



DAILY INFORMATION BULLETIN

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

WEDNESDAY, FEBRUARY 23, 1994

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ENOUGH QUALIFIED OFFICERS TO LEAD THE CIVIL SERVICE
UP TO AND BEYOND 1997

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A SPOKESMAN FOR THE CIVIL SERVICE BRANCH SAID TODAY (WEDNESDAY) THAT THERE SHOULD NOT BE UNDUE CONCERN OVER THE FINDINGS OF THE SURVEY RESEARCH ON THE "BUREAUCRAT-POLITICIAN RELATIONSHIP IN HONG KONG" CONDUCTED BY THE CITY POLYTECHNIC.

THE SPOKESMAN WAS COMMENTING ON THE SURVEY WHICH CLAIMED TO STUDY THE PERCEPTION AND EVALUATION OF THE DIRECTORATE GRADE OFFICERS IN THE HONG KONG GOVERNMENT OF THE CHANGING POLITICAL SYSTEM AND THEIR RELATIONSHIP WITH THE LEGISLATORS IN THE PERIOD AFTER THE 1991 DIRECT ELECTIONS.

ON CIVIL SERVANTS' FUTURE CAREERS, THE SPOKESMAN NOTED THAT 37 PER CENT OF THE RESPONDENTS WERE WORRIED ABOUT THEIR CAREER AFTER 1997.

HOWEVER, HE EMPHASISED THAT THE SURVEY ALSO FOUND THAT 59 PER CENT WERE NOT WORRIED.

"BEING PART OF OUR COMMUNITY, IT IS UNDERSTANDABLE FOR SOME CIVIL SERVANTS TO BE WORRIED ABOUT POLITICAL CHANGE," THE SPOKESMAN SAID.

"IT IS INDEED MORE NATURAL FOR SOME OF THEM TO BE WORRIED BECAUSE THEY ARE PART OF THE GOVERNMENT MACHINERY.

"THE GOVERNMENT HAS DONE A LOT AND WILL DO MORE TO ALLAY WORRY AMONG CIVIL SERVANTS. THE SETTING UP OF A CIVIL SERVICE PENSION RESERVE FUND IS ONE EXAMPLE.

"WE HAVE ALSO STEPPED UP TRAINING AND DIRECTORATE SUCCESSION PLANNING EXERCISE TO ENSURE WE HAVE QUALIFIED PEOPLE IN PLACE TO LEAD THE CIVIL SERVICE UP TO 1997 AND BEYOND.

"COMMUNICATION WITH CIVIL SERVANTS WILL BE IMPROVED TO ENSURE WE UNDERSTAND THEIR FEELINGS AND CONCERNS."

ON THE PERCENTAGE OF RESPONDENTS WHO INDICATED THEIR INTENTION TO LEAVE, THE SPOKESMAN NOTED THAT 70 PER CENT OF THEM WERE WITHIN 51 TO 60 AGE BRACKET, CLOSE TO RETIREMENT AGE.

OF THE 36 PER CENT OF THE RESPONDENTS WHO WOULD STAY, 80 PER CENT FALL WITHIN THE VIBRANT 31 TO 50 AGE BRACKET WHICH IS THE MAINSTAY OF THE SERVICE.

"ONE SHOULD ALSO NOT FORGET THAT 29 PER CENT OF THE RESPONDENTS SAID THEY WERE UNDECIDED," THE SPOKESMAN SAID.

"IF WE WORK HARD AT A SMOOTH TRANSITION, AND THE ECONOMY STAYS STRONG, THEY MAY VERY WELL BE PERSUADED TO STAY."

AT PRESENT, THE VACANCY RATE OF THE CIVIL SERVICE IS THREE PER CENT, AND THE WASTAGE RATE FIVE PER CENT.

"THESE ARE VERY LOW RATES. WE HAVE NO PROBLEM OF RECRUITING QUALIFIED PEOPLE INTO THE SERVICE, NOR WITH PROMOTING QUALIFIED PERSONNEL TO HIGHER POSITIONS," HE SAID.

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APPEAL TO USE LESS HARDWOOD

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THE CONSTRUCTION INDUSTRY IS URGED TO CUT THE CONSUMPTION OF TROPICAL HARDWOOD BY USING OTHER KINDS OF TIMBER FOR TEMPORARY WORKS AND BY REQUIRING THE SUPPLIER TO CERTIFY THAT THE TIMBER COMES FROM SUSTAINABLE SOURCES.

THE APPEAL WAS MADE BY THE SECRETARY FOR WORKS, MR JAMES BLAKE, TODAY (WEDNESDAY) WHEN HE ADDRESSED A SEMINAR ENTITLED 'TROPICAL HARDWOOD - A TIME TO ACT' ORGANISED BY THE ARCHITECTURAL SERVICES DEPARTMENT.

MR BLAKE SAID: "THERE IS GROWING GLOBAL PRESSURE TO REQUIRE SUPPLIERS AT EVERY STAGE TO ENSURE THAT TIMBER COMES FROM SUSTAINABLE MANAGED FORESTS. THIS SUGGESTS THE NEED FOR CREDIBLE TIMBER CERTIFICATION OR LABELLING AT SOURCE.

"TIMBER CERTIFICATION HAS BEEN DESCRIBED AS A SYSTEM OF FOREST MONITORING, TIMBER TRACING AND WOODEN PRODUCE LABELLING WHICH AIMS TO FORM A BRIDGE BETWEEN INDIVIDUAL PRODUCERS AND CONSUMERS SO THAT CONSUMERS CAN BE REASSURED ABOUT THE ENVIRONMENTAL PEDIGREE OF PARTICULAR PRODUCTS AND PRODUCERS CAN MAINTAIN AND ENHANCE THEIR MARKET SHARE.

MR BLAKE SAID HONG KONG STILL HAD NOT ACHIEVED THE FULL TRANSITION FROM HARDWOOD USE IN TEMPORARY WORKS TO AN ALTERNATIVE BECAUSE MANY INVOLVED IN CONSTRUCTION DID NOT RECOGNISE THE DIFFERENCE BETWEEN TIMBERS FROM TROPICAL, TEMPERATE AND BOREAL FORESTS.

"WITH INDEPENDENT CERTIFICATION COMPANIES IN PLACE AND TIMBER LABELLED AT SOURCE, SPECIFICATIONS CAN BE EXACTING AND 'NON-CONFORMING' TIMBERS CAN BE REJECTED," HE SAID.

MR BLAKE SAID THERE WAS A NEED TO EDUCATE SMALLER BUILDERS AND SUB-CONTRACTORS TO PROMOTE THE USE OF ALTERNATIVES IN RENOVATION AND REFURBISHMENT OF EXISTING PROPERTY.

"IT IS BECAUSE SHORT-LEASE RETAIL OUTLETS ARE FREQUENTLY REFITTED USING HARDWOOD TIMBER FRAMING AT INTERVALS OF THREE YEARS OR SO.

"IT SEEMS TO ME THAT PUTTING IN PLACE CERTIFICATION AND TRACEABILITY WILL PLAY AN IMPORTANT PART IN OUR FUTURE USE OF TROPICAL HARDWOOD IN THE CONSTRUCTION INDUSTRY, AND IN THE INTERIM, A REDUCTION IN THE USE OF HARDWOOD FOR TEMPORARY WORKS, FOCUSING IN THE REFURBISHMENT AND RENOVATION AREA, WILL BRING ABOUT A REDUCTION IN THE QUANTITY OF HARDWOOD CONSUMED IN HONG KONG," HE SAID.

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STRIDES MADE IN ACTION AGAINST UNAUTHORISED DEVELOPMENTS

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THE PLANNING DEPARTMENT HAS BEEN MAKING SUBSTANTIAL EFFORTS IN ACTIONS AGAINST UNAUTHORISED DEVELOPMENTS IN THE NEW TERRITORIES SINCE ENACTMENT OF THE TOWN PLANNING (AMENDMENT) ORDINANCE IN 1991, THE DIRECTOR OF PLANNING, DR PETER PUN, SAID AT A MEET-THE-MEDIA SESSION TODAY (WEDNESDAY).

AND SINCE LAST NOVEMBER, THE PLANNING AUTHORITY, USING SECTION 21 OF THE ORDINANCE, HAD BEEN PROSECUTING OFFENDERS WITHOUT PRIOR WARNING, HE ADDED.

SO FAR, SEVEN DEFENDANTS IN RESPECT OF SEVEN CASES HAVE BEEN BROUGHT TO COURT UNDER SECTION 21. ONE DEFENDANT IN RESPECT OF ONE CASE HAD BEEN CONVICTED AND WAS FINED \$30,000.

COURT HEARINGS HAVE BEEN SCHEDULED FOR THE OTHER SIX DEFENDANTS, DR PUN SAID.

UP TO MID-FEBRUARY, THE DEPARTMENT HAS INVESTIGATED 437 CASES OF SUSPECTED UNAUTHORISED DEVELOPMENTS. THEY MAINLY COVER STORAGE OF CONTAINERS AND TRAILERS, DUMPING AND SITE FORMATION, STORAGE OF BUILDING AND OTHER MATERIALS, CAR PARKING, STRIPPING YARDS AND WORKSHOPS.

AFTER INVESTIGATIONS, 629 ENFORCEMENT NOTICES IN RESPECT OF 94 CASES, 22 STOP NOTICES IN RESPECT OF FOUR CASES AND FOUR REINSTATEMENT NOTICES IN RESPECT OF ONE CASE HAD BEEN SERVED, HE SAID.

DR PUN ALSO SAID A TOTAL OF 180 PLANNING APPLICATIONS IN RESPECT OF 128 CASES OF UNAUTHORISED DEVELOPMENTS HAD BEEN SUBMITTED TO THE TOWN PLANNING BOARD FOR CONSIDERATION.

OF THESE, 36 HAD BEEN APPROVED, 105 REJECTED, 32 WITHDRAWN AND SEVEN BEING PROCESSED.

"THE LARGE NUMBER OF PLANNING APPLICATIONS IN RESPECT OF UNAUTHORISED DEVELOPMENTS SHOWS THAT PEOPLE ARE BECOMING MORE FAMILIAR WITH THE PLANNING PROCESS," HE NOTED.

HE POINTED OUT THAT UNDER SECTION 23 OF THE ORDINANCE, 71 DEFENDANTS IN RESPECT OF 19 CASES HAD BEEN PROSECUTED. AMONG THEM, 15 DEFENDANTS IN RESPECT OF NINE CASES HAD BEEN CONVICTED AND FINED \$7,500 TO \$81,500.

"AS OPEN STORAGE HAS ECONOMIC ROLES TO PLAY, THE DEPARTMENT IS ENDEAVOURING TO IDENTIFY PERMANENT SITES FOR SUCH PURPOSE ON THE TOWN PLANS.

"A STUDY ON PORT BACK-UP LAND AND OPEN STORAGE REQUIREMENTS WAS COMMISSIONED IN JUNE 1993 TO ASSESS, AMONG OTHER THINGS, OPEN STORAGE REQUIREMENTS AND IDENTIFY SUITABLE SITES TO MEET THE DEMAND.

"THE STUDY FINDINGS, WHICH WILL BE READY BY MID-1994, WILL SERVE AS INPUTS TO THE RESERVATION OF OPEN STORAGE SITES," DR PUN EXPLAINED.

ON OTHER MAJOR PLANNING STUDIES COMMISSIONED BY THE DEPARTMENT, THE DIRECTOR DISCLOSED THAT HIS DEPARTMENT HAD RECENTLY LAUNCHED A JOINT STUDY WITH THE HONG KONG TOURIST ASSOCIATION TO REVIEW THE TERRITORY'S FUTURE NEEDS FOR VARIOUS TOURIST SERVICES AND FACILITIES WITHIN A REGIONAL CONTEXT.

"MEANWHILE, WE HAVE ALSO CO-OPERATED WITH THE HONG KONG AIRCRAFT ENGINEERING CO LTD AND CATHAY PACIFIC AIRWAYS TO INVESTIGATE THE NEED FOR AND FEASIBILITY OF ESTABLISHING AN AVIATION ACADEMY AND MUSEUM FOLLOWING THE RELOCATION OF THE AIRPORT FROM KAI TAK TO CHEK LAP KOK.

"THIS STUDY FOLLOWS ONE OF THE RECOMMENDATIONS OF THE SOUTHEAST KOWLOON DEVELOPMENT STATEMENT," THE DIRECTOR ADDED.

REVIEWING THE MAJOR WORK OF HIS DEPARTMENT LAST YEAR, DR PUN POINTED OUT THAT A SECOND REVIEW OF THE PORT DEVELOPMENT STRATEGY (PDS) HAD ALREADY BEGUN WITH A VIEW TO PROPOSING A REVISED PORT DEVELOPMENT PLAN AND PROGRAMME BY MID-1994.

"WITH THE PORT CARGO FORECASTS UPDATED, IT IS PROJECTED THAT THE OVERALL PORT TRAFFIC WILL INCREASE FROM 101 MILLION TONNES IN 1992 TO 349 MILLION TONNES IN 2011, AN INCREASE OF ABOUT 6.7 PER CENT A YEAR.

"WE ARE NOW TRANSLATING THE PORT CARGO FORECASTS INTO REQUIREMENTS FOR VARIOUS TYPES OF PORT FACILITIES," HE SAID.

DR PUN ADDED THAT OTHER RELEVANT STUDIES ARE ALSO CARRIED OUT TO LOOK INTO INDIVIDUAL ELEMENTS OF THE PDS.

THESE INCLUDE A STUDY TO IDENTIFY LONG-TERM SITES FOR MID-STREAM OPERATIONS AND AN INTERIM STUDY TO IDENTIFY POTENTIAL CONTAINER BACK-UP SITES.

