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## DAILY INFORMATION BULLETIN

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

WEDNESDAY, JULY 21, 1993

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PROTECT AND ENHANCE OUR COUNTRYSIDE: GOVERNOR

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IT WAS IMPORTANT THAT EVERYTHING WERE TO BE DONE TO PROTECT AND ENHANCE HONG KONG'S COUNTRYSIDE, THE GOVERNOR, THE RT HON CHRISTOPHER PATTEN, SAID TODAY (WEDNESDAY).

SPEAKING AT THE OPENING CEREMONY OF THE JOCKEY CLUB RECREATION BUILDING OF TAI MONG TSAI OUTDOOR TRAINING CAMP, MR PATTEN SAID THIS COULD BE ACHIEVED THROUGH PLANNING AS WELL AS OTHER MEASURES.

"WE HAVE MAGNIFICENT COUNTRYSIDE AND THE COUNTRY PARKS ARE THE JEWEL OF OUR CROWN.

"HONG KONG WORKS VERY HARD. IT'S IMPORTANT, THEREFORE, THAT HONG KONG SHOULD HAVE THE OPPORTUNITY OF RELAXING AND PLAYING HARD AS WELL BECAUSE THAT'S THE BEST WAY TO A FIT AND HEALTHY AND HAPPY LIFE," HE SAID.

THE GOVERNOR ALSO SAID THE NUMBER OF TOURISTS COMING TO HONG KONG COULD DOUBLE OR TREBLE IF MORE OF THEM KNEW ABOUT ITS BEAUTIFUL COUNTRYSIDE.

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HK STUDYING EFFECTS OF CHINA'S AUSTERITY MEASURES

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HONG KONG IS LOOKING CAREFULLY AT WHAT THE EFFECTS OF THE AUSTERITY MEASURES TAKEN BY CHINA MIGHT BE ON HONG KONG'S ECONOMY, THE FINANCIAL SECRETARY, MR HAMISH MACLEOD, SAID TODAY (WEDNESDAY).

HE SAID THE EFFECTS WERE DIFFICULT TO FORECAST AT THIS EARLY STAGE BUT HE NOTED THAT NOBODY WAS FORECASTING A DRAMATIC EFFECT ON HONG KONG'S ECONOMY.

HE ALSO SAID AT THE MOMENT, HE WAS STICKING TO THE FIVE PER CENT TREND GROWTH RATE IN DRAWING UP NEXT YEAR'S BUDGET.

MR MACLEOD WAS RESPONDING TO PRESS QUESTIONS BEFORE ATTENDING TODAY'S LEGISLATIVE COUNCIL SITTING.

WHEN ASKED TO CLARIFY THE FORECAST OF "A REDUCTION IN GDP OF ABOUT ONE PER CENT" MENTIONED IN HIS INTERVIEW WITH A GERMAN NEWSPAPER, THE FINANCIAL SECRETARY SAID:

"I AM SIMPLY REFERRING TO SOME PUBLISHED FORECASTS BY LOCAL ECONOMISTS WHICH AT THIS EARLY STAGE WERE BRAVE ENOUGH TO MAKE A FORECAST AT ALL AND SAID THAT, IF I SUMMARISE THE THREE, THAT PROBABLY THE IMPACT ON HONG KONG'S GDP, PERHAPS STARTING NEXT YEAR, OR PERHAPS LATE THIS YEAR, WILL PROBABLY BE A REDUCTION IN OUR GDP GROWTH BY ABOUT ONE PER CENT.

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"SO IT WAS NOT MY FORECAST, I WAS ACTUALLY SUMMARISING OTHER PEOPLE'S FORECASTS."

"I AM NOT SAYING, NOR ARE THEY SAYING, A MINUS ONE PER CENT GDP GROWTH. THEY ARE SAYING SIMPLY GDP GROWTH WILL COME DOWN ONE PER CENT, SAY FROM ABOUT 5.5 TO 4.5," HE ADDED.

WHILE NO DRAMATIC EFFECTS ON OUR ECONOMY WAS BEING FORECAST, HE SAID CLEARLY THERE WOULD BE SOME EFFECTS ON TRADE FLOWS AND PERHAPS SOME EFFECTS ON THE STOCK AND THE PROPERTY MARKETS.

AT THE MOMENT, HE SAID, IT WAS OF PARTICULAR INTEREST TO HIM TO WORK OUT WHAT TO PUT INTO THE BUDGET.

"I HAVE TO MAKE SOME ASSUMPTIONS ABOUT THE TREND GROWTH RATE WHICH WE HAVE BEEN USING THE FIGURE OF FIVE PER CENT FOR THE LAST COUPLE OF BUDGETS.

"AT THE MOMENT, I AM STICKING TO THAT FIVE PER CENT TREND GROWTH RATE," HE SAID, NOTHING THAT THIS WAS BASICALLY A REASONABLY REASSURING MESSAGE.

HE SAID IT WAS A GENERAL VIEW THAT AT PREVIOUS OCCASIONS WHEN CHINA TOOK AUSTERITY MEASURES, THE ECONOMIC RECOVERY IN HONG KONG AND CHINA HAD BEEN QUITE QUICK.

HE SHARED THE JUDGEMENT THAT THE LONG-TERM PROSPECTS FOR CHINA WERE EXTREMELY GOOD, HE ADDED.

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#### HKMA CHIEF VISITS CHINA

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IN RESPONSE TO PRESS ENQUIRIES ABOUT A NEWSPAPER REPORT THAT MR JOSEPH YAM, CHIEF EXECUTIVE OF THE HONG KONG MONETARY AUTHORITY (HKMA), IS GOING TO VISIT BEIJING, A SPOKESMAN FOR THE HKMA SAID:

"THE HONG KONG MONETARY AUTHORITY MAINTAINS REGULAR CONTACTS WITH THE PEOPLE'S BANK OF CHINA. IT ALSO MAINTAINS REGULAR CONTACTS WITH THE BANK OF ENGLAND AND OTHER CENTRAL BANKS.

"THESE CONTACTS ARE IMPORTANT FOR THE CONTINUING DEVELOPMENT OF HONG KONG AS AN INTERNATIONAL FINANCIAL CENTRE. VISITS BY OFFICIALS OF THE HONG KONG MONETARY AUTHORITY TO THE PEOPLE'S BANK OF CHINA ARE PART OF THOSE REGULAR CONTACTS.

"MR JOSEPH YAM, CHIEF EXECUTIVE OF THE HONG KONG MONETARY AUTHORITY IS PLANNING A VISIT TO THE PEOPLE'S BANK OF CHINA IN BEIJING AND SHANGHAI FROM JULY 30 TO AUGUST 3 THIS YEAR.

"HE WILL BE ACCOMPANIED BY MR NORMAN CHAN, EXECUTIVE DIRECTOR (MONETARY MANAGEMENT). THE PROGRAMME OF THE VISIT IS BEING ORGANISED BY THE PEOPLE'S BANK OF CHINA."

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WEDNESDAY, JULY 21, 1993

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HK OFFERS OPPORTUNITIES FOR JAPANESE BUSINESSMEN

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THE ECONOMIC AND TRADE RELATIONSHIP BETWEEN HONG KONG AND JAPAN AFTER 1997 WILL BECOME EVEN MORE SIGNIFICANT AND EVEN MORE BENEFICIAL TO BOTH PLACES BECAUSE HONG KONG IS ALWAYS FULL OF BUSINESS OPPORTUNITIES, THE SECRETARY FOR TRADE AND INDUSTRY, MR T H CHAU, SAID TODAY (WEDNESDAY).

SPEAKING AT A SEMINAR IN OSAKA, JAPAN, MR CHAU SAID HONG KONG HAD ONE OF THE SOUNDEST ECONOMIES IN THE WORLD TODAY.

"DESPITE RECESSIONS IN OUR MAJOR MARKETS, HONG KONG'S ECONOMY GREW BY 5% IN REAL TERMS IN 1992 AND IS EXPECTED TO GROW BY 5.5% IN REAL TERMS IN 1993."

GROSS DOMESTIC PRODUCT GROWTH IS FORECAST TO GROW AT AN AVERAGE RATE OF 5% IN REAL TERMS FOR THE NEXT FEW YEARS.

PER CAPITA GDP IS FORECAST TO REACH US\$18,800 (TWO MILLION YEN) BY THE END OF 1993, HIGHEST IN ASIA AFTER JAPAN AND HIGHER THAN SOME MEMBER STATES OF THE EUROPEAN COMMUNITY, HE SAID.

HE NOTED THAT GROWING AFFLUENCE MEANT THAT HONG KONG PEOPLE WOULD CONTINUE TO HAVE A FANTASTIC APPETITE FOR JAPANESE GOODS.

"JAPANESE CARS WILL CONTINUE TO DOMINATE THE HONG KONG MARKET AND JAPANESE PRODUCTS WILL CONTINUE TO FILL THE SHELVES OF OUR DEPARTMENT STORES AND SHOPS," HE ADDED.

MR CHAU POINTED OUT THAT THERE WERE ALSO OTHER EXCITING OPPORTUNITIES AS HONG KONG PREPARED FOR ITS BRILLIANT FUTURE BY UPGRADING ITS PHYSICAL INFRASTRUCTURE.

"THE HONG KONG GOVERNMENT WILL SPEND HK\$78 BILLION (1,100 BILLION YEN) ON PUBLIC WORKS IN THE NEXT FIVE YEARS."

ON TOP OF THIS, THERE IS OF COURSE THE NEW STATE-OF-THE-ART AIRPORT WHICH IS NOW BEING BUILT, MR CHAU SAID.

THE NEW AIRPORT IN HONG KONG WOULD BE BUILT ON AN ISLAND AND ON LAND RECLAIMED FROM THE SEA AND THERE WOULD BE AN IMPRESSIVE SYSTEM OF BRIDGES, TUNNELS, SUPER-HIGHWAYS AND RAILROAD LINKING THE NEW AIRPORT AT CHEK LAP KOK WITH THE CITY, HE SAID.

"WITH THEIR ENORMOUS STRENGTHS IN THE CONSTRUCTION AND FINANCIAL SECTORS IN HONG KONG, JAPANESE COMPANIES ARE WELL POSITIONED TO TAKE ADVANTAGE OF THE OPPORTUNITIES PRESENTED BY THE WORKS PROJECTS IN THE PIPELINE," MR CHAU ADDED.

HE NOTED THAT MITSUI WAS INVOLVED IN THE CONSTRUCTION OF THE TSING MA BRIDGE - A PROJECT COSTING HK\$7.1 BILLION (99 BILLION YEN).

A KUMAGAI-MAEDA-YOKGAWA-HITACHI JOINT VENTURE WAS BUILDING THE KAP SHUI MUN BRIDGE AND MA WAN VIADUCT COSTING HK\$1.6 BILLION (22 BILLION YEN).

/KUMAGAI GUMI .....

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KUMAGAI GUMI AND MAEDA WERE INVOLVED IN THE HK\$1.5 BILLION (21 BILLION YEN) WEST KOWLOON RECLAMATION.

AOKI AND TOBISHIMA WERE BUILDING THE HK\$1.3 BILLION (18 BILLION YEN) NORTH LANTAU EXPRESSWAY.

"GIVEN ITS LOW AND SIMPLE TAXATION SYSTEM AND SOPHISTICATED TELECOMMUNICATIONS AND EXTENSIVE TRANSPORTATION LINKS, HONG KONG IS THE IDEAL BASE FOR REGIONAL OPERATIONS," MR CHAU SAID.

"A SURVEY DONE LAST YEAR SHOWED THAT 74 JAPANESE COMPANIES HAD THEIR REGIONAL HEADQUARTERS IN HONG KONG. THE TERRITORY IS ALSO HOME TO THE REGIONAL OFFICES OF ANOTHER 193 JAPANESE COMPANIES," MR CHAU SAID.

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276 VM'S RETURNED TODAY  
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A GROUP OF 276 VIETNAMESE MIGRANTS TODAY (WEDNESDAY) RETURNED TO VIETNAM UNDER THE UNHCR'S VOLUNTARY REPATRIATION PROGRAMME.

COMPRISING 110 MEN, 79 WOMEN, 46 BOYS AND 41 GIRLS, THEY WERE THE 157TH BATCH TO GO BACK UNDER THE PROGRAMME.

THIS GROUP BROUGHT TO 4,122 THE TOTAL NUMBER OF VIETNAMESE MIGRANTS WHO HAVE RETURNED VOLUNTARILY THIS YEAR, AND TO 30,434 THE TOTAL NUMBER OF RETURNEES SINCE THE PROGRAMME STARTED IN MARCH 1989.

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WATER CUTS IN SAI KUNG & KOWLOON EAST  
\* \* \* \* \*

FRESH WATER SUPPLY TO SOME PREMISES IN SAI KUNG WILL GO OFF FROM 10 PM ON FRIDAY (JULY 23) TO 6 AM THE FOLLOWING DAY TO FACILITATE INSTALLATION OF WASTE DETECTION METRES AT CLEAR WATER BAY ROAD.

THE SUSPENSION WILL AFFECT ALL THE PREMISES AT A SECTION OF THE ROAD FROM PIK UK TSUEN TO SHAW'S STUDIO.

THE AFFECTED AREAS INCLUDE PIK UK TSUEN, TA KU LING SAN TSUEN, AIR HOUSE, PIK SHUI SAN TSUEN, CHUK KOK TSUEN AND TAI PO TSAI TSUEN.

