PATRIOTISM' OR 'PATRIOTIC' SHOULD NOT BE TWISTED OUT OF THEIR ORDINARY MEANING SO THAT THE VIRTUE ENSHRINED IN THOSE WORDS BECOMES THE MONOPOLY OF ANY PARTICULAR PARTY OR IDEOLOGY,+ HE SAID.

HE ALSO CITED 'DEMOCRACY', 'PEOPLE', 'PERSON' AND 'FREEDOM OF ASSOCIATION' AS EXAMPLES.

ON 'FREEDOM OF ASSOCIATION', HE SAID, +INTERNATIONALLY THAT MEANS THE FREEDOM TO JOIN AN ASSOCIATION OF ONE'S CHOICE WHETHER IT BE A TRADE UNION OR A MANAGEMENT ASSOCIATION OR A CHAMBER OF COMMERCE OR A CLUB. IT EXCLUDES THE IDEA OF BEING FORCED TO JOIN AN ASSOCIATION WHOSE OBJECTIVES MAY BE REPUGNANT TO ONE'S JUDGEMENT OR CONSCIENCE.

+THESE ARE EXAMPLES OF THE SORT OF DETAILS WHICH MUST BE ATTENDED TO AND THE INDIVIDUAL RIGHTS THE EXERCISE OF WHICH MUST BE SAFEGUARDED,+ HE ADDED.

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INDEPENDENT JUDICIARY A MUST - SWAINE
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THE ULTIMATE SAFEGUARD OF A FREE SOCIETY IS AN INDEPENDENT JUDICIARY, AND SPECIFIC PROVISION MUST BE MADE TO ENSURE THIS OBJECT IS NEVER IN JEOPARDY, THE HON JOHN SWAINE SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR SWAINE WAS SPEAKING IN THE ADJOURNMENT DEBATE ON THE LEGAL SYSTEM AND THE FUTURE OF HONG KONG.

HE PROPOSED THAT THE ARRANGEMENTS FOR HONG KONG'S FUTURE INCLUDE MEASURES WHICH RECOGNISE THE FUNDAMENTAL RIGHT OF THE ORDINARY CITIZEN TO SEEK REDRESS IN THE COURTS FOR THE EXECUTIVE ACTIONS OF THE GOVERNMENT WHERE THESE PUT HIS LIFE, LIBERTY OR PROPERTY AT RISK.

THE MEASURES SHOULD ALSO RECOGNISE HIS FURTHER RIGHT TO THE SERVICES OF A FEARLESS, INDEPENDENT LEGAL PROFESSION WHOSE COMMUNICATION WITH HIM WOULD BE PRIVILEGED, HE STRESSED.

+ON THE OTHER SIDE OF THE COIN, WE MUST ENSURE THAT PROSECUTIONS ARE CONDUCTED ON THE WELL-ESTABLISHED PRINCIPLE THAT THE PROSECUTOR IS A MINISTER OF JUSTICE, WHOSE JOB IT IS TO BRING THE FACTS BEFORE THE COURT AND TO ENSURE THAT JUSTICE IS DONE.

+PROFESSIONALISM, INTEGRITY, AND FREEDOM FROM EXTERNAL INFLUENCE ARE ESSENTIAL,+ HE SAID.

HE EMPHASISED THAT HONG KONG MUST ENSURE THE ADOPTION, AFTER 1997, OF AN INDEPENDENT BODY SIMILAR TO THE EXISTING JUDICIAL SERVICE COMMISSION WITH ITS INTEGRITY AND COMPETENCE BEYOND REPROACH.

+IT SHOULD BE CHARGED WITH THE DUTY OF ADVISING THE CHIEF EXECUTIVE OF THIS TERRITORY ON APPOINTMENTS TO AND ADVANCEMENT WITHIN THE JUDICIAL SERVICE,+ HE SAID.

HE STRESSED THAT APPOINTMENTS MUST BE ON THE BASIS OF MERIT, FREE OF EXTERNAL INFLUENCE AND NON-POLITICAL.

HE SAID THAT SECURITY OF TENURE IS ESSENTIAL IN ORDER TO PRESERVE JUDICIAL INDEPENDENCE, AND THE UNDERLYING THEME OF THE PRESENT ARTICLE 16A OF THE HONG KONG LETTERS PATENT SHOULD THUS BE ADOPTED IN THE TERRITORY'S FUTURE ARRANGEMENTS.

THIS WOULD PERMIT REMOVAL OF JUDGES ONLY ON THE GROUNDS OF INABILITY (THROUGH PHYSICAL OR MENTAL INFIRMITY) TO PERFORM THE FUNCTIONS OF THEIR OFFICE, AND OF MISBEHAVIOUR.

+IT IS NOT MISBEHAVIOUR FOR A JUDGE TO ARRIVE AT A DECISION WHICH IS UNPOPULAR OR AT VARIANCE WITH OFFICIAL POLICY. HE RULES ON THE VIEW HE TAKES OF THE LAW,+ HE SAID.

HE ALSO POINTED OUT THAT DISMISSAL OF THE JUDGE OR OF ANY JUDICIAL OFFICER SHOULD ONLY BE SANCTIONED AFTER INVESTIGATION BY, AND ON THE RECOMMENDATION OF, AN INDEPENDENT TRIBUNAL.

THE TRIBUNAL COULD BE THE SAME BODY THAT ADVISES ON APPOINTMENTS.

+BUT THERE MUST BE NO EXTERNAL INFLUENCE, AND NO SUBVERTING OF THIS BODY,+ HE SAID.

MR SWAINE SUGGESTED AT THE RECENT DEBATE ON THE LOBO MOTION THAT MEMBERS OF THE ENGLISH BENCH BE INVITED TO SIT IN HONG KONG UNDER A SYSTEM OF RENEWABLE ENGAGEMENTS.

+THAT SUGGESTION WAS MADE AS A MEANS OF ALLAYING FEARS ABOUT THE QUALITY OR PARTIALITY OF OUR JUDICIAL DECISIONS AFTER 1997, ON THE TERMINATION OF APPEALS TO THE PRIVY COUNCIL IN LONDON,+ HE EXPLAINED.

TO AVOID THE DANGER OF HONG KONG BECOMING INSULAR IN ITS INTERPRETATION AND DEVELOPMENT OF THE LAW, MR SWAINE SAID HONG KONG MUST ENSURE THAT ITS LAW KEEPS PACE WITH THE OTHER COMMON LAW JURISDICTIONS OF THE WORLD, PARTICULARLY IN THE FIELD OF COMMERCIAL LAW.

+WE MUST BE READY TO EMBRACE JUDICIAL PRECEDENTS DEVELOPED IN THE UK AND OTHER COMMON LAW JURISDICTIONS, SO THAT WE DO NOT STAGNATE BUT REMAIN PART OF THE MAINSTREAM.

+WHERE, HOWEVER, THE ISSUES ARE OF A PURELY DOMESTIC NATURE, SAY, IN THE AREAS OF PERSONAL INJURY AWARDS AND FAMILY DISPUTES, WE CAN AFFORD TO DEVELOP A MORE HONG KONG ACCENTED SET OF PRECEDENTS,+ HE SAID.

HE ALSO STRESSED THAT ENGLISH MUST REMAIN THE LANGUAGE OF THE LAW, AT LEAST IN THE HIGHER COURTS, SO AS TO ENSURE PRECISION AND CERTAINTY, AND IN ORDER TO COMMAND INTERNATIONAL RESPECT.

ON VARIOUS FREEDOMS WHICH WILL NEED TO BE SAFEGUARDED, HE SAID, +THE RIGHT OF TRAVEL OUTSIDE HONG KONG IS CLEARLY ESSENTIAL TO OUR WELL-BEING, STABILITY AND PROSPERITY, PARTICULARLY AS HONG KONG IS SO EXPORT-ORIENTED.+

THE ISSUE OF A TRAVEL DOCUMENT, WHICH IS INTERNATIONALLY RECOGNISED, IS OF VITAL IMPORTANCE, HE ADDED.

HE ADVOCATED THAT TRAVEL DOCUMENTS OF THE PURELY HONG KONG STYLE SHOULD BE ISSUED TO PEOPLE WHO EITHER DO NOT HAVE BRITISH NATIONAL STATUS OR WHO WISH TO HAVE AN ALTERNATIVE DOCUMENT.

+SUCH HONG KONG TRAVEL DOCUMENTS SHOULD BE ISSUED BY THE GOVERNING AUTHORITY OF HONG KONG, RECOGNISING THE STATUS OF THE HOLDER AS HONG KONG BELONGER WITH THE RIGHT OF ABODE HERE AND THE FREE RIGHT OF ENTRY INTO HONG KONG.

+RECOGNITION OF THE RIGHT OF ABODE HERE CARRIES WITH IT THE NECESSARY IMPLICATION, WHICH IS FUNDAMENTAL IN A FREE SOCIETY, THAT THE HONG KONG BELONGER CANNOT BE COMPELLED TO LEAVE HONG KONG BY SOME SYSTEM OF RUSTICATION OR BANISHMENT.

+HE TOO MUST HAVE SECURITY OF TENURE, WITH THE RIGHT TO LEAVE, IF HE SO WISHES, AND THE RIGHT TO RETURN. THESE ARE AMONG THE RIGHTS OF THE INDIVIDUAL WHICH AN INDEPENDENT JUDICIARY WILL BE ABLE TO PRESERVE AND FOSTER,+ HE SAID.

IN CONCLUSION, MR SWAINE SAID THAT IT IS IMPERATIVE THAT THE FINAL COURT OF APPEAL FOR HONG KONG IS HONG KONG, NOT PEKING.

+TO CONTEMPLATE OTHERWISE IS TO DESTROY THE EDIFICE SO CAREFULLY BUILT UP OVER THE YEARS AND TO REPUDIATE THE NOTION OF JUDICIAL INDEPENDENCE AND THE RULE OF LAW,+ HE SAID.

NO REASON TO STOP TSING YI WORKS STUDY
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A CONSULTANTS' STUDY HAD FOUND THAT NO REASON OF PUBLIC SAFETY EXISTED TO HALT THE OVERALL DEVELOPMENT OF TSING YI ISLAND, THE LEGISLATIVE COUNCIL WAS TOLD TODAY.

THE CONSULTANTS CARRYING OUT THE STUDY HAD BEEN APPOINTED BY THE GOVERNMENT TO REVIEW POSSIBLE DANGERS FROM LP GAS TANKS, OIL INSTALLATIONS AND TOXIC CHEMICAL WORKS ON TSING YI, THE SECRETARY FOR DISTRICT ADMINISTRATION, THE HON DAVID AKERS-JONES, SAID.

HE WAS REPLYING TO A QUESTION FROM THE HON MRS SELINA CHOW ON WHETHER THE TSING YI RESIDENTS WERE ADEQUATELY PROTECTED FROM POTENTIAL HAZARDS.

MR AKERS-JONES SAID THE STUDY BY THE CONSULTANTS ALSO CONCLUDED THAT THE RISKS TO THE GENERAL PUBLIC FOR TODAY'S SITUATION ON TSING YI WERE COMPARABLE WITH INTERNATIONALLY ACCEPTED LEVELS.

HOWEVER, THE CONSULTANTS ALSO SAID THAT THE PROXIMITY OF MAYFAIR GARDENS TO THE MOBIL TERMINAL GIVES RISE TO CIRCUMSTANCES WHICH ARE CONSIDERED TO BE ON THE BORDER-LINE OF ACCEPTABILITY, SAID MR AKERS-JONES.

