



DAILY INFORMATION BULLETIN

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/LEGAL

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BREADTH AND STRENGTH ADDED TO PROCESSES OF LAW, GOVERNMENT
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THE DIVERSITY OF VIEWS FREELY EXPRESSED IN THE LEGISLATIVE COUNCIL CHAMBER ADD BREADTH AND STRENGTH TO THE PROCESSES OF LAW MAKING AND OF GOVERNMENT, THE ACTING GOVERNOR, THE HON SIR DAVID AKERS-JONES, SAID AT THE CLOSING OF THE 1985-86 SESSION TODAY (WEDNESDAY).

+THIS UNITY OUT OF DIVERSITY ENABLES US TO FIND SOLUTIONS TO OUR PROBLEMS WHICH GENERALLY COMMAND A CONSENSUS THROUGHOUT THE COMMUNITY,+ SIR DAVID SAID.

HE NOTED THAT WHILE THE LAST LEGISLATIVE COUNCIL SESSION WAS A MOMENTOUS ONE WITH HISTORIC MEETINGS WHICH DEBATED THE JOINT DECLARATION AND THE VERY FUTURE OF HONG KONG, THE PRESENT SESSION HAD BEEN DISTINGUISHED IN OTHER WAYS.

+THE RANGE OF BUSINESS AND THE THOROUGHNESS WITH WHICH MATTERS HAVE BEEN STUDIED AND DEBATED HAVE PROVEN HOW, WITHOUT GREAT DRAMA AND WITH DIGNITY, THE INTERESTS OF THE COMMUNITY CAN BE AND ARE REPRESENTED IN THIS CHAMBER AND THE WORK OF THE COUNCIL.

+MOST OF OUR BUSINESS IS QUIETLY CONDUCTED, AIMING AT EFFICIENCY AND ECONOMY,+ HE SAID.

+THE RESILIENCE AND HEALTH OF OUR ECONOMY AND ITS POWERS OF RECUPERATION REFLECT THIS BASIC APPROACH OF PRUDENCE, COMMON SENSE AND CONSENSUS, OF TAKING OPPORTUNITIES WHEN THEY PRESENT THEMSELVES AND WORKING FOR THE GENERAL GOOD OF THE WHOLE PEOPLE,+ HE ADDED.

COMMENTING ON THE MOVE FROM THE OLD COUNCIL CHAMBER INTO THE MIDDLE OF THE BUSINESS DISTRICT OF HONG KONG, SIR DAVID SAID IT HAD NARROWED THE PHYSICAL GAP BETWEEN THE COUNCIL AND THE CITY, SYMBOLISING THE INCREASING TEMPO OF BUSINESS OF THE NEW COUNCIL.

THE MIXTURE OF MEMBERS ELECTED AND APPOINTED HAD ALSO FOCUSED THE ATTENTION OF PEOPLE THROUGHOUT HONG KONG ON THE COUNCIL AND ITS PROCEEDINGS.

RECALLING THE WORK OF THE CURRENT SESSION, SIR DAVID SAID THE HIGHLIGHTS OF THE YEAR INCLUDED THE DETERMINED EFFORTS OF MEMBERS TO PUT THE VIEWS OF HONG KONG TO HER MAJESTY'S GOVERNMENT IN REGARD TO THE DRAFT HONG KONG-BRITISH NATIONALITY ORDER 1986.

A MATTER OF CURRENT MAJOR IMPORTANCE TO HONG KONG PEOPLE HAD BEEN THEIR CONCERN FOR THE NUCLEAR POWER STATION AT DAYA BAY, HE SAID.

/+TWO IMPORTANT

+TWO IMPORTANT SELECT COMMITTEES HAVE SAT DURING THE YEAR WITH THEIR MEETINGS LARGELY HELD IN PUBLIC. THIS IN ITSELF WAS AN IMPORTANT DEVELOPMENT TOWARDS A MORE OPEN GOVERNMENT.+

THIS WAS ALSO THE FIRST FULL YEAR IN WHICH MEETINGS OF THE FINANCE COMMITTEE AS WELL AS THE PUBLIC ACCOUNTS COMMITTEE HAD BEEN HELD IN PUBLIC, PROVIDING AN OPPORTUNITY TO TAXPAYERS TO SEE HOW THEIR MONEY WAS BEING SPENT AND ACCOUNTED FOR, HE SAID.

SIR DAVID CONCLUDED BY THANKING MEMBERS FOR THEIR CONTRIBUTION TO THE WORK OF THE COUNCIL IN THIS SESSION.

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MENTAL HEALTH ORDINANCE AMENDMENT FOR NEW SESSION
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AN AMENDMENT BILL TO THE MENTAL HEALTH ORDINANCE HAS ALREADY BEEN DRAFTED AND IS EXPECTED TO BE INTRODUCED IN THE LEGISLATIVE COUNCIL EARLY IN THE NEXT SESSION, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SAID TODAY (WEDNESDAY).

HE WAS MAKING A STATEMENT ON THE KWOK AH-NUI CASE FOLLOWING THE UMELCO PANEL'S EXAMINATION OF THE REPORTS BY THE DIRECTOR OF SOCIAL WELFARE AND THE DIRECTOR OF MEDICAL AND HEALTH SERVICES.

+THE UMELCO PANEL HAVE RECOMMENDED THAT THE MENTAL HEALTH ORDINANCE SHOULD BE REVIEWED.

+A COMPREHENSIVE REVIEW OF THIS ORDINANCE, INCLUDING THE APPEAL AND RELEASE PROCEDURES, HAS BEEN UNDERWAY FOR SOME TIME NOW, AND CONSULTATIONS WITH RELEVANT ORGANISATIONS ON A SET OF DETAILED PROPOSALS ARE NOW IN PROGRESS,+ HE SAID.

HOWEVER, MR SHIPMAN POINTED OUT THAT THE DIRECTOR OF MEDICAL AND HEALTH SERVICES HAD REVIEWED THE CIRCUMSTANCES SURROUNDING THE ADMISSION OF MADAM WONG YUEN-SIU TO HOSPITAL AND WAS SATISFIED THAT ACTION WAS PROPERLY TAKEN IN ACCORDANCE WITH THE MENTAL HEALTH ORDINANCE.

THE ATTORNEY GENERAL'S CHAMBERS HAD ALSO ADVISED THAT THE CORRECT PROCEDURES HAD BEEN FOLLOWED AND THAT MADAM WONG'S ADMISSION TO AND TREATMENT IN KWAI CHUNG HOSPITAL ARE STRICTLY IN ACCORDANCE WITH THE LAW, HE ADDED.

MR SHIPMAN SAID THAT MADAM WONG WAS MADE AWARE OF HER RIGHTS AND OF THE AVENUES OF APPEAL IN RESPECT OF HER ADMISSION TO KWAI CHUNG HOSPITAL AND OVER THE TAKING OF HER CHILD INTO CARE.

/IN CONNECTION

IN CONNECTION WITH THE BREAK-IN, MR SHIPMAN SAID THE UMELCO PANEL CONSIDERED THAT MORE INTENSIVE WORK SHOULD HAVE BEEN UNDERTAKEN PRIOR TO THE BREAK-IN, BUT THAT A SHORTAGE OF STAFF AND RESOURCES PREVENTED THE NECESSARY TIME FROM BEING DEVOTED TO THE CASE.

+THIS CONCLUSION GENERALLY ACCORDS WITH THE VIEW TAKEN BY THE DIRECTOR OF SOCIAL WELFARE IN HER OWN REPORT.

+THE DIRECTOR HAS NOW SUBMITTED A REQUEST FOR THE NECESSARY RESOURCES TO MAKE FURTHER IMPROVEMENTS IN THE MANNING SCALE AT THE FAMILY SERVICES CENTRES,+ HE SAID.

+I WELCOME THE PANEL'S SUPPORT FOR A REVIEW OF THE PROTECTION OF WOMEN AND JUVENILES ORDINANCE, AND WILL GIVE FURTHER THOUGHT ON HOW THIS SHOULD BE UNDERTAKEN.

+THE SOCIAL WELFARE ADVISORY COMMITTEE WILL BE CONSULTED ON OUR PROPOSALS IN DUE COURSE.

+WHILE I ACCEPT THE PANEL'S OBSERVATION ON THE NEED FOR CHECKS AND BALANCES, IT WOULD APPEAR ALSO FROM THIS CASE THAT THE GROUNDS WHICH PERMIT A SOCIAL WORKER TO INTERVENE IN THE INTERESTS OF THE CHILD MAY BE TOO NARROWLY DEFINED.

+THE PANEL HAVE EXPRESSED CONCERN ABOUT YOUNG CHILDREN BEING LEFT ALONE AT HOME. ALL ASPECTS OF THIS PROBLEM WILL BE EXAMINED, INCLUDING THE POSSIBILITY THAT IT SHOULD BECOME A GROUND FOR THE DIRECTOR TO EXERCISE HER POWERS UNDER THE ORDINANCE,+ HE SAID.

MR SHIPMAN SAID THE UMELCO PANEL HAD CONSIDERED THAT THE BREAK-IN MIGHT BE NECESSARY IN THOSE CIRCUMSTANCES.

THE ATTORNEY GENERAL'S CHAMBERS HAD ADVISED THAT THE STEPS TAKEN BY THE DIRECTOR OF SOCIAL WELFARE AND HER STAFF WERE TAKEN LAWFULLY IN ACCORDANCE WITH THE PROVISIONS OF THE PROTECTION OF WOMEN AND JUVENILES ORDINANCE, HE ADDED.

AS FOR THE EFFECT WHICH THE BREAK-IN HAD, HE SAID, THE PANEL BELIEVED THAT IT WAS NOT A FACTOR CONTRIBUTING TO MADAM WONG'S ILLNESS, BUT THE PANEL HAD OBSERVED THAT THE FORCIBLE ENTRY HAD CONTRIBUTED TO THE STRESS ON MADAM WONG.

+I ACCEPT THIS OBSERVATION AS FAIR, BUT WOULD SIMPLY ADD THAT THE PRESSURES AROSE ALSO FROM THE PUBLICITY WHICH THE CASE WAS ATTRACTING AND FROM THE CROWD OF REPORTERS AND NEIGHBOURS OUTSIDE HER DOOR.

/+HAVING CONCLUDED

+HAVING CONCLUDED THAT THE CHILD MIGHT BE IN PHYSICAL DANGER, IT WOULD HAVE BEEN IRRESPONSIBLE FOR THE SOCIAL WORKERS TO HAVE WALKED AWAY FROM THE SCENE, WITHOUT TAKING THE DECISIVE ACTION THAT WOULD ENABLE BOTH THE MOTHER AND THE CHILD TO RECEIVE THE TREATMENT AND THE CARE THAT THEY NEEDED,+ HE SAID.

FOR THE FUTURE, MR SHIPMAN SAID, THE DIRECTOR OF SOCIAL WELFARE HAD PROPOSED THAT AN AMENDMENT SHOULD BE MADE TO THE ORDINANCE REQUIRING THE DIRECTOR OR A DULY AUTHORISED OFFICER TO APPLY FOR A SEARCH WARRANT FROM A MAGISTRATE BEFORE THE POWER IN SECTION 44(1) TO ENTER PREMISES COULD BE EXERCISED.

+A PROVISION OF THIS KIND WOULD HELP TO ALLAY ONE OF THE PRINCIPAL CONCERNS EXPRESSED ABOUT THE PRESENT CASE, AND I AM PLEASED TO NOTE THAT THE UMELCO PANEL HAS AGREED THAT IT MERITS SERIOUS CONSIDERATION, TOGETHER WITH OTHER MEASURES.+

AS A SAFEGUARD FOR FUTURE CASES, MR SHIPMAN SAID THE DIRECTOR OF SOCIAL WELFARE HAD PROPOSED THAT A PROVISION SHOULD BE INSERTED TO REQUIRE A CHILD'S PARENT OR GUARDIAN TO BE GIVEN ADVANCE NOTICE OF A COURT HEARING AND TO BE PERMITTED TO ADDRESS THE COURT.

+IN PRACTICE THIS IS INVARIABLY DONE IF THE WHEREABOUTS OF THE PARENT OR GUARDIAN IS KNOWN, BUT A STATUTORY PROVISION OF THIS KIND WOULD BE SEEN TO PROTECT THE RIGHTS OF PARENTS AND GUARDIANS. THE UMELCO PANEL ALSO FEEL THAT THIS PROPOSAL SHOULD BE SERIOUSLY CONSIDERED.+

HE SAID THE GOVERNMENT HAD CAREFULLY CONSIDERED THE REVIEWS CONDUCTED BY THE DIRECTOR OF SOCIAL WELFARE AND THE DIRECTOR OF MEDICAL AND HEALTH SERVICES AND ACCEPTED THE CONCLUSIONS WHICH THEY HAD REACHED.

+OUR SOCIAL WORKERS PROVIDE THE COMMUNITY WITH COMPETENT AND DEDICATED SERVICE, DESPITE HAVING A HEAVY CASE-LOAD.

+THEY OFTEN HAVE TO TAKE DIFFICULT DECISIONS, AS IN THE PRESENT CASE. NOR ARE THEY ALWAYS IN A POSITION TO DEFEND THEIR ACTIONS PUBLICLY, BECAUSE OF THE NEED TO MAINTAIN CONFIDENTIALITY.

+I BELIEVE THAT THE DIRECTOR AND HER STAFF DESERVE OUR TRUST IN THEIR INTEGRITY AND OUR RESPECT FOR THEIR PROFESSIONAL JUDGEMENT,+ HE SAID.

ON THE PRESENT CONDITION AND FUTURE PROSPECTS OF AH-NUI AND MADAM WONG, MR SHIPMAN SAID A CASE CONFERENCE BETWEEN THE VARIOUS PROFESSIONALS CONCERNED WITH THEIR TREATMENT AND CARE WAS HELD ON JULY 18.

HE SAID THE CASE CONFERENCE FOUND THAT MADAM WONG WAS NOT YET CONSIDERED TO BE WELL ENOUGH TO LOOK AFTER THE CHILD ON HER OWN.

/HE SAID

HE SAID THE CHILD WAS MAKING GOOD PROGRESS AT THE CHUK YUEN RECEPTION CENTRE AND WAS CATCHING UP IN HER INTELLECTUAL AND SOCIAL DEVELOPMENT. HER MOTHER WAS VISITING HER REGULARLY.

+I AM PLEASED TO NOTE THAT A DELEGATION FROM THE UMELCO PANEL WHO OBSERVED MADAM WONG AND AH-NUI WERE SATISFIED THAT THEY ARE BEING TAKEN CARE OF WELL.

+I CAN ASSURE THIS COUNCIL THAT MOTHER AND CHILD WILL CONTINUE TO RECEIVE THE BEST POSSIBLE STANDARD OF CARE FOR AS LONG AS THIS IS NECESSARY,+ HE ADDED.

MR SHIPMAN SAID THE CASE CONFERENCE RECOMMENDED THAT MOTHER AND CHILD SHOULD BE PLACED TOGETHER IN A SHELTERED AND SUPERVISED ENVIRONMENT THAT WOULD FACILITATE MADAM WONG'S REHABILITATION AND DEVELOP HER SELF-CARE OUTSIDE HOSPITAL BEFORE SHE TURNED TO INDEPENDENT LIVING.

THE LONG-TERM OBJECTIVE WAS TO REUNITE THE MOTHER AND CHILD AND TO HELP THEM TO REINTEGRATE INTO THE COMMUNITY, HE SAID.

MR SHIPMAN SAID HE FULLY ENDORSED THE RECOMMENDATION BY THE UMELCO PANEL THAT THE CHANCES OF MOTHER AND CHILD RE-INTEGRATING INTO THE COMMUNITY AND LEADING A NORMAL LIFE WOULD BE GREATLY ENHANCED IF THEY WERE NOT SUBJECTED TO FURTHER PRESSURE OF CONTINUOUS PUBLICITY ABOUT THEIR PERSONAL LIFE.

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COMPLEX COMMERCIAL CRIME SELECT COMMITTEE'S REPORT TABLED
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THE SELECT COMMITTEE ON COMPLEX COMMERCIAL CRIME HAS RECOMMENDED FUNDAMENTAL CHANGES IN THE PROSECUTION AND TRIAL OF COMPLEX COMMERCIAL CRIME CASES SO THAT FRAUDSTERS CAN MORE READILY BE BROUGHT TO JUSTICE.

THE HON PETER C. WONG, CHAIRMAN OF THE SELECT COMMITTEE ON THE PROBLEMS INVOLVED IN THE PROSECUTION AND TRIAL OF COMPLEX COMMERCIAL CRIMES, TABLED THE COMMITTEE'S REPORT AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR WONG NOTED THAT PUBLIC CONCERN THAT EXISTING PROCEDURES, DESIGNED TO DEAL WITH ORDINARY CRIMINAL CASES, WERE INADEQUATE FOR COMPLEX COMMERCIAL CRIME CASES HAD LED TO THE PUBLICATION IN 1985 OF THE TRIAL OF COMMERCIAL CRIMES BILL.

/THE BILL

THE BILL PROVIDED FOR AN ADDITIONAL MODE OF TRIAL FOR COMPLEX COMMERCIAL CRIME CASES. THE COMMON JURY IN THESE CASES WAS TO BE REPLACED BY A TRIBUNAL CONSISTING OF A JUDGE AND THREE COMMERCIAL ADJUDICATORS.

THE 11 MEMBER SELECT COMMITTEE WAS APPOINTED IN NOVEMBER 1985 TO STUDY THE REPORT OF THE FIRST SELECT COMMITTEE AS WELL AS POSSIBLE CHANGES TO THE PROCEDURES BEFORE AND DURING THE TRIAL OF COMPLEX COMMERCIAL CRIMES, MR WONG SAID.

THE COMMITTEE HAD CONCLUDED THAT A TRIBUNAL CONSISTING OF A JUDGE AND THREE COMMERCIAL ADJUDICATORS DID NOT COMMAND THE +NECESSARY BROAD SUPPORT PUBLIC CONFIDENCE+.

THE COMMITTEE HAD THEREFORE RECOMMENDED THE RETENTION OF THE JURY FOR THE TRIAL OF COMPLEX COMMERCIAL CRIMES.

THE COMMITTEE ARGUED, IN CHAPTER 7 OF ITS REPORT, THAT TRIAL BY JURY IN SUCH CASES WAS A FUNDAMENTAL RIGHT WHICH SHOULD NOT BE TAMPERED WITH LIGHTLY.

+WE ARE CONVINCED THAT THE HIGH EDUCATIONAL STANDARDS AND QUALIFICATIONS OF HONG KONG JURORS ENABLE THEM TO ASSIMILATE AND UNDERSTAND THE DIFFICULT AND TECHNICAL ISSUES IN A COMPLEX COMMERCIAL CRIME TRIAL,+ MR WONG SAID.

THE COMMITTEE WAS OF THE VIEW THAT THE GREATEST SCOPE FOR SAVINGS IN PUBLIC TIME AND MONEY IN RELATION TO COMPLEX COMMERCIAL CRIME CASES LAY IN THE INVESTIGATION AND PRE-TRIAL STAGES.

IN CHAPTER 2 OF ITS REPORT, THE COMMITTEE NOTED THAT THE INVESTIGATION OF COMPLEX COMMERCIAL CRIMES WAS BEING CONDUCTED EFFICIENTLY BY THE COMMERCIAL CRIME BUREAU AND THE ICAC.

THE COMMITTEE, HOWEVER, RECOMMENDED THAT THE GOVERNMENT CONSIDERED THE POSSIBILITY OF GRANTING TO THE POLICE POWERS TO ORDER THE PRODUCTION OF COMPANY BOOKS AND RECORDS.

THESE POWERS WERE SIMILAR TO THOSE NOW EXERCISED BY THE FINANCIAL SECRETARY UNDER SECTION 152A OF THE COMPANIES ORDINANCE.

TO IMPROVE CO-OPERATION ON EACH CASE, THE COMMITTEE ALSO RECOMMENDED THAT THE LEADING PROSECUTING COUNSEL SHOULD BE NOMINATED THE +CASE CONTROLLER+ AT AN EARLY STAGE.

MR WONG SAID THAT A KEY RECOMMENDATION IN THE REPORT (CHAPTER 3) WAS THE ABOLITION OF FULL COMMITTAL PROCEEDINGS IN COMPLEX COMMERCIAL CRIME CASES.

/THE COMMITTEE

THE COMMITTEE ARGUED THAT THE PRESENT COMMITTAL SYSTEM WAS NOT AN APPROPRIATE SCREENING MECHANISM AND THAT THE LENGTH AND COST OF FULL COMMITTALS WERE NOT JUSTIFIED.

THE COMMITTEE RECOGNISED THE NEED TO PROVIDE A SIMPLE SAFEGUARD FOR THE EXCEPTIONAL CASE WHERE THERE MAY NOT BE SUFFICIENT EVIDENCE TO PUT AN ACCUSED ON TRIAL.

IT RECOMMENDED THAT THE ACCUSED SHOULD BE ENTITLED TO APPLY TO A HIGH COURT JUDGE FOR A DISCHARGE ON THE GROUNDS OF NO PRIMA FACIE CASE TO ANSWER. A DISCHARGE GRANTED WOULD BE EQUIVALENT TO ACQUITTAL AT TRIAL.

MR WONG EXPLAINED THAT CHAPTER 4 OF THE REPORT RECOMMENDED THAT EFFECTIVE PRE-TRIAL PROCEDURES BE LAID DOWN IN LEGISLATION FOR COMPLEX COMMERCIAL CRIME CASES.

IN THE VIEW OF THE COMMITTEE, THESE PROCEDURES WOULD REDUCE THE DOCUMENTATION AT TRIAL AND SIMPLIFY THE ISSUES FOR THE JURY.

IN PARTICULAR, THE COMMITTEE RECOMMENDED THAT THE PROSECUTION SHOULD BE OBLIGED TO PROVIDE A DETAILED OUTLINE OF ITS CASE TO THE DEFENCE AT AN EARLY STAGE, ALONG WITH CONCISE SUMMARIES OF ALL DOCUMENTARY EVIDENCE. ONCE SUBMITTED, THE PROSECUTION COULD ONLY DEPART FROM ITS CASE STATEMENT UNDER EXCEPTIONAL CIRCUMSTANCES.

THEREAFTER, THE DEFENCE WOULD BE OBLIGED TO PROVIDE A DEFENCE OUTLINE TO THE PROSECUTION AND THE TRIAL JUDGE, SETTING OUT ITS MAIN LINES OF DEFENCE, MR WONG SAID.

UNDER THE COMMITTEE'S PROPOSALS, THE PROSECUTION WOULD BE OBLIGED TO SERVE NOTICES ON THE DEFENCE TO ADMIT FACTS AND DOCUMENTS AND THE DEFENCE WOULD BE REQUIRED TO RESPOND, SO THAT MATTERS IN DISPUTE AT TRIAL COULD BE REDUCED TO A MINIMUM.

THE DEFENCE WOULD BE REQUIRED TO SUPPLY THE PROSECUTION WITH ANY DOCUMENTARY EXHIBITS AND EXPERTS' REPORTS UPON WHICH IT INTENDS TO RELY AT TRIAL.

THE DEFENCE WOULD ALSO BE OBLIGED TO RAISE ANY POINTS OF LAW AT THE PREPARATORY HEARING. THE PREPARATORY HEARING WOULD TAKE PLACE WELL IN ADVANCE OF TRIAL AND BE SUPERVISED FROM THE OUTSET BY THE TRIAL JUDGE.

IF THE NEW PRE-TRIAL PROCEDURES WERE NOT COMPLIED WITH BY THE PROSECUTION OR DEFENCE, THE TRIAL JUDGE WOULD HAVE THE POWER TO IMPOSE COSTS.

/FOLLOWING FROM

FOLLOWING FROM THE CHANGES IN PRE-TRIAL PROCEDURES, THE COMMITTEE RECOMMENDED IN CHAPTER 6 OF THE REPORT THAT ADDITIONAL DOCUMENTATION BE PROVIDED TO THE JURY CASE STATEMENT, SUMMARIES OF EVIDENCE, EXPERTS' REPORTS, A GLOSSARY OF TECHNICAL TERMS, OPENING AND CLOSING SPEECHES OF COUNSEL.

THE JUDGE WOULD ALSO, UNDER THESE PROPOSALS, HAVE THE DISCRETION TO MAKE AVAILABLE TO THE JURY TRANSCRIPTS OF THE EVIDENCE OR HIS SUMMING UP.

THE COMMITTEE ALSO URGED THAT GREATER USE BE MADE OF MODERN VISUAL AIDS, SUCH AS OVERHEAD PROJECTORS, IN PRESENTING EVIDENCE TO THE JURY.

