



DAILY INFORMATION BULLETIN

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Trial scheme

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Transcript of the Governor's media session

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The following is a transcript of the Governor, the Rt Hon Christopher Patten's media session in the Central Government Offices this (Friday) afternoon:

Governor: I came down to the Secretariat for my final meeting with the Chief Secretary before I go on leave and I wanted in particular to congratulate the Chief Secretary and her colleagues on the very skilful way in which they piloted so much legislation through the Legislative Council this week. I think it's been an extremely well conducted business. Obviously this has been a momentous week for the Legislative Council. It brings to an end four very successful years for a council the majority of whose members for the first time were there through the process of election.

Despite some of the predictions to the contrary, it's been a successful four years for the legislature during which they have passed almost 400 bills. But of course this week they've passed some particularly important ones. There's been for example, perhaps it's unfair to mention some, but there is the Bill on data protection and there was the Bill on the disabled. The most important piece of legislation to be put on the statute book this week have been first of all the Bill on the Court of Final Appeal which I think is a major building block in the future well-being of Hong Kong. And, I am particularly pleased that we also saw the passage of the Mandatory Provident Fund legislation which is I think by common consent the most important measure of social reform that has been carried through in Hong Kong in recent history, a very, very important measure indeed for the future of the community.

So, I am delighted that we've managed to do so much, working with the Legislative Council over the last four years. I am pleased that it's concluded with these historic decisions taken this week and we will look forward to working I hope equally successfully with the new Legislative council that will be elected through fair and open elections this September. I am sure that we will have as good and occasionally robust but constructive a relationship with the new legislature as we've had with the present one.

Question: Governor, you say you look forward to a good relationship with the next legislature but the fact is, by way of evidence, there were 19 Committee Stage Amendments moved by the Government in the CFA Bill. I've lost track of the number of times some Officials had to stand up and say, "this amendment is to correct a technical error and this is to correct a typing error." There's a lot of haste with which the bill had been moved. Is this not evidence that you lack faith in the legislature which is to be elected in this September by your own rule?

Governor: No, I don't know what experience you had of legislatures elsewhere, Francis, but I had 13 years of experience with legislatures and I have to say on the basis of that experience we seem to manage things remarkably smoothly in Hong Kong. I've been up all night on the committee stage of bills where we've virtually re-written bills in the House of Commons. So I don't think that you should regard the occasional requirement to make technical amendments in the course of the passage of a bill in Hong Kong is in any way a curiosity. We've done a lot of work this summer. we have done a lot of work this week. I think it's all been absolutely necessary. Take for example the legislation on the Mandatory Provident Fund which some people have accused us of pushing forward too hastily. The truth of the matter is as many of your newspapers have been pointing out, we've been debating this issue for over 30 years. It's taken this administration and this legislature to bring that debate to end and to actually get on with the job of putting in place arrangements which will be greatly to the benefit of the future retired population of Hong Kong. So, while I would accept that I could always try to improve one's record in legislating, I think that we've done exceptionally well this week and I don't regard the fact we occasionally have to amend our own bills as in any way surprising or exceptional.

Question: Governor, how is the Government going to .. the support of the Chinese side on the MPF primary legislation? They've criticised that without any consultation before implementing the bill.

Governor: I think a number of your newspapers have made the point today that this is a scheme which is in the interest of Hong Kong which is good for Hong Kong and that therefore it would be sensible to ensure that the scheme not only survived but is built on sensibly in the next few year. We'll obviously be discussing with Chinese officials the detail regulations which will be necessary in order to get the scheme up and running. We will be having full consultations with them and of course, not least because of the amendments passed by the Legislative Council during the course of the passage of the Bill. The legislature will have to be fully, wholly involved in the implementation of the scheme. So, I think that Chinese officials will recognise this is not a highly politicised, highly partisan measure. It's one that's in the interest of Hong Kong and I hope will get, now that the Legislative Council has made a decision, I hope it will get maximum support.

Question: How do you comment on the survey done by the Police about the resignation rate of senior officers after 1997?

Governor: When you lose any senior officers or senior civil servants ahead of time. it is obviously a matter for regret. But I thought that the figures that are revealed by the survey while no grounds for complacency are quite encouraging. They didn't show a huge exodus from our very fine police force. What they did show is some wastage. But they showed overall massive commitment by our middle-ranking and senior officers to the careers which they've taken up. We've got just about the best police force in Asia by common consent and I am delighted that morale is so high and that most of the senior ranks are staying.

Question: Has the way of introduction and passage of the MPF make the bill politicised?

Governor: No.

Question: Governor, if you do not lack faith in the in-coming legislature, why so many major bills all ... at the end of this session?

Governor: Bills do tend to crowd up at the end of sessions as you may have noticed in the past. It's particularly so at this stage because normally and if you haven't got a bill through by the end of a session you can let it run into the next session, unlike actually the position in the United Kingdom. But because we've got Legislative Council elections this September and everything has to be completed by the end of July. We can't carry legislation through.

There are several reasons why we wanted to get legislation through. Sometimes, as in the case of the Court of Final Appeal, because we want to put ourselves in the position where we can start to make the practical arrangements and we've been saying since last Autumn I think that we wanted to get that bill through during this Legislative Council session. There are other reasons for wanting to get legislation through speedily. Again on the Mandatory Provident Fund, we wanted to bring to an end what I think has become a debilitating argument and get ahead with the practical implementation of the scheme and in the interests of the people of Hong Kong.

So there are umpteen reasons. I don't think that anybody would have welcomed it if we dragged our feet on all those measures which were required in order to ensure that legislation on the press was in line with the Bill of Rights. You and others have been pressing us to get ahead with that legislation. You and others have quite properly been pressing us to get ahead with the legislation on discrimination against the disabled, with the legislation on data protection. That all shows an administration and the Legislative Council are determined to do their job as rapidly and quickly as possible. But, if from now on your main line of questioning is going to be that we are doing things too rapidly, there may be times when I welcome it.

Question: Emily Lau in Legco early today said that in last year's Policy Address, you promised that there would be changes to laws related to press freedom. So far, only a limited has been done. Do you think it is fair to say that not much will be improved before 1997?

Governor: No, I don't. What's actually happened is that 80 percent of the bills that we needed to look at have been dealt with in all we've looked at 53 different parts of 27 ordinances. In 11 cases, we've concluded that because issues like privacy were involved, or the right to a fair trial, it wouldn't be right to change the legislation. In one case, the Court of Appeal have found that the powers in the Prevention of Bribery Ordinance related to the Commission Against Corruption wouldn't in contradiction with the Bill of Rights. Now that may be appealed to the Privy Council, but at the moment I think our position is firm and clear. We believe that measure was important in the fight against corruption. That leaves, I think, about 31 individual measures that we've actually taken to deal with problems that could arise in regard to freedom of the press like removing our out-dated Emergency Regulations while retaining the legislation which would allow a government working with the Legislative Council in the unlikely eventuality of an emergency to take the necessary steps. There are a few measures still left. There are two prison rules that we need to amend in the next session. There are a couple of matters under the Telecommunications Ordinance where we are waiting for the reports of the Law Reform Commission, and there are three sensitive issues where we would like the law to straddle 1997. There is sedition and treason and official secret, we haven't actually used the official secret legislation against anyone but we are keen to see that legislation localised. We've put proposals on each of those matters to Chinese side and in every case, the proposals that we've put forward are entirely in line with the Bill of Rights and I hope that in the discussions that we have with Chinese officials will be successful because it would obviously be a matter of some comfort to people in Hong Kong if we could ensure that the legislation on those matters went through 1997 smoothly. So, the simple answer to your question is 80 percent done. Some tricky issues still to handle, but I hope we'll be able to manage them as successfully as we've managed the 80 percent.

Question: With reference to the recent remark by Mr Qian Qichen on the chance of your meeting with Mr Lu Ping. Do you think you can meet Mr Lu Ping after Mr Qian's visit to London?

Governor: Well, first of all, I hope that Director Lu's convalescence from his operation goes well and that he has as good a summer as I hope I'll have. Secondly, I've always made it clear that whenever Director Lu or other Chinese officials are able to find time in their busy diaries, I'll be happy to see them. We were delighted that the Chief Secretary was able to visit Peking recently that she was given such appropriately courteous and high-level treatment and I very much hope that I'll be able to have a face-to-face meetings as well. I think that regardless of my own opinions on the matters, I think it is true to say that the people of Hong Kong would like to see that. That's what people say on the phone-in programmes, that's what people write to the newspapers, and that's what people appear to want when one looks at the opinion polls. One more question.

Question:.... You have many interactions with legislators. Now their term of Office is going to end. What do you have to say....

Governor: I'd like to wish all of those who'll be campaigning through August a happy and not too hot month and I hope that all their campaigns go well. I've better not be partisan and express any particular interest, but of course, many legislators aren't taking a holiday. They are rolling up their sleeves and getting down to the campaigning for September and I am sure that those elections in September will be as successful as were the elections for the District Boards and Municipal Councils. Last question.

Question: (Inaudible)

Governor: I very much hope not as I said earlier that I think many of our newspapers had made the point this morning that everybody should now get behind this scheme and make it work, and I very much hope that will happen. I think it is in the interests of Hong Kong. We've made terrific debate about theirs. You all know that at an earlier stage in the debate, I put forward and argue vigorously for a pension scheme which unfortunately the Legislative Council, whatever the public may have thought, didn't like. As a result of that, and as a result of further consultation we came forward with the Mandatory Provident Fund that I am glad that on this occasion we seem to have hit the jackpot. And now it's up to all of us to make sure that the jackpot actually comes out of the machine.

Question: drop the case of the 10 real estate developers ... in the land auction.. Would you say that we should drop the case of the three Ming Pao Journalists...

Governor: I don't think there is an analogy between those cases and to be perfectly honest, Francis, as you perfectly well know those decisions are the decisions that are made by the Attorney Chambers, that are made on the advice by the Director of Public Prosecutions . And I would no more dream of trying to politicise those sort of decisions than I would dream of politicising something spiritual.

Question: Qian Qichen, when he met with Lee Pengfai in Beijing, he mentioned that Legco has been, you know, passing laws on-going, that is not to China's approval. And now that the MPF has been passed. Do you think that it will further to infuriate China?

Governor: No. I think that clearly it's approved by the people of Hong Kong. And we've got to remember that one of the principles in which we all believe, not least, our friends and colleagues in Peking is the principle of Hong Kong people running Hong Kong with high a degree of autonomy. Thank you very much.

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Financial services agreement reached

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An agreement on trade in financial services was finally reached today (Friday) in Geneva among the World Trade Organisation (WTO) Members after nine years of negotiation and a one-month extension of the agreed deadline. "The successful conclusion of the WTO agreement to liberalise financial services is definitely good news and we must hope that the US decides to sign up too later," commented the Financial Secretary, Sir Hamish Macleod. Despite the US's last minute refusal to maintain most of its offers on an MFN basis, other members, including Hong Kong, have chosen not to withdraw their improved, MFN based offers.

"This shows that most WTO Members share a strong commitment to the multilateral trading system, and in particular to the further liberalisation of trade in this important sector," said Sir Hamish.

"The European Union should be applauded for its leadership in keeping up the momentum. I am particularly glad that Hong Kong and others have responded quickly and constructively to achieve a wide base of support for securing an agreement."

The agreement will lock in liberalisation measures made by WTO Members in financial services, and will provide a sound basis for negotiations on further liberalisation.

Although the agreement is an interim one lasting until December 31, 1997, Sir Hamish was confident that it would lay a strong foundation for further liberalisation.

"The commitment to liberalise on a MFN basis is there and it will be difficult to roll back these efforts by the end of the interim agreement in 1997," he said.

In practical terms, the outcome means greater certainty and predictability in trade in financial services. Financial services will now be subject to the rules and disciplines of a legally binding, multilateral framework for international trade under the General Agreement on Trade in Services (GATS). This will encourage the further expansion of trade in financial services and make it easier for financial services firms to have access to overseas markets.

"This bodes well for Hong Kong's financial services suppliers, many of whom are very competitive," said Sir Hamish.

"In terms of our own market, Hong Kong is very open and this will continue to be our practice," Sir Hamish added, "Our own offer reflects the continuing commitment to openness".

End/Friday, July 28, 1995

Fourth human rights report on HK submitted to UN

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The fourth report on Hong Kong under the International Covenant on Civil and Political Rights (ICCPR) was submitted to the United Nations by the United Kingdom Government on July 21. The report covers the many developments in Hong Kong on human rights issues since the third report was examined by the UN Human Rights Committee in 1991.