+THEIR RECOMMENDATIONS ON THIS HAVE BEEN CONSIDERED BY EXECUTIVE COUNCIL AND, AS A RESULT, A WORKING GROUP HAS BEEN SET UP UNDER MY CHAIRMANSHIP TO CONSIDER WHAT COMBINATION OF MEASURES CAN BE TAKEN TO IMPROVE THIS PARTICULAR SITUATION.

+THE WORKING GROUP WILL REPORT BACK WITH ITS RECOMMENDATIONS TO THE EXECUTIVE COUNCIL ON THIS WITHIN THREE MONTHS.+

HE ADDED THAT ALL THE INSTALLATIONS WERE CONSTRUCTED IN ACCORDANCE WITH CONDITIONS PRESCRIBED IN THE LAW AND OPERATED UNDER THE PROVISIONS OF THE DANGEROUS GOODS ORDINANCE.

THEY ARE THEREFORE SUBJECT TO ISSUE OF AN ANNUAL LICENCE, FOLLOWING INSPECTIONS BY THE SPECIFIED AUTHORITY, THE FIRE SERVICES DEPARTMENT, TO ENSURE COMPLIANCE WITH SAFETY STANDARDS.

+THE GOVERNMENT NOW ALSO HAVE AVAILABLE THE EXPERTISE OF THE GAS ADVISER'S OFFICE,+ HE SAID.

+INSPECTIONS CARRIED OUT BY THEIR OFFICES IDENTIFIED SEVERAL AREAS WHERE IMPROVEMENTS WERE DESIRABLE. THESE ARE NOW BEING IMPLEMENTED BY THE COMPANIES AS A CONDITION OF LICENCE.+

WEDNESDAY, JUNE 27, 1984

- 9 -

NEW ID CARDS SCHEME AHEAD OF SCHEDULE
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THE SCHEME TO ISSUE NEW IDENTITY CARDS IS AHEAD OF SCHEDULE, THE LEGISLATIVE COUNCIL HEARD TODAY.

THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, SAID THAT THE SCHEME WAS ORIGINALLY SCHEDULED TO BE COMPLETED IN FOUR AND A HALF YEARS - BY THE END OF 1987.

+IN FACT, THE IMMIGRATION DEPARTMENT IS AHEAD OF SCHEDULE AND IS PLANNING TO COMPLETE IT BY APRIL 1987, AT LEAST SIX MONTHS EARLIER THAN EXPECTED,+ HE SAID.

MR JEAFFRESON WAS ANSWERING A QUESTION FROM THE HON RITA FAN WHO WANTED TO KNOW HOW THE SCHEME WAS PROGRESSING.

HE SAID THAT THERE WERE 4.5 MILLION OLD CARDS TO BE REPLACED AND BY JUNE 20 THIS YEAR 1 260 000 PEOPLE HAD ALREADY RECEIVED NEW CARDS.

+TWENTY-EIGHT PER CENT OF THE PEOPLE WHO NEED NEW IDENTITY CARDS HAVE NOW BEEN ISSUED WITH THEM,+ HE SAID.

+IT IS A DANGEROUS COMMENT TO MAKE BEFORE A SCHEME IS COMPLETED, BUT I THINK THIS STORY IS ONE OF REMARKABLE SUCCESS IN DIFFICULT CIRCUMSTANCES.

+THE CREDIT MUST GO TO THE STAFF OF THE IMMIGRATION DEPARTMENT AND OF ALL THE OTHER DEPARTMENTS INVOLVED IN SETTING UP THE RE-ISSUE SCHEME.+

HE ALSO PAID TRIBUTE TO THE PUBLIC.

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STEPS TAKEN AGAINST ILLEGAL BUILDING WORKS
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OVER THE PAST THREE YEARS 6 041 INSPECTIONS OF BUILDINGS WERE CARRIED OUT AND 1 763 ORDERS WERE MADE FOR THE REMOVAL OF ILLEGAL WORKS AND REINSTATEMENT, THE SECRETARY FOR LANDS AND WORKS, THE HON CHAN NAI-KEONG, TOLD THE LEGISLATIVE COUNCIL TODAY.

ANSWERING A QUESTION FROM THE HON PAULINE NG, MR CHAN SAID MOST OF THE ORDERS RELATED TO SERIOUS BREACHES GIVING RISE TO HAZARDS TO LIFE AND LIMB, AND WERE GIVEN THE GREATEST PRIORITY.

HE SAID THE LANDS DEPARTMENT HAD ALSO BEEN ASSISTING IN THE CONTROL OF ILLEGAL BUILDING WORKS IN CASES WHERE LEASE CONDITIONS ALLOWED RE-ENTRY AS A SANCTION IN RESPECT OF BREACHES OF THE BUILDINGS ORDINANCE AND THIS HAD LED TO 45 CASES OF ILLEGALITIES BEING REMEDIED.

/+IN RESPONSE

+IN RESPONSE TO THE GROWING PROBLEM, A CONTROL AND ENFORCEMENT BRANCH, DEDICATED TO THE TASK OF ENFORCING COMPLIANCE WITH THE BUILDINGS ORDINANCE, WAS FORMED WITHIN THE BUILDINGS ORDINANCE OFFICE IN JANUARY OF THIS YEAR,+ MR CHAN SAID.

AS TO THE FUTURE IT WAS INTENDED TO CONTINUE IMMEDIATE ACTION AGAINST ILLEGAL BUILDING WORKS WHICH POSED AN OBVIOUS AND IMMEDIATE DANGER TO LIFE AND LIMB. IT WAS ALSO HOPED TO BE ABLE TO ENLARGE THE CONTROL AND ENFORCEMENT BRANCH TO ENABLE IT TO EXERCISE GREATER CONTROL AND THE LANDS DEPARTMENT WOULD CONTINUE TO ASSIST AS FAR AS POSSIBLE.

+APART FROM THIS, PROPOSALS HAVE BEEN FORMULATED, AND ARE BEING CONSIDERED WITHIN GOVERNMENT, FOR LEGISLATION AIMED AT MORE EFFECTIVE CONTROL OVER ILLEGAL BUILDING WORKS,+ MR CHAN SAID.

HE TOLD THE COUNCIL IT WAS DIFFICULT TO QUOTE A PRECISE FIGURE FOR THE NUMBER OF UNAUTHORISED BUILDING WORKS KNOWN TO THE BUILDINGS ORDINANCE OFFICE BECAUSE CASE FILES WERE OPENED ON THE BASIS OF INDIVIDUAL BUILDINGS OR BUILDING COMPLEXES AND MAY REFER TO ONLY ONE OR SEVERAL ILLEGAL WORKS WITHIN THAT PARTICULAR BUILDING OR COMPLEX.

+THERE ARE, HOWEVER, NEARLY 18 000 SUCH FILES ON REPORTED ILLEGALITIES,+ MR CHAN TOLD COUNCILLORS.

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MORE COMMUNITY CENTRES ON WAY

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THE PROVISION OF COMMUNITY CENTRE FACILITIES WAS MUCH BETTER THAN SOME YEARS AGO AND THERE WOULD BE FURTHER IMPROVEMENT IN THE YEARS AHEAD, THE SECRETARY FOR DISTRICT ADMINISTRATION, THE HON DAVID AKERS-JONES, TOLD THE LEGISLATIVE COUNCIL THIS (WEDNESDAY) AFTERNOON.

HE NOTED THAT NINE COMMUNITY CENTRES, EIGHT ESTATE COMMUNITY CENTRES AND 17 COMMUNITY HALLS WOULD BE BUILT IN THE NEXT FIVE YEARS IF FUNDS WERE AVAILABLE.

OF THESE, A COMMUNITY CENTRE, AN ESTATE COMMUNITY CENTRE AND THREE COMMUNITY HALLS WILL BE COMPLETED WITHIN THIS FINANCIAL YEAR.

MR AKERS-JONES WAS REPLYING TO QUESTIONS BY AN UNOFFICIAL MEMBER, THE HON CHAN YING-LUN, REGARDING THE PROVISION OF SUCH FACILITIES AS RECOMMENDED IN THE +HONG KONG PLANNING STANDARDS AND GUIDELINES+ AND THE MEASURES BEING TAKEN BY GOVERNMENT TO MEET ANY SHORTFALLS.

+THE REQUIREMENT FOR THESE FACILITIES IS ESTIMATED BY EXAMINING THE POPULATION BUILD-UP AND GEOGRAPHICAL DISTRIBUTION, AREA BY AREA AND YEAR BY YEAR,+ MR AKERS-JONES SAID.

BASED ON THIS, HE SAID, THE PRESENT REQUIREMENT FOR THESE FACILITIES, TOGETHER WITH THOSE ESTIMATED FOR THE NEXT FIVE YEARS, WAS 35 COMMUNITY CENTRES, 24 ESTATE COMMUNITY CENTRES, AND 40 COMMUNITY HALLS.

ALREADY, 24 COMMUNITY CENTRES, 14 ESTATE COMMUNITY CENTRES AND 22 COMMUNITY HALLS HAVE BEEN PROVIDED THROUGHOUT HONG KONG.

+THE PLANNING SHORTFALL BY 1989 WOULD THEREFORE BE TWO COMMUNITY CENTRES, TWO ESTATE COMMUNITY CENTRES AND A COMMUNITY HALL,+ HE SAID.

+ONE OF THESE COMMUNITY CENTRES IS EXPECTED TO BE COMPLETED BY 1990-91, AND CONSTRUCTION OF THE OTHER FACILITIES COULD PROCEED IF SITES AND FUNDS ARE AVAILABLE.+

NEVERTHELESS, HE ADDED THAT INTERIM MEASURES COULD BE TAKEN BEFORE THE FULL COMPLETION OF THESE STANDARD FACILITIES. THESE INCLUDE:-

- * MAKING FULL USE OF ASSEMBLY HALLS AND SCHOOL HALLS SO THAT THEY CAN SERVE AS ADDITIONAL VENUES FOR MEETINGS AND LARGER SCALE EVENTS;
- * ALTERNATIVE ACCOMODATION FOR WELFARE SERVICES, SUCH AS NURSERIES AND DAY-CARE CENTRES IN PLACES WHERE THESE SERVICES ARE NOT YET PROVIDED IN PURPOSE-BUILT CENTRES;
- * ASSISTANCE TO VOLUNTARY AGENCIES TO UPGRADE AND CONVERT THEIR BUILDINGS TO PROVIDE MORE SERVICES AND FACILITIES; AND
- * EXPANSION OF THE SERVICE CATCHMENT AREA OF EXISTING COMMUNITY CENTRE FACILITIES.

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NO SIGNIFICANT CHANGE IN ABORTION FIGURES: THONG

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THERE HAS NOT BEEN ANY APPRECIABLE INCREASE IN THE NUMBER OF TERMINATION PREGNANCY CASES IN THE PAST THREE YEARS, ACCORDING TO THE DIRECTOR OF MEDICAL AND HEALTH SERVICES, DR THE HON K.L. THONG.

IN REPLY TO A QUESTION ON ABORTION FROM THE HON PETER C. WONG AT THE LEGISLATIVE COUNCIL TODAY, DR THONG SAID THAT THE NUMBER OF TERMINATION OF PREGNANCY CASES FOR THE YEAR 1981, 1982 AND 1983 WERE 10 622, 12 219 AND 13 382 RESPECTIVELY.

FOR THESE THREE YEARS, THE CORRESPONDING RATES OF INCREASE OVER THE PRECEDING YEAR WERE 13 PER CENT, 15 PER CENT AND 10 PER CENT.

/DR THONG

DR THONG SAID THAT WHILE THERE HAD BEEN AN UPWARD TREND IN THE NUMBER OF THESE CASES SINCE THE AMENDMENT OF THE OFFENCES AGAINST THE PERSON ORDINANCE IN FEBRUARY 1981, THE RATES OF INCREASE IN THE PAST THREE YEARS HAD NOT SHOWN ANY APPRECIABLE CHANGE.