MEANWHILE, OWING TO WATERMANS CONNECTION WORK AT TAI WAN PUMPING STATION, SALT WATER SUPPLY TO MOST PREMISES IN KOWLOON EAST WILL GO OFF FROM MIDNIGHT TO 6.30 AM ON FRIDAY.

THE AFFECTED AREAS INCLUDE HONG KONG INTERNATIONAL AIRPORT, KOWLOON HOSPITAL AND ALL THE PREMISES IN HUNG HOM, TO KWA WAN, TUNG TAU, WONG TAI SIN, LOK FU, KOWLOON CITY, WANG TAU HOM, CHUK YUEN, KOWLOON TONG, MA TAU WAI AND MA TAU KOK.

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WEDNESDAY, JULY 21, 1993

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HONG KONG GOVERNMENT EXCHANGE FUND  
MONEY MARKET OPERATIONS

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	\$ MILLION
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OPENING BALANCE IN THE ACCOUNT	1,885
REVERSAL OF LAF	+115
BALANCE AFTER REVERSAL OF LAF	2,000
NET INJECTION/WITHDRAWAL TODAY	NIL
EFFECT OF LAF TODAY	-20
CLOSING BALANCE IN THE ACCOUNT	1,980
LAF RATE 2.00 BID/4.00 OFFER	TWI 112.6 *-0.1* 21.7.93

HONG KONG GOVERNMENT EXCHANGE FUND

EF BILLS

EF NOTES/HONG KONG GOVERNMENT BONDS

TERMS	YIELD	TERM	ISSUE	COUPON	PRICE	YIELD
1 WEEK	2.39 PCT	13 MONTHS	2408	4.375	100.59	3.84
1 MONTH	2.75 PCT	16 MONTHS	2411	4.625	100.80	4.03
3 MONTHS	3.16 PCT	19 MONTHS	2502	4.75	100.80	4.26
6 MONTHS	3.45 PCT	22 MONTHS	2505	3.75	98.82	4.48
12 MONTHS	3.78 PCT					

TOTAL TURNOVER OF BILLS AND BONDS - 32,339 MN

CLOSED 21 JULY 1993

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GOVT STRONGLY REPRESENTS NATIONALITY MATTERS TO UK

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NON-GOVERNMENT MEMBERS OF THE EXECUTIVE COUNCIL HAVE DECIDED TO WRITE TO THE HOME SECRETARY URGING HIM TO LOOK AT THE ISSUE OF GIVING FULL NATIONALITY TO MEMBERS OF THE NON-CHINESE ETHNIC MINORITIES IN HONG KONG.

THE GOVERNOR HAS ALSO WRITTEN AGAIN TO MINISTERS SAYING THAT HE HOPED HONG KONG'S VIEWS WOULD BE FULLY TAKEN INTO ACCOUNT, THE CHIEF SECRETARY, THE HON SIR DAVID FORD, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A STATEMENT ON BRITISH NATIONALITY MATTERS, SIR DAVID SAID THE GOVERNOR HAD ALSO TAKEN UP THE ISSUE OF WIVES AND WIDOWS OF EX-SERVICEMEN WITH LONDON.

HE SAID THE GOVERNMENT HAD REPEATEDLY PRESSED THE HOME OFFICE TO CONSIDER EXERCISING FLEXIBILITY VIS-A-VIS THIS GROUP AS FAR AS THE QUALIFYING PERIOD OF NATURALISATION OR REGISTRATION WAS CONCERNED.

"WE SHALL GO ON PRESSING FOR THIS AS HARD AS WE CAN," SIR DAVID SAID.

HE SAID BOTH ISSUES WERE RAISED IN THE EXCO MEETING YESTERDAY.

THE CHIEF SECRETARY EMPHASISED THAT THE GOVERNMENT UNDERSTOOD THE GREAT CONCERN OF THE LEGCO AND THE COMMUNITY ON BRITISH NATIONALITY MATTERS FOR HONG KONG PEOPLE AND THAT IT SHOULD GO ON REPRESENTING THEM AS STRONGLY AS IT COULD TO HER MAJESTY'S GOVERNMENT.

ON THE PHASED BRITISH NATIONAL (OVERSEAS) APPLICATION PROGRAMME WHICH IS NOW UNDERWAY, SIR DAVID SAID THE FIRST CUT-OFF DATE FOR REGISTRATION, FOR 22 TO 26 YEAR OLDS, WOULD COME AT THE END OF OCTOBER THIS YEAR.

HE ALSO SAID THE DRAFT BRITISH NATIONALITY (HONG KONG) (SELECTION SCHEME) (AMENDMENT) ORDER 1993 PROVIDED FOR APPLICATIONS FOR BRITISH CITIZENSHIP TO BE MADE IN A SECOND TRANCHE UNDER THE BRITISH NATIONALITY SCHEME, BEGINNING AT THE START OF NEXT YEAR.

SIR DAVID SAID THIS ORDER AMENDED THE METHOD FOR ALLOCATING THE QUOTA AMONG GROUPS, AND PROVIDED THE GOVERNOR WITH FLEXIBILITY TO RE-ALLOCATE THE QUOTA IF ANY PARTICULAR GROUP WAS UNDER-SUBSCRIBED.

IT ALSO MAKES SOME MINOR AMENDMENTS TO THE POINT SYSTEM.

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LEGCO TO BE INFORMED OF WHC FRANCHISEE'S PERFORMANCE

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THE LEGISLATIVE COUNCIL WILL BE KEPT INFORMED OF THE PERFORMANCE OF THE WESTERN HARBOUR CROSSING FRANCHISEE AT VARIOUS IMPORTANT MILESTONES DURING THE FRANCHISEE'S FINANCIAL YEAR.

THIS WAS STATED BY THE SECRETARY FOR TRANSPORT, MR K Y YEUNG AT THE RESUMED DEBATE ON THE WESTERN HARBOUR CROSSING BILL IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR YEUNG UNDERTOOK TO TABLE IN THE LEGISLATIVE COUNCIL IN JULY EACH YEAR THE FRANCHISEE'S THREE YEAR ROLLING PROJECTION OF OPERATIONAL COSTS AND NET REVENUE AND THEIR ANNUAL OPERATING COST BUDGET, AND TO MAKE A STATEMENT.

HE WILL TABLE IN OCTOBER THE ACTUAL NET REVENUE FIGURES OF THE FRANCHISEE FOR THE YEAR JUST ENDED, AND MAKE A STATEMENT ON BOTH THE FIGURES AND ANY APPLICATION FOR A TOLL INCREASE.

MR YEUNG SAID HE WOULD BRIEF THE TRANSPORT PANEL ON HIS FINDINGS, ASSESSMENTS AND CONCLUSIONS BEFORE DECIDING BY OCTOBER 31 WHETHER ANY TOLL INCREASE SHOULD BE AGREED OR WHETHER IT SHOULD BE REFERRED FOR ARBITRATION.

IT WOULD BE OPEN TO LEGCO MEMBERS TO DECIDE WHETHER OR NOT HIS FINDINGS, ASSESSMENTS AND CONCLUSIONS SHOULD BE DEBATED.

IT IS AGAINST THIS BACKGROUND THAT MR YEUNG DISAGREED THAT THE WHC'S TOLL ADJUSTMENT MECHANISM WOULD DEPRIVE THE LEGISLATIVE COUNCIL OF THE RIGHT TO MONITOR THE PERFORMANCE OF THE FRANCHISEE.

MR YEUNG SAID THE PURPOSE OF HAVING THE TOLL ADJUSTMENT MECHANISM WAS THAT IT REPLACED THE PRESENT VAGUE REFERENCE IN EXISTING TUNNEL FRANCHISES ABOUT THE RIGHT TO RECEIVE A REASONABLE RETURN ON INVESTMENT, WITH A CLEAR, UNMISTAKABLE FRAMEWORK IN WHICH REASONABLENESS WAS QUANTIFIED.

ON THE POSSIBLE CONSEQUENCES OF A WITHDRAWAL BY THE CONSORTIUM, MR YEUNG SAID THE IMMEDIATE CONSEQUENCE WAS THAT THE PROJECT WOULD BE PUT AT RISK AND WOULD CERTAINLY NOT BE READY WHEN IT WAS NEEDED.

MR YEUNG SAID: "IF THE GOVERNMENT DECIDES THAT RE-TENDERING IS UNLIKELY TO ATTRACT GOOD BIDS, OR IF IT ACTUALLY FAILED ON RENDERING TO ATTRACT GOOD BIDS, THE PROJECT MIGHT WELL HAVE TO BE FINANCED FROM PUBLIC FUNDS.

"IF THIS WERE TO HAPPEN, UNDER OUR EXISTING SYSTEM FOR BUDGETARY CONTROL WE WOULD HAVE TO DEFER OR CANCEL AT LEAST \$6 BILLION WORTH OF PUBLIC WORKS THAT ARE ALREADY IN THE PUBLIC WORKS PROGRAMME.

"THESE WOULD BE PROJECTS WHICH CANNOT OR CANNOT EASILY BE PRIVATISED, INCLUDING SCHOOLS, CLINICS, HOSPITALS, SEWERAGE IMPROVEMENT SCHEMES, UNTOLLABLE HIGHWAYS, AND SO ON.

BUT THAT IS ONLY THE TIP OF THE ICEBERG.

"AS COMMUNITY ASPIRATIONS BUILD UP FOR MORE INFRASTRUCTURE, FAILURE TO ATTRACT PRIVATE SECTOR INVESTMENT WOULD ADD ENORMOUS SPENDING PRESSURE ON THE PUBLIC WORKS PROGRAMME, TO THE POINT WHERE VERY PAINFUL CHOICES WOULD HAVE TO BE MADE," MR YEUNG SAID.

ON THE CONCERN ABOUT WHETHER THE WHC FRANCHISE WOULD SET A PRECEDENT FOR FUTURE BOT (BUILD, OPERATE AND TRANSFER) PROJECTS, MR YEUNG SAID HE WOULD BE PREPARED IN FUTURE TO CONSULT THE LEGCO TRANSPORT PANEL ON THE AIMS AND OBJECTIVES BEFORE THE GOVERNMENT ENTERED INTO NEGOTIATIONS FOR THE NEXT BOT EXERCISE.

BUT A CLEAR DISTINCTION MUST BE DRAWN BETWEEN HEARING LEGCO MEMBERS' VIEWS ON THE AIMS AND OBJECTIVES OF A BOT PROJECT AND ALLOWING THE GOVERNMENT TO GET ON WITH NEGOTIATING THE FRANCHISE.

"IT IS IN THE NATURE OF MANY NEGOTIATIONS THAT WE CANNOT COME BACK TO THIS COUNCIL WHILE NEGOTIATIONS ARE IN PROGRESS," HE SAID.

IN SUMMING UP, MR YEUNG SAID THE FRANCHISE CONTAINED IN THE WESTERN HARBOUR CROSSING BILL IS GOOD FOR HONG KONG AND FAIR TO ALL CONCERNED.

"THE FRANCHISEE WILL BUILD AN ESSENTIAL \$7.5 BILLION ROAD TUNNEL AT NO COST TO THE TAXPAYER.

"THE TOLL LEVELS PROPOSED, THE RATES OF RETURN EXPECTED BY THE FRANCHISEE AND THE TOLL ADJUSTMENT MECHANISM ARE ALL REASONABLE, GIVEN THE SCALE OF INVESTMENT REQUIRED AND THE LONG PAY BACK PERIOD. AND FOR THE FIRST TIME WE HAVE A MECHANISM FOR USING EXCESS PROFITS FOR THE BENEFIT OF THE MOTORIST."

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#### DRAFT AIRPORT BILL AT ADVANCED STAGE

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THE DRAFTING OF A BILL TO ESTABLISH THE AIRPORT AUTHORITY IS AT AN ADVANCED STAGE AND THE GOVERNMENT AIMS TO INTRODUCE IT TO THE LEGISLATIVE COUNCIL IN THE EARLY PART OF THE NEXT LEGISLATIVE SESSION.

THIS WAS ANNOUNCED BY THE FINANCIAL SECRETARY, THE HON HAMISH MACLEOD, TODAY (WEDNESDAY) WHILE TABLING THE ANNUAL REPORT AND AUDITED ACCOUNTS OF THE PROVISIONAL AIRPORT AUTHORITY FOR THE YEAR ENDED MARCH 31 THIS YEAR.

THE REPORT SHOULD BE THE LAST ONE ISSUED BY THE PROVISIONAL BODY, MR MACLEOD SAID.

"IF ALL GOES WELL, AND AGREEMENT IS SOON REACHED WITH CHINA ON THE AIRPORT FINANCING PLAN, THE CONSTRUCTION OF THE TERMINAL BUILDING COULD BEGIN IN MID-1994 WHEN SUFFICIENT LAND WILL HAVE BEEN RECLAIMED UNDER THE SITE PREPARATION CONTRACT.

"MEANWHILE, PLANNING FOR THE EXTERNAL FINANCING OF THE AUTHORITY WILL CONTINUE," HE ADDED.

/MR MACLEOD .....