"More has been done in Hong Kong in recent years in the area of human rights than in any other period of our history," a government spokesman said.

"The rule of law, a truly independent judiciary and the Bill of Rights Ordinance (BORO) provide the foundation for human rights protection in Hong Kong now and in the future," he said. Among the measures to enhance protection of human rights detailed in the report are:

- * the enactment of the Bill of Rights Ordinance and the subsequent amendment of 29 pieces of legislation to bring these in line with the BORO;
- * the extension of the Convention on the Rights of the Child to Hong Kong;
- * the enactment of the Sex Discrimination Ordinance which provides for the establishment of an Equal Opportunities Commission;
- * extension of the powers of the Commissioner for Administrative Complaints;
- * making legal aid available for court cases involving the BORO;
- * measures to improve the system of handling complaints against the Police;
- * the provision of additional resources to promote human rights education.

Earlier this year, the public, non-government organisations (NGOs) and the Legislative Council were asked to give their views on the issues that should be covered in the report. A total of 10 submissions were received.

"This is the first report that we have drafted having received the views of NGOs and Legislative Councillors on the issues to be covered in the report," the spokesman said.

"By being able to refer to the different views and opinions on human rights issues being debated in Hong Kong, our report will be that much more useful to the Human Rights Committee. We look forward to a constructive discussion with the Committee," he said.

Copies of the report on Hong Kong (in English) and the text of the Covenant (in English and Chinese) are available at the Marketing Office of the Government Information Services at the 17th floor, Siu On Centre, 176-192, Lockhart Road, Wan Chai. The report will also be issued in booklet form (English and Chinese) in September and copies made available in public libraries and District Offices.

End/Friday, July 28, 1995

Report on company law reform submitted

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The Standing Committee on Company Law Reform has submitted its Eleventh Report, covering the year 1994, to the Governor-in-Council.

The Standing Committee is tasked to advise the Financial Secretary on necessary amendments to the Companies Ordinance, the Securities Ordinance, and the Protection of Investors Ordinance. A total of 17 issues, six of which involved amendments to the relevant legislation, had been considered in the past year.

Among the legislative amendments recommended are the proposals to confer preferential payments to small depositors in the event of a bank liquidation; to allow the use of either Chinese or English under the various provisions of the Companies Ordinance; and to issue pre-signed certificates of incorporation by the Registrar of Companies.

These changes are contained in the Companies (Amendment) Ordinance 1995 which was passed into law on July 26.

Other legislative amendments recommended include the proposals to adopt the 1985 UK legislation so that anyone who wished to claim compensation with regard to the issue of shares or securities by an issuing company could do so without having to first rescind their ownership of the shares or securities to which listing related; to abolish certain accounting exemptions enjoyed by shipping companies; and to raise the amounts from \$1,000 to \$10,000 of charitable and other donations a company and its subsidiaries should be entitled to make.

Legislative amendments are being prepared to bring about these changes in the 95-96 legislative session.

The Standing Committee also recommended that no change should be made to the existing audit requirement of accounts for all 'small' companies notwithstanding the recent legislative changes brought about in the UK which exempted such companies from the obligation.

The Standing Committee also recommended that no legislative change should be effected on the registration of company charges.

Since its establishment in 1984, the Standing Committee has produced 11 annual reports. Of the total 57 recommendations which the Committee has made, 44 have so far been implemented and a further 12 are included in proposals for legislative amendments being prepared.

Copies of the Standing Committee's Report can be obtained from the Secretary of the Standing Committee on Company Law Reform (Tel 2867 2819, fax 2869 6817 or 2596 0585), or in person to the Companies Registry, 12th floor, Queensway Government Offices, 66 Queensway, Hong Kong.

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Company regulation approved by ExCo

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The Governor-in-Council has approved the Company (Forms) (Amendment) Regulation 1995 to provide for the use of either English or Chinese in the Regulations.

The amendment is in line with the Companies (Amendment) Ordinance just passed into law on July 26 which provides for, among other things, the use of either English or Chinese under the Companies Ordinance.

"The opportunity is also taken to simplify the provisions regarding the certification of true copies of company documents overseas," a government spokesman said.

"The amendment Regulation will be brought into operation together with the commencement of the relevant provisions of the Companies (Amendment) Ordinance concerning the use of either language.

"This will be as soon as the Companies Registry is ready to put in place a bilingual system for the filing of company documents," he added.

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External trade figures for June 1995

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Both re-exports and imports continued to show substantial growth in June 1995, while domestic exports registered a moderate increase.

These are shown in the external trade figures for June released today (Friday) by the Census and Statistics Department.

The value of total exports (comprising re-exports and domestic exports) increased by \$14.5 billion or 15% to \$114.5 billion in June 1995.

Within total exports, the value of re-exports, at \$93.9 billion in June 1995, was \$13.6 billion or 17% higher than a year earlier.

The value of domestic exports increased by \$895 million or 4.5% over a year earlier to \$20.6 billion in June. Meanwhile, the value of imports increased by \$18.2 billion or 16% to \$128.9 billion.

As the value of total exports in June 1995 was smaller than that of total imports, a visible trade deficit of \$14.4 billion, equivalent to 11% of the value of imports, was recorded. This compared with a deficit of \$10.8 billion, equivalent to 9.7% of the value of imports, in June 1994.

In the first half of 1995, the value of total exports grew by 18% over the same period last year. Amongst this, the value of re-exports rose by 20%, while that of domestic exports increased by 9.4%. The value of imports showed an increase of 24%.

In the same period, a visible trade deficit of \$88.1 billion, equivalent to 12% of the value of imports, was recorded. This compared with a deficit of \$45.8 billion, equivalent to 8.0% of the value of imports, recorded in the first half of 1994.

Commenting on the latest trade figures, a Government spokesman pointed out that both re-exports and domestic exports remained on an uptrend.

Meanwhile, retained imports continued to grow considerably, by 16% in June over a year earlier.

This was underpinned mainly by a further increase in import requirements for manufacturing production and infrastructural construction, as well as for production capacity enhancement.

As to the visible trade balance, the spokesman noted that in June, a deficit equivalent to 11% of the value of imports was recorded, whereas in April and May, the corresponding figures were 17% and 13%. Thus, the deficit situation has shown a further improvement from the preceding months.

A more detailed analysis of Hong Kong's external trade for June 1995, by commodity and country, will be released in mid-August 1995.

EXTERNAL TRADE FIGURES FOR JUNE 1995

MERCHANDISE: Domestic Exports	:	\$20,583 million
Re-exports	:	\$93,913 million
Total Exports	:	\$114,496 million
Imports	:	\$128,939 million
Trade balance	:	-\$14,442 million

COMPARATIVE FIGURES

Latest 3 months	Apr 95 to	Apr 94 to	Change	
	Jun 95 HK\$ Mn.	Jun 94 HK\$ Mn.	HK\$ Mn.	%
Domestic Exports	57,485	53,999	+3,486	+6.5
(% of Total Exports)	(17.3%)	(18.9%)		
Re-exports	275,084	231,028	+44,055	+19.1
Total Exports	332,569	285,028	+47,541	+16.7
Imports	385,093	316,943	+68,150	+21.5
Trade balance	-52,524	-31,916	-20,609	

Same month last year	June	June	Change	
	1995 HK\$ Mn.	1994 HK\$ Mn.	HK\$ Mn.	%
Domestic Exports	20,583	19,688	+895	+4.5
(% of Total Exports)	(18.0%)	(19.7%)		
Re-exports	93,913	80,300	+13,613	+17.0
Total Exports	114,496	99,988	+14,509	+14.5
Imports	128,939	110,753	+18,186	+16.4
Trade balance	-14,442	-10,765	-3,677	

Last month	June	May	Change	
	1995 HK\$ Mn.	1995 HK\$ Mn.	HK\$ Mn.	%
Domestic Exports	20,583	20,033	+551	+2.7
(% of Total Exports)	(18.0%)	(17.2%)		
Re-exports	93,913	96,620	-2,707	-2.8
Total Exports	114,496	116,653	-2,156	-1.8
Imports	128,939	133,419	-4,480	-3.4
Trade balance	-14,442	-16,766	+2,324	

Calendar year to-date	Jan-Jun	Jan-Jun	Change	
	1995 HK\$ Mn.	1994 HK\$ Mn.	HK\$ Mn.	%
Domestic Exports	108,072	98,743	+9,329	+9.4
(% of Total Exports)	(17.3%)	(18.7%)		
Re-exports	515,152	428,285	+86,867	+20.3
Total Exports	623,224	527,028	+96,196	+18.3
Imports	711,356	572,863	+138,493	+24.2
Trade balance	-88,132	-45,835	-42,297	

Last 12 months	Jul 94 to	Jul 93 to	Change	
	Jun 95 HK\$ Mn.	Jun 94 HK\$ Mn.	HK\$ Mn.	%
Domestic Exports	231,421	218,588	+12,833	+5.9
(% of Total Exports)	(18.3%)	(20.0%)		
Re-exports	1,034,788	875,720	+159,069	+18.2
Total Exports	1,266,209	1,094,307	+171,902	+15.7
Imports	1,389,202	1,138,734	+250,468	+22.0
Trade balance	-122,992	-44,427	-78,566	

28 July 1995
CENSUS AND STATISTICS DEPARTMENT

End/Friday, July 28, 1995

Figures on ocean vessel and cargo for first quarter of 1995

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In the first quarter of 1995, 9,278 ocean vessels with a total capacity of 39.2 million net registered tons (being a unit of measure in volume terms of the space of a vessel available for carrying passengers or goods, one net registered ton equals 100 cubic feet) arrived at Hong Kong.

This information is contained in the report entitled Hong Kong Shipping Statistics, January - March 1995 published today (Friday) by the Census and Statistics Department.

The figures reflected an increase of 12% in number of vessels and 7% in capacity over the first quarter of 1994.

During the same period, there were 9,415 outgoing ocean vessels with a total capacity of 39.8 million net registered tons, representing an increase of 13% in number and 9% in capacity over the first quarter of 1994.

In the first quarter of 1995, the total tonnage of seaborne inward cargo comprising seaborne imports and seaborne inward transshipment, was estimated to be 19.4 million tonnes, representing an increase of 21% over the same quarter in 1994.

During the same period, the total tonnage of seaborne outward cargo comprising seaborne exports (domestic exports plus re-exports) and seaborne outward transshipment, was estimated to be 8.9 million tonnes, representing an increase of 29%.

Of the seaborne inward cargo, 81% in terms of tonnage were seaborne imports and 19% were seaborne inward transshipment. Among these cargoes, 52% were containerised.

Of the seaborne outward cargo, 56% in terms of tonnage were seaborne exports (domestic exports plus re-exports) and 44% were seaborne outward transshipment. Eighty-six per cent of them were containerised cargo.

The above statistics are summarised in Table 1.

In the first quarter of 1995, the top five countries of loading for seaborne inward cargo (comprising seaborne imports and seaborne inward transshipment) were Singapore (which accounted for 20% in tonnage terms), Japan (13%), China (12%), Taiwan (11%) and the Republic of Korea (8%). The top five countries of discharge for seaborne outward cargo (comprising seaborne exports and seaborne outward transshipment) were China (21%), U.S.A. (18%), Taiwan (8%), Japan (6%) and the Federal Republic of Germany (5%).

The top five principal commodities of seaborne inward cargo in tonnage terms include petroleum, petroleum products and related materials (23%); coal, coke and briquettes (8%); artificial resins and plastic materials (8%); iron and steel (7%); and other manufactured goods classified chiefly by material (5%).

The top five principal commodities of seaborne outward cargo in tonnage terms include machinery (11%); other manufactured goods classified chiefly by material (10%); other manufactured articles (7%); petroleum, petroleum products and related materials (6%); and other chemicals and related products (4%).

The distribution of the top 10 countries of loading and discharge and their changes in the tonnage of seaborne inward and outward cargo between the first quarter of 1995 and the first quarter of 1994 are shown in Table 2 and Table 3.

Similar statistics for seaborne inward and outward cargo analysed by the top 10 principal commodities are shown in Table 4 and Table 5.

Ocean vessel statistics are compiled primarily from general declarations submitted to the Marine Department by ship masters or authorised shipping agents and cover all ocean vessels entering and leaving Hong Kong, excluding yachts and pleasure craft.

Seaborne cargo statistics are compiled from a sample of consignments listed in the ocean cargo manifests supplied by shipping companies or agents to the Census and Statistics Department. The sampling method is described in the Explanatory Notes of the report.