DR PUN ALSO GAVE A BRIEF ACCOUNT OF HIS DEPARTMENT'S WORK ON TERRITORIAL PLANNING.

HE DISCLOSED THAT GOVERNMENT OFFICIALS WOULD VISIT THE PLANNING AUTHORITIES IN THE GUANGDONG PROVINCE, GUANGZHOU, SHENZHEN AND ZHUHAI NEXT MONTH TO DISCUSS WITH THEM THE STRATEGIC PLANNING ISSUES RELATED TO THE TERRITORIAL DEVELOPMENT STRATEGY.

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EX-CHINA VIET ILLEGAL IMMIGRANTS SENT BACK

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TWENTY-THREE EX-CHINA VIETNAMESE ILLEGAL IMMIGRANTS (ECVII'S) - 14 MEN, SIX WOMEN, TWO BOYS AND ONE GIRL - WERE RETURNED TO XIAMEN, FUJIAN THIS (WEDNESDAY) MORNING ON A COMMERCIAL FLIGHT.

ALSO, ANOTHER GROUP OF ABOUT 190 ECVII'S WILL BE RETURNED TO NANNING, GUANGXI ON CHARTERED FLIGHTS ON TWO CONSECUTIVE DAYS STARTING FROM TOMORROW.

DISCUSSIONS ARE CONTINUING WITH THE CHINESE AUTHORITIES ON THE REPATRIATION OF THE REMAINING 750 ECVII'S IN HONG KONG.

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NEW OCCUPATIONAL RETIREMENT SCHEME LOGO
FOR USE IN JOB ADVERTISING

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THE OFFICE OF THE REGISTRAR OF OCCUPATIONAL RETIREMENT SCHEMES TODAY (WEDNESDAY) LAUNCHED A NEW INITIATIVE IN PROMOTING THE ESTABLISHMENT OF PRIVATE RETIREMENT SCHEMES.

EMPLOYERS WHO OPERATE OCCUPATIONAL RETIREMENT SCHEMES WILL BE ABLE TO HIGHLIGHT THIS FACILITY IN THEIR RECRUITMENT ADVERTISING VIA THE USE OF A NEW LOGO.

THE UMBRELLA-SHAPED LOGO WILL QUICKLY INDICATE THAT A RETIREMENT SCHEME IS OFFERED BY AN EMPLOYER AND WILL ACT AS AN INCENTIVE FOR JOB SEEKERS. THE UMBRELLA LOGO HAS BEEN ADOPTED AS IT SIGNIFIES FINANCIAL PROTECTION FOR THE FUTURE.

THE LOGO WILL BE MADE AVAILABLE AT NO CHARGE TO ALL HONG KONG PUBLICATIONS WHO CARRY RECRUITMENT ADVERTISING. EMPLOYERS WHO OFFER EMPLOYEES RETIREMENT BENEFITS WILL BE ABLE TO DRAW ATTENTION TO THE FACT BY USING THE UMBRELLA LOGO IN EVERY JOB ADVERTISEMENT.

ANY PUBLICATIONS OR ORGANISATIONS WISHING TO OBTAIN A COPY OF THE LOGO SHOULD CALL THE OFFICE OF THE REGISTRAR OF OCCUPATIONAL RETIREMENT SCHEMES HOTLINE ON 867 4642.

REGISTRAR OF OCCUPATIONAL RETIREMENT SCHEMES, MR STEPHEN IP, SAID: "WE BELIEVE THAT THIS INITIATIVE WILL BE WELCOMED BY EMPLOYERS AND THE MEDIA ALIKE.

"EMPLOYERS WILL BENEFIT AS THOSE WHO OFFER RETIREMENT SCHEMES WILL BE AT AN ADVANTAGE OVER THOSE WHO DO NOT AND THEIR VACANCIES SHOULD ACCORDINGLY BE MORE ATTRACTIVE TO JOB SEEKERS.

"NEWSPAPERS WILL BE ABLE TO OFFER THEIR ADVERTISING CLIENTS AND READERS A VALUE-ADDED SERVICE, MAKING EMPLOYMENT BENEFITS CLEARER IN ADVERTISING."

THIS INITIATIVE IS ALSO DESIGNED TO BRING PEOPLE'S ATTENTION TO THE BROADER ISSUE OF OCCUPATIONAL RETIREMENT SCHEMES.

"WHILE THE GOVERNMENT IS CONSIDERING AN OLD AGE PENSION SCHEME FOR ALL HONG KONG PEOPLE, WE WANT TO BRING THE IMPORTANCE OF PRIVATE OCCUPATIONAL RETIREMENT SCHEMES TO EVERYONE'S ATTENTION. THE TWO ARE NOT MUTUALLY EXCLUSIVE."

THE GOVERNMENT SCHEME IS DESIGNED TO MEET THE VERY BASIC NEEDS OF THOSE OVER THE AGE OF 65. ON THE OTHER HAND, EMPLOYERS' SCHEMES ARE USUALLY DESIGNED TO PROVIDE MORE SUBSTANTIAL RETURNS AND TO MEET THE PARTICULAR NEEDS OF THEIR EMPLOYEES.

ADDITIONALLY, THE NEW OCCUPATIONAL RETIREMENT SCHEMES ORDINANCE WHICH HAS BEEN IN OPERATION SINCE OCTOBER 15, 1993 REQUIRES ALL PRIVATE RETIREMENT SCHEMES TO BE REGISTERED AND THERE ARE STATUTORY REQUIREMENTS TO ENSURE THAT THE RETIREMENT BENEFITS PROVIDED TO SCHEME MEMBERS WILL BE PAID WHEN THEY FALL DUE.

"THIS PROVIDES FOR LONG-TERM SECURITY FOR THE CONTRIBUTIONS MADE TO SCHEMES," MR IP SAID.

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CLOSURE OF UNAUTHORISED STRUCTURE SOUGHT

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THE BUILDING AUTHORITY IS SEEKING TO CLOSE AN UNAUTHORISED STRUCTURE IN KWUN TONG, SO THAT IT CAN BE DEMOLISHED WITHOUT CAUSING DANGER TO OCCUPIERS AND THE PUBLIC.

THE TWO-STOREY UNAUTHORISED STRUCTURE, LOCATED ON THE FLAT ROOF OF A BUILDING AT 155 WAI YIP STREET, KOWLOON, IS USED AS A WORKSHOP.

NOTICE OF INTENTION APPLYING FOR A CLOSURE ORDER FROM THE HONG KONG DISTRICT COURT ON APRIL 27 WAS POSTED ON THE PREMISES TODAY (WEDNESDAY).

DEMOLITION OF THE UNAUTHORISED STRUCTURE WILL START AS SOON AS THE CLOSURE ORDER IS ISSUED.

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FINANCE COMMITTEE MEETS ON FRIDAY

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THE FINANCE COMMITTEE WILL HOLD A MEETING AT 2.30 PM ON FRIDAY (FEBRUARY 25) AT THE LEGISLATIVE COUNCIL CHAMBER.

MEMBERS OF THE PUBLIC ARE WELCOME TO OBSERVE THE PROCEEDINGS FROM THE PUBLIC GALLERY. THEY MAY RESERVE SEATS BY CALLING 869 9492.

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ATTENTION NEWS EDITORS:

YOUR REPRESENTATIVES ARE INVITED TO COVER THE MEETING.

ADVANCE COPIES OF THE PAPERS FOR THE MEETING WILL BE AVAILABLE AFTER 2.30 PM TOMORROW (THURSDAY) IN THE PRESS ROOM OF THE LEGISLATIVE COUNCIL BUILDING, JACKSON ROAD, CENTRAL. PLEASE NOTE THAT THE CONTENTS OF THE PAPERS ARE NOT FOR USE UNTIL THE MEETING IS OVER.

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HONG KONG GOVERNMENT EXCHANGE FUND
MONEY MARKET OPERATIONS

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	\$ MILLION

OPENING BALANCE IN THE ACCOUNT	1,300
REVERSAL OF LAF	+1,700
BALANCE AFTER REVERSAL OF LAF	3,000
NET INJECTION/WITHDRAWAL TODAY	NIL
EFFECT OF LAF TODAY	-1,170
CLOSING BALANCE IN THE ACCOUNT	1,830
LAF RATE 2.00 BID/4.00 OFFER	TWI 125.8 *-0.2* 23.2.94

HONG KONG GOVERNMENT EXCHANGE FUND

EF BILLS		EF NOTES/HONG KONG GOVERNMENT BONDS				
TERMS	YIELD	TERM	ISSUE	COUPON	PRICE	YIELD
1 WEEK	2.88	18 MONTHS	2508	4.625	100.57	4.27
1 MONTH	3.01	21 MONTHS	2511	4.15	99.55	4.47
3 MONTHS	3.23	24 MONTHS	2602	4.40	99.62	4.66
6 MONTHS	3.41	32 MONTHS	3610	4.20	98.23	4.97
12 MONTHS	3.87	35 MONTHS	3701	4.60	98.92	5.06

TOTAL TURNOVER OF BILLS AND BONDS - 25,282 MN

CLOSED 23 FEBRUARY 1994

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SCA'S SPEECHES ON ELECTORAL PROVISIONS BILL

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SPEECH BY SECRETARY FOR CONSTITUTIONAL AFFAIRS, MR NICHOLAS NG,
ON THE HON MRS ELSIE TU'S AMENDMENT TO ELECTORAL PROVISIONS
(MISCELLANEOUS AMENDMENTS)
(NO. 2) BILL 1993

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MR PRESIDENT,

THE ADMINISTRATION IS FIRMLY AGAINST THE MOTION. AS RIGHTLY POINTED OUT BY A NUMBER OF MEMBERS, THE BILL NOW BEFORE THIS COUNCIL CONTAINS PROVISIONS WHICH ARE TIME CRITICAL. THERE IS AN URGENT NEED FOR THEIR EARLY ENACTMENT.

FOR THE SERIES OF THREE ELECTIONS IN 1994 AND 1995, WE WOULD NEED TO GET THE VARIOUS PREPARATIONS IMMEDIATELY UNDERWAY IF THESE ELECTIONS ARE TO BE HELD IN A TIMELY AND ORDERLY MANNER. BUT BEFORE SUCH PREPARATIONS CAN START, THE NECESSARY LEGAL FRAMEWORK MUST FIRST BE PUT IN PLACE. IF THE BILL'S ENACTMENT WERE DELAYED FOR WHATEVER REASONS, THERE WOULD BE SERIOUS CONSEQUENCES.

LET ME CITE TWO EXAMPLES. FIRST, THE UNCERTAINTY CREATED ON THE ELECTORAL ARRANGEMENTS WOULD CAUSE MAJOR DIFFICULTIES AND DISRUPTIONS TO THE LAUNCHING OF THE STATUTORY VOTER REGISTRATION EXERCISE DUE TO START IN JUST ABOUT A MONTH'S TIME. SECONDLY, THE BOUNDARY AND ELECTION COMMISSION WILL NOT BE ABLE TO SUBMIT TO THE GOVERNOR BY THE END OF APRIL THIS YEAR, AS REQUIRED BY LAW, RECOMMENDATIONS ON THE DEMARCATION OF MUNICIPAL COUNCILS CONSTITUENCY BOUNDARIES. IN CONSEQUENCE, IT WILL NOT BE POSSIBLE TO COMPILE A PROPER VOTER REGISTER IN TIME FOR THE FORTHCOMING ELECTIONS TO THE TWO MUNICIPAL COUNCILS.

SIMPLY PUT, DEFERRAL OF THE BILL WILL BE AT THE EXPENSE OF TIMELY AND ORDERLY ARRANGEMENTS FOR THE 1994/95 ELECTIONS. THIS IS CERTAINLY NOT WHAT THE COMMUNITY WOULD LIKE TO SEE. MRS TU AND SOME OTHER MEMBERS HAVE SUGGESTED THAT DEFERRING THE BILL WOULD PROVIDE ONE FURTHER OPPORTUNITY FOR TALKS WITH THE CHINESE SIDE TO RESUME. I SHOULD LIKE TO STRESS THAT IT HAS ALWAYS BEEN OUR PREFERRED APPROACH TO LEGISLATE FOR THE 1994/95 ELECTORAL ARRANGEMENTS ON THE BASIS OF AN AGREEMENT WITH CHINA. WE HAVE NEGOTIATED IN GOOD FAITH FOR OVER 160 HOURS IN 17 ROUNDS. BUT, ALAS, AN AGREEMENT HAS PROVED OUT OF REACH.

THAT THE TWO SIDES WERE UNABLE TO REACH AGREEMENT ON EVEN THE SIMPLER ISSUES WERE NOT BECAUSE OF THE REASONS DESCRIBED BY MRS TU. THE FACT IS DISCUSSIONS ON THE FIRST STAGE ISSUES FLOUNDERED BECAUSE FIRST THE CHINESE SIDE COULD NOT AGREE TO INCLUDE THE "SINGLE SEAT, SINGLE VOTE" VOTING METHOD FOR LEGCO IN THE PACKAGE. THEY INSISTED THAT IT SHOULD BE DISCUSSED LATER WITH OTHER MORE COMPLICATED LEGCO ISSUES.

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THE SECOND KEY DIFFICULTY HAS BEEN OVER THE QUESTION OF APPOINTED MEMBERSHIP TO DISTRICT BOARDS AND MUNICIPAL COUNCILS. THE BRITISH SIDE WANTED TO ABOLISH THE REMAINING APPOINTED MEMBERS. THE CHINESE SIDE HAD SAID IT WANTED TO RETAIN THEM. HOWEVER, THE CHINESE SIDE'S PROPOSAL WAS HATCHED WITH CONDITIONS WHICH WE WOULD NOT BE ABLE TO ACCEPT WITHOUT COMPROMISING THE AUTONOMY OF THE FUTURE SAR AS PROMISED IN THE JOINT DECLARATION.