MR MACLEOD HIGHLIGHTED SOME OF THE KEY DEVELOPMENTS OF THE NEW AIRPORT PROJECT IN THE PAST YEAR:

- \* THE \$9 BILLION SITE PREPARATION CONTRACT TO PRODUCE THE 1,248-HECTARE AIRPORT PLATFORM WAS AWARDED IN LATE NOVEMBER 1992. SO FAR, SOME 197 HECTARES OF NEW LAND HAS BEEN FORMED AND PROGRESS IS WELL ON TARGET;
- \* THE AUTHORITY HAS CALLED FOR, AND RECEIVED, EXPRESSIONS OF INTEREST FOR AIR CARGO, AVIATION FUEL, AIRCRAFT MAINTENANCE AND AIRCRAFT CATERING SERVICES;
- \* DETAILED DESIGN OF THE PASSENGER TERMINAL BUILDING IS WELL IN HAND, WITH THE AIM OF PRODUCING A TERMINAL THAT IS BOTH EFFICIENT AND USER-FRIENDLY;
- \* FOUR CONSULTANCIES HAVE BEEN AWARDED FOR THE DESIGN OF THE INFRASTRUCTURE ON THE PLATFORM; AND
- \* DETAILED PROJECT CONTROL PROCEDURES HAVE BEEN IMPLEMENTED TO LINK ENGINEERING AND CONSTRUCTION ACTIVITY CLOSELY TO THE AUTHORITY'S PROJECT CONTROL BUDGET IN ORDER TO FACILITATE CLOSE MONITORING OF COSTS BY THE AUTHORITY.

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NO REDUCTION IN FUNDS OR RESOURCES AFTER MERGER: SHA  
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THE SECRETARY FOR HOME AFFAIRS, MR MICHAEL SUEN, REASSURED THE LEGISLATIVE COUNCIL TONIGHT (WEDNESDAY) THE OBJECTIVE OF MERGING THE YAU TSIM AND MONG KOK DISTRICT BOARDS WAS NOT TO REDUCE THE AMOUNT OF PUBLIC RESOURCES TO THE RESIDENTS OF THE TWO DISTRICTS.

WINDING UP THE MOTION DEBATE ON THE AMALGAMATION, MR SUEN STATED SPECIALLY THAT THERE WOULD BE NO REDUCTION IN THE AMOUNT OF DISTRICT BOARD (DB) FUNDS THAT WOULD BE ALLOCATED TO THE NEW DISTRICT COMPARED WITH THE COMBINED ALLOCATION FOR THE TWO DISTRICTS AT PRESENT.

AS TO ANOTHER OBJECTION RAISED BY SOME DB MEMBERS THAT THE MERGER WOULD ADVERSELY AFFECT THE SENSE OF BELONGING OF RESIDENTS, MR SUEN POINTED OUT THAT ACCORDING TO FEEDBACKS COLLECTED BY HIS STAFF ON THE GROUND, THAT SENSE OF BELONGING WAS MUCH MORE CLOSELY RELATED TO THE IMMEDIATE NEIGHBOURHOOD OF PEOPLE'S RESIDENCE.

THE RESIDENTS, HE SAID, FEEL STRONGLY ABOUT ACTIVITIES AT THE STREET BLOCK LEVEL WHICH HAVE A DIRECT BEARING ON THEIR QUALITY OF LIFE.

FOR THIS REASON, THE WIDER QUESTION OF MERGER DOES NOT FEATURE VERY MUCH IN THIS SORT OF CONSIDERATION, MR SUEN SAID.

/AS TO .....

AS TO THE ARGUMENT THAT THE MERGER WOULD BRING TOO MANY PROBLEMS TO THE NEW DISTRICT BOARD, MR SUEN NOTED THAT THE TWO DISTRICTS SHARED MANY COMMON CHARACTERISTICS SUCH AS LAND-USE, HOUSING TYPES, DENSITY OF DEVELOPMENT AND TYPES OF ECONOMIC ACTIVITIES.

AS SUCH, HE SAID, THEIR COMMON PROBLEMS COULD BE MORE LOGICALLY AND EFFECTIVELY DEALT WITH TOGETHER.

REGARDING THE LEVEL OF RESIDENTS' SUPPORT FOR THE MERGER, MR SUEN SAID A NUMBER OF SURVEYS HAD BEEN CARRIED OUT BY CNTA AND GROUPS WITH DIFFERENT BACKGROUND.

WITHOUT EXCEPTION THEY ALL SHOWED THAT THE MAJORITY OF THE RESPONDENTS, OR ABOUT 60 PER CENT, HELD NO VIEWS AND WERE INDIFFERENT TO THE PROPOSAL.

OF THE REMAINING 40 PER CENT WHO EXPRESSED A VIEW, THOSE IN FAVOUR OF THE MERGER MARGINALLY OUT-NUMBERED THOSE WHO WERE AGAINST IT, MR SUEN SAID.

MR SUEN EMPHASISED THAT THE DECISION FOR THE MERGER WAS NOT TAKEN LIGHTLY, ADDING THAT THERE WERE SOME OCCASIONS WHEN THE ADMINISTRATION WAS UNABLE TO COME TO THE SAME CONCLUSIONS AS THE DISTRICT BOARDS.

"TO MY MIND IT IS IMPORTANT THAT WHEN THIS HAPPENS, WE EXPLAIN OURSELVES," HE ADDED.

EARLIER, MR SUEN EXPLAINED THE NEED TO TAKE STOCK OF THE EVOLUTION OF THE DISTRICT ADMINISTRATION SCHEME AND TO CONSIDER ITS FUTURE DEVELOPMENT, PARTICULARLY IN RESPECT OF THE NUMBER OF DISTRICTS AND THEIR BOUNDARIES.

"THIS IS NECESSITATED BY THE SHEER DYNAMISM OF HONG KONG WHICH KEEPS IT GROWING AND EXPANDING AND WE NEED TO ENSURE THAT THE DISTRICT ADMINISTRATION SCHEME CONTINUES TO FUNCTION SMOOTHLY AND EFFECTIVELY.

"FOR IN THE PAST 15 YEARS OR SO, WE HAD WITNESSED A LARGE-SCALE POPULATION MOVEMENT FROM THE OLD BUILT-UP URBAN AREAS TO THE NEW TOWNS.

"THE IMPACT OF POPULATION REDISTRIBUTION ON THE DISTRICT ADMINISTRATION SCHEME IS OBVIOUS.

"TO CATER FOR THE NEEDS OF THE NEW RESIDENTS IN THE NEW TOWNS, WE HAD IN 1979 SPLIT THE THEN TAI PO DISTRICT INTO TAI PO AND NORTH DISTRICTS; IN 1985 SPLIT THE THEN TSUEN WAN DISTRICT INTO TSUEN WAN AND KWAI TSING DISTRICTS," MR SUEN SAID.

ALTHOUGH NO STEPS HAVE SO FAR BEING TAKEN TO REDRESS THE PROBLEM OF DECLINING POPULATION IN THE URBAN AREAS, HE SAID IT WAS A MATTER OF TIME BEFORE ACTION HAD TO BE TAKEN.

"MY REFERENCE TO THE NEED TO REVIEW THE NUMBER OF DISTRICTS AND THEIR BOUNDARIES WAS MADE AGAINST THIS BACKGROUND.

"IN NOVEMBER AND DECEMBER OF LAST YEAR, I PUT FORWARD SEVERAL PROPOSALS TO REALIGN DISTRICT BOUNDARIES FOR CONSULTATION WITH THE DISTRICT BOARDS.

"MY MAIN AREA OF CONSULTATION INCLUDED THE MERGER OF THE YAU TSIM AND MONG KOK DISTRICTS, AND OTHER PROPOSALS REALIGNING THE BOUNDARIES OF THE ISLANDS, TSUEN WAN, KWAI TSING, SAI KUNG, SHA TIN, WAN CHAI AND EASTERN DISTRICTS.

"AS A RESULT OF THIS OPEN CONSULTATION PROCESS, WE TOOK INTO ACCOUNT THE VIEWS EXPRESSED BY DB MEMBERS.

"WE TOOK STOCK OF THE SITUATION TO RECONSIDER OUR POSITION VERY CAREFULLY AND WE CAME TO THE CONCLUSION THAT THE TIMING WAS NOT RIPE FOR SOME OF THOSE PROPOSALS.

"HOWEVER, WE WERE CONVINCED THAT THE CASE TO MERGE THE YAU TSIM AND MONG KOK DISTRICTS WAS JUSTIFIED AND WOULD BE IN THE BEST INTERESTS OF THE POPULATION AS A WHOLE," MR SUEN SAID.

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HK HAS A WELL-ESTABLISHED LEGAL AID SYSTEM: CS

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HONG KONG HAS ALREADY IN PLACE A WELL-ESTABLISHED SYSTEM WHEREBY LEGAL AID IS EFFICIENTLY ADMINISTERED BY THE LEGAL AID DEPARTMENT AND THE LEGAL PROFESSION TO CATER FOR THE NEEDS OF THE CLIENTS, THE CHIEF SECRETARY, THE HON SIR DAVID FORD, SAID IN THE LEGISLATIVE COUNCIL.

WINDING UP THE MOTION DEBATE ON LEGAL AID MOVED BY THE HON SIMON IP, SIR DAVID SAID THE EXISTING LEGAL AID SYSTEM WAS INDEPENDENT IN PRACTICE IN THAT NEITHER THE DEPARTMENT NOR THE LEGAL ADVICE AND DUTY LAWYER SCHEMES OPERATED BY THE LEGAL PROFESSION WERE SUBJECT TO OUTSIDE INTERFERENCE.

"ANY PROBLEM ABOUT THE INDEPENDENT IMAGE OF THE LEGAL AID ADMINISTRATION IN HONG KONG IS ONE OF PERCEPTION," SIR DAVID SAID.

HOWEVER, SIR DAVID POINTED OUT THAT THE ADMINISTRATION WAS NOT IN A POSITION TO TAKE ANY FIRM VIEW ON THE FUTURE DEVELOPMENT OF LEGAL AID ADMINISTRATION AT THIS STAGE, IN ORDER NOT TO PREJUDGE THE OUTCOME OF THE CURRENT PUBLIC CONSULTATION.

THE VIEWS EXPRESSED BY MEMBERS DURING THIS DEBATE, TOGETHER WITH OTHER RESPONSES TO THE CONSULTATIVE PAPER ON LEGAL AID, WILL BE TAKEN INTO ACCOUNT BY THE ADMINISTRATION IN FORMULATING THE FINAL RECOMMENDATIONS, HE SAID.

NOTING THAT THE LEGAL PROFESSION HAD EMPHASISED THAT IT WAS IMPORTANT THAT THE LEGAL AID ADMINISTRATION SHOULD BE PERCEIVED TO BE INDEPENDENT, SIR DAVID SAID THE INTER-DEPARTMENTAL WORKING GROUP, WHICH CARRIED OUT A REVIEW ON THE EXISTING LEGAL AID SYSTEM, HAD CAREFULLY CONSIDERED THREE OPTIONS TO ENHANCE THE PERCEPTION OF INDEPENDENCE OF LEGAL AID ADMINISTRATION.

- \* OPTION (A) IS TO ESTABLISH AN ADVISORY COMMITTEE ON LEGAL AID AND TO MAINTAIN LARGELY THE STATUS QUO.
- \* OPTION (B) IS TO ESTABLISH A NON-GOVERNMENT STATUTORY AUTHORITY FOR THE DAY-TO-DAY ADMINISTRATION OF PUBLICLY-FUNDED LEGAL AID SERVICES TO REPLACE THOSE PROVIDED BY THE LEGAL AID DEPARTMENT AND THE VARIOUS SCHEMES OPERATED BY THE LEGAL PROFESSION.
- \* OPTION (C) ENVISAGES ALSO THE ESTABLISHMENT OF AN INDEPENDENT STATUTORY AUTHORITY WITH RESPONSIBILITY FOR THE OVERALL MANAGEMENT OF PUBLICLY-FUNDED LEGAL AID SERVICES, BUT RETAINING THE LEGAL AID DEPARTMENT AND THE LEGAL ADVICE AND DUTY LAWYER SCHEMES, EFFECTIVELY AS AGENTS DISCHARGING THE AUTHORITY'S RESPONSIBILITIES.

SIR DAVID SAID WHILE OPTION (A) MIGHT NOT BE A BIG STEP FORWARD, THE OTHER TWO OPTIONS WENT A LONG WAY TOWARDS ENHANCING THE PERCEPTION OF INDEPENDENCE OF LEGAL AID ADMINISTRATION, AS THEY BOTH PROVIDED FOR THE SETTING UP OF AN INDEPENDENT STATUTORY LEGAL AID AUTHORITY.

"THE STATUTORY AUTHORITY SHOULD COMPRISE LAWYERS AND NON-LAWYERS AND THIS WOULD PROVIDE GREATER OPPORTUNITY FOR PUBLIC PARTICIPATION IN THE ADMINISTRATION OF LEGAL AID.

THE TRANSPARENCY AND ACCOUNTABILITY OF LEGAL AID ADMINISTRATION WOULD ALSO BE ENHANCED, SAID SIR DAVID.

HE POINTED OUT THAT THE MAIN DIFFERENCE BETWEEN OPTIONS (B) AND (C) WAS THAT OPTION (C) DID NOT INVOLVE THE DIS-ESTABLISHMENT OF THE LEGAL AID DEPARTMENT OR THE DISSOLUTION OF THE SCHEMES CURRENTLY RUN BY THE LEGAL PROFESSION.

"THEIR EXISTING ACTIVITIES WILL BE RETAINED BUT THEY WILL OPERATE UNDER THE SUPERVISION AND CONTROL OF THE NEW AUTHORITY. THEY ARE EFFECTIVELY AGENTS OF THE AUTHORITY AND ARE ACCOUNTABLE TO IT," HE SAID.

SIR DAVID SAID THE WORKING GROUP FAVOURED OPTION (C), AS IT MET THE OBJECTIVE OF ENHANCING THE INDEPENDENCE OF LEGAL AID ADMINISTRATION, AND WAS CAPABLE OF QUICKER IMPLEMENTATION WITH LESS DISRUPTION IN THE DELIVERY OF LEGAL AID SERVICES DURING ANY CHANGE-OVER.

