



DAILY INFORMATION BULLETIN

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SASI GIVES ASSURANCE ON FILM CENSORSHIP BILL

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THE SECRETARY FOR ADMINISTRATIVE SERVICES AND INFORMATION, THE HON PETER TSAO, GAVE AN ASSURANCE IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) THAT THE FILM CENSORSHIP BILL 1988 WAS NOT INCOMPATIBLE WITH ARTICLE 19 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS.

WINDING UP DEBATE ON THE SECOND READING OF THE BILL, MR TSAO THANKED MEMBERS WHO SUPPORTED THE BILL AND, IN PARTICULAR, PAID TRIBUTE TO THE WORK OF THE AD HOC GROUP CHAIRED BY THE HON YEUNG PO-KWAN.

MR TSAO NOTED THE PRACTICAL CONCERNS RAISED BY REPRESENTATIVES OF THE FILM INDUSTRY AND CINEMA OPERATORS IN RELATION TO THE BILL IN ITS PRESENT FORM.

HE SAID THE ORIGINAL BILL CONTAINED PROVISION FOR THE EXISTING PRACTICE WHEREBY FILM DISTRIBUTORS SUBMITTED ADVERTISING MATERIALS FOR FILMS TO THE COMMISSIONER FOR TELEVISION AND ENTERTAINMENT LICENSING.

"IT WAS CONSIDERED SUBSEQUENTLY THAT THERE WAS NO JUSTIFICATION FOR FILM ADVERTISING MATERIAL TO BE DEALT WITH DIFFERENTLY FROM ANY OTHER PRINTED ADVERTISING MATTER, AND SO THIS PROVISION WAS REMOVED FROM THE BILL," HE SAID.

ON THE NEED TO MAINTAIN CONSISTENT STANDARDS IN DEALING WITH SUCH ADVERTISEMENTS, MR TSAO SAID THAT BESIDES THE ATTORNEY GENERAL, ONLY THE POLICE, THE CUSTOMS AND THE TELEVISION AND ENTERTAINMENT LICENSING AUTHORITY HAD BEEN DELEGATED AUTHORITY TO REFER SUSPECT ARTICLES TO THE OBSCENE ARTICLES TRIBUNAL.

"THE POLICE AND THE CUSTOMS AND EXCISE HAVE AGREED THAT THEY WILL MAKE ALL THEIR REFERRALS (BOTH THOSE RELATING TO FILMS AND THOSE RELATING TO OTHER PUBLICATIONS) THROUGH THE COMMISSIONER FOR TELEVISION AND ENTERTAINMENT LICENSING IN THE FIRST INSTANCE, THEREBY ENSURING A CONSISTENT APPROACH AT THE INITIAL ENFORCEMENT LEVEL," HE SAID.

MR TSAO ALSO REFERRED TO THE CONCERN OVER POSSIBLE PROBLEMS ARISING OUT OF THE NATURE OF WORK AND LACK OF CAREER STRUCTURE FOR THE FILM INSPECTORS, WHO NUMBERED FIVE. ALL SUCH PROBLEMS COULD NOT BE ANTICIPATED, HE SAID.

ON THE IDEA OF SECONDING OFFICERS FROM DISCIPLINED SERVICES TO CARRY OUT INSPECTION DUTIES, MR TSAO SAID TO USE HIGHLY TRAINED LAW ENFORCEMENT OFFICERS TO PERFORM INSPECTION DUTIES IN SUCH A RESTRICTED AREA MIGHT NOT REPRESENT VALUE FOR MONEY.

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TURNING TO THE NEED FOR GUIDELINES FOR CINEMA OPERATORS WHEN DEALING WITH CATEGORY III FILMS, HE SAID: "THE COMMISSIONER FOR TELEVISION AND ENTERTAINMENT LICENSING HAS ALREADY DRAFTED A SET OF ADMINISTRATIVE GUIDELINES TO CINEMA OPERATORS.

"THE OPERATORS, IN PERMITTING PEOPLE TO GAIN ADMITTANCE TO THEIR CINEMAS, ARE ENTITLED TO TAKE STEPS TO SEE THAT THEIR LEGAL DUTIES ARE DISCHARGED.

"THESE STEPS INCLUDE REQUIRING PERSONS WHOM THEY SUSPECT OF BEING UNDER-AGE TO SHOW PROOF OF THEIR AGE AND EXCLUDING THEM IF THEY ARE UNDER-AGED.

"CLEARLY, THE EFFORT REQUIRED TO DO THIS IS MORE THAN IS REQUIRED UNDER THE PRESENT LEGISLATION."

"BUT CINEMA OPERATORS ARE BY NO MEANS OBLIGED TO SHOW CATEGORY III FILMS: THEY ARE FREE TO CARRY ON OPERATING WITH CATEGORY I AND II FILMS AS AT PRESENT."

HE FORESAW THAT CERTAIN CINEMAS MIGHT BECOME SPECIALISED IN CATEGORY III FILMS IN FUTURE.

ON WHETHER THE CURRENT STANDARDS OF CENSORSHIP WOULD BE TIGHTENED TO ACCOMMODATE CATEGORY III FILMS IN THE FUTURE, MR TSAO SAID HE HAD BEEN ASSURED BY THE COMMISSIONER FOR TELEVISION AND ENTERTAINMENT LICENSING THAT THE CURRENT STANDARDS HAD NOT BEEN TIGHTENED.

"FOR THE FUTURE AND IF THE BILL IS PASSED INTO LAW, FILMS CURRENTLY CLASSIFIED AS SUITABLE FOR GENERAL EXHIBITION WOULD BE CATEGORY I; THOSE CURRENTLY CLASSIFIED AS NOT SUITABLE FOR CHILDREN WOULD BE CATEGORY II.

"ANY FILMS WHICH GOES BEYOND CATEGORY II BUT NEVERTHELESS CAN BE APPROVED FOR RESTRICTED EXHIBITION TO ADULTS WILL BE CLASSIFIED AS CATEGORY III."

AS TO THE ISSUE OF UNDER-AGE VIEWERS, MR TSAO NOTED THAT IT WAS COMMON GROUND THAT UNDER-AGE PERSONS CAUGHT IN CINEMAS WATCHING CATEGORY III FILMS SHOULD NOT BE DEEMED TO HAVE COMMITTED AN OFFENCE.

"MEMBERS HAVE SUGGESTED THAT SUCH YOUNG PERSONS SHOULD BE PROPERLY IDENTIFIED AND THAT LETTERS SHOULD BE SENT TO THEIR PARENTS TO SERVE AS A DETERRENT," HE SAID.

"THIS STEP WILL BE IMPLEMENTED."

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ON A PROPOSAL THAT THE ADMINISTRATION SHOULD CIRCULATE SUCH LETTERS CONFIDENTIALLY TO SCHOOL SOCIAL WORKERS, MR TSAO SAID SUCH A STEP WOULD REQUIRE AN EXAMINATION OF BROADER ISSUES.

HE NOTED THAT SEVERAL DIFFICULTIES HAD ALREADY BEEN POINTED OUT.

"FIRST, WE DOUBT WHETHER INSPECTORS WOULD HAVE POWERS TO REQUIRE ANYONE TO IDENTIFY HIS PARENTS OR SCHOOL AND GIVE THEIR ADDRESS," HE SAID.

"SECOND, WE FEAR THAT EVEN IF SUCH INFORMATION WERE VOLUNTEERED, IT MIGHT BE INACCURATE OR MISLEADING, GIVING RISE TO THE RISK OF LIBEL ACTION AGAINST THE ADMINISTRATION IF A PERSON WERE MISIDENTIFIED IN A LETTER.

"FINALLY, THE DIRECTOR OF EDUCATION HAS EXPRESSED THE VIEW THAT IT MIGHT BE ADVISABLE NOT TO GIVE THE IMPRESSION THAT THE SUPERVISION OF CHILDREN'S SOCIAL LIFE IS ANYTHING OTHER THAN THE RESPONSIBILITY OF THE PARENTS."

GIVEN THESE DIFFICULTIES, HE FELT THAT THERE WAS A NEED TO EXAMINE FURTHER THE FEASIBILITY OF THE PROPOSAL.

MR TSAO NOTED A MEMBER'S REFERENCE TO THE DESIRABILITY OF HAVING A JUDGE TO CHAIR THE BOARD OF REVIEW, IF THE BOARD SHOULD COME TO EXAMINE A FILM WHICH WAS BANNED UNDER CLAUSE 10 (2) (C), THAT IS, ON THE GROUND THAT THE EXHIBITION OF THAT WAS LIKELY TO DAMAGE, OR CAUSE SERIOUS DAMAGE WITH RELATIONS WITH OTHER TERRITORIES.

HE SAID THAT HE COULD ONLY NOTE THE MEMBER'S COMMENT ON THIS PARTICULAR ASPECT, AND WHEN IT CAME TO MAKING AN APPOINTMENT IT WOULD BE A MATTER UNDER THE NEW BILL FOR THE GOVERNOR.

"I'M SURE THE GOVERNOR WILL HAVE THIS ON RECORD WHEN SUCH APPOINTMENT IS MADE," HE SAID.

LATER, SPEAKING DURING THE COMMITTEE STAGE OF THE BILL, MR TASSO SAID HE WAS MOST GRATEFUL TO THE ATTORNEY GENERAL FOR HIS ELUCIDATION OF LEGAL ASPECTS CONCERNING PROPOSED AMENDMENTS.

"I WOULD MERELY WISH TO ADD THAT WE OWE IT TO THOSE WHO WOULD BE AFFECTED DIRECTLY OR INDIRECTLY BY THIS BILL THAT THE EFFECT OF THE LEGISLATION THAT EVENTUALLY APPEARS ON THE STATUTE BOOK MUST BE CERTAIN," HE SAID.

MR TSAO SAID HE AND HIS OFFICIAL COLLEAGUES WOULD SUPPORT THE AMENDMENTS THAT WERE PROPOSED BY MR YEUNG PO-KWAN.

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FILM CENSORSHIP BILL ACCEPTABLE TO COMMUNITY

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THE FILM CENSORSHIP BILL 1988 REPRESENTS A PACKAGE WHICH NOT ONLY TAKES INTO ACCOUNT THE INTERESTS OF ALL PARTIES, BUT SHOULD ALSO BE ACCEPTABLE TO THE GREAT MAJORITY OF THE PEOPLE OF HONG KONG, THE HON YEUNG PO-KWAN SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR YEUNG WAS SPEAKING DURING THE RESUMED DEBATE ON THE SECOND READING OF THE BILL.

HE NOTED THAT ONE MAJOR AREA OF DEBATE CONCERNING THE BILL WAS THE CENSOR'S POWER TO BAN OR EXCISE A FILM ON THE GROUND THAT ITS EXHIBITION WOULD SERIOUSLY DAMAGE HONG KONG'S GOOD RELATIONS WITH OTHER TERRITORIES.

CONCERN HAD BEEN EXPRESSED THAT TO RETAIN THIS POWER WOULD INFRINGE UPON THE FREEDOM OF EXPRESSION AND THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS.

"I AM NOW HAPPY TO SAY THAT AN AMENDMENT WILL BE MADE TO PROVIDE FOR EXPRESS STATUTORY RECOGNITION OF THE PRINCIPLE OF FREEDOM OF EXPRESSION ENSHRINED IN ARTICLE 19 OF THE COVENANT," HE SAID.

REFERRING TO THE BOARD OF APPEAL WHICH WOULD FUNCTION AS AN APPEAL CHANNEL FOR FILM PRODUCERS AGGRIEVED BY A CENSORSHIP DECISION, MR YEUNG SAID THE LEGISLATIVE COUNCIL AD HOC GROUP STUDYING THE BILL, OF WHICH HE WAS CONVENOR, FELT STRONGLY THAT THE BOARD SHOULD BE CHAIRED BY A NON-OFFICIAL TO HIGHLIGHT ITS INDEPENDENT ROLE.

HE SAID THAT THIS WOULD, TO A CERTAIN DEGREE, ENHANCE THE SAFEGUARDS AVAILABLE IN THE BILL TO PREVENT ABUSE OF POWER BY THE CENSOR.

THE GOVERNMENT WAS RECEPTIVE TO THE AD HOC GROUP'S PROPOSAL AND A SUITABLE PROVISION HAD BEEN MADE IN THE BILL.

THE GOVERNMENT HAD ALSO AGREED TO THE AD HOC GROUP'S PROPOSAL THAT THE CHIEF SECRETARY WOULD ONLY BE EMPOWERED TO "REFER" REQUESTS TO RECONSIDER A CENSORSHIP DECISION TO THE BOARD OF REVIEW RATHER THAN TO "DIRECT" THE BOARD TO RECONSIDER THE CENSORSHIP DECISION.

MR YEUNG SAID THE WORD "DIRECT" MIGHT GIVE A FALSE IMPRESSION OF THERE BEING UNDUE INTERFERENCE BY THE GOVERNMENT IN THE BOARD'S PROCEEDINGS.