More details of ocean vessel and cargo statistics for the first quarter of 1995 are contained in the report entitled Hong Kong Shipping Statistics, January - March 1995. This report is now published in bilingual form.

The report is now on sale at the Government Publications Centre, Queensway Government Offices, Low Block, ground floor, 66 Queensway, Hong Kong, and the Publications Unit of the Census and Statistics Department on 19th floor, Wanchai Tower, 12 Harbour Road, Wan Chai at \$65 a copy.

Enquiries on statistics contained in the report may be directed to the Shipping and Cargo Statistics Section of the Census and Statistics Department on tel 2582 4887.

Table 1: Summary of ocean vessel and cargo statistics

	% change over	
	1st quarter	1st quarter
	<u>1995</u>	<u>1994</u>
Incoming ocean vessel		
Number	9 278	+12
Capacity (Mn. net registered tons)	39.2	+7
Seaborne inward cargo (Mn. tonnes)	19.4 (52)	+21
Seaborne imports (Mn. tonnes)	15.8 (42)	+19
Seaborne inward transhipment (Mn. tonnes)	3.6 (96)	+31
Outgoing ocean vessel		
Number	9 415	+13
Capacity (Mn. net registered tons)	39.8	+9
Seaborne outward cargo (Mn. tonnes)	8.9 (86)	+29
Seaborne exports (Mn. tonnes)	5.0 (76)	+17
(domestic exports plus re-exports)		
Seaborne outward transhipment (Mn. tonnes)	3.9 (99)	+48

Note: Figures in brackets denote the extent of containerization in percentage.

Table 2: Seaborne inward cargo ⁽¹⁾ by top ten countries of loading

<u>Country of loading</u>	1st quarter	<u>% share⁽²⁾</u>	% change over
	<u>1995</u> ('000 tonnes)		<u>1st quarter 1994</u>
Singapore	3 897	20	+42
Japan	2 470	13	+13
China	2 375	12	+23
Taiwan	2 063	11	+19
Republic of Korea	1 550	8	+35
U.S.A.	1 442	7	+13
Australia	1 011	5	-5
Indonesia	573	3	+39
Thailand	532	3	+90
Republic of South Africa	470	2	+58

- Notes: (1) Seaborne inward cargo comprises seaborne imports and seaborne inward transshipment.
 (2) % share is the share in tonnage terms with respect to the total tonnage of seaborne inward cargo.

Table 3: Seaborne outward cargo⁽¹⁾ by top ten countries of discharge

<u>Country of discharge</u>	1st quarter	<u>% share⁽²⁾</u>	<u>% change over</u>
	<u>1995</u> ('000 tonnes)		<u>1st quarter 1994</u>
China	1 898	21	+32
U.S.A.	1 625	18	+28
Taiwan	698	8	+14
Japan	549	6	+80
Federal Republic of Germany	415	5	+13
Singapore	400	4	+25
Netherlands	370	4	+25
Thailand	270	3	+55
Philippines	266	3	+42
United Kingdom	252	3	+46

Notes: (1) Seaborne outward cargo comprises seaborne exports and seaborne outward transshipment.

(2) % share is the share in tonnage terms with respect to the total tonnage of seaborne outward cargo.

Table 4: Seaborne inward cargo ⁽¹⁾ by top ten principal commodities

<u>Commodity group</u>	<u>1st quarter</u>		<u>% change over</u>
	<u>1995</u>	<u>% share</u> ⁽²⁾	<u>1st quarter 1994</u>
	('000 tonnes)		
Petroleum, petroleum products and related materials	4 533	23	+50
Coal, coke and briquettes	1 621	8	*
Artificial resins and plastic materials	1 474	8	+10
Iron and steel	1 402	7	+1
Other manufactured goods classified chiefly by material	1 029	5	+24
Machinery	904	5	+3
Paper and paper products	784	4	-18
Cement and cement clinker	732	4	-15
Textile yarn, fabrics, made-up articles and related products	609	3	+14
Stone, sand and gravel	503	3	+56

Notes: (1) Seaborne inward cargo comprises seaborne imports and seaborne inward transshipment.

(2) % share is the share in tonnage terms with respect to the total tonnage of seaborne inward cargo.

(3) * less than 0.5%.

Table 5: Seaborne outward cargo ⁽¹⁾ by top ten principal commodities

<u>Commodity group</u>	1st quarter	<u>% share</u> ⁽²⁾	% change over
	<u>1995</u> (' 000 tonnes)		<u>1st quarter 1994</u>
Machinery	967	11	+33
Other manufactured goods classified chiefly by material	898	10	+22
Other manufactured articles	667	7	+38
Petroleum, petroleum products and related materials	513	6	+27
Other chemicals and related products	357	4	+38
Articles of apparel and clothing accessories	355	4	+1
Textile yarn, fabrics, made-up articles and related products	347	4	+1
Toys	344	4	+30
Footwear	335	4	+17
Crude animal and vegetable materials	283	3	+22

Notes: (1) Seaborne outward cargo comprises seaborne exports and seaborne outward transshipment.

(2) % share is the share in tonnage terms with respect to the total tonnage of seaborne outward cargo.

End/Friday, July 28, 1995

Monetary Authority tax exemption approved by ExCo

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The Exemption from Salaries Tax (Monetary Authority) Order was made by the Governor-in-Council on July 25.

The order to exempt the Monetary Authority (MA) and its staff from salaries tax liabilities for benefits received under the Hong Kong Monetary Authority Provident Fund Scheme.

Unlike its private sector counterparts, the scheme cannot be registered under the Occupational Retirement Schemes Ordinance (ORSO)(which would have enabled it to enjoy salaries tax exemption status) because ORSO does not and cannot bind the MA, who is an emanation of the Crown.

The order merely brings the tax position of the MA and its staff on par with participants of comparable private sector provident fund schemes. The order does not seek to give the MA and its staff any preferential treatment.

End/Friday, July 28, 1995

Latest HIV/AIDS situation

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A total of 29 persons were found positive for the HIV antibody test in the second quarter of 1995, the Department of Health announced today (Friday). This brings the number of HIV infected persons in Hong Kong to 573.

Six new AIDS cases were reported during the same period.

The total number of confirmed AIDS cases is 148.

Among the HIV-infected, 198 acquired through homosexual or bisexual sex and 249 through heterosexual sex; 12 were injecting drug users; two were mother-to-child transmissions around the time of birth; and 66 acquired through contaminated blood or blood products before 1985 when HIV antibody test and safe heat treated clotting concentrates were not available.

Information available was inadequate for classification of the remaining 46.

The Hong Kong Red Cross Blood Transfusion Service has screened all blood donors for the antibody.

During this quarter, a total of 46,880 units of blood had been tested and two donors were found positive.

End/Friday, July 28, 1995

Management Guide for Civil Servants published

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The Efficiency Unit of the Government Secretariat has published a new booklet "Serving the Community - A Management Guide for Civil Servants" today (Friday).

The Guide which will be distributed to all staff at the executive officer level or equivalent and above in policy branches and departments, provides ready reference on how civil servants manage themselves in the Government.

Through the booklet, managers in the Government will have a clear idea of the principles and values which guide their work, how these are reflected in departments, and how their specific tasks complement the overall management philosophy.

In the foreword of the booklet, the Chief Secretary, Mrs Anson Chan, said Hong Kong people expected more and better public services.

"The Government must continue to improve its services to match these aspirations," she said.

"Standing still is simply not an option. Many challenges lie ahead, particularly in ensuring a smooth transition in 1997.

"I am sure all members of the Civil Service will rise to these challenges if we pursue the ideals described in this booklet."

The Head of the Efficiency Unit, Mr Robert Footman, told a press conference launching the booklet today that over the years, the Government had introduced a number of initiatives to respond to public demand for services.

"But it is only recently that we have recognised the importance of a formalised approach to help us achieve our aim," he noted.

"The Efficiency Unit has integrated long-standing practices and various public sector reform initiatives into a new unified management framework.

"This booklet explains the framework and how it affects the way we work. It also describes the aims, principles and values of the public sector; where responsibilities lie for putting these into practice; and the key management tasks that must be addressed."

The four principles which underpin this framework are:

- * Being accountable
- * Living within our means
- * Managing for performance
- * Developing our culture of service

To help civil servants deliver their various tasks, the following values are applied:

Openness	Expertise	Commitment
Partnership	Effectiveness	Integrity
Foresight	Efficiency	Courtesy
Leadership	Propriety	Responsiveness

Mr Footman said: "These values apply in varying degrees to every area of government activities. Departments must make clear to their staff how these values apply in their particular areas of activities, in support of their departmental missions."

"The set of values highlighted in the booklet are not exhaustive. Departments are encouraged to identify their own set of working values to supplement these."

"We are developing strategies to help further establish the ideals and the new framework set out in this booklet and shall be working closely with departments in their efforts to give better service to the community," he added.

End/Friday, July 28, 1995

Victoria Harbour (Phase Two) Water Control Zone

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The control of sewage discharged into the harbour will be extended to cover more areas in September, following the approval of the Governor-in-Council on the declaration of Phase Two of the Victoria Harbour Water Control Zone (WCZ).

This means discharges from Wong Tai Sin, Kowloon City, Yau Tsim Mong, Sham Shiu Po, and a small part of Sha Tin will be controlled by a licensing scheme administered by the Environmental Protection Department.

Under the Water Pollution Control (Victoria Harbour (Phase two) Water Control Zone) Order gazetted today (Friday), controls on new discharges into the WCZ will take effect from September 1 and licence application for existing discharges should be submitted between that date and April 1 next year.

A government spokesman said according to the estimates made by the Environmental Protection Department, commercial and industrial discharges account for about 60 per cent and 15 per cent respectively of the total discharges in the proposed Victoria Harbour (Phase Two) WCZ.

He said these had considerable impact on the water quality in the proposed WCZ.

With the declaration of the WCZ, the spokesman said, a significant number of discharges will be controlled at source and water quality in the harbour should improve further.

"In order to meet the discharge requirement specified under the Water Pollution Control Ordinance, commercial and industrial establishments located within the proposed WCZ may need to upgrade their pollution control installations," he said.

It might incur additional costs in operating and maintaining such equipment, but there should be longer term savings arising from a significantly lower trade effluent surcharge which applies when a WCZ was declared, he added.

The Victoria Harbour Water Control Zone is the last of the 10 Water Control Zones established under the Water Pollution Control Ordinance. As it covers the Central Victoria Harbour and has a large number of industrial and commercial discharges, it was proposed to declare it in three phases by next year.

The First Phase, which covered the two ends of the Victoria Harbour covering the industrial areas in Kwun Tong in the east and Tsuen Wan and Kwai Chung in the west, was declared on September 27 last year.

End/Friday, July 28, 1995

Recommendations to tackle underage drinking

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The working group on underage drinking of the Commission on Youth has made recommendations to tackle the problem in its final report published recently.

A spokesman for the Commission said today (Friday) that the working group found it unjustifiable at this stage to recommend a total ban on sale of alcohol to minors before a comprehensive data-collecting exercise was conducted. Nevertheless, the working group saw merit in prohibiting the sale of alcohol in schools, sports grounds and places frequented by young people.

He said: "this will send a positive message to young people that underage drinking is not socially welcomed and is not an acceptable behaviour."

The working group will urge the Urban Services Department and the Regional Services Department to consider the suggestion.

Noting that young people have been led by television programmes to set their attitudes towards drinking, the working group suggested that the Codes of Practice of Advertising Standards controlling advertisements on alcohol beverages should be carefully examined.

"The working group suggests the Broadcasting Authority to consider further tightening the provisions in the Codes with reference to the experience in controlling cigarette advertisements on television.

"Tighter advertising guidelines and more restrictive broadcasting hours would avoid generating unwarranted curiosity towards alcohol amongst young people," the spokesman said.

Highlighting the need for public education, the working group found that apart from education programmes, parents and teachers should also be accounted for the proper guidance of young people.

The spokesman said: "parents and teachers are important role models and their attitudes towards drinking will have a bearing on young people."

"The working group believes that young people develop attitudes to alcohol and drinking from what their peers, parents and teachers do and say."

Since there is very little research being done on the extent of underage drinking in Hong Kong, the working group proposed a comprehensive study of the problem to assess the extent of underage drinking, draw-up a clear profile of underage drunkards and ascertain the reasons that drove young people to drink and their attitudes towards drinking.

"This would help the Government develop effective mechanisms to cultivate correct attitudes towards drinking and alcohol misuse among young people," the spokesman said.