HE REFUTED ANY SUGGESTION THAT BECAUSE THE LEGAL AID DEPARTMENT WAS NOT INDEPENDENT OF THE GOVERNMENT, THE ADMINISTRATION OF LEGAL AID COULD NOT BE FREE FROM BIAS OR POSSIBLE INTERFERENCE BY THE ADMINISTRATION.

"THERE ARE NUMEROUS EXAMPLES IN WHICH THE LEGAL AID DEPARTMENT, ACTING ON BEHALF OF ITS CLIENTS, HAS SUCCESSFULLY TAKEN THE GOVERNMENT TO COURT."

THE DEPARTMENT IS DEFENDING THE CLIENTS DAILY AGAINST LEGAL ACTION INSTITUTED BY THE GOVERNMENT. THERE ARE EVEN CASES IN WHICH LEGAL AID HAS BEEN GRANTED BY THE DIRECTOR OF LEGAL AID TO SUB THE LEGAL AID DEPARTMENT ITSELF, SIR DAVID SAID.

ON CONCERNS EXPRESSED BY SOME MEMBERS THAT A PERSON SEEKING LEGAL AID FOR SUING THE GOVERNMENT, OR DEFENDING HIMSELF AGAINST CHARGES FILED BY THE GOVERNMENT, SHOULD NOT BE REPRESENTED BY THE LEGAL AID DEPARTMENT, SIR DAVID POINTED OUT THAT ACCORDING TO THE LEGAL AID DEPARTMENT'S RECENT SURVEY, NO LESS THAN 88% OF ITS CLIENTS ACTUALLY PREFERRED THE DEPARTMENT'S COUNSEL TO OUTSIDE LAWYERS TO TAKE UP THEIR CASES.

"THIS SHOWS THAT THERE IS NO LACK OF CONFIDENCE IN THE INDEPENDENCE OF THE LEGAL AID DEPARTMENT AND ITS COMPETENCE IN DEFENDING THE CLIENTS' INTERESTS," SAID SIR DAVID.

HE ALSO HIGHLIGHTED THE PRACTICAL CONSIDERATIONS IF THE LEGAL AID DEPARTMENT WERE TO BE DIS-ESTABLISHED.

ABOLISHING THE PROFESSIONAL AND DEPARTMENTAL POSTS IN THE LEGAL AID DEPARTMENT WOULD INVOLVE SIGNIFICANT COSTS. SUCH SUBSTANTIAL COSTS SHOULD BE PAID AT THE EXPENSE OF OTHER SERVICES IN HONG KONG WAS A QUESTION THAT NEEDED TO BE ADDRESSED SERIOUSLY, HE SAID.

SIR DAVID ADDED THAT THERE WOULD BE A LEAD TIME IN DIS-ESTABLISHING THE LEGAL AID DEPARTMENT AND IN ESTABLISHING A REPLACEMENT ORGANISATION THAT WOULD ENCOMPASS THE SERVICES PROVIDED BY THE DEPARTMENT AND THE SCHEMES OPERATED BY THE LEGAL PROFESSION.

"THERE WILL BE INEVITABLE DISRUPTION IN THESE SERVICES AND INCONVENIENCE TO USERS DURING THE TRANSITIONAL PERIOD," HE SAID.

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GOVT TAKES EVERY CHANCE TO EXPLAIN POLITICAL SYSTEM TO CHINA

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THE GOVERNMENT HAS AND WOULD CONTINUE TO TAKE EVERY AVAILABLE OPPORTUNITY, THROUGH BOTH FORMAL AND INFORMAL CHANNELS, TO EXPLAIN TO CHINESE GOVERNMENT OFFICIALS THE OPERATION OF THE LEGISLATIVE COUNCIL AND THE POLITICAL SYSTEM IN HONG KONG.

THIS WAS STATED BY THE ACTING SECRETARY FOR CONSTITUTIONAL AFFAIRS, MR LEUNG CHIN-MAN, IN A WRITTEN REPLY TO A QUESTION BY DR THE HON LAM KUI-SHING, IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

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HOMES FOR ELDERLY ADVISED ON FIRE SAFETY

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THE SOCIAL WELFARE DEPARTMENT HAS VISITED ABOUT 90 PER CENT OF 392 PRIVATE HOMES FOR THE ELDERLY AFTER THE FIRE BOMB ATTACK ON A PRIVATE HOME LAST MONTH, THE SECRETARY FOR HEALTH AND WELFARE, MRS ELIZABETH WONG, INFORMED THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY DR THE HON LEONG CHE-HUNG, MRS WONG SAID THE INCIDENT IN QUESTION WAS ALLEGED TO BE A CASE OF ARSON, NOT A CASE OF "FIRE BREAKING OUT" AS STATED IN DR LEONG'S QUESTION.

"HOWEVER, THE ADMINISTRATION HAS ALWAYS BEEN ALERT TO THE NEED FOR FIRE SAFETY IN RESIDENTIAL HOMES ACCOMMODATING PEOPLE WITH POOR MOBILITY," SHE SAID.

IN MAY THIS YEAR, THE SOCIAL WELFARE DEPARTMENT ISSUED TO ALL OPERATORS OF RESIDENTIAL HOMES, INCLUDING PRIVATE CARE HOMES FOR ELDERLY PERSONS, A LETTER REMINDING THEM TO OBSERVE FIRE PREVENTION MEASURES.

THIS WILL BE RE-ISSUED FROM TIME TO TIME.

THE FIRE SERVICES DEPARTMENT WILL ALSO ADVISE OPERATORS ON ENHANCED FIRE SAFETY MEASURES AS APPROPRIATE, MRS WONG ADDED.

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PLEADINGS IN CHINESE IN COURT EXPLAINED

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IT WAS A MATTER FOR THE COURT'S DISCRETION TO DECIDE WHETHER OR NOT TO PERMIT PLEADINGS TO BE IN CHINESE AND IT WOULD NOT BE APPROPRIATE FOR THE ATTORNEY GENERAL TO SPECULATE UPON THE CIRCUMSTANCES UNDER WHICH THE COURT WOULD OR WOULD NOT EXERCISE ITS POWERS TO PERMIT PLEADINGS IN CHINESE, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, SAID.

REPLYING TO THE LEGISLATIVE COUNCIL, MR MATHEWS SAID SECTION 5 OF THE OFFICIAL LANGUAGES ORDINANCE PROVIDED THAT PROCEEDINGS IN THE COURT OF APPEAL, THE HIGH COURT AND THE DISTRICT COURT SHOULD BE DUCTED IN THE ENGLISH LANGUAGE.

THERE WAS NO DEFINITION OF THE WORD "PROCEEDINGS" BUT IT WAS GENERALLY ACCEPTED THAT PLEADINGS WERE INCLUDED.

HE SAID BEFORE THE HIGH COURT CASE OF GAMMON BUILDING CONSTRUCTION LTD V CHO HING YIU SEPTEMBER 1988, IT HAD BEEN STANDARD PRACTICE FOR PLEADINGS TO BE IN ENGLISH.

/IN THAT .....

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IN THAT CASE, THE JUDGE HELD THAT THE COURT HAD WIDE POWERS TO PERMIT IN APPROPRIATE CIRCUMSTANCES PLEADINGS TO BE IN CHINESE.

IN DELIVERING HIS JUDGMENT, THE JUDGE MADE IT CLEAR THAT HE WAS NOT ENCOURAGING THE DEPARTURE FROM THE NORMAL USE OF ENGLISH.

IN THAT CASE, ONCE THE DOCUMENTS HAD BEEN FILED, THEY HAD TO BE TRANSLATED INTO ENGLISH.

"I AM NOT AWARE OF OTHER HIGH COURT CASES IN WHICH PLEADINGS IN CHINESE HAVE BEEN ACCEPTED AND IT IS STILL THE PRACTICE FOR PLEADINGS IN THE COURT OF APPEAL, THE HIGH COURT AND THE DISTRICT COURT TO BE IN ENGLISH. ANY DEPARTURE FROM THAT PRACTICE WOULD RAISE PRACTICAL DIFFICULTIES," HE SAID.

MR MATHEWS SAID THE ADMINISTRATION WAS CURRENTLY CONSIDERING IN CONJUNCTION WITH THE JUDICIARY HOW SECTION 5 OF THE OFFICIAL LANGUAGES ORDINANCE COULD BE AMENDED TO PERMIT GREATER USE OF CHINESE IN THE COURTS.

HE SAID THIS WAS A MATTER REQUIRING CAREFUL EXAMINATION BECAUSE IT RAISED MANY PRACTICAL ISSUES.

HE NOTED THAT THERE WERE A NUMBER OF QUESTIONS THAT NEEDED TO BE ADDRESSED:

- \* WOULD PLEADINGS, INDICTMENTS AND NOTICES NEED TO BE IN BOTH ENGLISH AND CHINESE? IF SUCH A REQUIREMENT WAS IMPOSED, IT MIGHT BE UNNECESSARILY ONEROUS.
- \* IF THE COURT IS TO DECIDE WHICH LANGUAGE TO USE IN THE PROCEEDINGS, AT WHAT STAGE OF THE PROCEEDINGS SHOULD THE COURT MAKE THAT DECISION?
- \* COULD PROCEEDINGS BE CONDUCTED AND ORAL EVIDENCE BE RECEIVED IN ONE LANGUAGE WHILST DOCUMENTARY EVIDENCE BE RECEIVED IN ANOTHER? IF NOT, REQUIRING DOCUMENTARY EVIDENCE FILED WITH THE COURT TO BE TRANSLATED INTO THE LANGUAGE CHOSEN BY THE COURT FOR THE PROCEEDINGS MAY POSE PRACTICAL PROBLEMS, PARTICULARLY IN CIVIL CASES IN WHICH THE DOCUMENTARY EVIDENCE COULD BE VOLUMINOUS.
- \* SHOULD NOTES OF PROCEEDINGS BE REQUIRED TO BE KEPT IN THE LANGUAGE IN WHICH THE PROCEEDINGS ARE CONDUCTED? SHOULD THIS HAVE A BEARING ON THE LANGUAGE USED FOR STATING CASES AND HEARING APPEALS?

MR MATHEWS POINTED OUT THAT GETTING SATISFACTORY ANSWERS TO THESE AND OTHER QUESTIONS WOULD POINT THE WAY TO PERMITTING GREATER USE OF CHINESE IN THE COURTS.

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DELAY IN HIGH COURT CRIMINAL CASE FULLY EXPLAINED

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THE JUDGE ORDERED A STAY OF PROCEEDINGS AGAINST A DEFENDANT IN THE HIGH COURT CRIMINAL CASE 122 OF 1992 AFTER LOOKING AT THE WHOLE CASE IN THE ROUND, AND NOT ON THE GROUND OF DELAY ALONE, THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, SAID.

IN HIS REPLY TO A QUESTION BY DR THE HON HUANG CHEN-YA IN THE LEGISLATIVE COUNCIL, MR MATHEWS SAID IT MIGHT BE HELPFUL TO MEMBERS IF HE SET OUT THE BACKGROUND OF CASE.

THE DEFENDANT IN THE CASE REFERRED TO WAS CHARGED WITH 13 COUNTS OF CONSPIRACY TO COMMIT OFFENCES AGAINST THE THEFT ORDINANCE, AND ONE COUNT OF CONSPIRACY TO DEFRAUD THE COMMISSIONER OF BANKING.

THESE CHARGES, WHICH INVOLVED A BANK, COVERED THE PERIOD BETWEEN DECEMBER 1983 AND NOVEMBER 1985.

IN EARLY 1985, PROBLEMS IN THE BANK CAME TO THE ATTENTION OF THE THEN COMMISSIONER OF BANKING, WHO CONDUCTED AN INVESTIGATION INTO IRREGULARITIES INTO SOME OF THE BANK'S TRANSACTIONS.

THE COMMISSIONER REFERRED THE CASE TO THE LEGAL DEPARTMENT IN JANUARY 1986.

THE INDEPENDENT COMMISSION AGAINST CORRUPTION STARTED AN INVESTIGATION THAT MONTH.

HOWEVER, OF PARAMOUNT AND OVERRIDING IMPORTANCE WAS THE INTERESTS OF DEPOSITORS AND SHAREHOLDERS, WHO WOULD SUFFER IF IT BECAME KNOWN PREMATURELY THAT THERE WAS AN INVESTIGATION IN PROGRESS.

THUS THE INVESTIGATION WAS COVERT AND, OF NECESSITY, SLOWER THAN IF IT HAD BEEN UNDERTAKEN OPENLY.

CHARGES WERE EVENTUALLY LAID AGAINST THE DEFENDANT IN OCTOBER 1988. A RETURN DATE WAS FIXED FOR A COMMITTAL HEARING IN JANUARY 1990.

HOWEVER, THE DEFENDANT THEN MADE VARIOUS APPLICATIONS FOR JUDICIAL REVIEW IN THE HIGH COURT, WHICH LED TO APPEALS TO THE COURT OF APPEAL AND THE PRIVY COUNCIL.

AS A RESULT OF THE DEFENDANT'S APPLICATIONS AND APPEALS (ALL OF WHICH WERE ULTIMATELY UNSUCCESSFUL), THE COMMITTAL FOR TRIAL WAS DELAYED FOR OVER TWO YEARS UNTIL APRIL 1992.

AN INDICTMENT WAS FILED LATER THAT MONTH AND THE TRIAL WAS EVENTUALLY SET FOR APRIL 1993.

