



DAILY INFORMATION BULLETIN

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WEDNESDAY, APRIL 27, 1983

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HK'S CRIME DETECTION RATE HIGH BY INTERNATIONAL STANDARDS
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THE OVERALL CRIME DETECTION RATE IN HONG KONG IS HIGH BY INTERNATIONAL STANDARDS AND IN SOME AREAS IT IS VERY HIGH INDEED, THE CHIEF SECRETARY, THE HON PHILIP HADDON-CAVE, SAID IN THE LEGISLATIVE COUNCIL TODAY.

+FOR EXAMPLE, OF 24 CASES OF KIDNAPPING REPORTED TO THE POLICE IN THE THREE AND A QUARTER YEARS FROM JANUARY 1980 TO END MARCH 1983, THE POLICE SUCCESSFULLY DETECTED THOSE INVOLVED IN 23. AND THERE HAVE BEEN NO REPRISALS,+ SIR PHILIP SAID.

HE WAS REPLYING TO A QUESTION BY THE HON LYDIA DUNN ON THE CRIME ISSUE.

AS REGARDS THE RECENT KIDNAPPING CASE, HE SAID THE POLICE HAVE MADE SEVERAL ARRESTS ALREADY AS A RESULT OF INTENSIVE INVESTIGATIONS AND THESE INVESTIGATIONS ARE STILL GOING ON.

HE SAID THAT THE GOVERNMENT WOULD SHORTLY BE SEEKING THE ADVICE OF THE EXECUTIVE COUNCIL ON HOW THE VARIOUS EFFORTS OF THE MANY GOVERNMENT DEPARTMENTS AND COMMUNITY ORGANISATIONS INVOLVED IN THE PREVENTION OF CRIME CAN BE MADE, COLLECTIVELY, MORE EFFECTIVE.

HE SAID THAT THE GOVERNMENT IS AWARE THAT THERE IS PUBLIC CONCERN AND EVEN ANXIETY ABOUT THE PRESENT STATE OF LAW AND ORDER, TRIGGERED PERHAPS BY SEVERAL MOST UNPLEASANT MURDER CASES, A SPATE OF ROBBERIES OF GOLDSMITH SHOPS AND THE RECENT HIGHLY ORGANISED KIDNAPPING CASE.

SIR PHILIP NOTED THAT THE NUMBER OF REPORTED CRIMES PER 100 000 OF THE POPULATION WAS 1 468 IN 1980: AN INCREASE OF 3.4 PER CENT WAS RECORDED IN 1981, AND A FURTHER INCREASE OF EIGHT PER CENT IN 1982.

IN THE FIRST QUARTER OF 1983, THERE WAS AN INCREASE OF 2.8 PER CENT OVER LAST YEAR'S CORRESPONDING PERIOD.

HE POINTED OUT THAT IN TERMS OF VIOLENT CRIME PER 100 000 OF THE POPULATION THE PICTURE IS SLIGHTLY BETTER, VIOLENT CRIME BEING DEFINED TO INCLUDE MURDER, KIDNAPPING, ROBBERY, ARSON, BLACKMAIL AND RAPE.

THE NUMBER OF REPORTED VIOLENT CRIMES PER 100 000 OF THE POPULATION WAS 424 IN 1980: A DECREASE OF 5.8 PER CENT WAS RECORDED IN 1981, BUT THIS WAS FOLLOWED BY AN INCREASE OF 7.6% IN 1982: AND IN THE FIRST QUARTER OF 1983, THERE WAS AN INCREASE OF 5.5% OVER THE FIRST QUARTER OF 1982, HE SAID.

+SOME COMFORT CAN ALSO BE DERIVED FROM THE FIGURES FOR HOMICIDES AND FOR KIDNAPPING: THERE WERE 86 HOMICIDES IN 1980, 105 IN 1981, 93 IN 1982 AND 18 IN THE FIRST QUARTER OF 1983 (ANNUALISED, THIS IS THE EQUIVALENT OF 72).

/+THESE FIGURES

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+THESE FIGURES MAY BE COMPARED WITH 115 IN 1972, THE WORST YEAR FOR HOMICIDES IN THE 1970'S. THE LOWEST NUMBER RECORDED IN THAT DECADE WAS 57 IN 1977,+ SIR PHILIP SAID.

WHEN ASSESSING RECENT FIGURES, ONE MUST REMEMBER THAT BETWEEN 1971 AND 1982, THE POPULATION INCREASED FROM 3.9 MILLION TO 5.2 MILLION, HE ADDED.