The working group suggested the Department of Health to take the lead in conducting educational programmes and undertaking research.

The working group made these recommendations following an extensive information collection, including the examination of overseas researches from the United States, Australia, the United Kingdom, Japan, Singapore, and two focus group discussions to solicit young people's views on underage drinking.

The Commission on Youth began its study into the problem of underage drinking upon the release of the final report on the Lan Kwai Fong disaster in February 1993.

A working group was subsequently set up in December the same year to examine the possible measures to tackle the problem.

End/Friday, July 28, 1995

Land Registry announced lodged agreements figures

A total of 50,633 sale and purchase agreements of building units, mainly flats, were lodged with the Land Registry during the first half of this year.

The figure represents an increase of 14.7 per cent but a decrease of 28.4 per cent compared with the second half of 1994 and the first half of 1994 respectively.

The total amount of the considerations involved in these agreements was \$104.91 billion, down by 28.2 per cent and 62.2 per cent as compared with the two preceding half-yearly periods.

During the first half of 1995, 48,928 assignments of building units, the majority being residential, were lodged for registration, compared with 62,201 and 75,675 respectively recorded during the second half of 1994 and the first half of 1994, showing a decrease of 21.3 per cent and 35.3 per cent respectively. The total amount of the considerations involved, amounting to \$157.15 billion, indicates decreases when compared with the two preceding half years.

The total amount secured under mortgages (other than building mortgages) was \$35.52 billion, showing a decrease of 32 per cent and 28.7 per cent compared with the second half of 1994 and the first half of 1994 respectively.

Searches of land records made by members of the public during the first half of 1995 totalled 1,446,572, down by 4.7 per cent and 26.3 per cent as compared with the second half of 1994 and the first half of 1994 respectively.

Trial scheme for cross-harbour taxi stand

A six-month trial scheme for cross-harbour taxi stands will be implemented starting from 10 am on Sunday (July 30).

Acting Assistant Commissioner for Transport (Ferry and Paratransit), Mr Albert Yuen, today (Friday) said under the trial scheme, two cross-harbour taxi stands will be set up on each side of the Cross Harbour Tunnel. They will be at Harbour Road near China Resources Building and Paterson Street on Hong Kong side; and at San Wai Street in To Kwa Wan and Observatory Road in Tsim Sha Tsui on Kowloon side.

Appropriate traffic signs will be erected to indicate the locations and extent of these designated cross-harbour taxi stands.

"Taxi drivers waiting at the designated cross-harbour taxi stands will be permitted to refuse hire for non cross-harbour journeys. A single tunnel toll will be charged for cross-harbour journeys which start from the designated cross-harbour taxi stands," Mr Yuen said.

"However, outside the designated cross-harbour taxi stands, refusal to accept hire, whether or not across the harbour, will continue to be an offence. Taxi drivers are also reminded not to take passengers to change taxis at the designated cross-harbour taxi stands against their will.

"Twice the tunnel toll will continue to be charged for a cross-harbour journey which does not start from the designated cross-harbour taxi stands."

The trial scheme will last for six months and a review will be conducted.

The Transport Department, in consultation with the Police, the Transport Complaints Unit and the taxi trade, will monitor the scheme and assess the utilisation of the stands, traffic implications, public complaints about taxi malpractices at or near the stands, and complaints about hire refusal for cross-harbour trips in general.

End/Friday, July 28, 1995

Toronto firm to set up regional head office in HK

A Toronto-based software company, Innotech Multimedia Corporation, has chosen Hong Kong as its regional trade and investment headquarters to serve the fast growing South East Asian market.

The company, which is publicly listed in the Vancouver Stock Exchange, is a leading developer of software for the building and navigating of CD-ROM multimedia databases. It has produced over 100 CD-ROM projects for a list of blue chip customers as well as numerous CD-ROM retail titles.

Casting a vote of confidence in Hong Kong's future, Chairman of Innotech, Mr Philip Wong, announced at a press conference in Toronto yesterday (Thursday) that the company had been working to establish a presence in the Far East for some time and it is logical to set up its regional head office in Hong Kong.

Mr Wong said the decision was based on the territory's positive business environment, its proximity and contacts with the China market.

He thanked the Economic and Trade Office of the Hong Kong Government in Toronto for assisting Innotech to enter into a joint venture with a Hong Kong-based company, Co-Echo Company, which has extensive retail operations in China. Under the joint venture project, Innotech is transferring its software and expertise to a new company, Innotech Multimedia Corporation Hong Kong (IMCHK), in exchange for a 30 per cent shareholding.

Mr Wong said with the assistance of the Hong Kong Economic and Trade Office, IMCHK had been working closely with the Hong Kong Productivity Council to serve two local customers in the territory - the Hong Kong Tourist Association and the Hong Kong Electronic Industries Association.

Congratulating Innotech on their success in securing profitable opportunities in Hong Kong, the Director of Hong Kong Economic and Trade Office, Mr C M Leung, said at the press conference that the role of the Hong Kong Government was to identify those overseas companies with interests in Hong Kong and to encourage them to invest in the territory by setting up wholly-owned subsidiaries or facilities in partnership with Hong Kong companies.

"We provide free service to help these companies conduct feasibility studies and launch their projects in Hong Kong," he said.

He added that given Hong Kong's present stage of economic development, what it looked for in overseas investments was the technology areas which would introduce new or improved products, new designs and processes, and improved management techniques.

Mr Leung noted that since June 1993, about a hundred Canadian companies had been in touch with the Hong Kong Economic and Trade Office in Toronto and expressed investment interests in Hong Kong. Their variety of interests include electronic products, drug delivery and vaccines, diagnostic products, robotics, information technology systems, recycling processes, telecommunications equipment and industrial automation systems.

"We have successfully helped more than half of these Canadian companies initiate business discussions with a number of Hong Kong companies on various strategic alliance proposals. With our assistance, more than 20 of these companies have visited Hong Kong for further studies," he said.

For further information please contact Chief Information Officer, Alex Choi, on (416) 924 5544.

End/Friday, July 28, 1995

Call for better fire protection

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Both the Fire Services and Labour departments are very concerned about fire safety measures in old industrial buildings following two recent major fires in Aberdeen and North Point which left 26 people injured.

A spokesman for the Fire Services Department said fire safety provisions of these factories were built according to required standards at the time of development.

Officers of the two departments are working together to appeal to factory proprietors and owners of these premises to update fire safety measures such as the provision of sprinkler system, means of escape, etc, for the safety of their workers and their own interest.

End/Friday, July 28, 1995

Laying of fresh water mains on Lamma Island

The Water Supplies Department is inviting tenders for the laying of fresh water mains on Lamma Island to meet the rapidly increasing demand for water on the island.

The contract works include the laying of about three kilometres of water mains with a diameter of 300 millimetres from Pak Kok to Tai Ling Tsuen and the Lamma Power Station.

A temporary access road will be provided for pedestrians during the construction period.

Works are expected to commence in November to be completed in 12 months.

Tender forms and further particulars can be obtained from the Water Supplies Department, Immigration Tower, 44th floor, 7 Gloucester Road, Wan Chai, Hong Kong.

Tender offers will close at noon on August 18.

End/Friday, July 28, 1995

Tung Chung Outline Zoning Plan approved

The Governor-in-Council has approved the Tung Chung Town Centre Area Outline Zoning Plan, a spokesman for the Town Planning Board said today (Friday).

"The plan provides a statutory planning framework to guide public and private developments in the Tung Chung Town Centre area," he said.

The approved plan (No. S/I-TCTC/1) is available for public inspection until next Friday (August 4) from:

- * Planning Department,
16th floor, Murray Building,
Garden Road,
Hong Kong;

- * Lantau and Islands District Planning Office,
10th floor, Leighton Centre,
77 Leighton Road,
Causeway Bay,
Hong Kong; and

- * Islands District Office,
20th floor,
Harbour Building,
38 Pier Road,
Central,
Hong Kong.

Copies of the plan can also be bought at the Survey and Mapping Office, Lands Department, 14th floor, Murray Building, and Kowloon Map Sales Office, 382 Nathan Road, Kowloon.

End/Friday, July 28, 1995

New fire station for Sham Tseng

The Architectural Services Department is inviting tenders for the construction of a fire station cum ambulance depot in Sham Tseng, Tsuen Wan. Notice of the tender was gazetted today (Friday).

The new station will be a five-storey three-bay building consisting of an appliances room, offices, a kitchen, a canteen and stores.

Works are scheduled to start in November for completion by March 1997.

Tenders forms and further particulars can be obtained from the Architectural Services Department, 34th floor, Queensway Government Offices, 66 Queensway, Hong Kong.

The deadline for submitting tenders is noon on August 25.

End/Friday, July 28, 1995

Water cut in Tai Hang

Fresh and flushing water supply to some premises in Tai Hang will be temporarily suspended from 11 pm on Monday (July 31) to 6 am the following day (August 1) to facilitate water mains leakage detection.

The affected areas include Mount Butler Road, Mount Butler Drive, Moorsom Road, Moorsom Drive, Price Road, Wilson Road, Cooper Road, Goldsmith Road, Purves Road, Henderson Road, Boyce Road, Creasy Road, Perkins Road, Clementi Road and 10 Chun Fai Road.

End/Friday, July 28, 1995

253 Kindergartens to receive Government subsidy

The Education Department has so far approved 253 applications from kindergartens for subsidy under the Kindergarten Subsidy Scheme (KSS) in the 1995-96 school year. The successful applications comprised 227 non-profit making and 26 profit-making kindergartens. Six are still being processed.

The department have received a total 272 applications when the scheme was open for application in May.

The remaining 13 applications include six failing to comply with the requirements, six withdrawal and one ceased operation.

The following is breakdown of the applications:

Total applications:	272
Successful application	253
Being processed	6
Not eligible	6
Withdrawal	6
Ceased operation	1

End/Friday, July 28, 1995

Shark warnings remain in force

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The shark warning flags now hoisted at eight Sai Kung beaches would remain in force.

The decision was reached following reports that two sharks had been sighted between the Clear Water Bay First and Second beaches at around 6.30 am last Wednesday (July 26).

The Deputy Secretary for Recreation and Culture, Mrs Rachel Cartland, today (Friday) urged the public not to swim or engage in water activities in Sai Kung waters for the time being. "It is important that the public are aware of the risks involved if they themselves choose to enter the water at ungazetted beaches," she warned.

End/Friday, July 28, 1995

Infrastructure Co-ordinating Committee meeting

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A team of Hong Kong Government officials will be leaving for Beijing on Monday (July 31) to attend the third full plenary meeting of the Infrastructure Co-ordinating Committee on Tuesday (August 1).

The team comprises the Secretary for Planning, Environment and Lands, Mr Bowen Leung; the Secretary for Economic Services, Mr Gordon Siu; Director of Planning, Dr Peter Pun; Principal Assistant Secretary for Planning, Environment and Lands, Mr Stanley Wong; and Principal Assistant Secretary for Constitutional Affairs, Miss Margaret Fong.

End/Friday, July 28, 1995

Invitation for pre-qualification of default work

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The Buildings Department invites firms of consultants to take part in pre-qualification exercise for appointment as term consultants to carry out default work.

Details of the invitation for the exercise is published in the Government Gazette today (Friday).

A spokesman for the department said that the scope of work of the term consultants include investigation work, submission of remedial work proposals and supervision of the remedial work.

"Minimum pre-qualification requirements are firms with at least two authorised persons with adequate supporting staff, established locally for at least two years and with experience in similar work," the spokesman said.

Formal pre-qualification applications should reach the Chief Building Surveyor of the Consultancy Services Section of the Buildings Department, Murray Building, Garden Road, Central, not later than August 18.

End/Friday, July 28, 1995

Japanese bank granted licence

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A Government spokesman said today (Friday) that the Eighteenth Bank (EB) had been granted a licence to conduct banking business in Hong Kong, and that the banking licence of Nordbanken has been revoked.

EB is a Japanese regional bank founded in 1877. It operates 128 branches and offices in the Nagasaki Prefecture, Kyushu, Tokyo, and major cities in Japan. It is the 61st largest bank in Japan and ranks 267th in the world in terms of capital.

EB has been operating a representative office in Hong Kong since December 1991. It wishes to upgrade to a branch to provide a wider range of banking services to its customers in Hong Kong, China and Southeast Asian countries. The principal business of the proposed branch includes lending, trade financing and securities investment.

Nordbanken, a bank incorporated in Sweden, has been operating in Hong Kong as a licensed bank since 1988.