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HE ALSO REFERRED TO CONCERN EXPRESSED BY THE FILM INDUSTRY ON THE ABOLITION OF THE EXISTING CENSORSHIP MECHANISM FOR ADVERTISING MATERIAL RELATED TO FILMS WITH THE INTENTION THAT INDIVIDUAL FILM PRODUCERS SHOULD BEAR THEIR OWN RISKS FOR PROSECUTION UNDER THE CONTROL OF OBSCENE AND INDECENT ARTICLES ORDINANCE.

AFTER CLARIFICATION WITH THE GOVERNMENT, THE AD HOC GROUP WAS SATISFIED THAT THE EXISTING STANDARDS GOVERNING ADVERTISING MATERIAL RELATED TO FILMS WOULD NOT CHANGE.

"EXISTING STANDARDS WILL BE MAINTAINED BY WAY OF A SPECIAL ARRANGEMENT WHICH ENSURES THAT THE COMMISSIONER FOR TELEVISION AND ENTERTAINMENT LICENSING ACTS AS THE ONLY AUTHORITY FOR REFERRALS OF FILM ADVERTISEMENTS TO BE MADE TO THE OBSCENE ARTICLES TRIBUNAL," HE SAID.

MR YEUNG ALSO NOTED THAT CINEMA OPERATORS WERE CONCERNED THAT THEY WOULD BE CHARGED WITH ENFORCEMENT RESPONSIBILITIES TO ENSURE THAT UNDER-AGED PEOPLE WERE NOT ALLOWED TO SEE THOSE FILMS WHICH WERE LIMITED TO AN AUDIENCE THAT WAS AGED OVER 18.

WHILE THERE WAS A DEFENCE IN THE BILL FOR CINEMA OPERATORS SHOULD THEY BE ABLE TO DEMONSTRATE THAT THEY HAD TAKEN "REASONABLE PRECAUTIONS" TO PREVENT UNDER-AGED PEOPLE FROM ENTERING THEIR PREMISES, THE AD HOC GROUP WAS SYMPATHETIC TO THE FILM INDUSTRY'S CONCERN.

"AS A COMPROMISE, THEREFORE, AN AGREEMENT HAS BEEN REACHED WITH THE ADMINISTRATION THAT A SET OF GUIDELINES LISTING WHAT CONSTITUTES 'REASONABLE PRECAUTIONS' WILL BE WORKED OUT IN CONSULTATION WITH THE INDUSTRY BEFORE THE SYSTEM IS PUT INTO OPERATION," HE SAID.

MR YEUNG ALSO NOTED THAT THE BILL HAD SET TWO RECORDS. IT WAS THE FIRST PIECE OF LEGISLATION, AS FAR AS HE WAS AWARE, WHICH HAD BEEN PRECEDED BY TWO WHITE BILLS, AND IT WAS THE FIRST BILL WHICH NECESSITATED A TOTAL OF 37 MEETINGS BY A LEGISLATIVE COUNCIL AD HOC GROUP BEFORE THE GROUP COULD REACH FULL AGREEMENT.

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PUBLIC SUPPORTS PRINCIPLE OF SOME CONTROL
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THE PRINCIPLE OF GOVERNMENT HAVING A DEGREE OF CONTROL ON FILMS SHOWN TO THE PUBLIC IS GENERALLY SUPPORTED BY THE COMMUNITY, THE HON STEPHEN CHEONG SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SUPPORTING THE FILM CENSORSHIP BILL 1988, MR CHEONG SAID THE PRACTICE OF FILM CENSORSHIP, INCLUDING CENSORING FILMS THAT MIGHT DAMAGE GOOD RELATIONSHIP WITH OTHER COUNTRIES, HAD BEEN GOING ON IN HONG KONG FOR THE PAST 30 YEARS, AND HAD NOT IMPEDED THE GROWTH AND DEVELOPMENT OF THE LOCAL FILM INDUSTRY.

HE SAID THE PEOPLE OF HONG KONG DID NOT CRY FOUL AT BEING DEPRIVED OF THE OPPORTUNITY TO APPRECIATE ART, CULTURE OR TO BE ENTERTAINED BY FILMS, NOR DID THEY FEEL THAT FILM CENSORSHIP HAD DEPRIVED THEM OF THE FREEDOM OF EXPRESSION.

"THERE WERE NO MAJOR COMPLAINTS OVER THE PRACTICE OF CENSORING FILMS," HE SAID.

"ON THE CONTRARY, RECENT PUBLIC SENTIMENTS CALLED ON THE GOVERNMENT TO EXERCISE STRICTER CONTROL OVER PUBLICATIONS THAT DEPICT AN EXCESSIVE DEGREE OF VIOLENCE AND OBSCENITY.

"IF THE PEOPLE OF HONG KONG CALLED FOR STRICTER CONTROL ON PUBLISHED MATERIAL, THEN IT WOULD BE LOGICAL TO DEDUCE THAT THEY WOULD NOT CALL FOR LESS OR NO CONTROL ON FILMS."

CONCERNING THE CONTROVERSIAL CLAUSE WHICH EMPOWERED THE ADMINISTRATION TO CONTINUE TO CENSOR FILMS WHICH MIGHT DAMAGE GOOD RELATIONS WITH OTHER NATIONS, MR CHEONG NOTED THAT SOME PEOPLE HAD TRIED TO PROPAGATE A NOTION THAT THIS CLAUSE WOULD GIVE RISE TO A SITUATION WHEREBY AFTER 1997 HONG KONG'S FREEDOM OF EXPRESSION WOULD BE CURTAILED.

HE SAID THE ARGUMENT WAS THAT, WHEREAS THE ADMINISTRATION UNDER THE BRITISH FLAG COULD BE TRUSTED TO RESPECT THE PRINCIPLE OF FREEDOM OF EXPRESSION, THE SAR ADMINISTRATION UNDER THE CHINESE FLAG AFTER 1997 COULD NOT BE TRUSTED TO PAY HEED TO THE IMPORTANT PRINCIPLE AS ENSHRINED IN THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS.

COMMENTING THAT SUCH ARGUMENTS APPEALED TO THE FEARS OF HONG KONG PEOPLE OVER THE UNCERTAINTIES ASSOCIATED WITH THE CHANGE OF SOVEREIGNTY IN 1997, MR CHEONG QUESTIONED "WHETHER, FOR THE GOOD OF THE COMMUNITY AT LARGE, WE SHOULD ALLOW OURSELVES TO BE SO OVER-RIDDEN BY FEARS AS TO LOSE SIGHT OF THE NEED TO MAKE ASSESSMENTS AND DECISIONS ON A RATIONAL AND PRAGMATIC BASIS.

/"EVERYONE UNDERSTANDS

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"EVERYONE UNDERSTANDS THAT 'ONE COUNTRY, TWO SYSTEMS' IS A NOVEL CONCEPT AND HONG KONG WOULD NOT BE THE ONLY SPECIAL ADMINISTRATIVE REGION OF CHINA IN FUTURE," HE SAID, ADDING THAT THE SUCCESS OF THE HONG KONG SAR WOULD HAVE AN IMPORTANT BEARING ON THE TOTAL UNIFICATION OF CHINA.

"GIVEN OUR UNIQUE CIRCUMSTANCES, IN CONSIDERING THE 'DAMAGE GOOD RELATIONS' CLAUSE IN HIS BILL, SHOULD WE NOT PONDER AND THINK WHETHER, WITHOUT THIS CLAUSE, HONG KONG MIGHT UNWITTINGLY BE OPEN TO THE RISK OF BECOMING A BATTLE-GROUND FOR OPPOSING POLITICAL PROPAGANDA WARFARE?

"SHOULDN'T THE ADMINISTRATION, NOW OR AFTER 1997, BE GIVEN THE NECESSARY POWER TO MINIMISE SUCH RISKS THAT HAVE THE EFFECT OF DESTABILISING HONG KONG?" HE ASKED.

MR CHEONG SAID THE AD HOC GROUP RECOGNISED THE CONCERN THAT THE POWERS CONFERRED ON THE ADMINISTRATION MIGHT BE OPEN TO ABUSE NOW OR AFTER 1997, AND HAD THEREFORE SOUGHT TO INJECT NECESSARY CHECKS AND BALANCES INTO THE STRUCTURE.

HE SAID THE COMPOSITION OF THE BOARD OF REVIEW WAS ONE OF THE PROPOSALS UNANIMOUSLY SUPPORTED BY ALL MEMBERS.

IN ADDITION, CHECKS AND BALANCES WOULD BE PROPOSED BY THE CONVENOR OF THE GROUP, THE HON YEUNG PO-KWAN, TO REQUIRE THE CENSORS TO TAKE INTO ACCOUNT THE PRINCIPLE OF FREEDOM OF EXPRESSION AS PROMULGATED IN THE INTERNATIONAL COVENANT.

"I AM TOTALLY SATISFIED THAT THE BILL BEFORE COUNCIL TODAY, TOGETHER WITH MR YEUNG'S PROPOSED AMENDMENTS, CONSTITUTES AN ACCEPTABLE PACKAGE FOR HONG KONG," HE ADDED.

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CONSISTENCY IN CENSORSHIP STANDARDS REQUIRED

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THE GOVERNMENT SHOULD ENSURE CONSISTENCY AND CLARITY IN CENSORSHIP STANDARDS BY SPELLING OUT IN SIMPLE TERMS FOR THE CENSORS AND THE TRADE WHAT CONSTITUTED CATEGORY III FILMS, THE HON SELINA CHOW SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE ON THE FILM CENSORSHIP BILL 1988, MRS CHOW SAID: "THIS WOULD NOT ONLY SAVE A LOT OF TIME AND ARGUMENT IN THE LONG RUN, BUT ALSO ESTABLISH FAIRNESS AND CONSISTENCY IN OUR SYSTEM OF CENSORSHIP WHICH ARE NECESSARY TO GAIN THE TRUST AND SUPPORT OF THE TRADE AND THE PUBLIC."

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SHE CONSIDERED THAT THE QUESTION RAISED BY THE TRADE AS TO WHAT CONSTITUTED REASONABLE PRECAUTIONS, AS CONTAINED IN CLAUSE 20(3) OF THE BILL, HAD STILL TO BE RESOLVED WHEN IT CAME TO STOPPING UNDER-AGE PEOPLE FROM SEEING CERTAIN FILMS.

"I CAN UNDERSTAND THE ADMINISTRATION'S RELUCTANCE TO BE INVOLVED IN A DEFINITION, GIVEN THAT WHATEVER DEFINITION WILL NOT HAVE ANY LEGAL EFFECT, AND AT THE END OF THE DAY IT WILL BE UP TO THE COURTS TO DECIDE WHETHER PRECAUTIONS TAKEN HAVE INDEED BEEN REASONABLE," SHE SAID.

"HOWEVER, AS IT WILL BE THE INSPECTORS UNDER THE COMMISSIONER FOR TELEVISION AND ENTERTAINMENT LICENSING WHO WILL BE ENFORCING THIS PART OF THE BILL, AND AS 'REASONABLE PRECAUTION' IS A DEFENCE, IT IS NOT AN EXCESSIVE REQUEST TO ASK THE DEPARTMENT CONCERNED TO FAMILIARISE ITSELF WITH THE PRACTICE TO BE GENERALLY ADOPTED BY THE TRADE, AND TO INDICATE WHETHER IN ITS VIEW SUCH PRACTICE IS REASONABLE."

MRS CHOW SAID THAT UP TO LAST WEEK SHE HAD STILL BEEN RECEIVING VIEWS PUT FORWARD BY THE TRADE THAT ENFORCEMENT OF ADMISSION REQUIREMENTS FOR CATEGORY III FILMS MIGHT STILL PRESENT GRAVE PROBLEMS.

"HOWEVER, IT IS DIFFICULT TO ACCEPT THAT WHAT HAS WORKED ELSEWHERE CANNOT WORK EQUALLY WELL HERE, IF THE CENSORS GET IT RIGHT," SHE SAID.

"WE NEED TO WATCH IT CLOSELY TO SEE WHETHER THE NEW SYSTEM ACHIEVES THE ORIGINAL OBJECTIVES OF LIBERALISING CENSORSHIP STANDARDS FOR ADULTS WITHOUT CAUSING UNNECESSARY HARDSHIP," SHE SAID.

"WE ALSO NEED TO WATCH CLOSELY THE ACTUAL WORKINGS OF THE INSPECTIONS, WHERE WE HAVE FIVE INSPECTORS COVERING CINEMAS ON A PERMANENT BASIS, AN ARRANGEMENT WHICH CAN GIVE RISE TO VARIOUS PROBLEMS."

MRS CHOW SAID SHE WOULD MUCH PREFER TO SEE SECONDED OFFICERS FROM A DISCIPLINED SERVICE TAKE ON THE RATHER THANKLESS AND DIFFICULT TASK ON A ROTATION BASIS, AND SHE URGED THE ADMINISTRATION TO GIVE THIS SERIOUS CONSIDERATION.

MONITORING OF FILM INDUSTRY WELCOMED

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HONG KONG'S FILM INDUSTRY HAS FAR-REACHING INFLUENCE ON SOCIETY, AND EVERYONE WHO CARES FOR YOUTH DEVELOPMENT WILL NO DOUBT WELCOME THE MONITORING OF THIS TRADE IN A REASONABLE MANNER SO AS TO PREVENT FILM OPERATORS FROM SELLING IDEAS OF OBSCENITY AND VIOLENCE TO YOUNG PEOPLE.