AS REGARDS KIDNAPPING, THERE WERE 10 REPORTED CASES IN 1980, EIGHT IN 1981 AND FOUR IN 1982.

THERE HAVE BEEN THREE SO FAR THIS YEAR AND THE HIGHEST NUMBER OF REPORTED CASES OF KIDNAPPING IN THE 1970'S WAS NINE IN 1975, SIR PHILIP SAID.

ONE OF THE MOST PRACTICAL MEASURES MEMBERS OF THE PUBLIC CAN TAKE AGAINST CRIME IS TO REPORT IT, HE STRESSED, NOTING THAT IN RESPECT OF KIDNAPPING, THE RELATIVES OF THOSE KIDNAPPED MIGHT PREFER TO PAY UP AND BRING THE INCIDENT TO A CLOSE RATHER THAN GO TO THE POLICE.

HE SAID THAT THE POLICE ARE ENTRUSTED BY THE GOVERNMENT WITH THE TASK OF ENSURING THAT EVERY MEMBER OF THE COMMUNITY CAN GO ABOUT HIS OR HER BUSINESS WITHOUT LET OR HINDRANCE.

+THE COMMISSIONER, HIS SENIOR OFFICERS AND ALL MEMBERS OF THE POLICE FORCE ARE COMMITTED TO THIS TASK. BUT THIS TASK IS IMPOSSIBLE OF ACHIEVEMENT IF CRIMINAL ACTS — ATTEMPTED OR SUCCESSFUL — GO UNREPORTED,+ SIR PHILIP SAID.

+SO ALL MEMBERS OF THE PUBLIC MUST UNDERSTAND THAT THEY HAVE AN OBLIGATION TO ALL OTHERS TO REPORT CRIME,+ HE ADDED.

+THE REASON WHY REPORTING CRIME IS WORTHWHILE IS THAT THE GOVERNMENT HAS INVESTED HEAVILY IN A WELL MANNED, WELL EQUIPPED AND WELL TRAINED POLICE FORCE,+ HE STRESSED.

BUT SIR PHILIP SAID THAT WHATEVER THE STATISTICAL TRENDS MAY BE, AND NO MATTER HOW FAVOURABLY HONG KONG MAY COMPARE WITH OTHER CITIES, THERE IS STILL TOO MUCH CRIME GENERALLY AND VIOLENT CRIME IN PARTICULAR.

HE TOLD THE COUNCIL THAT THE GOVERNMENT AND THE POLICE ARE COMMITTED TO REDUCING THE FIGURES.

+TO THIS END, THE COMMISSIONER IS ENGAGED IN A RESTRUCTURING EXERCISE, INVOLVING BOTH THE UNIFORM BRANCH AND THE CID DESIGNED TO GIVE COMMANDERS IN THE REGIONS AND DISTRICTS GREATER FLEXIBILITY IN THE DEPLOYMENT OF RESOURCES AVAILABLE TO THEM TO MEET THE PROBLEMS WITH WHICH THEY ARE FACED.

+THE POLICE ARE ALSO CONSTANTLY REVIEWING THEIR METHODS OF INVESTIGATING CRIME. OF COURSE, THE FUNDAMENTAL TASK IS TO PREVENT CRIME FROM HAPPENING IN THE FIRST PLACE,+ SIR PHILIP SAID.

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DB'S PROMOTING RECREATION

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DISTRICT BOARDS ARE PARTICULARLY ENTHUSIASTIC ABOUT THE PROMOTION OF RECREATION ACTIVITIES, THE SECRETARY FOR HOME AFFAIRS, THE HON DENIS BRAY, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

QUERIED BY THE HON ANDREW SO ON THE ROLE PLAYED BY DISTRICT BOARDS IN THE SUMMER YOUTH PROGRAMMES, MR BRAY SAID THAT THE ANNUAL PROGRAMME, PLANNED BY DISTRICT BOARDS, WILL ALSO INCLUDE SOME LOCAL PROGRAMMES ORGANISED BY DISTRICT ORGANISATIONS AND CO-ORDINATED BY DISTRICT OFFICERS +TO ENSURE THAT DISTRICT EFFORTS IN RECREATIONAL ACTIVITIES COMPLEMENT EACH OTHER+.