AS REGARDS THE NUMBER OF ILLEGAL ABORTION CASES, HE TOLD THE COUNCIL THAT THERE WAS ALSO NO APPRECIABLE CHANGE DURING THE SAME PERIOD.

ACCORDING TO AVAILABLE RECORDS FROM THE ROYAL HONG KONG POLICE FORCE, THE NUMBER OF ILLEGAL ABORTION CASES FOR THE YEARS 1981, 1982 AND 1983 WERE FIVE, ONE AND FIVE RESPECTIVELY.

DR THONG EXPLAINED THAT IN ANY CASE, THE NUMBERS WERE VERY SMALL AND IT WAS NOT POSSIBLE TO DRAW ANY DEFINITE CONCLUSIONS FROM THESE FIGURES TO DETERMINE THE EFFECTS, IF ANY, OF THE AMENDMENTS OF THE ORDINANCE ON THE NUMBER OF ILLEGAL ABORTIONS.

HE ADDED THAT FROM THE STATISTICS ON THE NUMBERS AND RATES OF INCREASE OF LEGAL AND ILLEGAL TERMINATION OF PREGNANCY CASES, THE AMENDMENTS TO THE LAW DID NOT APPEAR TO HAVE RESULTED IN ANY SIGNIFICANT CHANGES IN THIS RESPECT.

HE WAS ALSO NOT AWARE OF ANY SPECIFIC ASSESSMENTS WHICH HAD BEEN MADE ON SOCIAL CONSEQUENCES SINCE THE AMENDMENTS TO THE LAW WERE MADE.

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NEW POLICE COMPLAINTS SCHEME STUDIED

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A SCHEME WHICH ALLOWS INFORMAL RESOLUTION OF MINOR AND TRIVIAL COMPLAINTS AGAINST POLICE IS BEING INTRODUCED BY THE UMEICO POLICE GROUP.

THIS WAS SAID TODAY BY THE HON T.S. LO AS HE PRESENTED THE GROUP'S 1983 ANNUAL REPORT TO THE LEGISLATIVE COUNCIL.

MR LO SAID THAT A RECORD NUMBER OF POLICE INVESTIGATION REPORTS HAD BEEN EXAMINED.

+THIS INCREASING WORKLOAD AND THE LIMITED AUDIT ROLE OF THE GROUP HAS BEEN A MATTER OF GROWING CONCERN TO US. IN CONCERT WITH THE ATTORNEY GENERAL'S CHAMBERS, THE SECURITY BRANCH AND THE POLICE, A WORKING PARTY HAS BEEN SET UP TO CONSIDER NEW AND IMPROVED WORKING PROCEDURES FOR MONITORING THE HANDLING OF PUBLIC COMPLAINTS BY THE POLICE,+ HE SAID.

+WITH OTHER PROPOSALS, THE GROUP IS ATTRACTED TO A SCHEME WHICH PROVIDES FOR THE INFORMAL RESOLUTION OF SOME MINOR AND TRIVIAL COMPLAINTS.

/+THE SCHEME

- 13 -

+THE SCHEME WOULD CONTAIN AN ELEMENT OF CONCILIATION, ON SIMILAR LINES TO THAT PROPOSED FOR THE UK UNDER THE POLICE AND CRIMINAL EVIDENCE BILL, WHICH IS CURRENTLY BEFORE PARLIAMENT.

+IT IS FELT THAT A SCHEME OF THIS SORT, TO ALLOW THE PROMPT RESOLUTION OF COMPLAINTS WHICH OFTEN ARISE FROM A SIMPLE MISUNDERSTANDING, COULD DO MUCH TO IMPROVE FURTHER POLICE PUBLIC RELATIONS.+

MR LO ALSO PAID TRIBUTE FOR THE CO-OPERATION AND ASSISTANCE THE GROUP HAS CONTINUED TO RECEIVE FROM THE COMMISSIONER OF POLICE AND ALL OFFICERS OF THE COMPLAINTS AND INTERNAL INVESTIGATIONS BRANCH.

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MANNING OF LABS REFLECTS WORK DONE - HAYE

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THE NUMBER OF LABORATORY TECHNICIANS PROVIDED TO EACH SCHOOL IS BASED ON THE TOTAL NUMBER OF PRACTICAL SCIENCE PERIODS A WEEK FOR THE WHOLE SCHOOL, THE DIRECTOR OF EDUCATION, THE HON COLVYN HAYE SAID TODAY.

THIS MANNING SCALE WAS INTRODUCED IN 1981, AND GIVES FULL RECOGNITION AND SUPPORT TO THE INTRODUCTION OF THE NEW SCIENCE SYLLABUSES WITH MORE EMPHASIS ON PRACTICAL WORK, HE TOLD THE LEGISLATIVE COUNCIL.

REPLYING TO A QUESTION BY THE HON YEUNG PO-KWAN CONCERNING SCHOOL LABORATORIES, MR HAYE SAID THE 1981 MANNING SCALE IS BASED ON THE NUMBER OF PRACTICAL LESSONS AND FULLY TAKES INTO ACCOUNT INCREASED SCHOOL WORKLOAD, WHILE ALLOWING SCHOOLS TO CONTINUE TO OPERATE EITHER A FIVE-DAY WEEK OR A SIX-DAY CYCLE.

PRIOR TO THAT, MANNING HAD BEEN BASED ENTIRELY ON THE NUMBER OF LABORATORIES IN EACH SCHOOL.

THE +NEW+ MANNING SCALE, MR HAYE SAID, WAS INTRODUCED TO REFLECT THE WORK ACTUALLY DONE IN SCHOOL LABORATORIES, AND WAS DEEMED TO BE AN IMPROVEMENT.

THERE ARE AT PRESENT 177 GOVERNMENT AND AIDED SECONDARY SCHOOLS WITH FOUR LABORATORIES.

BASED ON THE PRESENT MANNING SCALE, 134 OF THESE SCHOOLS ARE ENTITLED TO NOT MORE THAN TWO LABORATORY TECHNICIANS AND 43 TO MORE THAN TWO TECHNICIANS, MR HAYE SAID.

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WEDNESDAY, JUNE 27, 1984

- 14 -

PUBLIC HAPPY WITH ENQUIRIES SERVICES

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STUDIES HAVE SHOWN A GENERALLY HIGH LEVEL OF SATISFACTION AMONG MEMBERS OF THE PUBLIC USING GOVERNMENT ENQUIRY COUNTERS, THE ACTING SECRETARY FOR HOME AFFAIRS, THE HON IAN MACPHERSON, SAID TODAY.

MR MACPHERSON WAS REPLYING TO A QUESTION IN THE LEGISLATIVE COUNCIL FROM THE HON CHEUNG YAN-LUNG, WHO WANTED TO KNOW HOW THE GOVERNMENT ASSESSES WHETHER MEMBERS OF THE PUBLIC ARE SATISFIED WITH THE SERVICES PROVIDED BY ENQUIRY COUNTER STAFF IN DEPARTMENTS, SUCH AS IMMIGRATION, LABOUR AND SOCIAL WELFARE.

MR MACPHERSON SAID THAT IN ADDITION TO DAY-TO-DAY MONITORING BY HEADS OF DEPARTMENTS, THE CIVIL SERVICE BRANCH RECENTLY CARRIED OUT STUDIES ON THE DELIVERY OF GOVERNMENT SERVICES TO THE PUBLIC IN SELECTED OFFICES OF THE POST OFFICE, MEDICAL AND HEALTH AND IMMIGRATION DEPARTMENTS.

+THE RESULTS INDICATED A GENERALLY HIGH LEVEL OF SATISFACTION AMONG THE RESPONDENTS, AND WHERE SHORTCOMINGS WERE PINPOINTED IMPROVEMENTS WERE INTRODUCED,+ MR MACPHERSON SAID.

HOWEVER, HE SAID, THERE IS ALWAYS ROOM FOR IMPROVEMENT - PARTICULARLY WHERE DEPARTMENTS ARE EXPANDING RAPIDLY INTO DEVELOPING AREAS AND WHERE STANDARDS OF SERVICE AND SUPERVISION HAVE NOT FULLY SETTLED DOWN.

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BILL TO UPDATE CONVEYANCING

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A BILL AIMING TO BRING CONVEYANCING IN HONG KONG UP TO DATE WAS INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY.

MOVING THE SECOND READING OF THE CONVEYANCING AND PROPERTY BILL 1984, THE ATTORNEY GENERAL, THE HON MICHAEL THOMAS, POINTED OUT THAT CONVEYANCING HERE STILL FOLLOWS THE LAW AND PRACTICE AS IT WAS IN ENGLAND IN 1844.

NONE OF THE MAJOR REFORMING MEASURES IN THAT COUNTRY OF THE 19TH CENTURY OR OF 1925 HAD BEEN INTRODUCED INTO HONG KONG, MR THOMAS SAID.

ATTEMPTS IN 1966 AND 1973 TO UPDATE THE LAW ON CONVEYANCING HAD FOUNDERED FOR LACK OF CONSENSUS WITHIN THE PROFESSION ON WHAT WAS REQUIRED, HE ADDED.

IN OCTOBER 1982, A WORKING GROUP CONSISTING OF THE REGISTRAR GENERAL, ONE OF HIS LEGAL OFFICERS, FOUR PRACTISING CONVEYANCERS AND THE DEPUTY LAW DRAFTSMAN WAS FORMED AND BEGAN CONSIDERATION OF THE CONTENTS OF A NEW BILL.

/THIS GROUP

THIS GROUP WAS LATER JOINED BY THE DIRECTOR OF PROFESSIONAL LEGAL EDUCATION OF HONG KONG UNIVERSITY'S SCHOOL OF LAW AND A MEMBER OF HIS ACADEMIC STAFF.

THE WORKING GROUP, MR THOMAS SAID, HAD MET ON NO LESS THAN 35 OCCASIONS.

FOR INFORMATION PURPOSES, A BILL WAS GAZETTED IN JULY 1983, AND THEREAFTER THE GROUP CONSIDERED MANY REPRESENTATIONS AND SUGGESTIONS THAT FOLLOWED THE PUBLICATION OF THE BILL.

AN AMENDED BILL WAS PRINTED AND CIRCULATED IN FEBRUARY 1984 AND LATER THAT MONTH, A SEMINAR ON THE BILL WAS HELD.

+THE WORKING GROUP SATISFIED ITSELF THAT ALL THOSE INTERESTED HAVE HAD THE OPPORTUNITY TO MAKE THEIR VIEWS KNOWN, AND I CAN NOW SAY WITH CONFIDENCE IN THE LIGHT OF THEIR ACHIEVEMENTS THAT THE BILL HAS THE SUPPORT OF THE LEGAL PROFESSION GENERALLY, THE HONG KONG ASSOCIATION OF BANKS AND THE PUBLIC,+ MR THOMAS SAID.

THE MORE IMPORTANT CLAUSES OF THE BILL MAKE PROVISION FOR THE FOLLOWING MATTERS:

- * A SIMPLIFIED AND EXPEDITIOUS COURT PROCEDURE FOR RESOLVING DISPUTES RELATING TO LAND (CLAUSE 12);
- * THE SIMPLIFICATION OF THE VENDOR'S OBLIGATION TO PROVIDE PROOF OF TITLE OF LAND PURCHASED (CLAUSE 13);
- * THE IMPLICATION OF COVENANTS FOR TITLE TO LAND WHICH SHOULD REDUCE THE LENGTH OF CONVEYANCING DOCUMENTS (CLAUSE 35);
- * THE INCORPORATION OF COVENANTS AND CONDITIONS INTO CONVEYANCING DOCUMENTS BY REFERENCE, ALSO FOR THE PURPOSE OF REDUCING THE LENGTH OF LEGAL DOCUMENTS RELATING TO LAND (CLAUSE 36);
- * STANDARD CONVEYANCING DOCUMENTS IN A SHORT AND SIMPLIFIED FORM (CLAUSE 37); AND
- * A NEW SYSTEM OF MORTGAGING BY WAY OF CHARGE IN PLACE OF THE ARTIFICIAL ASSIGNMENT OF THE LEGAL ESTATE, WITH INCREASED PROTECTION FOR LENDERS (PART V).