THE HON MRS ROSANNA TAM SAID THIS IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) DURING THE DEBATE ON THE FILM CENSORSHIP BILL 1988.

SPEAKING IN SUPPORT OF THE BILL, MRS TAM SAID THE GENERAL SPIRIT OF THE BILL WAS TO INTRODUCE A MORE SPECIFIC CLASSIFICATION SYSTEM WHEREBY THE EXHIBITION OF FILMS OF A MORE RELAXING STANDARD WAS ALLOWED FOR VIEWING BY ADULTS, WHILE YOUNG AUDIENCES WERE PROTECTED FROM THE ADVERSE EFFECTS OF OBSCENE AND VIOLENT FILMS.

"THE BILL RECOMMENDS THAT FILMS FOR PUBLIC EXHIBITION IN HONG KONG SHOULD BE CLASSIFIED INTO THREE CATEGORIES, ONE OF WHICH WILL BE PROHIBITED FROM VIEWING BY PERSONS BELOW 18 OF AGE. IN CASE OF ANY CONTRAVENTION, THE CINEMA OPERATORS CONCERNED ARE LIABLE TO PROSECUTION.

"BEING A YOUTH WORKER MYSELF, I FULLY SUPPORT THE SPIRIT OF THE BILL AND THE AFORESAID RECOMMENDATIONS," MRS TAM SAID.

SHE SAID, HOWEVER, THAT IN PREVENTING YOUNG PEOPLE FROM VIEWING OBSCENE AND VIOLENT FILMS IN CINEMA, CONSIDERATION SHOULD ALSO BE GIVEN TO HELPING THOSE YOUNGSTERS WHO HAD GOT INTO THE BAD HABIT OF VIEWING SUCH FILMS.

"AT PRESENT, THE IDEA THAT THE AUTHORITIES CONCERNED HAVE IN MIND IS TO ISSUE A LETTER OF WARNING TO INFORM THE PARENTS OF THE UNDER-AGE VIEWERS IF THEY ARE FOUND VIEWING FILMS NOT SUITABLE FOR PERSONS BELOW THE AGE OF 18 BY A PUBLIC OFFICER," SHE NOTED.

WHILE AGREEING THAT THIS WAS THE MOST SENSIBLE AND LOGICAL THING TO DO, SHE HOWEVER BELIEVED EFFORTS MADE BY PARENTS ALONE WERE NOT SUFFICIENT TO ENHANCE THE HEALTHY GROWTH OF YOUNG PEOPLE.

SHE SAID YOUNG PEOPLE NEEDED HELP FROM OUTSIDE THEIR FAMILIES AND, IN THIS RESPECT, THERE WERE THE SCHOOL SOCIAL WORKERS WHO PAID CLOSE ATTENTION AND GAVE GUIDANCE TO THE YOUNG PEOPLE IN SCHOOLS, AND WHOSE WORK SHOULD BE GIVEN DUE WEIGHT.

"I THINK IF YOUNG STUDENTS ARE FOUND VIEWING CATEGORY III FILMS IN CINEMAS, APART FROM THEIR PARENTS, THEIR SCHOOL SOCIAL WORKERS SHOULD ALSO BE INFORMED SO THAT THESE YOUNG PEOPLE CAN BE GIVEN FULL ASSISTANCE IN GETTING RID OF THE BAD HABIT OF VIEWING OBSCENE AND VIOLENT FILMS OR EVEN IN SOLVING THEIR LATENT PROBLEMS."

/MRS TAM

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MRS TAM FELT THAT THE WORRY THAT BY COPYING THE WARNING LETTER TO THE SCHOOL SOCIAL WORKERS, THE BEHAVIOUR OF THE YOUNG PEOPLE CONCERNED WOULD BE MADE KNOWN IN THEIR SCHOOLS, BRINGING THEM STRESS AND TROUBLES, WAS UNDUE.

SHE POINTED OUT THAT ALL SCHOOL SOCIAL WORKERS WERE BOUND BY THE GUIDING PRINCIPLE OF THEIR PROFESSION TO KEEP ALL INFORMATION CONCERNING THEIR CLIENTS -- THE STUDENTS RECEIVING COUNSELLING -- STRICTLY CONFIDENTIAL.

"AS LONG AS THE INFORMATION CONCERNING THE BEHAVIOUR OF THE YOUNG PEOPLE CONCERNED IS PASSED ON TO THE SOCIAL WORKER DIRECTLY AND NO OTHER PERSON IS INFORMED, I BELIEVE THAT THESE YOUNG PEOPLE WILL NOT BE EXPOSED TO STRESS OR GET INTO TROUBLE IN THEIR SCHOOLS.

"WHAT THEY GET WILL BE CARE AND GUIDANCE FROM THE SOCIAL WORKERS IN SCHOOL," SHE SAID.

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NO ROOM FOR DIFFERING INTERPRETATIONS
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THE FILM CENSORSHIP BILL 1988 SHOULD CONTAIN SUFFICIENT SAFEGUARD TO ENSURE THAT A COMMITMENT TO COMPLY WITH THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS WOULD BE HONOURED, IF THE "DAMAGE GOOD RELATIONS" CLAUSE WERE TO BE INCLUDED, THE HON DESMOND LEE SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR LEE SAID THE SAFEGUARD MUST BE SPELLED OUT IN UNEQUIVOCAL TERMS SO AS NOT TO LEAVE ROOM FOR DIFFERENT INTERPRETATIONS.

ONLY IN THIS WAY WOULD THE INTENTION BEHIND THE JOINT DECLARATION ON THE FUTURE OF HONG KONG BE REALISED, AND THE PRIVILEGES AND RIGHTS OF THE PEOPLE OF THE FUTURE HONG KONG SPECIAL ADMINISTRATIVE REGION PROTECTED.

NOTING THAT THERE WERE TWO FORMULATIONS OF THE FILM CENSORSHIP BILL ARISING FROM THE INTERNATIONAL COVENANT, NAMELY THE "TAKING INTO ACCOUNT" VERSION AND THE "COMPLIANCE" VERSION, HE SAID HE WOULD PREFER THE LATTER BECAUSE IT DID NOT ALLOW TOO MUCH PERSONAL JUDGEMENT WHICH MIGHT LEAD TO VARIATIONS IN CENSORSHIP STANDARDS.

/HE ALSO

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HE ALSO SAID THAT IN THE PRE-1997 PERIOD, THE LAWS OF HONG KONG SHOULD INCORPORATE INTERNATIONAL LEGAL PRACTICES AND STANDARDS AS MUCH AS POSSIBLE, AND THE REFERENCE TO ARTICLE 19 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS IN THE FILM CENSORSHIP LEGISLATION WAS A GOOD EXAMPLE TO BE FOLLOWED.

"THESE LAWS WILL, HOPEFULLY, BE INHERITED BY THE FUTURE SAR GOVERNMENT AND HELP TO MAINTAIN THE STATUS OF HONG KONG AS AN INTERNATIONAL CITY," HE SAID.

IT WOULD STRENGTHEN, TO SOME EXTENT, THE CONFIDENCE OF THE HONG KONG PEOPLE WHO WERE WORRIED THAT THE RULE OF LAW WAS NOT AS EFFECTIVE IN THE MAINLAND AS IT WAS IN HONG KONG TODAY, HE ADDED.

MR LEE ALSO SAID THAT IT WAS DANGEROUS TO CREATE RESTRICTIONS AND CONDITIONS ON FREEDOM OF EXPRESSION.

QUOTING A CHINESE SAYING, "IF THE AUTHORITIES WISH TO INCRIMINATE A PERSON, THEY WOULD NOT WORRY ABOUT NOT HAVING AN EXCUSE," MR LEE SAID THAT THROUGHOUT THE HISTORY OF CHINA, WHICH SPANNED 5,000 YEARS, THERE HAD BEEN INNUMERABLE BLATANT EXAMPLES OF THIS.

HE SAID THAT IF IT WAS ABSOLUTELY NECESSARY TO LEGISLATE SOME CONDITIONS ON FREEDOM OF EXPRESSION IN HONG KONG, EFFECTIVE SAFEGUARDS MUST BE SPELLED OUT TO PREVENT ABUSE OF POWER BY THE AUTHORITIES IN THE APPLICATION OF SUCH LEGISLATION.

"WE MUST REMEMBER THAT WE LEGISLATE NOT ONLY FOR OURSELVES BUT ALSO FOR FUTURE GENERATIONS," HE SAID.

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AMENDMENT TO FILM CENSORSHIP BILL EXPLAINED

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THE HON YEUNG PO-KWAN EXPLAINED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) WHY IT WAS CONSIDERED THAT REQUIRING FILM CENSORS TO "TAKE INTO ACCOUNT" THE PROVISIONS OF AN INTERNATIONAL COVENANT CONCERNING FREEDOM OF EXPRESSION WAS BETTER THAN REQUIRING THEM TO "COMPLY WITH" THE COVENANT.

MR YEUNG SAID THAT THE "TAKE INTO ACCOUNT" FORMULA WAS, IN LEGISLATIVE TERMS, AS EFFECTIVE AS THE "COMPLY WITH" FORMULA BUT BETTER DRAFTED.

/HE WAS

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HE WAS SPEAKING DURING THE COMMITTEE STAGE DELIBERATIONS ON THE FILM CENSORSHIP BILL 1988.

ON A SUPERFICIAL ANALYSIS, THERE WAS NO DOUBT THAT THE WORDS "COMPLY WITH" SUGGESTED A STRONGER DEGREE OF OBLIGATION THAN "TAKE INTO ACCOUNT", HE SAID.

BUT, THE LEGISLATIVE COUNCIL AD HOC GROUP SET UP TO STUDY THE BILL, AND WHICH HE CONVENED, HAD GONE BEYOND A SUPERFICIAL ANALYSIS AND HAD TESTED THE MERITS OF THE TWO FORMULAS, NOT IN THE ABSTRACT BUT RATHER IN THE CONTEXT OF LEGISLATIVE DRAFTING.

HE SAID THAT FIRST, AS TO THE EFFECTIVENESS OF THE AMENDMENT FOR THE PURPOSE OF JUDICIAL REVIEW, IT WAS A RULE OF LAW THAT WHEN AN INTERNATIONAL COVENANT WAS BINDING ON A STATE OR TERRITORY, AND THAT THE TERRITORY'S DOMESTIC LEGISLATURE THEN ENACTED A PROVISION REQUIRING THAT THE COVENANT BE "TAKEN INTO ACCOUNT", THE COURTS WOULD INTERPRET THOSE WORDS AS TO CARRY OUT THE OBLIGATION OF THE COVENANT.

THE POINT WAS THAT THE COURTS RECOGNISED THAT THE LEGISLATURE HAD ENACTED THE DOMESTIC LEGISLATION IN FULL KNOWLEDGE OF THE STATES' OR TERRITORIES' OBLIGATION UNDER THE COVENANT.

THIS OBLIGATION WAS TO GIVE EFFECT TO ARTICLE 19 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS WHICH DEALT WITH THE PRINCIPLE OF FREEDOM OF EXPRESSION.

THE FORMULA "COMPLY WITH" THEREFORE ACHIEVED NO GREATER OBLIGATORY EFFECT IN LEGISLATIVE TERMS THAN "TAKE INTO ACCOUNT", MR YEUNG SAID.

SECOND, AS A MATTER OF DRAFTING CLARITY, IT WAS ENTIRELY INAPPROPRIATE TO REQUIRE IN THE LEGISLATION THAT A CENSOR "COMPLY WITH" ARTICLE 19 OF THE INTERNATIONAL COVENANT SINCE PART OF ARTICLE 19 ITSELF REQUIRED THAT ANY RESTRICTION ON THE RIGHT TO FREEDOM OF EXPRESSION BE PROVIDED BY LAW.

A CENSOR WAS SIMPLY NOT COMPETENT TO PROVIDE RESTRICTIONS BY LAW. THIS WAS THE JOB OF THE LEGISLATURE, MR YEUNG SAID.

THIRD, EVEN OVERLOOKING THE DRAFTING DEFICIENCY NOTED ABOVE, THE "COMPLY WITH" FORMULA WAS UNNECESSARY AND INAPPROPRIATE IN THE CONTEXT OF THE ROLE OF THE BOARD OF REVIEW.

"IT IS UNNECESSARY BECAUSE, FOR THE REASONS ALREADY GIVEN, IT ACHIEVES NO MORE THAN THE 'TAKE INTO ACCOUNT' FORMULA; AND IT IS INAPPROPRIATE BECAUSE IT IMPLIES THAT NOTHING SHORT OF AN ORDER FROM THE LEGISLATURE WILL INDUCE THE BOARD TO GIVE DUE WEIGHT TO THE PRINCIPLE OF FREEDOM OF EXPRESSION," MR YEUNG SAID.