THE REPORT ALSO CONTAINS A RECOMMENDATION FOR MORE ADVANCED TRAINING IN ACCOUNTING FOR MEMBERS OF THE BAR AND FOR INCREASED USE TO BE MADE OF ACCOUNTANTS AND OTHER SPECIALISTS BY THE DEFENCE.

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NOTE TO EDITORS:

THE LEGISLATIVE COUNCIL APPOINTED THE SELECT COMMITTEE ON NOVEMBER 20, 1985 TO EXAMINE THE REPORT OF THE PREVIOUS SELECT COMMITTEE TABLED ON AUGUST 7, 1985 AND TO CONSIDER FURTHER AND REPORT ON THE APPROPRIATE MEASURES TO BE TAKEN TO RESOLVE THE PROBLEMS INVOLVED IN THE PROSECUTION AND TRIAL OF COMPLEX COMMERCIAL CRIMES, INCLUDING CHANGES IN THE PROCEDURES BEFORE AND DURING TRIAL AND MODE OF TRIAL.

THE MEMBERS OF THE SELECT COMMITTEE ARE:-

THE HON PETER C. WONG, CHAIRMAN,

THE HON PIERS JACOBS,

THE HON J.J. SWAINE,

THE HON STEPHEN CHEONG KAM-CHUEN,

THE HON RITA FAN HSU LAI-TAI,

THE HON PETER POON WING-CHEUNG,

THE HON CHUNG PUI-LAM,

THE HON HO SAI-CHU,

THE HON RICHARD LAI SUNG-LUNG,

/THE HON

THE HON MARTIN LEE CHU-MING,

THE HON NGAI SHIU-KIT,

MR JACOBS REPLACED THE HON SIR JOHN BREMIDGE, AS A MEMBER OF THE COMMITTEE ON MAY 31, 1986.

A COMPLETE LIST OF THE SELECT COMMITTEE'S RECOMMENDATIONS WILL BE BOXED AT G.I.S. THIS EVENING.

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INSOLVENCY FUND REPORT TABLED IN LEGCO

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MORE PROMPT PAYMENTS SHOULD HAVE BEEN MADE IF DETAILED, UPDATED WAGES AND EMPLOYMENT RECORDS HAD BEEN KEPT BY INSOLVENT EMPLOYERS AND MADE READILY AVAILABLE FOR VERIFICATION BY THE LABOUR DEPARTMENT.

THIS WAS STATED BY THE HON K.C. CHAN WHEN HE TABLED THE ANNUAL REPORT OF THE PROTECTION OF WAGES ON INSOLVENCY FUND BOARD FOR 1985-86 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

NEVERTHELESS, MR CHAN STATED THAT DURING THE YEAR UNDER REVIEW, ABOUT 41 PER CENT OF THE 5 890 APPLICANTS RECEIVED PAYMENT WITHIN TWO MONTHS AND ANOTHER 40 PER CENT WITHIN TWO TO THREE MONTHS FROM THE DATE OF WINDING-UP OR BANKRUPTCY PETITION.

HE SAID APPLICANTS, IN THE EVENT OF INSOLVENCY OF THEIR EMPLOYERS, WERE GUARANTEED THE MAXIMUM PREFERENTIAL PAYMENT OF \$8 000 UNDER THE COMPANIES AND BANKRUPTCY ORDINANCES.

+UPON RECEIPT OF PAYMENT FROM THE FUND, THE APPLICANTS TRANSFERRED THEIR RIGHTS TO PREFERENTIAL PAYMENT TO THE EXTENT OF THAT AMOUNT TO THE FUND BOARD WHICH INITIATED ACTION TO RECOVER PAYMENT BY FILING PROOF OF DEBT WITH THE OFFICIAL RECEIVER OR PRIVATE RECEIVERS AS APPROPRIATE,+ HE ADDED.

MR CHAN SAID DURING THE YEAR, THERE WERE 8 159 APPLICATIONS WITH WAGE CLAIMS OF \$23.6 MILLION FROM EMPLOYEES OF 321 APPARENT INSOLVENCY CASES. AMONG THEM, 5 890 APPLICATIONS WERE APPROVED WITH EX-GRATIA PAYMENT TOTTALLING \$13.5 MILLION.

ON THE FINANCIAL POSITION OF THE FUND, HE NOTED A SURPLUS OF \$39.5 MILLION COMPRISING \$16.5 MILLION AS INCOME PRIOR TO APRIL 19, 1985 AND \$23 MILLION AS SURPLUS FROM 1985-86.

/+THE SUBSTANTIAL

+THE SUBSTANTIAL SURPLUS IN THE FUND'S FIRST YEAR OF OPERATION MAY BE ATTRIBUTED TO THE INCREASE OF LEVY INCOME DUE TO AN INCREASE OF BUSINESS REGISTRATION CERTIFICATES AND THE RELATIVELY LOW LEVEL OF WAGE CLAIMS,+ HE EXPLAINED.

HE ALSO SAID THAT THE SOUND POSITION OF THE FUND HAD PROVIDED THE BASIS FOR GIVING EMPLOYEES WIDER PROTECTION WITHOUT AN INCREASE IN THE RATE OF LEVY IN THE COMING YEAR.

MR CHAN THEN THANKED THE INLAND REVENUE DEPARTMENT FOR THE COLLECTION OF LEVY, THE LABOUR DEPARTMENT FOR VERIFICATION OF APPLICATIONS, AND THE EDUCATION AND MANPOWER BRANCH, THE LEGAL AID DEPARTMENT AS WELL AS THE OFFICIAL RECEIVER'S OFFICE FOR THEIR ADVICE.

HE ALSO THANKED THE UMELCO AND ITS MANPOWER PANEL, AND THE LABOUR ADVISORY BOARD FOR THE SUPPORT GIVEN TO MATTERS RELATING TO THE SUPERVISION FEE CHARGED AGAINST THE INCOME OF THE FUND.

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DB COMMITTEE PUTS FOCUS ON CIVIC EDUCATION

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MEMBERS OF THE CENTRAL AND WESTERN DISTRICT BOARD'S SOCIAL SERVICES COMMITTEE WILL DISCUSS THE PROMOTION OF CIVIC EDUCATION AT THE COMMITTEE MEETING TOMORROW (THURSDAY) AFTERNOON.

THEY WILL ALSO DISCUSS THE REVIEW OF THE PILOT SCHEME ON THE +TALKS ON CIVIC EDUCATION+ PROJECT.

OTHER ITEMS INCLUDE REPORTS ON THE +PARTICIPATION IN COMMUNITY AFFAIRS BY ELDERLY PEOPLE+ PROJECT, +FAMILY LIFE EDUCATION+ PROJECT, AND THE +HEALTH EDUCATION+ PROJECT.

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NOTE TO EDITORS:

YOU ARE INVITED TO ATTEND THE SOCIAL SERVICES COMMITTEE MEETING OF THE CENTRAL AND WESTERN DISTRICT BOARD BEGINNING AT 2.30 PM TOMORROW AT THE CONFERENCE ROOM OF THE DISTRICT OFFICE, 14TH FLOOR, HARBOUR BUILDING, 38 PIER ROAD, CENTRAL.

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WEDNESDAY, JULY 30, 1986

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NO INTENTION TO EXTEND LRT TRANSIT SERVICE AREA
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THE SECRETARY FOR TRANSPORT, THE HON HARNAM GREWAL, TODAY (WEDNESDAY) REITERATED THAT THE GOVERNMENT CURRENTLY HAS NO INTENTION OF EXTENDING THE NORTHWEST TRANSIT SERVICE AREA DESIGNATED FOR THE LIGHT RAIL TRANSIT SYSTEM TO COVER OTHER PARTS OF THE TERRITORY.

MR GREWAL WAS REPLYING TO POINTS RAISED BY UNOFFICIAL MEMBERS WHEN WINDING UP DEBATE ON THE KOWLOON-CANTON RAILWAY CORPORATION (AMENDMENT) BILL 1986, IN THE LEGISLATIVE COUNCIL.

HE THANKED UNOFFICIAL MEMBERS -- IN PARTICULAR THE HON HU FA-KUANG AND MEMBERS OF THE AD HOC GROUP -- FOR THEIR SUPPORT OF THE BILL.

ON THE PROPOSED AMENDMENT TO LIMIT THE PROTECTIVE MEASURES FOR THE LIGHT RAIL TRANSIT (LRT) SYSTEM TO 20 YEARS WITH PROVISION FOR FURTHER EXTENSION BY RESOLUTION OF THE LEGISLATIVE COUNCIL, MR GREWAL SAID THE SYSTEM MUST BE GIVEN A REASONABLE PERIOD TO ESTABLISH ITS VIABILITY BEFORE THE PROTECTIVE MEASURES WERE REVIEWED.

HE SAID AS PHASE ONE OF THE SYSTEM WOULD NOT OPERATE UNTIL 1988 AND OTHER PHASES WERE STILL UNDER PLANNING, THE FULL LRT SYSTEM MIGHT IN FACT ENJOY RATHER LESS THAN 20 YEARS' PROTECTION UNLESS THE PERIOD WAS EXTENDED PROPRITIONATELY TO COVER LATER PHASES OF THE SYSTEM BY RESOLUTION OF THE LEGISLATIVE COUNCIL.

+THIS POINT WILL NEED TO BE BORNE IN MIND IN ANY FUTURE REVIEW OF THE TRANSIT SERVICE AREA,+ HE SAID.

MR GREWAL AGREED THAT IT WOULD BE DESIRABLE IF THE KOWLOON MOTOR BUS COMPANY COULD REACH AGREEMENT WITH THE KOWLOON-CANTON RAILWAY CORPORATION (KCRC) TO OPERATE LRT FEEDER BUS SERVICES IN THE TRANSIT SERVICE AREA ON A CONTRACTUAL BASIS.

BUT HE STRESSED THAT THE PROVISION WHICH EMPOWERED THE GOVERNOR IN COUNCIL TO AMEND, WITH OR WITHOUT THE CONSENT OF THE GRANTEE, A FRANCHISE UNDER THE PUBLIC BUS SERVICES ORDINANCE WAS A PREREQUISITE FOR THE DEVELOPMENT OF AN INTEGRATED PUBLIC TRANSPORT SYSTEM IN THE TRANSIT SERVICE AREA.

HE ADDED THAT THE BILL PROVIDED FOR COMPENSATION TO BE PAID ON A FULL AND FAIR BASIS SHOULD SUCH AN AMENDMENT RESULT IN PECUNIARY LOSS OR DAMAGE TO THE GRANTEE CONCERNED.

/MR GREWAL

MR GREWAL WENT ON TO SAY THAT THE PROPOSED AMENDMENTS TO ALLOW FRANCHISED EXTERNAL BUSES TO SET DOWN PASSENGERS WITHIN THE TRANSIT SERVICE AREA IN CASE OF EMERGENCY WERE FULLY ACCEPTED.

MR GREWAL SAID HE WELCOMED THE DECISION OF THE TUEN MUN AND YUEN LONG DISTRICT BOARDS TO FORM A JOINT COMMITTEE UNDER THEIR AUSPICES TO MONITOR LRT SERVICE AND FARES, IN THE CONTEXT THAT THE SYSTEM'S FARE STRATEGY WAS TO ENCOURAGE MAXIMUM PATRONAGE WITH REALISTIC AND REASONABLE FARES.

+I SEE THE FORMATION OF THE JOINT COMMITTEE AS FURTHER REINFORCING THE EFFECTIVENESS OF THE THREE-TIER SYSTEM OF MONITORING WHICH I MENTIONED IN INTRODUCING THE BILL INTO THIS COUNCIL, AND MR LAU HAS MY ASSURANCE THAT IT WILL RECEIVE POSITIVE SUPPORT FROM THE GOVERNMENT DEPARTMENTS CONCERNED AND THE KCRC IN CARRYING OUT ITS TASK,+ HE SAID.

AS TO THE SUGGESTION FOR APPOINTING ONE MEMBER EACH FROM THE TUEN MUN AND YUEN LONG DISTRICT BOARDS TO THE KCRC BOARD, MR GREWAL SAID THAT GIVEN THE BOARD'S EXISTING MEMBERSHIP AND THE PRESENT MONITORING SYSTEM, HE CONSIDERED THE PUBLIC INTEREST AS +MORE THAN ADEQUATELY SAFEGUARDED+.

REFERRING TO ASSOCIATED FACILITIES FOR THE SYSTEM, MR GREWAL SAID ADEQUATE CROSSING FACILITIES WOULD BE PROVIDED IN CONJUNCTION WITH WORK ON PHASE ONE.

HE SAID THE PROBLEM OF NOISE NUISANCE WOULD NOT ARISE AS THERE WERE NO PLANS FOR MAJOR CONSTRUCTION WORK TO BE DONE AT NIGHT AND THE CONTRACT FOR PHASE ONE MADE NO PROVISION FOR NIGHT WORK.

HE ALSO SAID THE PROBLEM OF COMPENSATION FOR BUSINESS LOSS ATTRIBUTABLE TO LRT WORKS WAS UNDERSTANDABLE AND WAS BEING ADDRESSED BY THE DEPARTMENTS CONCERNED.

ON FUTURE DEVELOPMENT OF THE LRT SYSTEM, MR GREWAL SAID EXTENSIONS TO SAM SHING HUI AND THE BUILT-UP AREAS EAST OF THE NULLAH WOULD FORM PART OF THE PHASE TWO DEVELOPMENT EXPECTED TO OPERATE IN THE EARLY 1990'S.

ON A FUTURE LINK TO THE URBAN AREA, THE MASS TRANSIT RAILWAY CORPORATION AND THE KCRC WERE CURRENTLY CONDUCTING FEASIBILITY STUDIES WHICH WERE EXPECTED TO BE COMPLETED BY THE END OF 1986 OR EARLY 1987.

LIGHT RAIL TRANSIT NOT A MONOPOLY
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THE LIGHT RAIL TRANSIT (LRT) SHOULD NOT BE REGARDED AS A MONOPOLY AS OTHER MODES OF TRANSPORT WOULD STILL BE ALLOWED TO OPERATE WITHIN THE TRANSIT SERVICE AREA (TSA).

THE HON F.K. HU TOLD THE LEGISLATIVE COUNCIL TODAY THAT THE LEGISLATIVE COUNCIL AD HOC GROUP STUDYING THE KOWLOON-CANTON RAILWAY (AMENDMENT) BILL 1986 HAD REACHED CONSENSUS ON THIS POINT.

SPEAKING DURING THE RESUMED DEBATE OF THE BILL, AS THE CONVENER OF THE AD HOC GROUP, MR HU ALSO LISTED OUT A NUMBER OF OTHER POINTS THAT THE GROUP HAD AGREED ON:

- * THE GROUP SUPPORTED KCRC'S ZONAL INTEGRATED FARE SYSTEM AND WOULD ENCOURAGE KMB TO NEGOTIATE WITH KCRC ON THE PROVISION OF FEEDER BUS SERVICES;
- * THE GROUP WAS SATISFIED WITH KCRC'S EXPLANATION AND ASSURANCE THAT SHORT TRIP FARES WOULD BE MORE OR LESS THE SAME AS FOR BUSES WHILE MEDIAN TRIP FARES WOULD BE 20 OR 30 CENTS MORE THAN FOR BUSES; AND
- * THE EXISTENCE OF THREE-TIER SYSTEM OF MONITORING LRT FARES WOULD ENSURE ADEQUATE PROTECTION FOR RESIDENTS.

MR HU SAID MEMBERS WOULD MOVE THREE AMENDMENTS TO THE BILL IN THE COMMITTEE STAGE.

FIRSTLY, THE GROUP CONSIDERED THAT A TIME LIMIT OF 20 YEARS SHOULD BE IMPOSED ON THE GRANT OF EXCLUSIVE RIGHTS TO KCRC FOR OPERATING FEEDER BUS SERVICES IN THE TSA.

SECONDLY, THE GROUP NOTED THE PUBLIC CONCERN ON POSSIBLE OPEN-ENDED EXPANSION OF THE TSA AND WANTED A CLEAR STATEMENT THAT VARIATIONS TO TSA BOUNDARIES PUBLISHED IN THE GAZETTE WOULD BE SUBJECTED TO THE LEGISLATIVE COUNCIL'S SUPERVISION.

THIRDLY, THE GROUP CONSIDERED THAT THE BILL SHOULD PROVIDE THAT PASSENGERS WHO HAD BOARDED AN EXTERNAL BUS IN THE TSA SHOULD, IN AN EMERGENCY, BE ALLOWED TO ALIGHT IN THE SERVICE AREA.

ELABORATING ON THIS, MR HU SAID THE GROUP WAS IN FAVOUR OF THE WORDING +WITH REASONABLE CAUSE+, INSTEAD OF +IN AN EMERGENCY+. HOWEVER, THE ADMINISTRATION WAS WORRIED THAT SUCH WORDING MIGHT CREATE TOO MANY LOOPHOLES.

/THEREFORE,

THEREFORE, THE WORDING +IN AN EMERGENCY+ WAS ACCEPTED BY THE GROUP WITH THE UNDERSTANDING THAT SHOULD EXPERIENCE SHOW SUCH PROVISION UNABLE TO MEET THE NEEDS OF THE TRAVELLING PUBLIC IN SPECIAL CIRCUMSTANCES, THEN THE ADMINISTRATION WOULD CONSIDER A SUITABLE AMENDMENT, MR HU EXPLAINED.

MR HU SAID THE UMELCO TRANSPORT PANEL HAD STARTED TO LOOK INTO THE ISSUE OF THE LRT AND THE PROPOSED TSA IN THE NORTH-WESTERN NEW TERRITORIES AS EARLY AS JUNE THIS YEAR.

THE PANEL HAD MET THE ADMINISTRATION AND ALSO RECEIVED PUBLIC REPRESENTATIONS FROM A NUMBER OF TUEN MUN DISTRICT BOARD MEMBERS.

THE LEGCO AD HOC GROUP, FORMED AFTER THE GAZETTING OF THE BILL ON JULY 4, VISITED TUEN MUN AND YUEN LONG TO INSPECT THE SITE AND HAD A JOINT MEETING WITH TUEN MUN AND YUEN LONG DISTRICT BOARDS TO HEAR THE PEOPLE'S CONCERN.

THE GROUP HAD MET OFFICIALS OF THE KOWLOON MOTOR BUS COMPANY WHICH OBJECTED STRONGLY TO THE TSA AND HAD DECLINED TO WORK WITH THE KCRC AS ITS SUBCONTRACTOR IN THE PROVISION OF FEEDER BUS SERVICES WITHIN THE SERVICE AREA.

IN ADDITION, IT HAD A SERIES OF MEETINGS WITH THE KCRC AND THE ADMINISTRATION TO OBTAIN FURTHER CLARIFICATION OF THE INTEGRAL SYSTEM PROPOSED AND THE INTEGRATED FARE SYSTEM.

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NO ROOM FOR POLITICS IN RUNNING A RAILWAY
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RUNNING A BUSINESS, ESPECIALLY A RAILWAY CORPORATION, IS NOT A POLITICAL OR POWER-SEIZING GAME, THE HON K.C. CHAN TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR CHAN WAS SPEAKING DURING THE RESUMED DEBATE ON THE KOWLOON-CANTON RAILWAY CORPORATION (AMENDMENT) BILL 1986, DEALING WITH THE LIGHT RAIL TRANSIT (LRT) SYSTEM.

AFTER DECLARING HIS INTEREST AS A MEMBER OF THE KOWLOON-CANTON RAILWAY CORPORATION (KCRC) BOARD, HE SAID THE KCRC WAS ONE OF THOSE FORTUNATE RAILWAYS WHICH HAD A LOYAL STAFF, UNDER ABLE MANAGEMENT, AND A WELL-BALANCED BOARD.

/+THE PRESENT

+THE PRESENT BOARD CONSISTS OF SOME OF THE BEST BUSINESS LEADERS WITH TWO GOVERNMENT MEMBERS LOOKING AFTER TRANSPORT AND FINANCIAL POLICIES AND THE PUBLIC INTEREST.

+IF ONE CANNOT TRUST THESE PUBLIC SPIRITED CITIZENS WITHOUT FINANCIAL INTEREST CONTRIBUTING THEIR BUSINESS EXPERIENCE TO PROVIDE GOOD SERVICE AT REASONABLE FARES, THEN PRESSURE GROUP MEMBERS OUTSIDE THE BOARD WILL NOT TRUST PRESSURE GROUP MEMBERS INSIDE THE BOARD,+ HE SAID.

HE CALLED ON PEOPLE TO LEAVE POLITICS ASIDE BEFORE ENTERING A BUSINESS BOARDROOM IF THEY WISHED THE CORPORATION NOT TO MAKE A LOSS AND HAVE TO RESORT TO INCREASING FARES OR DIP INTO PUBLIC COFFERS.

IN RESPONSE TO THE TUEN MUN AND YUEN LONG DISTRICTS' PRESSURE GROUP DEMANDS FOR LARGE KCRC BOARD MEMBERSHIP, MR CHAN SAID: +THIS WOULD BE AN INSULT TO THE REPRESENTATIVENESS OF THOSE BOARD MEMBERS WHO ARE ALSO IN THE URBAN COUNCIL, REGIONAL COUNCIL AND HEUNG YEE KUK.+

MR CHAN SAID THE PRESSURE GROUP HAD BEEN COMPLAINING ABOUT +MONOPOLY+ AND +HIGHER FARES+.

FIRSTLY, THE SO-CALLED +FRANCHISE+ INVOLVED NO PAYMENT OF ROYALTIES. MR CHAN SAID HE FAILED TO SEE WHERE THE WORD +MONOPOLY+ FITTED IN.

AS FOR FARES, IF THESE WERE ON AVERAGE COMPETITIVE WITH BUS FARES MR CHAN BELIEVED THAT PASSENGERS WOULD ENJOY THE ADDITIONAL COMFORT OF AIR CONDITIONING AND WOULD NOT OBJECT TO THE FARE STRUCTURE.

REFERRING TO THE SERVICE TO BE PROVIDED, HE SAID THAT FOR MANY YEARS THE KCRC HAD A GOOD TRACK-RECORD OF PROVIDING REASONABLE FARES AND EFFICIENT SERVICE.

HE REITERATED THAT A CONVENIENT TRANSPORT SYSTEM WOULD HELP TO OPEN UP THE WHOLE OF THE NORTHERN PART OF THE NEW TERRITORIES.

LASTLY, HE SAID THE LIMITATION OF 20 YEARS ON THE TRANSIT SERVICE AREA WOULD MAKE THE LRT'S LATER EXTENSION MORE DIFFICULT TO FINANCE WITH FEWER YEARS IN WHICH TO RECOVER ITS CAPITAL SPENDING.

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20-YEAR LIMIT TO LRT SERVICE AREA FRANCHISE SUPPORTED
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THE HON HILTON CHEONG-LEEN TODAY (WEDNESDAY) SUPPORTED THE POWER OF THE GOVERNOR-IN-COUNCIL TO RESTRICT TO 20 YEARS THE FRANCHISE IN RELATION TO THE TRANSIT SERVICES AREA OF THE LIGHT RAIL TRANSIT (LRT), AND THAT THE SITUATION WOULD BE REVIEWED AFTERWARDS.

SPEAKING DURING THE RESUMED DEBATE ON THE KOWLOON-CANTON RAILWAY CORPORATION (AMENDMENT) BILL 1986 IN THE LEGISLATIVE COUNCIL, MR CHEONG-LEEN EMPHASISED THAT THERE SHOULD BE NO +OPEN-ENDED+ EXPANSION OF THE TRANSIT SERVICE AREA, AND ANY FUTURE VARIATIONS SHOULD BE STRICTLY FOR OPERATIONAL PURPOSES.

HE SAID HE ACCEPTED THAT THERE SHOULD BE MAXIMUM ACCEPTABLE COMPETITION OF VARIOUS FORMS OF PUBLIC TRANSPORT, BUT CONFORMING TO THE ZONAL, INTEGRATED FARE SYSTEM OF THE LRT, WITHIN THE TRANSIT SERVICE AREA.

AS TO THE PRACTICAL ARRANGEMENTS WITHIN THE TRANSIT SERVICE AREA, MR CHEONG-LEEN SUGGESTED THAT THE KOWLOON-CANTON RAILWAY CORPORATION BE ALLOWED TO OPERATE THE FEEDER BUS SYSTEM TO GIVE THE BEST POSSIBLE SERVICE TO RESIDENTS.

NOTING THAT THERE WOULD BE A THREE-TIER SYSTEM TO MONITOR LRT FARES, MR CHEONG-LEEN SAID THE LEGISLATIVE COUNCIL WOULD ALSO BE MONITORING PROGRESS ON THE LRT SYSTEM IN THE GENERAL PUBLIC INTEREST THROUGH ITS APPROPRIATE COMMITTEE.