In 1992, the bank took the decision to cease all commercial banking operations outside Sweden.

Since then, it has only maintained three overseas branches in Hong Kong, London and New York concentrating on foreign exchange, money and capital markets.

In January this year, the bank decided to close these three branches and centralise all trading activities in Sweden.

The spokesman said Nordbanken's decision to cease business in Hong Kong merely reflects the corporate strategy of Nordbanken and does not affect Hong Kong's attractiveness as an international financial centre. There is continuing interest of foreign bank entering the local market. The licence for EB is the fifth banking licence granted in 1995.

There are now 183 licensed banks in Hong Kong, of which 152 are incorporated outside the territory.

End/Friday, July 28, 1995

R&V Department announces performance pledge

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The Rating and Valuation Department today (Friday) announces the results of its own performance evaluation for 1994-95 and reports that target standards has been met in some cases - in some instances even exceeded.

The department's performance results have been published in its Performance Pledge 1995-96 booklet, available from today (Friday) at the department's offices and district offices.

The booklet also outlines service improvements made in 1994-95, and specifies targets and planned service improvements for 1995-96.

Service improvements in 1995-96 include the take-over of rates accounting matters from the Treasury on July 1 to provide the public with a convenient one-stop service. However, a spokesman for the department reminded the public that the actual collection of rates payments remained with the Treasury.

On the subject of customer services, the spokesman said: "we remain committed to provide the best possible services, and look forward to continuing good relationship with the public."

End/Friday July 28, 1995

List of environmental reports released

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The Environmental Protection Department (EPD) today (Friday) released a list of environmental impact assessment (EIA) reports of major development projects completed in the last three months. The department will continue to keep the public informed of EIA reports that have been completed as well as those which will be completed in the coming 12 months on a regular basis.

Following is a list of EIA reports completed between April and June:

1. Proposed helipad at the CLP Shatin Central Warehouse EIA Report
(China Light & Power Co Ltd)
2. Proposed Precast Concrete Factory at YLTL No 313, Section D, YLIE
(Daido Hong Leong Industries Manufacturing Ltd)
3. Restoration of North West New Territories Landfills
Initial Environmental Impact Assessment
(Environmental Protection Department)
4. Centralised Incineration Facility for Special
Wastes: Environmental Impact Assessment
(Environmental Protection Department)

5. 40,000 Ton Lifting Capacity Floating Dock, Yam O, North Lantau, EIA final report (Hong Kong United Dockyards Ltd)

Major EIAs that are likely to be completed in the next 12 months include:

1. Ting Kau & Sham Tseng Sewerage Scheme (Drainage Services Department)
2. Feasibility Study for Castle Peak Road Improvement between Area 2 and Ka Loon Tsuen, Tsuen Wan (Highways Department)
3. Backfilling of Marine Borrow Pits North Lantau and South Tsing Yi, Feasibility Study/ EIA (Civil Engineering Department)
4. West Kowloon Refuse Transfer Station Detailed EIA (Environmental Protection Department)
5. Green Island Cement Manufacturing and Concrete Batching Area 17, Southwest Tsing Yi (Green Island Cement Co Ltd)
6. Route 3 Tai Lam Tunnel & Yuen Long Approach-southern Section - Final Detailed EIA (Route 3 Contractors Consortium)
7. Hong Kong Cement/Concrete Batching Plant and Material Storage Facilities at Northwest Tsing Yi Island (Hong Kong Cement Co Ltd)
8. Main Drainage Channel for Fanling, Sheung Shui and Hinterland (Civil Engineering Department)
9. Main Drainage Channels for Ngau Tam Mei, Yuen Long and Kam Tin (Territory Development Department)
10. Outlying Island Refuse Transfer Facilities (Environmental Protection Department)

11. Reclamation Works for District Open Space & Government/Institute/Community Facilities in North Tsing Yi (Civil Engineering Department)
12. Restoration of Urban Landfills - Stage II (Environmental Protection Department)
13. Shenzhen River Regulation Project Stage 2 Works (Drainage Services Department, Hong Kong Government/ Shenzhen River Regulation Office of Municipal Government, Shenzhen)
14. Sheung Shui Slaughter House (Regional Services Department)
15. San Miguel Brewery, Yuen Long Industrial Estate (San Miguel Brewery)
16. North West New Territories Development, Kam Tin By-pass Stage I EIA (Highways Department)
17. Tuen Mun Area 38 for Special Industries: Improvements to Roads & Junctions within Tuen Mun (Highways Department)
18. Tsueng Kwan O Development - Town Centre North (Territory Development Department)
19. Commercial/Residential Development at Shiu Wing Steel Mill Site in Tseung Kwan O Area 72 (Shiu Wing Steel Ltd)
20. Residential Development at Hong Kong Oxygen Plant Site in Areas 50 & 51, Tseung Kwan O (Hong Kong Oxygen & Acetylene Co Ltd)
21. Green Island Reclamation (Part) - Public Dump (Civil Engineering Department)
22. Central, Western & Wanchai West Sewerage Implementation (Drainage Services Department)

23. Island West Refuse Transfer Station
(Environmental Protection Department)
24. Chai Wan Road/Wing Tai Road Widening
(Highways Department)
25. EIA for Four Potential Housing Development Sites
(Environmental Protection Department)
26. Route 16: From West Kowloon to Shatin
(Highways Department)
27. Rural Drainage Rehabilitation Scheme
(Civil Engineering Department)
28. Sham Tseng Link Feasibility Study
(Highways Department)
29. Backfilling of North Lantau Marine Borrow Area
(Civil Engineering Department)
30. West Kowloon Reclamation - Sandwich Class Housing
North of Man Cheong Street
(Housing Society)
31. Sand Extraction and Backfilling of Eastern Waters
Marine Borrow Areas
(Civil Engineering Department)
32. Central Reclamation, Phase III
(Territory Development Department)
33. West Kowloon Reclamation Comprehensive Traffic
Analysis Review and EIA
(Territory Development Department)
34. Sha Lo Tung Revised Development Supplementary EIA
(Sha Lo Tung Development Co., Ltd)
35. Discovery Bay Development Extension
(Hong Kong Resort Co. Ltd)

36. Strategic Sewage Disposal Scheme Stage 1,
Implementation Stage EIA
(Drainage Services Department)
37. Design of Reclamation & Edge Structures for
Container Terminals 10 & 11 and Back-up Areas
(Civil Engineering Department)
38. Hong Kong Ferry Pier Development at Central Reclamation, Phase I
(Hong Kong Ferry)
39. Reclamation for Shipyard at To Kau Wan, EIA for Operation Phase
(Civil Engineering Department)
40. Tsung Pak Long Flood Protection Scheme
(Civil Engineering Department)
41. Low-level Radioactive Waste Storage Facility
Environmental Impact and Safety Assessment Study
(Environmental Protection Department)

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Eighth Customer Enquiry Centre Opens

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The Water Supplies Department opened its eighth Customer Enquiry Centre in Tuen Mun today (Friday) as part of its continuing efforts to improve services to customers.

The opening ceremony was officiated by the Director of Water Supplies, Mr Hu Man-shiu; the Vice Chairman of the Tuen Mun Rural Committee, Mr Kwu Hon-keung; and the Tuen Mun District Officer, Mr Leung Pak-yan.

Located on the seventh floor of the Tuen Mun Government Offices at 1 Tuen Hi Road, the new centre is installed with on-line computer terminals to provide on-the-spot answers to enquiries relating to individual water accounts and change of consumership.

Northwest New Territories residents can obtain application forms and information leaflets on water supplies matters at the centre.

As from today, computer on-line change-of-consumership services is extended from the Customer Enquiry Centre in Wan Chai to the other six centres in Shau Kei Wan, Mong Kok, Kwun Tong, Tsuen Wan, Tai Po and Sha Tin.

End/Friday, July 28, 1995

Closure of North Point illegal structure sought

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The Building Authority is seeking to close an unauthorised structure in North Point so that it can be demolished without endangering the occupants and the public. The single-storey structure used for dwelling is located on the eighth floor of a building at 87 Chun Yeung Street.

A notice of applying for a Closure Order from the District Court under the Buildings Ordinance on September 28 was posted on the premises today (Friday). Demolition work is expected to start as soon as the Closure Order is issued.

End/Friday, July 28, 1995

Hong Kong Yacht Team receives well wishes

* * * * *

The Hong Kong team for the Admiral's Cup in Cowes, England received well wishes from the Director of Marine, Mr Ian Dale, before the race started.

Mr Dale, who is currently on his annual vacation in England, went to Cowes to wish the three Hong Kong yachts good luck in the race.

The Hong Kong team will compete with teams from Britain, Germany, Hong Kong, Ireland, Italy, Scandinavia, South Africa and the United States in the 10-day race which started from Cowes, England.

The Admiral's Cup is one of the most prestigious yachting event, second only to the America's Cup. The Admiral's Cup is held every two years, competition is always keen and victories hard won. Hong Kong team had participated in the 1977 Admiral's Cup and again in 1979.

End/Friday, July 28, 1995

Hong Kong Monetary Authority money market operations
* * * * *

	\$ million	Time (hours)	Cumulative change (\$million)
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Opening balance in the account	1,805	0930	+503
Closing balance in the account	2,113	1000	+503
Change attributable to :		1100	+443
Money market activity	+503	1200	+503
LAF today	-195	1500	+503
		1600	+503

LAF rate 4.25% bid/6.25% offer TWI 119.1 *+0.1* 28.7.95

Hong Kong Monetary Authority

EF bills			EF notes			
Terms	Yield	Term	Issue	Coupon	Price	Yield
1 week	5.29	2 years	2705	6.40	100.72	6.05
1 month	5.38	3 years	3807	6.16	99.40	6.48
3 months	5.45	5 years	5006	6.60	98.25	7.15
6 months	5.53	5 years	M501	7.90	101.72	7.60
12 months	5.63					

Total turnover of EF bills and notes - \$8,803 million

Closed July 28, 1995

End/Friday, July 28, 1995



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SUPPLEMENT

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Step-by-step Approach Wins LegCo Support

* * * * *

The Legislative Council has today (Saturday) voted against the three Equal Opportunities bills proposed by the Hon Anna Wu.

Speaking after the Legislative Council session, the Secretary for Home Affairs, Mr Michael M Y Suen, paid tribute to the Ms Wu for her effort in promoting the principle of equal opportunities.

"It takes exceptional effort and commitment on her part to propose the bills, and she has no doubt enhanced public awareness of discrimination issues," he said.

Referring to the Legislative Council's decision in relation to the three bills, Mr Suen said: "I am pleased to see that our step-by-step approach in dealing with the issue of discrimination has been endorsed by the Council."

"I believe Members of the Council have exercised very sound judgement. For issues which have such far-reaching implications on people's everyday life, it is important that the general public is thoroughly consulted before we legislate for them."

Mr Suen reiterated that the Government fully supported the principle of equal opportunities and had taken positive steps to realise this goal.

As a next step, Mr Suen said the Government would soon initiate a study on discrimination in respect of age, sexual preference and family status. The study will include a thorough public consultation and the Legislative Council will also be consulted.

"The public consultation will cover the extent of the problems and the possible measures to address them, including the need for legislation as an option.

"In soliciting views on the legislative option, members of the public will be asked to comment on the scope of such legislation with reference to the Hon Anna Wu's bill, the time frame for implementation and the enforcement mechanism," Mr Suen said.

The Administration will commence the study and report to the Legislative Council on the findings of the study as soon as possible within the next Legislative Council session.

"If it is decided that legislation is the best approach, the Administration will be prepared to introduce legislation in the 1996-97 legislative session, subject to allocation of the necessary resources," he added.

Meanwhile, action will be in hand to establish the Equal Opportunities Commission to oversee the implementation of the Sex Discrimination Ordinance which was enacted last month, and the Disability Discrimination Ordinance which was just enacted.

"We have indeed made big strides recently in promoting equal opportunities through educational, administrative and legislative measures and will continue to pursue our commitment to the community with vigour," said Mr Suen.

End/Friday, July 28, 1995

Equal Opportunities (Family Responsibility, Sexuality and Age) Bill

* * * * *

Following is the speech by the Secretary for Home Affairs, Mr Michael Suen, at the resumption of the second reading of the Equal Opportunities (Family Responsibility, Sexuality and Age) Bill in the Legislative Council today (Saturday):

Mr President,

I would like to open by registering my admiration for the remarkable efforts that the Hon. Anna Wu has put into raising public awareness of the issue of discrimination. She has shown exceptional strength of character and devotion to her task.