MR THOMAS SAID THAT IT WAS PROPOSED THE BILL SHOULD COME INTO OPERATION ON NOVEMBER 1, 1984, TO GIVE PRACTITIONERS TIME TO REORGANISE THEIR PROCEDURES IN THE LIGHT OF THE REFORMS.

DEBATE ON THE BILL WAS ADJOURNED.

BUS OPERATORS CAN CO-EXIST: UMELCO
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UNOFFICIAL MEMBERS WERE OF THE VIEW THAT BOTH FRANCHISED AND PRIVATE OMNIBUS OPERATORS COULD CO-EXIST SATISFACTORILY AND PROVIDE HIGH QUALITY SERVICE TO THE PUBLIC, HON MARIA TAM SAID TODAY.

SPEAKING IN SUPPORT OF THE PUBLIC OMNIBUS (AMENDMENT) BILL 1984 IN THE LEGISLATIVE COUNCIL, SHE SAID MEMBERS OF THE LEGCO COMMUNITY SERVICES WORKING GROUP HAD COME TO THIS VIEW AFTER EXAMINING THE BILL, TOGETHER WITH THE REPRESENTATIONS RECEIVED ON IT.

+THE FRANCHISED BUS COMPANIES HAVE EXPRESSED THEIR FEAR THAT THE OPERATION OF THE PRIVATE BUS OPERATORS ON RESIDENTIAL ROUTES AND MULTIPLE TRANSPORT SERVICES WILL INFRINGE ON THEIR MOST PROFITABLE ROUTES,+ SHE SAID.

THE WORKING GROUP HAD THEREFORE EXAMINED THE RESTRICTIONS ON THE GRANTING OF LICENCES TO THESE TWO TYPES OF SERVICES, AND HAD CONCLUDED THAT THE EXISTENCE OF THESE SERVICES WAS IN THE BEST INTEREST OF THE COMMUNITY, PROVIDED THAT SUFFICIENT CARE WAS TAKEN TO ENSURE THAT THE PRIVATE OPERATORS DID NOT CONTRAVENE THE CONDITIONS OF THE LICENCE, SHE SAID.

MISS TAM ADDED THAT THE SECRETARY FOR TRANSPORT HAD AGREED TO SPEAK ON THE LICENSING CONDITIONS FOR THE RESIDENTIAL AND MULTIPLE TRANSPORT SERVICES AND WOULD MOVE SOME AMENDMENTS TO THE BILL AT THE COMMITTEE STAGE.

+I AND MY UNOFFICIAL COLLEAGUES ARE IN FULL AGREEMENT WITH THESE AMENDMENTS AS THEY PROVIDE A FAIR BALANCE BETWEEN THE INTERESTS OF THE TWO FRANCHISED BUS COMPANIES AND THE INTERESTS OF THE PEOPLE OF HONG KONG,+ SHE SAID.

THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT THANKED MISS TAM FOR HER REMARKS, AND OTHER UNOFFICIAL MEMBERS IN THEIR COMMUNITY SERVICES WORKING GROUP, FOR THE METICULOUS ATTENTION GIVEN TO THE BILL.

HE SAID THAT CLAUSE 5(C) OF THE BILL PROVIDING FOR RESIDENTIAL COACH SERVICES HAD EVOKED CONCERN FROM THE TWO MAJOR BUS COMPANIES, IN THAT THE RESIDENTIAL COACH SERVICES MIGHT BE AN INFRINGEMENT OF THEIR FRANCHISES.

+THESE RESIDENTIAL COACH SERVICES ARE INTENDED TO COMPLEMENT, NOT TO COMPETE WITH, THE FRANCHISED SERVICES. APPROVAL IS SUBJECT TO STRICT CONDITIONS TO AVOID INFRINGEMENT ON EXISTING FRANCHISES.

+THE SCHEME WAS IN FACT FULLY DISCUSSED AND AGREED WITH THE TWO FRANCHISED BUS OPERATORS BEFORE ITS INTRODUCTION IN 1982.

+BEFORE LICENSING ANY SUCH SERVICE, DISCUSSIONS ARE HELD WITH EITHER THE FRANCHISE HOLDER CONCERNED.

+IT IS NOT INTENDED TO CHANGE THE SCHEME OR THE CONSULTATIVE PROCEDURES,+ HE SAID.

HOWEVER, IN ORDER TO AVOID ANY DOUBT ON THIS POINT AND TO REFLECT EXISTING PRACTICE FULLY, HE PROPOSED AT THE COMMITTEE STAGE AMENDING CLAUSE 5(C), NEW PARAGRAPH (F), BY INSERTING, AFTER +THE COMMISSIONER+, THE WORDS +AFTER CONSIDERING THE INTERESTS OF ANY GRANTEE FRANCHISED TO OPERATE OVER ANY PART OF THE ROUTE TO BE COVERED BY THE SERVICE OR ANY OTHER RELEVANT MATTER,+.

MR SCOTT SAID ALSO THAT A RELATED CONCERN EXPRESSED BY THE TWO MAJOR BUS COMPANIES WAS THAT THE LICENCE CONDITIONS OF RESIDENTIAL COACH SERVICES BE ADEQUATELY ENFORCED.

MR SCOTT ACKNOWLEDGED THAT THE LAW, AS IT STANDS, +IS NOT WHOLLY SATISFACTORY FOR ENFORCEMENT PURPOSES.+

BUT HE SAID THAT WHEN THE NEW ROAD TRAFFIC ORDINANCE (CAP. 374) COMES INTO EFFECT IN AUGUST THIS YEAR, A PASSENGER SERVICE LICENCE UNDER SECTION 27 OF CAP. 374 WILL BE REQUIRED FOR THE OPERATOR OF A RESIDENTIAL COACH SERVICE AND HE FELT THAT ENFORCEMENT WILL THEN BE MORE EFFECTIVE.

HE ALSO NOTED THAT FRANCHISED COMPANIES WERE ALSO ANXIOUS ABOUT A POSSIBLE INFRINGEMENT OF FRANCHISE THROUGH OPERATION OF A MULTIPLE TRANSPORT SERVICE AND MOVED AN AMENDMENT SPECIFICALLY TO AVOID SUCH A SERVICE BEING INTRODUCED WHICH WOULD PARALLEL A REGULAR COMMUTER SERVICE.

ADDITIONALLY, HE PROPOSED SOME MINOR AMENDMENTS, AS ALREADY TABLED BEFORE COUNCIL.

OF THESE, HE MENTIONED:

FIRST, AN AMENDMENT TO CLAUSE 8, WHICH WILL ENABLE A DISAGREEMENT BETWEEN THE GRANTEE AND THE COMMISSIONER TO BE PUT TO THE SECRETARY FOR TRANSPORT FOR RESOLUTION, NOT ONLY IN REGARD TO THE FIVE-YEAR PROGRAMME ITSELF, BUT ALSO TO SUBSEQUENT PROPOSED ALTERATIONS.

+SECOND, THE DELETION AND REPLACEMENT OF CLAUSE 17, TO PROVIDE A NECESSARY AMENDMENT FURTHER TO CLAUSE 4 OF THE BILL WHICH AMENDS SECTION 3 OF THE ORDINANCE. THIS PROVIDES FOR AN APPEAL AGAINST A DECISION OF THE SECRETARY FOR TRANSPORT, AS HE HAS NOW GOT INTO THE ACT, IN THE SAME WAY AS ALREADY PROVIDED IN RESPECT OF DECISIONS BY THE COMMISSIONER OR OTHER PUBLIC OFFICER INVOLVED.+

WEDNESDAY, JUNE 27, 1984

- 18 -

FIXED PENALTY SCHEDULE AMENDED
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A MOTION, AMENDING THE SCHEDULE TO THE FIXED PENALTY (CRIMINAL PROCEEDINGS) ORDINANCE TO TAKE INTO ACCOUNT THE IMPLEMENTATION OF THE ROAD TRAFFIC ORDINANCE (1982) IN AUGUST THIS YEAR WAS APPROVED BY THE LEGISLATIVE COUNCIL TODAY.

+FOR THE UNINTERRUPTED OPERATION OF THE FIXED PENALTY SYSTEM, THE SCHEDULE MUST BE AMENDED SO THAT IT REFERS NOT TO OFFENCES IN THE EXISTING ROAD TRAFFIC ORDINANCE, BUT TO THE SECTIONS OF AND REGULATIONS MADE UNDER THE ROAD TRAFFIC ORDINANCE (CHAPTER 374),+ THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, SAID IN MOVING THE RESOLUTION.

AMENDMENTS TO THE DESCRIPTION OF OFFENCES AS APPROPRIATE, INCLUDING THE METRICATION OF MEASUREMENTS, WERE ALSO APPROVED.

MOVING THE RESOLUTION, MR SCOTT HAD SAID THE OPPORTUNITY WAS TAKEN TO RATIONALISE THE LIST OF FIXED PENALTY OFFENCES.

THE MAIN FUNCTION OF THE FIXED PENALTY SYSTEM, HE SAID, WAS TO REDUCE THE TIME REQUIRED BY MOTORISTS, THE POLICE AND THE COURTS, THROUGH SUMMONS ACTION FOR THE LESS SERIOUS BUT FREQUENT OFFENCES.

SEVERAL OFFENCES IN THE UNAMENDED SCHEDULE ATTRACTED RELATIVELY FEW TICKETS, AND A REVIEW HAD BEEN MADE TO EXAMINE WHETHER THEY SHOULD BE RETAINED IN THE SCHEDULE.

IN THE LIGHT OF THIS REVIEW AND WHERE NO RESULTING UPSURGE IN OFFENCES WAS EXPECTED, OFFENCES ATTRACTING LESS THAN 50 TICKETS WERE PROPOSED FOR DELETION FROM THE SCHEDULE.

HOWEVER, THERE WERE SOME OFFENCES, SUCH AS FAILURE TO WEAR SEAT BELT, WHICH SHOULD BE ADDED TO THE FIXED PENALTY SYSTEM.

+THIS OFFENCE MAY BE FREQUENTLY COMMITTED, AND IT IS CLEARCUT FOR A POLICE OFFICER TO IDENTIFY AND FOR A MOTORIST TO ACKNOWLEDGE,+ MR SCOTT SAID.

FURTHER ADDITIONS RESULTED FROM THE SPLITTING OF THE EXISTING ITEM OF +DISOBEYING TRAFFIC SIGNS+ INTO THREE SEPARATE ITEMS. THESE WERE: CROSSING A DOUBLE WHITE LINE OR A WHITE LINE WITH A BROKEN WHITE LINE, FAILING TO COMPLY WITH TRAFFIC SIGNS, AND FAILING TO COMPLY WITH ROAD MARKINGS.

HE ALSO PROPOSED ADDING THE OFFENCES OF DRIVING WITH AN EXPIRED DRIVING LICENCE, OVERLOADING VEHICLES, FAILING TO REPORT CHANGES OF VEHICLE PARTICULARS AND CONTRAVENING CONDITIONS OF DRIVING LICENCES TO THE SCHEDULE.