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BILL GIVES RISE TO 'CONSTITUTIONAL IMPLICATIONS'
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CONSTITUTIONAL IMPLICATIONS HAVE ARISEN FROM THE KOWLOON-CANTON RAILWAY CORPORATION (AMENDMENT) BILL 1986, THE HON TAI CHIN-WAH SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) DURING THE RESUMED DEBATE ON THE MEASURE.

MR TAI WAS REFERRING TO A STATEMENT MADE BY THE KOWLOON-CANTON RAILWAY CORPORATION (KCRC) IN RESPONSE TO PROPOSED AMENDMENTS SUGGESTED BY THE LEGCO AD HOC GROUP WHICH STUDIED THE BILL.

/THE AMENDMENTS

THE AMENDMENTS HAD RESULTED FROM CAREFUL SCRUTINY FOLLOWING EXPRESSIONS OF PUBLIC CONCERN, HE SAID.

HOWEVER, IT WAS UNDERSTOOD THE KCRC HAD TOLD THE ADMINISTRATION IT WAS RECONSIDERING THE VIABILITY OF FUTURE PLANS TO EXTEND THE LIGHT RAIL TRANSIT SYSTEM, AS WELL AS INDICATING IT WOULD CLAIM COMPENSATION, IN THE LIGHT OF THE LIMITATION THE AMENDMENTS WOULD IMPOSE ON ITS FRANCHISE.

HE FELT THAT THE KCRC STATEMENT IT WOULD RECONSIDER ALL FUTURE EXPANSION PROGRAMMES IN VIEW OF THE PROPOSED AMENDMENTS AMOUNTED TO INTIMIDATION OF COUNCILLORS.

MR TAI FELT THAT ANOTHER IMPORTANT CONSTITUTIONAL ASPECT ARISING OUT OF SUCH A STATEMENT WAS WHETHER THE AMENDMENTS WERE MADE WITHIN THE POWER OF THE LEGISLATIVE COUNCIL.

+IF THE BILL REQUIRES THE APPROVAL OF THE LEGCO, THEN KCRC SHOULD BE AWARE THAT ANY AGREEMENT MADE BETWEEN THE GOVERNMENT AND KCRC WOULD BE A CONDITIONAL AGREEMENT AND IT WOULD BE CONDITIONAL UPON APPROVAL BY THE LEGCO THROUGH PROPER LEGISLATIVE PROCEDURE,+ HE SAID.

MR TAI ALSO REFERRED TO CONCERN EXPRESSED BY SOME MEMBERS OF THE TUEN MUN AND YUEN LONG DISTRICT BOARDS ABOUT THE LIGHT RAIL TRANSIT PROJECT.

HE SAID THE PUBLIC WAS WORRIED THAT THE POWER THE KCRC WOULD ENJOY THROUGH LEGISLATION WOULD RESULT IN LOWER QUALITY OF SERVICE AND HIGHER FARES.

THE TWO DISTRICT BOARDS HAD AGREED TO SET UP A JOINT MONITORING BODY TO MONITOR THE SERVICES PROVIDED BY THE LIGHT RAIL TRANSIT SYSTEM AND ITS FEEDER BUSES.

IN ADDITION, HE URGED THE GOVERNMENT TO CLARIFY QUESTIONS ABOUT COMPENSATION FOR PEOPLE WHOSE BUSINESSES WERE AFFECTED BY THE CONSTRUCTION OF THE SYSTEM AND RELATED ROADWORKS.

MR TAI ADDED THAT BETTER MONITORING OF THE KCRC MANAGEMENT WAS NEEDED TO ENSURE THAT THE INTERESTS AND WELL-BEING OF THE PUBLIC WERE WELL PROTECTED.

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BODY TO MONITOR LRT SERVICES ADVOCATED
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THERE WAS A GENUINE NEED FOR A BODY TO BE SET UP TO MONITOR THE SERVICES OF THE LIGHT RAIL TRANSIT (LRT) FROM THE CONSUMER POINT OF VIEW, THE HON LAU WONG-FAT SAID TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE ON THE KOWLOON-CANTON RAILWAY CORPORATION (AMENDMENT) BILL 1986, MR LAU PROPOSED THAT THE TUEN MUN AND YUEN LONG DISTRICT BOARDS SHOULD TAKE ON THIS MONITORING ROLE.

HE SAID AGREEMENT HAD ALREADY BEEN REACHED BY THE TWO DISTRICT BOARDS TOWARDS SETTING UP AN ORGANISATION WHICH WOULD OPERATE UNDER THE AUSPICES OF THE BOARDS JOINTLY WITH A VIEW TO EFFECTIVELY MONITORING LRT SERVICES AND FARES.

+I WOULD LIKE TO BE ASSURED THAT THIS BODY, WHEN SET UP, WILL BE POSITIVELY SUPPORTED BY THE KOWLOON-CANTON RAILWAY CORPORATION (KCRC) AND GOVERNMENT DEPARTMENTS CONCERNED,+ HE SAID.

AS REGARDS THE FUTURE TRANSPORT ARRANGEMENT WITHIN THE TRANSIT SERVICE AREA (TSA), MR LAU SAID HE WAS CONFIDENT THAT THE LRT WOULD PROVIDE A SUPERIOR LEVEL OF SERVICE TO RESIDENTS.

HOWEVER, HE SAID HE WAS CONCERNED THAT THERE WERE STILL SOME REMOTE AREAS WHICH WOULD NOT BE COVERED BY THE LRT.

MR LAU SAID IT WAS IMPORTANT THAT THE KCRC SHOULD PROVIDE ADEQUATE FEEDER SERVICE TO THESE AREAS BUT IT SHOULD EVENTUALLY EXTEND THE LRT TO THESE VERY IMPORTANT CENTRES OF POPULATION.

TURNING TO THE OPERATION OF TRANSPORT SERVICES IN THE TSA, MR LAU SAID THE SYSTEM CARRIED WITH IT MANY ADVANTAGES.

HOWEVER, HE SAID THE KCRC SHOULD BE GIVEN A SPECIFIED PERIOD OF TIME TO OPERATE THE TSA, AND THAT THE PERIOD SHOULD NOT BE TOO SHORT, BEARING IN MIND THAT THE LRT WAS A LONG-TERM INVESTMENT.

+I WILL, THEREFORE, MOVE AN AMENDMENT TO THE BILL, AT COMMITTEE STAGE, THAT THE KCRC BE GIVEN A PERIOD OF 20 YEARS TO OPERATE THE TSA,+ HE SAID.

LASTLY, MR LAU URGED THAT AN LRT LINK TO TSUEN WAN BE CONSTRUCTED AS SOON AS POSSIBLE.

+WITH THE RAPID GROWTH OF POPULATION IN TUEN MUN, PRESSURE IS BUILDING UP ON THE TRANSPORT SERVICES BETWEEN TUEN MUN AND THE METROPOLITAN AREA,+ HE SAID.

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CALL FOR EFFECTIVE LRT MONITORING MECHANISM

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THE GOVERNMENT AND THE UMELCO TRANSPORT PANEL SHOULD KEEP THE APPROPRIATE LEGISLATION AND THE CONDITIONS OF THE LIGHT RAIL TRANSIT (LRT) AREA UNDER CONSTANT REVIEW TO ENSURE THE MONITORING SYSTEM WAS EFFECTIVE, THE HON LEE YU-TAI SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE ALSO SAID THAT A DEPUTATION FROM 14 TUEN MUN CIVIC BODIES AND DISTRICT BOARD MEMBER WARD OFFICES HAD CALLED FOR THE FORMATION OF AN INDEPENDENT STATUTORY MONITORING BODY.

SPEAKING IN SUPPORT OF THE KOWLOON-CANTON RAILWAY (AMENDMENT) BILL 1986 IN THE LEGISLATIVE COUNCIL, HE SAID THAT THE SETTING UP OF SUCH A BODY IMMEDIATELY WOULD NOT BE POSSIBLE AS THE BILL WAS GOING TO BE ENACTED TODAY.

HOWEVER, MR LEE SAID THAT THE GOVERNMENT AND THE UMELCO TRANSPORT PANEL SHOULD PLAY THE MONITORING ROLE.

+THE KCRC HAS BEEN GRANTED 20 YEARS OF FRANCHISED SERVICE IN THE AREA AND ITS OPERATION WILL BE UNDER THE SUPERVISION OF THE GOVERNMENT,+ HE SAID.

HE POINTED OUT THAT RESIDENTS RECOGNISED THE EFFICIENCY OF THE PRESENT ADMINISTRATION AND HAD CONFIDENCE IN IT, BUT THEY MIGHT HAVE WORRIES OVER THE EFFICIENCY OF THE ADMINISTRATION AFTER 1997:

+IT IS THEREFORE NOT SURPRISING THAT RESIDENTS IN TUEN MUN ARE ASKING FOR THE SETTING UP OF AN EFFECTIVE MONITORING MECHANISM BY THE GOVERNMENT NOW SO THAT THEIR WORRIES OVER THE EFFICIENCY OF THE FUTURE ADMINISTRATION MAY BE REMOVED,+ MR LEE SAID.

ANOTHER SUGGESTION PUT FORWARD BY RESIDENTS WHICH MR LEE AGREED UPON WAS TO PLACE THE LRT SERVICE SCHEDULES UNDER THE CONTROL AND APPROVAL OF THE COMMISSIONER FOR TRANSPORT.

HE NOTED THAT THE SCHEDULES OF THE TWO BUS COMPANIES WERE SUBJECT TO THE APPROVAL OF THE COMMISSIONER FOR TRANSPORT BUT THE MASS TRANSIT RAILWAY AND THE KOWLOON-CANTON RAILWAY SERVICES WERE NOT GOVERNED BY SUCH PROVISIONS.

HE SAID REPRESENTATIVES OF THE CIVIC BODIES IN TUEN MUN AREA CONSIDERED SUCH EXEMPTION ACCEPTABLE ONLY FOR MTR AND KCR ROUTES SINCE THERE WAS COMPETITION FROM OTHER MODES OF PUBLIC TRANSPORT ALONG THE VICINITY OF THESE ROUTES.

/SINCE THERE

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SINCE THERE WAS PRACTICALLY NO COMPETITIVE MEANS OF PUBLIC TRANSPORT IN THE LRT AREA, ITS SERVICE SCHEDULES SHOULD BE SUBJECTED TO THE APPROVAL OF THE COMMISSIONER, OR ELSE THERE WOULD BE A TOTAL ABSENCE OF A REGULATING MECHANISM.

MR LEE QUOTED THE RESIDENTS AS SUGGESTING THAT IT WOULD BE EVEN MORE DESIRABLE IF THE DISTRICT BOARDS WOULD BE CONSULTED BEFORE THE APPROVAL.

TURNING TO THE PROBLEM OF NOISE, MR LEE POINTED OUT THAT THE BILL PROVIDED THAT THE CONSTRUCTION OF THE LRT PROJECT WOULD BE EXEMPTED FROM THE REQUIREMENTS OF THE RELEVANT ORDINANCE CONCERNING NOISE ABATEMENT.

+IN VIEW OF THIS, THE AUTHORITIES CONCERNED SHOULD RELEASE THE ASSESSMENT REPORT ON THE CONSTRUCTION WORK AND ITS EFFECT ON THE ENVIRONMENT SO THAT RESIDENTS IN THE VICINITY WOULD HAVE A CLEAR PICTURE OF THE ACTUAL EXTENT OF NOISE POLLUTION AND THAT UNDUE WORRIES WOULD NOT BE ROUSED,+ HE SAID.

LASTLY, HE URGED AUTHORITIES TO GIVE CONSIDERATION TO ROAD SAFETY AND BUILD MORE FOOTBRIDGES AND SUBWAYS TO MINIMISE THE OCCURRENCE OF TRAFFIC ACCIDENTS IN AREAS WHICH THE LRT ROUTES PASSED THROUGH.

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REVOCATION BY LEGISLATION SETS 'DANGEROUS PRECEDENT'
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THE GOVERNMENT IS SETTING A DANGEROUS PRECEDENT BY UNILATERALLY AMENDING THE TERMS OF AN AGREEMENT BY WAY OF LEGISLATION, THE HON RICHARD LAI TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE ON THE KOWLOON-CANTON RAILWAY CORPORATION (AMENDMENT) BILL 1986, MR LAI SAID THE REVOCATION OF KOWLOON MOTOR BUS COMPANY'S PRIVILEGES TO RUN INTERNAL ROUTES IN THE LIGHT RAIL TRANSIT SERVICE AREA (TSA) MIGHT DAMAGE THE CREDIBILITY OF THE GOVERNMENT.

IT MIGHT ALSO UNDERMINE CONFIDENCE OF THE BUSINESS COMMUNITY, HE ADDED.

HE HOPED THE GOVERNMENT WOULD MAKE IT ABSOLUTELY, UNEQUIVOCALLY CLEAR THAT SUCH A MEASURE WOULD NOT BE REGULARLY EMPLOYED FOR THE SAKE OF EXPEDIENCE.

/ON THE

ON THE QUESTION OF FARES AND QUALITY OF SERVICE, MR LAI ACCEPTED THE KOWLOON-CANTON RAILWAY CORPORATION'S SUBMISSION THAT SINCE IT WAS A NON-PROFIT-MAKING CROWN CORPORATION WITH PUBLIC INTEREST AT HEART, FARES AND SERVICES WOULD BE SET AT A REASONABLE LEVEL SATISFACTORY TO THE COMMUNITY.

HOWEVER, HE WAS CONCERNED ABOUT THE LOWER-INCOME TRAVELLERS.

+SINCE THERE WILL NOT BE A CHEAPER MODE OF INTERNAL TRANSPORT, AT LEAST FOR A NUMBER OF YEARS, LOWER-INCOME TRAVELLERS WILL NO DOUBT BE AFFECTED.

+AND IT IS THIS GROUP OF PEOPLE WHO CAN ILL AFFORD ANY ADDITIONAL CHARGES, WHO ARE WILLING TO SACRIFICE COMFORT FOR SAVING, THAT WILL BE HARD HIT,+ MR LAI SAID.

+IN THIS RESPECT, I URGE THE GOVERNMENT OR THE KCRC TO LOOK INTO THE POSSIBILITY OF DEVISING SOME KIND OF SUBSIDY SCHEME TO COMPENSATE FOR THE EXTRA FINANCIAL BURDEN IMPOSED ON THIS GROUP OF PEOPLE.+

REFERRING TO SUPERVISION OF THE OPERATION OF THE LIGHT RAIL TRANSIT (LRT) SYSTEM, MR LAI BELIEVED THAT SUFFICIENT MONITORING APPARATUS WOULD BE SET UP. BUT HE EMPHASISED THAT EXTENSIVE CONSULTATION WITH THE DISTRICT BOARDS AND RESIDENTS SHOULD BE CARRIED OUT BEFORE ANY SUBSEQUENT ADJUSTMENT OF FARE LEVELS.

MR LAI SAID THAT OVERALL HE SUPPORTED THE IDEA OF A LRT SYSTEM OPERATING IN THE TUEN MUN-YUEN LONG AREA, AND HE WAS PARTICULARLY HEARTENED THAT MEMBERS HAD BEEN ABLE TO PROCURE A 20-YEAR TIME LIMIT ON THE TSA.

+I THINK THIS PROVISION DID MUCH TO ALLAY THE PUBLIC'S FEAR OF A MONOPOLY GRANTED INDEFINITELY TO THE KCRC,+ HE SAID.

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SPENT CONVICTIONS: MOVE TO ASSIST EMIGRANTS
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IN AN ATTEMPT TO ASSIST THOSE WITH A SPENT CONVICTION WHO ARE REQUIRED TO REVEAL THEIR RECORD TO AN OVERSEAS AUTHORITY, THE ATTORNEY GENERAL IS AT PRESENT EXPLORING WITH THE COMMISSIONER OF POLICE THE POSSIBILITY OF INCORPORATING IN THE POLICE LETTER WHICH INDICATES AN EMIGRANT'S RECORD A STATEMENT TO THE EFFECT THAT +THIS CONVICTION IS REGARDED AS SPENT IN HONG KONG BY VIRTUE OF SECTION 2(1) OF THE REHABILITATION OF OFFENDERS ORDINANCE+.

THIS WAS STATED BY THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) WHEN WINDING UP DEBATE ON THE REHABILITATION OF OFFENDERS BILL 1986.

/+THIS WOULD

+THIS WOULD MAKE CLEAR TO OVERSEAS AUTHORITIES THAT THE CONVICTION, IN QUESTION SHOULD BE REGARDED AS A MINOR ONE,+ HE SAID.

THANKING MEMBERS OF THE LEGCO AD HOC GROUP FOR THEIR THOUGHTFUL AND CONSTRUCTIVE COMMENTS ON THE BILL, MR MATHEWS WELCOMED A SUGGESTION BY THE HON ROSANNA TAM THAT TRIAD RELATED OFFENCES BE EXCLUDED FROM THE REHABILITATION SCHEME, THOUGH ADDING THAT THIS ASPECT OF THE BILL WOULD NEED TO BE RE-EXAMINED IN THE LIGHT OF ANY MEASURES FOLLOWING DISCUSSION ON THE PAPER ON +OPTIONS FOR CHANGES IN THE ADMINISTRATION OF THE LAW TO COUNTER THE TRIAD PROBLEM+.

HE ALSO WELCOMED AN AMENDMENT PROPOSED BY THE HON MARIA TAM, REMOVING AN UNNECESSARY PARAGRAPH FROM ONE CLAUSE.

MR MATHEWS NOTED THAT THE BILL HAD ALREADY EXCLUDED FROM THE SPENT CONVICTION SCHEME PROCEEDINGS RELATING TO A PERSON'S SUITABILITY TO BE GRANTED, OR TO CONTINUE TO HOLD, ANY LICENCE, PERMIT OR DISPENSATION, OR TO BE REGISTERED, OR CONTINUE TO BE REGISTERED UNDER ANY LAW.

HOWEVER, TAKING INTO ACCOUNT PROCEEDINGS UNDER THE INSURANCE COMPANIES ORDINANCE, WHICH REFERRED TO THE +AUTHORISATION+ OF INSURERS RATHER THAN LICENSING OR REGISTRATION, AN AMENDMENT WAS NECESSARY TO PLACE THESE PROCEEDINGS OUTSIDE THE SPENT CONVICTION SCHEME, HE SAID.

AGAIN CONSIDERING THE POWERS OF INTERVENTION CONFERRED ON THE INSURANCE AUTHORITY UNDER THE INSURANCE COMPANIES ORDINANCE, AN AMENDMENT WAS PROPOSED TO ENABLE THE AUTHORITY TO TAKE ACCOUNT OF A SPENT CONVICTION IN ASSESSING WHETHER A DIRECTOR OR CONTROLLER WAS A FIT AND PROPER PERSONS TO HOLD A SPECIFIC POSITION.

CONCERNING THE SCHEDULE OF THE BILL, MR MATHEWS ALSO PROPOSED TWO AMENDMENTS.

THE FIRST WAS TO MAKE POINT 31 ON THE MASTER PAY SCALE THE CUT-OFF POINT FOR EXCLUSION FROM THE SCHEME, IT BEING THE FIRST POINT AT WHICH ADMINISTRATIVE OFFICERS WERE RECRUITED AND THE TOP POINT ON THE SALARY SCALE OF EXECUTIVE OFFICERS II.

ON THIS ISSUE, HE ASSURED MEMBERS THAT IF IN FUTURE ANY RE-NUMBERING OF THE SCALE WAS ENVISAGED WHICH WOULD AFFECT THE OPERATION OF THE SPENT CONVICTION SCHEME, UMELCO'S VIEWS WOULD FIRST BE SOUGHT.

THE SECOND AMENDMENT WAS TO INCLUDE A REFERENCE TO MEMBERS OF THE FIRE SERVICES DEPARTMENT, MEANING THAT MEMBERS OF ALL THE DISCIPLINED SERVICES WERE NOW EXCLUDED FROM THE SCHEME.

IN VIEW OF THE CONCERN ON THE DIFFICULTIES WHICH MIGHT BE CAUSED BY THE BILL FOR THOSE WHO SOUGHT TO MAKE REFERENCE TO A SPENT CONVICTION IN SUBSEQUENT CIVIL PROCEEDINGS, MR MATHEWS SAID THE RIGHT RESPONSE WAS FOR THE PLAINTIFF TO OMIT REFERENCE TO THE SPENT CONVICTION IN THE INITIAL PLEADINGS BUT TO ASK LEAVE OF THE COURT TO AMEND THE STATEMENT OF CLAIM AT A LATER STAGE ON THE GROUNDS THAT JUSTICE COULD NOT BE DONE EXCEPT BY THE ADMISSION OF EVIDENCE OF THE CONVICTION.

+THE SPIRIT OF THIS LEGISLATION WILL BE PRESERVED IF IT IS LEFT TO THE COURT'S DISCRETION TO DECIDE WHETHER OR NOT EVIDENCE OF A PARTICULAR CONVICTION SHOULD BE ADMITTED,+ HE SAID.

ON THE SUGGESTION THAT ALL ROAD TRAFFIC OFFENCES SHOULD BE REMOVED FROM THE AMBIT OF THE SCHEME, MR MATHEWS SAID THE INTENTION WAS THAT ALL MINOR OFFENCES, OTHER THAN THOSE WHICH WERE TRIAD RELATED, SHOULD FALL WITHIN THE SCHEME.

FINALLY, RESPONDING TO THE HON HILTON CHEONG-LEEN'S CONCERN ON THE AMENDMENT TO THE MAGISTRATES ORDINANCE AS PROPOSED BY THE BILL, HE SAID THE ONLY CHANGE EFFECTED WOULD BE THAT THE MAGISTRATE MUST PROCEED TO, AND RECORD, A CONVICTION BEFORE SENTENCING, AND THAT A CONVICTION PREVIOUSLY +NON-RECORDED+ WOULD NEVERTHELESS HAVE BEEN DISCLOSED BY THE POLICE TO A WOULD-BE EMIGRANT SEEKING A CERTIFICATE OF NO CRIMINAL CONVICTION.

+THE FACT THAT THE OFFENCE IS MINOR OR TECHNICAL CAN ADEQUATELY BE REFLECTED BY THE MAGISTRATE IN IMPOSING A LESSER SENTENCE,+ HE SAID.

IN CONCLUDING, MR MATHEWS SAID THE SCHEME PROPOSED IN THIS BILL WAS A MODEST ONE BUT IT WAS A WORTHWHILE MEASURE WHICH PROVIDED A BASIC FOR AN EXPANDED SCHEME AT A LATER DATE IF THOUGHT DESIRABLE.

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TRUE SPIRIT OF SPENT CONVICTION SCHEME SUPPORTED
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THE CONSEQUENCES OF A MINOR OFFENCE SHOULD NOT CRIPPLE A PERSON FOR LIFE AND THAT A PERSON'S EFFORTS TO BECOME STRAIGHT SHOULD NOT BE RUINED BY UNWARRANTED DISCLOSURE OF PREVIOUS CONVICTION, THE HON HUI YIN-FAT TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

AFTER ALL, HE ADDED, THE OFFENDER HAD ALREADY PAID HIS PRICE IN THE PUNITIVE SENSE.

/MR HUI

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MR HUI WAS SPEAKING DURING THE RESUMED DEBATE ON THE REHABILITATION OF OFFENDERS BILL 1986 WHICH PROPOSED A SCHEME TO ENABLE PERSONS CONVICTED OF A MINOR OFFENCE TO TREAT THE CONVICTION AS SPENT FOLLOWING THREE YEARS WITHOUT A FURTHER CONVICTION.

HE THEREFORE DESCRIBED THE BILL OF HAVING CAPTURED THE TRUE SPIRIT OF REHABILITATION OF OFFENDERS.

HE SAID MEMBERS OF A LEGISLATIVE COUNCIL AD HOC GROUP SET UP TO STUDY THE BILL HAD CAREFULLY LOOKED INTO VARIOUS ISSUES INVOLVED AND WERE ON THE WHOLE IN FULL AGREEMENT WITH ITS PROVISIONS.

HOWEVER, MEMBERS BELIEVED THAT THE NET OF THE SCHEME WAS TOO LIMITED BY ONLY COVERING CONVICTIONS OF FINES AND IT SHOULD BE EXTENDED TO INCLUDE PERSONS AWARDED LIGHT PRISON SENTENCES, HE SAID.

+LEGAL PROTECTION GIVEN TO OFFENDERS OF SHORT-TERM IMPRISONMENT UPON THE RECOMMENDATION OF SOCIAL WORKERS, WHICH FALLS IN LINE WITH THE UNITED KINGDOM REHABILITATION OF OFFENDERS ACT 1974, WOULD ENABLE MORE FIRST OFFENDERS TO LIVE DOWN THEIR CONVICTIONS,+ MR HUI SAID.