+SUMMER YOUTH PROGRAMMES ARE FUNDED BY THE JOCKEY CLUB, THE GOVERNMENT, PARTICIPANTS' FEES, DONATIONS AND THE URBAN COUNCIL,+ HE POINTED OUT.

BUT, HE SAID, PARTICIPATING DEPARTMENTS HAVE INDICATED NO INCREASE IN GOVERNMENT FUNDING AND, UNLESS DONATIONS FROM OTHER SOURCES WERE INCREASED, THE SCALE OF THE PROGRAMME FOR 1983 WOULD BE THE SAME AS LAST YEAR'S.

ABOUT 7 000 EVENTS OF VARIOUS TYPES, MOSTLY RECREATIONAL, WERE AVAILABLE TO YOUNG PEOPLE LAST YEAR, HE ADDED.

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MUTUAL AID ASSOCIATIONS MAKING GREAT CONTRIBUTIONS

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MUTUAL AID ASSOCIATIONS HAD CONTRIBUTED A GREAT DEAL TO CREATING A SPIRIT OF COMMUNITY AT A TIME OF GREAT SOCIAL AND PHYSICAL CHANGE AND DEVELOPMENT, THE SECRETARY FOR DISTRICT ADMINISTRATION, THE HON DAVID AKERS-JONES, SAID TODAY (WEDNESDAY).

MR AKERS-JONES ALSO WOULD NOT HESITATE TO SAY THAT THE MACS WERE A MOST EFFECTIVE ORGANISATION IN PROMOTING THE SECURITY AND CLEANLINESS OF BUILDINGS AND IN PREVENTING CRIME.

ANSWERING A QUESTION BY THE HON WONG LAM AT THE LEGISLATIVE COUNCIL, HE SAID THAT IN THE 10 YEARS SINCE 1973 WHEN THE MOVEMENT FIRST STARTED, 3 800 MACS HAD BEEN FORMED IN HONG KONG, KOWLOON AND THE NEW TERRITORIES.

+IT IS PROBABLY TRUE TO SAY TODAY THAT HALF THE TOTAL POPULATION OF HONG KONG COME UNDER THE UMBRELLA OF A MUTUAL AID COMMITTEE,+ HE ADDED.

/MR AKERS-JONES

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MR AKERS-JONES SAID THAT THE COMMITTEES WERE, AND ARE, A MOST IMPORTANT ELEMENT IN THE CONTINUING CAMPAIGN AGAINST CRIME AND IN SUSTAINING THE EFFORT TO KEEP HONG KONG CLEAN.

HE CAN SAY, WITH CONFIDENCE, THAT WITHOUT THEM LIFE TODAY WOULD BE INTOLERABLE FOR A LARGE PROPORTION OF OUR PEOPLE. THEY WORK WITHIN THEIR BUILDINGS AND THEIR WORK IS LARGELY UNSEEN BY PASSERS-BY; BUT THEIR WORK IS VITAL TO THE MATERIAL WELL-BEING OF OUR SOCIETY AND, FOR THE WORK THEY DO, THE MEMBERS OF THESE COMMITTEES DESERVE THE GRATEFUL THANKS OF US ALL, HE POINTED OUT.

MACS, HE ADDED, HAD ENTHUSIASTICALLY SUPPORTED CAMPAIGNS DIRECTED AT OTHER TARGETS -- ANTI-NARCOTICS, ROAD SAFETY AND FIRE PREVENTION AND SO ON.

MR AKERS-JONES SAID THAT MACS, BEING HONG KONG'S BASIC COMMUNITY ORGANISATION, PROVIDED A MEANS OF COMMUNICATION WITH THE PEOPLE IN THE DENSELY POPULATED CITY AND, THROUGH THEIR WORK WITHIN BUILDINGS, STRANGERS BECOME NEIGHBOURS AND FRIENDS.

THEIR IMPORTANCE, HE ADDED, HAD GROWN BEYOND THE CONFINES OF THEIR BUILDINGS: THEY FORGED LINKS WITH AREA COMMITTEES, DISTRICT BOARDS AND DISTRICT OFFICES; THEY HAD PLAYED AN ACTIVE AND ENTHUSIASTIC PART IN DEVELOPING DISTRICT ADMINISTRATION AND, THEY WERE HELPING TO ORGANISE RECREATIONAL ACTIVITIES AND OTHER PROJECTS AND FUNCTIONS.