I would also like to give recognition to the dedicated work of the Convenor of the Bills Committee, Dr the Hon. LEONG Che-hung, and the other Members of the Bills Committee in scrutinising the Sex Discrimination Bill, the Disability Discrimination Bill and the Hon Anna Wu's three Equal Opportunities Bills.

Today Members have before them three Bills proposed by the Hon. Anna Wu that seek to eliminate discrimination on a wide range of grounds. The Hon. Member has shown tremendous dedication to the cause of promoting equal opportunities. However, it should not be forgotten that the Government has been pursuing the same task over a number of years. In 1991, we enacted the Bill of Rights Ordinance which prohibits discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The Bill of Rights Ordinance binds the Government and public authorities. Since the enactment of the Bill of Rights Ordinance, a great many laws have been amended to remedy discriminatory provisions and we have actively promoted the values of equal opportunities. The Government-sponsored Sex Discrimination Ordinance was passed by this Council last month, and the Disability Discrimination Ordinance was passed earlier on in this sitting.

Why then is the Government not able to support the Hon. Member's three Equal Opportunities Bills? The answer is simple. The Bills have been prepared without the benefit of extensive public debate and have not been fully adapted to Hong Kong's particular needs and circumstances.

Discrimination is an issue which is closely associated with peoples' personal beliefs and education. It is understandable, therefore, that the argument and discussion can at times become emotional. But a responsible Government demands a more detached and rational approach to addressing issues. Our position has been set out clearly and calmly on numerous occasions: anti-discrimination legislation is a new area of law in Hong Kong, the social, economic and legal effects of which are not yet fully appreciated by the community as a whole. It is necessary to proceed with a step-by-step approach. It would simply not be prudent of us to proceed helter skelter down the legislative route.

Anti-discrimination legislation by its nature restricts individual choice. At one extreme there are clear cases where no reasonable person would object to restriction of choice in the name of anti-discrimination. Who would doubt, for example, that one should not discriminate in the provision of emergency services? At the other extreme, there are personal choices to which it would be absurd to apply anti-discrimination measures. For example, no reasonable person would suggest an anti-discrimination law governing one's choice of partner.

Between these two extremes of black and white, there is a wide range of behavioural choices of varying shades of grey. In introducing anti-discrimination legislation, it is necessary to strike the right balance between freedom of choice and freedom from discrimination. Otherwise, the law will not be acceptable to the general public. To arrive at such a balance, a genuine and extensive public consultation exercise must be carried out. Otherwise, anti-discrimination legislation introduced will not achieve its aims and may end up provoking far worse behaviour than that which it seeks to prevent.

The majority of the public was hardly involved in the development of the Hon. Anna Wu's three Bills. They are not familiar with their content. They are not aware of the impact the legislation would have on their daily lives. They are not prepared for the adjustments that would be required to comply with their provisions.

The Sex Discrimination Ordinance and Disability Discrimination Ordinance already cover two types of discrimination and harassment. The Hon Anna Wu's three Bills between them provide for eight additional grounds of unlawful discrimination. If all the anti-discrimination Bills are enacted, a person when selecting a tenant or employee, say, would need to check in order to ensure that he or she did not contravene any provision of any one of ten prohibited forms of discrimination. How can the community be expected to understand, learn and adapt overnight to such wide-ranging restrictions on their freedom of choice?

I would be the first to agree that the three Bills under present consideration were prepared with the best of intentions. But the problem of discrimination in the wide variety of areas covered by them has not been properly ascertained, the impact of the Bills' provisions on affected parties, such as employers and employees, landlords and tenants, has not been thoroughly assessed. Alternative legislative and non-legislative approaches to the problems they seek to address have not been fully considered. A few examples will give a better illustration of these points. With respect to the Equal Opportunities (Family Responsibility, Sexuality and Age) Bill, does it allow a school to decline to employ as a teacher someone who is an active homosexual? Does it make it unlawful for an employer to decline to employ someone as a salesperson of products which promote a youthful image on the grounds that they are over 45 years old? The mere assurance that in some cases, differential treatment would be considered reasonable is not much help to the average citizen who may not have the legal knowledge to make the value judgement.

There is also a problem of possible inconsistency with existing laws. For example, some provisions of the employment legislation provide for differential treatment of a person of a certain family status. How would such provisions be affected? An extensive review of existing legislation is needed to identify possible conflicts so as to determine how best to resolve them.

There are similar problems of uncertainty with respect to the Equal Opportunities (Race) Bill. If it is passed, would it be unlawful for a company to implement a "localisation policy"? This is unclear, yet it has been the consensus of this Council that such policies are justified and necessary. Only two weeks ago there was a Legislative Council question asking for an account of the progress made by the MTRC in localising senior management. It would be eccentric, to say the least, for this Council two weeks later to throw such policies into doubt by passing this Bill.

It should also be borne in mind that the Bill is based on legislation enacted in a foreign jurisdiction the social and political background of which is very different from that of Hong Kong. No reasonable person would say that Hong Kong has deep-seated problems of racial intolerance. Is there any urgency to legislate against this type of discrimination? Would any Member put it at or near the top of the Administration's legislative priorities?

The Equal Opportunities (Religious Conviction, Political Conviction, Trade Union Activities and Spent Conviction) Bill also throws into doubt well justified practices and policies. A financial institution, quite rightly, takes into account the integrity of clients, including whether they have previous convictions, in granting credit, and a person, forming a partnership, may not wish to do so with someone who has a spent conviction. Can they continue to do so after passage of this Bill? Does this Council wish to interfere unduly with such decisions by passing this Bill?

The Hon Anna Wu gave notice during the last two weeks of Committee Stage amendments that I understand aim to remove some of the uncertainties and excesses of her Bills through the provision of exceptions. However, we do not believe that the proposed exceptions adequately address the many problems left unanswered by the Bills. In fact, some of the exceptions were drafted in exceedingly wide and imprecise terms. Uncertainties and controversies are swept conveniently under blanket exception provisions, and the Government is asked to come up with solutions to the problems that will arise after the Bills are enacted. Is this a responsible way to legislate?

Why does the Government, then, not propose Committee Stage amendments of its own to make the legislation workable? We have not done this because we are not yet in any better position to introduce comprehensive proposals. Unless and until we have consulted the public adequately and thoroughly examined the consequence of the detailed provisions of the Bills, we can have no certainty that any Committee Stage amendments we might propose would render the Bills generally acceptable to the public, and would properly adapt the Bills to Hong Kong's particular circumstances and needs.

Our step by step approach does not mean that vulnerable groups are being left unprotected. The Bill of Rights Ordinance provides protection against discrimination by the Government or public authorities. Many existing laws also provide protection for such groups.

Public education is very important. We are therefore working hard in this important area to foster changes in attitude with respect to equality of opportunity and to foster a culture of genuine respect for other people's rights. We are stepping up public education on equal opportunities and have already allocated the necessary resources to take up this challenge. Equal opportunities for ethnic minority groups will be one of the main themes of this year's civic education programme.

We have also been introducing targeted legislative measures in areas covered by the Bills. For example, in April 1993 legislation was passed that prohibits local television licensees from broadcasting material that is likely to incite racial hatred. As regards spent convictions, the Rehabilitation of Offenders Ordinance has been in place for a number of years and earlier this year the Post-Release Supervision of Prisoners Ordinance was enacted.

Turning more specifically to the Equal Opportunities (Family Responsibility, Sexuality and Age) Bill, I would like to draw Hon Members' attention to a few important points. First, on family status, it is important to note that the Sex Discrimination Ordinance already addresses discrimination on the ground of marital status. This is in itself a substantial step forward in the promotion of equal opportunities. It is only sensible to allow ourselves the chance to benefit from the experience in implementing and enforcing the Sex Discrimination Ordinance before we decide whether further legislation in respect of family status is warranted.

Second, the issue of sexual preference is one that remains highly sensitive and controversial in Hong Kong. Does the general public share the liberal values implicit in the provisions of the Bill? Any legislation which does not reflect the local community's values would be difficult, if not impossible, to enforce and provoke a backlash of even worse intolerance of the sort that the legislation aims to combat.

Third, in relation to age discrimination we should not allow ourselves or others to confuse the problem of discrimination with that of unemployment caused by structural changes in the economy. The recent increase in the unemployment rate has understandably given rise to public concern. It has been suggested that age discrimination is severely affecting the employment opportunities of the middle aged, particularly women in their 30's and 40's. This has led to a widespread belief that legislating against discrimination based on age will solve a major part of the unemployment problem. I am afraid this view is far too simplistic. Its advocates ignore the fact that the Hong Kong labour market operates on the basis of supply and demand.

Anti-discrimination legislation will not create new demand for employees. A vacancy with two applicants, one of whom must be disappointed, will not become two vacancies that both applicants can happily fill as a result of such legislation.

We can understand the frustration felt by those facing difficulty in finding jobs but the issue of unemployment calls for specific responses targeted at the real problem. This is what is being done with the thirteen point package of short, medium and long term measures announced by the Governor on 13 June. The package includes measures aimed at bringing about a rapid enhancement of employment opportunities. For example, action has been stepped up to combat illegal employment with 275 operations in June resulting in 312 arrests and 136 prosecutions of both offending employers and employees. The Pilot Job Matching Scheme is being expanded and a large-scale job matching forum took place on 22 June at which personnel managers indicated that they had 1,700 vacancies. The Employees Retraining Scheme has also been expanded to include persons aged 30 and above and with the introduction of an on the job retraining programme for semi-skilled technicians. Only targeted measures such as these will ensure that the unemployment problem is managed effectively. Anti-discrimination legislation will not. To imply that such legislation is a universal panacea for unemployment is to foster a cruel illusion. Those who pin their hopes on it will be harshly disappointed. Hon. Members should also not overlook the cost impact for employers having to seek expertise advice in order to abide by such a rush of numerous anti-discrimination provisions that are plagued with uncertainties. Additional costs of this sort can hardly assist the creation of job vacancies at this time.

Discrimination is of course something we should all work hard to eliminate and I am not discounting the possible need to legislate against discrimination based on age or any of the other grounds covered by the Hon. Anna Wu's Bills.

In line with this step-by-step approach, the Administration is already committed to conduct a study on discrimination based on sexual preference, family status and age. The study will include a thorough public consultation and the Legislative Council will also be consulted. The public will be consulted on the extent of the problem and the impact of possible measures, including the need for legislation, to deal with it. In soliciting views on the legislative option, members of the public will be asked to comment on the scope of such legislation with reference to Ms Anna Wu's Bill, the time frame for implementation and the enforcement mechanism.

The Administration will commence the study and will report to the Legislative Council on the findings of the study as soon as possible within the next Legislative Council session. If it is decided that legislation is the best approach, the Administration will be prepared to introduce legislation in the 1996/97 legislative session, subject to allocation of the necessary resources.

Taking a measured and considered approach to the problem of discrimination is most emphatically not supporting discrimination. It is a recognition of the complexity of the problem and the drawbacks of hasty action.

In conclusion, I urge Members to support the Government's measured and considered approach to tackling the problem of discrimination and to vote against the Second Reading of this Bill.

End/Friday, July 28, 1995

Equal Opportunities (Race) Bill

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Following is the speech by the Secretary for Home Affairs, Mr Michael Suen, at the resumption of second reading of the Equal Opportunities (Race) Bill in the Legislative Council today (Saturday):

Hong Kong is an open, progressive and dynamic society where people of different race, colour and origin live in peace and harmony. This is something which we as a community should be proud of, something we should treasure and endeavour to preserve.

It must be made clear that the existing law of Hong Kong already contains adequate provisions which would enable any racially motivated acts of violence (or the incitement to such acts), to be effectively punished. The criminal law of Hong Kong prohibits acts of violence of various kinds and the incitement of others to commit such acts.

Human Rights Education

It is our firm belief that the most effective way to combat prejudice and discrimination is to, through education, imbue young people in their formative years with proper understanding about and attitude towards people. In line with this conviction, human rights and the elimination of discrimination are taught through the formal curriculum, as well as through extra-curricular activities. Students are taught to understand the basic concept of human rights, and the culture, characteristics and achievements of different racial communities. Equal opportunities including equal opportunity for ethnic minority will also be the main theme of the Committee on the Promotion of Civic Education this year.

Special Measures for Vulnerable Groups

The Government is also prepared to take positive measures to look after the special needs of particular vulnerable groups of people. It has for example found it necessary to examine the extent to which foreign domestic helper's need for recreational outlets has been met with the existing level of facilities. Desirable venues have been identified to develop facilities that would meet the special needs of this segment of our community.