IT WAS THEREFORE ONLY WHEN IT BECAME ABSOLUTELY CLEAR BY LAST DECEMBER THAT THE LEGISLATIVE PROCESS FOR THE MORE IMMEDIATE ISSUES COULD NOT BE FURTHER DELAYED THAT WE INTRODUCE THE CURRENT BILL. WHEN THE ADMINISTRATION ANNOUNCED IN LAST DECEMBER THAT IT WAS GOING AHEAD WITH THAT BILL, IT HAD MADE CLEAR THAT THE BRITISH SIDE WERE PREPARED TO CONTINUE IN A LIMITED TIME REMAINING DISCUSSION WITH THE CHINESE SIDE ON THE OUTSTANDING, MORE DIFFICULT ISSUES RELATING TO 95 LEGISLATIVE COUNCIL ELECTIONS.

IN THE PAST TWO-AND-A-HALF MONTHS, WE HAD CONTINUED TO PRESS THE CASE FOR TALKS TO CONTINUE. REGRETTABLY, THE CHINESE SIDE HAD NOT TAKEN UP THE OFFER. MEANWHILE, THAT LIMITED REMAINING TIME HAS CONTINUED TO TICK AWAY. WE HAVE NOW COME TO THE POINT WHERE WE SIMPLY HAVE NO OTHER ALTERNATIVE BUT TO GET ON WITH THE LEGISLATIVE PROCESS. GIVEN THAT ALL ELECTORAL LEGISLATION HAS TO BE ENACTED BY COMING JULY AND THIS IS CRUCIAL IF THERE IS TO BE ADEQUATE TIME TO PREPARE FOR THE 1994/95 ELECTIONS. LEGISLATION ON THE REMAINING MORE COMPLEX ISSUES WILL HAVE TO BE INTRODUCED INTO THIS COUNCIL VERY SOON.

DEFERRAL OF THE CURRENT BILL THEREFORE WILL NOT IN REALITY BUY US ANY MORE TIME. AS POINTED OUT BY MISS EMILY LAU, THE CHINESE SIDE HAVE MADE IT KNOWN ON NUMEROUS OCCASIONS THAT THERE WOULD BE NO MORE TALKS UNLESS WE FIRST WITHDRAW THE CURRENT BILL. SURELY, THIS IS A DEMAND WHICH NEITHER THE COMMUNITY NOR THIS COUNCIL WILL FIND ACCEPTABLE. IT IS CLEAR THEREFORE DEFERRAL OF THE BILL WILL ONLY RAISE FALSE EXPECTATION WITHIN THE COMMUNITY AND DISRUPT ALL THE PREPARATIONS FOR THE SERIES OF ELECTIONS IN 1994/95.

PEOPLE IN HONG KONG HAVE MADE IT CLEAR THAT NO AGREEMENT IS BETTER THAN A BAD AGREEMENT. MOST OF US IN THE CIVIL SERVICE ARE PART OF THE 6 MILLION POPULATION WHO HAVE A STAKE IN HONG KONG AND WHO WILL STAY IN HONG KONG. WE WANT AGREEMENT WITH THE CHINESE BUT NOT AT ANY PRICE. MRS TU QUOTED THE BRITISH SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS AS SAYING THAT: "EXPECTING CHINA TO ACCEPT WHATEVER ARRANGEMENTS WE PUT IN PLACE IS OUT OF TOUCH WITH REALITY." THE POINT HERE, OF COURSE, IS THAT THE ARRANGEMENTS WHICH WE NOW PUT FORWARD ARE ENTIRELY CONSISTENT WITH THE JOINT DECLARATION, THE BASIC LAW AND THE RELEVANT PAST UNDERSTANDINGS AND AGREEMENTS REACHED BETWEEN THE TWO SIDES.

SOME MEMBERS ARE CONCERNED THAT WHAT IS HAPPENING ON THE ELECTORAL FRONT WILL AFFECT CO-OPERATION BETWEEN BRITAIN AND CHINA ON OTHER FRONTS. THE ADMINISTRATION FULLY RECOGNISES THE IMPORTANCE OF CLOSE CO-OPERATION BETWEEN THE TWO SIDES IN THE FINAL YEARS OF TRANSITION. IT HAS ALWAYS BEEN OUR FIRM BELIEF THAT IF THE TWO SIDES ARE TO DISAGREE ON SOMETHING, WHICH IS OF COURSE REGRETTABLE, THIS IS NO REASON WHY THAT SHOULD AFFECT CO-OPERATION ON OTHER FRONTS. THERE IS A WHOLE RANGE OF PRACTICAL ISSUES WHERE CONTINUED CO-OPERATION IS CLEARLY IN THE INTEREST OF CHINA AND HONG KONG. WE, ON OUR PART, STAND READY TO FURTHER OUR LONG-STANDING CO-OPERATION.

FOR THE VARIOUS REASONS I HAVE EXPLAINED, THE ADMINISTRATION OPPOSES THE MOTION AND THE THREE EX-OFFICIO MEMBERS WILL VOTE AGAINST MRS TU'S MOTION.

AT THIS POINT, MR PRESIDENT, I WOULD LIKE TO CLARIFY THE ADMINISTRATION'S STAND ON MRS TU'S SUGGESTION, ALSO REFER TO EARLIER BY MR ACRULLI, THAT THE THREE EX-OFFICIO MEMBERS SHOULD ABSTAIN FROM VOTING IN LEGISLATIVE PROCEEDINGS DEALING WITH THE 1994/95 ELECTIONS. A SIMILAR SUGGESTION WAS PUT TO THE GOVERNOR DURING THE GOVERNOR'S QUESTION SESSION IN THIS COUNCIL ON DECEMBER 1, 1992. ON THAT OCCASION, THE GOVERNOR MADE IT VERY CLEAR THAT THE ADMINISTRATION TOOK THE LEGISLATIVE COUNCIL AS WHAT IT WAS. IT WOULD BE WRONG TO MAKE DISTINCTIONS BETWEEN THE DIFFERENT SORTS OF MANDATE OF DIFFERENT HONOURABLE MEMBERS ACCORDING TO THE BACKGROUNDS FROM WHICH THEY CAME. IF SUCH A DISTINCTION WERE MADE, IT WOULD NOT BE POSSIBLE TO RESIST THE PROPOSAL THAT THE VOTES OF THOSE WHO WERE APPOINTED RATHER THAN ELECTED TO THIS COUNCIL SHOULD ALSO SOME HOW BE DEVALUED. IT IS THEREFORE THE ADMINISTRATION'S INTENTION THAT THE EX-OFFICIO MEMBERS WOULD EXERCISE THE SAME VOTING RIGHT AS CONFERRED ON ALL MEMBERS OF THIS COUNCIL.

THANK YOU, MR PRESIDENT.

SPEECH BY SECRETARY FOR CONSTITUTIONAL AFFAIRS, MR NICHOLAS NG
TO ROUND UP THE SECOND READING DEBATE ON ELECTORAL PROVISIONS
(MISCELLANEOUS AMENDMENTS) (NO. 2) BILL 1993

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MR PRESIDENT,

THE ELECTORAL PROVISIONS (MISCELLANEOUS AMENDMENTS) (NO. 2) BILL 1993 IS TO PUT IN PLACE THE MORE IMMEDIATE ELECTORAL ARRANGEMENTS IN 1994-95 FOR THE THREE TIERS OF REPRESENTATIVE BODIES. DURING THE EARLIER DEBATE ON MRS ELSIE TU'S MOTION TO DEFER DEBATE OF THE BILL, I HAVE ALREADY EXPLAINED THE URGENCY OF THIS PIECE OF LEGISLATION. I WOULD MERELY POINT OUT, ONCE AGAIN, THAT IF WE ARE TO BE ABLE TO MAKE TIMELY AND ORDERLY ARRANGEMENTS FOR THE FORTHCOMING SERIES OF ELECTIONS, ENACTMENT OF THE BILL MUST NOT, AND CANNOT, BE DELAYED. I AM ENCOURAGED THAT, AS IS PLAIN FROM THE VOTING RESULTS ON MRS. TU'S MOTION, A [CLEAR] MAJORITY IN THIS COUNCIL ALSO AGREE TO THE PRACTICAL NEED TO PRESS AHEAD WITH THE BILL. I SHOULD ALSO LIKE TO CLARIFY ONE IMPORTANT POINT HERE. THE CONSTITUTIONAL PACKAGE IS NOT AS SOME MEMBERS IMPLY GOVERNOR CHRIS PATTEN'S PACKAGE; IT IS A HONG KONG GOVERNMENT PACKAGE. THE PROPOSALS ARE THE RESULTS OF EXTENSIVE AND CAREFUL DELIBERATIONS BETWEEN HER MAJESTY'S GOVERNMENT AND HONG KONG GOVERNMENT FOLLOWING CONSULTATIONS WITHIN THE COMMUNITY AND WITH THE ENDORSEMENT OF THE EXECUTIVE COUNCIL. THEY HAVE RECEIVED CONSISTENT SUPPORT WITHIN MOST SECTIONS OF THE COMMUNITY. I NEED HARDLY ADD THAT THE VARIOUS PROPOSALS IN THE PRESENT BILL HAVE ALL BEEN ENDORSED BY THIS COUNCIL IN PREVIOUS DEBATES.

/MANY MEMBERS

MANY MEMBERS OF THIS COUNCIL HAVE ALREADY SPOKEN ON THE VARIOUS AMENDMENTS WHICH WILL BE MOVED AT THE COMMITTEE STAGE. I SHOULD THEREFORE LIKE TO USE THIS OPPORTUNITY TO SET OUT THE ADMINISTRATION'S POSITION ON THESE AMENDMENTS.

MR ANDREW WONG WILL BE MOVING A SET OF AMENDMENTS WHICH WILL CLARIFY CERTAIN PROVISIONS OF THE BILL. THESE AMENDMENTS HAVE ALREADY BEEN THOROUGHLY DISCUSSED AND AGREED BY THE BILLS COMMITTEE. THE ADMINISTRATION WILL SUPPORT THEM.

THE ADMINISTRATION IS, HOWEVER, AGAINST THE AMENDMENTS TO BE MOVED BY MR ALLEN LEE, MR ERIC LI AND MR MARTIN LEE. I WILL EXPLAIN THE REASONS IN TURN.

FIRST, THE "SINGLE-SEAT SINGLE VOTE" VOTING METHOD FOR LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY ELECTIONS. THIS PROPOSED VOTING SYSTEM IS SIMPLE AND WELL UNDERSTOOD. IT IS ALSO FAIR AND OPEN, PROVIDING A LEVEL PLAYING FIELD FOR ALL CANDIDATES. IT IS ALREADY BEING USED IN OUR MUNICIPAL COUNCILS ELECTIONS AND MOST OF THE DISTRICT BOARDS ELECTIONS. BY ADOPTING THIS PROPOSAL, WE WILL HAVE ACHIEVED CONSISTENCY IN THE VOTING METHOD FOR GEOGRAPHICAL CONSTITUENCY ELECTIONS IN ALL THREE TIERS OF OUR REPRESENTATIVE INSTITUTIONS.

THE PROPOSAL HAS WIDESPREAD SUPPORT IN THE COMMUNITY, AS CONSISTENTLY REFLECTED BY INDEPENDENT OPINION SURVEYS. INDEED, THIS COUNCIL ITSELF GAVE FIRM SUPPORT TO THIS PROPOSAL DURING THE DEBATE IN JULY 1992 ON A SELECT COMMITTEE'S REPORT ON LEGISLATIVE COUNCIL ELECTIONS. AT A SUBSEQUENT DEBATE IN NOVEMBER 1992, THIS COUNCIL ALSO VOTED IN SUPPORT OF THE GOVERNMENT'S CONSTITUTIONAL PROPOSALS, INCLUDING THE VOTING METHOD FOR LEGCO ELECTIONS.

MR ALLEN LEE AND SOME OTHER MEMBERS HAVE SUGGESTED THAT TAKING OUT THE LEGCO VOTING METHOD FROM THE BILL WOULD GIVE ONE FURTHER OPPORTUNITY FOR TALKS WITH THE CHINESE SIDE TO RESUME. DURING THE EARLIER DEBATE ON MRS ELSIE TU'S MOTION TO DEFER CONSIDERATION OF THE BILL, I HAVE ALREADY SET OUT AT LENGTH THE ADMINISTRATION'S VIEW ON WHY DEFERRAL OF THE BILL, EITHER IN WHOLE OR IN PART, WILL NOT, IN REALITY, BUY US MUCH MORE TIME FOR TALKS. I DO NOT PROPOSE TO REHEARSE THOSE ARGUMENTS; SUFFICE TO SAY THAT HOWEVER MUCH THE BRITISH SIDE WOULD HAVE PREFERRED TO PROPOSE LEGISLATION ON THE BASIS OF AN AGREEMENT WITH THE CHINESE SIDE, PRACTICAL TIME-TABLE CONSTRAINTS MEAN THAT WE NEED TO GET ON WITH THE LEGISLATIVE PROCESS DESPITE THE ABSENCE OF SUCH AN AGREEMENT.

FOR THESE REASONS, MR PRESIDENT, THE THREE EX-OFFICIO MEMBERS WILL VOTE AGAINST MR ALLEN LEE'S AMENDMENT TO TAKE OUT THE LEGCO VOTING METHOD FROM THE BILL.