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"SUCH AN APPROACH IS ENTIRELY INCONSISTENT WITH THE LEGISLATURE'S INTENTION AS TO THE FUNCTION OF THE BOARD, WHICH COMPRISES A MAJORITY OF NON-OFFICIAL MEMBERS WITH A NON-OFFICIAL CHAIRMAN, PERFORMING AN INDEPENDENT ROLE."

MR YEUNG SAID THE INTENDED EFFECT OF THE "TAKE INTO ACCOUNT" FORMULA WAS TO OBLIGE THE CENSOR TO ACT IN ACCORDANCE WITH THE PRINCIPLE OF FREEDOM OF EXPRESSION SET OUT IN ARTICLE 19.

THE RIGHT TO FREEDOM OF EXPRESSION, BOTH IN COMMON SENSE TERMS AND AS USED IN ARTICLE 19, COULD NOT BE AN ABSOLUTE AND UNQUALIFIED RIGHT TO BE ELEVATED ABOVE ALL OTHER CONSIDERATIONS, HE SAID.

ILLUSTRATING THIS POINT BRIEFLY, HE SAID THAT IF THE RIGHT TO FREEDOM OF EXPRESSION WERE TO BE TREATED AS ABSOLUTE AND UNQUALIFIED, THERE COULD BE NO LAWFUL CONSTRAINTS UPON VIOLENCE OR PORNOGRAPHY IN FILMS OR IN ANY OTHER MEDIA.

ARTICLE 19 THEREFORE RECOGNISED THAT THE RIGHT TO FREEDOM OF EXPRESSION WAS NOT ABSOLUTE OR UNQUALIFIED.

THIS WAS WHY THE ARTICLE STATED, IN PARAGRAPH 3, THAT THE RIGHT "CARRIES WITH IT SPECIAL RESPONSIBILITIES AND DUTIES" AND MIGHT BE SUBJECT TO CERTAIN RESTRICTIONS SO LONG AS THE RESTRICTIONS WERE PROVIDED BY LAW AND WERE NECESSARY TO PROTECT, AMONG OTHER THINGS, THE INDIVIDUAL COUNTRIES' OR TERRITORIES' NATIONAL INTEREST.

MR YEUNG SUBSEQUENTLY MOVED A COMMITTEE STAGE AMENDMENT TO THE BILL BY ADDING AFTER CLAUSE 10 (3) (C) THE FOLLOWING -- "(D) ARTICLE 19 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (WHICH DEALS WITH THE PRINCIPLE OF FREEDOM OF EXPRESSION)."

THIS WOULD REQUIRE THE CENSOR TO TAKE INTO ACCOUNT ARTICLE 19.

HE SAID THE EFFECT OF THIS AMENDMENT WAS TWOFOLD. FIRST, IT GAVE EXPRESS STATUTORY RECOGNITION TO THE PRINCIPLE OF FREEDOM OF EXPRESSION ENshrined IN ARTICLE 19 OF THE COVENANT AND OBLIGED THE CENSOR TO GIVE FULL EFFECT TO IT, SUBJECT ONLY TO THE LIMITED RESTRICTIONS ON THE FREEDOM WHICH WERE THEMSELVES SET OUT IN THE ARTICLE.

SECOND, IT PROVIDED A CLEAR STATUTORY RECOGNITION OF ARTICLE 19 FOR THE PURPOSES OF THE BOARD OF REVIEW WHEN IT CONSIDERED THE LEGITIMACY OF A CENSORSHIP DECISION.

MR YEUNG ALSO MOVED AN AMENDMENT UNDER CLAUSE 19. UNDER THIS AMENDMENT, THE WORDING THAT THE CHIEF SECRETARY COULD "DIRECT" THE BOARD OF REVIEW TO CARRY OUT A REVIEW OF A CENSORSHIP DECISION WAS CHANGED SO THAT THE CHIEF SECRETARY WOULD ONLY BE EMPOWERED TO "REFER" REQUESTS FROM AGGRIEVED PARTIES TO THE BOARD.

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PRACTICAL EFFECT OF PROPOSALS ANALYSED

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THE PRACTICAL EFFECT OF PROPOSED AMENDMENTS TO THE FILM CENSORSHIP BILL 1988 WERE ANALYSED BY THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING DURING THE COMMITTEE STAGE DELIBERATIONS, MR MATHEWS SAID THE AMENDMENT PROPOSED BY THE HON MARTIN LEE WOULD REQUIRE ANY CHALLENGE TO BE BY WAY OF JUDICIAL REVIEW.

THEREFORE THE COURT WOULD, IN RELATION TO A DECISION OF THE CENSOR, CONSIDER WHETHER HE HAD LAWFULLY EXERCISED THE POWER GIVEN TO HIM.

"FOR EXAMPLE, WAS THE GROUND OF THE CENSOR'S DECISION ONE WITHIN THE PROVISIONS OF CLAUSE 10(2) OF THE BILL?

"NEXT THE COURT WOULD CONSIDER WHETHER THE CENSOR HAD FOLLOWED THE CORRECT PROCEDURE. FOR EXAMPLE, DID THE AUTHORITY ASSIGN A CENSOR TO VIEW THE FILM? DID THE CENSOR VIEW THE FILM?

"UNLESS THE COURT WAS ABLE TO DEAL WITH THE ISSUE ON THESE TWO GROUNDS, THE COURT WOULD THEN ASK ITSELF WHETHER THE DECISION OF THE CENSOR UNDER CLAUSE 10(2) WAS SUCH THAT NO REASONABLE CENSOR COULD HAVE REACHED THE DECISION HE DID," MR MATHEWS SAID.

HE SAID THE COURT WOULD NOT CONCERN ITSELF WITH THE QUESTION OF WHETHER THE DECISION WAS THE RIGHT DECISION BUT ONLY WHETHER THE DECISION WAS ONE OPEN TO THE CENSOR.

IN REACHING ITS DECISION, THE COURT WOULD TAKE INTO ACCOUNT THE FACT THAT THE LEGISLATURE HAD QUALIFIED THE DUTY OF THE CENSOR TO COMPLY WITH ARTICLE 19 AND GIVEN HIM A LATITUDE, CALLED BY MR LEE "A MARGIN OF APPRECIATION".

"THE PRACTICAL EFFECT OF MR MARTIN LEE'S AMENDMENT WHICH I HAVE OUTLINED WOULD BE SUBSTANTIALLY THE SAME AS THE PRACTICAL EFFECT OF THE AMENDMENT PROPOSED BY MR YEUNG PO-KWAN.

"FOLLOWING MR YEUNG'S AMENDMENT, ANY PERSON AGGRIEVED BY A DECISION OF THE CENSOR OR THE BOARD OF REVIEW COULD CHALLENGE THAT DECISION BY WAY OF JUDICIAL REVIEW.

"THE SAME THREE TESTS WOULD BE APPLIED BY THE COURT AND, AT THE END OF THE DAY, THE COURT WOULD NEED TO DECIDE WHETHER THE DECISION-MAKING PROCESS WAS DEFECTIVE," MR MATHEWS SAID.

/THERE WAS,

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THERE WAS, HOWEVER, A WORLD OF DIFFERENCE IN TERMS OF THE DRAFTING OF THE TWO AMENDMENTS, THE ATTORNEY GENERAL NOTED.

"I DO NOT KNOW HOW THE COURTS IN HONG KONG WOULD INTERPRET THE WORDS 'THE DOCTRINE OF GOVERNMENTAL MARGIN OF APPRECIATION'.

"IT IS NOT, IN FACT, A DOCTRINE OF INTERNATIONAL LAW, BUT MERELY AN APPROACH ADOPTED BY INTERNATIONAL COURTS IN INTERPRETING THE PERMITTED EXCEPTIONS TO THE RIGHTS GUARANTEED BY THE INTERNATIONAL COVENANT.

"I THINK I KNOW WHAT MR MARTIN LEE HOPES THE WORDS MEAN. BUT I CANNOT SAY WITH ANY DEGREE OF CERTAINTY THAT A COURT WILL NECESSARILY ADOPT HIS MEANING. SO THE PHRASE FAILS THE FUNDAMENTAL TEST OF LEGISLATIVE DRAFTING WHICH IS CERTAINTY," HE SAID.

MR MATHEWS SAID HE SUPPORTED MR YEUNG'S MOTION FOR THE REASONS GIVEN.

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FILM CENSORSHIP BILL PASSED

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THE FILM CENSORSHIP BILL 1988 WAS PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

TWO AMENDMENTS, MOVED BY THE HON YEUNG PO-KWAN, WERE MADE TO THE BILL AT THE COMMITTEE STAGE.

THREE OTHER BILLS WERE READ A SECOND TIME. THEY WERE THE DANGEROUS GOODS (CONSIGNMENT BY AIR) (SAFETY) (AMENDMENT) BILL 1988, THE ADMINISTRATION OF JUSTICE (MISCELLANEOUS AMENDMENTS) BILL 1988 AND THE GUARDIANSHIP OF MINORS (AMENDMENT) BILL 1988.

DEBATE ON THESE THREE BILLS WAS ADJOURNED.

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INCREASE PROPOSED IN LIMITS OF JURISDICTION

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THE MAIN PURPOSE OF THE ADMINISTRATION OF JUSTICE (MISCELLANEOUS AMENDMENTS) BILL 1988 IS TO INCREASE THE LIMITS OF JURISDICTION OF THE DISTRICT COURT IN CIVIL MATTERS AND OF THE SMALL CLAIMS TRIBUNAL, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE BILL, MR MATHEWS SAID INCREASES IN THESE JURISDICTION LIMITS WERE RECOMMENDED IN DECEMBER 1986 BY MR PETER ROBINSON IN HIS REPORT ON THE HONG KONG JUDICIARY.

"AT PRESENT THE DISTRICT COURT HAS GENERAL JURISDICTION TO DEAL WITH CLAIMS IN CONTRACT OR TORT WHERE THE AMOUNT CLAIMED IS, OR IS WORTH, NOT MORE THAN \$60,000," MR MATHEWS SAID.

"SIMILARLY IN RELATION TO SUCH MATTERS AS THE ADMINISTRATION OF AN ESTATE OR OF TRUST PROPERTY THE DISTRICT COURT HAS JURISDICTION WHERE THE PROPERTY IS WORTH NOT MORE THAN \$60,000."

WHERE THE PROCEEDINGS WERE FOR THE RECOVERY OF LAND OR RELATED TO THE TITLE TO LAND, THE JURISDICTION LIMIT WAS THAT THE RATEABLE OR ANNUAL VALUE OF THE LAND MUST BE NOT MORE THAN \$45,000. THESE LIMITS WERE SET IN 1983.

THE SMALL CLAIMS TRIBUNAL, ON THE OTHER HAND, COULD DEAL WITH A RANGE OF CIVIL MATTERS WHERE THE AMOUNT INVOLVED WAS, OR WAS WORTH, NOT MORE THAN \$8,000. THIS LIMIT WAS SET IN 1986.

MR MATHEWS SAID THE ROBINSON REPORT FELT THAT SOME CIVIL WORK WAS BEING DONE AT TOO HIGH A LEVEL.

THIS RESULTED IN AN INEFFICIENT USE OF HUMAN RESOURCES, HIGH LITIGATION COSTS FOR CLAIMS THAT WERE NOT, IN TODAY'S TERMS, VERY LARGE AND CONSEQUENT DISCOURAGEMENT OF SOME POTENTIAL PLAINTIFFS.

THE REPORT ALSO FELT THAT THE DISTRICT COURT WAS UNDERLOADED WITH CIVIL WORK AND COULD RELIEVE THE HIGH COURT OF SOME OF ITS BURDEN. IT ACCORDINGLY RECOMMENDED THAT THE DISTRICT COURT'S GENERAL JURISDICTION SHOULD BE RAISED TO \$250,000.

"CONSULTATIONS ON THIS RECOMMENDATION HAVE REVEALED, HOWEVER, THAT AN IMMEDIATE INCREASE TO THAT LEVEL WOULD NOT BE ADVISABLE," MR MATHEWS SAID.

"IT WOULD BRING INTO THE DISTRICT COURT A CLASS OF LITIGATION INVOLVING QUITE SIZEABLE SUMS OF MONEY FOR WHICH ITS RULES OF PROCEDURE DO NOT AT PRESENT PROVIDE ADEQUATE INTERLOCUTORY PROCEDURES.

/"THE PROPOSAL

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"THE PROPOSAL IS, THEREFORE, THAT FOR THE TIME BEING THE DISTRICT COURT'S GENERAL CIVIL JURISDICTION SHOULD BE INCREASED ONLY TO \$120,000 - THAT IS TO SAY DOUBLE THE PREVIOUS FIGURE - AND THAT THE JURISDICTION IN RELATION TO LAND BE INCREASED TO \$100,000.

"MEANWHILE, WORK WILL BE SET IN HAND TO MAKE THE NECESSARY IMPROVEMENTS TO THE DISTRICT COURT'S RULES OF PROCEDURE.

"ONCE THAT HAS BEEN DONE, THE QUESTION OF INCREASING THE GENERAL CIVIL JURISDICTION TO \$250,000 WILL BE LOOKED AT AGAIN."