IN JANUARY THIS YEAR THE DEFENDANT MADE AN APPLICATION BEFORE THE TRIAL JUDGE FOR A STAY OF PROCEEDINGS ON THE BASIS THAT A TRIAL WOULD CONSTITUTE AN ABUSE OF PROCESS AND THAT THERE HAD BEEN A DEPRIVATION OF HIS RIGHT TO A TRIAL WITHOUT UNDUE DELAY UNDER THE BILL OF RIGHTS.

/THE DEFENDANT .....

THE DEFENDANT CLAIMED THAT DURING THE DELAY HE HAD DEVELOPED DEMENTIA, AND AS A RESULT HE WOULD NOT BE ABLE TO MAKE FULL ANSWER AND DEFENCE TO THE CHARGES. THIS APPLICATION WAS VIGOROUSLY OPPOSED BY THE PROSECUTION.

THE JUDGE FOUND THAT THERE WERE DELAYS FROM THE TIME WHEN THE IRREGULARITIES IN THE BANK'S TRANSACTIONS CAME TO THE ATTENTION OF THE COMMISSIONER OF BANKING UNTIL THE DATE WHEN THE TRIAL WAS SCHEDULED TO BEGIN.

THESE INCLUDED THE PERIOD BETWEEN THE BANK'S POSITION FIRST COMING TO THE ATTENTION OF THE COMMISSIONER OF BANKING IN EARLY 1985 AND HIS REPORTING OF THE POSSIBLE CRIMINAL ASPECTS HIS SUBSEQUENT INVESTIGATION HAD UNCOVERED TO THE LEGAL DEPARTMENT IN JANUARY 1986; A DELAY DUE TO THE SLOW PROGRESS OF THE INITIAL PART OF THE INVESTIGATION; AND A DELAY CAUSED BY THE UNSUCCESSFUL ATTEMPT TO EXTRADITE A CO-DEFENDANT.

THE JUDGE FOUND THAT THE DEFENDANT'S MENTAL CONDITION HAD SEVERELY DETERIORATED OVER THE YEARS SO THAT THE DEFENDANT COULD NOT HAVE A FAIR TRIAL, HE SAID.

"AS TO WHETHER THE DELAYS WERE JUSTIFIED, THAT WAS THE QUESTION AT ISSUE BEFORE THE JUDGE AND ON WHICH HE HAS MADE HIS DECISION AFTER HEARING EVIDENCE AND ARGUMENTS ON BOTH SIDES. IT WOULD NOT BE PROPER FOR ME TO COMMENT ON THE JUDGE'S DECISION AND HIS REASONS FOR IT," MR MATHEWS STRESSED.

MR MATHEWS SAID THE EXPERT MEDICAL WITNESSES CALLED BY THE CROWN WERE FULLY KNOWLEDGEABLE OF THE CASE. THE PROSECUTION HAD A NUMBER OF EXPERTS WHO EXAMINED THE DEFENDANT BEFORE THE TRIAL TO ASSESS HIS PHYSICAL AND MENTAL CONDITION.

WHILE PREPARING FOR THE TRIAL, THEY HAD FULL ACCESS TO THE REPORTS OF THE DEFENDANT'S MEDICAL EXPERTS.

"IN THE HEARING OF THE DEFENDANT'S STAY OF PROCEEDINGS APPLICATION, THE CROWN'S EXPERTS WERE EXAMINED AND CROSS-EXAMINED; THEY GAVE THEIR EVIDENCE IN A PROFESSIONAL, OBJECTIVE AND COMPETENT MANNER.

"THE DEFENDANT'S EXPERTS WERE EXAMINED AND VIGOROUSLY CROSS-EXAMINED. THERE WAS A FULL AIRING OF THE EVIDENCE RELATING TO THE DEFENDANT'S CONDITION," HE SAID.

MR MATHEWS SAID THE COMMERCIAL CRIMES UNIT OF THE PROSECUTIONS DIVISION OF HIS CHAMBERS DEALT WITH COMPLEX COMMERCIAL CRIME CASES.

IN APPROPRIATE CASES, EXPERTS WERE RETAINED TO HELP THE INVESTIGATION AND PROSECUTION OF THOSE CASES. OFTEN THESE EXPERTS INCLUDE EXPERIENCED FORENSIC ACCOUNTANTS.

WHEN MEDICAL ADVICE WAS REQUIRED, THE HOSPITAL AUTHORITY WAS ASKED TO RECOMMEND SUITABLE EXPERTS, EITHER IN HONG KONG OR OVERSEAS.

IN SUMMARY, SUITABLE EXPERTS WERE AVAILABLE TO THE PROSECUTION AND ARE USED WHEN NEEDED, HE ADDED.

/HE SAID .....

HE SAID THE COMMERCIAL CRIMES UNIT IN THE PROSECUTIONS DIVISION WAS ESTABLISHED IN RESPONSE TO A NEED TO HAVE EXPERIENCED AND COMPETENT LAWYERS DEDICATED TO PROSECUTE COMPLEX COMMERCIAL CASES.

"THE UNIT IS STAFFED BY LAWYERS WITH THE NECESSARY EXPERIENCE AND COMPETENCE, AND I AM SATISFIED THAT IT IS WELL EQUIPPED TO DEAL WITH MAJOR CASES THAT COME WITHIN ITS AREA OF RESPONSIBILITY.

"THE DIRECTOR OF PUBLIC PROSECUTIONS AND I ARE FULLY ALIVE TO THE NEED TO ENSURE THAT CASES ARE DEALT WITH EXPEDITIOUSLY, TO AVOID THE RISK OF A PROSECUTION BEING HALTED BY REASON OF DELAY," HE EMPHASISED.

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#### SAFETY OF SCAFFOLDING REGULATED

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THE SECRETARY FOR EDUCATION AND MANPOWER, MR MICHAEL LEUNG, SAID ACCIDENTS INVOLVING COLLAPSE OF SCAFFOLDING ON CONSTRUCTION SITES AND CAUSING SERIOUS INJURIES OR FATALITIES SELDOM OCCURRED.

FROM 1990 TO THE END OF JUNE THIS YEAR, THE LABOUR DEPARTMENT RECORDED TWO FATALITIES CAUSED BY THE COLLAPSE OF BAMBOO SCAFFOLDS.

STATISTICS ON INJURIES ARE SUBSUMED UNDER DIFFERENT HEADINGS IN THE DEPARTMENT'S RECORDS SUCH AS "FALL OF PERSONS" AND "FALL OF OBJECTS".

"NO STATISTICS SPECIFICALLY RELATED TO COLLAPSE OF SCAFFOLDS ARE AVAILABLE TO INDICATE THE NUMBER OF SUCH ACCIDENTS OR TO DETERMINE WHETHER THEY ARE ON THE INCREASE," MR LEUNG SAID IN REPLY TO A QUESTION BY THE HON MRS SELINA CHOW IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE SAFETY OF SCAFFOLDS IS REGULATED UNDER THE CONSTRUCTION SITES (SAFETY) REGULATIONS OF THE FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE.

IT REQUIRES ALL SCAFFOLDS TO BE FIXED, SECURED AND REGULARLY INSPECTED TO PREVENT ACCIDENTS.

APART FROM REGULAR INSPECTIONS, THE LABOUR DEPARTMENT ALSO CARRIED OUT A SPECIAL INSPECTION AND ENFORCEMENT CAMPAIGN ON SCAFFOLDS DURING APRIL TO JUNE THIS YEAR.

A SIMILAR OPERATION WILL BE MOUNTED LATER.

ON THE EDUCATION AND PUBLICITY FRONT, MR LEUNG SAID A CODE OF PRACTICE ON BAMBOO SCAFFOLD WOULD BE PUBLISHED SHORTLY TO HELP THE INDUSTRY COMPLY WITH THE REQUIREMENTS.

MOREOVER, SEMINARS AND TRAINING COURSES TO ENABLE EMPLOYERS AND EMPLOYEES TO IDENTIFY UNSAFE ACTS OR CONDITIONS WORKING WITH SCAFFOLDINGS HAVE BEEN ORGANISED BY THE LABOUR DEPARTMENT AND THE OCCUPATIONAL SAFETY AND HEALTH COUNCIL.

A PRESS RELEASE IS NORMALLY ISSUED AFTER A TYPHOON OR INCLEMENT WEATHER TO REMIND CONTRACTORS TO ENSURE THAT THEIR SCAFFOLDS ARE IN SAFE WORKING CONDITIONS.

MR LEUNG ADDED THAT AN ANNOUNCEMENT OF PUBLIC INTEREST STRESSING THE IMPORTANCE OF SCAFFOLD SAFETY WOULD ALSO BE BROADCAST ON TELEVISION SOON.

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ECOLOGICAL MITIGATION MEASURES FOR NEW AIRPORT

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ECOLOGICAL MITIGATION MEASURES SUCH AS MANGROVE REPLANTING AND TRANSPLANTING SEAGRASS ARE RECOMMENDED IN THE NEW AIRPORT MASTER PLAN ENVIRONMENTAL IMPACT ASSESSMENT (EIA).

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

MR EASON SAID A SUPPLEMENTARY EIA FOCUSING ON THE PROPOSED REMOVAL OF THE SHA LO WAN HEADLAND, WITH PARTICULAR REGARD TO THE CHINESE WHITE DOLPHIN, RECOMMENDED THAT PRESSURE WAVE TRANSMISSIONS FROM BLASTING SHOULD BE MINIMISED BY CONTAINING EXPLOSIONS IN THE DRILL HOLES.

OTHER MITIGATION MEASURES WERE THAT SMALL NON-LETHAL "SEAL BOMBS" SHOULD BE USED TO DRIVE MARINE FAUNA FROM THE CONSTRUCTION AREA BEFORE BLASTING. BLASTING OPERATIONS SHOULD CEASE IF DOLPHINS OR OTHER MAMMAL SPECIES WERE OBSERVED IN THE AREA.

MR EASON SAID THOSE RESPONSIBLE FOR OTHER CONSTRUCTION WORKS ON NORTH LANTAU WERE ALSO REQUIRED TO CONDUCT EIA STUDIES. ANY ADDITIONAL MITIGATION MEASURES RECOMMENDED BY THESE STUDIES WOULD BE IMPLEMENTED AS FAR AS PRACTICABLE.

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ACTION AGAINST TAXI MALPRACTICES INTENSIFIED

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THE GOVERNMENT IS INTENSIFYING PROSECUTIONS AGAINST TAXI MALPRACTICES AND DEPLOYING PLAINCLOTHES POLICE PATROLS, ESPECIALLY IN AREAS WHERE SUCH OFFENCES ARE KNOWN TO BE FREQUENTLY COMMITTED.

THIS WAS STATED BY THE SECRETARY FOR TRANSPORT, MR K Y YEUNG, IN A WRITTEN REPLY TO A QUESTION BY THE HON ZACHARY WONG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

UNDER THE ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) REGULATIONS, IT IS AN OFFENCE FOR A TAXI DRIVER TO SOLICIT PASSENGERS OR TO REFUSE TO BE HIRED, CARRYING A MAXIMUM FINE OF \$5,000 AND IMPRISONMENT FOR SIX MONTHS.

IN 1992, A TOTAL OF 321 PROSECUTIONS WERE INSTITUTED AGAINST TAXI DRIVERS FOR REFUSING TO BE HIRED AND/OR FOR SOLICITING PASSENGERS.

IN THE FIRST SIX MONTHS OF 1993, THE NUMBER OF PROSECUTIONS FOR THESE TWO OFFENCES WAS 433, REPRESENTING A 130 PER CENT INCREASE OVER THE LAST SIX MONTHS OF 1992.

IN ADDITION, THE TRANSPORT DEPARTMENT HAD BEEN URGING TAXI ASSOCIATIONS NOT TO ENGAGE IN SUCH MALPRACTICES AND WOULD BE MOUNTING GREATER PUBLICITY TO ENCOURAGE MEMBERS OF THE PUBLIC TO REPORT TAXI MALPRACTICES, HE ADDED.

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FEE REVISION CAREFULLY PHASED

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THE SECRETARY FOR THE TREASURY, MR DONALD TSANG, SAID THE GOVERNMENT CAREFULLY PHASED THE INTRODUCTION OF REVISED FEES DURING THE COURSE OF THE YEAR IN ORDER TO REDUCE THE IMPACT ON THE PUBLIC.

THERE ARE MORE THAN 5,200 FEES CURRENTLY CHARGED BY THE GOVERNMENT.

IN A WRITTEN REPLY TO A QUESTION BY THE HON TAM YIU-CHUNG IN THE LEGISLATIVE COUNCIL MEETING TODAY (WEDNESDAY), MR TSANG SAID THE FEES WERE NORMALLY SET AT LEVELS SUFFICIENT TO COVER THE COSTS OF THE SERVICES PROVIDED.

"THEY ARE THEREFORE SUBJECT TO ANNUAL REVISION TO ENSURE THAT THEIR REAL VALUE IS MAINTAINED," HE SAID.