SECONDLY, APPOINTED MEMBERSHIP IN THE MUNICIPAL COUNCILS AND THE DISTRICT BOARDS. THE PROPOSALS IN THE BILL TO ABOLISH APPOINTED MUNICIPAL COUNCIL AND DISTRICT BOARD MEMBERSHIP ARE TO ENABLE THE PEOPLE OF HONG KONG TO HAVE MORE OPPORTUNITIES TO PARTICIPATE IN THE WORK OF THE TWO COUNCILS WHICH PROVIDE IMPORTANT SERVICES AND FACILITIES FOR THE COMMUNITY, AND THE 18 DISTRICT BOARDS WHICH ADVISE GOVERNMENT ON THE WHOLE RANGE OF DISTRICT ISSUES AFFECTING OUR DAILY LIFE. THESE CHANGES ARE FULLY IN LINE WITH A MOTION PASSED BY THIS COUNCIL IN JULY 1992 URGING THE ADMINISTRATION TO STRENGTHEN THE REPRESENTATION AND ACCOUNTABILITY OF THESE BODIES.

THE ABOLITION OF APPOINTED MUNICIPAL COUNCIL AND DISTRICT BOARD SEATS IS NOT, AS SOME MEMBERS SUGGEST, A RADICAL CHANGE. RATHER, IT REPRESENTS THE CULMINATION OF A GRADUAL PROCESS OF CHANGES IN THE COMPOSITION OF THESE BODIES OVER THE YEARS. THE URBAN COUNCIL WAS SET UP IN THE 1930S; THE DISTRICT BOARDS IN THE EARLY 1980S; AND THE REGIONAL COUNCIL IN 1986. BY ANY YARDSTICK, FULLY ELECTED MEMBERSHIP FOR THESE BODIES IN 1994/95 CAN HARDLY BE DESCRIBED AS A DEVELOPMENT OF UNDUE HASTE. NOR, THEREFORE, SHOULD IT CAUSE ANY DISRUPTION TO THE OPERATIONS OF THESE BODIES. INDEED, IT IS THE LOGICAL STEP TO TAKE AS THIS COUNCIL WILL ITSELF ALSO BECOME FULLY ELECTED IN 1995.

THERE ARE CONCERNS THAT AFTER THE APPOINTED MEMBERS HAVE GONE, THEIR EXPERTISE CANNOT BE READILY REPLACED. IT IS RECOGNISED, AND ONE CAN HARDLY OVER-EMPHASISE THIS, THAT OVER THE YEARS APPOINTED MEMBERS HAVE MADE SIGNIFICANT CONTRIBUTIONS. BUT AT THE SAME TIME, ONE MUST EQUALLY RECOGNISE THE NEED FOR OUR SYSTEM OF REPRESENTATIVE INSTITUTIONS EVOLVING TO MEET THE ASPIRATIONS OF THE COMMUNITY. IN ANY CASE, THERE ARE ALREADY LEGAL PROVISIONS FOR THE MUNICIPAL COUNCILS AND THE DISTRICT BOARDS TO CO-OPT EXPERTS ONTO THEIR COMMITTEES IF SUCH A NEED ARISES.

THE STAND OF THE ADMINISTRATION IS CLEAR. WE FIRMLY BELIEVE THAT IT IS BOTH TIMELY AND APPROPRIATE TO ABOLISH APPOINTED MEMBERSHIP IN MUNICIPAL COUNCILS AND DISTRICT BOARDS. THE THREE EX-OFFICIO MEMBERS WILL THEREFORE VOTE AGAINST MR ERIC LI'S AMENDMENT TO RETAIN SUCH MEMBERSHIP.

FINALLY, THERE IS THE QUESTION OF EX-OFFICIO MEMBERSHIP IN THE REGIONAL COUNCIL AND THE NINE NEW TERRITORIES DISTRICT BOARDS. THESE EX-OFFICIO SEATS WERE ESTABLISHED IN RECOGNITION OF THE SPECIAL INTERESTS OF THE INDIGENOUS POPULATION OF THE NEW TERRITORIES. OVER THE YEARS, THE EX-OFFICIO MEMBERS, WHO ARE THEMSELVES ELECTED, HAVE CONTRIBUTED MUCH IN PRESERVING THE LINK BETWEEN THE BODIES THEY SIT ON AND THE INDIGENOUS POPULATION IN THAT PART OF HONG KONG. IN PARTICULAR, THEY HAVE MADE IMPORTANT INPUT IN THE PLANNING OF SERVICES AND FACILITIES TO IMPROVE THE GENERAL WELL-BEING OF INHABITANTS IN RURAL AREAS. IN THE IMMEDIATE YEARS AHEAD, THE EX-OFFICIO MEMBERS WILL, WE BELIEVE, CONTINUE TO HAVE A USEFUL ROLE TO PERFORM IN THIS RESPECT.

IT HAS BEEN ARGUED THAT RURAL ELECTIONS ARE DISCRIMINATORY. THERE IS NOTHING IN THE CONSTITUTIONS OF THE RURAL COMMITTEES OR THE HEUNG YEE KUK WHICH ALLOW FOR DISCRIMINATION ON THE BASIS OF SEX OR SOCIAL ORIGIN IN RESPECT OF THE ELECTIONS OF RURAL COMMITTEE CHAIRMEN AND THE CHAIRMAN AND VICE-CHAIRMEN OF THE HEUNG YEE KUK. AS FOR THE ELECTIONS OF VILLAGE REPRESENTATIVES WHICH FORM THE LOWEST TIER OF ELECTIONS IN THE RURAL ELECTORAL SYSTEM, EACH "HEAD OF HOUSEHOLD" IS AT PRESENT GIVEN ONE VOTE IN THESE ELECTIONS. OVER 95% OF THE VILLAGES ALREADY ALLOW FEMALE HEADS OF HOUSEHOLD TO VOTE. ABOUT 50% OF THE VILLAGES ALSO ALLOW HEADS OF HOUSEHOLD WHO ARE NON-INDIGENOUS VILLAGERS TO VOTE. SO THE OVERALL PICTURE IS NOT AS RESTRICTIVE AS PORTRAYED BY SOME MEMBERS OF THIS COUNCIL.

FOR THESE REASONS, THE THREE EX-OFFICIO MEMBERS WILL VOTE AGAINST MR MARTIN LEE'S AMENDMENT TO ABOLISH THE EX-OFFICIO SEATS IN THE REGIONAL COUNCIL AND THE DISTRICT BOARDS.

MR PRESIDENT, IT IS THE EARNEST HOPE OF THE ADMINISTRATION THAT, SUBJECT TO THE AMENDMENTS TO BE MOVED BY MR ANDREW WONG, THIS COUNCIL WILL PASS THE BILL WHICH IS NOW BEFORE IT SO THAT WE CAN IMMEDIATELY GET ON WITH THE PREPARATION FOR THE 1994-95 ELECTIONS.

THANK YOU, MR PRESIDENT.

SPEECH BY SECRETARY FOR CONSTITUTIONAL AFFAIRS, MR NICHOLAS NG,
ON THE HON ALLEN LEE'S AMENDMENT TO ELECTORAL PROVISIONS
(MISCELLANEOUS AMENDMENTS)
(NO. 2) BILL 1993
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MR PRESIDENT,

I WOULD LIKE TO REITERATE THAT THE ADMINISTRATION IS AGAINST MR LEE'S AMENDMENT.

THE PROPOSED "SINGLE-SEAT SINGLE-VOTE" VOTING SYSTEM FOR LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY ELECTIONS HAS WIDESPREAD SUPPORT IN THE COMMUNITY. THIS COUNCIL ITSELF HAS ALSO GIVEN FIRM SUPPORT TO THIS PROPOSAL DURING TWO PREVIOUS DEBATES IN JULY AND NOVEMBER 1992. WE JUST CANNOT SEE ANY GOOD, LOGICAL REASONS NOT TO PROCEED WITH LEGISLATION ON THIS PROPOSAL.

MR PRESIDENT, I HAVE SAID EARLIER THAT OUR DOOR HAS BEEN OPEN ALL ALONG FOR DISCUSSION WITH THE CHINESE SIDE. BUT HOWEVER MUCH WE WOULD HAVE PREFERRED TO LEGISLATE ON THE BASIS OF AN AGREEMENT WITH THE CHINESE SIDE, PRACTICAL TIME CONSTRAINTS MEAN THAT WE NEED TO GET ON WITH THE LEGISLATIVE PROCESS EVEN IN THE ABSENCE OF SUCH AN AGREEMENT.

FOR THESE REASONS, THE THREE EX-OFFICIO MEMBERS WILL VOTE AGAINST MR LEE'S AMENDMENT.

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SPEECH BY SECRETARY FOR CONSTITUTIONAL AFFAIRS, MR NICHOLAS NG,
ON THE HON ERIC LI'S AMENDMENT TO ELECTORAL PROVISIONS
(MISCELLANEOUS AMENDMENTS)
(NO. 2) BILL 1993

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MR PRESIDENT,

DURING THE SECOND READING OF THE BILL, I HAVE ALREADY EXPLAINED WHY IN OUR JUDGEMENT IT IS BOTH TIMELY AND APPROPRIATE TO ABOLISH APPOINTED DISTRICT BOARD AND MUNICIPAL COUNCIL MEMBERSHIP IN 1994/95. LET ME JUST BRIEFLY RESTATE OUR REASONS.

FIRST, ABOLITION OF THE APPOINTED SEATS IN THESE BODIES WILL ALLOW MORE PEOPLE TO PARTICIPATE IN THE MANAGEMENT OF THEIR OWN AFFAIRS.

SECONDLY, THE PROPOSAL IS NOT A RADICAL CHANGE. RATHER, IT IS A LOGICAL STEP IN THE GRADUAL EVOLUTION OF THESE BODIES OVER THE YEARS.

THIRDLY, WHILST ONE WOULD WANT TO PAY TRIBUTE TO THE CONTRIBUTIONS OF APPOINTED MEMBERS, IT IS ALSO IMPORTANT THAT OUR SYSTEM OF REPRESENTATIVE GOVERNMENT SHOULD EVOLVE TO MEET THE RISING ASPIRATIONS OF THE COMMUNITY.

FOR THE ABOVE REASONS, MR PRESIDENT, THE THREE EX-OFFICIO MEMBERS WILL VOTE AGAINST MR LI'S AMENDMENT.

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SPEECH BY SECRETARY FOR CONSTITUTIONAL AFFAIRS, MR NICHOLAS NG,
ON THE HON MARTIN LEE'S AMENDMENT TO ELECTORAL PROVISIONS
(MISCELLANEOUS AMENDMENTS)
(NO. 2) BILL 1993

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MR PRESIDENT,

I HAVE EXPLAINED EARLIER THAT THE EX-OFFICIO SEATS ON THE REGIONAL COUNCIL AND THE NINE NEW TERRITORIES DISTRICT BOARDS WERE ESTABLISHED IN RECOGNITION OF THE SPECIAL INTERESTS OF THE INDIGENOUS POPULATION OF THE NEW TERRITORIES. THESE EX-OFFICIO MEMBERS, WHO ARE THEMSELVES ELECTED, HAVE MADE SIGNIFICANT CONTRIBUTIONS IN PRESERVING THE LINK BETWEEN THESE BODIES AND THE RURAL COMMUNITY. IN THE YEARS AHEAD, THEY WILL CONTINUE TO HAVE A USEFUL ROLE TO PLAY.

MR PRESIDENT, THE THREE EX-OFFICIO MEMBERS WILL VOTE AGAINST MR LEE'S AMENDMENT.

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INCREASES IN FIXED PENALTIES APPROVED

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THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) PASSED TWO RESOLUTIONS UNDER THE FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE AND THE FIXED PENALTY (CRIMINAL PROCEEDINGS) ORDINANCE TO INCREASE THE LEVELS OF FIXED PENALTY FINES FOR ILLEGAL PARKING AND MOVING TRAFFIC OFFENCES.

MEMBERS ALSO APPROVED AN INCLUSION OF A NEW ITEM IN THE SCHEDULE OF FIXED PENALTY OFFENCES.

MOVING THE RESOLUTIONS, THE SECRETARY FOR TRANSPORT, MR HAIDER BARMA, SAID THERE HAD BEEN SUBSTANTIAL INCREASES IN BOTH MOVING TRAFFIC OFFENCES AND IN ILLEGAL ON-STREET PARKING OVER THE PAST FEW YEARS.

HE NOTED THAT ONE REASON WAS BECAUSE THE DETERRENT EFFECT OF THE EXISTING LEVELS OF FIXED PENALTY FINES, WHICH WERE SET IN 1989, HAD BEEN ERODED BY INFLATION.

TO RESTORE THEIR REAL VALUE IN LINE WITH INFLATION, THE FIXED PENALTY FINES FOR MOVING OFFENCES WILL BE INCREASED FROM \$140 TO \$230, FROM \$200 TO \$320 AND FROM \$280 TO \$450 RESPECTIVELY FOR DIFFERENT CATEGORIES, AND FROM \$200 TO \$320 FOR ILLEGAL PARKING.

MR BARMA SAID UNDER EXISTING LAW, THE DRIVERS OF THE FIRST OR SECOND TAXIS AT A TAXI STAND WERE REQUIRED TO SIT IN OR STAND BESIDE THEIR TAXIS SO AS TO BE READY FOR IMMEDIATE HIRE.

FAILURE TO COMPLY IS AN OFFENCE AND IT WILL BE ADDED TO THE SCHEDULE OF FIXED PENALTY OFFENCES, WITH A FINE OF \$320. THIS IS PITCHED AT THE SAME LEVEL AS FIXED PENALTY FINES FOR OTHER TAXI-RELATED OFFENCES.

IT WILL HAVE THE EFFECT OF REDUCING THE BURDEN ON THE POLICE AND THE COURTS OF TAKING SUMMONS ACTION.

MR BARMA SAID THE NEW FINES AND THE INCLUSION OF THE NEW OFFENCE WILL TAKE EFFECT FROM JUNE 1.