+EVEN WITH THESE ADDITIONS, THE LIST OF OFFENCES FOR WHICH THE FIXED PENALTY PROCEDURES MAY BE USED WOULD BE REDUCED FROM 73 TO 49 ITEMS,+ MR SCOTT SAID.

/HE POINTED

HE POINTED TO A +SIGNIFICANT ANOMALY+ CONCERNING THE LEVEL OF FINES IN THE FIXED PENALTY SYSTEM.

BY WAY OF EXAMPLE, HE CITED THE \$140 PENALTY FOR ILLEGAL PARKING, COMPARED WITH THE FIXED PENALTY OF \$100 SET FOR CERTAIN CRIMINAL OFFENCES.

THIS WAS INAPPROPRIATE BECAUSE EVEN THE LESS SERIOUS CRIMINAL OFFENCES WERE AT LEAST AS SERIOUS AS THE PARKING OFFENCES REFERRED TO.

TO CORRECT THIS, HE PROPOSED THAT THE \$100 PENALTIES BE INCREASED TO \$140 EXCEPT IN RESPECT OF VEHICLES EMITTING EXCESS SMOKE OR VISIBLE VAPOUR.

HE ALSO PROPOSED INCREASING THIS FROM \$100 TO \$200, FOLLOWING A RECOMMENDATION OF THE ENVIRONMENTAL PROTECTION COMMITTEE, WHICH CONSIDERED THAT THE LEVEL OF THE PRESENT PENALTY DID NOT SUFFICIENTLY ENCOURAGE OWNERS TO MAINTAIN THEIR VEHICLES PROPERLY IN THIS REGARD.

THE PENALTY OF \$200 FOR THE REMAINING OFFENCES WERE UNCHANGED.

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TRAFFIC SIGNS REVIEW CONDUCTED

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THE GOVERNMENT HAS CARRIED OUT A COMPREHENSIVE REVIEW OF TRAFFIC SIGNS, COVERING GUIDELINES FOR THEIR LOCATION AND POSITIONING AS WELL AS METHODS OF MAKING THEM CLEARER AND MORE CONSPICUOUS, THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, TOLD THE LEGISLATIVE COUNCIL TODAY.

THE REVIEW FOLLOWED AN UNDERTAKING GIVEN IN RESPONSE TO A QUESTION ON THE SUBJECT RAISED BY THE HON WONG LAM IN 1979.

USEFUL STEPS HAVE SINCE BEEN TAKEN, ESPECIALLY IN CONNECTION WITH NEW ROAD PROJECTS, MR SCOTT SAID, IN REPLY TO A QUESTION RAISED TODAY BY MR WONG ABOUT THE PROGRESS MADE FOLLOWING THE UNDERTAKING.

MR SCOTT REPORTED THAT REMEDIAL WORK HAS ALSO BEEN CARRIED OUT AT SITES IDENTIFIED BY TRAFFIC ENGINEERS, AND SUGGESTED BY MOTORING BODIES AND BY MEMBERS OF THE PUBLIC.

+HOWEVER, IN 1979 IT WAS CLEAR THAT MORE COMPREHENSIVE IMPROVEMENT WOULD FLOW FROM A SUBSTANTIAL REVISION OF THE ROAD TRAFFIC LEGISLATION. THIS HAS BEEN A LONG AND COMPLICATED EXERCISE WITH IMPLEMENTATION SCHEDULED FOR AUGUST THIS YEAR.

/+THERE WILL

+THERE WILL THEREFORE BE SIGNIFICANT IMPROVEMENTS DURING THE NEXT THREE YEARS, PARTICULARLY AS THE SPIRIT OF MR WONG LAM'S QUESTION IN 1979 HAS BEEN VERY MUCH BORNE IN MIND IN THE REVISION OF ROAD TRAFFIC SIGNS, AND UNOFFICIAL MEMBERS HAVE BEEN MUCH INVOLVED - AND MOST HELPFULLY SO - AT BOTH THE POLICY AND DETAIL LEVELS,+ MR SCOTT SAID.

HE POINTED OUT THAT THE GOVERNMENT HAD MOVED AWAY FROM THE OLD TRADITION THAT MORE TRAFFIC SIGNS MEANT BETTER INFORMATION FOR MOTORISTS.

+FOR EXAMPLE, RATHER THAN TRYING TO PUT OVER GREAT QUANTITIES OF INFORMATION BY MEANS OF TRAFFIC SIGNS WE SHALL, AFTER AUGUST, HAVE GENERAL RULES RELATING TO SPEED LIMITS, PARKING, AND LOADING AND UNLOADING.

+FEWER SIGNS WILL BE NEEDED BECAUSE THEY WILL CLEARLY INFORM MOTORISTS OF THE EXCEPTIONS ALLOWED TO THE RULES, RATHER THAN ALL ABOUT THE RULES THEMSELVES,+ MR SCOTT ADDED.

THE NEW REGULATIONS ALSO ALLOW MORE THAN ONE SIGN TO BE ERECTED ON A POLE, MAKING IT POSSIBLE TO REDUCE SOME OF THE EXISTING +FORESTS+ OF SIGNS.

+GETTING INFORMATION THROUGH TO MOTORISTS BY MEANS OF TRAFFIC SIGNS WILL BE APPROVED BY USING PICTURES INSTEAD OF WORDS (WHERE PRACTICABLE); BY MAKING CHINESE CHARACTERS TWICE AS LARGE AS THE ENGLISH LETTERING, AND BY USING REFLECTIVE MATERIALS ON SIGNS FACING MOTORISTS,+ HE SAID.

ON RESTRICTED ZONES, HE POINTED TO THREE EVIDENT COMPLAINTS:

- * THAT THE START OF THE ZONES HAVE NOT BEEN OBVIOUS ENOUGH BECAUSE SIGNS WERE PLACED PARALLEL TO THE ROAD;
- * SOME DRIVERS FORGET THE RESTRICTION WHEN THEY ARE MIDWAY THROUGH A ZONE; AND
- * THAT THERE IS TOO MUCH VARIATION IN THE TIMES SET FOR THE BEGINNING AND END OF THE RESTRICTIONS.

UNDER THE NEW ROAD TRAFFIC LEGISLATION, MR SCOTT SAID, THE START OF THE RESTRICTED ZONE WILL BE MARKED BY THE LARGE YELLOW +URBAN CLEARWAY+ SIGNS WHICH WILL FACE MOTORISTS.

SIGNS PARALLEL TO THE ROAD WILL STILL BE NECESSARY ON ROADS WHERE TRAFFIC CAN APPROACH THE RESTRICTED ZONE FROM OTHER DIRECTIONS.

MOTORISTS WILL BE REMINDED OF THE RESTRICTIONS BY REPEATED SIGNS, WITH YELLOW LINE ROAD MARKINGS TO BE USED AS A FURTHER REMINDER.

THE TIME PERIODS FOR RESTRICTED ZONES WILL BE REDUCED TO THREE ONLY, MR SCOTT SAID.

BILL SEEKS TO PROVIDE CLARIFICATIONS
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THE PROPOSAL TO EXTEND STATUTORY PROTECTION TO EMPLOYEES IN RESPECT OF CONTRACTUAL ANNUAL BONUSES SEEKS TO CLARIFY EXISTING CONTRACTUAL OBLIGATIONS, AND, IN GENERAL, DOES NOT SEEK TO CREATE NEW OBLIGATIONS, THE ACTING COMMISSIONER FOR LABOUR, DR THE HON JAMES HAYES SAID TODAY (WEDNESDAY).

SPEAKING AT THE SECOND READING OF THE EMPLOYMENT (AMENDMENT) (NO. 3) BILL IN THE LEGISLATIVE COUNCIL, DR HAYES SAID THE PROPOSAL SHOULD NOT IMPOSE A SIGNIFICANT ADDITIONAL FINANCIAL LIABILITY ON EMPLOYERS.

HE SAID THE BILL INCLUDED A NUMBER OF MISCELLANEOUS AND UNRELATED AMENDMENTS, APART FROM THE NEW PART IIA WHICH DEALT WITH END OF YEAR PAYMENTS.

DR HAYES SAID THESE AMENDMENTS SOUGHT TO CLARIFY SOME PROVISIONS OF THE EMPLOYMENT ORDINANCE WHICH HAD BEEN FOUND TO BE EITHER AMBIGUOUS, OUTDATED, DIFFICULT TO ENFORCE OR IN OTHER WAYS INADEQUATE.

+THEY DO NOT ALTER THE SUBSTANCE OR SPIRIT OF THE EXISTING PROVISIONS OF THE ORDINANCE,+ HE SAID.

ON END OF YEAR PAYMENTS, DR HAYES SAID THE NEW PART AIMED TO CLARIFY THE OBLIGATIONS OF AN EMPLOYER WHERE THERE WAS AN EXPRESS OR IMPLIED AGREEMENT FOR SUCH A PAYMENT IN THE CONTRACT OF EMPLOYMENT, WHETHER VERBAL OR WRITTEN.

+IT DOES NOT, HOWEVER, COVER THOSE END OF YEAR PAYMENTS OR ANNUAL BONUSES WHICH ARE OF A GRATUITOUS NATURE OR WHICH ARE PAYABLE AT THE DISCRETION OF THE EMPLOYER, OR OTHER INCENTIVE PAYMENTS.+

THE NEW PART IIA ALSO PROVIDED FOR AN EMPLOYEE'S ENTITLEMENT TO A PROPORTION OF END OF YEAR PAYMENT ON TERMINATION IF HE WAS ENTITLED TO SUCH UNDER THE CONDITIONS OF HIS EMPLOYMENT, PROVIDED HE HAD WORKED FOR THE SAME EMPLOYER FOR A CONTINUOUS PERIOD OF NOT LESS THAN 26 WEEKS IN THE PAYMENT PERIOD AND HIS CONTRACT OF EMPLOYMENT WAS TERMINATED THROUGH NO FAULT OF HIS OWN.

HOWEVER, AN EMPLOYEE WHO RESIGNED OF HIS OWN ACCORD OR HAD BEEN DISMISSED FOR CAUSE BY HIS EMPLOYER DURING THE PAYMENT PERIOD WOULD NOT RECEIVE THIS PROTECTION.

THE PROPOSED LEGISLATION ALSO SPECIFIED A TIME LIMIT FOR THE PAYMENT OF THE END OF YEAR PAYMENT, DR HAYES SAID.

+FOR SERVING EMPLOYEES, THIS LIMIT IS NOT LATER THAN SEVEN DAYS AFTER THE END OF YEAR PAYMENT IS DUE OR, IN THE CASE OF AN END OF YEAR PAYMENT TO BE CALCULATED BY REFERENCE TO ANY PROFITS OF THE EMPLOYER, NOT LATER THAN SEVEN DAYS AFTER SUCH PROFITS ARE ASCERTAINED.+

WHEN AN EMPLOYEE HAD WORKED FOR OVER 26 WEEKS IN THE PAYMENT PERIOD BUT HIS CONTRACT WAS TERMINATED WITHOUT CAUSE AT ANY TIME BEFORE EXPIRY OF THE PAYMENT PERIOD, THE PRO RATA PAYMENT DUE TO HIM UNDER THESE PROVISIONS MUST BE PAID NOT LATER THAN SEVEN DAYS AFTER THE TERMINATION OF CONTRACT OF EMPLOYMENT.

DEBATE ON THE BILL WAS ADJOURNED.

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MOVE TO END TAX HOLD-OVER ABUSE
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THERE WAS A GROWING TENDENCY FOR TAXPAYERS TO ABUSE THE GENEROUS HOLD OVER PROVISION ACCORDED TO TAX UNDER OBJECTION OR APPEAL, THE ACTING FINANCIAL SECRETARY, THE HON DOUGLAS BLYE, SAID TODAY.