FURTHERMORE, THE SPECIFICATION OF CERTAIN PROFESSIONS WHICH WERE EXCEPTIONS TO THE SCHEME WAS ALSO SUBJECT TO ARGUMENT AND REQUIRED RE-CONSIDERATION BY THE ADMINISTRATION, HE ADDED.

ON THE ISSUING OF CERTIFICATE OF NO CONVICTION, MR HUI SAID HONG KONG SHOULD FOLLOW THE EXAMPLE OF UNITED KINGDOM WHERE IT WAS A GENERAL OFFENCE FOR ANY PERSON TO DISCLOSE A CONVICTION OF A +REHABILITATION PERSON+ TO ANOTHER PERSON.

+WHILE THE POLICE COULD RETAIN THE OFFICIAL RECORD, THE PRACTICE OF WITHHOLDING SPENT CONVICTION WOULD ENSURE UNIFORMITY AND CONSISTENCY AMONG ALL GOVERNMENT DEPARTMENTS IN THE ENFORCEMENT OF A NEW LEGISLATION,+ HE SAID.

MR HUI SAID HE HOPED THE ADMINISTRATION WOULD TAKE THIS POINT INTO SERIOUS CONSIDERATION WHEN IT REVIEWED THE BILL IN FUTURE.

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USE OF SPENT CONVICTIONS CAREFULLY STUDIED
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A PROVISION CONCERNING APPLICATION FOR PERMISSION TO USE CONVICTION RECORDS IN LEGAL PROCEEDINGS WAS EXAMINED IN DETAIL BY THE AD HOC GROUP WHICH SCRUTINISED THE REHABILITATION OF OFFENDERS BILL 1986, THE HON MARIA TAM TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE BILL STIPULATES THAT IF IT BECOMES NECESSARY TO REVEAL THE PAST CONVICTIONS OF THE ACCUSED OR A WITNESS IN THE COURSE OF A HEARING, THE PARTY WHO WISHES TO USE THE RECORD WOULD HAVE TO APPLY TO THE COURT FOR PERMISSION AND THE JUDGE WOULD DECIDE WHETHER OR NOT APPROVAL SHOULD BE GRANTED TO REVEAL +SPENT+ CONVICTIONS.

SPEAKING DURING THE RESUMED DEBATE ON THE BILL, MISS TAM SAID THE LEGCO AD HOC GROUP HAD DISCUSSED THIS POINT IN DETAIL WITH REPRESENTATIVES OF THE LEGAL DEPARTMENT.

THE INTENTION WAS TO DETERMINE WHETHER OR NOT VICTIMS OF TRAFFIC ACCIDENTS COULD, AS IN THE PAST, INSERT IN THE STATEMENT OF CLAIM THAT THE DEFENDANTS IN QUESTION WERE PREVIOUSLY CONVICTED OF ROAD TRAFFIC OFFENCES IN THE SAME INCIDENT FOR WHICH THEY CLAIMED DAMAGES THROUGH CIVIL PROCEEDINGS.

SHE SAID SOME MEMBERS OF THE AD HOC GROUP REQUESTED THAT THE DISCLOSURE OF SUCH CONVICTIONS IN THE STATEMENT OF CLAIM SHOULD BE ALLOWED AS EXCEPTIONS.

HOWEVER, AFTER DISCUSSING THE MATTER AT TWO SEPARATE MEETINGS, MOST MEMBERS AGREED THAT THE PRINCIPLE OF BARRING THE DISCLOSURE OF +SPENT+ CONVICTIONS AND RESTRICTING THE USE OF SUCH RECORDS WAS RIGHT, SHE SAID.

+OTHERWISE, WE WILL HAVE TO LOOK AT EVERY INDIVIDUAL CASE TO ESTABLISH ALL POSSIBLE EXCEPTIONS AND, BY DOING SO, THE EFFICIENCY OF THE BILL WOULD BE HAMPERED AND ITS SPIRIT WOULD BE LOST,+ SHE EXPLAINED.

REGARDING APPLICATIONS FOR EMIGRATION TO OTHER COUNTRIES, MISS TAM EXPLAINED THAT RECORDS OF +SPENT+ CONVICTIONS HAD TO BE REPORTED SINCE THE ORDINANCE COULD NOT BE USED TO CHEAT OVERSEAS IMMIGRATION OFFICES.

/HOWEVER,

HOWEVER, SHE SUGGESTED THAT AN APPLICANT COULD EXPLAIN IN WRITING THAT THE CONVICTION WAS A +SPENT+ ONE AND COULD NOT BE USED IN LOCAL COURTS UNDER NORMAL CIRCUMSTANCES, TO PROVE THAT THE CONVICTION WAS NOT A SERIOUS ONE SO AS TO REDUCE ITS EFFECTS ON THE APPLICATION.

COMMENTING ON THE BILL OVERALL, MISS TAM AGREED THAT ITS PROVISIONS WERE FAR MORE STRINGENT THAN SIMILAR LEGISLATION ELSEWHERE, AND SHE SUPPORTED THE SUGGESTION THAT A REVIEW SHOULD BE CARRIED OUT ONE OR TWO YEARS AFTER ITS ENACTMENT.

SHE FURTHER WARNED YOUNG PEOPLE NOT TO TAKE ADVANTAGE OF THE +SPENT+ CONVICTION SCHEME AS THE PAST CONVICTION RECORDS WOULD STILL HAVE TO BE REPORTED WHEN THEY SOUGHT APPOINTMENTS IN GOOD POSITIONS OR WHEN THEY APPLIED FOR EMIGRATION IN FUTURE.

+THE BILL ONLY AIMS TO HELP THOSE OFFENDERS WHO WANT TO TURN OVER A NEW LEAF AND REHABILITATE THEMSELVES IN TIME,+ SHE STRESSED.

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CHEONG-LEEN ABSTAINS FROM VOTING
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THE HON HILTON CHEONG-LEEN ABSTAINED FROM VOTING ON THE REHABILITATION OF OFFENDERS BILL 1986 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) ALTHOUGH HE SAID HE SUPPORTED THE MAIN FEATURES OF THE SCHEME INCORPORATED IN IT.

SPEAKING DURING THE RESUMED DEBATE ON THE BILL, MR CHEONG-LEEN SAID THAT THE SCHEME BROUGHT HONG KONG AS A MODERN INTERNATIONAL CITY, INTO LINE WITH OTHER PROGRESSIVE TERRITORIES TO ENCOURAGE OFFENDERS CONVICTED OF MINOR CRIMES TO REFORM THEMSELVES ON A PERMANENT BASIS.

HOWEVER, HE OBJECTED TO CLAUSE 7 OF THE BILL WHICH PROPOSED TO AMEND SECTION 36 (1) OF THE MAGISTRATE ORDINANCE TO REQUIRE THE MAGISTRATE TO PROCEED TO CONVICTION IN EVERY CASE.

MR CHEONG-LEEN SAID THAT CASES HAD OCCURRED IN THE PAST IN WHICH THE MAGISTRATE MIGHT BE SATISFIED THAT AN OFFENCE HAD TECHNICALLY BEEN COMMITTED BUT THAT THE PROSECUTION SHOULD NOT HAVE BEEN BROUGHT.

IN SUCH CIRCUMSTANCES, THE +NO CONVICTION RECORDED+ PROVISION PROVIDED A USEFUL PROCEDURE, HE SAID.

/IT WOULD

IT WOULD BE MORE REASONABLE AND HUMANE TO KEEP THE RELEVANT SECTION INTACT, HE SAID, AND AMEND THE LAW IF NECESSARY TO PROVIDE THAT THE FACT OF SUCH A DISCHARGE IN THE PAST COULD BE BROUGHT TO THE NOTICE OF A COURT ON A SUBSEQUENT CONVICTION IN THE CASE OF PERSISTENT PETTY OFFENDERS.

MR CHEONG-LEEN NOTED THAT SECTION 36 (1) HAD BEEN IN EXISTENCE FOR A LONG TIME AND QUESTIONED WHY THE JUDICIARY HAD AGREED TO THE PROPOSED AMENDMENT.

BY RETAINING THE SECTION, HE SAID, THE MAGISTRATE WOULD BE EVEN BETTER EQUIPPED TO SHIELD ANY MEMBER OF THE PUBLIC FROM BEING TAKEN INTO COURT EITHER BY THE POLICE OR BY A GOVERNMENT DEPARTMENT FOR WHAT WOULD SEEM TO THE MAGISTRATE AN ABUSE OF POWER.

MR CHEONG-LEEN EXPLAINED THAT HE ABSTAINED FROM VOTING ON THE BILL BECAUSE HE CONSIDERED THAT CLAUSE 7 REDUCED THE CAPACITY OF THE INDEPENDENT JUDICIARY FROM BETTER OR MORE FULLY PROTECTING THE PUBLIC AGAINST POSSIBLE PETTY BUREAUCRATIC OR OVER-ZEALOUS HARRASSMENT BY THE EXECUTIVE.

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CALL TO REVIEW REHABILITATION OF OFFENDERS LAW
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THE GOVERNMENT SHOULD CONSIDER REVIEWING THE REHABILITATION OF OFFENDERS LEGISLATION FOR A CERTAIN PERIOD OF TIME AFTER ITS ENACTMENT TO SEE WHETHER IT SHOULD BE FURTHER RELAXED.

THE SUGGESTION CAME FROM THE HON ROSANNA TAM DURING THE RESUMED DEBATE ON THE REHABILITATION OF OFFENDERS BILL 1986 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

NOTING THAT THE BILL WAS WORTHY OF SPIRITUAL SUPPORT, MRS TAM POINTED OUT THAT IT WAS TOO CONSERVATIVE TO LIMIT OFFENDERS COVERED BY THE BILL ONLY TO THOSE WHO HAD BEEN CONVICTED FOR THE FIRST TIME AND WHO HAD NOT BEEN GIVEN A PRISON SENTENCE OR A FINE EXCEEDING \$5 000.

SHE SUGGESTED THAT THE GOVERNMENT SHOULD CONSIDER, IF THE BILL WAS PASSED, CONDUCTING A REVIEW AFTER A CERTAIN PERIOD TO EXAMINE WHETHER IT WAS APPROPRIATE TO ALLOW FURTHER RELAXATIONS.

MRS TAM SAID SHE ALSO FELT THAT THE MINOR NATURE OF SOME TRIAD-RELATED OFFENCES WAS IN LINE WITH THE STIPULATED REQUIREMENTS OF THE BILL AND SHOULD BE INCLUDED UNDER THE REHABILITATION SCHEME.

+IN PRINCIPLE, IF IT COULD BE PROVED THAT CERTAIN TRIAD MEMBERS TRULY WANT TO RENOUNCE THEIR TRIAD AFFILIATION AND IF THE MINOR NATURE OF THEIR FIRST OFFENCE COULD BE COVERED BY THE STIPULATIONS OF THE BILL, THEN THEY SHOULD ALSO BE ELIGIBLE FOR INCLUSION UNDER THE REHABILITATION SCHEME,+ SHE SAID.

HOWEVER, MRS TAM SAID SHE AGREED THAT AT THE PRESENT MOMENT IT WAS NOT NECESSARY TO INCLUDE THOSE WHO HAD BEEN CONVICTED OF TRIAD-RELATED OFFENCES IN THE SPENT CONVICTION SCHEME AS AMENDMENTS TO THE LEGISLATION COULD BE MADE WHEN THE RENUNCIATION SCHEME PROPOSED BY THE DISCUSSION DOCUMENT ON OPTIONS TO COUNTER THE TRIAD PROBLEM WAS IMPLEMENTED.

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LEGAL DIFFICULTIES FOUND IN REHABILITATION BILL
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THE REHABILITATION OF OFFENDERS BILL 1986 CONTAINS LEGAL DIFFICULTIES ON MATTERS RELATING TO PERSONAL INJURY OR DEATH IN RUNNING DOWN CASES OF TRAFFIC ACCIDENTS, THE HON TAI CHIN-WAH SAID TODAY (WEDNESDAY) DURING THE RESUMED DEBATE ON THE BILL IN THE LEGISLATIVE COUNCIL.

REFERRING TO SECTION 2 OF THE BILL ON NON-ADMISSIBILITY OF EVIDENCE IN CIVIL PROCEEDING AGAINST THE DRIVER WHO HAD BEEN COMMITTED OF A TRAFFIC OFFENCE WHICH RESULTED IN PERSONAL INJURY OR DEATH, MR TAI SAID IT WOULD SERIOUSLY AFFECT THE PLAINTIFF IN PROVING HIS CASE.

HE POINTED OUT THAT IT WAS NOT UNCOMMON FOR A HEARING OF A NORMAL RUNNING DOWN CASE TO TAKE PLACE THREE OR MORE YEARS AFTER THE DEFENDANT HAD BEEN CONVICTED OF A DRIVING OFFENCE IN A MAGISTRATES' COURT.

+THE NON-ADMISSIBILITY OF A CRIMINAL RECORD WOULD CAUSE PROCEDURAL DIFFICULTIES FOR LEGAL PRACTITIONERS DESPITE THE FACT THAT SECTION 3(2)(D) PROVIDES ADMISSION OF EVIDENCE RELATING TO LEGAL PROCEEDINGS WHERE THE TRIBUNAL IS SATISFIED THAT JUSTICE CANNOT BE DONE WITHOUT THE DISCLOSURE OF THE SPENT CONVICTION,+ HE SAID.

MR TAI SAID HE FELT THIS WOULD PUT THE PLAINTIFF IN A DISADVANTAGED POSITION BECAUSE THE LEGAL PRACTITIONER HAD TO BEAR THE COSTS FOR THE APPLICATION OF THE DISCLOSURE OF CRIMINAL RECORD.

/+IT ALSO

+IT ALSO BARS OUT THE POSSIBILITY OF AN EARLY SETTLEMENT IN RESPECT OF LIABILITY, THUS INCURRING ADDITIONAL COSTS,+ HE ADDED.

MR TAI ALSO NOTED THAT DIFFICULTIES MIGHT ARISE IN CASES OF PERSONAL INJURIES CAUSING DEATH WHEN THE PROBATE MIGHT BE GRANTED TO THE ADMINISTRATOR AFTER A SUBSTANTIAL PERIOD OF TIME, SOMETIMES ONE TO TWO YEARS.

IN THAT CONNECTION, HE SAID THE LEGAL PRACTITIONER WOULD BE FACED WITH THE DIFFICULTY OF OBTAINING THE RELEVANT CRIMINAL RECORD IN TIME FROM THE MAGISTRATE.

+IN SOME CIRCUMSTANCES, BECAUSE OF THE CHANGE IN THE BILL, THE CONVICTION WILL BE SPENT AND IN THE ABSENCE OF ANY EVIDENCE OF THE CONVICTION RECORD, IT MAY BE DIFFICULT FOR THE PLAINTIFF TO PROVE HIS CASE AND INJUSTICE WILL THEREFORE ARISE,+ HE SAID.

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ANTI-CORRUPTION REVIEW PLANNED ON FIRE SERVICES PROCEDURES
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FOLLOWING PASSAGE OF THE FIRE SERVICES (AMENDMENT)(NO. 3) BILL 1986, PROCEDURES ADOPTED BY FIRE SERVICES DEPARTMENT STAFF WILL BE EXAMINED WITH A VIEW TO REDUCING OPPORTUNITIES FOR CORRUPTION, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

WINDING UP DEBATE ON THE BILL, MR MATHEWS SAID THE REVIEW HAD BEEN AGREED BETWEEN THE FIRE SERVICES DEPARTMENT AND THE INDEPENDENT COMMISSION AGAINST CORRUPTION.

MR MATHEWS THANKED MEMBERS FOR THEIR SUPPORT OF THE BILL.

HE SAID THERE WAS CONSTANT LIAISON BETWEEN THE FIRE SERVICES DEPARTMENT AND THE CORRUPTION PREVENTION DIVISION OF THE ICAC, ADDING THAT THERE WAS ALREADY A CONTINUING REVIEW OF ALL ASPECTS OF FIRE PROTECTION WORK THAT MIGHT GIVE RISE TO CORRUPTION OPPORTUNITIES.

ON DIFFICULTIES THAT MIGHT BE CREATED BY THE PROPOSED ORAL COMPLAINT SYSTEM, MR MATHEWS SAID ALTHOUGH IT WOULD BE POSSIBLE FOR THE DIRECTOR OF FIRE SERVICES TO MAKE AN ORAL COMPLAINT TO A COURT FOLLOWING THE CONVICTION OF A PERSON FOR FAILURE TO COMPLY WITH A FIRE HAZARD ABATEMENT NOTICE, IT WOULD BE UP TO THE COURT TO DECIDE WHETHER OR NOT A FIRE HAZARD ORDER WAS APPROPRIATE.

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+NO DOUBT WHEN MAKING THAT DECISION THE COURT WILL HAVE REGARD TO ALL CIRCUMSTANCES OF THE CASE AND IN PARTICULAR WHETHER A FIRE HAZARD ORDER IS NECESSARY TO ENSURE THAT THE PUBLIC ARE PROPERLY PROTECTED FROM THE RISK OF FIRE,+ HE SAID.

MR MATHEWS ALSO SAID HE WISHED TO MAKE CLEAR THAT THE FIRE HAZARD ORDER REPRESENTED ANOTHER WARNING.

HE SAID: +MORE OFTEN THAN NOT, IT IS SIMPLY THE MEANS BY WHICH THE COURT ORDERS A PERSON TO DO WHAT THE DIRECTOR OF FIRE SERVICES HAS ALREADY TOLD HIM TO DO (IN A FIRE HAZARD ABATEMENT NOTICE) BUT WHICH HE HAS NOT DONE.

+NO OFFENCE IS COMMITTED UNLESS THE PERSON IN QUESTION FAILS TO COMPLY WITH THE ORDER.+

MR MATHEWS STRESSED THAT AS UNDER THE PROPOSED AMENDMENTS A FIRE HAZARD ORDER WOULD NO LONGER INCLUDE AN ORDER FOR CLOSURE, IT WOULD NOT BE POSSIBLE FOR THE COURT TO ISSUE AN ORDER FOR CLOSURE ON AN ORAL COMPLAINT BY THE DIRECTOR OF FIRE SERVICES IMMEDIATELY FOLLOWING A CONVICTION FOR FAILURE TO COMPLY WITH A FIRE HAZARD ABATEMENT NOTICE.

THE PROCEDURE FOR ISSUING A CLOSING ORDER WAS GOVERNED BY A SEPARATE PROVISION IN THE BILL WHICH REQUIRED 24 HOURS' NOTICE IN WRITING OF THE INTENTION OF THE DIRECTOR TO APPLY FOR SUCH AN ORDER.

TURNING TO CONCERN THAT THE FIRE SERVICES DEPARTMENT MAY MAKE ARBITRARY ENFORCEMENT DECISIONS, OR THAT THERE MAY BE ABUSE OF POWER, MR MATHEWS ASSURED MEMBERS THAT ONCE A SUMMONS WAS ISSUED, +WHETHER OR NOT A PERSON IS FOUND GUILTY, AND WHAT, IF ANY, PENALTY SHOULD BE IMPOSED, WOULD BE MATTERS TO BE DECIDED BY THE COURT, NOT THE FIRE SERVICES DEPARTMENT+.

MR MATHEWS SAID PUBLICITY FOR THE AMENDMENTS WOULD BE CONSIDERED BY THE FIRE PREVENTION CAMPAIGN PUBLICITY WORKING GROUP, WHICH WAS LOOKING INTO THE POSSIBILITY OF PRODUCING PAMPHLETS OUTLINING THE NEW LAW.

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DISCRETION MUST BE USED WISELY
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THE FIRE SERVICES (AMENDMENT) (NO. 3) BILL 1986, IF ENACTED, WOULD PROVIDE THE DIRECTOR OF FIRE SERVICES CONSIDERABLE DISCRETION IN ENFORCEMENT, THE HON S.L. CHEN TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE CALLED ON THE GOVERNMENT TO ENSURE THAT THE OFFICERS ENTRUSTED WITH THIS POWER WOULD USE IT WISELY AND THAT THERE WOULD NOT BE ANY ABUSE OF IT.

SPEAKING DURING THE RESUMED DEBATE ON THE BILL, MR CHEN SAID WITH THIS OBSERVATION HE SUPPORTED THE MEASURE.

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AMENDMENTS AIMED AT THE IRRESPONSIBLE
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THE PROVISIONS OF THE FIRE SERVICES (AMENDMENT) (NO 3) BILL 1986 WILL ONLY BE USED TO DETER THE IRRESPONSIBLE AND WILL NOT HAMPER NORMAL INDUSTRIAL OPERATIONS, THE HON WONG PO-YAN SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) DURING THE RESUMED DEBATE ON THE BILL.

MR WONG SAID THAT THOUGH THE PROPOSED PENALTIES OF THE BILL MIGHT BE CONSIDERED BY OWNERS OF SOME SMALL-SIZED FACTORIES TO BE RATHER SEVERE, STATISTICS SHOWED THAT OUTBREAKS OF FIRE CONTINUED TO POSE A CONSTANT THREAT TO LIFE AND PROPERTY.

HE SAID THAT CURRENT STEPS TAKEN BY THE GOVERNMENT WERE NOT ACHIEVING THE DESIRED RESULTS AND A MORE EFFECTIVE DETERRENT WAS REQUIRED.

+IT IS A HIGHLY IRRESPONSIBLE ACT FOR ANYONE TO COMMIT SUCH OFFENCES -- OBSTRUCTING OR LOCKING THE MEANS OF ESCAPE -- AND TO EXPOSE THOSE LIVING OR WORKING IN THE MULTI-STOreyED RESIDENTIAL OR INDUSTRIAL BUILDINGS TO FIRE HAZARDS,+ HE SAID.

MR WONG URGED INDUSTRIALISTS TO BE MORE CONSCIOUS OF THE CONSEQUENCES OF FIRE AND TO EXERCISE SELF-DISCIPLINE, ENSURING THAT OFFENCES AGAINST THE REGULATIONS WERE NOT COMMITTED.

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+PRACTICAL PROBLEMS+ IN FIRE SERVICES LEGISLATION
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INDUSTRY IN HONG KONG RECOGNISES THE IMPORTANCE OF TAKING MORE EFFECTIVE PREVENTIVE ENFORCEMENT ACTION AGAINST FIRE HAZARDS BUT HAS IDENTIFIED SOME PRACTICAL PROBLEMS IN IMPLEMENTING THE PROPOSED AMENDMENTS TO THE FIRE SERVICES LEGISLATION, THE HON STEPHEN CHEONG SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE ON THE FIRE SERVICES (AMENDMENT)(NO. 3) BILL 1986, MR CHEONG SAID THE INDUSTRIAL SECTOR WAS SUPPORTIVE OF THE PROPOSED AMENDMENTS.

HOWEVER, HE SAID THERE WERE SOME PRACTICAL PROBLEMS IN IMPLEMENTATION WHICH WOULD NEED FURTHER CONSIDERATION IN REFINEMENT BY THE FIRE SERVICES DEPARTMENT.

MR CHEONG SAID THAT TEMPORARY OBSTRUCTION OF CORRIDORS AND LIFT LOBBIES BY GOODS DURING THEIR COURSE OF MOVEMENT SHOULD BE DISTINGUISHED FROM OBSTRUCTION TO ESCAPE ROUTES BY GOODS IN STORAGE. ENFORCEMENT SHOULD AIM AT THE LATTER BUT NOT THE FORMER.

REFERRING TO COMMON AREAS IN MULTIPLE OWNERSHIP BUILDINGS, HE SAID IT WOULD BE DIFFICULT TO IDENTIFY THE PARTY RESPONSIBLE FOR CAUSING A CERTAIN OBSTRUCTION.

HE EXPRESSED CONCERN ABOUT THE POSSIBLE VICTIMISATION OF PARTIES WHO WERE NOT THE OWNER OR OWNERS OF GOODS CAUSING THE OBSTRUCTION AND URGED THAT ENFORCEMENT STAFF SHOULD TAKE CARE TO ESTABLISH THE REAL CULPRIT AND AVOID THE TEMPTATION OF MAKING ARBITRARY ENFORCEMENT DECISIONS.

FINALLY, MR CHEONG NOTED THAT THERE MIGHT BE A SIGNIFICANT INCREASE OF COURT CASES RESULTING FROM THE INTRODUCTION OF DIRECT PROSECUTION AGAINST OBSTRUCTION AND BLOCKAGE OF ESCAPE ROUTES.

HE SUGGESTED THAT THE FIRE SERVICES DEPARTMENT SHOULD ESTABLISH PROCEDURES WHEREBY AGGRIEVED PARTIES COULD MAKE AN APPEAL BEFORE THE DEPARTMENT APPLIED FOR A COURT ORDER, SO AS TO MINIMISE THE EXPENSE INCURRED BY COURT PROCEEDINGS.