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BILL INTRODUCED TO RAISE TELECOM FINES

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THE MAXIMUM FINES FOR VARIOUS OFFENCES UNDER THE TELECOMMUNICATION ORDINANCE AND ITS SUBSIDIARY LEGISLATION ARE PROPOSED TO GO UP UNDER A BILL INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE TELECOMMUNICATION (AMENDMENT) BILL 1994, THE SECRETARY FOR ECONOMIC SERVICES, MR GORDON SIU, SAID THE PROPOSED INCREASES WERE BROADLY IN LINE WITH INFLATION AND WERE NECESSARY TO RESTORE DETERRENT EFFECT.

FINES UNDER THE ORDINANCE HAVE NOT BEEN REVISED SINCE 1963.

THE OFFENCES RELATE MAINLY TO THE ILLEGAL ESTABLISHMENT OF MEANS OF TELECOMMUNICATION, THE SALE OR DEMONSTRATION FOR SALE OF ANY RADIO COMMUNICATION EQUIPMENT WITHOUT A LICENCE, AND THE USE OF APPARATUS WHICH CAUSES INTERFERENCE TO THE WORKINGS OF TELECOMMUNICATION EQUIPMENT.

"THE OFFENCES MAY NOT APPEAR SERIOUS IN THEMSELVES, BUT THEY CAN HAVE VERY SERIOUS CONSEQUENCES IN TERMS OF AFFECTING COMMUNICATION BY EMERGENCY SERVICES OR BY SHIPS OR AEROPLANES, OR BY DAMAGING LICENSED COMMERCIAL SERVICES," HE SAID.

OVER THE PAST SIX YEARS THE NUMBER OF CONVICTIONS UNDER SECTION 8 OF THE ORDINANCE ROSE FROM 141 TO 641 A YEAR.

MR SIU SAID FOR THE MOST PART THIS INCREASE WAS ACCOUNTED FOR BY UNLICENSED USE OR UNAUTHORISED MODIFICATION OF RADIO EQUIPMENT IN TAXIS AND GOODS VEHICLES.

"WE BELIEVE THAT THE PROPOSED REVISION IN FINES WILL HAVE A SIGNIFICANT EFFECT IN DETERRING THIS CATEGORY OF OFFENDERS," HE SAID.

THE BILL ALSO PROPOSES TO INCREASE THE MAXIMUM FINES FOR OFFENCES UNDER REGULATIONS MADE UNDER THE ORDINANCE FROM \$2,000 TO \$20,000.

DEBATE ON THE BILL WAS ADJOURNED.

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CRIMINAL JURISDICTION BILL INTRODUCED TO LEGCO

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A BILL PROPOSING TO EXTEND THE ABILITY OF COURTS IN HONG KONG TO TRY PERSONS FOR CERTAIN OFFENCES OF FRAUD AND DISHONESTY THAT HAVE A CONNECTION BOTH WITH HONG KONG AND ANOTHER PLACE WAS INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE CRIMINAL JURISDICTION BILL, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, SAID THE BILL WAS TO IMPROVE THE ADMINISTRATION OF JUSTICE IN HONG KONG BY RENDERING FRAUDSTERS LIABLE TO PROSECUTION WHERE THEIR ACTIVITIES, OR THE CONSEQUENCES OF THEIR ACTIVITIES, WERE CONNECTED WITH HONG KONG.

HE SAID: "AT PRESENT, THE LAW REGARDS AN OFFENCE AS BEING COMMITTED WHERE THE LAST ACT OR EVENT NECESSARY FOR ITS COMPLETION TOOK PLACE.

"AS A RESULT, IT IS OFTEN NOT POSSIBLE TO PROSECUTE PERSONS IN HONG KONG FOR FRAUDS COMMITTED OUTSIDE HONG KONG, EVEN THOUGH THEY HAVE A REAL CONNECTION WITH HONG KONG."

CITING AN EXAMPLE, MR MATHEWS SAID A PERSON PUBLISHED AN ADVERTISEMENT IN HONG KONG INVITING PEOPLE TO INVEST IN A NON-EXISTENT PROPERTY IN AUSTRALIA BY PAYING MONEY INTO AN AUSTRALIAN BANK ACCOUNT WOULD NOT COMMIT AN OFFENCE IN HONG KONG IF THE CRIMINAL WITHDREW THE MONEY IN AUSTRALIA AND BROUGHT HIS ILL-GOTTEN GAINS BACK TO HONG KONG.

THIS WAS BECAUSE THE LAST ACT, THE OBTAINING OF THE PROCEEDS, TOOK PLACE ABROAD.

MR MATHEWS POINTED OUT THAT SIMILAR JURISDICTIONAL PROBLEMS MIGHT ARISE IF A PERSON IN HONG KONG ATTEMPTED TO COMMIT AN OFFENCE ELSEWHERE, OR CONSPIRED OR INCITED ANOTHER TO COMMIT AN OFFENCE ABROAD.

HE SAID THE RULES RELATING TO THE JURISDICTION OF THE COURTS WERE DEVELOPED AT A TIME WHEN THE GLOBAL FINANCIAL MARKETPLACE AND MODERN, SOPHISTICATED MEANS OF TRANSFERRING MONEY DID NOT EXIST.

THOSE RULES HAD NOT EVOLVED TO DEAL EFFECTIVELY WITH INTERNATIONAL FRAUD, WHICH OFTEN INVOLVED COMPLEX OPERATIONS DESIGNED TO CONCEAL DISHONEST CONDUCT AND TO MAKE DETECTION AND CONVICTION AS DIFFICULT AS POSSIBLE, HE SAID.

MR MATHEWS ADDED THAT THE BILL WAS DESIGNED TO OVERCOME THE PROBLEMS AND WOULD APPLY TO TWO GROUPS OF OFFENCES.

THE OFFENCES THAT WERE LISTED IN THE BILL AS GROUP A OFFENCES WERE BROADLY THE OFFENCES OF THEFT, OBTAINING BY DECEPTION, FALSE ACCOUNTING, MAKING CERTAIN FALSE STATEMENTS AND BLACKMAIL UNDER THE THEFT ORDINANCE, AND FORGERY UNDER PART IX OF THE CRIMES ORDINANCE.

THE GROUP B OFFENCES IN THE BILL WERE CONSPIRACIES, ATTEMPTS AND INCITEMENTS TO COMMIT ANY OF THE GROUP A OFFENCES, AND THE OFFENCE OF CONSPIRACY TO DEFRAUD.

MR MATHEWS SAID THERE WAS PROVISION IN THE BILL FOR THE LIST OF OFFENCES TO WHICH IT APPLIED TO BE AMENDED BY AN ORDER THAT HAD TO BE APPROVED BY THE LEGISLATIVE COUNCIL.

"ADDITIONAL OFFENCES MAY, THEREFORE, BE INCLUDED IN THE LEGISLATION IF EXPERIENCE SHOWS THAT IT IS DESIRABLE AND NECESSARY TO DO SO," HE NOTED.

MR MATHEWS SAID IN RELATION TO THE GROUP A OFFENCES, THAT WAS THE SUBSTANTIVE OFFENCES INVOLVING FRAUD OR DISHONESTY, THE BILL WOULD ENABLE HONG KONG COURTS TO TRY THOSE OFFENCES IF ANY EVENT THAT MUST BE PROVED IN ORDER TO OBTAIN A CONVICTION IN RESPECT OF THEM TOOK PLACE IN HONG KONG.

IN RELATION TO THE GROUP B OFFENCES, THE BILL PROVIDED THAT THE COURTS SHOULD HAVE JURISDICTION IF THERE WAS A CONSPIRACY, ATTEMPT OR INCITEMENT IN HONG KONG TO COMMIT ONE OF THE SPECIFIED OFFENCES ELSEWHERE, AND VICE VERSA, HE ADDED.

BUT, IN GIVING HONG KONG COURTS JURISDICTION IN RESPECT OF CONSPIRACIES, ATTEMPTS AND INCITEMENTS TO COMMIT OFFENCES ELSEWHERE, THE BILL PROVIDED IMPORTANT SAFEGUARDS, MR MATHEWS SAID.

"THE INTENDED CONDUCT ABROAD MUST BE SUCH THAT, IF PERFORMED IN HONG KONG, IT WOULD AMOUNT TO AN OFFENCE SPECIFIED IN THE BILL. IN ADDITION, THE CONDUCT MUST BE PUNISHABLE UNDER THE LAW IN THE OTHER PLACE," HE SAID.

DEBATE ON THE BILL WAS ADJOURNED.

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APPEAL TO INTRODUCE MANDATORY DRUG LABELLING
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THE MEDICAL COUNCIL HAS STIPULATED THE REQUIREMENT FOR LABELLING OF DRUGS IN ITS CODE OF PRACTICE FOR DOCTORS, WHICH WILL COME INTO EFFECT ON JANUARY 1, 1995.

ANY MEDICAL PRACTITIONER FOUND IN BREACH OF THE REQUIREMENT WILL BE SUBJECT TO DISCIPLINARY ACTION BY THE MEDICAL COUNCIL UNDER THE LAW; THE PENALTIES UNDER WHICH CAN BE VERY SEVERE.

THIS WAS STATED BY THE SECRETARY FOR HEALTH AND WELFARE, MRS ELIZABETH WONG, WHEN REPLYING TO A QUESTION BY THE HON HO MUN-KA IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MRS WONG SAID THE GOVERNMENT WELCOMED THIS INITIATIVE AND WOULD CLOSELY MONITOR THE EFFECTIVENESS OF THIS APPROACH BEFORE CONSIDERING, IF NECESSARY, FURTHER LEGISLATION.

"IN EFFECT, THIS APPROACH ENSURES EARLIER IMPLEMENTATION OF DRUG LABELLING IN THE PRIVATE SECTOR WITH FULL CO-OPERATION OF THE MEDICAL PROFESSION THAN WOULD HAVE BEEN THE CASE OTHERWISE," SHE SAID.

"HENCE, I WOULD LIKE TO APPEAL TO ALL HEALTH CARE PROFESSIONALS TO INTRODUCE, WHERE RELEVANT, MANDATORY DRUG LABELLING VIA THE VEHICLE OF CODES OF PRACTICE, IN THE FIRST INSTANCE.

"OUR AIM IS TO SAFEGUARD PATIENT INTERESTS. THIS AIM IS BEST SERVED BY THE JOINT EFFORTS OF THE PUBLIC AND PRIVATE HEALTH SECTORS ALIKE.

"IN MY VIEW, LEGISLATION SHOULD BE CONSIDERED EITHER TO GIVE LEGISLATIVE EFFECT TO REINFORCE GOOD PROFESSIONAL PRACTICES AND/OR AS A VEHICLE TO ENFORCE MEASURES IN THE PUBLIC INTEREST.

"WE HAVE CERTAINLY NOT ABANDONED THIS MEASURE," SHE ADDED.

ON THE PROGRESS OF DRUG LABELLING IN THE PUBLIC SECTOR, MRS WONG TOLD COUNCIL MEMBERS THAT ALL PUBLIC OUT-PATIENT AND SPECIALIST CLINICS ALREADY HAD THEIR DISPENSED MEDICINES LABELLED.

EXTENSION OF DRUG LABELLING IN ALL MEDICAL INSTITUTIONS UNDER THE MANAGEMENT OF THE HOSPITAL AUTHORITY WILL BE COMPLETED BY 1994/95.

AS FAR AS THE PRIVATE SECTOR IS CONCERNED, 12 OF THE 13 PRIVATE HOSPITALS IN HONG KONG HAVE THEIR DISPENSED MEDICINES LABELLED, EITHER AS A ROUTINE OR ON THE REQUEST OF DOCTORS OR PATIENTS. THE REMAINING ONE HOSPITAL WILL FOLLOW SUIT THIS APRIL.

A RECENT SURVEY CONDUCTED BY THE ESTATE DOCTORS' ASSOCIATION ALSO SHOWED THAT SOME 15 PER CENT OF ITS MEMBERS LABELLED THEIR MEDICINES FOR PATIENTS ON A VOLUNTARY BASIS.

FURTHERMORE, OVERWHELMING SUPPORT WAS ALSO RECEIVED FROM THE 49 MEDICAL, DENTAL AND PHARMACEUTICAL ASSOCIATIONS CONSULTED LAST YEAR ON THE FEASIBILITY OF LEGISLATING FOR MANDATORY LABELLING OF DRUGS; ALTHOUGH MANY PREFERRED MANDATORY LABELLING VIA THE VEHICLE OF CODES OF PRACTICE.

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GOVT DOES NOT INTERVENE IN PRIVATE
DISPUTES OVER PROPERTY SALES

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PROPERTY SALES AND PURCHASES ARE MATTERS BETWEEN VENDORS AND PURCHASERS AND THE GOVERNMENT DOES NOT NORMALLY INTERVENE IN PRIVATE DISPUTES OVER SUCH MATTERS, THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, SAID TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY DR THE HON TANG SIU-TONG IN THE LEGISLATIVE COUNCIL, MR EASON SAID PURCHASERS SHOULD SEEK LEGAL ADVICE AS TO WHAT ACTION MIGHT BE TAKEN WHERE THEY BELIEVED MISREPRESENTATION OR ANY OTHER QUESTIONABLE PRACTICE HAD OCCURRED.

MR EASON SAID THERE WAS NO LEGISLATION GOVERNING THE DISCLOSURE OF INFORMATION IN RELATION TO THE SALE AND PURCHASE OF PROPERTY.

A SUB-COMMITTEE OF THE LAW REFORM COMMISSION IS CURRENTLY STUDYING THE SUBJECT WITH A VIEW TO ENSURING THAT SUFFICIENT INFORMATION IS AVAILABLE TO PROSPECTIVE PURCHASERS AND IN A FORM EASILY UNDERSTOOD.