NINE TYPES OF FEES AND CHARGES HAVE BEEN INCREASED SINCE APRIL THIS YEAR. THEY ARE:

DEPARTMENT -----	FEES -----
AGRICULTURE & FISHERIES	RENTAL OF TEMPORARY WHOLESALE MARKET
BUILDINGS & LANDS	COPYING OF LAND RECORDS & MISC FEES
CIVIL ENGINEERING	LABORATORY TESTING FEES
CENSUS & STATISTICS	FEES FOR PROVIDING TRADE STATISTICS AND MISC SERVICES
EDUCATION	HIRING CHARGES FOR ACCOMMODATION IN SCHOOLS
CITY & NEW TERRITORIES ADMINISTRATION	HIRING CHARGES FOR COMMUNITY HALLS AND FACILITIES

IMMIGRATION	RE-ENTRY PERMIT AND MISC FEES
INDUSTRY	FEES FOR HK LABORATORY ACCREDITATION SCHEME
TRADE	TEXTILE LICENCES AND MISC FEES

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ANCHORAGE PLANS OFF TUEN MUN FAR ADVANCED  
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THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, SAID PLANS TO ESTABLISH AN IMMIGRATION ANCHORAGE OFF TUEN MUN WERE FAR ADVANCED.

IN A WRITTEN REPLY TO A QUESTION BY THE HON HOWARD YOUNG IN THE LEGISLATIVE COUNCIL MEETING TODAY (WEDNESDAY), MR ASPREY SAID: "WE HOPE TO BE ABLE TO PROVIDE THE RESOURCES FOR IT TO COME INTO OPERATION NEXT YEAR."

HE SAID THE RESOURCES REQUIRED WERE ABOUT \$1M CAPITAL EXPENDITURE, AND \$4M FOR YEAR RECURRENT EXPENDITURE.

THE GOVERNMENT ESTIMATES THAT THERE WILL BE A 39 PER CENT REDUCTION IN VESSEL MOVEMENTS IN THE MA WAN CHANNEL WHEN THE ANCHORAGE COMES INTO OPERATION. THIS APPROXIMATELY EQUALS 220 VESSEL MOVEMENTS THROUGH THE CHANNEL.

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PROSECUTIONS TAKEN AGAINST INDECENT FILM POSTERS  
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THE GOVERNMENT TOOK OUT FIVE PROSECUTIONS AGAINST INDECENT FILM POSTERS LAST YEAR, THE SECRETARY FOR RECREATION AND CULTURE, MR JAMES SO, SAID.

THIS HAD RESULTED IN THREE CONVICTIONS INVOLVING TWO POSTERS. ANOTHER THREE CASES ARE STILL PENDING COURT HEARINGS, MR SO ADDED.

REPLYING TO A QUESTION BY THE HON ERIC LI KA-CHEUNG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), MR SO SAID OF THE THREE CONVICTIONS, ONE FILM DISTRIBUTOR WAS FINED \$20,000 AND TWO THEATRE OPERATORS WERE FINED \$20,000 AND \$10,000 RESPECTIVELY.

NONE OF THESE FIVE CASES ORIGINATED FROM PUBLIC COMPLAINTS, HE SAID.

BETWEEN JANUARY 1991 AND JUNE THIS YEAR, 72 FILM POSTERS WERE SUBMITTED TO THE OBSCENE ARTICLES TRIBUNAL FOR CLASSIFICATION.

/OF THEM, .....

OF THEM, 18 WERE SUBMITTED BY THE TELEVISION AND ENTERTAINMENT LICENSING AUTHORITY, INCLUDING FIVE BROUGHT TO THE AUTHORITY'S NOTICE FROM PUBLIC COMPLAINTS; FIVE BY THE POLICE; AND 49 BY FILM DISTRIBUTORS.

AND OUT OF THE 72 POSTERS, ONE WAS CLASSIFIED AS OBSCENE (CLASS III) AND 56 AS INDECENT (CLASS II).

MR SO ALSO NOTED THAT THE AVERAGE TIME TAKEN BETWEEN THE LODGING OF A COMPLAINT AND THE FILING OF A PROSECUTION WAS ABOUT SIX WEEKS.

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COMPANY LAW GOVERNS QUALIFICATIONS OF AUDITORS

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THE GOVERNMENT IS NOT AWARE OF ANY INSTANCES IN THE PAST TWO YEARS IN WHICH ANY SMALL, LOCAL ACCOUNTING FIRMS HAVE BEEN CONSIDERED UNSUITABLE TO ACT AS AUDITORS FOR LISTED COMPANIES, THE SECRETARY FOR FINANCIAL SERVICES, MR MICHAEL CARTLAND, SAID.

ALSO, THE HONG KONG SOCIETY OF ACCOUNTANTS HAS NOT RECEIVED ANY EXPRESSION OF VIEWS FROM THE SECURITIES AND FUTURES COMMISSION (SFC) OR THE STOCK EXCHANGE OF HONG KONG LTD (SEHK) CONCERNING ITS MEMBER ACCOUNTANTS, HE SAID.

IT HAS NOT RECEIVED ANY COMPLAINTS FROM ITS MEMBER ACCOUNTANTS FOR HAVING BEEN SO CONSIDERED BY THE SFC OR SEHK, HE ADDED.

IN A WRITTEN REPLY TO A QUESTION BY THE HON CHIM PUI-CHUNG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), MR CARTLAND SAID THE ELIGIBILITY OF ACCOUNTANTS TO ACT AS AUDITORS FOR LISTED COMPANIES WAS PROVIDED FOR UNDER THE COMPANIES ORDINANCE AND THE LISTING RULES.

"THERE IS NO FURTHER MECHANISM OF ASSESSING THE QUALIFICATIONS OF SUCH ACCOUNTANTS," HE ADDED.

SEHK DOES NOT HAVE ANY ADDITIONAL PROVISIONS UNDER THE LISTING RULES IN RESPECT OF THE QUALIFICATIONS OF AUDITORS OF LISTED COMPANIES INCORPORATED IN HONG KONG.

FOR LISTED COMPANIES INCORPORATED OUTSIDE HONG KONG, THE LISTING RULES PROVIDE, AMONG OTHER THINGS, THAT THE ANNUAL ACCOUNTS MUST BE AUDITED BY A PERSON, FIRM OR COMPANY EITHER QUALIFIED UNDER THE PROFESSIONAL ACCOUNTANTS ORDINANCE OR ACCEPTABLE TO THE EXCHANGE AS HAVING AN INTERNATIONAL NAME AND REPUTATION AND WHICH IS A MEMBER OF A RECOGNISED BODY OF ACCOUNTANTS.

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TEAM SET UP TO DETECT TENANCY ABUSES

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A TEAM HAS RECENTLY BEEN FORMED BY THE HOUSING AUTHORITY TO CARRY OUT SURPRISE CHECKS ON FLATS, SOMETIMES OUTSIDE OFFICE HOURS, TO DETECT TENANCY ABUSES, THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, SAID TODAY (WEDNESDAY)

REPLYING TO A QUESTION BY THE HON MRS ELSIE TU IN THE LEGISLATIVE COUNCIL, MR EASON SAID THIS APPROACH WOULD BE REVIEWED LATER THIS YEAR TO SEE WHETHER THE OPERATION SHOULD BE EXPANDED AND IF SO HOW.

HE SAID THE AUTHORITY WAS MINDFUL OF THE NEED TO KEEP A CLOSE WATCH ON THE SITUATION OF TENANCY ABUSES AND HAD STEPPED UP TENANCY ENFORCEMENT IN ALL ESTATES.

"IT NEEDS HOWEVER TO STRIKE A CAREFUL BALANCE BETWEEN ESSENTIAL ENFORCEMENT AND CHECKING UP ON ITS TENANTS TO THE POINT THAT MIGHT BE REGARDED AS HARASSMENT," HE SAID.

MR EASON SAID THE PROBLEM OF TENANCY ABUSES WAS ALMOST NON-EXISTENT IN NEWLY COMPLETED ESTATES ALTHOUGH SOME IRREGULARITIES DID EXIST IN OLDER ESTATES.

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SPECIAL AREA FOR HEAVY WATER-CONSUMING INDUSTRIES

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ABOUT 12 HECTARES OF LAND IN A SPECIAL INDUSTRIES AREA IN TUEN MUN WILL BE RESERVED FOR HEAVY WATER INDUSTRIES SUCH AS THE TEXTILE, BLEACHING, DYEING AND FINISHING INDUSTRIES TO SERVE BOTH NEW UNDERTAKINGS AS WELL AS EXISTING ESTABLISHMENTS WHICH MIGHT WISH TO MOVE THERE.

THIS WAS STATED BY THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, TODAY (WEDNESDAY) IN REPLY TO A QUESTION BY THE HON JAMES TIEN IN THE LEGISLATIVE COUNCIL.

MR EASON NOTED THAT VICTORIA HARBOUR WOULD BE DECLARED A WATER CONTROL ZONE UNDER THE WATER POLLUTION CONTROL ORDINANCE IN PHASES FROM LATE 1994 TO 1997.

HE SAID RECLAMATION AND SERVICING WORKS THERE WERE SCHEDULED TO START NEXT YEAR FOR COMPLETION IN 1998.

MR EASON SAID FACTORIES IN THE MAIN INDUSTRIAL AREAS OF KWUN TONG, TSUEN WAN AND KWAI CHUNG COULD COMPLY WITH THE ORDINANCE BY SIMPLY ADOPTING CLEANER PRODUCTION PRACTICES INCLUDING WASTE REDUCTION AND SEGREGATION, CHEMICAL SUBSTITUTION AND WATER CONSERVATION MEASURES, REPLACING OBSOLETE PRODUCTION PROCESSES, AND BUILDING COMMUNAL TREATMENT FACILITIES.

THE GOVERNMENT DID NOT INTEND TO INITIATE OR ORGANISE RELOCATION ARRANGEMENTS, MR EASON SAID, ADDING THAT IT WOULD BE FOR OPERATORS TO DECIDE WHETHER TO RELOCATE THEMSELVES.

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COURSES TO IMPROVE TEACHERS' PROFICIENCY IN ENGLISH  
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THE INSTITUTE OF LANGUAGE IN EDUCATION IS PLANNING A SERIES OF COURSES FOR SECONDARY SCHOOL TEACHERS WHO ARE USING OR WILL USE ENGLISH AS THE MEDIUM OF INSTRUCTION.

THE 16-WEEK FULL-TIME COURSE WILL AIM TO IMPROVE TEACHERS' PROFICIENCY IN ENGLISH, AND THEIR SKILLS IN USING ENGLISH TO TEACH OTHER SUBJECTS.

IN A WRITTEN REPLY TO A QUESTION BY THE HON SIMON IP IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), THE SECRETARY FOR EDUCATION AND MANPOWER, MR MICHAEL LEUNG, SAID 81 TEACHERS WOULD ATTEND THE FIRST SUCH COURSE SCHEDULED FOR FEBRUARY NEXT YEAR.

"THEREAFTER, TWO COURSES WILL BE ORGANISED EACH ACADEMIC YEAR, WITH A TOTAL TARGET INTAKE OF 200 TEACHERS A YEAR," HE SAID.

AS REGARDS ENTRY REQUIREMENTS FOR NEW RECRUITS, MR LEUNG NOTED THAT THE EDUCATION REGULATIONS HAD ALREADY STIPULATED THE MINIMUM ENGLISH LANGUAGE REQUIREMENTS FOR TEACHERS.

WHETHER MORE STRINGENT LANGUAGE REQUIREMENTS SHOULD BE STIPULATED FOR NEW TEACHERS IS ONE OF THE ISSUES ON WHICH ADVICE FROM THE ADVISORY COMMITTEE ON TEACHER EDUCATION AND QUALIFICATIONS IS AWAITED, HE SAID.

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STANDARD TIME TO BE MAINTAINED  
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HONG KONG ADOPTED ITS STANDARD TIME (GREENWICH MEAN TIME +8) THROUGHOUT THE YEAR AFTER A FOUR-MONTH CONSULTATION EXERCISE IN 1988 AND THEREAFTER A CLEAR MAJORITY HAS PREFERRED TO MAINTAIN THE STATUS QUO, THE SECRETARY FOR HOME AFFAIRS, MR MICHAEL SUEN, SAID.

AND SINCE THEN, THERE HAS BEEN NO PUBLIC DEMAND TO REVIEW THE PRACTICE, HE SAID IN A WRITTEN REPLY TO A QUESTION BY THE HON MRS PEGGY LAM IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR SUEN ALSO STRESSED THAT THE DECISION TO MAINTAIN GMT+8 WAS TAKEN AFTER VIEWS WERE WIDELY SOUGHT FROM DISTRICT BOARDS, GOVERNMENT DEPARTMENTS AND MEMBERS OF THE PUBLIC FOLLOWING CHINA'S INTRODUCTION OF SUMMER TIME IN APRIL 1986 AS A DAYLIGHT SAVING MEASURE.

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COURSES AND FACILITIES IN PREVOCATIONAL SCHOOLS  
UNDER REGULAR REVIEW

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THERE IS NO PLAN FOR AN OVERALL REVIEW OF THE COURSES AND FACILITIES IN PREVOCATIONAL SCHOOLS, THE SECRETARY FOR EDUCATION AND MANPOWER, MR MICHAEL LEUNG, INFORMED THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY THE HON TIK CHI-YUEN, MR LEUNG SAID THE EDUCATION DEPARTMENT HAD SINCE 1986 REVISED THE SYLLABUSES OF SEVEN PRACTICAL AND TECHNICAL SUBJECTS AND DEVELOPED FOUR NEW SUBJECT SYLLABUSES IN PREVOCATIONAL SCHOOLS.

THREE SUBJECT SYLLABUSES ARE BEING REVIEWED AT PRESENT.

IN ADDITION, THE CURRICULUM DEVELOPMENT COUNCIL, FOLLOWING A REVIEW IN 1991/92, PRODUCED DRAFT GUIDELINES ON THE CURRICULAR FOR DIFFERENT TYPES OF SCHOOLS, INCLUDING PREVOCATIONAL SCHOOLS, FOR PUBLIC CONSULTATION.