MR BLYE TOLD THE LEGISLATIVE COUNCIL THAT THE TAX HELD OVER HAD INCREASED FROM \$891 MILLION AT THE END OF MARCH 1981 TO \$2 984 MILLION AT THE END OF MARCH THIS YEAR.

+THIS UNSATISFACTORY SITUATION SHOULD NOT BE ALLOWED TO CONTINUE,+ HE SAID.

MOVING THE SECOND READING OF THE INLAND REVENUE (AMENDMENT) (NO. 2) BILL 1984, HE SAID IT SEEKS TO PERMIT THE COMMISSIONER OF INLAND REVENUE TO REQUIRE IN THE FUTURE AN APPELLANT TAXPAYER TO PURCHASE TAX RESERVE CERTIFICATES EQUAL TO THE TAX TO BE HELD OVER.

IF AN OBJECTION OR APPEAL IS SUCCESSFUL, INTEREST WILL BE PAID ON THE CERTIFICATE.

BUT WHERE THE OBJECTION OR APPEAL IS UNSUCCESSFUL, THE CERTIFICATE WILL BE ACCEPTED IN SETTLEMENT OF THE TAX DUE AND NO INTEREST WILL BE PAYABLE.

MR BLYE SAID THE COMMISSIONER WILL CONTINUE TO HAVE THE POWER TO ALLOW PAYMENT OF TAX TO BE HELD OVER WITHOUT REQUIRING THE TAXPAYER TO PURCHASE A TAX RESERVE CERTIFICATE WHERE HE CONSIDERS THE CIRCUMSTANCES SO WARRANT, OR TO REQUIRE PAYMENT OF TAX IN FULL, NOTWITHSTANDING ANY NOTICE OF OBJECTION OR APPEAL.

+THE ADDITIONAL POWERS GIVEN TO THE COMMISSIONER UNDER THE BILL, IF APPROVED BY THIS COUNCIL, WILL DISCOURAGE FRACTIOUS APPEALS AND WILL ENSURE THAT THE AMOUNT OF TAX HELD OVER IS SUBSTANTIALLY COVERED BY SUPPORTING TAX RESERVE CERTIFICATES IN FUTURE.

+IT WILL PROTECT GENERAL REVENUE, AND THERE ARE NO ADDITIONAL STAFFING OR RESOURCE IMPLIGATIONS,+ MR BLYE SAID.

DEBATE ON THE BILL WAS ADJOURNED.

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WEDNESDAY, JUNE 27, 1984

- 23 -

BILL ON OPTOMETRISTS BEING DRAFTED

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A BILL SEEKING TO BRING OPTOMETRISTS WITHIN THE AMBIT OF THE SUPPLEMENTARY MEDICAL PROFESSIONS ORDINANCE, IS EXPECTED TO BE INTRODUCED INTO THE LEGISLATIVE COUNCIL LATER THIS YEAR, THE SECRETARY FOR HEALTH AND WELFARE, THE HON HENRY CHING, SAID TODAY.

IN REPLY TO A QUESTION FROM DR THE HON HO KAM-FAI, MR CHING SAID THE BILL, NOW BEING DRAFTED, WAS +THE MOST IMPORTANT STEP+ BY THE GOVERNMENT TO ENSURE THAT OPTICAL SHOPS ARE COMPETENTLY STAFFED TO OFFER ADVICE TO THE PUBLIC ON THE PRESCRIPTION AND FITTING OF CONTACT LENSES.

+THE ENACTMENT OF THIS LEGISLATION WILL ENABLE A BOARD TO BE APPOINTED TO PROMOTE ADEQUATE STANDARDS OF PROFESSIONAL PRACTICE AND CONDUCT AMONG MEMBERS OF THE PROFESSION OF OPTOMETRY, AND TO CARRY OUT CERTAIN STATUTORY FUNCTIONS FOR THE REGISTRATION AND DISCIPLINE OF PERSONS IN THE PROFESSION,+ MR CHING TOLD THE COUNCIL.

DRAFTING IS ALSO PROCEEDING ON NEW REGULATIONS, TO BE MADE BY THE GOVERNOR IN COUNCIL FOLLOWING THE PASSAGE OF THE BILL.

THESE REGULATIONS, MR CHING EXPLAINED, WILL GIVE DETAILS OF THE BASIC QUALIFICATIONS REQUIRED OF PERSONS SEEKING REGISTRATION AS OPTOMETRISTS.

THEY WILL ALSO RECOGNISE THE NEED FOR ACCEPTABLE QUALIFICATIONS REQUIRED OF PERSONS WISHING TO UNDERTAKE ANY CONTACT LENS WORK, INCLUDING SOFT CONTACT LENSES AND THOSE OF THE EXTENDED-WEAR TYPE.

STATING THAT SOME DIFFICULT POLICY ISSUES REMAIN TO BE RESOLVED, MR CHING SAID, +TO ENABLE EXPERT ADVICE TO BE OBTAINED ON THESE ISSUES, AND ON THE PREPARATION OF THE NEW REGULATIONS, AN ADVISORY COMMITTEE HAS BEEN ESTABLISHED UNDER THE CHAIRMANSHIP OF PROFESSOR JOSEPH C.K. LEE OF THE CHINESE UNIVERSITY OF HONG KONG, PENDING THE APPOINTMENT OF A STATUTORY BOARD.+

+IT WOULD BE APPROPRIATE FOR THIS ADVISORY COMMITTEE TO BE CONSULTED ON THE PARTICULAR MATTER OF CONTACT LENSES, AND ON WHETHER THERE IS A NEED TO TAKE EARLIER REGULATORY ACTION IN RESPECT OF SUCH LENSES,+ HE SAID.

HE ADDED THAT STEPS HAD ACCORDINGLY BEEN TAKEN TO CONSULT THE COMMITTEE, HAVING REGARD TO THE CONCERN THAT HAD BEEN PUBLICLY EXPRESSED.

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124

FOREIGN NOTE LAW 'OBSOLETE'
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THE GOVERNMENT NEVER BELIEVED THAT THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) ORDINANCE WOULD SIGNIFICANTLY PROTECT THE PUBLIC FROM THE EVENTUAL CONSEQUENCES OF A DEPRECIATING EXCHANGE RATE, THE ACTING FINANCIAL SECRETARY, THE HON DOUGLAS BLYE, TOLD THE LEGISLATIVE COUNCIL TODAY.

NOR DID THE ORDINANCE, WHICH HAS BECOME OBSOLETE, PROVIDE A VIABLE MEANS TO SUPPORT THE EXCHANGE RATE, HE SAID.

MR BLYE WAS MOVING THE SECOND READING OF THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) (REPEAL) BILL 1984, WHICH SEEKS TO REPEAL THE EXISTING ORDINANCE ENACTED IN 1913.

+THE STABILITY OF THE EXCHANGE RATE SINCE OCTOBER STEMS FROM THE INTRODUCTION OF THE NEW EXCHANGE RATE SYSTEM WITH THE LINKAGE TO THE U.S. DOLLAR, AND OWES NOTHING TO THE LIMELIGHT GIVEN TO THIS OBSOLETE ORDINANCE,+ HE SAID.

LAST SEPTEMBER WHEN CONFIDENCE IN THE HONG KONG CURRENCY WAS AT ITS MOST FRAGILE, THERE WERE REPORTED INSTANCES OF RETAILERS DEMANDING PAYMENT IN FOREIGN CURRENCY.

WHEN PRESSED AT THE TIME TO COMMENT ON THE LEGALITY OF SUCH ACTION, THE GOVERNMENT WAS OBLIGED TO POINT TO THE EXISTENCE OF THE ORDINANCE, HE SAID.

MR BLYE ADDED THAT IN CERTAIN RESPECTS, THE SEPTEMBER EPISODE SERVED MERELY TO HIGHLIGHT THE OBSOLESCENCE OF THE ORDINANCE.

HE SAID THAT THE ORDINANCE WAS NOT SIGNIFICANTLY OBSERVED OR ENFORCED AND THERE WAS A CLEAR CASE FOR REPEAL.

DEBATE ON THE BILL WAS ADJOURNED.

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BANKRUPTCY (AMENDMENT) BILL INTRODUCED
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THE PURPOSE OF THE BANKRUPTCY (AMENDMENT) BILL 1984 IS TO AMEND THE BANKRUPTCY ORDINANCE, THE SECRETARY FOR ECONOMIC SERVICES, THE HON PIERS JACOBS, SAID IN THE LEGISLATIVE COUNCIL TODAY.

IN MOVING THE SECOND READING OF THE BILL, MR JACOBS EXPLAINED THAT THE BILL IS TO BRING THE BANKRUPTCY ORDINANCE INTO LINE WITH THE NEW WINDING-UP PROVISIONS INTRODUCED BY THE COMPANIES (AMENDMENT) ORDINANCE 1984.

+THIS MEASURE IS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE SECOND REPORT OF THE COMPANIES LAW REVISION COMMITTEE,+ HE ADDED.

- 25 -

THE REPORT STATED THAT +COMPANY LAW ON WINDING UP IS ON MANY MATTERS IDENTICAL WITH THE BANKRUPTCY LAW, AND IT IS CLEARLY DESIRABLE THAT IF THE COMPANY LAW ON SUCH MATTERS IS AMENDED IN ACCORDANCE WITH OUR RECOMMENDATIONS, THE CORRESPONDING PROVISIONS OF THE BANKRUPTCY LAW SHOULD ALSO BE AMENDED IN THE SAME WAY+.

+THE AMENDMENTS PROPOSED IN THIS BILL ARE GENERALLY OF A TECHNICAL OR PROCEDURAL NATURE AND MATCH SIMILAR PROVISIONS CONTAINED IN COMPANIES (AMENDMENT) ORDINANCE 1984,+ MR JACOBS SAID.

DEBATE ON THE BILL WAS ADJOURNED.

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BILL TO RESTORE LAW SUB-SECTION
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A BILL PROPOSING TO REINSTATE SECTION 296(2) OF THE COMPANIES ORDINANCE, WAS INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY.

THE SUB-SECTION HAD BEEN REPEALED BY THE COMPANIES (AMENDMENT) ORDINANCE 1984 ON THE RECOMMENDATION OF THE COMPANIES LAW REVISION COMMITTEE ON THE GROUNDS THAT IT SERVED NO USEFUL PURPOSE.

+HOWEVER, THE IMPLICATIONS OF ITS REPEAL HAVE BEEN FURTHER CONSIDERED BY THE REGISTRAR GENERAL, WHO HAS NOW ADVISED THAT THE SUB-SECTION DOES SERVE THE PURPOSE OF ENSURING THAT RULES MADE UNDER SECTION 296 OF THE COMPANIES ORDINANCE CANNOT BE QUESTIONED BY ANY COURT,+ THE SECRETARY FOR ECONOMIC SERVICES, THE HON PIERS JACOBS, SAID IN MOVING THE SECOND READING OF THE COMPANIES (AMENDMENT)(NO. 2) BILL 1984.

+DELETION OF SECTION 296(2) COULD CREATE GROUNDS FOR CHALLENGING THE VALIDITY OF THE RULES.

+IT IS THEREFORE DESIRABLE THAT THIS SUB-SECTION BE REINSTATED BEFORE THE COMPANIES (AMENDMENT) ORDINANCE 1984 COMES INTO OPERATION,+ MR JACOBS SAID.

DEBATE ON THE BILL WAS ADJOURNED.