MR MATHEWS SAID THAT AS REGARDS THE SMALL CLAIMS TRIBUNAL, IT WAS PROPOSED THAT ITS JURISDICTION BE INCREASED TO \$15,000.

THE BILL ALSO SOUGHT TO AMEND THE SMALL CLAIMS TRIBUNAL ORDINANCE (CHAPTER 338) AND THE LABOUR TRIBUNAL ORDINANCE (CHAPTER 25) SO AS TO MAKE IT CLEAR THAT NO APPEAL LAY TO THE COURT OF APPEAL FROM A REFUSAL BY THE HIGH COURT TO GRANT LEAVE TO APPEAL TO ITSELF FROM THE LABOUR TRIBUNAL OR THE SMALL CLAIMS TRIBUNAL.

"THIS BRINGS THE POSITION IN THESE TRIBUNALS INTO LINE WITH WHAT IT IS UNDER THE GENERAL PRINCIPLES THAT APPLY ELSEWHERE," HE SAID.

MR MATHEWS NOTED THAT CLAUSE 4(A) OF THE BILL PROVIDED FOR THE REPEAL OF SECTION 46 OF THE DISTRICT COURT ORDINANCE AS RECOMMENDED IN THE LAW REFORM COMMISSION'S REPORT ON "YOUNG PERSONS - EFFECTS OF AGE IN CIVIL LAW" IN 1986.

THAT SECTION PREVENTED PERSONS UNDER THE AGE OF 21 FROM RELYING ON THE COMMON LAW DEFENCES AVAILABLE TO MINORS WHEN THEY WERE SUED FOR DEBT OR OTHER LIABILITIES.

"HOWEVER, SINCE THE PUBLICATION OF THIS BILL THE GOVERNMENT HAS DECIDED TO LOOK AGAIN AT THE QUESTION WHETHER THIS IS THE RIGHT TIME AND VEHICLE FOR THE IMPLEMENTATION OF THIS RECOMMENDATION, AND IT IS LIKELY THAT THE GOVERNMENT WILL BE PROPOSING AMENDMENTS TO CLAUSE 4(A) AT A LATER STAGE," HE SAID.

DEBATE ON THE BILL WAS ADJOURNED.

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OWNER LIABLE FOR COSTS UNDER AMENDMENT BILL
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A BILL MAKING A PERSON CONVICTED OF AN OFFENCE RELATING TO THE TRANSPORTATION OF DANGEROUS GOODS BY AIR RESPONSIBLE FOR THE COSTS INCURRED IN THE SEIZURE AND STORAGE OF SUCH GOODS WAS INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, TOLD THE COUNCIL THE DANGEROUS GOODS (CONSIGNMENT BY AIR) (SAFETY) ORDINANCE, ENACTED IN 1985, EMPOWERED THE DIRECTOR OF CIVIL AVIATION TO SEIZE, REMOVE AND DETAIN ANYTHING WITH RESPECT TO WHICH HE SUSPECTED AN OFFENCE UNDER THE ORDINANCE HAD BEEN COMMITTED.

HOWEVER, THE ORDINANCE DID NOT REQUIRE THE OWNER OF THE SEIZED GOODS TO BE LIABLE FOR PAYMENT OF COSTS ASSOCIATED WITH THE SEIZURE OR STORAGE OF THE GOODS IN QUESTION.

ANY EXPENSES INCURRED HAD TO BE BORNE BY THE GOVERNMENT, EVEN IF THE PERSON, FROM WHOSE CUSTODY OR POSSESSION THE GOODS WERE REMOVED, WAS CONVICTED.

"IT IS WRONG IN PRINCIPLE THAT EXPENSES ARISING FROM THE COMMISSION OF A CRIMINAL OFFENCE SHOULD BE A CHARGE ON PUBLIC FUNDS," HE SAID.

MOVING THE SECOND READING OF THE DANGEROUS GOODS (CONSIGNMENT BY AIR) (SAFETY) (AMENDMENT) BILL 1988, MR JACOBS SAID THE BILL, IF ENACTED, WOULD RECTIFY THE SITUATION BY MAKING THE PERSON CONVICTED RESPONSIBLE FOR THE COSTS INCURRED AND FOR THOSE EXPENSES TO BE RECOVERABLE AS A CIVIL DEBT.

ALTHOUGH NO SIGNIFICANT EXPENDITURE HAD BEEN INCURRED IN SUCH ACTION SINCE THE ENACTMENT OF THE ORDINANCE, HE SAID, IT WAS CONCEIVABLE THAT COSTS COULD BE CONSIDERABLE IF A LARGE CONSIGNMENT OF DANGEROUS GOODS WERE SEIZED AND HAD TO BE STORED AT THE GOVERNMENT'S EXPENSE.

THE PRINCIPAL ORDINANCE HAD BEEN ENACTED TO ESTABLISH A LEGAL FRAMEWORK FOR THE REGULATION AND SUPERVISION OF THE TRANSPORT OF DANGEROUS GOODS BY AIR, HE ADDED.

DEBATE ON THE BILL WAS ADJOURNED.

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BILL SEEKS TO REMOVE ANOMALY

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THE GUARDIANSHIP OF MINORS (AMENDMENT) BILL 1988 SEEKS TO REMOVE AN ANOMALY IN THE LAW BY REPEALING SECTION 22 OF THE ORDINANCE, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE BILL, MR MATHEWS SAID SECTION 22 OF THE GUARDIANSHIP OF MINORS ORDINANCE EXCLUDED THE JURISDICTION OF THE DISTRICT COURT IN RELATION TO MINORS OVER 16 YEARS, UNLESS THE MINOR WAS PHYSICALLY OR MENTALLY INCAPABLE OF SELF SUPPORT.

THE RESTRICTION ON THE DISTRICT COURT'S POWER HAD BEEN IN THE ORDINANCE FROM THE OUTSET AND HAD ITS ORIGINS IN THE GUARDIANSHIP OF MINORS ACT 1971 OF THE UNITED KINGDOM.

"THIS RESTRICTION WAS, HOWEVER, ABOLISHED IN THE UNITED KINGDOM IN 1978," MR MATHEWS SAID.

"THE RESTRICTION IS ANOMALOUS AS THE DISTRICT COURT IS EMPOWERED TO DEAL WITH ALL MINORS UNDER BOTH THE MATRIMONIAL CAUSES ORDINANCE AND THE MATRIMONIAL PROCEEDINGS AND PROPERTY ORDINANCE.

"THE BILL BEFORE THE COUNCIL TODAY SEEKS TO REMOVE THIS ANOMALY BY REPEALING SECTION 22 OF THE ORDINANCE," HE ADDED.

DEBATE ON THE BILL WAS ADJOURNED.

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SUPPLEMENTARY PROVISION OF \$549.9 M IN 3RD QUARTER

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A SUMMARY OF ALL CHANGES MADE TO THE APPROVED ESTIMATES OF EXPENDITURE FOR THE THIRD QUARTER OF THE FINANCIAL YEAR 1987-88 WAS TABLED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, SAID THAT SUPPLEMENTARY PROVISION OF \$549.9 MILLION WAS APPROVED, OF WHICH \$231.7 MILLION WAS OFFSET EITHER BY SAVINGS UNDER THE SAME OR OTHER HEADS OF EXPENDITURE OR BY DELETION OF FUNDS UNDER THE ADDITIONAL COMMITMENTS SUBHEADS.

/THE BALANCE

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THE BALANCE OF \$318.2 MILLION, BEING NET SUPPLEMENTARY PROVISION, WAS APPROVED FOR THE EARLY REPAYMENT IN FULL OF THE FOUR OUTSTANDING ASIAN DEVELOPMENT BANK LOANS, HE SAID.

APPROVED NON-RECURRENT COMMITMENTS WERE INCREASED BY \$325.6 MILLION DURING THE PERIOD, AND NEW NON-RECURRENT COMMITMENTS OF \$810.6 MILLION WERE ALSO APPROVED.

MR JACOBS SAID THAT IN THE SAME PERIOD A NET INCREASE OF 1,623 POSTS WAS APPROVED.

ITEMS IN THE SUMMARY HAD BEEN APPROVED EITHER BY THE FINANCE COMMITTEE OR UNDER DELEGATED AUTHORITY, HE ADDED.

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PRIVATISATION OF ABATTOIRS UNDER STUDY

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THE ONLY PUBLIC SERVICE CURRENTLY UNDER CONSIDERATION FOR PRIVATISATION IS THAT RELATING TO THE RUNNING OF ABATTOIRS, THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY DR THE HON CHIU HIN-KWONG, MR JACOBS SAID THE POSSIBILITY OF TRANSFERRING THIS SERVICE FROM THE URBAN COUNCIL TO THE PRIVATE SECTOR, WITH THE URBAN COUNCIL RETAINING ITS PUBLIC HEALTH RESPONSIBILITIES, WAS BEING EXAMINED.

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MORE PUBLICITY TO WARN YOUTH OF DRUG DANGERS

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PUBLICITY TO WARN YOUNGSTERS OF THE DANGERS OF PSYCHOTROPIC DRUGS AND THE PENALTIES THAT CAN BE INCURRED THROUGH TRAFFICKING HAS BEEN STEPPED UP SINCE 1987 BY MEANS OF POSTERS, TELEVISION ANNOUNCEMENTS AND THROUGH DISTRICT CAMPAIGNS, THE SECRETARY FOR SECURITY, THE HON GEOFFREY BARNES, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE WAS REPLYING TO THE HON RITA FAN, WHO ASKED ABOUT UNDERLYING REASONS FOR AN INCREASING TREND FOR YOUNG PEOPLE AGED UNDER 16 TO INDULGE IN SOFT DRUGS, AND WHAT ACTION WAS BEING TAKEN TO REMEDY THE SITUATION, IN PARTICULAR TO CURB TRAFFICKING OF MANDRAX TABLETS BY YOUNG PEOPLE.

MR BARNES SAID THAT OF THE MANY REASONS WHY YOUNG PEOPLE ABUSED THESE DRUGS, THE MAIN ONES WERE ASSESSED AS BEING THEIR CURIOSITY AND WISH TO EXPERIMENT, PEER PRESSURE, AND THE BELIEF THAT SUCH DRUGS WERE HARMLESS.

"MANY YOUNG PEOPLE ALSO TEND TO IMITATE FOREIGN FASHIONS AND FOR SOME, REGRETTABLY, THIS INCLUDES DRUG TAKING," HE SAID.

REMEDIAL ACTION HAD BEEN TAKEN BY THE ACTION COMMITTEE AGAINST NARCOTICS (ACAN), THE POLICE AND CUSTOMS.

APART FROM STEPPING UP PUBLICITY TO WARN YOUNGSTERS OF THE DANGERS OF THESE DRUGS, OTHER MEASURES HAD BEEN INITIATED AND DIRECTED BY THE ACAN.

THESE INCLUDED:

- * A SURVEY, LAST AUTUMN, OF 110,000 STUDENTS AT 148 SECONDARY SCHOOLS AND EIGHT TECHNICAL INSTITUTES, THE FULL RESULTS OF WHICH WOULD BE ISSUED NEXT MONTH;
- * WARNING POSTERS PLACED AT ALL CUSTOMS ENTRY POINTS;
- * THE HONG KONG CHRISTIAN SERVICE HAD OPENED A CENTRE IN TSIM SHA TSUI, SPECIFICALLY AIMED AT PROVIDING COUNSELLING AND OTHER SERVICES FOR PEOPLE ABUSING PSYCHOTROPIC DRUGS; AND
- * THE DRUG EDUCATION KIT SUPPLIED TO SCHOOL PRINCIPALS NOW HAD SUPPLEMENTARY INFORMATION ON PSYCHOTROPIC DRUGS.

MR BARNES NOTED THAT POLICE AND CUSTOMS ACTION HAD RESULTED IN 274,000 MANDRAX TABLETS BEING SEIZED IN 1986, DROPPING TO 74,000 TABLETS IN 1987.

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"THIS DRAMATIC REDUCTION RESULTED FROM THE ACTION TAKEN BY THE AUTHORITIES IN CHINA, AT THE HONG KONG GOVERNMENT'S REQUEST, TO STOP THE MANUFACTURE AND DISTRIBUTION OF THE DRUG," HE SAID.

"ACTION AGAINST THE TRAFFICKING OF MANDRAX TABLETS BY YOUNG PEOPLE UNDER 21 HAS RESULTED IN 27 PROSECUTIONS IN 1986 AND 40 IN 1987."

HOWEVER, MR BARNES POINTED OUT THAT THE MAJORITY OF PROSECUTIONS FOR MANDRAX TRAFFICKING WERE TAKEN AGAINST PERSONS OVER 21, FOR WHICH THERE WERE 98 PROSECUTIONS IN 1986 AND 127 IN 1987.

"SUCH CASES USUALLY ARISE FROM POLICE AND CUSTOMS RAIDS ON VICE ESTABLISHMENTS AND FROM INFORMATION RECEIVED BY THE INVESTIGATING AGENCIES," HE SAID.

"EDUCATIONAL EFFORTS TO CURB TRAFFICKING ARE ALSO MADE BY MEANS OF POSTERS, API'S (ANNOUNCEMENTS IN THE PUBLIC INTEREST), SCHOOL TALKS AND TEACHING KITS TO WHICH I HAVE REFERRED."