HOWEVER, NO SUGGESTIONS WERE RECEIVED FOR CHANGING THE EXISTING PROPORTION OF PRACTICAL AND TECHNICAL CONTENT IN THE CURRICULUM OFFERED BY PREVOCATIONAL SCHOOLS.

THE SECRETARY ALSO SAID PREVOCATIONAL SCHOOLS WERE PROVIDED WITH A WIDE RANGE OF SPECIAL ROOMS AND WORKSHOPS TO MEET THE NEEDS OF THEIR PRACTICE-ORIENTED CURRICULUM.

AS STUDENTS IN THESE SCHOOLS SPENT MUCH OF THE SCHOOL DAY IN SPECIAL ROOMS/WORKSHOPS, THE OPERATION OF FLOATING CLASSES THEREFORE MADE EFFICIENT USE OF SCHOOL SPACE WITH NO LOSS OF EDUCATIONAL EFFECTIVENESS.

SUBJECT TO RESOURCES BEING AVAILABLE, HE SAID, THE GOVERNMENT WOULD EMBARK ON THE FIRST PHASE OF A PROGRAMME TO UPGRADE THE FACILITIES IN 12 PREVOCATIONAL SCHOOLS IN 1994/95 TO THE LATEST STANDARD OF PROVISION.

MR TIK ALSO ASKED ABOUT THE REASON FOR MAINTAINING THE RATIO OF GRADUATE TEACHERS TO NON-GRADUATE TEACHERS AT 1:1 FOR PREVOCATIONAL SCHOOLS.

IN REPLY, THE SECRETARY EXPLAINED THAT THE RATIO WAS PROPOSED IN JUNE 1987 BY THE WORKING PARTY ON THE RESTRUCTURING OF PREVOCATIONAL SCHOOLS WHICH COMPRISED REPRESENTATIVES OF THE HONG KONG PREVOCATIONAL SCHOOLS COUNCIL AND THE EDUCATION DEPARTMENT.

"THE CALCULATION WAS BASED ON THE NUMBER OF PERIODS IN THE TIMETABLE ALLOCATED TO SUBJECTS TAUGHT BY NON-GRADUATE TECHNICAL TEACHERS," MR LEUNG SAID.

"THE PROPOSAL WAS SUPPORTED BY ALL COUNCIL MEMBERS AND SUBSEQUENTLY APPROVED BY THE GOVERNMENT.

"THE EDUCATION DEPARTMENT IS NOW REVIEWING THE STAFFING STRUCTURE IN PREVOCATIONAL SCHOOLS IN THE LIGHT OF THE EXPANSION OF SENIOR SECONDARY AND SIXTH FORM PLACES IN THESE SCHOOLS," HE ADDED.

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COMPLAINT FIGURES AGAINST CSD

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THE NUMBER OF COMPLAINTS RECEIVED AGAINST THE CORRECTIONAL SERVICES DEPARTMENT HAD SHOWED A DECREASING TREND IN THE PAST THREE YEARS.

THE NUMBER WAS 197 IN 1990, 167 IN 1991 AND 166 LAST YEAR.

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

AMONG THOSE COMPLAINT CASES IN THESE THREE YEARS, A TOTAL OF 34 CASES WERE FOUND SUBSTANTIATED AFTER INVESTIGATION. THE NUMBER WAS 12 IN 1990, EIGHT IN 1991 AND 14 LAST YEAR.

DISCIPLINARY ACTIONS WERE TAKEN AGAINST STAFF IN THESE SUBSTANTIATED CASES. 23 OFFICERS WERE WARNED (SEVEN IN 1990, SIX IN 1991 AND 10 LAST YEAR). DISCIPLINARY ACTIONS WERE TAKEN AGAINST THE OTHER 11 OFFICERS (FIVE IN 1990, TWO IN 1991 AND FOUR LAST YEAR).

COMPLAINTS ABOUT THE USE OF UNNECESSARY FORCE, MISMANAGEMENT, AND MISCONDUCT OF STAFF TOPPED THE LIST OF COMPLAINTS RECEIVED.

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COMPLAINTS ABOUT WEAK WATER PRESSURE

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COMPLAINTS ABOUT WEAK HYDRAULIC PRESSURE IN WATER SUPPLY HAVE BEEN RECEIVED FROM 17 NEW TERRITORIES VILLAGES IN THE PAST SIX MONTHS.

THIS WAS STATED BY THE SECRETARY FOR WORKS, MR JAMES BLAKE, IN A WRITTEN REPLY TO A QUESTION BY THE HON ZACHARY WONG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR BLAKE SAID MOST OF THESE 17 VILLAGES WERE LOCATED AT THE EXTREMITIES AND THE PROBLEM WAS PRIMARILY CAUSED BY RAPID DEVELOPMENT OVER THE RECENT YEARS RESULTING IN THE EXISTING SUPPLY SYSTEMS BEING OVERLOADED.

"REMEDIAL MEASURES IN THE FORM OF REPLACING OR DUPLICATING THE EXISTING WATER MAINS, OR SWITCHING TO A DIFFERENT SUPPLY SOURCE AS APPROPRIATE ARE BEING OR WILL BE CARRIED OUT TO IMPROVE THE SITUATION," HE SAID.

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MUNICIPAL COUNCILS RESPONSIBLE FOR REFUSE COLLECTION

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COLLECTION OF REFUSE IS THE STATUTORY RESPONSIBILITY OF THE REGIONAL AND URBAN COUNCILS.

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

MR EASON SAID THE PILOT SCHEME STARTED BY THE REGIONAL COUNCIL ON MAY 1 THIS YEAR IN THE TAI PO DISTRICT ON THE CONTRACTING OUT OF WASTE COLLECTION SERVICES WOULD BE EVALUATED AT THE END OF THIS YEAR TO CONSIDER WHETHER IT SHOULD BE EXTENDED TO OTHER DISTRICTS.

THE COLLECTION OF ANIMAL CARCASSES HAD BEEN CONTRACTED OUT SINCE JULY 1991, HE SAID, ADDING THAT THE URBAN COUNCIL WAS CURRENTLY STUDYING THE FEASIBILITY OF CONTRACTING OUT REFUSE COLLECTION.

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ADEQUATE SECONDARY SCHOOL PLACES IN YUEN LONG

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THERE ARE SUFFICIENT SECONDARY SCHOOL PLACES IN YUEN LONG, INCLUDING TIN SHUI WAI, TO ACCOMMODATE STUDENTS WHO HAVE RECENTLY MOVED TO THE DISTRICT, THE SECRETARY FOR EDUCATION AND MANPOWER, MR MICHAEL LEUNG, SAID.

IN A WRITTEN REPLY TO A QUESTION BY DR THE HON TANG SIU-TONG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), MR LEUNG NOTED THAT A SMALL NUMBER OF SECONDARY SCHOOL STUDENTS WHO HAD MOVED TO TIN SHUI WAI HAD NOT BEEN ABLE TO TRANSFER IMMEDIATELY TO A SCHOOL IN THE DISTRICT.

THIS IS DUE TO PRACTICAL DIFFICULTIES IN TRANSFERRING THEM TOWARDS THE END OF THE SCHOOL YEAR, HE SAID.

HOWEVER, MR LEUNG POINTED OUT THAT THE DISTRICT EDUCATION OFFICE COULD HELP TO ARRANGE INTERVIEWS FOR THESE STUDENTS WITH SCHOOLS IN THE DISTRICT WITH A VIEW TO SECURING A TRANSFER BY SEPTEMBER.

HE ALSO CALLED ON PARENTS OF STUDENTS WHO WISHED TO SEEK ADMISSION TO SCHOOLS IN YUEN LONG TO APPROACH THE DISTRICT EDUCATION OFFICE.

"THE OFFICE PROVIDES DETAILED INFORMATION ON SCHOOLS, SUCH AS THEIR FACILITIES AND THE CURRICULUM OFFERED, IN THE DISTRICT TO HELP PARENTS SELECT SCHOOLS WHICH THEY WOULD LIKE THEIR CHILDREN TO ENTER.

"THEY CAN THEN APPLY DIRECT TO THE SCHOOLS OF THEIR CHOICE," MR LEUNG ADDED.

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MORE STRINGENT MEASURES GOVERNING USE OF LIFTING APPLIANCES

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THE SECRETARY FOR EDUCATION AND MANPOWER, MR MICHAEL LEUNG, HAS PROPOSED MORE STRINGENT REGULATORY MEASURES OVER THE SAFE USE OF LIFTING APPLIANCES AND LIFTING GEAR ON CONSTRUCTION SITES.

MOVING A RESOLUTION TO AMEND THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (LIFTING APPLIANCES AND LIFTING GEAR) (AMENDMENT) REGULATION 1993 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), HE SAID THE MAIN REQUIREMENTS WERE:

- \* LIFTING APPLIANCES MUST BE EXAMINED ANNUALLY BY COMPETENT EXAMINERS;
- \* AN AUTOMATIC SAFE LOAD INDICATOR MUST BE INSTALLED ON A CRANE;
- \* PERSONS OPERATING CRANES MUST BE 18 YEARS OR OLDER AND MUST POSSESS A VALID CERTIFICATE ISSUED BY THE CONSTRUCTION INDUSTRY TRAINING AUTHORITY OR BY ANY OTHER PERSON SPECIFIED BY THE COMMISSIONER FOR LABOUR; AND
- \* A COMPETENT EXAMINER FOR LIFTING APPLIANCES AND LIFTING GEAR MUST BE A PROFESSIONAL ENGINEER REGISTERED UNDER THE ENGINEER REGISTRATION ORDINANCE IN A RELEVANT DISCIPLINE SPECIFIED BY THE COMMISSIONER.

MR LEUNG APPRECIATED THAT CONTRACTORS MIGHT NEED TIME TO COMPLY WITH THE PROPOSED PROVISIONS ON EMPLOYMENT OF QUALIFIED CRANE OPERATORS AND THE INSTALLATION OF SAFE OVERLOAD INDICATOR.

HE SAID: "WE PROPOSE THAT THE AMENDMENTS SHOULD COME INTO EFFECT ON THREE DIFFERENT DATES.

"THE REQUIREMENT OF A CRANE OPERATOR TO POSSESS A VALID CERTIFICATE ISSUED BY THE CONSTRUCTION INDUSTRY TRAINING AUTHORITY UNDER SECTION 11 OF THE AMENDMENT REGULATION SHOULD COME INTO EFFECT ONE YEAR AFTER APPROVAL BY THE LEGISLATIVE COUNCIL IN ORDER TO ALLOW TIME TO TRAIN UP SUFFICIENT NUMBER OF QUALIFIED OPERATORS.

"THE REQUIREMENT OF AN AUTOMATIC SAFE LOAD INDICATOR TO BE FITTED ON CRANES UNDER SECTION 9 SHOULD COME INTO OPERATION SIX MONTHS AFTER APPROVAL BY THE LEGISLATIVE COUNCIL, TO ALLOW SUFFICIENT TIME FOR INSTALLATION."

FOR OTHER PROVISIONS, MR LEUNG SAID THE GOVERNMENT PROPOSED TO BRING THEM INTO EFFECT IMMEDIATELY AFTER THE LEGISLATIVE COUNCIL HAD GIVEN ITS APPROVAL.

## REVISED RATE OF LEVY TO MEET PNEUMOCONIOTIC COMPENSATION

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THE RATE OF LEVY ON THE CONSTRUCTION AND QUARRYING INDUSTRIES WILL BE INCREASED BY PHASES TO ENABLE THE PNEUMOCONIOSIS COMPENSATION FUND BOARD TO HAVE SUFFICIENT FUNDS TO MEET ITS LONG-TERM COMMITMENTS.

IN MOVING A RESOLUTION IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), THE SECRETARY FOR EDUCATION AND MANPOWER, MR MICHAEL LEUNG, SAID THE FUND WOULD ACCUMULATE A BIG DEFICIT BY 1994 IF THE CURRENT RATE OF LEVY OF 0.02 PER CENT REMAINED UNCHANGED.

"THEREFORE, AFTER CONSULTATION WITH THE FUND BOARD, WE PROPOSE TO INCREASE THE RATE OF LEVY ON THE CONSTRUCTION AND QUARRYING INDUSTRIES BY PHASES, INITIALLY TO 0.3 PER CENT IN 1993.

"A SECOND PHASE OF INCREASE WILL BE REQUIRED SOMETIME NEXT YEAR," HE SAID.

THE RESOLUTION TO VARY THE RATE OF LEVY SHALL COME INTO EFFECT ON AUGUST 22 THIS YEAR. THE REVISED RATE WILL APPLY TO ALL CONSTRUCTION CONTRACTS THE TENDERS OF WHICH ARE SUBMITTED ON OR AFTER THIS DATE.

SUBSTANTIAL CHANGES HAVE BEEN MADE TO THE PNEUMOCONIOSIS (COMPENSATION) ORDINANCE TO PROVIDE IMPROVED BENEFITS TO PNEUMOCONIOTICS.

THE MOST SIGNIFICANT IMPROVEMENTS ARE TO INTRODUCE MONTHLY COMPENSATION PAYMENTS PAYABLE UNTIL A PNEUMOCONIOTIC'S DEATH AND TO ALLOW PNEUMOCONIOTICS WHO HAVE PREVIOUSLY RECEIVED A LUMP SUM COMPENSATION TO RECEIVE MONTHLY PAYMENTS IF THEY SUFFER ADDITIONAL INCAPACITY.