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LOOPHOLES IN LAW PLUGGED
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THERE ARE MANY LOOPHOLES IN EXISTING LEGISLATION ON OBSTRUCTION OF FIRE ESCAPE ROUTES AND THE FIRE SERVICES (AMENDMENT)(NO. 3) BILL 1986 WILL PLUG THEM, THE HON JACKIE CHAN SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE OF THE BILL, MR CHAN NOTED THAT UNDER THE EXISTING ORDINANCE THOSE WHO WERE CONNECTED WITH AN OBSTRUCTION OFFENCE WOULD FIRST BE WARNED BY A FIRE HAZARD ABATEMENT NOTICE, REQUIRING THEM TO COMPLY WITH IT WITHIN A CERTAIN PERIOD.

THOSE WHO WERE SELFISH AND LACKED PUBLIC SPIRIT WOULD TAKE ADVANTAGE OF THE LOOPHOLES AND STORE GOODS AND VARIOUS OBJECTS ALONG FIRE ESCAPE ROUTES AND ONLY CLEAR THEM FOR INSPECTION WHEN THEY RECEIVED THE NOTICE.

MR CHAN SAID THE ITEMS WOULD BE PUT BACK AGAIN ONCE AN INSPECTION WAS CARRIED OUT AND THIS EXPLAINED WHY THE ORDINANCE WHICH HAD BEEN IN FORCE FOR ABOUT 20 YEARS WAS NOT VERY EFFECTIVE.

HE SAID THE PROVISION IN THE BILL MAKING IT AN OFFENCE FOR ANY PERSON ON WHOM A FIRE HAZARD ABATEMENT NOTICE HAD BEEN SERVED TO ALLOW THE FIRE HAZARD TO RECUR WITHIN A PERIOD OF ONE YEAR WAS THE RIGHT REMEDY.

MR CHAN ALSO AGREED THAT THE HEAVIER PENALTIES PROPOSED WOULD PROVIDE A MUCH STRONGER DETERRENT.

HOWEVER, HE REMINDED THE GOVERNMENT OF THE NEED TO CARRY OUT COMPREHENSIVE PUBLICITY AND EDUCATION PROGRAMMES ON THE AMENDED LEGISLATION SO THAT IT WOULD BE MADE KNOWN TO ALL, INCLUDING WOMEN AND CHILDREN.

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TIME TO ISSUE SIMPLE PAMPHLET ON FIRE PREVENTION
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THE GOVERNMENT SHOULD PREPARE AN UP-TO-DATE PAMPHLET EXPLAINING IN SIMPLE TERMS THE DO'S AND DON'TS OF FIRE PREVENTION, AND THE PENALTIES FOR COMMITTING OFFENCES, THE HON HILTON CHEONG-LEEN SUGGESTED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE ON THE FIRE SERVICES (AMENDMENT) (NO. 3) BILL 1986, MR CHEONG-LEEN SAID THAT DESPITE THE PRESENCE OF MANY MULTI-STOREY BUILDINGS, HONG KONG WAS A RELATIVELY SAFE CITY KNOWN INTERNATIONALLY FOR HAVING UP-TO-DATE FIRE-FIGHTING EQUIPMENT, WELL-TRAINED AND DISCIPLINED PERSONNEL AND AN EXCELLENT FIRE PREVENTION SERVICE.

HE WELCOMED THE PROPOSED LEGISLATIVE CHANGES WHICH WOULD REDUCE EVEN MORE THE RISKS AND DANGERS OF FIRE OCCURRING IN MULTI-STOREY BUILDINGS. THESE MEASURES SHOULD BE SUPPORTED BY MEMBERS OF THE COMMUNITY, HE SAID.

IN PARTICULAR, MR CHEONG-LEEN FELT THAT THE PRACTICES OF LOCKING UP FIRE EXITS AND OBSTRUCTING ROUTES OF FIRE ESCAPES WITHIN A BUILDING SHOULD BE STRONGLY DISCOURAGED, AND HE SUPPORTED THE PROPOSAL THAT THESE PRACTICES BE MADE ILLEGAL.

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FIRE SAFETY CAMPAIGN ADVOCATED
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THE FIRE SERVICES DEPARTMENT SHOULD LAUNCH A COMPREHENSIVE CAMPAIGN TO PROMOTE FIRE SAFETY, ESPECIALLY IN FACTORIES AND INDUSTRIAL UNDERTAKINGS, AS A FOLLOW-UP TO PASSING OF THE FIRE SERVICES (AMENDMENT)(NO. 3) BILL 1986, HON NGAI SHIU-KIT SUGGESTED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE ON THE BILL, MR NGAI SAID THE TOUGHER PENALTIES PROPOSED WOULD DETER RECKLESS PEOPLE FROM ALLOWING DANGEROUS FIRE HAZARDS TO EXIST IN BUILDINGS.

BUT TOUGHER LEGISLATION ALONE WAS NOT ENOUGH TO DEAL WITH FIRE HAZARDS, WHICH HAD BECOME A CHRONIC PROBLEM.

+IT IS ALSO IMPORTANT TO CULTIVATE A SENSE OF RESPONSIBILITY AND SELF-DISCIPLINE AMONG THE PUBLIC THROUGH EDUCATION AND PROMOTION,+ HE STRESSED.

MR NGAI SAID SOME AREAS OF THE BILL REQUIRED SPECIAL ATTENTION.

NOTING THAT THE BILL EXTENDED THE DEFINITION OF THE PERSON RESPONSIBLE FOR FIRE HAZARDS TO INCLUDE THE OWNER, TENANT, OCCUPIER OR PERSON IN CHARGE OF THE PREMISES, HE POINTED OUT THAT IT WAS QUITE COMMON FOR THE OWNER OF A FLAT NOT TO RESIDE OR OPERATE A BUSINESS THERE, AND HENCE WOULD HARDLY KNEW OF FIRE HAZARDS CREATED BY THE OCCUPIERS OR TENANTS.

+IT WILL BE UNFAIR TO HOLD HIM SOLELY RESPONSIBLE FOR ANY OFFENCES HE IS NOT EVEN AWARE OF,+ MR NGAI SAID.

HE URGED THAT FIRE SERVICES STAFF SHOULD EXERCISE DUE DISCRETION WHEN REQUIRING ANY PERSON TO PRODUCE PROOF OF IDENTITY IN ORDER TO ENSURE THAT THEY WERE DEALING WITH THE REAL CULPRIT.

REGARDING THE AMENDMENT WHICH MAKES IT AN OFFENCE TO LEAVE OBSTRUCTIONS IN OR LOCK THE MEANS OF ESCAPE, MR NGAI SAID A CERTAIN DEGREE OF FLEXIBILITY SHOULD BE ALLOWED IN MINOR CASES WHERE REMEDIAL ACTIONS COULD BE TAKEN IMMEDIATELY IN THE PRESENCE OF FIRE PROTECTION BUREAU OFFICERS, SUCH AS THE REMOVAL OF ONE OR TWO EASILY MOVABLE OBJECTS FROM THE CORRIDOR.

+IT SHOULD ALSO BE MENTIONED THAT IN CASES WHERE NO FIRE HAZARD ABATEMENT NOTICES ARE SERVED UNDER THE EXISTING ORDINANCE AND PRACTICE, PROSECUTION ACTION SHOULD NOT BE TAKEN AFTER THIS AMENDMENT IS PASSED INTO LAW,+ HE ADDED.

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SELLERS TO BE PROHIBITED FROM DISPENSING PRESCRIPTIONS
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THE PHARMACY AND POISONS (AMENDMENT) BILL 1986 WOULD ENABLE REGULATIONS TO BE MADE BY THE PHARMACY AND POISONS BOARD TO PROHIBIT LISTED SELLERS OF POISONS FROM DISPENSING PRESCRIPTIONS, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SAID TODAY (WEDNESDAY).

WINDING UP DEBATE ON THE BILL IN THE LEGISLATIVE COUNCIL, MR SHIPMAN THANKED MEMBERS OF THE LEGISLATIVE COUNCIL AD HOC GROUP FOR HAVING SCRUTINISED THE BILL AND THEIR SUPPORT OF IT.

TURNING TO DR THE HON CHIU HIN-KWONG'S SUGGESTION THAT GOVERNMENT SHOULD PLAN AND ORGANISE HEALTH EDUCATION PROGRAMMES TO CONVEY BASIC KNOWLEDGE OF PHARMACEUTICAL PRODUCTS, MR SHIPMAN SAID HE COULD ASSURE DR CHIU THAT THE CENTRAL HEALTH EDUCATION UNIT WOULD CONTINUE TO PROMOTE PUBLIC AWARENESS.

MR SHIPMAN ADDED THAT THE NEED FOR AN EFFECTIVE MONITORING SYSTEM WAS +ONE OF THE PRINCIPAL MATTERS OF CONCERN+ TO THE WORKING PARTY ON THE PRACTICE OF PHARMACY AND ANCILLARY MATTERS.

+SINCE THEN THE STAFF OF THE FORENSIC PHARMACY SECTION IN THE MEDICAL AND HEALTH DEPARTMENT HAVE BEEN GREATLY INCREASED AND THE NUMBER OF PROSECUTIONS CONCERNING RETAIL PREMISES UNDER THE ORDINANCE HAS RISEN FROM 29 IN 1980 TO 96 IN 1985,+ HE SAID.

/TURNING TO

TURNING TO THE POINT RAISED BY DR THE HON HENRIETTA IP THAT THERE WERE 79 CONVICTIONS OF LISTED SELLERS IN 1985 FOR ILLEGAL POSSESSION AND SALE OF PART I POISONS, MR SHIPMAN SAID THAT THIS NIGHT INDICATE THAT BECAUSE THEY WERE NOT AT PRESENT DEBARRED FROM DISPENSING PRESCRIPTION THERE WAS A TEMPTATION NOT TO CONFINE THEIR ACTIVITIES TO THE SAFER SUBSTANCES IN PART II OF THE POISONS LIST BUT TO DEAL ALSO IN PART I POISONS.

+IN PRACTICE, MOST PATIENTS RECEIVE THEIR MEDICINE DIRECTLY FROM HOSPITALS, CLINICS AND PRIVATE MEDICAL PRACTITIONERS' SURGERIES, IN ADDITION TO THE 169 AUTHORISED SELLERS,+ HE SAID.

+THERE IS THUS AN ADEQUATE NUMBER OF OUTLETS ALREADY. IT IS THEREFORE EXPECTED THAT ANY INCONVENIENCE RESULTING FROM THIS PROVISION WOULD BE MINIMAL,+ HE ADDED.

MR SHIPMAN ALSO POINTED OUT THAT THE INTENTION OF THE EXISTING PROVISION WAS TO PREVENT A REGISTERED PHARMACIST FROM WORKING FOR MORE THAN ONE AUTHORISED SELLER.

IN ADDITION, EACH AUTHORISED SELLER WAS REQUIRED TO DISPLAY THE HOURS DURING WHICH A REGISTERED PHARMACIST WAS IN ATTENDANCE SO AS TO ENABLE CUSTOMERS TO CALL IN AT THE RIGHT TIME, HE ADDED.

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LAW TO CONTROL SALE OF DRUGS WELCOMED
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THE PHARMACY AND POISONS (AMENDMENT) BILL 1986, WHICH SERVES TO TIGHTEN CONTROL OVER THE SALE OF PHARMACEUTICAL PRODUCTS FOR THE SAFETY AND BENEFIT OF THE PUBLIC WAS PASSED INTO LAW TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE OF THE BILL AS CONVENOR OF THE LEGISLATIVE COUNCIL AD HOC GROUP WHICH STUDIED THE BILL, DR THE HON HENRIETTA IP SAID THE LEGISLATION HAS BEEN WELCOMED BY THE MEDICAL AND PHARMACEUTICAL PROFESSION.

SHE EXPLAINED IN DETAIL THE CLASSIFICATION OF DRUGS THAT EXISTED IN LEGISLATION BECAUSE OF THE NEED FOR CONSUMER PROTECTION.

SHE SAID LISTED SELLERS HAD BEEN MAKING USE OF THE LOOPHOLES AND THIS HAD BEEN DEMONSTRATED FROM THE BREAKDOWN OF STATISTICS ON THE PROSECUTION AND CONVICTION.

THE FOUR AMENDMENTS INTRODUCED BY THE BILL WERE:

- * TO FORBID LISTED SELLERS OF POISON TO DISPENSE DOCTOR'S PRESCRIPTION ALTOGETHER SO AS TO REDUCE SUCH PROVEN TEMPTATION TO SELL DRUGS ON THE POISONS LIST ILLEGALLY AND TO PLUG ANY LOOPHOLES TO THE SAME EFFECT;
- * TO IDENTIFY FOR THE PUBLIC +AUTHORISED SELLERS+ WHICH ENGAGED PHARMACISTS AND COULD BE BY LAW DISPENSE ANY DRUGS PRESCRIBED BY DOCTORS, BY ALLOWING SUCH SELLERS TO DISPLY A SPECIFIC LOGO;
- * TO WIDEN THE POWER OF FORFEITURE TO INCLUDE UNREGISTERED PHARMACEUTICAL PRODUCTS NOT CONTAINING POISONS= AND
- * TO ALLOW THE PHARMACY AND POISONS BOARD TO REJECT APPLICATIONS OR LICENCE IF THE SUITABILITY OF THE PERSONS AND PREMISES WERE OPEN TO QUESTION FROM PREVIOUS CONVICTION OR FOR OTHER REASONS, WHILE LEAVING THE UNSCRUPULUOUS PHARMACISTS WHO HAD COMMITTED OFFENCES SUBJECT TO INTERNAL DISCIPLINE BY THE BOARD.

DR IP SAID THAT, AFTER THOROUGH DISCUSSION, THE AD HOC GROUP WAS SATISFIED WITH THE REPLIES FROM THE ADMINISTRATION ON POSSIBLE CRITICISMS ON THE BILL, OR THE POSSIBLE LOSS OF BUSINESS OF LISTED SELLERS WHEN THE PUBLIC WOULD IN FUTURE TURN TO AUTHORISED SELLERS TO DISPENSE THEIR PRESCRIPTIONS.

IN ADDITION, SHE SAID SHE AGREED WITH THE ESSENCE OF THE BILL THAT IN TIGHTENING CONTROL ON THE SALES OF DRUGS, THE PUBLIC WERE ENCOURAGED TO PURCHASE DRUGS FROM AUTHORISED SELLERS WHO ENGAGED PHARMACISTS.

+THE TRAINING AND PROFESSIONALISM OF PHARMACISTS IS A GUARANTEE THAT PRESCRIPTIONS DISPENSED WOULD BE ACCURATE AND SAFE INSOFAR AS THE TYPE, BRAND, DOSAGE AND LIFE OF THE DRUGS ARE CONCERNED.

+THEIR EXPERT ADVICE WOULD BE INVALUABLE TO THOSE WHO INCLINE TOWARDS SELF-MEDICATION AND RISK THEIR HEALTH,+ SHE SAID.

DR IP ALSO STATED THAT SHE TOOK THE BILL AS ONE OF THE MANY TO COME AIMED AT IMPROVING CONSUMER PROTECTIONS THROUGH LEGISLATION.

HEALTH EDUCATION PROGRAMMES ESSENTIAL
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HEALTH EDUCATION PROGRAMMES FOR CONVEYING THE BASIC BUT ESSENTIAL KNOWLEDGE ON PHARMACY AND POISONS SHOULD BE PLANNED AND ORGANISED TO HELP THE GENERAL PUBLIC HAVE A BETTER UNDERSTANDING OF THE PROPER USE OF PHARMACEUTICAL PRODUCTS.

THIS WAS SUGGESTED BY DR THE HON CHIU HIN-KWONG DURING THE RESUMED DEBATE ON THE PHARMACY AND POISONS (AMENDMENT) BILL 1986 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

USING STATUTORY LOGO FOR AUTHORISED SELLERS OF POISONS WAS A DEVICE FOR PUBLIC INTERESTS, HE SAID, BUT THE PURPOSE WOULD NEVER BE FULFILLED UNLESS THE GENERAL PUBLIC WERE EQUIPPED WITH BASIC MEDICAL KNOWLEDGE.

+IT IS NOT UNCOMMON THAT MANY PEOPLE STILL HAVE DIFFICULTY IN DISTINGUISHING 'LISTED' AND 'AUTHORISED' SELLERS OF POISONS AS WELL AS 'PART I' AND 'PART II' POISONS ETC,+ DR CHIU SAID.

HE THEREFORE CALLED ON THE RELEVANT GOVERNMENT DEPARTMENT TO ORGANISE HEALTH EDUCATION PROGRAMMES TO ENHANCE THE KNOWLEDGE OF THE PUBLIC ON THE PROPER USE OF PHARMACEUTICAL PRODUCTS.

DR CHIU ALSO SAID THAT PERFECT ORDINANCES WOULD NOT BE ANYTHING BUT COSMETICS IF AN EFFECTIVE MONITOR SYSTEM WAS NOT AVAILABLE.

DESCRIBING THE BILL AS A TIMELY MOVE TO TIGHTEN THE CONTROL OF SALE OF POISONS AND PHARMACEUTICAL PRODUCTS, HE SAID IT WAS PARTICULARLY SIGNIFICANT AT A TIME WHEN AN INCREASING NUMBER OF THE POPULATION, FOR VARIOUS REASONS, TENDED TO UNDERTAKE SELF-MEDICATION FOR MINOR HEALTH PROBLEMS.

THE BILL, IF ENDORSED, WOULD PROHIBIT LISTED SELLERS OF POISONS FROM DISPENSING PRESCRIPTION AND DETER PEOPLE WITHOUT PROPER PHARMACOLOGICAL TRAINING TO DISPENSE, DR CHIU SAID.

AS TO THE PROVISION OF THE BILL WHICH EMPOWERED THE PHARMACY AND POSIONS BOARD TO REJECT APPLICATIONS FOR REGISTRATION, DR CHIU SAID THIS WOULD NOT ONLY ENABLE THE BOARD TO USE ITS DISCRETION AND FLEXIBILITY IN SCREENING APPLICATIONS BUT ALSO ENABLE IT TO DISQUALIFY THOSE DE-REGISTERED SELLERS WHO RE-APPLIED FOR REGISTRATION UNDER A NEW NAME.

+FURTHERMORE, THE SUGGESTED AMENDMENT CONDITIONALLY EXEMPTING REGISTERED MEDICAL PRACTITIONERS FROM THE REQUIREMENT OF RECORDING THE SUPPLY AND DISPENSING OF MEDICINES IN A SEPARATE BOOK WILL BE WARMLY WELCOMED BY PRACTISING MEDICAL PERSONNEL BECAUSE IT ELIMINATES THE DUPLICATION OF EFFORTS IN KEEPING RECORDS,+ HE SAID.

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NEW DRUGS LAW CAUSES INCONVENIENCE TO PUBLIC

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THE PASSAGE OF THE PHARMACY AND POISONS (AMENDMENT) BILL 1986 MIGHT CAUSE INCONVENIENCE TO THE PUBLIC, DR THE HON CONRAD LAM SAID TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE OF THE BILL, HE SAID ALTHOUGH THE ADVANTAGES OF THE BILL TO THE PUBLIC AT LARGE OUT-WEIGHED ANY DISADVANTAGES, IT MIGHT CREATE A FALSE IMPRESSION ON THE PUBLIC.

+THE BILL MAY GIVE RISE TO AN EMBARRASSMENT TO DOCTORS IN THAT WHILE A LISTED SELLER OF POISON CANNOT DISPENSE A NON-POISON MEDICINE BY PRESCRIPTION, IT MAY SELL THE SAME MEDICINE TO THE PUBLIC WITHOUT PRESCRIPTION.

+THIS MAY CREATE A FALSE IMPRESSION TO THE PUBLIC THAT IT MAY BE MORE CONVENIENT TO DO WITHOUT PRESCRIPTION,+ HE SAID.

MOREOVER, DR LAM SAID, THERE WERE AT PRESENT ONLY 569 REGISTERED PHARMACIST IN HONG KONG, AND URGED THE AUTHORITIES CONCERNED TO TAKE APPROPRIATE ACTION TO PROVIDE THE PUBLIC WITH A SUFFICIENT NUMBER OF REGISTERED PHARMACISTS, AFTER THE LAW WAS ENACTED.

+AFTER THE PASSING OF THE BILL, ONLY 167 STORES, AS AUTHORISED SELLER OF POISONS, WILL BE ABLE TO SELL PART I POISON IN THE WHOLE OF HONG KONG.

+WHILE AN AUTHORISED SELLER OF POISONS IS REQUIRED ONLY TO ENGAGE A REGISTERED PHARMACIST TO CONDUCT THE DISPENSING OF MEDICINES FOR TWO-THIRDS OF THE TIME DURING WHICH THE SELLER OPENS FOR BUSINESS, THE PUBLIC WILL NOT BE ABLE TO OBTAIN THE MEDICINE THEY NEED FROM AN AUTHORISED SELLER OF POISONS FOR ONE-THIRD OF THE SELLERS' OPENING TIME,+ HE SAID.

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EXPERIENCE MAKES UPDATING OF MTR BY-LAWS NECESSARY

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REVISION OF THE MASS TRANSIT RAILWAY BY-LAWS IS CONSIDERED NECESSARY BY THE MASS TRANSIT RAILWAY CORPORATION AS A RESULT OF EXPERIENCE GAINED IN OPERATING THE RAILWAY SINCE IT OPENED IN 1979, THE SECRETARY FOR TRANSPORT, THE HON HARNAM GREWAL, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THAT THE MASS TRANSIT RAILWAY BY-LAWS 1986 BE APPROVED, MR GREWAL SAID THE BY-LAWS INVOLVED GENERAL UPDATING AND REFINEMENT, THOUGH THE REVISION OF PART III WAS INTENDED PARTICULARLY TO TACKLE THE PROBLEM OF FARE EVASION.

/HE WAS

HE WAS REFERRING TO THE PART WHICH RELATED TO FARES AND TICKETS AND THE CONDITIONS ON WHICH TICKETS WERE ISSUED.

HE SAID: +BY-LAW 15 PROVIDES THAT A PERSON ABOVE THE AGE OF THREE YEARS IS LIABLE TO THE PAYMENT OF A SURCHARGE IF HE IS FOUND, WITHIN THE PAID AREA OF THE RAILWAY, WITHOUT A TICKET, WITH A TICKET IMPROPERLY DAMAGED, ALTERED OR INTERFERED WITH, WITH A TICKET THAT HAS EXPIERED, OR WITH A CHILD/STUDENT TICKET WHEN HE IS NOT ENTITLED TO ONE.+

MR GREWAL OUTLINED THE OTHER PARTS OF THE REVISED BY-LAWS MADE BY THE CORPORATION ON JULY 15.

UNDER PART I WHICH PROVIDED DEFINITIONS, THE MAXIMUM SURCHARGE PAYABLE BY A PERSON FOUND GUILTY OF FARE EVASION WAS 50 TIMES THE MAXIMUM ADULT SINGLE FARE AT THE TIME THE SURCHARGE WAS TO BE PAID, HE SAID.

PART II DEALT WITH ADMISSION OF PERSONS TO RAILWAY PREMISES AND DAMAGE TO PROPERTY ON THE PREMISES.

PART IV SET OUT RULES OF CONDUCT FOR PERSONS ON RAILWAY PREMISES, WITH BY-LAW 27(B) PROHIBITING THE CONSUMPTION OF FOOD OR BEVERAGES WITHIN A TRAIN OR THE PAID AREA OF THE RAILWAY.

PART V PROHIBITED HAWKING, LOITERING, BILL POSTING AND SIMILAR ACTIVITIES ON RAILWAY PREMISES WHILE PART VI PROVIDED FOR THE REMOVAL AND DETENTION OF VEHICLES LEFT WITHOUT PERMISSION ON RAILWAY PREMISES AND FOR THE CONTROL OF TRAFFIC ON THE PREMISES.

PART VII OF THE BY-LAWS PROHIBITED THE UNAUTHORISED POSSESSION OF DANGEROUS GOODS ON RAILWAY PREMISES AND PART VIII PROVIDED FOR THE RETURN OR DISPOSAL OF LOST PROPERTY.

LASTLY, PART IX EMPOWERED RAILWAY OFFICIALS TO REQUIRE PROOF OF IDENTITY FROM A PERSON SUSPECTED OF CONTRAVENING THE BY-LAWS, AND FURTHER PROVIDED FOR OFFENCES AND PENALTIES, MR GREWAL SAID.