MR BARNES NOTED THAT HE HAD USED THE TERM "PSYCHOTROPIC", RATHER THAN "SOFT", BECAUSE THE TERM "SOFT DRUG", ALTHOUGH COMMONLY USED, COULD BE MISLEADING.

"IT SUGGESTS THAT THESE DRUGS ARE NOT PARTICULARLY HARMFUL COMPARED WITH THE MORE DANGEROUS ADDICTIVE DRUGS SUCH AS HEROIN, AND COULD LULL PEOPLE INTO FALSELY UNDERESTIMATING THE POTENTIAL HARM OF SUCH DRUGS. THIS COULD PROVE A GRAVE ERROR," HE EXPLAINED.

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HOSPITAL SUFFICIENTLY WELL EQUIPPED

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THE DIRECTOR OF MEDICAL AND HEALTH SERVICES CONSIDERS THAT THE GRANTHAM HOSPITAL IS SUFFICIENTLY WELL EQUIPPED AT PRESENT TO FULFIL EFFICIENTLY ITS FUNCTION AS AN EMERGENCY CARDIAC REFERRAL CENTRE, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY DR THE HON HENRIETTA IP, MR CHAMBERS SAID, "THERE ARE NO SPECIAL ITEMS OF CARDIAC EQUIPMENT IN GOVERNMENT HOSPITALS WHICH ARE NOT AVAILABLE IN GRANTHAM HOSPITAL."

AS TO EQUIPMENT AVAILABLE IN PRIVATE HOSPITALS, HE SAID THAT THE MEDICAL AND HEALTH DEPARTMENT DID NOT KEEP DETAILED RECORDS OF SUCH EQUIPMENT.

"IN ANY CASE, THE DECISION TO ACQUIRE A PARTICULAR PIECE OF EQUIPMENT MUST BE A MATTER OF PROFESSIONAL JUDGEMENT IN RELATION TO THE SPECIFIC SERVICES PROVIDED BY THE HOSPITAL IN QUESTION AND STRAIGHT-FORWARD COMPARISON MAY NOT BE APPROPRIATE," HE NOTED.

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BASIC LAW DRAFT BEING STUDIED

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THE GOVERNMENT IS NOW CAREFULLY STUDYING THE BASIC LAW CONSULTATION DRAFT, THE CHIEF SECRETARY, SIR DAVID FORD, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY DR THE HON RICHARD LAI, SIR DAVID SAID IF THE GOVERNMENT CONSIDERED THAT THERE WERE PROVISIONS WHICH APPEARED TO BE INCONSISTENT WITH THE JOINT DECLARATION, IT WOULD MAKE ITS VIEWS KNOWN TO THE CHINESE AUTHORITIES CLEARLY AND FIRMLY IN THE MOST EFFECTIVE WAY.

"THIS WOULD PROBABLY BE THROUGH THE BRITISH GOVERNMENT," HE SAID.

SIR DAVID NOTED THAT THE DRAFTING OF THE BASIC LAW WAS, OF COURSE, A MATTER FOR THE CHINESE GOVERNMENT.

HE ADDED: "HOWEVER, IN HIS STATEMENT TO PARLIAMENT IN JANUARY INTRODUCING THE ANNUAL REPORT ON HONG KONG, THE FOREIGN SECRETARY MADE IT CLEAR THAT THE BRITISH GOVERNMENT HAVE THE RIGHT TO SATISFY THEMSELVES THAT THE EVENTUAL PROVISIONS OF THE BASIC LAW FULLY AND ACCURATELY REFLECT THE JOINT DECLARATION."

THE CONSULTATION DRAFT WAS A COMPLEX DOCUMENT, SIR DAVID SAID.

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ENFORCEMENT CERTIFICATES ISSUED FOR 1,683 TRIBUNAL CASES

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IN THE PAST FIVE FINANCIAL YEARS, THERE WERE 1,683 CASES IN WHICH ENFORCEMENT CERTIFICATES HAD TO BE ISSUED AFTER EMPLOYERS FAILED TO SETTLE IN ACCORDANCE WITH THE JUDGEMENT OF THE LABOUR TRIBUNAL, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON RON BRIDGE, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON TAM YIU-CHUNG, MR BRIDGE SAID THE TRIBUNAL HAD DEALT WITH A TOTAL OF 21,937 CASES DURING THE PERIOD, 16,273 OF WHICH WERE DECIDED IN FAVOUR OF THE PLAINTIFF.

IN 14,590 OF THESE, THE CLAIM WAS SETTLED IMMEDIATELY.

/"THE PROPORTION

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"THE PROPORTION OF CASES BEING SETTLED IMMEDIATELY HAS BEEN INCREASING AND IN 1987-88 WAS 91.4 PER CENT, WHICH I UNDERSTAND COMPARES FAVOURABLY WITH OTHER COURTS," HE SAID.

MR BRIDGE NOTED THAT ENFORCEMENT CERTIFICATES, ISSUED TO EMPLOYERS WHO FAILED TO SETTLE IN ACCORDANCE WITH THE JUDGEMENT OF THE TRIBUNAL, ENABLED THE JUDGEMENT TO BE REGISTERED WITH THE DISTRICT COURT FOR ENFORCEMENT.

HE POINTED OUT THAT IF THE LABOUR TRIBUNAL WERE TO ENFORCE ITS OWN JUDGEMENTS, IT WOULD HAVE THE POWER ONLY TO ORDER THE SEIZURE OF MOVEABLE PROPERTY.

"SECTION 6 OF THE LABOUR TRIBUNAL ORDINANCE ALREADY PROVIDES FOR BAILIFFS TO BE ATTACHED TO THE TRIBUNAL FOR THIS PURPOSE.

"HOWEVER, THIS PROVISION HAS NOT SO FAR BEEN USED.

"THE REASON FOR THIS IS THAT IN PRACTICE IT IS MORE EFFECTIVE TO ENFORCE PAYMENT THROUGH THE DISTRICT COURT OR TO USE BANKRUPTCY OR WINDING-UP PETITIONS IN THE HIGH COURT," HE EXPLAINED.

"BANKRUPTCY PROCEEDINGS ARE LIABLE TO TAKE SOME TIME TO SETTLE, BUT MEANWHILE THE PLAINTIFF CAN APPLY FOR AN EX-GRATIA PAYMENT FROM THE PROTECTION OF WAGES ON INSOLVENCY FUND.

"THE LABOUR DEPARTMENT ADVISES ALL THOSE PURSUING A CLAIM IN THE LABOUR TRIBUNAL TO APPLY AT THE SAME TIME TO THIS FUND."

NOTING THAT BANKRUPTCY PETITIONS WERE LIMITED TO CLAIMS FOR \$5,000 AND OVER, MR BRIDGE SAID HE WOULD SHORTLY BE RECOMMENDING AN AMENDMENT TO THE INSOLVENCY FUND ORDINANCE TO ALLOW EX-GRATIA PAYMENTS TO BE MADE EVEN IN THOSE CASES WHERE THE AMOUNT OWED WAS LESS THAN THIS \$5,000 THRESHOLD.

HE ADDED THAT THERE APPEARED TO BE NO POINT IN AMENDING SECTION 38 OF THE LABOUR TRIBUNAL ORDINANCE TO GIVE THE TRIBUNAL ENFORCEMENT POWERS, SINCE IT ALREADY HAD SUCH POWERS UNDER SECTION 6 OF THE ORDINANCE.

"HOWEVER, THESE POWERS ARE NOT USED BECAUSE IN PRACTICE IT IS MORE EFFECTIVE TO USE OTHER MEANS," HE SAID.

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NEIGHBOURHOOD WATCH WELL RECEIVED

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THE POLICE ASSESSMENT IS THAT THE NEIGHBOURHOOD WATCH SCHEME HAS BEEN WELL RECEIVED BY THE PUBLIC AND PUBLIC INTEREST HAS BEEN MAINTAINED, THE SECRETARY FOR SECURITY, THE HON GEOFFREY BARNES, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON LIU LIT-FOR, MR BARNES SAID THIS WAS DEMONSTRATED BY THE ENTHUSIASTIC RESPONSE FROM PEOPLE IN RESIDENTIAL BLOCKS, WHICH WERE JOINTLY IDENTIFIED BY THE POLICE AND THE DISTRICT FIGHT CRIME COMMITTEES TO TAKE PART IN THE SCHEME.

"IN ADDITION, MANY REQUESTS HAVE BEEN RECEIVED FROM OTHER HOUSEHOLDS FOR IMPLEMENTATION OF THE SCHEME IN THEIR BLOCKS," HE SAID.

MR BARNES EXPLAINED THAT THE NEIGHBOURHOOD WATCH SCHEME WAS FIRST INTRODUCED AS A PILOT SCHEME IN SHA TIN IN 1984.

IN OCTOBER 1985 THE FIRST PHASE OF ITS EXTENSION ON A TERRITORY-WIDE BASIS TOOK PLACE AS A VITAL ELEMENT OF THE FIGHT CRIME CAMPAIGN'S EMPHASIS ON HOME SECURITY TO COMBAT THE PROBLEM OF RESIDENTIAL BURGLARIES.

HE SAID THE PURPOSE OF PHASING WAS TO AVOID PUTTING AN UNDUE STRAIN ON POLICE RESOURCES AND TO TRY TO ENSURE THAT EACH PHASE, COVERING ABOUT 16,000 HOUSEHOLDS, WAS IMPLEMENTED EFFECTIVELY.

"THE SCHEME IS NOW IN ITS FIFTH PHASE. SO FAR, 7,474 NEIGHBOURHOOD WATCH UNITS HAVE BEEN FORMED, COVERING A TOTAL OF 77,983 HOUSEHOLDS IN 399 BLOCKS. THOSE TAKING PART REPRESENT AROUND 10 PER CENT OF ALL HOUSEHOLDS IN HONG KONG," MR BARNES SAID.

"THE SIXTH PHASE IS SCHEDULED TO START THIS YEAR ON JULY 1."

MR BARNES NOTED THAT THERE MIGHT, ADMITTEDLY, HAVE BEEN CASES WHERE INITIAL ENTHUSIASM HAD WORN OFF, BUT THROUGH THE EFFORTS OF THE POLICE A WORKABLE INTEREST IN SUCH CASES HAD BEEN MAINTAINED.

HE ALSO POINTED OUT THAT, LIKE MANY DETERRENT AND CRIME PREVENTION MEASURES, IT WAS OFTEN DIFFICULT TO ASSESS WHAT HAD ACTUALLY BEEN ACHIEVED.

FOR EXAMPLE, ALTHOUGH THE NUMBER OF RESIDENTIAL BURGLARIES IN HONG KONG DROPPED BY 14.7 PER CENT IN 1986 AND 11 PER CENT IN 1987, THE FIGURES FOR THE FIRST QUARTER OF THIS YEAR SHOWED AN INCREASE OF 12 PER CENT COMPARED WITH THE CORRESPONDING PERIOD IN 1987.

/MR BARNES

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MR BARNES ADDED: "NEVERTHELESS THE OVERALL SITUATION IS BETTER THAN IT WAS TWO YEARS AGO; AND THERE CAN BE NO DOUBT THAT THE SCHEME HAS PLAYED AN IMPORTANT AND VALUABLE PART IN DEVELOPING PEOPLE'S AWARENESS OF THE NEED TO TAKE MORE CARE OF THEIR HOMES, THE NEED FOR COMMUNITY PARTICIPATION TO PREVENT CRIME, AND THE NEED FOR NEIGHBOURS TO CO-OPERATE WITH EACH OTHER.

"AN ADDED, AND WELCOME, DEVELOPMENT ARISING FROM THE SCHEME HAS BEEN ITS SUCCESS IN IMPROVING RELATIONS AND CO-OPERATION BETWEEN THE POLICE AND THE COMMUNITY."

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REGULAR CHECKS OF FIRE FIGHTING EQUIPMENT

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FIRE FIGHTING EQUIPMENT IS PROVIDED IN TEMPORARY HOUSING AREAS (THA'S), AND MAINTAINED BY REGISTERED FIRE SERVICES INSTALLATION CONTRACTORS IN ACCORDANCE WITH STATUTORY REQUIREMENTS, THE SECRETARY FOR DISTRICT ADMINISTRATION, THE HON DONALD LIAO, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE EQUIPMENT INCLUDED FIRE MAINS AND HYDRANTS, FIRE HOSE REELS AND MANUAL FIRE ALARM SYSTEMS, MR LIAO SAID IN REPLY TO A QUESTION BY DR THE HON HO KAM-FAI.

HOUSING DEPARTMENT STAFF INSPECTED THE INSTALLATIONS ONCE EVERY THREE MONTHS AND, IN ADDITION, THE EQUIPMENT WAS TESTED ANNUALLY BY AUTHORISED FIRE SERVICES CONTRACTORS.

"AS FOR SQUATTER AREAS, FIRE HYDRANTS AND FIRE MAINS, INSTALLED UNDER THE SQUATTER AREA IMPROVEMENT PROGRAMME SINCE 1983, ARE CHECKED MONTHLY BY THE FIRE SERVICES DEPARTMENT," MR LIAO SAID.