Government's Stance on EOB

Having deliberated all the measures that we have adopted, there can be no doubt that the Hong Kong Government is fully committed to racial equality. However, as I have already clearly pointed out, we think it is a mistake to legislate without knowing whether there is a problem.

Hong Kong is not a society driven by racial divisions. Before any legislative action is taken, Government must be allowed sufficient time to study the issue carefully, to allow people in Hong Kong to acquire an adequate understanding of the issue and to enable them to make an informed judgement for themselves when considering the best alternative as to the way forward.

Mr President, while we very much support the laudable principle of equal opportunities for all as enshrined in this Bill, the Administration regrets that it cannot recommend this Bill to Members for the reasons mentioned above and will vote against it.

End/ Friday, July 28, 1995

Equal Opportunities (Religious or Political Conviction,
Trade Union Activities and Spent Conviction) Bill

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Following is the speech by the Secretary for Home Affairs, Mr Michael Suen, at the Resumption of the second reading of the Equal Opportunities (Religious or Political Conviction, Trade Union Activities and Spent Conviction) Bill in the Legislative Council today (Friday):

I would like to emphasise again that the Hon. Anna Wu's intention to promote equal opportunities in the area of religious or political conviction, spent conviction and Trade Union Membership is shared by me. However, her approach, a transplantation of overseas legislation onto the local scene, without due consideration of the effect of so doing, is something that I cannot accept.

Freedom in Religious/Political Conviction

In Hong Kong, every faith is practised with complete freedom unless its operation is prejudicial to the security of Hong Kong. We also have complete freedom to hold and express different political views.

Rehabilitation of Offenders

The government recognises the importance of rehabilitation of offenders and is glad that we have been able to enlist public support in this respect. Members of our community are far more tolerant towards ex-offenders nowadays. We have adopted measures to assist this minority group to re-integrate into society through the successful implementation of the Rehabilitation of Offenders Ordinance.

Additional measures are in the pipeline to further promote community acceptance of ex-prisoners.

Protection Against Anti-Union Discrimination

In the context of our review on labour relations, we have noticed the need to enhance protection against anti-union discrimination, and to overcome the technical difficulty of establishing in court the employer's intention to discriminate.

As a result, having consulted the Labour Advisory Board, we recommend an amendment of the Employment Ordinance to give an employee who is dismissed on grounds relating to anti-union discrimination the right to make a claim for compensation to the Labour Tribunal within 6 months after the date of dismissal, and to put the burden of proof that the dismissal is not discriminatory on the employer. We hope to introduce this legislative proposal into the Legislative Council during the next legislative session.

Arguments against the Bill

What I have described above gives a factual account of very substantial work done by the Administration in respect of the different areas covered by the Bill under consideration. It demonstrates that the Administration is absolutely in support of equal opportunities. What we oppose to is to precipitate down the route of comprehensive legislation without adequate consultation and preparation, which would make it difficult for the general public to adjust their behaviour.

Some may argue that legislation would at least set a standard in acceptable behaviour, and would have educational value. I do not dispute this but must point out it is incumbent on any responsible Administration to satisfy itself that the benefits of any legislative proposals may provide would not at the same time impose an enormous bill on the community.

I am sure we all support the principle of equal opportunities for all. But passage of a bill without knowing the full impact of its consequences is highly disturbing. Once again, I urge Members to support the Government's measured and considered approach in introducing anti-discrimination legislation, and vote against the Bill.

End/Friday, July 28, 1995

Block Crown Lease Bill: second reading

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Following is the speech by the Secretary for Planning, Environment and Lands, Mr Bowen Leung, at the resumption of the second reading of the Block Crown Lease (Cheung Chau) Bill in the Legislative Council today (Friday):

Madam President,

The Administration cannot support the Block Crown Lease (Cheung Chau) Bill as it stands. The Bill if enacted, would in effect abolish Wong Wai Tsak Tong's interest in its sub-leased land on Cheung Chau without compensation.

The Administration considers that private property rights should not be abolished. This is against Hong Kong's long-standing policy of respecting and protecting property rights. Regrettably, as seen from the earlier speeches today, it appears that quite a number of Members may not appreciate this to the extent as the Administration does.

Property transactions on Cheung Chau have effectively been frozen since November 1994 because of uncertainty over the title to the sub-leased land arising from the non-renewal of sub-leases. The desirability of resolving this issue as soon as possible is more than obvious. Should the Bill be passed by this Council at the Second Reading notwithstanding the reservations of the Administration, I intend to introduce a Committee Stage Amendment to provide for compensation to be claimed by the Tong in accordance with the provisions of the Crown Lands Resumption Ordinance. The purpose of the Committee Stage Amendment is to reduce the undesirability of allowing legislation to be enacted which expropriates without compensation a property right legally come by.

However, I must say that even with the provision of compensation procedures, the Administration does not see the Bill as the right way forward. Abolition of property right is wrong in principle, and sets a very dangerous precedent in the history of Hong Kong. The provision of compensation to the Tong only serves to reduce but not remove its undesirability.

Thank you, Madam President.

End/Friday, July 28, 1995

Block Crown Lease Bill: committee stage (clause 9)

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Following is the speech by the Secretary for Planning, Environment and Lands, Mr Bowen Leung, at the committee stage of the Block Crown Lease (Cheung Chau) Bill at the Legislative Council today (Friday):

Mr Chairman,

The Hon Lee Wing-tat might have argued eloquently on his proposed amendment but the Administration considers that his proposed amendment touches on two very important principles and that is whether legislation should have retrospective effect and whether private contracts should be respected.

The original Clause 9 of the Bill upholds the important principle that legislation should not have retrospective effect. I quote the original wording of this clause: "For the avoidance of doubt, nothing in this Ordinance shall affect any transaction between Wong Wai Tsak Tong and any person on any lot under the Block Crown Lease carried out before the date of coming into operation of this Ordinance." I believe the Hon Andrew Wong would have borne this important principle in mind in the drafting of clause 9 of the Bill. I fully share his spirit as reflected in this clause and hope that he would continue to uphold the principle.

The other important point of principle involved refers to private contracts. The Administration confirmly believes that contracts entered into by private parties should be respected and should not be interfered with. If it is absolutely necessary to do so, such interference should be kept to the minimum.

The amendment proposed by Hon Lee Wing-tat is contrary to both of these important principles, and the Administration therefore opposes it. The Bills Committee, as Mr Lee admits also has no consensus on the amendment. The official Members will vote against the amendment and urges Members to do so.

We take the view that the Bill should not have any retrospective effect on agreements between Wong Wai Tsak Tong and the sub-lessees which have been granted or renewed for any period extending beyond 9 November 1994 and under which agreement the Tong and the sub-lessees have agreed on the amount of rent payable to the Tong after 30 June 1997. These sub-leases have been granted or renewed before the commencement of the Bill and should not be deemed as Crown leases upon the commencement of the Bill. In addition, Mr Lee's proposed amendment may increase Government's compensation to the Tong, which is taxpayer's money. There is no reason for subsidising those sub-lessees, some of them being property developers, who have already renewed their sub-leases with the Tong under private arrangements.

Mr Lee also queried whether Government could quote any example on the contracts of the external compensation. I should like to point out that it is again a private transaction between the Tong and the sub-lessees and the Government has no authority to enter into the Tong's premises and demand to see the records. Hence those sub-leases which have been presented to Members by Mr Lee might have been lopsided or just signed towards one side of the sub-leases on Cheung Chau. And I doubt whether Mr Lee Wing-tat have or have not seen all those sub-leases, some of which were signed very voluntarily.

In addition, the number of sub-leases which has been granted or renewed beyond 9 November 1994 is unknown to us. The terms they contain may vary significantly from one to another. It cannot be assumed, as Mr Lee does, that all of them are of similar terms as the previous sub-leases. There is therefore a danger that Members may be given an incomplete picture or even misinformation about the financial implications of the proposed amendment on Government.

Nevertheless, the original clause 4 of the Bill requires some clarification. I therefore intend to move an amendment to the Bill so as to exempt sub-leases extended beyond November 1994 and under which the amount of rent payable to the Tong after 30 June 1997 have been agreed by the Tong and the sub-lessees from the provisions of sections 4 and 5 of the Bill.

In addition, I would also propose an amendment to stipulate that these sub-leases should be deemed to be granted upon the commencement of the Bill new sub-leases by the Wong Wai Tsak Tong for the residue of their terms.

I would further propose that upon the expiry of the current term of these sub-leases, the sub-lessees would be deemed as the Crown lessees. This would be done under an amendment to clause 5 which I would move later in the event that my proposed amendment to clause 9 has been supported by Members. There would also be a number of other consequential amendments.

Thank you, Mr Chairman.

End/Friday, July 28, 1995

Block Crown Lease: committee stage (to amend Clause 9)

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Following is the speech by the Secretary for Planning, Environment and Lands, Mr Bowen Leung, in moving to amend Clause 9 of the Block Crown Lease (Cheung Chau) Bill in the Legislative Council today (Friday):

Mr Chairman,

I move that clause 9 be amended as set out under my name in the paper circulated to Members.

Clause 9 is concerned with transactions before the Bill comes into operation.

As I said earlier the Administration considers that private contracts should be respected and that the Bill should not interfere with such contracts or if it must do so, such interference should be kept to the absolute minimum. The Bill should therefore not have any retrospective effect on agreements between Wong Wai Tsak Tong and its sub-leases which have been granted or renewed for any period extending beyond 9 November 1994 and under which agreement the Tong and the sub-lessees have agreed on the amount of rent payable to the Tong after 30 June 1997.

Clause 9(1) therefore proposes that these sub-leases should be excluded from sections 4 and 5 of the Bill.

Clause 9(2) stipulates that these sub-leases should be deemed to be granted upon the commencement of the Bill new sub-leases by the Wong Wai Tsak Tong for the residue of their terms.

I further propose that upon the expiry of the current term of these sub-leases, the sub-lessees would be deemed as the Crown lessees. I would therefore move an amendment to clause 5 later. There would also be a number of other consequential amendments.

Mr Chairman, I beg to move.

End/Friday, July 28, 1995

Wong Wai Tsak Tong Bill

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Following is the speech by the Secretary for Planning, Environment and Lands, Mr Bowen Leung, at the resumption of the second reading of the Wong Wai Tsak Tong (Renewal and Extension of Sub-leases) Bill in the Legislative Council today (Friday):

Madam President,

Although our views may differ, I would still like to take this opportunity to thank the Honourable Lee Wing-tat, and Members of the Bills Committee on the Wong Wai Tsak Tong (Renewal and Extension of Sub-leases) Bill for their detailed deliberations on the Bill over the past few weeks.

I would like to take this opportunity to clarify once again the stand of the Administration in the matter. In the course of dealing with the land problems on Cheung Chau over the past years, the Administration has identified three main issues which are the basis of disputes between the Wong Wai Tsak Tong and its sub-lessees. These are the renewal and extension of sub-leases, payment of Government rent, and charging of fees for modifications and exchanges. The Wong Wai Tsak Tong (Renewal and Extension of Sub-leases) Bill is therefore tailored to resolve these disputes and regulate the relationship between the Tong and the sub-lessees, in the most impartial manner, without taking side with any party. We are dealing with a problem left over from history and as records are incomplete we would want to do it in as fair a manner as possible. However, in our quest to be fair, we may not please anybody in particular and hence, this may be the reason why some Members said that the Administration's Bill is not supported by the parties concerned.

But, through the enactment of the Bill, sub-lessees will have certainty to their sub-leases to 27 June 2047. They will pay Government rent direct to the Government. The Tong will also not be able to delay redevelopment proposals requiring modifications and exchanges of the sub-leased land. As a result, the sources of much of the friction between the sub-lessees and the Tong should be removed. The Bill will achieve a fair, objective and practical solution to the dispute between the two parties and recognize as far as possible their legitimate interests, without taking away any property rights. The title of the sub-lessees to their property would also be clarified, facilitating property transactions in Cheung Chau.

In the course of the Bills Committee's deliberations, Members raised concern that the Bill might confirm the legal status of Wong Wai Tsak Tong as the owner of about 90% of the private land on Cheung Chau and this might weaken the position of the sub-lessees to claim ownership of the sub-leased land. Madam President, I would like to clarify that Wong Wai Tsak Tong is already the registered owner of about 90% of the private land on Cheung Chau. The Tong holds the land under the Block Crown Lease dated 18 March 1905 and under several new grants made after that date. The Administration's Bill is therefore not aimed to affect the existing status of the Tong and the sub-lessees.