"I UNDERSTAND THE SUB-COMMITTEE IS NOW FINALISING ITS REPORT AND I LOOK FORWARD TO SEEING THE RESULTS OF THESE IMPORTANT DELIBERATIONS," HE SAID.

MR EASON SAID SALES BROCHURES MUST BE PRODUCED FOR THE SALE OF UNCOMPLETED UNITS IN DEVELOPMENTS WHICH WERE COVERED BY THE CONSENT SCHEME OPERATED BY THE LANDS DEPARTMENT, UNDER WHICH THE PRIOR CONSENT OF THE DIRECTOR OF LANDS MUST BE OBTAINED BEFORE THE SALE OR DISPOSAL OF UNCOMPLETED UNITS.

THE SALEABLE FLOOR AREA IS ONE OF A NUMBER OF ITEMS WHICH MUST BE DISCLOSED IN SUCH BROCHURES.

A STANDARD FORM OF AGREEMENT FOR SALE AND PURCHASE CONTAINING A DEFINITION OF SALEABLE FLOOR AREA MUST ALSO BE USED IN THESE CASES.

/MR EASON

MR EASON NOTED THAT FOR DEVELOPMENTS NOT COVERED BY THE CONSENT SCHEME, IT WAS CURRENTLY FOR THE DEVELOPER TO DECIDE WHETHER OR NOT TO DISCLOSE SALEABLE FLOOR AREAS IN SALES BROCHURES.

THE LAW SOCIETY OPERATES A NON-CONSENT SCHEME WHICH ADOPTS A STANDARDISED AGREEMENT FOR SALE AND PURCHASE AND A SIMILAR BUT NOT IDENTICAL DEFINITION OF SALEABLE FLOOR AREA AS FOR CONSENT SCHEME.

HE SAID THE LAW SOCIETY WAS CONSIDERING AMENDMENTS TO THE FORM OF THE AGREEMENT FOR SALE AND PURCHASE IN THE NON-CONSENT SCHEME, INCLUDING THE DEFINITION OF SALEABLE FLOOR AREA, BUT THESE HAD NOT YET BEEN FINALISED.

"TO PROTECT THEIR OWN INTERESTS, PURCHASERS SHOULD MAKE SURE THAT THEY KNOW WHAT THE PRECISE SALEABLE AREA OF THE UNIT THEY ARE BUYING IS AND CHECK THE FLOOR PLAN OF THE UNIT ATTACHED TO THE AGREEMENT WHEN THEY SIGN THE FORMAL AGREEMENT FOR SALE AND PURCHASE.

"PURCHASERS ARE ALSO ADVISED TO SEEK LEGAL ADVICE AND, IF NECESSARY, ENGAGE AN ARCHITECT OR SURVEYOR TO GIVE THEM EXPERT ADVICE," MR EASON SAID.

THE CONSUMER COUNCIL HAS RECEIVED 25 COMPLAINTS RELATING TO "DIMINISHED SHOP SPACES" IN THREE DEVELOPMENTS BUT THE GOVERNMENT DOES NOT HAVE RECORDS OF COMPLAINTS OF THIS TYPE.

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MEASURES TO IMPROVE AIR POLLUTION

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THE GOVERNMENT HAS PROPOSED VARIOUS MEASURES TO MITIGATE THE AIR POLLUTION PROBLEM, THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON CHRISTINE LOH KUNG-WAI, MR EASON SAID: "THE GOVERNMENT HAS PROPOSED TO AMEND THE AIR POLLUTION CONTROL ORDINANCE TO REQUIRE THE USE OF BETTER QUALITY DIESEL FUEL AFTER APRIL 1995 UNDER THE AIR POLLUTION CONTROL (MOTOR VEHICLE FUEL) REGULATION."

THE BILL ENABLING THIS TO BE DONE HAS BEEN INTRODUCED INTO THE LEGISLATIVE COUNCIL FOR FIRST READING AND ITS SECOND READING IS SCHEDULED ON MARCH 30.

THE GOVERNMENT HAS ALSO PROPOSED TO AMEND THE AIR POLLUTION CONTROL (VEHICLE DESIGN STANDARDS) (EMISSION) REGULATION UNDER THE SAME ORDINANCE TO REQUIRE ALL VEHICLES REGISTERED AFTER APRIL 1995 TO MEET MORE STRINGENT EMISSION STANDARDS ADOPTED BY EUROPE, THE UNITED STATES AND JAPAN.

SUBJECT TO CONSULTATION, MR EASON SAID, THE AMENDMENT REGULATION SHOULD BE ENACTED BY THE THIRD QUARTER OF THIS YEAR.

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IN ADDITION, THE SMOKY VEHICLES DETECTION PROGRAMME WILL BE STEPPED UP SO THAT MORE VEHICLES WILL BE CALLED UP FOR EXAMINATION.

A FURTHER MEASURE WHICH COULD HELP REDUCE EMISSIONS FROM LIGHT DUTY DIESEL VEHICLES WOULD BE A SWITCH TO UNLEADED PETROL AND CATALYTIC CONVERTERS AND THE POSSIBILITY OF INTRODUCING THIS MEASURE WAS BEING CONSIDERED URGENTLY BY THE GOVERNMENT, HE SAID.

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NO PLAN TO DRAW UP GUIDELINES FOR INDIVIDUAL TRADES
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THE GOVERNMENT HAS NO INTENTION TO DRAW UP CODES OF PRACTICE AND OPERATIONAL GUIDELINES FOR THE INDIVIDUAL TRADES, THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, SAID TODAY (WEDNESDAY).

IN A REPLY TO A QUESTION BY THE HON HUI YIN-FAT IN THE LEGISLATIVE COUNCIL, MR ASPREY SAID: "THIS IS BEST LEFT TO TRADE ASSOCIATIONS."

HE ALSO TOLD LEGISLATORS THAT THE SETTING UP OF A LICENSING SYSTEM FOR PERSONS PRACTISING HAND MASSAGE IS UNNECESSARY.

"MASSAGE ESTABLISHMENTS AT PRESENT ARE ADEQUATELY REGULATED UNDER THE MASSAGE ESTABLISHMENTS ORDINANCE," HE ADDED.

MR ASPREY NOTED THAT THE GOVERNMENT DID NOT HAVE STATISTICS ON THE NUMBER OF PEOPLE CURRENTLY ENGAGED IN THE HAND MASSAGE TRADE.

HOWEVER, ACCORDING TO THE HONG KONG SOCIETY FOR THE BLIND, THERE ARE 40 TRAINED BLIND PEOPLE WORKING IN THE TRADE.

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WAYS TO ENHANCE HOSPITAL AUTHORITY TRANSPARENCY
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THE HOSPITAL AUTHORITY ENHANCES ITS TRANSPARENCY THROUGH THE PARTICIPATION OF THE PUBLIC IN ITS DECISION-MAKING PROCESS AND PUBLIC ACCOUNTABILITY FOR DECISIONS MADE.

THIS WAS STATED BY THE SECRETARY FOR HEALTH AND WELFARE, MRS ELIZABETH WONG, WHEN REPLYING TO A QUESTION BY THE HON TIK CHI-YUEN IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

ON PUBLIC PARTICIPATION, MRS WONG SAID THE BOARD OF THE HOSPITAL AUTHORITY, THE REGIONAL ADVISORY COMMITTEES AND HOSPITAL GOVERNING COMMITTEES WERE SERVED BY OVER 300 COMMUNITY LEADERS, OF WHOM SOME 40 WERE DISTRICT BOARD MEMBERS.

THEY PLAY A KEY ROLE IN LAYING DOWN THE STRATEGIES AND DIRECTIONS OF THE HOSPITAL AUTHORITY, OVERSEEING THE MANAGEMENT AND REVIEWING THE PERFORMANCE OF INDIVIDUAL HOSPITALS.

THE HOSPITAL AUTHORITY IS ACCOUNTABLE TO THE PUBLIC FOR DECISIONS MADE AND IS ANSWERABLE TO THE LEGISLATIVE COUNCIL SINCE IT IS SUBSTANTIALLY FUNDED FROM PUBLIC REVENUE.

THE DIRECTOR OF AUDIT MAY CONDUCT EXAMINATIONS ON THE ECONOMY AND EFFICIENCY WITH WHICH THE AUTHORITY HAS EXPENDED RESOURCES IN DISCHARGING ITS STATUTORY FUNCTIONS UNDER THE HOSPITAL AUTHORITY ORDINANCE.

MRS WONG NOTED THAT THE TRANSPARENCY WAS FURTHER ENHANCED BY A PATIENT-CENTRED CULTURE.

"TO TAKE A VERY POSITIVE ATTITUDE IN DEALING WITH PATIENT COMPLAINTS, A PUBLIC COMPLAINTS COMMITTEE HANDLES COMPLAINTS RECEIVED AT THE HOSPITAL LEVEL AS WELL AS CASES REFERRED TO IT BY MEMBERS OF THIS COUNCIL AND THE COMMISSIONER OF ADMINISTRATIVE COMPLAINTS," SHE SAID.

IN ADDITION, THERE IS A CONSTANT FLOW OF INFORMATION ABOUT THE HOSPITAL AUTHORITY THROUGH NEWSLETTERS, PRESS BRIEFINGS AND INTERVIEWS.

OTHER ONGOING PLANS TO FURTHER ENHANCE THE TRANSPARENCY OF THE AUTHORITY ARE ALSO IN HAND.

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MEASURES TO DETER UNLICENSED TRAVEL AGENTS

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ENFORCEMENT AND PUBLICITY MEASURES ARE TAKEN TO DETER ACTIVITIES OF UNLICENSED TRAVEL AGENTS, THE SECRETARY FOR TRADE AND INDUSTRY, MR T H CHAU, SAID TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON HOWARD YOUNG IN THE LEGISLATIVE COUNCIL, MR CHAU SAID THE REGISTRAR OF TRAVEL AGENTS AND THE TRAVEL INDUSTRY COUNCIL WORKED TOGETHER CLOSELY IN MONITORING THE ACTIVITIES.

FROM 1991 TO 1993, THE REGISTRAR REFERRED 50 REPORTS INVOLVING 90 SUSPECTED UNLICENSED TRAVEL AGENTS TO THE POLICE FOR INVESTIGATION.

PROSECUTION WAS UNDERTAKEN IN RESPECT OF 35 CASES, OF WHICH 38 PERSONS WERE CONVICTED. ELEVEN CASES REMAIN OUTSTANDING.

ON PUBLICITY, MR CHAU SAID THE GOVERNMENT AND THE CONSUMER COUNCIL MADE REGULAR EFFORTS, PARTICULARLY BEFORE EACH PEAK TRAVEL SEASON, TO EDUCATE THE PUBLIC THAT IT WAS AN OFFENCE TO PROVIDE OUTBOUND TRAVEL SERVICE WITHOUT A LICENCE.

THE PUBLIC WAS ALSO ADVISED NOT TO PATRONISE UNLICENSED TRAVEL AGENTS, HE ADDED.

THE TRAVEL INDUSTRY COUNCIL, THE TRAVEL INDUSTRY'S OWN SELF-REGULATORY BODY, HAS RECENTLY LAUNCHED A SIMILAR PUBLICITY DRIVE.

MR CHAU SAID THE REGISTRAR AND THE TRAVEL INDUSTRY COUNCIL HAD ADVISED ALL LICENSED TRAVEL AGENTS NOT TO HAVE DEALINGS WITH UNLICENSED TRAVEL AGENTS.

"THE OUTBOUND TRAVEL INDUSTRY HAS ALSO BEEN ENCOURAGED TO REPORT CASES OF SUSPECTED UNLICENSED TRAVEL AGENTS TO THE REGISTRAR FOR ACTION.

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MODIFICATION OF CRITERIA OF SANDWICH CLASS HOUSING

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IT IS LIKELY THAT THE ELIGIBILITY CRITERIA FOR APPLYING FOR PHASE II OF THE SANDWICH CLASS HOUSING LOAN SCHEME WILL BE MODIFIED BASED ON THE EXPERIENCE OF THE PHASE I, THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY THE HON VINCENT CHENG HOI-CHUEN, MR EASON SAID CONSULTATION ON THE POSSIBLE MODIFICATIONS WAS TAKING PLACE.

OF THE 3,545 APPLICATIONS RECEIVED UNDER THE PHASE I OF THE SCHEME, MR EASON SAID, 388 APPLICATIONS HAD BEEN APPROVED AND 79 APPLICANTS HAD PURCHASED FLATS.

THE PROCESSING OF THE PHASE I APPLICATIONS WILL BE COMPLETED BY THE END OF MARCH AND APPLICATIONS FOR PHASE II OF THE SCHEME WILL BE INVITED IN APRIL.

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PLANS TO HELP CROSS-BORDER TRAVELLERS

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IMMIGRATION MANPOWER WILL BE INCREASED AND NEW FACILITIES WILL BE INSTALLED AT THE LO WU BORDER AND THE HUNG HOM TERMINAL TO COPE WITH THE VOLUME OF CROSS-BORDER TRAVELLERS AT BUSY HOLIDAY PERIODS.

THIS WAS STATED BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, IN A WRITTEN REPLY TO A QUESTION BY THE HON MOSES CHENG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE MEASURES INCLUDE:

- * BUILDING A NEW STATION AT HUNG HOM, WHICH WILL INCLUDE A BIGGER IMMIGRATION HALL WITH ADDITIONAL COUNTERS. IT IS DUE TO BE COMPLETED IN 1995/96;

- * TO OPERATE ADDITIONAL CHARTER EXPRESS TRAINS TO LO WU DURING FESTIVAL PERIODS;
- * TO ADD 70 STAFF IN 1994/95 TO MAN THE EXTENSION TO LO WU TERMINAL, WHICH IS DUE TO BE COMPLETED THEN. THIS WILL INCREASE THE NUMBER OF COUNTERS FROM 88 TO 160; AND
- * TO SET UP A 46-STRONG IMMIGRATION TASK FORCE THIS YEAR TO DEAL WITH SPECIAL INVESTIGATIONS, AND TO REINFORCE LO WU AND OTHER CONTROL POINTS DURING BUSY PERIODS.