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AMENDMENTS TO ENSURE 'MODERN' PEAK TRAM
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THE FURTHER AMENDMENTS PROPOSED TO THE PEAK TRAMWAY (AMENDMENT) BILL 1985 WERE DESIGNED TO ENSURE THAT THE PEAK TRAMWAY COMPANY WOULD UNDERTAKE TO MODERNISE THE TRAMWAY IF IT WAS TO ENJOY THE RIGHT TO OPERATE IT FOR A FULL 20-YEAR TERM, THE SECRETARY FOR TRANSPORT, THE HON HARNAM GREWAL, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR GREWAL WAS MOVING AMENDMENTS TO THE PEAK TRAMWAY (AMENDMENT) BILL 1985 BEFORE ITS SECOND READING.

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+AS MY PREDECESSOR STATED IN THIS COUNCIL WHEN HE INTRODUCED THE BILL ON DECEMBER 4 LAST, THE PACKAGE OF MEASURES CONTAINED IN THE BILL SERVES TO REFLECT THE STATUS OF THE PEAK TRAM AS A RECREATIONAL FACILITY AND TO STREAMLINE THE ADMINISTRATIVE ARRANGEMENTS FOR IT TO CONTINUE TO OPERATE AS A COMMERCIAL UNDERTAKING.

+RESUMPTION OF THE SECOND READING DEBATE WAS DEFERRED PENDING THE CONCLUSION OF DISCUSSIONS WITH THE PEAK TRAMWAY COMPANY ON THE PROVISION OF A FIRM COMMITMENT BY THE LATTER TO MODERNISE THE TRAMWAY IN RETURN FOR THE RIGHT TO OPERATE IT FOR 20 YEARS.

+THESE DISCUSSIONS HAVE NOW BEEN CONCLUDED SATISFACTORILY WITH THE PROPOSED GRANT OF A 20-YEAR RIGHT TO BE MADE IN TWO STAGES,+ MR GREWAL SAID.

HE SAID THE AMENDMENT MOVED TO CLAUSE 2 OF THE BILL GAVE EFFECT TO THIS APPROACH.

UNDER THE REVISED APPROACH, THE PEAK TRAM COMPANY WOULD BE GRANTED THE RIGHT TO OPERATE THE TRAMWAY FOR A PERIOD OF 10 YEARS WITH EFFECT FROM JANUARY 1, 1984 UPON THE PAYMENT TO GOVERNMENT OF A NON-REFUNDABLE PREMIUM OF \$2.79 MILLION WITHIN 14 DAYS OF THE COMMENCEMENT OF THE ORDINANCE, MR GREWAL SAID.

THE PREMIUM COMPRISES A SUM OF \$2.6 MILLION EARLIER AGREED UPON FOR A 20-YEAR RIGHT TO OPERATE THE TRAMWAY AND A FURTHER SUM OF \$190 000 BEING INTEREST WHICH HAD ACCRUED SINCE THE INTRODUCTION OF THE BILL INTO THE COUNCIL IN DECEMBER 1985, HE ADDED.

THE SECRETARY FOR TRANSPORT WOULD BE EMPOWERED TO GRANT A FURTHER PERIOD OF 10 YEARS UPON THE COMPANY SATISFYING HIM WITHIN TWO YEARS OF THE DATE OF COMMENCEMENT OF THE AMENDING ORDINANCE OF ITS COMMITMENT TO CARRY OUT APPROVED WORKS FOR THE MODERNISATION AND IMPROVEMENT OF THE TRAMWAY AND ANCILLARY EQUIPMENT.

NO FURTHER PREMIUM WOULD BE PAYABLE IN RESPECT OF THIS SECOND 10-YEAR PERIOD, HE ADDED.

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HOSPITAL EXPENSES: BILL REMOVES ONUS ON MOTOR VEHICLE INSURERS
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THERE IS NO JUSTIFICATION FOR SINGLING OUT MOTOR INSURANCE COMPANIES BY REQUIRING THEM TO MEET HOSPITAL COSTS INCURRED IN TREATING TRAFFIC ACCIDENT VICTIMS, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR SHIPMAN WAS MOVING THE SECOND READING OF THE MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS)(AMENDMENT) BILL 1986. THE BILL WOULD REPEAL A PROVISION OF THE PRINCIPAL ORDINANCE REQUIRING INSURANCE COMPANIES WHENEVER THEY MAKE ANY PAYMENT UNDER A MOTOR VEHICLE INSURANCE POLICY TO PAY ALSO THE EXPENSES REASONABLY INCURRED BY NON-PROFIT-MAKING HOSPITALS IN TREATING PEOPLE INJURED BY THE INSURED VEHICLE.

HE SAID THAT ALTHOUGH THE ORDINANCE WAS ENACTED IN 1951, ARRANGEMENTS TO RECOVER HOSPITAL EXPENSES FROM INSURANCE COMPANIES WERE NOT INSTITUTED UNTIL 1978. HOWEVER, A REVIEW IN 1981 ESTABLISHED THAT THE RECOVERY RATE HAD BEEN VERY LOW AND THAT THE REVENUE RAISED FROM THE SCHEME HAD NOT MET THE COST OF ADMINISTRATION. THE SCHEME WAS THEREFORE SUSPENDED IN SEPTEMBER 1981.

+IT IS CONSIDERED THAT THE SCHEME WOULD CONTINUE TO FACE ADMINISTRATIVE DIFFICULTIES IF IT WERE REVIVED. THERE ARE, MOREOVER, DOUBTS ABOUT WHETHER IT IS APPROPRIATE TO LEVY A CHARGE OF THIS KIND,+ HE SAID.

GENERAL WARDS IN PUBLIC HOSPITALS WERE OPEN TO ALL WHO REQUIRED TREATMENT, IRRESPECTIVE OF THE CAUSE OF THEIR INJURY AND NO ATTEMPT HAD EVER BEEN MADE TO RECOVER HOSPITAL EXPENSES INCURRED IN TREATING OTHER TYPES OF VICTIM.

THE EMPLOYEES' COMPENSATION ORDINANCE, FOR EXAMPLE, DID NOT REQUIRE THE INSURER TO MEET THE COSTS INCURRED BY PUBLIC HOSPITALS IN TREATING INJURED EMPLOYEES. NEITHER WERE SUCH EXPENSES RECOVERED IN ASSAULT AND BATTERY CASES.

DEBATE ON THE MOTION WAS ADJOURNED.

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POWER TO VARY FEES
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THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, PROPOSED THE ADDITION OF A NEW CLAUSE, 5A, TO THE BIRTHS AND DEATHS REGISTRATION (AMENDMENT) BILL 1986 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

WINDING UP THE DEBATE ON THE BIRTHS AND DEATHS REGISTRATION (AMENDMENT) BILL 1986, THE FOREIGN MARRIAGES (AMENDMENT) BILL 1986 AND THE LEGITIMACY (AMENDMENT) BILL 1986, MR MATHEWS SAID THE PURPOSE OF THIS NEW CLAUSE WAS TO MAKE IT POSSIBLE FOR FUTURE CHANGES IN FEES TO BE MADE BY RESOLUTION OF THE LEGISLATIVE COUNCIL.

+GIVEN THAT NONE OF THE FEES IN THE PRINCIPAL ORDINANCE IS ABOVE \$70, I DO NOT BELIEVE THAT THE FULL LEGISLATIVE PROCESS IS NEEDED FOR THEIR VARIATION,+ HE SAID.

MR MATHEWS ALSO PROPOSED SIMILAR AMENDMENTS TO THE FOREIGN MARRIAGES (AMENDMENT) BILL AND THE LEGITIMACY (AMENDMENT) BILL.

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FOURTH COLLEGE AT CU WELCOME DEVELOPMENT
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THE ADMINISTRATION WELCOMES THE ESTABLISHMENT OF A FOURTH COLLEGE AT THE CHINESE UNIVERSITY, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON NEIL HENDERSON, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE WAS SPEAKING IN SUPPORT OF THE CHINESE UNIVERSITY OF HONG KONG (DECLARATION OF SHAW COLLEGE) BILL 1986.

BESIDES COMPLEMENTING THE THREE EXISTING CONSTITUENT COLLEGES AS THE STUDENT POPULATION OF THE UNIVERSITY CONTINUED TO GROW, SHAW COLLEGE WOULD ALSO PROVIDE A BASIS FOR THE CONTINUED DEVELOPMENT OF THE UNIVERSITY AND CONTRIBUTE TO MEETING THE DEMAND FOR ADDITIONAL PLACES, HE SAID.

+SIR RUN RUN SHAW, WHOSE GENEROUS DONATION MAKES THE ESTABLISHMENT OF THIS NEW COLLEGE POSSIBLE, CAN RIGHTLY BE PROUD OF HIS CONTRIBUTION TO HIGHER EDUCATION IN HONG KONG, FOR WHICH THE GOVERNMENT AND THE COMMUNITY ARE DEEPLY APPRECIATIVE.+

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PRAISE FOR RETIRING OFFICIALS

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TWO OFFICIAL MEMBERS RETIRING FROM THE LEGISLATIVE COUNCIL WERE PRAISED FOR THEIR WORK BY THE COUNCIL PRESIDENT, THE HON SIR DAVID AKERS-JONES, IN A VALEDICTORY SPEECH TODAY (WEDNESDAY).

THE SECRETARY FOR LANDS AND WORKS, THE HON NICKY CHAN, AND THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON NEIL HENDERSON, WERE TAKING PART IN A COUNCIL MEETING FOR THE LAST TIME.

SIR DAVID NOTED THAT MR CHAN HAD JOINED THE COUNCIL IN 1983 BUT BEFORE THAT HE HAD SERVED FOR MORE THAN 30 YEARS IN VARIOUS OFFICES OF THE PUBLIC WORKS DEPARTMENT.

HE HAD TAKEN PART IN THE GREAT CHANGES OF THE PAST THREE DECADES WHICH HAD TRANSFORMED HONG KONG INTO A THRIVING METROPOLIS.

+MR CHAN LEAVES THIS COUNCIL KNOWING THAT THE MAJOR REORGANISATION OF THE LAND AND WORKS GROUP OF DEPARTMENTS IS NOW IN PLACE,+ SIR DAVID SAID.

SIR DAVID COMMENTED THAT MR HENDERSON HAD SERVED THE GOVERNMENT FOR MORE THAN 24 YEARS AND THE COUNCIL FOR EIGHT YEARS, AND HAD BEEN INVOLVED IN ENGINEERING OF ANOTHER KIND - SOCIAL ENGINEERING.

HE HAD WORKED IN MANY BRANCHES OF GOVERNMENT, BUT FOR MUCH OF THE LAST 13 YEARS HE HAD BEEN PURSUING ADMINISTRATIVE AND STATUTORY MEASURES WHICH HAD ALREADY BEEN A PROFOUND EFFECT UPON THE SAFETY AND WELL-BEING OF THE WORKFORCE.

HIS CONTRIBUTION TO EDUCATION SINCE HIS APPOINTMENT AS SECRETARY FOR EDUCATION AND MANPOWER HAD BEEN NO LESS SIGNIFICANT.

SIR DAVID ALSO PAID TRIBUTE TO MR HENDERSON'S EFFORTS ON BEHALF OF THE DISABLED.

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OUTGOING SECRETARIES PRAISED FOR CONTRIBUTIONS

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TRIBUTE WAS PAID TODAY (WEDNESDAY) BY THE HON S.L. CHEN TO THE CONTRIBUTION AND SERVICE OF TWO OUTGOING MEMBERS, THE SECRETARY FOR LANDS AND WORKS, THE HON CHAN NAI-KEONG, AND THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON NEIL HENDERSON.

IN HIS VALEDICTORY SPEECH ON BEHALF OF OTHER COUNCILLORS, MR CHEN SAID MR CHAN HAD PLAYED AN IMPORTANT ROLE IN LAYING THE GROUNDWORK ON WHICH HONG KONG'S PROSPERITY WAS BASED.

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NOTING THAT HONG KONG'S PROSPERITY COULD NOT BE GUARANTEED WITHOUT CAREFUL LONG-TERM PLANNING, MR CHEN SAID THE LANDS AND WORKS BRANCH HAD COMPILED +AN IMPORTANT DOCUMENT PROVIDING A PLANNING FRAMEWORK FOR GROWTH WHICH WOULD TAKE US INTO THE 1990'S AND BEYOND+.

+THE LEADERSHIP PROVIDED BY MR CHAN IN THIS COMPLEX AND CAREFUL EXERCISE HAS BEEN MOST VALUABLE,+ HE ADDED.

MR CHEN ALSO PRAISED MR HENDERSON FOR HIS DEDICATION IN THE MANY ASPECTS OF LABOUR LEGISLATION SINCE HIS APPOINTMENT AS COMMISSIONER FOR LABOUR.

MR HENDERSON'S GOOD WORK IN THIS AREA, HE SAID, WAS EVIDENT AGAIN DURING HIS TENURE AS SECRETARY FOR EDUCATION AND MANPOWER, MAKING SIGNIFICANT CONTRIBUTION TO LEGISLATION ON EDUCATION AND REHABILITATION OF THE DISABLED.

FINALLY, MR CHEN SAID THE TWO MEMBERS WERE EACH GOING THEIR SEPARATE WAYS AFTER LEAVING THIS COUNCIL AND WISHED THEM EVERY SUCCESS.

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TEN BILLS PASSED
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NINE BILLS AND ONE UNOFFICIAL MEMBER'S BILL WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE NINE PASSED BILLS WERE: THE SUPPLEMENTARY APPROPRIATION (1985-86) BILL 1986, THE BIRTHS AND DEATHS REGISTRATION (AMENDMENT) BILL 1986, THE FOREIGN MARRIAGE (AMENDMENT) BILL 1986, THE LEGITIMACY (AMENDMENT) BILL 1986, THE FIRE SERVICES (AMENDMENT)(NO. 3) BILL 1986, THE REHABILITATION OF OFFENDERS BILL 1986, THE KOWLOON-CANTON RAILWAY CORPORATION (AMENDMENT) BILL 1986, THE PEAK TRAMWAY (AMENDMENT) BILL 1985, AND THE PHARMACY AND POISONS (AMENDMENT) BILL 1986.

THE UNOFFICIAL MEMBER'S BILL WAS THE CHINESE UNIVERSITY OF HONG KONG (DECLARATION OF SHAW COLLEGE) BILL 1986.

ONE BILL, THE MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) (AMENDMENT) BILL 1986, WAS INTRODUCED AND READ A SECOND TIME. DEBATE ON IT WAS ADJOURNED.

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REINFORCED SAFETY LEGISLATION SET FOR NEXT SESSION
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NEW LEGISLATION TO REINFORCE THE EXISTING SAFETY LEGISLATION BY THE ENACTMENT OF THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (SAFETY OFFICERS AND SAFETY SUPERVISORS) REGULATIONS 1986, WOULD BE SUBMITTED TO THE LEGISLATIVE COUNCIL EARLY IN THE NEXT SESSION FOR APPROVAL.

THE REGULATIONS, WHICH WOULD REQUIRE CONTRACTORS IN THE CONSTRUCTION INDUSTRY TO EMPLOY SAFETY OFFICERS AND SAFETY SUPERVISORS, SHOULD RESULT IN IMPROVED SAFETY PLANNING AND A SAFER SYSTEM OF WORK ON CONSTRUCTION SITES, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON NEIL HENDERSON, SAID TODAY (WEDNESDAY).

IT WOULD ALSO REDUCE THE LIKELIHOOD OF FUTURE ACCIDENTS OF THIS KIND, HE ADDED.

REPLYING TO A QUESTION BY THE HON CHENG HON-KWAN, MR HENDERSON SAID THERE WAS ALREADY SUBSIDIARY LEGISLATION UNDER THE FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE TO LAY DOWN SAFETY STANDARDS FOR WORKERS EMPLOYED IN CAISSON WORK.

+THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (CONFINED SPACES) REGULATION REQUIRE A CONTRACTOR EITHER TO ENSURE THAT A CAISSON IS FREE OF DANGEROUS FUMES OR, WHERE THIS IS NOT DONE OR CANNOT BE DONE, NOT TO PERMIT A WORKER TO ENTER THE CAISSON WITHOUT ADEQUATE BREATHING APPARATUS,+ HE SAID.

+THE WORKER MUST ALSO BE ROPED TO ENABLE HIM TO BE PULLED TO SAFETY, IF NECESSARY, AND REVIVAL APPARATUS MUST BE ON HAND.+

MR HENDERSON SAID LEGISLATION WAS OF COURSE NOT ADEQUATE BY ITSELF TO PREVENT ACCIDENTS UNLESS ITS PURPOSE WAS UNDERSTOOD AND ITS PROVISIONS WERE ENFORCED.

+THE GOVERNMENT HAS THEREFORE PLACED GREAT EMPHASIS ON CONSTRUCTION SAFETY IN ITS ENFORCEMENT ACTIVITIES AND IN ITS PUBLICITY AND EDUCATION PROGRAMMES.+

HE SAID IN MARCH THIS YEAR, THE FACTORY INSPECTORATE OF THE LABOUR DEPARTMENT CARRIED OUT A SPECIAL INSPECTION PROGRAMME OF 35 CONSTRUCTION SITES WITH POOR RECORDS OF SAFETY IN ADDITION TO ITS NORMAL INSPECTION PROGRAMMES.

BREACHES OF VARIOUS REGULATIONS WERE FOUND AND 32 PROSECUTIONS HAD BEEN TAKEN OUT AGAINST CONTRACTORS CONCERNED.

/+IN MAY

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+IN MAY 1986, THE CONSTRUCTION AND INDUSTRIAL SAFETY SUB-COMMITTEE OF THE COMMITTEE ON INDUSTRIAL SAFETY AND ACCIDENT PREVENTION OF THE LABOUR ADVISORY BOARD ESTABLISHED A WORKING PARTY ON SAFETY AND HEALTH IN CAISSON WORK WITH REPRESENTATIVES FROM EMPLOYERS, EMPLOYEES AND THE LABOUR DEPARTMENT, TO STUDY IN DETAIL THE SAFETY HAZARDS ASSOCIATED WITH CAISSON WORK AND TO CONSIDER WHETHER THERE IS SCOPE FOR FURTHER SAFETY MEASURES,+ MR HENDERSON SAID.

+THIS TRIPARTITE APPROACH IS, I THINK, A PARTICULARLY EFFECTIVE WAY OF DEALING WITH SAFETY PROBLEMS OF THIS KIND, WHICH CONCERN GOVERNMENT, EMPLOYERS AND EMPLOYEES, AND SHOULD DO MUCH TO PROMOTE AWARENESS OF THE PROBLEM.+

AS FAR AS PUBLICITY WAS CONCERNED, HE SAID, INCREASED EMPHASIS HAD BEEN GIVEN SINCE THE BEGINNING OF JULY TO MEDIA PUBLICITY ON SAFETY IN CAISSON WORK, INCLUDING PRESS RELEASES, RADIO INTERVIEWS AND TELEVISION ANNOUNCEMENTS.

CONCERNING THE ACCIDENT ON JULY 5 IN WHICH THREE WORKERS TRAGICALLY DIED WHILE CARRYING OUT CAISSON WORK, MR HENDERSON SAID, THE INVESTIGATION HAD NOT YET BEEN COMPLETED AND THE CIRCUMSTANCES OF THEIR DEATHS HAD NOT YET DEFINITELY BEEN ESTABLISHED.

+THE FINDINGS OF THE INVESTIGATION WILL HOWEVER BE CAREFULLY STUDIED WHEN THEY ARE AVAILABLE IN CASE THERE ARE NEW LESSONS TO BE LEARNED.+

+AS THIS WAS A FATAL ACCIDENT, AN INQUEST WILL ALSO BE HELD IN DUE COURSE.+

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AMENDMENTS PROPOSED TO RULES FOR SOLICITORS

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THE COUNCIL OF THE LAW SOCIETY HAS PROPOSED AMENDMENTS TO THE SOLICITORS' PRACTICE RULES TO PROVIDE FOR SEPARATE LEGAL REPRESENTATION IN CONVEYANCING TRANSACTIONS, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE DRAFT AMENDING RULES HAVE BEEN SUBMITTED TO THE CHIEF JUSTICE FOR HIS APPROVAL IN ACCORDANCE WITH THE LEGAL PRACTITIONERS ORDINANCE.

/IN REPLY

IN REPLY TO A QUESTION BY THE HON CHUNG PUI-LAM, MR MATHEWS SAID THE RULES, WHEN MADE, WOULD PROVIDE THAT A SOLICITOR, OR TWO OR MORE SOLICITORS PRACTISING IN PARTNERSHIP OR ASSOCIATION, SHOULD NOT ACT FOR BOTH THE VENDOR AND PURCHASER ON A SALE OR DISPOSITION OF LAND FOR VALUE.

HE ADDED: +THE RULES CONTAIN CERTAIN EXCEPTIONS. THESE ARE: TRANSACTIONS BETWEEN DEFINED ASSOCIATED PARTIES WHERE THE PRICE OF THE LAND DOES NOT EXCEED \$250 000 AND NO CONFLICT OF INTEREST IS APPARENT= FIRST SALE AND PURCHASE OF UNITS IN UNCOMPLETED OR COMPLETED DEVELOPMENTS= MORTGAGES OF LAND= AND LEASES OF LAND.+

MR MATHEWS NOTED THAT THE RULES ALSO PROVIDED THAT WHERE PARTIES TO A CONVEYANCING TRANSACTION WERE SEPARATELY REPRESENTED, EACH PARTY SHOULD PAY HIS OWN SOLICITOR'S COSTS AND A SOLICITOR ACTING FOR ONE PARTY SHOULD NOT CHARGE OR RECOVER HIS COSTS FROM ANY OTHER PARTY.

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EARLY STEPS TAKEN TO PREVENT SHORT-SIGHTEDNESS
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THE MAIN THRUST OF EFFORTS TO PREVENT SHORT-SIGHTEDNESS AMONG YOUNG PEOPLE LIES IN EARLY DETECTION AND PROVISION OF APPROPRIATE CORRECTIVE TREATMENT, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SAID IN THE LEGISLATIVE COUNCIL TODAY.

+TO THIS END, THE EDUCATION DEPARTMENT CONDUCTS A COMBINED SCREENING PROGRAMME ANNUALLY AMONG PRIMARY ONE PUPILS TO DETECT ANY VISUAL, HEARING OR SPEECH IMPEDIMENTS,+ MR SHIPMAN SAID IN REPLY TO THE HON HILTON CHEONG-LEEN.

+STUDENTS WHO ARE FOUND TO HAVE VISUAL DEFECTS ARE REFERRED TO SPECIALIST CLINICS FOR ASSESSMENT AND REMEDIAL ACTION.+

MR SHIPMAN EXPLAINED THAT A HIGH PERCENTAGE OF STUDENTS AND YOUNG PEOPLE WORE SPECTACLES BECAUSE MYOPIA AMONG ASIANS WAS STRONGLY HEREDITARY AND GENETIC IN ORIGIN, AND THIS HIGH PERCENTAGE APPLIED NOT ONLY TO HONG KONG BUT ALSO TO JAPAN, CHINA AND SINGAPORE.

HE SAID OUT OF 86 400 PRIMARY ONE PUPILS WHO WERE SCREENED IN 1984-85 TO IDENTIFY POSSIBLE EYESIGHT PROBLEMS, 6 300 WERE REFERRED TO SPECIALIST CLINICS.

HEALTH EDUCATION ON GENERAL EYE CARE WAS CARRIED OUT ON A REGULAR BASIS IN SCHOOLS, WITH SUPPORT FROM THE CENTRAL HEALTH EDUCATION UNIT OF THE MEDICAL AND HEALTH DEPARTMENT, PROFESSIONAL BODIES AND VOLUNTARY AGENCIES.

IN ADDITION, MR SHIPMAN SAID, THE HEALTH EDUCATION SYLLABUS FOR PRIMARY SCHOOLS INCLUDED A STUDY OF THE FUNCTIONS OF THE EYES AND THEIR CARE.

+PUPILS ARE MADE AWARE OF SUITABLE LIGHTING CONDITIONS FOR WORK, OF THE SUITABLE DISTANCE OF TEXTBOOKS FROM THE EYES, AND OF PRECAUTIONS TO TAKE WHEN WATCHING TELEVISION.+

HE SAID THE DIRECTOR OF EDUCATION HAD ISSUED A CIRCULAR TO HEADS OF SCHOOLS IN OCTOBER LAST YEAR WHICH PROVIDED DETAILED ADVICE ON WAYS OF ENSURING THAT PUPILS WERE NOT SUBJECTED TO ANY UNDUE EYESTRAIN.

+THIS CIRCULAR STRESSES THE IMPORTANCE OF PROPER LIGHTING BOTH IN SCHOOL AND AT HOME AND GIVES ADVICE ON THE TYPE AND SIZE OF PRINT TO BE USED IN TEXTBOOKS, ON THE PREVENTION OF EYE ACCIDENTS AND ON PERSONAL HYGIENE.+

HE POINTED OUT THAT THE PROVISION OF ADEQUATE LIGHT IN SCHOOLS AND THE USE OF TEXTBOOKS WITH PRINT OF A SUITABLE TYPE AND SIZE WERE ALSO STIPULATED IN THE EDUCATION REGULATIONS.