"ANY DEFECTS ARE REPORTED TO THE HOUSING DEPARTMENT FOR REPAIR."

/DR HO

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DR HO REFERRED TO CLAIMS THAT OUTBREAKS OF FIRE IN SOME THA'S OR SQUATTER AREAS HAD BEEN CAUSED BY UNAUTHORISED PERSONS IN VACANT THA UNITS OR SQUATTER STRUCTURES AND THAT FIRE-FIGHTING INSTALLATIONS IN THESE AREAS HAD NOT BEEN PROPERLY MAINTAINED.

HE ASKED WHAT MEASURES WERE BEING TAKEN TO ENSURE THAT UNAUTHORISED PERSONS COULD NOT ENTER VACANT STRUCTURES IN THA'S AND SQUATTER AREAS AND THAT FIRE-FIGHTING INSTALLATIONS IN THESE AREAS WERE IN PROPER WORKING ORDER.

MR LIAO EXPLAINED THAT VACANT TEMPORARY HOUSING UNITS WERE BOARDED UP BY HOUSING DEPARTMENT STAFF SO AS TO PREVENT TRESPASSING.

THESE UNITS WERE CHECKED BY HOUSING DEPARTMENT MANAGEMENT STAFF AND SECURITY GUARDS REGULARLY.

THE POLICE WERE ALSO GIVEN LISTS OF VACANT UNITS SO THAT THEY COULD INSPECT THEM DURING ROUTINE PATROLS.

"VACANT SQUATTER HUTS ARE DEMOLISHED WHEREVER POSSIBLE SO AS TO PREVENT RE-OCCUPATION," HE SAID.

"WHERE THIS CANNOT BE DONE, FOR EXAMPLE BECAUSE OF THE EFFECT ON THE STABILITY OF ADJACENT HUTS, THE PREMISES ARE BOARDED UP.

"THESE HUTS ARE ALSO INSPECTED AT REGULAR INTERVALS BY HOUSING DEPARTMENT'S SQUATTER CONTROL STAFF."

MR LIAO SAID THAT THE ABOVE MEASURES WERE GENERALLY EFFECTIVE.

"SO FAR, THIS YEAR, THERE HAVE BEEN FOUR FIRES IN THA'S, TWO OF WHICH WERE STARTED IN VACANT UNITS AND WERE BELIEVED TO BE CONNECTED WITH A SUICIDAL ATTEMPT.

"OF THE 15 SQUATTER FIRES THIS YEAR, ONLY ONE WAS STARTED IN A VACANT HUT," HE SAID.

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ENCOURAGING RESULTS IN CONTROLLING SMOKY VEHICLES
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THE HIGH PASS RATE OBTAINED AT THE TESTING CENTRE INDICATES THAT INITIAL RESULTS UNDER THE VEHICLE SMOKE CONTROL SCHEME THAT STARTED ON JANUARY 1 THIS YEAR ARE ENCOURAGING, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

"SINCE THE SCHEME STARTED, ABOUT 1,750 VEHICLES HAVE BEEN CHECKED, OF WHICH 90 PER CENT SUBSEQUENTLY PASSED THE TEST, WHILST THE REMAINDER WERE REQUIRED TO CARRY OUT FURTHER WORK PRIOR TO RE-EXAMINATION," HE SAID IN REPLY TO A QUESTION BY THE HON EDWARD HO.

"THE ENVIRONMENTAL PROTECTION DEPARTMENT WILL, HOWEVER, REVIEW THE PRESENT ARRANGEMENTS AFTER THEY HAVE BEEN IN FORCE FOR SIX MONTHS."

MR CHAMBERS SAID THE DEPARTMENT HAD SET UP A VEHICLE EMISSION CONTROL SECTION ON JANUARY 1 TO EXERCISE OVERALL CONTROL CONCERNING EXCESSIVE EXHAUST EMISSIONS FROM MOTOR VEHICLES.

THE VEHICLE SMOKE CONTROL PROGRAMME INVOLVED THE REPORTING OF SMOKY VEHICLES BY APPOINTED SPOTTERS AND POLICE OFFICERS, AND THE NOTIFICATION OF VEHICLE OWNERS TO REPAIR DEFECTS.

THE PROGRAMME ALSO REQUIRED OWNERS TO REPORT TO A TESTING CENTRE TO VERIFY THAT THEIR VEHICLE'S SMOKE PROBLEM HAD BEEN RECTIFIED.

MR CHAMBERS POINTED OUT THAT ALL MOTOR VEHICLES IMPORTED INTO HONG KONG AND THOSE ALREADY REGISTERED HERE MUST COMPLY WITH EMISSION STANDARDS SET OUT IN THE ROAD TRAFFIC (CONSTRUCTION AND MAINTENANCE OF VEHICLES) REGULATIONS.

"IT IS CONSIDERED THAT THERE MAY BE ROOM FOR IMPROVEMENT IN EMISSION STANDARDS AND WE INTEND TO UNDERTAKE A THOROUGH REVIEW OF THESE STANDARDS AND TO INTRODUCE AMENDMENTS TO THE LEGISLATION, IF NECESSARY," HE SAID.

IN ADDITION, BOTH THE TRANSPORT DEPARTMENT AND THE POLICE RETAINED SOME RESPONSIBILITIES FOR THE CONTROL OF EXCESSIVE SMOKE.

"THE TRANSPORT DEPARTMENT EXAMINES VEHICLE EMISSIONS IN THE COURSE OF ITS ANNUAL INSPECTIONS OF CERTAIN CLASSES OF VEHICLE.

"THE POLICE CONTINUE TO STOP EXCESSIVELY SMOKY VEHICLES AND TO ISSUE OWNERS WITH FIXED PENALTY TICKETS OR EXAMINATION ORDERS AS APPROPRIATE," MR CHAMBERS SAID.

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HOSPITAL CHARGES FOR VISITORS EXPLAINED

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THE RATIONALE BEHIND THE POLICY OF IMPOSING DIFFERENT PUBLIC HOSPITAL CHARGES FOR HONG KONG RESIDENTS AND VISITORS IS TO DISCOURAGE NON-ENTITLED PATIENTS FROM COMING TO THE TERRITORY WITH THE EXPRESS INTENTION OF SEEKING MEDICAL TREATMENT AT HEAVILY SUBSIDISED RATES, WHICH WOULD BE UNFAIR TO THE HONG KONG TAXPAYER.

THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS SAID THIS IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) IN A WRITTEN REPLY TO A QUESTION BY DR THE HON CONRAD LAM.

MR CHAMBERS SAID HIGHER MEDICAL CHARGES FOR VISITORS WERE INTRODUCED IN SEPTEMBER 1987.

"WITH THE EXCEPTION OF TREATMENT AT ACCIDENT AND EMERGENCY DEPARTMENTS, WHICH IS PROVIDED FREE, VISITORS USING PUBLIC HOSPITAL SERVICES IN HONG KONG ARE REGARDED AS NON-ENTITLED PATIENTS AND ARE CHARGED MEDICAL FEES REPRESENTING THE FULL COST OF ANY TREATMENT PROVIDED," HE SAID.

"HOLDERS OF VALID BRITISH PASSPORTS ARE EXEMPTED FROM SUCH CHARGES BECAUSE OF A RECIPROCAL ARRANGEMENT WITH THE UNITED KINGDOM GOVERNMENT WHICH GRANTS HONG KONG RESIDENTS ACCESS TO FREE MEDICAL TREATMENT UNDER THE NATIONAL HEALTH SERVICE.

"WHILE CHARGES FOR PRIVATE WARDS ARE THE SAME FOR BOTH VISITORS AND LOCAL RESIDENTS THOSE FOR PUBLIC WARDS ARE DIFFERENT.

"VISITORS BEING TREATED IN A PUBLIC WARD IN A GENERAL HOSPITAL ARE REQUIRED TO PAY A COMPOSITE FEE OF \$950 PER DAY AS COMPARED WITH \$23 A DAY FOR HONG KONG RESIDENTS.

"THE CORRESPONDING CHARGES IN PSYCHIATRIC HOSPITALS ARE \$350 AND \$23.

"CHARGES FOR VISITORS ATTENDING GENERAL AND SPECIALIST OUTPATIENT CLINICS ARE \$65 AND \$130 PER VISIT RESPECTIVELY. THE CORRESPONDING CHARGES FOR LOCAL RESIDENTS ARE \$12 AND \$18."

MR CHAMBERS SAID THE GOVERNMENT WAS AWARE THAT SOME VISITORS MIGHT NOT BE ABLE TO PAY THESE HIGHER CHARGES.

"IN SUCH CASES, THE DIRECTOR OF MEDICAL AND HEALTH SERVICES HAS DISCRETIONARY POWERS TO WAIVE OR REDUCE FEES," HE POINTED OUT.

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JOINT ANTI-ILLEGAL IMMIGRATION OPERATION MOUNTED

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A TERRITORY-WIDE ANTI-ILLEGAL IMMIGRATION OPERATION JOINTLY MOUNTED BY THE POLICE, AND THE LABOUR AND IMMIGRATION DEPARTMENTS EARLY THIS WEEK HAS RESULTED IN THE ARRESTS OF 125 PERSONS.

THE OPERATION WAS PART OF THE GOVERNMENT'S CONTINUOUS EFFORT TO FLUSH OUT ILLEGAL IMMIGRANTS.

OF THE ARRESTED PERSONS, 100 WERE ILLEGAL IMMIGRANTS CAUGHT AT THE BORDER. THEY HAVE BEEN SENT TO SAN UK LING FOR REPATRIATION.

THE REMAINING 25 HAVE BEEN REFERRED TO THE IMMIGRATION DEPARTMENT AND THE POLICE FOR FURTHER INVESTIGATION. THOSE FOUND TO BE ILLEGAL IMMIGRANTS WILL BE REPATRIATED.

THE OPERATION ALSO LED TO THE DETENTION OF FOUR PERSONS WHO WERE SUSPECTED TO BE AIDERS AND ABETTERS.

A GOVERNMENT SPOKESMAN REITERATED TODAY (WEDNESDAY) THAT THERE WAS NO QUESTION OF ANY AMNESTY FOR ILLEGAL IMMIGRANTS.

"OUR LATEST OPERATION SHOULD DRIVE HOME THE POINT THAT THERE WILL BE NO CHANGE TO THIS POLICY. ANYONE FOOLISH ENOUGH TO BELIEVE OTHERWISE IS ONLY CHEATING HIMSELF," HE SAID.

THE SPOKESMAN NOTED THAT APART FROM CONTINUOUS CHECKS THROUGHOUT THE TERRITORY, THERE WAS NO LET-UP IN ANTI-ILLEGAL IMMIGRATION EFFORTS AT THE BORDER.

"A HIGH STATE OF VIGILANCE WILL CONTINUE TO BE MAINTAINED BY THE POLICE AND THE SECURITY FORCES BOTH AT THE LAND AND SEA BORDERS," HE SAID.

DURING THE JOINT OPERATION, WHICH BEGAN AT 5 AM ON MONDAY (MAY 16) AND ENDED THIS MORNING, THE POLICE HAD STEPPED UP THEIR IDENTIFICATION SPOT CHECKS IN PUBLIC PLACES AND CARRIED OUT CHECKS AT SUSPICIOUS LOCATIONS THROUGHOUT THE TERRITORY.

AS RESULT, A TOTAL OF 30,270 PERSONS, 3,468 VEHICLES AND 1,871 VESSELS WERE STOPPED FOR IDENTIFICATION CHECKS.

A TOTAL OF 27 PERSONS WERE PROSECUTED FOR FAILING TO PRODUCE PROPER PROOF OF IDENTITY, AND A FURTHER SEVEN WERE WARNED IN RESPECT OF THIS OFFENCE, WHICH CARRIES A MAXIMUM FINE OF \$1,000.

ANOTHER SEVEN PERSONS WERE ARRESTED FOR ALLEGEDLY POSSESSING IDENTITY CARDS WHICH DO NOT BELONG TO THEM.

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ON THE LABOUR FRONT, INSPECTORS OF THE LABOUR DEPARTMENT VISITED 4,826 ESTABLISHMENTS TO WEED OUT ANY ILLEGAL IMMIGRANTS WHO MAY BE WORKING, AND TO CHECK THAT EMPLOYERS FULFIL THEIR LEGAL OBLIGATION OF KEEPING PROPER RECORDS OF THEIR EMPLOYEES.

A TOTAL OF SIX PERSONS IN FIVE ESTABLISHMENTS WERE FOUND WITHOUT PROPER PROOF OF IDENTITY AND HAVE BEEN REFERRED TO THE IMMIGRATION DEPARTMENT FOR FURTHER INVESTIGATION.

ANOTHER 86 ESTABLISHMENTS WERE FOUND TO BE EITHER KEEPING NO RECORD OR INCOMPLETE RECORDS OF EMPLOYEES, OR POSSESSING NO RECORD AVAILABLE FOR INSPECTION.