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- 26 -

+SPEAKING NOTE+ TEXT Tabled
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THE TEXT OF THE SPEAKING NOTE USED BY SIR S.Y. CHUNG, MR Q.W. LEE AND HERSELF IN THEIR MEETINGS IN BEIJING LAST WEEK WITH CHAIRMAN DENG XIAOPING AND MR JI PENGFEI, WAS Tabled BY HON LYDIA DUNN IN THE LEGISLATIVE COUNCIL TODAY.

SHE SAID, +MY COLLEAGUES AND I HAVE GIVEN A FULL ACCOUNT OF THESE MEETINGS IN THE PRESS CONFERENCE WHICH WE HELD ON OUR RETURN, AND WE HAVE MADE THE TEXT OF THE SPEAKING NOTE AVAILABLE TO THE PUBLIC.

+I DO NOT THINK I NEED TO SAY ANYTHING FURTHER ABOUT IT IN THIS COUNCIL.

+MY PURPOSE IN LAYING IT BEFORE THE COUNCIL NOW IS TO HAVE THE ORIGINAL CHINESE TEXT AND ITS ENGLISH TRANSLATION INCORPORATED IN THE RECORD OF THE PROCEEDINGS OF THIS COUNCIL AS A MATTER OF PUBLIC INTEREST.+

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TWO MORE MOTIONS MOVED
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TWO MORE RESOLUTIONS WERE MOVED IN THE LEGISLATIVE COUNCIL TODAY.

ONE OF THEM, MOVED BY THE ACTING FINANCIAL SECRETARY, THE HON DOUGLAS BLYE, IMPOSES A UNIFORM AD VALOREM RATE ON EUROPEAN-TYPE LIQUORS UNDER THE DUTIABLE COMMODITIES ORDINANCE.

THE OTHER, MOVED BY THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, RAISED PENALTIES FOR OFFENCES UNDER THE DANGEROUS GOODS ORDINANCE, WITH THE INCREASES RANGING FROM JUST OVER 200 PER CENT TO 900 PER CENT.

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TWO BILLS PASSED
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TWO BILLS WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY.

THEY ARE: THE PUBLIC OMNIBUS SERVICES (AMENDMENT) BILL 1984 AND THE ANTIBIOTICS, PHARMACY AND POISONS (MISCELLANEOUS AMENDMENTS) BILL 1984.

SIX BILLS WERE INTRODUCED AND READ A SECOND TIME AND DEBATE ON THEM WAS ADJOURNED.

THEY ARE: THE FOREIGN NOTES (PROHIBITION OF CIRCULATION) (REPEAL) BILL 1984, THE INLAND REVENUE (AMENDMENT) (NO. 2) BILL 1984, THE CONVEYANCING AND PROPERTY BILL 1984, THE COMPANIES (AMENDMENT) (NO. 2) BILL 1984, THE BANKRUPTCY (AMENDMENT) BILL 1984 AND THE EMPLOYMENT (AMENDMENT) (NO. 3) BILL 1984.

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WEDNESDAY, JUNE 27, 1984

- 27 -

GOVERNOR GOING TO LONDON JULY 3

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THE GOVERNOR, SIR EDWARD YOUDE, WILL TRAVEL TO LONDON ON JULY 3 FOR FURTHER CONSULTATION WITH MINISTERS ON THE PROGRESS OF THE TALKS IN PEKING. THIS IS PART OF THE NORMAL CONSULTATION ON THE PROGRESS OF THE TALKS ON THE FUTURE OF HONG KONG.

SIR EDWARD WILL LEAVE FOR LONDON ON THE EVENING OF JULY 3, AND RETURN TO HONG KONG ON JULY 7.

HE WILL RETURN TO THE TERRITORY FROM PEKING TOMORROW (THURSDAY) AFTER ATTENDING THE LATEST ROUND OF TALKS.

HE WILL ARRIVE ON FLIGHT BA 20, AT 7.45 PM.

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PEOPLE TOLD: REGISTER AND VOTE

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+A VOTE IS A VOICE: SILENCE IS APATHY AND NEGLECT.+

THIS WAS THE MESSAGE FROM THE SECRETARY FOR DISTRICT ADMINISTRATION, MR DAVID AKERS-JONES, TODAY TO HONG KONG'S 2.7 MILLION POTENTIAL VOTERS IN NEXT MARCH'S DISTRICT BOARD ELECTIONS.

AND HE WARNED THAT THOSE WHO DID NOT REGISTER AND VOTE FORFEITED THE RIGHT TO CRITICISE AND COMMENT ON THE ACTIVITIES AND STATEMENTS OF THOSE WHO WERE ELECTED TO SPEAK FOR THE MAN IN THE DISTRICT, OR THE MAN IN THE REGION.

+IT WILL BE NO USE CARING ABOUT OUR CITY WHEN IT IS TOO LATE TO CARE,+ HE TOLD A LUNCHEON MEETING OF THE HONG KONG ZONTA CLUB.

+IT IS NO USE VOICING YOUR DISAPPROVAL AFTER THE ELECTIONS IF YOU HAVE NOT BOTHERED TO VOTE.+

THE FIRST RESPONSIBILITY WHICH MUST BE EXERCISED IS TO REGISTER AS AN ELECTOR IN AUGUST AND SEPTEMBER. THE SECOND IS TO VOTE IN THE ELECTIONS IN MARCH NEXT YEAR, HE STRESSED.

ALTHOUGH THE VOICE OF THE INDIVIDUAL IS SMALL, HE ADDED, +TO VOTE IS TO JOIN IN THE CORPORATE, POLITICAL LIFE OF OUR COMMUNITY.+

FOR THE MAN IN THE STREET, THIS MEANT LIVING CONDITIONS COULD BE IMPROVED; FOR THE DISTRICT AS A WHOLE, FACILITIES AND AMENITIES AND OPPORTUNITIES FOR RECREATION MAY BE ENHANCED; FOR HONG KONG VITAL QUESTIONS AFFECTING THE WELL-BEING OF OUR PEOPLE WILL HAVE BEEN ASKED OF AND ANSWERED BY THESE REPRESENTATIVES.

/MR AKERS-JONES

MR AKERS-JONES NOTED THAT THOUGH THE BOARDS WERE SET UP ONLY A FEW YEARS AGO WITH APPOINTED MEMBERS AND A GENERAL ADVISORY ROLE, THEIR WORK HAD SINCE BECOME MORE SPECIFIC, MORE RESPONSIBLE, AND THEY HAD BECOME MORE REPRESENTATIVE.

NEXT YEAR THE GOVERNMENT UMBRELLA WILL BE REMOVED.

+IN APRIL 1985, THEY WILL ELECT THEIR OWN CHAIRMAN, REPLACING THE DISTRICT OFFICER, AND IT IS PROPOSED THAT GOVERNMENT OFFICIALS WILL NO LONGER BE MEMBERS OF THE BOARDS,+ HE SAID.

THE NUMBER OF ELECTED SEATS WILL ALSO BE VIRTUALLY DOUBLED, SO THAT NEXT YEAR THE TOTAL NUMBER OF URBAN COUNCIL, REGIONAL COUNCIL AND DISTRICT BOARD MEMBERS WILL BE 413, OF WHICH 236 WILL HAVE BEEN ELECTED ON A POPULAR FRANCHISE.

+CLEARLY THE MORE PEOPLE WHO REGISTER AND VOTE IN THE ELECTIONS, THE STRONGER THE POSITION OF THE ELECTED REPRESENTATIVES WILL BE IF THEY CAN CLAIM A BROAD BASIS OF POPULAR SUPPORT,+ HE SAID.

MR AKERS-JONES SAID THAT THERE WERE SOME WHO ADVOCATED INSTANT DEMOCRACY AS THOUGH IT WAS AS EASY AS TAKING A POLAROID PHOTOGRAPH.

+MY OWN PREFERENCE IS TO DEVELOP THE PICTURE MORE COMPLETELY, GETTING THE PERSPECTIVE AND EMPHASIS RIGHT,+ HE SAID.

+THUS OUR POLITICAL INSTITUTIONS ARE BEING DEVELOPED PROGRESSIVELY AND, WHO CAN SAY TODAY WITH PRECISION, WHAT ROLE THE DISTRICT BOARDS WILL PLAY IN THE YEARS AHEAD AS THE EVOLUTION OF THE ADMINISTRATION OF OUR CITY TAKES PLACE AND AS WE FACE THE TASKS WHICH LIE AHEAD.+

CERTAINLY, HE ADDED, WE MUST MOBILISE OUR RESOURCES TO MEET THIS CHALLENGE AS WE HAVE MET MANY OTHER CHALLENGES IN THE PAST.

+WE NEED BOTH THE COLLECTIVE STRENGTH OF OUR COMMUNITY AND THE WISDOM AND SKILL OF OUR BUSINESSMEN AND INDUSTRIALISTS, OUR EXECUTIVES AND ADMINISTRATORS AND OUR PROFESSIONAL MEN AND TECHNOCRATS TO HELP TO SHAPE OUR DESTINY,+ MR AKERS-JONES SAID.

ELECTIONS, HE SAID, ARE A PART OF THIS PROCESS TO SELECT THOSE WHO WILL REPRESENT AND SPEAK FOR THE COLLECTIVE STRENGTH OF THE COMMUNITY ON THE DISTRICT BOARDS IN THE YEARS BETWEEN ELECTIONS.

DISTRICT BOARDS HAD BECOME AN IMPORTANT STRAND IN THE POLITICAL FABRIC OF HONG KONG, EXCEEDING THE PREDICTIONS AND EXPECTATIONS HELD AT THE TIME OF THEIR INCEPTION.

THEY HAD BECOME AN INTEGRAL PART OF A DEVELOPING STRUCTURE OF REPRESENTATIVE GOVERNMENT, BUILDING UPWARDS FROM A DISTRICT BASE.

+THUS, IN THE NEW TERRITORIES THE BOARDS ARE TO BE ORGANICALLY LINKED WITH THE REGIONAL COUNCIL, JUST AS IN THE URBAN AREA, THE URBAN COUNCIL AND THE URBAN DISTRICT BOARDS ARE CONNECTED, ALTHOUGH IN A SOMEWHAT DIFFERENT WAY,+ HE SAID.

U.S. MAKES ANOTHER 'CALL'

THE UNITED STATES MADE AN EXPORT AUTHORISATION (EA) CALL ON PART OF CATEGORY 605 (MAN-MADE FIBRE SEWING THREAD) AT 9 AM TODAY (WEDNESDAY), THE TRADE DEPARTMENT ANNOUNCED.

THIS IS THE 15TH EA CALL BY THE UNITED STATES SO FAR THIS YEAR.

PENDING CONSULTATIONS WITH THE U.S. GOVERNMENT, THE DEPARTMENT HAS SUSPENDED THE ISSUE OF FURTHER EXPORT AUTHORISATIONS FOR THIS CATEGORY AS FROM 9 AM TODAY.

HOWEVER, THE DEPARTMENT WILL, AS USUAL, CONTINUE TO APPROVE AND ISSUE EXPORT LICENCES FOR THIS CATEGORY AGAINST VALID EXPORT AUTHORISATIONS APPROVED BEFORE THE SUSPENSION.

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NEW PLAN TO IMPROVE MONG KOK TRAFFIC

SPECIAL TRAFFIC ARRANGEMENTS WILL BE IMPLEMENTED IN MONG KOK SOUTH FROM 10 AM ON SATURDAY (JUNE 30) TO IMPROVE TRAFFIC CIRCULATION.