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FINANCING OF SAFETY COUNCIL UNDER STUDY

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METHODS FOR COLLECTING A LEVY FOR FINANCING AN OCCUPATIONAL SAFETY AND HEALTH COUNCIL ARE BEING EXPLORED BY THE COMMITTEE ON INDUSTRIAL SAFETY AND ACCIDENT PREVENTION SET UP UNDER THE LABOUR ADVISORY BOARD.

THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON NEIL HENDERSON, SAID THIS IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) WHEN REPLYING TO A QUESTION BY THE HON CHAN KAM-CHUEN, WHO HAD ASKED ABOUT PROGRESS MADE IN ESTABLISHING SUCH A COUNCIL.

MR HENDERSON SAID THAT WHEN THE METHOD OF COLLECTING THE PROPOSED LEVY AND OTHER RELATED ISSUES WERE RESOLVED, HE EXPECTED THAT THE COMMITTEE WOULD PRESENT ITS VIEWS TO THE COMMISSIONER OF LABOUR, WHO WOULD CONSULT THE LABOUR ADVISORY BOARD AND RELEVANT ORGANISATIONS BEFORE MAKING RECOMMENDATIONS TO THE ADMINISTRATION.

/HE SAID

HE SAID A WORKING PARTY SET UP BY THE COMMITTEE HAD SUBMITTED ITS REPORT IN JULY LAST YEAR, AND PROPOSED THAT A STATUTORY OCCUPATIONAL SAFETY AND HEALTH COUNCIL BE FORMED. IT WOULD COMPRISE REPRESENTATIVES OF EMPLOYERS, EMPLOYEES, ACADEMIC INSTITUTIONS AND PROFESSIONAL BODIES AND A NUMBER OF PUBLIC OFFICERS.

IT WAS ENVISAGED THAT THE COUNCIL SHOULD PROVIDE SERVICES AT A PROFESSIONAL LEVEL TO BOTH THE INDUSTRIAL AND NON-INDUSTRIAL SECTORS= AND DEVELOP A FULL RANGE OF ACTIVITIES IN TRAINING AND EDUCATION, PROMOTION, INFORMATION AND CONSULTANCY IN OCCUPATIONAL SAFETY AND HEALTH.

OTHER RECOMMENDATIONS WERE THAT THE COUNCIL SHOULD BE SUPPORTED BY AN EXECUTIVE ARM HEADED BY AN EXECUTIVE DIRECTOR, AND THAT IT SHOULD BE FINANCED BY A LEVY.

THE COMMITTEE HAD ENDORSED THE WORKING PARTY'S RECOMMENDATIONS IN GENERAL TERMS IN OCTOBER, AND MADE A NUMBER OF SUGGESTIONS, ONE OF WHICH CONCERNED THE FINANCING OF THE COUNCIL.

+MEMBERS AGREED THAT SINCE OCCUPATIONAL SAFETY AND HEALTH WERE EMPLOYMENT-RELATED, THE COUNCIL SHOULD BE FINANCED BY A LEVY ON EMPLOYERS,+ HE SAID.

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AVOIDING ATTACK SITUATIONS THE BEST ANTI-RAPE MEASURE
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THE MOST EFFECTIVE MEASURE IN COMBATING THE CRIME OF RAPE AND INDECENT ASSAULT RESTS WITH POTENTIAL VICTIMS IN AVOIDING SITUATIONS WHERE ATTACKS ARE MORE LIKELY TO OCCUR, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON RITA FAN, MR MATHEWS SAID THE POLICE WOULD CONTINUE TO INVESTIGATE REPORTED ASSAULTS WITH A VIEW TO BRINGING THE PERPETRATORS TO JUSTICE.

HOWEVER, HE POINTED OUT THAT THE PARENTS MUST HAVE A ROLE HERE, IN ENDEAVOURING TO INSTIL IN CHILDREN AN APPRECIATION OF THE DANGERS.

/+A MORE

+A MORE ENLIGHTENED VIEW OF HUMAN SEXUAL RELATIONSHIPS PROPERLY EXPRESSED BY PARENTS AND TEACHERS MIGHT ALSO HELP TO REDUCE THE INCIDENCE OF THESE CRIMES AND THIS IS SOMETHING THE GOVERNMENT WILL CONTINUE TO WORK TOWARDS,+ HE SAID.

+ONE OPTION WHICH IS NOT AVAILABLE TO US IS TO INCREASE THE PENALTIES,+ HE ADDED.

THE MAXIMUM PENALTY FOR RAPE WAS LIFE IMPRISONMENT AND THAT FOR INDECENT ASSAULT WAS ALREADY FIVE YEARS' IMPRISONMENT, HE SAID.

+IT WOULD NOT BE APPROPRIATE TO MAKE EITHER OF THESE PENALTIES MORE SEVERE.+

MR MATHEWS SAID THE NUMBER OF RAPE CASES OF UNDER 16 YEARS OLD IN 1984 WAS 22, IN 1985 IT WAS 25 AND FROM JANUARY TO JUNE THIS YEAR WAS 20, WHILE THAT OF INDECENT ASSAULT WAS 277, 307 AND 156 IN THE CORRESPONDING PERIODS.

HE SAID THAT STATISTICS SHOWED THAT THIS TYPE OF CRIME WAS RUNNING AT A STABLE LEVEL.

ONE WORRYING ASPECT, HE SAID, WAS THAT THE NUMBER OF RAPES OF UNDER 16-YEAR-OLDS IN THE FIRST SIX MONTHS OF THIS YEAR, AT 3.1 PER 100 000, WAS CONSIDERABLY HIGHER THAN IT WAS IN THE SAME PERIOD LAST YEAR, WHICH WAS 1.7 PER 100 000.

THE FIGURE FOR THE CURRENT YEAR WAS NEARLY AS HIGH AS FOR EACH OF THE PREVIOUS THREE FULL YEARS, HE SAID.

+WE HAVE NO REASON TO SUPPOSE THIS INDICATES THE START OF A SIGNIFICANT TREND BUT WE WILL BE WATCHING THE SITUATION CLOSELY.+

MR MATHEWS SAID THAT NOT ONLY WAS THE CRIME OF RAPE BEING CONTAINED IN HONG KONG BUT AS FAR AS COULD BE ASCERTAINED FROM INTER-CITY AND INTER-COUNTRY COMPARISONS, IT WAS BEING CONTAINED AT A RELATIVELY LOW LEVEL.

THE DETECTION RATE ALSO COMPARED NOT UNFAVOURABLY WITH THAT IN OTHER CITIES, HE SAID.

IN 1984, THE DETECTION RATES IN CASES OF FORCIBLE RAPE WAS 52.9 PER CENT IN HONG KONG, 81.1 PER CENT IN TOKYO, 54.2 IN LONDON AND 14.0 IN KUALA LUMPUR.

MR MATHEWS ALSO POINTED OUT THAT FOR TECHNICAL REASONS, HONG KONG'S STATISTICS TENDED TO UNDERSTATE THE DETECTION RATES.

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DRAFT BILL PREPARED FOR CURBING PORNOGRAPHIC MATERIALS
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PROPOSALS CONTAINED IN DRAFT LEGISLATION TO STRENGTHEN CONTROLS OVER PORNOGRAPHIC ARTICLES ENVISAGE THE ESTABLISHMENT OF A JUDICIAL PROCESS WITH COMMUNITY PARTICIPATION, THE SECRETARY FOR DISTRICT ADMINISTRATION, THE HON DONALD LIAO, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON HUI YIN-FAT, MR LIAO SAID: +UPON THE EXECUTIVE COUNCIL'S APPROVAL IN PRINCIPLE OF MEASURES TO STRENGTHEN THE CONTROLS OVER PORNOGRAPHIC ARTICLES IN APRIL THIS YEAR, THE ADMINISTRATION HAS COMPLETED DRAFTING WORK ON A NEW BILL.+

+THE NEXT STEP IS TO FURTHER CONSULT THE EXECUTIVE COUNCIL IN THE VERY NEAR FUTURE AND, SUBJECT TO ITS ADVICE, A DRAFT BILL WILL BE PUBLISHED.+

+THE PROPOSALS ENVISAGE THE ESTABLISHMENT OF A JUDICIAL PROCESS, INVOLVING LAY PERSONS, TO CLASSIFY INTO CATEGORIES ARTICLES SUBMITTED.+

MR LIAO NOTED THAT BOTH THE PUBLISHER AND THE GOVERNMENT WOULD BE ABLE TO OBTAIN A SPEEDY CLASSIFICATION WITH THE COMMUNITY PARTICIPATING IN THE SIFTING PROCESS.

+THESE MEASURES SHOULD MEET MUCH OF THE COMMUNITY'S CONCERN THAT THERE SHOULD BE CONTROL OF THE PUBLICATION OF PORNOGRAPHIC MATERIALS,+ HE SAID.

+DETAILS OF THE DRAFT LEGISLATION MUST, HOWEVER, AWAIT THE ADVICE OF THE EXECUTIVE COUNCIL.+

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COMPLEX ISSUES ARISE FROM NEGLIGENCE CLAIMS
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THE GOVERNMENT WILL NEED A GREAT DEAL MORE INFORMATION BEFORE COMING TO ANY FIRM CONCLUSIONS CONCERNING QUESTIONS ARISING FROM THE INCREASING TREND IN NEGLIGENCE CLAIMS AGAINST PROFESSIONALS, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON LEE YU-TAI, MR MATHEWS SAID THE ISSUES WERE COMPLEX AND IT MIGHT BE NECESSARY TO EXAMINE THE POSITION OF THE VARIOUS PROFESSIONS SEPARATELY.

/MR LEE

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MR LEE HAD ASKED WHETHER THE GOVERNMENT WOULD CONSIDER REVIEWING POLICY SO AS TO ALLOW PROFESSIONALS IN HONG KONG TO PRACTISE IN THE FORM OF INCORPORATIONS WITH LIMITED LIABILITY.

+THERE IS VERY LITTLE I CAN USEFULLY SAY IN RESPONSE TO LEE'S QUESTION, EXCEPT PERHAPS TO ISSUE A NOTE OF WARNING,+ MR MATHEWS SAID.

+THE PROBLEMS IS NOT ONE WHICH AFFECTS HONG KONG ALONE. IT IS VERY MUCH AN INTERNATIONAL PROBLEM.+

+SO FAR AS I AM AWARE, NO OTHER MAJOR COMMON LAW JURISDICTION - THAT IS, THE UNITED KINGDOM, THE UNITED STATES, CANADA, AUSTRALIA AND NEW ZEALAND, HAS YET FOUND AN ACCEPTABLE SOLUTION.+

MR MATHEWS SAID THE GOVERNMENT HAD RECENTLY RECEIVED A JOINT SUBMISSION ON THE MATTER FROM AN AD HOC COMMITTEE REPRESENTING VARIOUS PROFESSIONS, INCLUDING ACCOUNTANTS AND LAWYERS.

THE COMMITTEE HAD DRAWN ATTENTION TO THE FACT THAT NEGLIGENCE ACTIONS HAD, IN RECENT YEARS, INCREASED BOTH IN NUMBER AND VALUE. AS A RESULT, SOME PROFESSIONS WERE EXPERIENCING DIFFICULTY IN OBTAINING PROFESSIONAL INDEMNITY INSURANCE AT REASONABLE COST.

+I EXPECT TO MEET THE COMMITTEE VERY SHORTLY TO DISCUSS THE PROBLEM WITH THEM,+ HE ADDED.

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CONTROLS ON DOMESTIC INSECTICIDES PLANNED
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NEW LEGISLATION PROVIDING FOR CONTROLS ON DOMESTIC INSECTICIDES IS BEING PREPARED, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REGULATIONS WOULD ALSO BE PROPOSED SHORTLY TO CONTROL THE DISPOSAL OF HAZARDOUS WASTE, INCLUDING WASTE INSECTICIDES SUCH AS DAMAGED OR REDUNDANT STOCK, HE SAID.

REPLYING TO A QUESTION BY DR THE HON HENRIETTA IP, MR SHIPMAN SAID THAT FOLLOWING CONSULTATIONS BETWEEN DEPARTMENTS THE GOVERNMENT ACCEPTED THERE WAS NEED FOR CONTROLS TO BE INTRODUCED IN THIS AREA.

/+THERE IS

+THERE IS AT PRESENT NO LEGISLATION WHICH DEALS SPECIFICALLY WITH DOMESTIC INSECTICIDES,+ HE SAID.

+HOWEVER, THE INGREDIENTS OF SOME SUCH INSECTICIDES ARE INCLUDED IN THE POISONS LIST MADE UNDER THE PHARMACY AND POISONS ORDINANCE AND IN THESE CASES THE PESTICIDES ARE SUBJECT TO CONTROLS IN RESPECT OF STORAGE, TRANSPORT, SALE, LABELLING AND BOTTLING.+

HE SAID THAT DOMESTIC INSECTICIDES COMPRISED DIVERSE GROUPS OF COMPOUND OF VARYING DEGREES OF TOXICITY, AND THE TOXICITY OF AN INSECTICIDE VARIED WITH THE CHARACTERISTICS OF THE INGREDIENTS, THEIR RESPECTIVE CONCENTRATION IN THE PRODUCT, THE MODE OF APPLICATION AND THE ACTUAL QUANTITY USED.

+IN GENERAL, IF DOMESTIC INSECTICIDES ARE USED PROPERLY THE HEALTH RISK SHOULD BE NEGLIGIBLE. HOWEVER, IMPROPER OR INDISCRIMINATE USE MAY LEAD TO HARMFUL EFFECTS,+ HE SAID.

+THE NORMAL USE OF DOMESTIC INSECTICIDES IS UNLIKELY TO LEAD TO CONTAMINATION OF THE GENERAL ENVIRONMENT.+

+HOWEVER, INDISCRIMINATE DISPOSAL OF LARGE QUANTITIES COULD LEAD TO ENVIRONMENTAL CONTAMINATION.+

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CENTRES HELPING EX-MENTAL PATIENTS RE-INTEGRATE
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THE PRIMARY OBJECTIVE IN ESTABLISHING COMMUNITY THERAPEUTIC CENTRES IS TO HELP EX-MENTAL PATIENTS TO RE-INTEGRATE INTO THE COMMUNITY AND TO LIVE INDEPENDENTLY, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON NEIL HENDERSON, SAID TODAY (WEDNESDAY).

REPLYING TO QUESTIONS BY THE HON LIU LIT-FOR IN THE LEGISLATIVE COUNCIL, MR HENDERSON SAID SINCE THE CENTRES THEMSELVES WERE RESIDENTIAL THEY HAD TO BE CLOSE TO RESIDENTIAL AREAS.

HE SAID THE IDENTIFICATION OF SITES FOR THE CENTRES HAD TAKEN INTO CONSIDERATION SEVERAL FACTORS.

+FIRSTLY, THE SITE HAS TO BE IN A LOCATION ADJACENT TO AN ESTABLISHED RESIDENTIAL AREA. THIS IS NECESSARY TO SERVE THE PURPOSES OF RE-INTEGRATION AND THERAPY THROUGH CONTACT WITH THE COMMUNITY,+ HE SAID.

+SECONDLY, WE NEED SITES WHICH ARE READILY AVAILABLE BECAUSE OF THE URGENT DEMANDS FOR THE SERVICE.

/+THIRDLY,

+THIRDLY, THE SITE SHOULD BE CLOSE TO A PSYCHIATRIC CENTRE OR CLINIC WHICH CAN PROVIDE SUPPORTING SERVICES.+

LASTLY, THE BUILDING ON THE SITE HAD TO BE EITHER PURPOSE-BUILT OR AN EXISTING INDEPENDENT BUILDING WHICH COULD BE CONVERTED EASILY INTO SUITABLE HOSTEL-TYPE ACCOMMODATION WHICH ALLOWED EFFECTIVE SUPERVISION WHILE THE CLIENT UNDERWENT HIS OWN INDIVIDUAL REHABILITATION PROGRAMMES, HE ADDED.

MR HENDERSON SAID THE GOVERNMENT HAD TWO COMMUNITY THERAPEUTIC CENTRES UNDER PLANNING, ONE IN KENNEDY TOWN AND THE OTHER IN KWAI CHUNG, AND THESE WOULD BE SUFFICIENT TO MEET THE ESTIMATED DEMAND FOR THE SERVICE.

+BOTH OF THESE CENTRES WILL BE INDEPENDENT BLOCKS SEPARATED BY A ROAD FROM OTHER RESIDENTIAL ACCOMMODATION,+ HE SAID.

MR HENDERSON STRESSED THAT CLIENTS OF THE CENTRES MUST BE STABLE BEFORE THEY WERE DISCHARGED, ON PROFESSIONAL MEDICAL ADVICE, FROM MENTAL HOSPITALS INTO THE CENTRES, AND THEY WOULD BE UNDER CLOSE SUPERVISION AND CARE AS PREPARATION FOR INDEPENDENT LIVING AND REINTEGRATION INTO THE COMMUNITY.

+SO WE DO NOT BELIEVE THAT THEIR PRESENCE SHOULD HAVE AN ADVERSE AFFECT ON NEARBY RESIDENTS,+ HE SAID.

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TYPHOON MEASURES ARRANGED WITH PUBLIC TRANSPORT OPERATORS
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ARRANGEMENTS HAVE BEEN MADE WITH PUBLIC TRANSPORT OPERATORS WHEREBY BUSES WILL CONTINUE TO RUN FOR AT LEAST THREE HOURS AND TRAINS FOR AT LEAST SIX HOURS AFTER TYPHOON SIGNAL NO. 8 IS HOISTED, THE SECRETARY FOR TRANSPORT, THE HON HARNAM GREWAL, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON PAULINE NG, MR GREWAL SAID THAT SUCH SERVICE EXTENSIONS, WHICH WERE PART OF THE MEASURES TO IMPROVE TRANSPORT ARRANGEMENTS DURING TYPHOONS, WOULD NOT APPLY TO FERRY SERVICES, NOR IF NO. 9 OR A HIGHER SIGNAL WAS HOISTED.

MR GREWAL SAID DIRECT COMMUNICATION LINKS WOULD BE ESTABLISHED BETWEEN THE ROYAL OBSERVATORY AND PUBLIC TRANSPORT OPERATORS ONCE TYPHOON SIGNAL NO. 3 WAS UP, AND THE LATTER WOULD BE POSTED AT REGULAR INTERVALS ON THE POSSIBILITY OF TYPHOON SIGNAL NO. 8 BEING HOISTED.

+WITH THE BENEFIT OF SUCH ADVICE THE OPERATORS WILL BE BETTER PLACED TO PROVIDE ADDITIONAL CARRYING CAPACITY IN AREAS WHERE MAJOR DEMAND CAN BE EXPECTED, THUS IN THE CASE OF THE MTRC INCREASING STATION THROUGHPUT AND REDUCING THE NEED TO REGULATE ADMISSION OF INTENDING PASSENGERS THROUGH PERIODIC CLOSURE OF STATION ENTRANCES,+ HE SAID.

MR GREWAL RECALLED THAT WITHIN THE FIRST 30 MINUTES OF SIGNAL NO. 8 BEING HOISTED DURING TYPHOON PEGGY, SOME MTR STATIONS WERE SUBJECTED TO DEMAND FROM INTENDING PASSENGERS WHICH WOULD NORMALLY BE HANDLED OVER A PERIOD OF TWO HOURS OR MORE.

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BAN ON CHILDREN'S ASPIRIN 'UNNECESSARY'
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THE PHARMACEUTICAL REGISTRATION COMMITTEE HAD CONSIDERED THAT A BAN ON CHILDREN'S ASPIRIN WOULD BE UNNECESSARY AS NO DEFINITE LINK BETWEEN THE DRUG AND REYE'S SYNDROME HAD BEEN ESTABLISHED UP TO THE PRESENT, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SAID TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON SELINA CHOW IN THE LEGISLATIVE COUNCIL, MR SHIPMAN SAID THE COMMITTEE HAD TAKEN INTO ACCOUNT THE EVIDENCE AND REPORTS FROM THE WORLD HEALTH ORGANISATION AND OTHER COUNTRIES IN ITS DELIBERATIONS.

+I AM NOT AWARE OF ANY COUNTRY WHICH HAS BANNED THE SALE OF JUNIOR ASPIRIN PRODUCTS AND, MOREOVER, ASPIRIN REMAINS A SUITABLE DRUG FOR ADULTS,+ HE SAID.

THERE WERE NO CHILDREN'S DEATHS DIRECTLY ATTRIBUTABLE TO THE USE OF ASPITIN, HE ADDED.

MR SHIPMAN SAID THE PHARMACEUTICAL REGISTRATION COMMITTEE, HAVING RECEIVED RESULTS OF A STUDY WHICH LED TO VOLUNTARY WITHDRAWAL OF THE DRUG IN UK, HAD DECIDED ON JULY 16 THAT WHILE THE CAUSES OF REYE'S SYNDROME WERE NOT CLEARLY DEFINED, ASPIRIN MIGHT BE A CONTRIBUTORY CAUSE OF THE DISEASE IN SOME CHILDREN.

THIS CONCLUSION, ALONG WITH A RECOMMENDATION TO REQUEST THE VOLUNTARY WITHDRAWAL OF THE DRUG FROM THE MARKET, WERE ACCEPTED BY THE DIRECTOR OF MEDICAL AND HEALTH SERVICES.

THE MEDICAL AND HEALTH DEPARTMENT, IN ANNOUNCING THE WITHDRAWAL REQUEST, ALSO RECOMMENDED THAT THE CONTAINERS OF ALL ASPIRIN PRODUCTS SHOULD BE LABELLED IN BOTH ENGLISH AND CHINESE WITH A WARNING THAT THESE PRODUCTS SHOULD BE KEPT OUT OF THE REACH OF CHILDREN AND SHOULD NOT BE GIVEN TO CHILDREN UNDER 12 YEARS EXCEPT ON MEDICAL ADVICE, AND ON OTHER PRECAUTIONS THAT SHOULD BE TAKEN.

INFORMATION ABOUT A POSSIBLE LINK BETWEEN REYE'S SYNDROME AND THE USE OF ASPIRIN BY CHILDREN WAS GIVEN IN A WORLD HEALTH ORGANISATION NOTIFICATION IN LATE 1985, AFTER WHICH THE DEPARTMENT HAD BEEN MONITORING REPORTS FROM VARIOUS COUNTRIES.

MR SHIPMAN SAID THE DEPARTMENT WOULD CONTINUE TO MONITOR THE SITUATION AND REVIEW THE NEED FOR FURTHER MEASURES IN SIX MONTHS' TIME.

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HOSPITAL TEACHING FACILITIES ADEQUATE FOR FACULTY
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THE FACILITIES AVAILABLE AT THE PRINCE OF WALES HOSPITAL ARE ADEQUATE TO MEET THE TEACHING NEEDS OF THE FACULTY OF MEDICINE OF THE CHINESE UNIVERSITY OF HONG KONG, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, SAID TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO THE HON CHEUNG YAN-LUNG IN THE LEGISLATIVE COUNCIL, HE SAID THE FACULTY WAS ACTIVELY INVOLVED, AT THE HOSPITAL PLANNING STAGE, IN IDENTIFYING THE REQUIREMENTS FOR EQUIPMENT, STAFFING AND OTHER FACILITIES REQUIRED FOR TEACHING PURPOSES.

MR SHIPMAN SAID A JOINT LIAISON COMMITTEE COMPRISING SENIOR REPRESENTATIVES FROM THE MEDICAL AND HEALTH DEPARTMENT AND THE FACULTY, WHICH WAS ESTABLISHED IN 1985, WOULD ENSURE THAT ADEQUATE FACILITIES FOR TEACHING PURPOSES WERE MAINTAINED.

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DB'S HAVE APPROPRIATE URBAN MANAGEMENT ROLE
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THE PRESENT ROLE OF DISTRICT BOARDS IN URBAN MANAGEMENT IS CONSIDERED APPROPRIATE HAVING REGARD TO THEIR ADVISORY FUNCTION IN MANAGING DISTRICT AFFAIRS, THE SECRETARY FOR DISTRICT ADMINISTRATION, THE HON DONALD LIAO, SAID TODAY (WEDNESDAY).

+THE ROLE IS ESSENTIALLY INDIRECT AND CONFINED TO TENDERING ADVICE, BUT THIS MATTER WILL BE KEPT UNDER CONSTANT REVIEW SO AS TO IDENTIFY FURTHER SCOPE FOR INVOLVING THE DISTRICT BOARDS IN URBAN MANAGEMENT,+ MR LIAO TOLD THE LEGISLATIVE COUNCIL.