THE SPOKESMAN REMINDED EMPLOYERS THAT THEY COULD BE FINED UP TO \$50,000 AND JAILED FOR UP TO A YEAR IF THEY WERE FOUND TO BE EMPLOYING ILLEGAL IMMIGANTS.

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PAY SCALE ADJUSTMENTS APPROVED

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THE FINANCE COMMITTEE OF THE LEGISLATIVE COUNCIL THIS (WEDNESDAY) AFTERNOON APPROVED EXPENDITURE OF \$1,080 MILLION FOR ADJUSTMENTS TO THE PAY SCALES OF CIVIL SERVANTS FOR THE CURRENT FINANCIAL YEAR.

THE PAY RISE OF 6.54 PER CENT FOR THE UPPER BAND, 7.28 PER CENT FOR THE MIDDLE BAND AND 8.50 PER CENT FOR THE LOWER BAND IS BACKDATED TO APRIL 1 THIS YEAR.

THE REVISED SALARIES, TOGETHER WITH ARREARS, WILL BE PAID AT THE END OF JUNE.

DIRECTORATE LEVEL CIVIL SERVANTS WILL RECEIVE A 6.54 PER CENT RISE.

ALSO COVERED BY THE PAY REVISION ARE SUBVENTED ORGANISATIONS WHICH ENJOY FULL SUBSIDY FROM THE GOVERNMENT.

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VEHICLE MERGING TEST TO END TOMORROW MORNING
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THE VEHICLE MERGING TEST BEING CONDUCTED ON THE APPROACH ROADS TO THE KOWLOON ENTRANCE OF THE CROSS HARBOUR TUNNEL WILL END AT 11 AM TOMORROW (THURSDAY), THE TRANSPORT DEPARTMENT ANNOUNCED TODAY.

THE TEST HAS BEEN IMPLEMENTED SINCE MONDAY, MAY 16, NEAR THE JUNCTION OF THE APPROACH ROAD LEADING FROM GASCOIGNE ROAD EASTBOUND AND THE APPROACH ROAD LEADING FROM PRINCESS MARGARET ROAD, WITH THE PURPOSE OF SIMPLIFYING MERGING MOVEMENTS AT THE JUNCTION AND FACILITATING TRAFFIC FLOW TOWARDS THE TUNNEL PORTAL.

OBSERVATIONS OF THE PROGRESS OF THE TEST SHOWED THAT MERGING MOVEMENTS AT THE JUNCTION HAVE BEEN MORE ORDERLY.

TRAFFIC FLOW ON THE APPROACH ROAD FROM GASCOIGNE ROAD EASTBOUND REMAINED NORMAL BECAUSE OF THE LIGHT TRAFFIC VOLUME INVOLVED.

HOWEVER, OWING TO HEAVIER TRAFFIC FLOW AND THE DELAYS CAUSED BY THE MERGING OF TWO-LANE TRAFFIC INTO ONE LANE, TRAFFIC QUEUES APPEARED ON THE APPROACH ROAD LEADING FROM PRINCESS MARGARET ROAD.

VEHICLES ON CHATHAM ROAD NORTH HEADING FOR THE TUNNEL OR YAU MA TEI AREAS HAVE ENJOYED A SMOOTHER FLOW. THERE HAS BEEN LESS CONFUSION WITH TRAFFIC FROM THE OTHER TWO APPROACH ROADS.

FINDINGS OF THE TEST WILL BE EVALUATED AND WILL BE CONSIDERED TOGETHER WITH OTHER MEASURES AND TRAFFIC MANAGEMENT SCHEMES BEING EXAMINED UNDER THE CROSS HARBOUR TUNNEL TRAFFIC STUDY CARRIED OUT BY THE TRANSPORT DEPARTMENT.

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ARTICULATED VEHICLE DRIVING LICENCE COMPULSORY THIS AUGUST
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THE COMMISSIONER FOR TRANSPORT, MR JAMES SO, TODAY (WEDNESDAY) REMINDED CONTAINER TRUCK DRIVERS THAT THE GRACE PERIOD ALLOWING HOLDERS OF "ALL GOODS VEHICLES" DRIVING LICENCES ISSUED BEFORE AUGUST 25, 1984 TO DRIVE ARTICULATED VEHICLES WOULD EXPIRE ON AUGUST 24 THIS YEAR AS SCHEDULED.

AT A MEETING WITH REPRESENTATIVES OF THE FEDERATION OF HARBOUR TRANSPORTATION UNIONS, MR SO POINTED OUT THAT AS AT THE END OF APRIL, THERE WERE 9,227 DRIVERS HOLDING A VALID ARTICULATED VEHICLE DRIVING LICENCE, WHILE THE NUMBER OF LICENSED CONTAINER TRACTORS WAS 4,647.

THE FIGURES REPRESENTED A RATIO OF 1.98 DRIVERS TO ONE CONTAINER TRACTOR.

"IT IS EXPECTED THAT WHEN THE GRACE PERIOD EXPIRES IN AUGUST, THE RATIO ACHIEVED WILL BE SLIGHTLY HIGHER THAN THE TARGETED RATIO OF TWO ARTICULATED VEHICLE DRIVERS TO ONE TRACTOR," HE ADDED.

THIS RATIO OF TWO ARTICULATED VEHICLE DRIVERS TO ONE TRACTOR, HE SAID, WAS CONSIDERED ADEQUATE TO MEET THE DEMAND OF THE INDUSTRY.

MR SO HAD A USEFUL EXCHANGE OF VIEWS WITH THE REPRESENTATIVES OVER A NUMBER OF TOPICS CONCERNING THE TRUCKING INDUSTRY.

ON THE PROBLEM OF OVERLOADING OF GOODS VEHICLES, THE COMMISSIONER SAID THAT THE TRANSPORT DEPARTMENT WOULD PUBLISH A CODE OF PRACTICE ON LOADING OF VEHICLES LATER THIS YEAR.

IT WAS HOPED THAT THIS CODE WOULD PROVIDE USEFUL GUIDES ON SAFE LOADING AND WOULD ALSO SERVE TO REMIND OPERATORS NOT TO LOAD GOODS IN EXCESS OF THE PERMITTED GROSS VEHICLE WEIGHTS.

MR SO SAID THE GOVERNMENT WAS LOOKING INTO THE PROBLEM AND WOULD CERTAINLY TAKE INTO ACCOUNT THE DIFFICULTIES FACED BY THE DRIVERS.

HE ALSO EXPLAINED TO THE REPRESENTATIVES PLANS FOR ADDITIONAL TRANSPORT SERVICES TO COPE WITH POSSIBLE EXTRA DEMAND ARISING FROM THE INTRODUCTION OF A PEAK-HOUR SURCHARGE BY THE MTRC. HE AGREED TO REFLECT THEIR VIEWS ON THE SURCHARGE TO THE TRANSPORT BRANCH AND THE MTRC BOARD.

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DB COMMITTEE TO CONSIDER FUND ALLOCATIONS
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THE KOWLOON CITY DISTRICT BOARD'S COMMUNITY BUILDING COMMITTEE WILL MEET TOMORROW (THURSDAY) TO DISCUSS THE BUDGET FOR ORGANISING COMMUNITY BUILDING ACTIVITIES IN THE 1988-89 FINANCIAL YEAR.

THE DISTRICT BOARD HAS ENDORSED AN ALLOCATION OF \$1.1 MILLION TO THE COMMITTEE THIS YEAR.

AT THE MEETING, MEMBERS WILL ALSO DISCUSS THE FORMATION OF A FINANCE WORKING GROUP AND THE GUIDELINES FOR SPONSORING COMMUNITY INVOLVEMENT PROJECTS.

IN ADDITION, THEY WILL CONSIDER 13 APPLICATIONS FOR FUNDS TOTALLING \$140,000 FOR ORGANISING ACTIVITIES, WHICH INCLUDE THE 1988 SUMMER YOUTH PROGRAMME, A MID-AUTUMN FESTIVAL LANTERN CARNIVAL, A CHILDREN'S MUSIC CAMP AND A FITNESS CLASS FOR THE ELDERLY.

NOTE TO EDITORS:

YOU ARE INVITED TO COVER THE KOWLOON CITY DISTRICT BOARD'S COMMUNITY BUILDING COMMITTEE MEETING TO BEGIN AT 2.15 PM TOMORROW (THURSDAY) IN THE CONFERENCE ROOM OF THE DISTRICT OFFICE, 141 KAU PUI LUNG ROAD, TO KWA WAN.

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CYCLING TRACK PROPOSED FOR TUEN MUN
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THE TUEN MUN DISTRICT BOARD'S ENVIRONMENTAL IMPROVEMENT AND DISTRICT DEVELOPMENT COMMITTEE WILL MEET TOMORROW (THURSDAY) TO DISCUSS A PROPOSAL TO BUILD A CYCLING TRACK IN THE DISTRICT.

MEMBERS WILL ALSO LOOK INTO THE TELEVISION RECEPTION PROBLEM IN BUTTERFLY BAY AREA AND A REQUEST FOR THE INSTALLATION OF RAILINGS AS AN ANTI-BURGLARY MEASURE IN YAU OI ESTATE.

/A PROGRESS

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A PROGRESS REPORT ON LOCAL PUBLIC WORKS AND A LIST OF PROPOSED MINOR ENVIRONMENTAL IMPROVEMENT PROJECTS FOR THIS FINANCIAL YEAR WILL BE TABLED.

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NOTE TO EDITORS:

YOU ARE INVITED TO COVER THE MEETING OF THE TUEN MUN DISTRICT BOARD'S ENVIRONMENTAL IMPROVEMENT AND DISTRICT DEVELOPMENT COMMITTEE TOMORROW (THURSDAY) IN THE DISTRICT BOARD CONFERENCE ROOM, THIRD FLOOR, GOVERNMENT OFFICES BUILDING, NO. 1 TUEN HI ROAD, TUEN MUN. THE MEETING WILL BEGIN AT 2.30 PM.

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OLD-TYPE ID CARDS INVALID FROM SATURDAY
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THE IMMIGRATION DEPARTMENT TODAY (WEDNESDAY) REMINDED MEN BORN BETWEEN 1963 AND 1968 THAT THE OLD-TYPE IDENTITY CARDS ISSUED BEFORE JULY 1 LAST YEAR WILL CEASE TO BE VALID DOCUMENTS FROM SATURDAY (MAY 21).

"THIS IS THE FIRST BATCH OF IDENTITY CARDS DECLARED INVALID SINCE THE NEW IDENTITY CARD RE-ISSUE SCHEME STARTED IN JULY LAST YEAR," A SPOKESMAN FOR THE DEPARTMENT SAID.

HE EMPHASISED THAT ONCE AN OLD CARD WAS DECLARED INVALID, IT WOULD NOT BE ACCEPTED FOR ANY PURPOSE.

"FOR EXAMPLE, A MAN OF THE ABOVE AGE GROUP HOLDING AN INVALID OLD-TYPE IDENTITY CARD WILL NOT BE ABLE TO USE IT FOR TRAVELLING TO CHINA OR MACAU OR TO APPLY FOR A TRAVEL DOCUMENT.

"THEREFORE, THOSE WHO HAVE MISSED THEIR SPECIFIED CARD RENEWAL PERIODS DUE TO THEIR ABSENCE FROM HONG KONG OR ANY OTHER REASONS SHOULD IMMEDIATELY APPROACH ANY ONE OF THE EIGHT NEW IDENTITY CARD ISSUE OFFICES," HE SAID.

THESE CASES WILL BE LOOKED INTO THOROUGHLY AND DEALT WITH ACCORDING TO THEIR INDIVIDUAL MERITS.

THE SPOKESMAN REITERATED THAT THERE WOULD BE NO AMNESTY FOR ILLEGAL IMMIGRANTS.

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WEDNESDAY, MAY 18, 1988

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LONG VEHICLE BAN IN WAN CHAI

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VEHICLES EXCEEDING SEVEN METRES LONG WILL NOT BE ALLOWED TO ENTER MALLORY STREET IN WAN CHAI BETWEEN WAN CHAI ROAD AND JOHNSTON ROAD FROM 10 AM ON SATURDAY (MAY 21).

THIS MEASURE WILL BE IN FORCE FOR ABOUT FIVE MONTHS FOR ROADWORKS.

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TRAFFIC CHANGES IN NEW TERRITORIES

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FROM 10 AM ON FRIDAY (MAY 20), ALL PUBLIC LIGHT BUSES WILL BE BANNED FROM ENTERING TSING YUNG STREET IN TUEN MUN.

THE RESTRICTION WILL BE IN FORCE ROUND THE CLOCK DAILY.

MEANWHILE, TO FACILITATE THE CONSTRUCTION OF A FOOTBRIDGE, CASTLE PEAK ROAD IN TSUEN WAN BETWEEN TAI HO ROAD AND SAI LAU KOK ROAD WILL BE CLOSED TO TRAFFIC FROM 1.15 AM TO 5.45 AM ON SUNDAY (MAY 22) AND MONDAY (MAY 23).

AFFECTED VEHICLES, INCLUDING KMB ROUTE NO. 59S, WILL BE DIVERTED VIA SAI LAU KOK ROAD.

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