IT IS ESTIMATED THAT SOME 2,000 PNEUMOCONIOTICS WHO WERE DIAGNOSED DURING 1981 TO 1993 WOULD BE ABLE TO BENEFIT UNDER THE NEW SCHEME.

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## LEVY ON NON-FOOD IMPORTS TO BE REDUCED

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THE AD VALOREM LEVY (AVL) ON NON-FOOD IMPORTS WILL BE REDUCED FROM 0.05 PER CENT OF THE VALUE OF THE GOODS TO 0.035 PER CENT FROM OCTOBER 1 IN THE FACE OF SUBSTANTIAL GROWTH OF THE EXTERNAL TRADE IN RECENT YEARS.

THE LEVY REDUCED WAS SPECIFIED IN THE IMPORT AND EXPORT (REGISTRATION) REGULATIONS UNDER THE IMPORT AND EXPORT ORDINANCE.

MOVING THE RESOLUTION, THE ACTING SECRETARY FOR TRADE AND INDUSTRY, MRS REGINA IP, SAID THE REDUCTION SHOULD BE WELCOMED BY TRADERS AS WELL AS MANUFACTURERS WHO RELIED ON IMPORTED RAW MATERIALS AND COMPENENTS FOR THEIR PRODUCTION.

/THE SAVINGS .....

THE SAVINGS TO IMPORTERS ARE ESTIMATED TO BE SOME \$90 MILLION IN 1993/94 AND IN EXCESS OF ONE BILLION DOLLARS OVER A PERIOD OF FIVE YEARS.

THE AVL ON FOOD IMPORTS WILL BE KEPT AT THE FLAT RATE OF \$5 PER DECLARATION.

THE REDUCTION WILL HAVE THE EFFECT OF REDUCING THE GOVERNMENT'S SUBVENTION TO THE TRADE DEVELOPMENT COUNCIL (TDC) AS THE SUBVENTION IS CALCULATED BY REFERENCE TO THE NET AVL COLLECTED.

HOWEVER, THE REDUCTION WILL NOT CREATE ANY DIFFICULTIES FOR THE TDC GIVEN ITS SUCCESS IN GENERATING ITS OWN INCOME, MRS IP SAID.

SHE SAID A SIGNIFICANT ADDITIONAL AMOUNT WOULD BE MADE AVAILABLE TO THE INDUSTRIAL SUPPORT PROGRAMME, ABOUT \$180 MILLION IN 1994/95.

THE PROPOSED REDUCTION OF THE AVL ON IMPORTS AND THE CONSEQUENTIAL REDUCTION OF THE SUBVENTION TO THE TDC AS FROM 1994/95 WAS FULLY SUPPORTED BY THE TDC, REPRESENTATIVES OF THE BUSINESS COMMUNITY AND INDUSTRY LEADER, AS A MOVE THAT WOULD BENEFIT TRADE AND INDUSTRY, SHE ADDED.

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AMENDMENTS TO CROSS HARBOUR TUNNEL BY-LAWS PASSED

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THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) PASSED A RESOLUTION TO AMEND THE CROSS-HARBOUR TUNNEL BY-LAWS.

MOVING THE RESOLUTION, THE SECRETARY FOR TRANSPORT, MR K Y YEUNG, SAID THE CROSS-HARBOUR TUNNEL (AMENDMENT) ORDINANCE 1993 ENACTED ON JUNE 30 ENABLED THE CROSS-HARBOUR TUNNEL COMPANY LIMITED TO INSTALL AUTOMATIC TOLL COLLECTION EQUIPMENT, AS APPROVED BY THE COMMISSIONER FOR TRANSPORT, AND TO MAKE BY-LAWS TO REGULATE THE USE OF SUCH FACILITIES.

HE SAID THE AMENDMENTS NOW BEING MADE TO THE BY-LAWS, WHICH COVERED SUCH MATTERS AS THE ISSUE OF ELECTRONIC TOLL PASSES, ACCESS TO AND PASSAGE THROUGH AUTOTOLL BOOTHS, AND SIGNAGE, WERE NECESSARY FOR THE DAY-TO-DAY OPERATION OF THE AUTOTOLL SYSTEM.

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## REDRESS SYSTEM TO BE IMPROVED

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THE INCLUSION OF THE MUNICIPAL COUNCILS UNDER THE JURISDICTION OF THE COMMISSIONER FOR ADMINISTRATIVE COMPLAINTS (COMAC) WILL ENHANCE PUBLIC CONFIDENCE IN THEM, THE CHIEF SECRETARY, THE HON SIR DAVID FORD, SAID.

SIX PUBLIC BODIES, INCLUDING THE TWO COUNCILS, ARE PROPOSED TO BE ADDED TO THE LIST OF ORGANISATIONS SUBJECT TO THE COMMISSIONER'S MONITORING UNDER THE COMAC (AMENDMENT) BILL 1993 INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

FOUR OF THE BODIES - MASS TRANSIT RAILWAY CORPORATION, KOWLOON-CANTON RAILWAY CORPORATION, THE SECURITIES AND FUTURES COMMISSION AND THE HOUSING AUTHORITY - HAVE AGREED TO THE PROPOSED INCLUSION.

MOVING THE SECOND READING OF THE BILL, SIR DAVID NOTED THAT THE URBAN AND REGIONAL COUNCILS HAD EXPRESSED OPPOSITION TO THE PROPOSAL.

HE SAID THE GOVERNMENT DID NOT AGREE WITH THEIR VIEWS.

THE TWO COUNCILS PROVIDE ESSENTIAL MUNICIPAL SERVICES TO THE PUBLIC WHICH HAVE DIRECT AND SIGNIFICANT IMPACT ON THEIR DAILY LIVELIHOOD, HE SAID.

"FOR THEM TO BE EXEMPTED FROM COMAC'S INDEPENDENT MONITORING WOULD CLEARLY BE AGAINST THE WISHES AND INTERESTS OF THE PUBLIC," HE ADDED.

SIR DAVID SAID TO HAVE AN EFFECTIVE SYSTEM, IT WAS IMPORTANT THAT NOT ONLY THE EXECUTIVE AGENCIES OF THE COUNCILS - THE URBAN SERVICES AND REGIONAL SERVICES DEPARTMENTS - WERE INCLUDED, BUT ALSO THE PRINCIPAL BODIES.

"THIS IS TO ENSURE THAT COMAC'S RECOMMENDATIONS INVOLVING THE COUNCILS COULD BE EFFECTIVELY PURSUED," HE EXPLAINED.

IN ADDITION, HE POINTED OUT THAT ELECTED MEMBERS' ACCOUNTABILITY TO THEIR CONSTITUENTS SHOULD NOT BE CONFUSED WITH THE PROVISION OF AN INDEPENDENT REDRESS SYSTEM.

"VOTING ELECTED MEMBERS OUT OF OFFICE CANNOT IN ITSELF HELP THE AGGRIEVED INDIVIDUAL.

"COMAC CAN HELP THE COMPLAINANT SEEK PROPER AND IMMEDIATE REDRESS THROUGH HIS INVESTIGATIONS AND RECOMMENDATIONS MADE TO THE COUNCIL," HE SAID.

SIR DAVID STRESSED THAT THERE WAS NO QUESTION OF THE INDEPENDENCE OF THE MUNICIPAL COUNCILS BEING COMPROMISED.

ANOTHER PROPOSAL OF THE BILL IS DIRECT PUBLIC ACCESS TO THE COMMISSIONER.

"THIS WILL MAKE THE COMAC OFFICE MORE CONVENIENT TO MEMBERS OF THE PUBLIC," HE SAID.

AT PRESENT, A COMPLAINT TO THE COMMISSIONER HAS TO ROUTE THROUGH AND BE REFERRED BY A NON-OFFICIAL LEGISLATIVE COUNCIL MEMBER.

THE THIRD KEY CHANGE PROPOSED TO THE REDRESS SYSTEM IS THAT COMAC WILL BE EMPOWERED TO PUBLISH CASE REPORTS WHICH HE CONSIDERS MAY BE OF PUBLIC INTEREST.

"THIS WILL HELP PROMOTE PUBLIC AWARENESS OF AND CONFIDENCE IN THE COMAC SYSTEM, AND WILL CERTAINLY PROVIDE A USEFUL CHECK FOR THE DEPARTMENTS AND PUBLIC BODIES," SIR DAVID SAID.

THE CHIEF SECRETARY SAID THE BILL REFLECTED THE OUTCOME OF A COMPREHENSIVE REVIEW ON THE OPERATION OF THE COMAC OFFICE.

"I AM SURE THE PUBLIC WILL WELCOME THE ABOVE PROPOSALS AS A POSITIVE STEP TAKEN BY THE GOVERNMENT TO ENHANCE THE IMAGE AND EFFECTIVENESS OF THE COMAC REDRESS SYSTEM," HE SAID.

DEBATE ON THE BILL WAS ADJOURNED.

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STABILITY IN TRADE TIES REASSURED

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GIVEN THE UNPREDICTABILITY OF THE INTERNATIONAL CLIMATE, THE FOREIGN CORPORATIONS BILL WILL PLAY A USEFUL ROLE OF ENSURING STABILITY AND CONTINUITY IN HONG KONG'S TRADING AND COMMERCIAL RELATIONS WITH OTHER TERRITORIES.

THE COMMENT WAS MADE BY THE SECRETARY FOR FINANCIAL SERVICES, MR MICHAEL CARTLAND, AS HE MOVED THE SECOND READING OF THE BILL IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE BILL SEEKS TO ALLAY CONCERN OVER THE CORPORATE STATUS IN HONG KONG OF A BODY ESTABLISHED UNDER THE LAWS OF A FOREIGN TERRITORY WHICH IS NOT RECOGNISED BY THE UNITED KINGDOM AS A STATE.

MR CARTLAND SAID CONCERN ABOUT THE LEGAL CAPACITY OF CORPORATIONS FROM TERRITORIES NOT RECOGNISED BY THE UK HAD BEEN EXPRESSED PARTICULARLY BY THE LEGAL PROFESSION.

"THE INTRODUCTION OF THE BILL IS INTENDED TO ALLAY SUCH CONCERN AND TO GIVE PRIMACY TO COMMERCIAL REALITY," HE SAID.

THE SECRETARY EMPHASISED THAT THE BILL CLARIFIED THE STATUS OF FOREIGN CORPORATIONS IN THE LIGHT OF COMMERCIAL REALITIES AND HENCE REASSURED AND ENCOURAGED COMPANIES IN THE COMMERCIAL AND FINANCIAL WORLD.

"IT DOES NOT HAVE ANY BEARING ON THE RECOGNITION OF STATES WHICH IS CLEARLY AND ABSOLUTELY A MATTER OF FOREIGN POLICY FOR THE BRITISH GOVERNMENT," HE ADDED.

DEBATE ON THE BILL WAS ADJOURNED.

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WEDNESDAY, JULY 21, 1993

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LEGO PASSES LEGAL AID MOTION

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THE LEGISLATIVE COUNCIL PASSED A MOTION ON THE SYSTEM OF ADMINISTRATION OF LEGAL AID SERVICES AT ITS LAST MEETING FOR THIS SESSION AFTER MIDNIGHT (WEDNESDAY).

NINE MEMBERS SPOKE IN THE DEBATE PROPOSED BY THE HON SIMON IP. THE CHIEF SECRETARY, THE HON SIR DAVID FORD, REPLIED FOR THE GOVERNMENT.

ANOTHER MOTION MOVED BY THE HON RONALD ARCULLI TO AMEND THE DECLARATION OF NUMBER OF PROPOSED DISTRICTS AND SPECIFICATION OF DISTRICT NAMES ORDER 1993 WAS DEFEATED.

ALSO PASSED WERE TWO MOTIONS MOVED BY THE SECRETARY FOR EDUCATION AND MANPOWER, MR MICHAEL LEUNG, UNDER THE FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE AND THE PNEUMOCONIOSIS (COMPENSATION) ORDINANCE RESPECTIVELY.

A MOTION UNDER THE CROSS-HARBOUR TUNNEL ORDINANCE MOVED BY THE SECRETARY FOR TRANSPORT, MR K Y YEUNG, AND ANOTHER MOTION MOVED BY THE ACTING SECRETARY FOR TRADE AND INDUSTRY, MRS REGINA IP, UNDER THE IMPORT AND EXPORT ORDINANCE WERE PASSED.

ANOTHER MOTION MOVED BY THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, UNDER THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE WAS ALSO PASSED.

IN ADDITION, EIGHT BILLS WERE PASSED.

THEY ARE: EMPLOYEES' COMPENSATION (AMENDMENT) BILL 1993; WESTERN HARBOUR CROSSING BILL; HONG KONG PRODUCTIVITY COUNCIL (AMENDMENT) BILL 1993; BUILDINGS (AMENDMENT) BILL 1993; SHIPPING AND PORT CONTROL (AMENDMENT) BILL 1993; DUTIABLE COMMODITIES (AMENDMENT) (NO. 2) BILL 1992; INLAND REVENUE (AMENDMENT) (NO. 3) BILL 1993 AND EXCHANGES (SPECIAL LEVY) (AMENDMENT) BILL 1993.

THREE BILLS WERE INTRODUCED FOR FIRST AND SECOND READINGS. THEY ARE COMMISSIONER FOR ADMINISTRATIVE COMPLAINTS (AMENDMENT) BILL 1993, FOREIGN CORPORATIONS BILL AND IMMIGRATION (AMENDMENT) BILL 1993. DEBATES ON THEM WERE ADJOURNED.

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