On the other hand, Wong Wai Tsak Tong has expressed concern that the Bill would take away its private property without compensation. I take this opportunity to clarify also that the rights and liabilities of the Tong and a sub-lessee under the sub-leases extended and renewed by the Bill will not be affected by the Bill, except as specifically provided for under the Bill. If a sub-lessee breaches the terms of a sub-lease, the Tong will be entitled to exercise its legal rights against the sub-lessee. By regulating the relationship between the Tong and the sub-lessees, we aim to address the practical problems arising from the dispute between the two parties without taking away legitimate property rights. Since the legal status of the Tong would not be affected by the Bill, we therefore also consider that no compensation to the Tong is necessary.

Thank you, Madam President.

End/Friday, July 28, 1995

Organized and Serious Crimes (Amendment) Bill 1995

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Following is the speech by the Secretary for Security, Mr Peter Lai, at the second reading of the Organized and Serious Crimes (Amendment) Bill 1995 in the Legislative Council today (Friday):

Mr President,

I should also like to thank the Chairman of the Bills Committee, the Hon James To, and other Members of the Bills Committee for their thorough consideration of the Organised and Serious Crimes (Amendment) Bill 1995. All the Committee stage amendments which I am going to move were, again, discussed and agreed by the Bills Committee.

The confiscation and money laundering provisions of the Organized and Serious Crimes Ordinance were modelled on the provisions of the Drug Trafficking (Recovery of Proceeds) Ordinance. To maintain compatibility and to achieve effective enforcement, the present Bill proposes amendments to the Organized and Serious Crimes Ordinance similar to those proposed for the Drug Trafficking (Recovery of Proceeds) Ordinance.

I have just explained the Committee stage amendments to the Drug Trafficking (Recovery of Proceeds) (Amendment) Bill; similar amendments will also be proposed to the Organized and Serious Crimes (Amendment) Bill. I am pleased that these amendments have the support of the Bills Committee.

There are, however, two main differences between the Committee stage amendments to the two Bills. First, there is no Committee stage amendment to this Bill in respect of the seizure and detention of specified property imported into or exported from Hong Kong, because this Bill does not provide for such powers. Secondly, there is a Committee stage amendment to delete clause 4 of this Bill. The original Clause 4 proposes to extend the production order to cover materials that are likely to come into possession of the person subject to the order. However, some Members were concerned that, because the scope of the Organized and Serious Crimes Ordinance was much wider, than that of the Drug Trafficking (Recovery of Proceeds) Ordinance and there had not been much operational experience on the application of production orders under the former Ordinance, it was inappropriate at this stage to propose amendments to enhance the special investigative powers under the former Ordinance. We agreed with the Bills Committee to delete this clause from the present Bill and will examine the issue further in the light of operational experience.

Mr President, with these remarks, I commend the Bill to Members.

End/Friday, July 28, 1995

Bill to provide more protection to press freedom

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Following is the speech by Secretary for Security, Mr Peter Lai, at the resumption of second reading of the Interpretation and General Clauses (Amendment) Bill 1995 in the Legislative Council today (Friday):

Mr President,

I would like to thank the Chairman of the Bills Committee, the Honourable Andrew Wong, and Members of the Bills Committee for their thorough and efficient study of the Interpretation and General Clauses (Amendment) Bill 1995. I am pleased that they fully support the principles of the Bill. The amendments that I will move at the Committee stage also have the support of the Bills Committee.

The purpose of the Bill is to provide additional protection to press freedom by making existing powers of entry and search or seizure, when exercised in relation to journalistic material, subject to special requirements. The Bill demonstrates the Government's strong commitment to encourage a free and vigorous press. It strikes a good balance between the protection of press freedom and the need for effective law enforcement. And it meets the Governor's undertaking in his 1994 Policy Address to take action on provisions which infringe on press freedom.

We accepted almost all the suggestions of the Bills Committee to improve the Bill. We have also taken into account the comments and representations of the Hong Kong Journalists Association and the Foreign Correspondents' Club, Hong Kong. The provisions in the Bill, together with the Committee stage amendments that I will move later, provide for a three-tier approach to tackle the issue of access to journalistic material by law enforcement agencies:

Tier One : production order, inter partes hearing

Tier One deals with all general cases. An officer may apply to a District Court or High Court judge for a production order, requiring the person who possesses the journalistic material to produce it or to give the officer access to it. An application for the order shall be made inter partes, i.e. with both sides present. The officer has to satisfy the judge that a number of conditions are met before an order can be made. These conditions include, inter alia, that the material is likely to be of substantial value to the investigation of an arrestable offence, and that it is in the public interest to grant the order, having regard to the likely benefit to the investigation, and the circumstances under which the journalistic material is held, such as whether it is given in confidence. It is an offence for not complying with a production order, or for destroying or altering the material after a notice of an application has been served.

Tier Two : warrant application, seize and seal

Tier Two provides that an officer may make an ex parte application to a District Court or a High Court judge for a warrant authorising him to enter premises and to search for or seize journalistic material. Such application shall not be made unless it has been approved personally by a directorate disciplined officer. This is to ensure that the decisions are made at a high level and that the grounds for resorting to this course of action are thoroughly considered and fully justified. The applicant will have to satisfy the judge:

- * that a production order has not been complied with; or
- * that, in addition to meeting most of the Tier One conditions, it is not practicable to apply for a production order or that the service of a notice on the other party for an inter partes hearing may seriously prejudice investigation.

Any journalistic material seized pursuant to the warrant has to be sealed. The person from whom the material was seized may make an inter partes application for the return of the material. Unless the judge is satisfied that it would be in the public interest that the material be made use of by the authorities, he shall order it to be immediately returned to the person from whom it was seized.

Tier Three: warrant application, seize and use

In exceptional circumstances, an officer may go for Tier Three, i.e. to make an ex parte application for a warrant and for the immediate use of the journalistic material seized. Apart from satisfying all the additional requirements in Tier Two, the officer has to prove to the satisfaction of the judge that the investigation may be seriously prejudiced if immediate access to the material is not permitted.

During the discussions of the Bills Committee, the question arose as to whether "journalistic material" should be more precisely defined. After considering the various options, we have decided to adhere to the present definition in the Bill which follows the relevant provision in the United Kingdom Police and Criminal Evidence Act 1984. This will ensure that any case law on the United Kingdom definition can be availed of in Hong Kong. We believe, and I believe the Bills Committee also agrees, that the advantage of defining "journalist material" generally, as we do so in the Bill, and not, for example, to make reference to the way in which the material was acquired, created or possessed, will provide the best protection to bona fide journalistic material. I can assure the Hon James To that the Bill targets material not acts of acquiring its material.

The Bill does not apply to the exercise of search and seizure powers under section 21 of the Drug Trafficking (Recovery of Proceeds) Ordinance and section 5 of the Organized and Serious Crimes Ordinance. This is because those provisions already contain elaborate and stringent safeguards which provide adequate protection for journalistic material. We have, however, accepted the suggestion of the Bills Committee to review later, in the light of experience, whether the two provisions in the Ordinances should be brought within the scope of the Bill.

With this three-tier approach, we have gone a long way to ensure the protection of press freedom, but without undermining our ability to enforce the law and to protect public order and safety.

Finally, I should like to assure this Council and the media that our law enforcement agencies never look upon journalists or journalistic materials as the normal means of acquiring evidence for the purposes of criminal investigations. The revised regime for access to journalistic materials under this Bill and the amendments which I will propose later provide a series of different levels of hurdles which must be overcome before journalistic materials can be searched or seized. The law enforcement agents have rarely exercised their powers to search or seize journalistic material in the past and I have no doubt that they will rarely seek to do so in the future. They will draw up detailed operational guidelines on how to exercise such powers to ensure that these powers will not be used unless the circumstances fully justify it.

Mr President, with these remarks, I commend the Bill to Honourable Members.

End/Friday, July 28, 1995

Medical Registration (A) Bill: second reading

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Following is the speech by the acting Secretary for Health and Welfare, Mrs Shelley Lau, at the resumption of the second reading of the Medical Registration (Amendment) Bill 1995 in the Legislative Council today (Friday):

Madam Deputy,

I should like to thank the Chairman and Members of the Bills Committee for their careful scrutiny of those provisions in the Bill which the Committee identified as priorities to be passed within this session. These provisions concern mainly the introduction of a universal licensing examination, referred to in the Bill as the Licensing Examination, and Limited Registration.

If the Bill is passed by this Council, the provisions for the introduction of the universal licensing examination will provide a level playing field to all those wishing to practise medicine in Hong Kong, irrespective of where they received their training. To reassure the Hon Martin Barrow, this will ensure that Hong Kong meets its obligations under the General Agreement on Trade in Services fully and in a timely manner.

The provisions regarding Limited Registration pave the way for medical practitioners in charge of exempted clinics, who as both Dr the Hon K C Lam and the Hon Tam Yiu-chung have pointed out provided a useful service to the community for many years, and this will enable them to apply for limited registration.

Since we have not been able to address a number of other issues contained in the original Bill, we intend to bring them forward again early in the next legislative session.

Some Members have raised issues outside the revised scope of the Bill and much as I am tempted I will not comment on these issues here.

However, I am grateful to Dr the Hon C H Leong for some points he has raised. And at the same time I must refute allegations that we have delayed the introduction of this Bill. We have been consulting the medical profession in detail over various important provisions in the Bill and were receiving additional proposed amendments even until early this year.

On the question of when the Universal Licensing Examination will take effect?

If the Bill is passed, provisions concerning the introduction of the universal licensing examination will come into effect on a date to be appointed by the Secretary for Health and Welfare and published in the gazette. Before this can be done, however, the format of the examination will need to be finalised.

Obviously we wish to provide a level playing field for all those entering the profession as soon as possible. We will therefore encourage the Medical Council to finalise the format and content of the universal licensing examination so that it can be implemented as soon as practicable.

Mr President, we shall fully consider the other points raised in the context of this Bill and refer them for the consideration of the Medical Council as appropriate.

With these remarks, I commend the Bill to Members.

End/Friday, July 28, 1995

Medical Registration (A) Bill: committee stage

Following is the speech by the acting Secretary for Health and Welfare, Mrs Shelley Lau, at the committee stage of the Medical Registration (Amendment) Bill 1995 in the Legislative Council today (Friday):

Mr Chairman,

I move that clauses specified be amended as set out in the paper circulated to Members.

It is necessary to amend Clause 2(a) to retain certain existing definitions and to delete a number of clauses which fall outside the present reduced scope of the Bill.

The amended Clause 2 provides for the definitions of qualifying examination and Licensing Examination.

The purpose of amending Clauses 3 to 6 is to remove provisions concerning the future composition and structure of the Medical Council. Also, provisions concerning the register need to be amended consequent to the introduction of the proposed Licensing Examination.

The amended Clause 7 provides for the introduction of a Licensing Examination, which will provide a level playing field to those seeking to enter the medical profession in Hong Kong.

By amending Clause 9, it is specifically provided that a person with a degree in medicine and surgery from a university in Hong Kong as specified in the Schedule, together with the necessary experience, is qualified to be registered as a medical practitioner in Hong Kong.

Amendments to Clauses 10 and 14(1) are necessary with the introduction of the Schedule for the purposes of registration.

With the reduced scope of the Bill, Clauses 14, 15 and 17 need to be deleted.

The purpose of amending Clauses 18 and 18(2) is to pave the way for medical practitioners-in-charge of exempted clinics to apply for limited registration.

Clause 19 is proposed to be deleted as it is outside the present reduced scope of the Bill.

With the introduction of the proposed Licensing Examination consequential amendments to Clause 20 concerning the register are necessary.

Clauses 21 to 43 and 45 should be deleted as they are outside the present reduced scope of the Bill.

The amended Clause 46 provides for the new Schedule for the purposes of registration.

Clause 47 is outside the reduced scope of this Bill and needs to be deleted.

The purpose of amending Clause 48 is to provide for the transfer of personal particulars on the register as a transitional measure, with the introduction of the Licensing Examination.

Mr Chairman, I beg to move.

Mr Chairman,

I move that the new Clause 45A as set out in the paper circulated to Members to be read the second time.

Clause 45A arises from our proposed amendments to Clause 9 of the Bill which provides that any amendments to the Schedule will need to get the recommendation of the Medical Council and the endorsement of the Legislative Council before being published in the Gazette. We therefore propose the addition of a new clause to clarify the position.

Mr Chairman, I beg to move.

End/Friday, July 28, 1995