MR ASPREY SAID ARRANGEMENTS AT LO WU THAT HAD WORKED WELL DURING THE RECENT CHINESE NEW YEAR HOLIDAYS WOULD BE CONSIDERED FOR USE AT OTHER BUSY HOLIDAY PERIODS.

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TSEUNG KWAN O SITE TO BE GRANTED TO HOUSING SOCIETY
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A SITE IN AREA 19B OF TSEUNG KWAN O WITH AN AREA OF ABOUT TWO HECTARES WILL BE GRANTED TO THE HONG KONG HOUSING SOCIETY BY PRIVATE TREATY FOR CONSTRUCTING RENTAL FLATS AND FLATS FOR SALE TOGETHER WITH A PROPORTIONATE AMOUNT OF SUPPORTING COMMERCIAL FLOOR SPACE.

THIS WAS STATED BY THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, IN A WRITTEN REPLY TO THE HON LEE WING-TAT IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR EASON SAID THE PROPOSED DOMESTIC GROSS FLOOR AREA FOR THIS SITE WAS ABOUT 144,000 SQUARE METRES AND THE SUPPORTING COMMERCIAL FLOOR SPACE ABOUT 1,400 SQUARE METRES.

"THE PREMIUM FOR THE SITE WILL BE CALCULATED ON THE BASIS OF ONE-THIRD OF THE FULL MARKET VALUE FOR RENTAL FLATS, ONE-HALF OF THE FULL MARKET VALUE FOR FLATS FOR SALE, AND THE FULL MARKET VALUE FOR COMMERCIAL FLOOR SPACE IN ACCORDANCE WITH ESTABLISHED POLICY.

"BECAUSE THE SITE WILL BE GRANTED AT A CONCESSIONARY PREMIUM IN RESPECT OF THE RESIDENTIAL PORTIONS, THE SOCIETY WILL BE REQUIRED UNDER THE CONDITIONS OF GRANT TO OFFER THE FLATS FOR SALE ON TERMS SIMILAR TO THE HOUSING AUTHORITY'S HOME OWNERSHIP SCHEME," MR EASON SAID.

MR EASON ADDED THAT THE PREMIUM AND MARKET VALUE OF THE SITE HAD NOT YET BEEN ASSESSED AND THE HOUSING MIX BETWEEN RENTAL AND SALES HAD NOT YET BEEN DECIDED UPON.

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EFFORTS TO ENSURE VENDING MACHINES ACCEPT \$10 COIN

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THE HONG KONG MONETARY AUTHORITY IS WORKING CLOSELY WITH OPERATORS AND SUPPLIERS OF VENDING MACHINES TO ENSURE THAT THE NEW \$10 COIN WILL BE ACCEPTED BY VENDING MACHINES FROM ITS INTRODUCTION.

THIS WAS STATED BY THE ACTING SECRETARY FOR FINANCIAL SERVICES, MR TAM WING-PONG, IN A WRITTEN REPLY TO A QUESTION BY THE HON TAM YIU-CHUNG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE EXPLAINED THAT AS WITH ANY NEW COIN, EXISTING VENDING MACHINES WOULD NEED TO BE ADAPTED TO ACCEPT THE NEW \$10 COIN, REGARDLESS OF ITS METAL CONTENT.

THERE IS NO IRON CONTENT IN THE NEW \$10 COIN, HE SAID.

REGARDING THE WEIGHT OF THE NEW COIN, MR TAM SAID IT WEIGHED 11 GRAMMES, LIGHTER THAN THE EXISTING \$5 COIN WHICH WEIGHED 13.5 GRAMMES.

"THE INCONVENIENCE THAT MIGHT BE CAUSED TO THE PUBLIC IN CARRYING THE \$10 COIN SHOULD, THEREFORE, BE MINIMAL.

"FURTHERMORE, THE CIRCULATION OF \$20 NOTES WILL BE INCREASED SO MEMBERS OF THE PUBLIC WILL HAVE A CHOICE OF THE CONVENIENCE OF CARRYING BANK NOTES IN A HIGHER DENOMINATION INSTEAD OF COINS IF THEY SO WISH," HE ADDED.

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NO PLANS TO CONDUCT SURVEY ON PORNOGRAPHIC SOFTWARE

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THE GOVERNMENT HAS NO PLANS TO CONDUCT ANY SURVEY TO GAUGE PUBLIC OPINIONS ON PORNOGRAPHIC COMPUTER SOFTWARE OR ANY OTHER SIMILAR ARTICLES, THE SECRETARY FOR RECREATION AND CULTURE, MR JAMES SO, SAID.

THESE ARE SUBJECT TO REGULATION UNDER THE CONTROL OF OBSCENE AND INDECENT ARTICLES ORDINANCE (COIAO), AND THE INITIATIVE FOR SUCH AN EXERCISE SHOULD COME FROM THE OBSCENE ARTICLES TRIBUNAL, HE ADDED.

HOWEVER, MR SO STRESSED THAT THE GOVERNMENT WOULD CONTINUE TO TAKE STRONG ENFORCEMENT ACTION.

IN THE PAST NINE MONTHS, THE POLICE AND TELEVISION AND ENTERTAINMENT LICENSING AUTHORITY (TELA) HAVE SEIZED 2,500 PIECES OF PORNOGRAPHIC COMPUTER SOFTWARE, RESULTING IN FOUR PERSONS HAVING BEEN CHARGED. THESE CASES ARE NOW PENDING HEARING BY THE COURT.

MR SO ALSO TOLD MEMBERS IN A WRITTEN REPLY TO A QUESTION BY THE HON ERIC LI IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) THAT THE GOVERNMENT HAD CONDUCTED A FILM STANDARDS SURVEY LAST YEAR.

THE AIM WAS TO SOLICIT PUBLIC VIEWS ON THE PRESENT FILM CENSORSHIP SYSTEM AND STANDARDS AS WELL AS ON FILM POSTERS.

IT DID NOT COVER PORNOGRAPHIC COMPUTER SOFTWARE OR ANY OTHER OBSCENE OR INDECENT ARTICLES WHICH ARE NOT GOVERNED BY THE FILM CENSORSHIP ORDINANCE.

"THE FIELD WORK FOR THIS SURVEY WAS COMPLETED AT THE END OF 1993 AS SCHEDULED," SAID MR SO.

"THE INDEPENDENT RESEARCH FIRM COMMISSIONED TO CONDUCT THE SURVEY IS NOW TABULATING, ANALYSING AND INTERPRETING THE DATA COLLECTED, AND THE FINAL REPORT SHOULD BE READY BY THE END OF MARCH," HE ADDED.

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PUBLIC HOUSING LIFT CONTRACTORS COMPLYING WITH REGULATIONS
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LIFTS IN PUBLIC HOUSING ESTATES AND HOME OWNERSHIP SCHEME (HOS) COURTS UNDER THE HOUSING AUTHORITY'S DIRECT MANAGEMENT ARE EXEMPT FROM CONTROL UNDER THE BUILDING (LIFTS) REGULATIONS.

NONETHELESS, CONTRACTORS RESPONSIBLE FOR MAINTAINING LIFTS IN PUBLIC HOUSING ESTATES AND HOS COURTS HAVE NOT BEEN FOUND TO BE IN BREACH OF THE REGULATIONS IN CARRYING OUT THEIR WORK.

THIS WAS STATED BY THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS; MR TONY EASON, IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) IN A WRITTEN REPLY TO A QUESTION BY REV THE HON FUNG CHI-WOOD.

AS A MATTER OF POLICY, MR EASON SAID, THE HOUSING AUTHORITY REPLACES ALL LIFTS WHICH ARE MORE THAN 20 YEARS OLD.

ABOUT 30 PER CENT OF LIFTS IN PUBLIC HOUSING ESTATES AND HOS COURTS ARE LESS THAN FIVE YEARS OLD.

ABOUT 27 PER CENT ARE BETWEEN FIVE TO 10 YEARS OLD WHILE THE REST ARE BETWEEN 10 AND 20 YEARS OLD.

MR EASON SAID THE COST OF MAINTENANCE AND REPAIR TO LIFTS AS A PERCENTAGE OF THE MANAGEMENT FEES OF HOS COURTS VARIED COURT FROM TO COURT, ADDING THAT IT ACCOUNTED FOR 15 TO 20 PER CENT OF TOTAL MANAGEMENT FEES ON AVERAGE.

AS REGARDS PUBLIC HOUSING ESTATES, THE TOTAL COST OF MAINTENANCE AND REPAIR TO LIFTS GENERALLY REPRESENTS THREE TO FOUR PER CENT OF THE TOTAL RENTS COLLECTED.

HOWEVER, A TOTAL OF 24,309 REPAIR ORDERS WERE CARRIED OUT AT A COST OF \$23.8 MILLION IN 1993, REPRESENTING AN AVERAGE MAINTENANCE AND REPAIR COST OF \$47,460 PER LIFT, HE SAID.

THERE ARE 5,338 LIFTS SERVING BUILDINGS IN PUBLIC RENTAL ESTATES (INCLUDING FLATTED FACTORIES) AND HOS COURTS UNDER THE AUTHORITY'S DIRECT MANAGEMENT.

THEIR MAINTENANCE AND REPAIR ARE SHARED AMONG 11 APPROVED CONTRACTORS.

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OBJECTION PERIOD FOR OZPS GOVERNED BY ORDINANCE

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THE PERIOD FOR RAISING OBJECTIONS TO OUTLINE ZONING PLANS (OZPS) IS GOVERNED BY THE TOWN PLANNING ORDINANCE AND DEPENDS ON THE STATUS OF THE PARTICULAR OZP, THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY THE HON EDWARD S T HO, MR EASON SAID UNDER THE TOWN PLANNING ORDINANCE IF AN OZP WAS A NEW ONE OR HAD BEEN REFERRED BACK TO TOWN PLANNING BOARD FOR AMENDMENT BY THE GOVERNOR IN COUNCIL, AMENDMENT TO IT NEEDED TO BE GAZETTED AND EXHIBITED FOR PUBLIC INSPECTION FOR A PERIOD OF TWO MONTHS.

HOWEVER, IF IT IS AN AMENDMENT PLAN TO AMEND ONE ALREADY EXHIBITED BUT NOT YET SUBMITTED TO THE GOVERNOR IN COUNCIL, AMENDMENTS WILL BE GAZETTED WITH A THREE-WEEK PUBLIC INSPECTION PERIOD.

SINCE OZPS DEAL WITH THE OVERALL LAYOUT, LAND-USE AND PLANNING OF AN AREA AND MAY SET DEVELOPMENT LIMITS IN THE FORM OF PLOT RATIO RESTRICTIONS FOR DIFFERENT LAND USES AND AREAS WITH REGARD TO THE PROVISION OF INFRASTRUCTURE, PLANNING CONSIDERATIONS AND ENVIRONMENTAL FACTORS, IT IS THEREFORE APPROPRIATE TO IMPOSE REVISED DENSITY CONTROLS ON KOWLOON AND NEW KOWLOON THROUGH AMENDMENTS TO OZPS.

THE BUILDINGS (PLANNING) REGULATIONS SERVE A DIFFERENT PURPOSE TO GOVERN THE INTEGRITY OF A PARTICULAR STRUCTURE, THE SAFETY OF THE BUILDING, THE STANDARD OF FIRE FIGHTING EQUIPMENT AND SO ON.

FURTHERMORE, THE GOVERNMENT HAD MADE IT CLEAR IN THE LEGISLATIVE COUNCIL THAT THE DENSITY CONTROL IN KOWLOON AND NEW KOWLOON WOULD BE IMPOSED BY AMENDING OZPS WHEN A MOTION WAS MOVED SEEKING AN EXTENSION OF THE TEMPORARY CONTROL OF DENSITY OF BUILDING DEVELOPMENT (KOWLOON AND NEW KOWLOON) ORDINANCE UNTIL DECEMBER 31, 1993.

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JOB'S FOR LOCAL EMPLOYEES OF BRITISH FORCES

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LOCALLY ENLISTED STAFF MEMBERS OF THE BRITISH FORCES IN HONG KONG ARE WELCOME TO APPLY FOR VACANCIES IN THE CIVIL SERVICE WHEN THEY LEAVE THE FORCES BY 1997, THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, SAID TODAY (WEDNESDAY).

HOWEVER, MR ASPREY POINTED OUT THAT THE GOVERNMENT DID NOT HAVE ANY SPECIAL SCHEMES FOR GIVING PRIORITY ENTRANCE TO THEM FOR VACANCIES EITHER IN THE POLICE OR ELSEWHERE IN THE CIVIL SERVICE.

IN A WRITTEN REPLY TO A QUESTION BY THE HON JIMMY MCGREGOR IN THE LEGISLATIVE COUNCIL, MR ASPREY SAID HEADQUARTERS BRITISH FORCES, AS THE EMPLOYER OF THESE PEOPLE, HAD ESTABLISHED RESETTLEMENT TEAMS TO ASSIST IN MANAGING THE RUNDOWN IN THEIR EMPLOYMENT.

THE TEAMS ALSO ASSIST IN IDENTIFYING EMPLOYMENT OPPORTUNITIES FOR THEM WHEN THEY LEAVE, HE ADDED.