IN A WRITTEN REPLY TO A QUESTION BY THE HON LIU LIT-FOR, MR LIAO SAID THE URBAN MANAGEMENT ROLE OF DISTRICT BOARDS HAD BEEN EXERCISED THROUGH THE ADVICE THEY GAVE TO VARIOUS GOVERNMENT DEPARTMENTS AND THEIR GENERAL INVOLVEMENT IN THE PROCESS OF DECISION-MAKING IN THE MANAGEMENT OF DISTRICT AFFAIRS.

+IMPORTANT GOVERNMENT PROGRAMMES AND PROPOSED PROJECTS AFFECTING THE DISTRICTS ARE NORMALLY SUBMITTED TO THE BOARDS FOR ADVICE AND COMMENT,+ HE SAID.

+THESE INCLUDE DEVELOPMENT PROGRAMMES FOR NEW TOWNS, SOCIAL SERVICE AND EDUCATION FACILITIES, TRAFFIC MANAGEMENT SCHEMES, CLEARANCES FOR ENVIRONMENTAL IMPROVEMENTS AND THE BUS DEVELOPMENT PROGRAMMES.+

ONE MORE RECENT DEVELOPMENT HAD BEEN THE ACTIVE ROLE PLAYED BY THE DISTRICT BOARDS IN IDENTIFYING TARGET BUILDINGS FOR THE PROVISION OF PROFESSIONAL ASSISTANCE BY THE BUILDING MANAGEMENT TEAMS WHICH WERE NOW IN OPERATION IN FOUR DISTRICTS, MR LIAO SAID.

+I AM DELIGHTED TO SEE THAT THE DISTRICT BOARDS IN THE NEW TERRITORIES HAVE BEEN INVITED TO SELECT MEMBERS TO SIT ON THE DISTRICT COMMITTEES SET UP UNDER THE REGIONAL COUNCIL, AND ARE ABLE TO PLAY A GREATER PART IN DECISIONS REGARDING THE PROVISION AND MANAGEMENT OF MUNICIPAL SERVICES AND FACILITIES IN THE NEW TERRITORIES.+

+IT IS, HOWEVER, TOO EARLY TO ASSESS HOW SUCCESSFUL THESE ARRANGEMENTS WILL BE, BUT THE FACT THAT THE DISTRICT COMMITTEES ARE CHAIRED BY THE DISTRICT BOARDS' REPRESENTATIVES ON THE REGIONAL COUNCIL IS AN ENCOURAGING START,+

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PSYCHOLOGISTS ATTACHED TO FAMILY SERVICE CENTRES

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CLINICAL PSYCHOLOGISTS ARE ATTACHED TO SOME FAMILY SERVICE CENTRES AND THEY ALSO PROVIDE SUPPORT FOR THE REHABILITATION, ELDERLY AND CHILD CARE COUNSELLING SERVICES, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY THE HON HUI YIN-FAT, MR SHIPMAN SAID THE ROLE AND DEMAND FOR CLINICAL PSYCHOLOGISTS TO SUPPORT COUNSELLING SERVICES WAS IDENTIFIED IN 1984, ON THE RECOMMENDATION OF A WORKING GROUP WITH MEMBERSHIP FROM BOTH THE GOVERNMENT AND THE VOLUNTARY WELFARE SECTOR.

THE WORKING GROUP RECOMMENDED A PLANNING RATIO OF ONE CLINICAL PSYCHOLOGIST TO 1 356 COUNSELLING CASES, AND THIS WAS ENDORSED BY THE 1985 FIVE YEAR PLAN REVIEW AS AN INTERIM TARGET.

ON THE BASIS OF CURRENT CASELOAD IT WOULD BE NECESSARY TO INCREASE THE NUMBER OF CLINICAL PSYCHOLOGISTS FROM TEN TO 21 IN ORDER TO ACHIEVE THE INTERIM TARGET, HE SAID.

MR SHIPMAN ADDED THAT IN RECOGNITION OF THE SHORTAGE OF QUALIFIED PERSONS AND THE LIMITED OUTPUT OF NEW GRADUATES, THE 1985 REVIEW ACCEPTED THAT ACHIEVEMENT OF THE INTERIM TARGET WOULD HAVE TO BE PHASED.

+FUNDS ARE AVAILABLE TO CREATE FIVE ADDITIONAL POSTS IN THE SUBVENTED SECTOR DURING THE CURRENT FINANCIAL YEAR,+ HE SAID.

+THE SOCIAL WELFARE DEPARTMENT WILL BE SEEKING TO INCREASE ITS OWN ESTABLISHMENT IN THIS AREA IN THE NEXT FINANCIAL YEAR.+

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NON-HK RESIDENTS NEED TO PAY FULL HOSPITAL COSTS
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VISITORS AND NON-HONG KONG RESIDENTS USING GOVERNMENT HOSPITAL SERVICES ARE ACCOMMODATED AS FAR AS POSSIBLE IN PRIVATE WARDS, WHERE THEY ARE REQUIRED TO PAY THE FULL COST OF TREATMENT AND ACCOMMODATION, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY DR THE HON CHIU HIN-KWONG, MR SHIPMAN SAID THAT THOSE ADMITTED TO PUBLIC WARDS PAID ONLY THE STANDARD FEE OF \$18 WHICH WOULD, HOWEVER, BECOME \$20 WITH EFFECT FROM AUGUST 1 THIS YEAR.

HE SAID A SEPARATE FEE-CHARGING SYSTEM FOR PUBLIC WARDS WAS BEING CONSIDERED FOR NON-RESIDENTS WHO EITHER CAME TO HONG KONG FOR MEDICAL TREATMENT OR WERE REFERRED BY HONG KONG DOCTORS FOR TREATMENT IN A PUBLIC HOSPITAL.

BUT HE POINTED OUT THAT +GENUINE EMERGENCY CASES AND PERSONS FROM THE UNITED KINGDOM, WHICH HAS A RECIPROCAL AGREEMENT WITH HONG KONG, WOULD CONTINUE TO BE TREATED ON THE SAME BASIS AS LOCAL RESIDENTS+.

MR SHIPMAN SAID THAT A SPECIAL SURVEY SHOWED THAT 1 151 NON-RESIDENTS USED GOVERNMENT HOSPITAL SERVICES BETWEEN AUGUST 16 AND NOVEMBER 30 IN 1985, WITH 957 OF THEM BEING ADMITTED THROUGH THE ACCIDENT AND EMERGENCY DEPARTMENT.

+THE CRITERIA USED FOR DISTINGUISHING RESIDENTS FROM NON-RESIDENTS IS POSSESSION OF A HONG KONG IDENTITY CARD,+ HE SAID.

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IMPROVEMENTS PLANNED IN OUTREACH SOCIAL WORK
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PROPOSALS ARE BEING PREPARED FOR IMPROVING AND DEVELOPING THE OUTREACHING SOCIAL WORK SERVICE, THE SECRETARY FOR HEALTH AND WELFARE, THE HON NIGEL SHIPMAN, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY THE HON ROSANNA TAM, MR SHIPMAN SAID THAT IN SEPTEMBER 1985 THE CENTRE FOR HONG KONG STUDIES AT THE CHINESE UNIVERSITY OF HONG KONG COMPLETE A STUDY THAT EVALUATED THE PROGRAMME AND RECOMMENDED IMPROVEMENTS IN ITS METHODS AND ADMINISTRATION.

+THE SOCIAL WELFARE DEPARTMENT HAS DISCUSSED THE REPORT WITH THE HONG KONG COUNCIL OF SOCIAL SERVICE ON SEVERAL OCCASIONS AND IS NOW PREPARING A SERIES OF PROPOSALS FOR IMPROVING AND DEVELOPING THE SERVICE,+ HE SAID.

+THE ADVICE OF THE SOCIAL WELFARE ADVISORY COMMITTEE WILL BE SOUGHT ON THESE PROPOSALS IN DUE COURSE.+

MR SHIPMAN SAID THE OUTREACHING SOCIAL WORK SERVICE WAS STARTED IN 1979 WITH 18 TEN-MAN TEAMS.

+IN 1981, IN THE COURSE OF A REVIEW OF PERSONAL SOCIAL WORK AMONG YOUNG PEOPLE, IT WAS NOTED THAT BECAUSE OF THE DIFFICULTY IN RECRUITING TRAINED SOCIAL WORKERS, THESE TEAMS WERE OPERATING CONSISTENTLY AT WELL BELOW THEIR ESTABLISHED MANNING LEVELS.+

THE REVIEW RECOMMENDED THAT NO FURTHER EXPANSION OF THE SERVICE SHOULD BE CONTEMPLATED UNTIL 80 PER CENT OF THE EXISTING POSTS HAD BEEN FILLED BY STAFF OF AN APPROPRIATE RANK.

SINCE THEN THE AVERAGE STRENGTH OF THESE TEAMS HAD IMPROVED CONSIDERABLY AND IN MARCH THIS YEAR 89 PER CENT OF THE POSTS HAD BEEN FILLED, MR SHIPMAN SAID.

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STEPS TAKEN TO IMPROVE LANGUAGE LEARNING
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THE GOVERNMENT HAS ACCEPTED ADDITIONAL MEASURES PROPOSED BY THE EDUCATION COMMISSION TO IMPROVE LANGUAGE LEARNING AND THEY ARE EXPECTED TO BE IMPLEMENTED IN 1988, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON NEIL HENDERSON, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO PROFESSOR THE HON POON CHUNG-KWONG, MR HENDERSON SAID THESE MEASURES INCLUDED PROVISION OF ADDITIONAL TEACHERS OF ENGLISH, WITH FACILITIES FOR SMALL-GROUP TEACHING; A SECOND WIRE-FREE LOOP INDUCTION SYSTEM; AND A +ONE-OFF+ LIBRARY GRANT FOR ADDITIONAL READING MATERIALS IN ENGLISH AND OTHER TEACHING AIDS.

/OTHER MEASURES

OTHER MEASURES WERE RECRUITMENT OF EXPATRIATE LECTURERS IN ENGLISH FOR THE COLLEGES OF EDUCATION AND THE INSTITUTE OF LANGUAGE IN EDUCATION.

IN ADDITION, SCHOOLS WOULD BE PROVIDED WITH ATTAINMENT TESTS IN ENGLISH AND CHINESE TO HELP THEM GROUP THEIR SECONDARY 1 PUPILS. SUCH GROUPING SHOULD FACILITATE MORE EFFECTIVE TEACHING AND LEARNING, HE SAID.

HE ADDED: A SCHEME TO ENCOURAGE PUBLIC-SECTOR SCHOOLS TO EMPLOY EXPATRIATE TEACHERS OF ENGLISH IS NOW UNDER CONSIDERATION AND SCHOOLS ARE CURRENTLY BEING CONSULTED ON THIS SCHEME.

PROF POON HAD ASKED WHAT MEASURES WERE BEING TAKEN TO HELP STUDENTS TO MAINTAIN AND IMPROVE THEIR STANDARDS OF ACHIEVEMENT IN ENGLISH.

MR HENDERSON POINTED OUT THAT THE EDUCATION COMMISSION, IN ITS FIRST REPORT WHICH WAS PUBLISHED IN OCTOBER 1984, HAD ENDORSED THE IMPLEMENTATION OF THE 1980 PACKAGE OF MEASURES FOR IMPROVING CHINESE AND ENGLISH IN SCHOOLS.

THE MEASURES RELATING TO ENGLISH INCLUDED REVISING THE PRIMARY AND SECONDARY SCHOOL ENGLISH SYLLABUSES AND PROVIDING ADDITIONAL TEACHERS TO ALL PUBLIC-SECTOR SECONDARY SCHOOLS FOR REMEDIAL ENGLISH TEACHING.

FURTHER MEASURES COVERED EQUIPPING PUBLIC-SECTOR PRIMARY AND SECONDARY SCHOOLS WITH WIRE-FREE LOOP INDUCTION SYSTEMS TO PROVIDE STUDENTS WITH OPPORTUNITIES TO LISTEN TO WELL-SPOKEN ENGLISH AND TO IMPROVE THEIR LISTENING SKILLS, AND STRENGTHENING IN-SERVICE LANGUAGE TEACHERS EDUCATION THROUGH THE ESTABLISHMENT OF AN INSTITUTE OF LANGUAGE IN EDUCATION.

THESE MEASURES HAD ALREADY BEEN IMPLEMENTED, THOUGH THE REVISION OF ENGLISH SYLLABUSES WAS BEING CONDUCTED IN PHASES AND WAS NOT YET COMPLETE.

MR HENDERSON SAID PRIMARY SCHOOL SYLLABUSES HAD ALREADY BEEN REVISED, WHILE REVISION OF SECONDARY SCHOOL SYLLABUSES WAS BEING CARRIED OUT, STARTING THIS SEPTEMBER, IN THREE STAGES, AND WOULD BE COMPLETED BY SEPTEMBER 1988.

HE ADDED THAT THE ADVISORY INSPECTORATE OF THE EDUCATION DEPARTMENT WOULD CONDUCT INSPECTIONS ON A REGULAR BASIS TO MONITOR THE EFFECTIVE AND EFFICIENT USE OF THE ADDITIONAL RESOURCES.

IT WILL ALSO ISSUE GUIDELINES ON SMALL-GROUP TEACHING, ORGANISE REFRESHER COURSES, SEMINARS AND WORKSHOPS FOR TEACHERS OF ENGLISH, AND REVIEW THE ENGLISH LANGUAGE SYLLABUSES WHICH WILL BE, IF NECESSARY, REVISED IN THE LIGHT OF DEVELOPMENTS RELATING TO THE MEDIUM OF INSTRUCTION IN SECONDARY SCHOOLS.

THE INSTITUTE OF LANGUAGE IN EDUCATION ORGANISED FULL-TIME REFRESHER COURSES FOR SECONDARY SCHOOL TEACHERS OF ENGLISH AND THESE WERE TO BE EXPANDED FROM SEPTEMBER THIS YEAR, HE ADDED.

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FEEES REVISED FOR IMMIGRATION DEPARTMENT SERVICES
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FURTHER TO THE PACKAGE OF NEW IMMIGRATION DEPARTMENT FEES INTRODUCED ON JUNE 21 THIS YEAR, THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) APPROVED INCREASES IN FEES CHARGED FOR A NUMBER OF OTHER SERVICES PROVIDED BY THE DEPARTMENT.

THE NEW FEES ARE THOSE CHARGED UNDER THE BIRTHS AND DEATHS REGISTRATION ORDINANCE, THE FOREIGN MARRIAGE ORDINANCE AND THE LEGITIMACY ORDINANCE. THEY WILL BE INCREASED FROM FRIDAY (AUGUST 1).

THE OLD FEES WILL BE CHARGED FOR APPLICATIONS SUBMITTED BEFORE THIS DATE.

A GOVERNMENT SPOKESMAN EXPLAINED THAT IT IS WELL ESTABLISHED POLICY TO AIM AT RECOVERING COSTS OF SERVICES PROVIDED AND, AT THE SAME TIME, TO ENSURE THAT THE LEVELS OF THE FEES AND CHARGES ARE UP TO DATE.

+THE INCREASE ARE THE OUTCOME OF A NORMAL ADJUSTMENT EXERCISE TO TAKE ACCOUNT OF INCREASED OPERATING COSTS. THE NEW FEES ARE STILL BELOW THE COST OF PROVIDING THOSE SERVICES,+ HE ADDED.

THE REVISED FEES ARE :-

	OLD FEES (\$)	NEW FEES (\$)
POST REGISTRATION OF BIRTH (AFTER 42 DAYS) WITHIN 12 MONTHS FROM THE DATE OF BIRTH	10	12
POST REGISTRATION OF BIRTH AFTER 12 MONTHS FROM THE DATE OF BIRTH	60	70
A CERTIFICATE OF REGISTRATION OF ADDITION OR ALTERATION OF NAME OF CHILD	10	12
ADDITION OR ALTERATION OF NAME OF CHILD AFTER 42 DAYS FROM THE DATE OF THE BIRTH	40	45
A CERTIFICATED COPY OF AN ENTRY IN THE REGISTER FOR A LOCAL APPLICANT	10	12
A CERTIFICATED COPY OF AN ENTRY IN THE REGISTER SENT OVERSEAS	20*	25*

(* TOGETHER WITH AIRMAIL
POSTAGE CHARGE)

/A PARTICULAR

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A PARTICULAR SEARCH FOR THE BIRTHS AND DEATHS RECORDS	10	12
A GENERAL SEARCH FOR THE BIRTHS AND DEATHS RECORDS	60	70
CORRECTION OF ERROR OF FACT OF SUBSTANCE IN REGISTERS OF BIRTHS AND DEATHS	40	45
GOVERNOR'S LICENCE UNDER S. 6 OF THE FOREIGN MARRIAGE ORDINANCE	60	70
RE-REGISTRATION OF BIRTH IF INFORMATION NOT FURNISHED WITHIN THE SPECIFIED TIME	30	35
A CERTIFIED COPY OF AN ENTRY OF THE BIRTH OF A LEGITIMATED PERSON	10	12

THE SPOKESMAN POINTED OUT THAT THE FEES FOR THE SERVICES FOR THE LATE-REGISTRATION OF BIRTHS, THE SEARCH OF RECORDS, THE ALTERATION OF ENTRIES IN REGISTERS OR THE ISSUE OF CERTIFIED COPIES OF SUCH ENTRIES WILL BE INCREASED BY 10 PER CENT TO 25 PER CENT.

THE FEES FOR RE-REGISTRATION OF BIRTHS AND THE ISSUE OF CERTIFIED COPIES OF ENTRIES OF THE BIRTH OF LEGITIMATED PERSONS UNDER THE LEGITIMACY ORDINANCE WILL BE INCREASED IN ORDER TO BRING THEM MORE OR LESS IN LINE WITH THE LEVEL OF FEES CHARGED FOR SIMILAR SERVICES UNDER THE BIRTHS AND DEATHS REGISTRATION ORDINANCE.

ENQUIRIES MAY BE MADE TO THE DEPARTMENT'S INFORMATION OFFICE ON 3-7333111.

FOURTH CHOLERA CASE CONFIRMED

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THE MEDICAL AND HEALTH DEPARTMENT TODAY (WEDNESDAY) CONFIRMED THAT A 49-YEAR-OLD MAN IS SUFFERING FROM CHOLERA, THE FOURTH CASE REPORTED SO FAR THIS YEAR. THE FIRST CASE WAS CONFIRMED ON MAY 22.

THE MAN, A JAPANESE WHO LIVES IN TSIM SHA TSUI, DEVELOPED DIARRHOEA ON JULY 25. HE ATTENDED THE ACCIDENT AND EMERGENCY DEPARTMENT OF THE QUEEN ELIZABETH HOSPITAL ON JULY 26 WHEN HE WAS ADMITTED. HE WAS TRANSFERRED TO PRINCESS MARGARET HOSPITAL ON JULY 29.

/THE DOCTOR

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THE DOCTOR DEALING WITH THE CASE DESCRIBED THE MAN'S CONDITION AS SATISFACTORY.

SINCE THE PATIENT HAD NOT TRAVELLED ABROAD RECENTLY, THE CASE WAS CLASSIFIED AS LOCAL.

HEALTH OFFICERS FROM THE DEPARTMENT HAVE VISITED AND DISINFECTED THE MAN'S APARTMENT.

A DEPARTMENT SPOKESMAN SAID THAT SINCE THERE HAD BEEN SO FAR NO SECONDARY CASE, THERE WAS NO NEED TO DECLARE HONG KONG AS A CHOLERA-INFECTED AREA.

HE SAID CHOLERA WAS ENDEMIC IN SOUTHEAST ASIAN COUNTRIES, THEREFORE THE DISEASE MIGHT OCCUR IN THE TERRITORY FROM TIME TO TIME.

THE SPOKESMAN REMINDED MEMBERS OF THE PUBLIC TO OBSERVE STRICT PERSONAL HYGIENE AND TO BE CAREFUL IN THE CONSUMPTION OF FOOD AND DRINKS AT HOME AND WHEN TRAVELLING ABROAD TO AVOID THE DISEASE.

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FOUR KOWLOON SITES TO LET
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FOUR SITES IN KOWLOON ARE BEING OFFERED FOR RENT ON SHORT-TERM TENANCY BY THE BUILDINGS AND LANDS DEPARTMENT.

TWO OF THE LOTS, AT LAM HING STREET AND WANG TAI ROAD, KOWLOON BAY, MEASURE ABOUT 960 AND 1 160 SQUARE METRES.

BOTH ARE FOR VEHICLE REPAIR AND MAINTENANCE AND THEIR INITIAL TENANCIES ARE FOR TWO YEARS, RENEWABLE QUARTERLY AFTERWARDS.

THE OTHER TWO ARE ADJACENT TO EACH OTHER AT CHA KWO LING ROAD AND WILL BE USED FOR STORAGE AND CARGO HANDLING.

TENANCIES ON THE TWO SITES, BOTH OF WHICH MEASURE ABOUT 1 720 SQUARE METRES, ARE FOR ONE YEAR INITIALLY, RENEWABLE QUARTERLY AFTERWARDS.

DEADLINE FOR SUBMITTING TENDERS ON ALL FOUR SITES IS NOON ON AUGUST 15.

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RESTRICTED TRAFFIC ZONES IN ABERDEEN

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FROM 10 AM ON FRIDAY (AUGUST 1), THE FOLLOWING ROAD SECTIONS IN ABERDEEN WILL BE MADE 7 AM TO 7 PM DAILY RESTRICTED ZONES:

- * THE NORTHERN KERBSIDE LANE OF TSUNG MAN STREET BETWEEN A POINT ABOUT 10 METRES WEST OF ITS JUNCTION WITH ABERDEEN RESERVOIR ROAD AND A POINT ABOUT 20 METRES WEST OF ITS JUNCTION WITH TUNG SING ROAD.
- * THE SOUTHERN KERBSIDE LANE OF TSUNG MAN STREET BETWEEN A POINT ABOUT 50 METRES WEST OF ITS JUNCTION WITH ABERDEEN RESERVOIR ROAD AND A POINT ABOUT 20 METRES WEST OF ITS JUNCTION WITH TUNG SING ROAD.
- * THE EASTERN KERBSIDE LANE OF TUNG SING ROAD BETWEEN ITS JUNCTION WITH TSUNG MAN STREET AND A POINT ABOUT 10 METRES SOUTH OF THE SAME JUNCTION.
- * THE WESTERN KERBSIDE LANE OF TUNG SING ROAD BETWEEN TSUNG MAN STREET AND ABERDEEN MAIN ROAD.

WITHIN THE RESTRICTED ZONES, NO VEHICLE OTHER THAN FRANCHISED BUSES WILL BE ALLOWED TO STOP FOR PASSENGERS OR GOODS.

ALSO FROM 10 AM ON FRIDAY, THE 7 AM TO 7 PM DAILY PUBLIC LIGHT BUS RESTRICTED ZONES ON THE FOLLOWING SECTIONS OF TSUNG MAN STREET WILL BE LIFTED:

- * THE NORTHERN KERBSIDE LANE BETWEEN A POINT ABOUT 15 METRES WEST OF ITS JUNCTION WITH ABERDEEN RESERVOIR ROAD AND TUNG SING ROAD.
- * THE SOUTHERN KERBSIDE LANE BETWEEN A POINT ABOUT 50 METRES WEST OF ITS JUNCTION WITH ABERDEEN RESERVOIR ROAD AND TUNG SING ROAD.

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TEMPORARY TRAFFIC ARRANGEMENTS IN FANLING

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TEMPORARY TRAFFIC ARRANGEMENTS WILL BE IMPLEMENTED IN FANLING FROM 10 AM TOMORROW (THURSDAY) TO FACILITATE ROAD CONSTRUCTION WORK.

THE TWO-WAY ACCESS ROAD BETWEEN TAI PO ROAD AND ROAD 2614 IN ON LOK TSUEN WILL BE REROUTED ONE-WAY SOUTHBOUND. MEANWHILE, TRAFFIC FROM TAI PO ROAD TO ROAD 2614 WILL BE DIVERTED TO ROAD L8.

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RESTRICTED ZONE IN TSUEN WAN
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FROM 10 AM ON FRIDAY (AUGUST 1), A SECTION OF THE NORTHBOUND CARRIAGEWAY OF KWAN MUN HAU STREET IN TSUEN WAN WILL BE DESIGNATED A 24-HOUR DAILY RESTRICTED ZONE.

THE SECTION RUNS FROM THE STREET'S JUNCTION WITH TAK WAH STREET TO A POINT ABOUT 50 METRES NORTH OF THE SAME JUNCTION.

NO VEHICLE WILL BE ALLOWED TO STOP FOR PASSENGERS OR GOODS WITHIN THE RESTRICTED AREA.

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