THE FOLLOWING STREETS WILL BE DESIGNATED RESTRICTED ZONES IN THE PERIODS SPECIFIED BELOW:-

7 AM TO 7 PM DAILY

- * ARGYLE STREET BETWEEN SAI YEUNG CHOI STREET AND NATHAN ROAD.
- * THE WESTBOUND CARRIAGEWAY OF ARGYLE STREET BETWEEN SAI YEE STREET AND SAI YEUNG CHOI STREET.
- * SAI YEUNG CHOI STREET BETWEEN ARGYLE STREET AND A POINT ABOUT 50 METRES TO THE SOUTH OF ITS JUNCTION WITH ARGYLE STREET.

7 AM TO 12 MID-NIGHT DAILY

- * SHANTUNG STREET BETWEEN SAI YEUNG CHOI STREET AND A POINT ABOUT 15 METRES TO THE EAST OF ITS JUNCTION WITH SAI YEUNG CHOI STREET.

/WITHIN THE

WITHIN THE RESTRICTED ZONES, ALL MOTOR VEHICLES EXCEPT FRANCHISED BUSES AND THOSE AUTHORISED IN WRITING BY THE TRANSPORT DEPARTMENT WILL BE PROHIBITED FROM PICKING UP OR SETTING DOWN PASSENGERS, OR LOADING OR UNLOADING GOODS.

THE FOLLOWING STREETS WILL BE DESIGNATED AS PUBLIC LIGHT BUS RESTRICTED ZONES FROM 7 AM TO 12 MID-NIGHT DAILY:-

- * THE SECTION OF SAI YEUNG CHOI STREET BETWEEN ARGYLE STREET AND DUNDAS STREET.
- * THE SECTION OF SOY STREET BETWEEN SAI YEUNG CHOI STREET AND A POINT ABOUT 15 METRES TO THE EAST OF ITS JUNCTION WITH SAI YEUNG CHOI STREET.

WITHIN THE RESTRICTED ZONES, ALL PUBLIC LIGHT BUSES EXCEPT THOSE AUTHORISED IN WRITING BY THE TRANSPORT DEPARTMENT WILL BE PROHIBITED FROM PICKING UP OR SETTING DOWN PASSENGERS.

THE SECTION OF NELSON STREET BETWEEN SAI YEE STREET AND FA YUEN STREET WILL BE RE-ROUTED FROM ONE-WAY EASTBOUND TO WESTBOUND.

THE SECTION OF FA YUEN STREET BETWEEN NELSON STREET AND SHANTUNG STREET WILL BE RE-ROUTED FROM ONE-WAY NORTHBOUND TO SOUTHBOUND.

THE SECTION OF SHANTUNG STREET BETWEEN FA YUEN STREET AND SAI YEE STREET WILL BE RE-ROUTED FROM ONE-WAY WESTBOUND TO EASTBOUND.

THE SECTION OF SAI YEE STREET BETWEEN SOY STREET AND NELSON STREET WILL BE RE-ROUTED FROM ONE-WAY SOUTHBOUND TO NORTHBOUND.

THE EXISTING PUBLIC LIGHT BUS STAND IN SAI YEUNG CHOI STREET BETWEEN NELSON STREET AND SHANTUNG STREET WILL BE RESITED TO SHANTUNG STREET BETWEEN FA YUEN STREET AND SAI YEUNG CHOI STREET.

THE EXISTING PUBLIC LIGHT BUS STAND IN SAI YEUNG CHOI STREET BETWEEN SHANTUNG STREET AND SOY STREET WILL BE RESITED TO SOY STREET BETWEEN FA YUEN STREET AND SAI YEUNG CHOI STREET.

THE EXISTING TAXI STAND OUTSIDE ARGYLE MTR ENTRANCE IN SAI YEUNG CHOI STREET SOUTHBOUND WILL BE RESITED SOUTHWARDS NEAR ITS JUNCTION WITH NELSON STREET.

NT LIBRARY SERVICES
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THE GOVERNMENT HAS CONCERN FOR THE DEVELOPMENT OF LIBRARY SERVICES IN THE NEW TERRITORIES, THE CHAIRMAN OF THE YUEN LONG TOWN HALL MANAGEMENT COMMITTEE, MADAM LEUNG SING-TAK, SAID TODAY (WEDNESDAY).

SPEAKING AT THE OPENING CEREMONY OF THE CULTURAL SERVICES DEPARTMENT'S YUEN LONG PUBLIC LIBRARY, MADAM LEUNG NOTED THAT THE LIBRARY IS THE FOURTH OPENED IN THE NEW TERRITORIES THIS YEAR.

SHE ADDED THAT THE OPENING OF THE LIBRARY, WHICH REPLACES THE OLD YUEN LONG PUBLIC LIBRARY IN THE YUEN LONG TOWN HALL, IS A MOST TIMELY MEASURE TO MEET THE RAPID DEVELOPMENT AND POPULATION GROWTH IN THE DISTRICT. IT ALSO REFLECTS THE GOVERNMENT'S CONCERN FOR LIBRARY SERVICES IN THE NEW TERRITORIES.

AT PRESENT, THE CULTURAL SERVICES DEPARTMENT IS OPERATING 14 LIBRARIES AND A MOBILE LIBRARY IN THE NEW TERRITORIES WITH A TOTAL STOCK OF 600 000 BOOKS IN CHINESE AND ENGLISH, MADAM LEUNG POINTED OUT.

ALSO OFFICIATING AT TODAY'S CEREMONY WERE THE DIRECTOR OF CULTURAL SERVICES, MR DARWIN CHEN; CHAIRMAN OF YUEN LONG DISTRICT BOARD CULTURE COMMITTEE, MR MA NING-HEI; CHAIRMAN OF YUEN LONG DISTRICT ARTS COMMITTEE, DR TANG SIU-TONG; ASSISTANT DISTRICT OFFICER (YUEN LONG), MR RICHARD YUEN.

THE 1 543-SQUARE-METRE NEW YUEN LONG PUBLIC LIBRARY IS ON THE FIRST FLOOR OF THE TAI KIU MARKET AND GOVERNMENT OFFICES, 2 KIU LOK SQUARE, SAU FU STREET, YUEN LONG. IT HAS AN INITIAL STOCK OF 70 000 BOOKS AND ALSO PROVIDES READERS WITH CASSETTE TAPES, NEWSPAPERS, PERIODICALS AND REFERENCE MATERIALS.

OPENING HOURS ARE FROM 9 AM TO 8 PM BETWEEN TUESDAYS AND FRIDAYS, 9 AM TO 5 PM ON SATURDAYS, AND 9 AM TO 1 PM ON SUNDAYS AND PUBLIC HOLIDAYS. THE LIBRARY IS CLOSED EVERY MONDAY.

SALES OF SHARES ANNOUNCED
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THE CHAIRMAN OF THE COMMITTEE ON TAKEOVERS AND MERGERS UNDER RULE 29 OF THE HONG KONG CODE ON TAKEOVERS AND MERGERS ANNOUNCED TODAY THAT, THE FOLLOWING DISCLOSURES HAD BEEN MADE TO HIM IN CONNECTION WITH THE CURRENT OFFER BY FIRST PACIFIC HOLDINGS LIMITED TO ACQUIRE THE ISSUED SHARE CAPITAL OF FIRST PACIFIC FINANCE LIMITED:

- * MAYWEATHER CORPORATION PURCHASED ON JUNE 12, 1984, 20 000 SHARES IN FIRST PACIFIC HOLDINGS LIMITED AT \$3.00 PER SHARE.
- * FIRST PACIFIC INVESTMENTS LIMITED PURCHASED ON JUNE 15, 330 000 SHARES AND 54 000 SHARES IN FIRST PACIFIC HOLDINGS LIMITED AT \$2.85 PER SHARE AND \$2.80 PER SHARE RESPECTIVELY.
- * ASEAN ENTERPRISES LIMITED PURCHASED ON JUNE 19, 6 000 SHARES AND 24 000 SHARES IN FIRST PACIFIC HOLDINGS LIMITED AT \$2.75 PER SHARE AND \$2.775 PER SHARE RESPECTIVELY.
- * MAYWEATHER CORPORATION PURCHASED ON JUNE 19, 26 000 SHARES AND 34 000 SHARES IN FIRST PACIFIC HOLDINGS AT \$2.775 PER SHARE AND \$2.80 PER SHARE RESPECTIVELY.
- * FIRST PACIFIC INVESTMENTS LIMITED PURCHASED ON JUNE 19, 150 000 SHARES IN FIRST PACIFIC HOLDINGS AT \$2.80 PER SHARE.
- * MAYWEATHER CORPORATION PURCHASED ON JUNE 22, 29 000 SHARES IN FIRST PACIFIC HOLDINGS AT \$2.75 PER SHARE.
- * FIRST PACIFIC INVESTMENTS LIMITED PURCHASED ON JUNE 22, 120 000 SHARES IN FIRST PACIFIC HOLDINGS AT \$2.75 PER SHARE.

SEMINAR ON DA FOR SCHOOL HEADS

A SEMINAR ON DISTRICT ADMINISTRATION FOR SCHOOL PRINCIPALS AND EXECUTIVES IN SHAM SHUI PO WILL BE HELD ON FRIDAY (JUNE 29).

JOINTLY ORGANISED BY THE SHAM SHUI PO SCHOOL LIAISON COMMITTEE AND THE LOCAL DISTRICT OFFICE, THE SEMINAR IS AIMED AT ENHANCING THE UNDERSTANDING OF THE DISTRICT ADMINISTRATION SYSTEM AND GIVING THE PARTICIPANTS A CHANCE TO EXCHANGE VIEWS ON THE SUBJECT.

THE PRINCIPAL ASSISTANT SECRETARY (GENERAL) OF THE CITY AND NEW TERRITORIES ADMINISTRATION, MR C.M. LEUNG, WILL BE THE GUEST SPEAKER AT THE SEMINAR.

ALSO ATTENDING THE SEMINAR WILL BE AN UNOFFICIAL LEGISLATIVE COUNCILLOR, MR YEUNG PO-KWAN, THE ASSISTANT DISTRICT OFFICER, MISS REBECCA KO, AND TWO DISTRICT BOARD MEMBERS, MR CHENG PO-HONG AND MR FAN KAM-PING.

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PLB. PROHIBITED ZONES

FROM 10 AM ON FRIDAY (JUNE 29), THE TEMPORARY LINK ROAD BETWEEN HEUNG SZE WUI ROAD AND CASTLE PEAK IN TUEN MUN WILL BE PROHIBITED TO ALL PUBLIC LIGHT BUSES, EXCEPT THOSE AUTHORISED IN WRITING BY THE TRANSPORT DEPARTMENT.

FROM THE SAME DAY, THE SECTION OF WO YI HOP ROAD BETWEEN NGONG HOM ROAD AND LEI SHU ROAD OUTSIDE LEI MUK SHU ESTATE WILL BE DESIGNATED AS PUBLIC LIGHT BUS RESTRICTED ZONES FROM 7 AM TO 7 PM DAILY.

WITHIN THE RESTRICTED ZONE, ALL PUBLIC LIGHT BUSES WILL BE PROHIBITED FROM PICKING UP OR SETTING DOWN PASSENGERS.

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CLEARWAY IN CENTRAL

A 20-METRE SECTION OF THE PUBLIC LIGHT BUS TERMINUS, NEAR ITS ENTRANCE ON THE GROUND FLOOR OF THE EXCHANGE SQUARE BUILDING IN CENTRAL, WILL BE DESIGNATED A 24-HOUR URBAN CLEARWAY FROM 10 AM ON FRIDAY (JUNE 29).

NO PUBLIC LIGHT BUS WILL BE ALLOWED TO STOP FOR PASSENGERS OR GOODS WITHIN THE RESTRICTED ZONE.

THE MEASURE IS TO RELIEVE CONGESTION AT THE TERMINUS ENTRANCE.

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