"AND THERE ARE ALSO MANY OTHER OPPORTUNITIES FOR THEM IN HONG KONG'S BUOYANT LABOUR MARKET," HE SAID.

SOME 3,300 HONG KONG RESIDENTS ARE BEING EMPLOYED BY THE BRITISH FORCES, OF WHOM ABOUT 1,300 ARE SERVING MEMBERS OF THE ROYAL NAVY AND THE ARMY.

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SECURITY AT POLICE STATIONS AND STAFF QUARTERS ADEQUATE

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THE INVESTIGATIONS INTO THE TWO RECENT CASES INVOLVING THE THEFT OF A POLICE UNIFORM AND A PERSONAL ISSUE REVOLVER DO NOT INDICATE ANY INADEQUACY IN POLICE ORDERS FOR SECURITY OR SECURITY MEASURES.

THIS WAS STATED BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, IN A WRITTEN REPLY TO A QUESTION BY THE HON MRS SELINA CHOW IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THEREFORE, NO IMMEDIATE CHANGES HAVE BEEN MADE, MR ASPREY SAID.

HOWEVER, THE SECRETARY SAID THE POLICE KEPT UNDER REGULAR REVIEW SECURITY MEASURES AND ORDERS TO ENSURE THAT THEY WERE ADEQUATE AND PROPERLY ADMINISTERED.

MR ASPREY SAID POLICE FORMATION COMMANDERS ISSUED INSTRUCTIONS AND ORDERS GOVERNING THE GENERAL SECURITY OF POLICE STATIONS.

THESE INSTRUCTIONS AND ORDERS INCLUDE PROCEDURES TO BE FOLLOWED BY POLICE OFFICERS AND OTHER STAFF IN POLICE STATIONS TO ENSURE THE SECURITY OF OFFICES, EQUIPMENT, FIREARMS, AMMUNITION, DOCUMENTS AND VALUABLES.

/"THEY ARE

"THEY ARE REVIEWED REGULARLY," HE ADDED.

THERE ARE ALSO SPECIFIC POLICE GENERAL ORDERS FOR POLICE OFFICERS TO FOLLOW IN POLICE STATION ARMOURIES AND, IN PARTICULAR, FOR THE SECURITY OF PERSONAL ISSUE WEAPONS.

ACCESS TO POLICE STATIONS IS, IN MANY CASES, CONTROLLED BY POLICE OFFICERS ON GATE GUARD DUTY. DISCIPLINED STAFF IN POLICE REPORT ROOMS ARE ALSO RESPONSIBLE FOR OVERSEEING THE SECURITY OF THE POLICE STATION.

HE NOTED THAT SECURITY WAS A MAJOR FACTOR OF CONSIDERATION IN THE DESIGN OF NEW POLICE STATIONS.

FOR POLICE QUARTERS, MR ASPREY SAID ACCESS TO QUARTERS ADJACENT TO THE POLICE STATION WAS CONTROLLED BY STATION GATE GUARDS.

SECURITY FOR QUARTERS IN PUBLIC AND PRIVATE HOUSING ESTATES, OR ISOLATED RESIDENTIAL BLOCKS, WERE GOVERNED BY THE ESTATE MANAGEMENT OR THE PROPERTY MANAGEMENT AGENCY APPOINTED BY THE GOVERNMENT.

HE SAID POLICE REGIONAL CRIME PREVENTION OFFICERS COULD GIVE ADVICE TO PROPERTY OR ESTATE MANAGEMENT STAFF TO IMPROVE AND MAINTAIN APPROPRIATE SECURITY FOR POLICE QUARTERS, AND, WHERE NECESSARY, REQUIRED THEM TO TAKE IMPROVEMENTS.

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GOVT SUPPORTS UNCONDITIONAL RENEWAL OF CHINA'S MFN STATUS

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LOBBYING FOR THE UNCONDITIONAL RENEWAL OF CHINA'S MOST FAVOURED NATION (MFN) STATUS HAS BECOME A REGULAR PART OF THE WORK OF THE HONG KONG ECONOMIC AND TRADE OFFICE IN WASHINGTON, THE SECRETARY FOR TRADE AND INDUSTRY, MR T H CHAU, SAID.

ITS MAIN TASK IS TO ENSURE THAT THE DAMAGING IMPACT OF MFN REVOCATION ON HONG KONG'S ECONOMY IS CONVEYED TO RELEVANT MEMBERS OF THE U.S. ADMINISTRATION AND AS MANY MEMBERS OF THE U.S. CONGRESS AS POSSIBLE, HE SAID.

IN A WRITTEN REPLY TO A QUESTION BY THE HON JAMES TIEN IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), MR CHAU SAID THE WASHINGTON STAFF CO-OPERATED CLOSELY WITH A COALITION OF U.S. BUSINESSES WHICH HAD AN INTEREST IN TRADING WITH OR INVESTING IN CHINA.

TO SUPPLEMENT THESE EFFORTS, GOVERNMENT OFFICIALS VISIT WASHINGTON EACH YEAR.

ALSO THE GOVERNMENT CO-ORDINATES THE VISITS TO WASHINGTON OF PROMINENT HONG KONG PERSONALITIES AND LOBBYING MISSIONS OF TRADE AND INDUSTRIAL GROUPS.

"THE PROGRAMME OF VISITS IN CONNECTION WITH MFN RENEWAL IN 1994 IS UNDER CONSIDERATION," HE SAID.

/MR CHAU

MR CHAU REITERATED THAT THE GOVERNMENT CONTINUED TO SUPPORT THE UNCONDITIONAL RENEWAL OF CHINA'S MFN STATUS.

AN UPDATED ASSESSMENT OF THE IMPACT ON HONG KONG'S ECONOMY SHOULD CHINA LOSE ITS MFN STATUS IN THE U.S., BASED ON 1993 TRADE STATISTICS, WILL BE AVAILABLE IN MARCH.

HE SAID IN LINE WITH THE GOVERNMENT'S ECONOMIC PHILOSOPHY OF MINIMUM INTERFERENCE IN THE OPERATION OF MARKET FORCES, DECISIONS ON HOW BEST TO ADJUST TO CHANGES IN THE BUSINESS ENVIRONMENT SHOULD BE LEFT TO BUSINESSMEN THEMSELVES.

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GAP DUE TO ABSENCE OF I.I. WITNESS CLOSED

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THE GOVERNMENT DOES NOT HAVE RECORDS OF THE NUMBER OF CASES WHICH HAVE NOT BEEN BROUGHT TO COURT BECAUSE OF A DECISION NOT TO SEEK THE DETENTION OF A WITNESS.

THE FIGURES OF CASES WHICH HAVE FAILED IN COURT FOR LACK OF SUCH A WITNESS ARE NEITHER AVAILABLE.

THIS WAS STATED BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, IN A WRITTEN REPLY TO A QUESTION BY THE HON ANNA WU IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR ASPREY SAID THERE WAS A CASE LAST YEAR IN WHICH THE DEFENDANT WAS ACQUITTED AS AN ILLEGAL IMMIGRANT WHO WAS REQUIRED TO GIVE EVIDENCE WAS NOT AVAILABLE, HAVING BEEN REPATRIATED.

"THIS PARTICULAR PROBLEM HAS NOW BEEN RESOLVED," HE SAID.

SECTION 63A OF THE IMMIGRATION ORDINANCE WAS AMENDED BY THE IMMIGRATION (AMENDMENT) ORDINANCE 1993, WHICH ALLOWS FOR THE PROOF OF AN ILLEGAL IMMIGRANT'S STATUS BY MEANS OF A CERTIFICATE.

"WE ARE NOT AWARE OF ANY PROBLEMS CAUSED BY ATTACKS ON THE CREDIBILITY OF THE EVIDENCE OF A WITNESS BY REASON OF HIS OR HER DETENTION UNDER THE IMMIGRATION ORDINANCE," THE SECRETARY SAID.

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WEDNESDAY, FEBRUARY 23, 1994

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GOVT CONSIDERS TO INSTALL DGPS

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THE GOVERNMENT IS CONSIDERING THE INSTALLATION OF A DIFFERENTIAL GLOBAL POSITIONING SYSTEM (DGPS), THE SECRETARY FOR ECONOMIC SERVICES, MR GORDON SIU, SAID TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY THE HON PETER WONG HONG-YUEN IN THE LEGISLATIVE COUNCIL, MR SIU SAID THE GOVERNMENT RECOGNISED THE VALUE OF DGPS IN NAVIGATION, SURVEY, AND RELATED FUNCTION.

HE SAID THE GOVERNMENT WAS CONSIDERING THE INSTALLATION OF A LAND-BASED REFERENCE STATION AND TRANSMITTING EQUIPMENT UNDER THE AUSPICES OF THE HONG KONG HYDROGRAPHIC OFFICE WHEN THIS WAS ESTABLISHED LATER THIS YEAR.

"THE DIRECTOR OF CIVIL ENGINEERING, DIRECTOR OF MARINE, TOGETHER WITH THE TELECOMMUNICATION AUTHORITY, ARE CURRENTLY EXAMINING THE TECHNICAL AND OPERATIONAL IMPLICATIONS OF ESTABLISHING AND OPERATING THE SYSTEM," MR SIU SAID.

DGPS RELIES ON A LAND-BASED REFERENCE STATION BROADCASTING RADIO SIGNALS WHICH ENABLE A VESSEL TO LOCATE MORE ACCURATELY ITS POSITION BY CROSS-REFERENCE TO SATELLITES.

IT IS WIDELY USED AS AN ELECTRONIC NAVIGATIONAL AID.

"DGPS IS ALSO EXTENSIVELY USED IN MANY OTHER AREAS SUCH AS LAND SURVEYING AND VEHICLE TRACKING," MR SIU SAID.

FOUR LICENSED DGPS SYSTEMS FOR PRIVATE USE BY SHIPPING OR DREDGING COMPANIES ARE ALREADY OPERATIONAL IN HONG KONG.

THERE IS ALSO THE POTENTIAL FOR DGPS TO BE OFFERED ON A COMMERCIAL BASIS AS A PUBLIC TELECOMS SERVICE, HE ADDED.

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NO PROSECUTION AGAINST DEALERS FOR INACCURATE
RECORD OF ARMS TRANSACTION

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NO ARMS AND AMMUNITION DEALERS HAVE BEEN PROSECUTED FOR FAILING TO KEEP AN ACCURATE RECORD OF TRANSACTIONS IN ARMS AND AMMUNITION OR THE QUANTITY IN THEIR POSSESSION OVER THE PAST THREE YEARS.

THIS WAS STATED BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, IN A WRITTEN REPLY TO A QUESTION BY THE HON JAMES TO KUN-SUN IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR ASPREY SAID THE POLICE INSPECTED THE REGISTERS OF ARMS AND AMMUNITION OF SHOOTING CLUBS WHICH KEEP THEIR OWN ARMOURIES AT LEAST ONCE A YEAR.

/WHERE NECESSARY,

WHERE NECESSARY, POLICE DIVISIONAL COMMANDERS INCREASE THE FREQUENCY OF INSPECTIONS TO QUARTERLY OR MONTHLY, DEPENDING ON THE CIRCUMSTANCES, HE ADDED.

THE POLICE ISSUE AN ARMS AND AMMUNITION DEALER'S LICENCE UNDER THE FIREARMS AND AMMUNITION ORDINANCE ONLY IF THE DEALER CAN DEMONSTRATE THAT THERE IS A LEGITIMATE NEED FOR THE FIREARM IN HONG KONG, MR ASPREY SAID.

"EACH APPLICATION FOR POSSESSION OF A PARTICULAR TYPE OF FIREARM, OR FOR DEALING IN SUCH A FIREARM, WILL BE CONSIDERED ON ITS OWN MERITS," HE SAID.

A LICENCE IS ISSUED SUBJECT TO TERMS AND CONDITIONS AS THE COMMISSIONER OF POLICE THINKS FIT.

CONDITIONS ARE IMPOSED PRIMARILY WITH THE PUBLIC INTEREST IN MIND AND INVARIABLY RELATE TO SAFETY AND SECURITY, HE ADDED.

AT PRESENT, DEALERS MAY DEAL ONLY IN ARMS FOR WHICH THE POLICE ISSUE LICENCES OF POSSESSION.

AN ARMS DEALER MAY BE PERMITTED TO TAKE POSSESSION OF A WIDER SELECTION OF ARMS FOR THEM TO BE MODIFIED FOR FILM SHOOTING.

THESE WEAPONS CAN BE USED ONLY FOR FILM SHOOTING AFTER EXAMINATION BY THE POLICE BALLISTIC AND FIREARMS IDENTIFICATION BUREAU, THE SECRETARY SAID.

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BILL ON ELECTORAL PROVISIONS PASSED

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THE ELECTORAL PROVISIONS (MISCELLANEOUS AMENDMENTS) (NO. 2) BILL 1993 WAS PASSED WITH AMENDMENTS AFTER MORE THAN NINE HOURS OF DEBATE IN THE LEGISLATIVE COUNCIL EARLY THIS (THURSDAY) MORNING.

A MOTION TO AMEND THE STANDING ORDERS OF THE LEGISLATIVE COUNCIL MOVED BY THE HON MRS ELSIE TU WAS DEFEATED.

TWO OTHER MOTIONS MOVED BY THE SECRETARY FOR TRANSPORT, MR HAIDER BARMA, UNDER THE FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE AND THE FIXED PENALTY (CRIMINAL PROCEEDINGS) ORDINANCE, WERE ALSO PASSED.

TWO BILLS WERE INTRODUCED FOR FIRST AND SECOND READINGS AND DEBATES ON THEM WERE ADJOURNED. THEY WERE THE CRIMINAL JURISDICTION BILL AND THE TELECOMMUNICATION (AMENDMENT) BILL 1994.

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