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SUPPLY FOR NEW CAR NUMBER PLATES

THREE MANUFACTURERS AND DISTRIBUTORS HAD SO FAR BEEN AUTHORISED TO SUPPLY THE NEW REFLEX-REFLECTING CAR NUMBER PLATES, AND MORE APPLICATIONS WERE EXPECTED, THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, TOLD THE LEGISLATIVE COUNCIL TODAY.

MR SCOTT WAS REPLYING TO A QUESTION BY THE HON S.L. CHEN ON THE SUBJECT.

THE COMMISSIONER FOR TRANSPORT WOULD APPROVE ANY APPLICATION PROVIDED THAT ALL COMPONENTS OF THE PLATES MET THE BRITISH STANDARD BS AU 145(A), HE SAID.

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MUSIC TEACHING SCHEME A SUCCESS

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THE EDUCATION DEPARTMENT HAS SOUGHT POLICY APPROVAL TO CONTINUE TO RUN IN THE NEXT SCHOOL YEAR A CENTRALISED SYSTEM FOR TEACHING MUSIC FOR THE HONG KONG CERTIFICATE OF EDUCATION AND HIGHER LEVEL EXAMINATIONS, THE DIRECTOR OF EDUCATION, THE HON COLVYN HAYE, SAID TODAY (WEDNESDAY).

QUESTIONED BY THE HON JOYCE BENNETT AT THE LEGISLATIVE COUNCIL, MR HAYE SAID THE SYSTEM LAUNCHED LAST SEPTEMBER HAD BEEN EVALUATED WITH ENCOURAGING RESULTS.

HE SAID THE SYSTEM IS BEING TRIED OUT FOR SCHOOLS WHICH HAVE GENUINE DIFFICULTY IN SCHEDULING SMALL NUMBERS OF PUPILS WISHING TO TAKE POST-FORM III CERTIFICATE OF EDUCATION COURSES IN MUSIC AS A SCHOOL SUBJECT.

MR HAYE ADDED THAT THERE WOULD BE A FURTHER EVALUATION OF THE SYSTEM IN THE LIGHT OF EXAMINATION RESULTS NEXT YEAR BEFORE ANOTHER DECISION TO CONTINUE, AND PERHAPS TO EXPAND THE SYSTEM COULD BE TAKEN.

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MORE APPLICATIONS FOR NATURALISATION

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A MONTHLY AVERAGE OF 78 PERSONS IN HONG KONG HAS APPLIED FOR NATURALISATION AS BRITISH DEPENDENT TERRITORIES CITIZENS SINCE JANUARY 1, 1983, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, SAID IN THE LEGISLATIVE COUNCIL TODAY.

THIS NUMBER COMPARED WITH A MONTHLY AVERAGE OF 45 PERSONS WHO HAD APPLIED FOR NATURALISATION AS BRITISH SUBJECTS UP TO THAT DATE, MR JEAFFRESON SAID, IN REPLY TO A QUESTION BY THE HON ANDREW SO.

MR JEAFFRESON ALSO POINTED TO THE FOLLOWING THREE MAIN CHANGES TO NATURALISATION PROCEDURES SINCE THE BRITISH NATIONALITY ACT 1981 CAME INTO EFFECT ON JANUARY 1, 1983:

- * THE NUMBER OF REFEREES REQUIRED HAS BEEN REDUCED FROM FOUR TO TWO.
- * THE RESIDENCE REQUIREMENT FOR THE SPOUSE OF A CITIZEN HAS BEEN REDUCED FROM FIVE YEARS TO THREE.
- * AN APPLICATION FOR NATURALISATION AS A BRITISH DEPENDENT TERRITORIES CITIZEN CAN BE APPROVED IN HONG KONG WITHOUT REFERENCE TO THE SECRETARY OF STATE IN THE UNITED KINGDOM.

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TIGHT WATCH ON BEACH WATER
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REGULAR AND SYSTEMATIC SAMPLING IS UNDERTAKEN TO ENSURE THE QUALITY OF THE WATER AT GAZETTED BEACHES IS AT A LEVEL ADEQUATE TO SAFEGUARD THE HEALTH OF SWIMMERS, THE SECRETARY FOR HEALTH AND WELFARE, THE HON G.T. BARNES SAID TODAY.

REPLYING TO A QUESTION BY THE HON CHEUNG YAN-LUNG AT THE LEGISLATIVE COUNCIL, MR BARNES SAID BEACH WATER POLLUTION CONTROL WAS ACHIEVED MAINLY THROUGH THREE PROCESSES -- MEASURES TAKEN TO PREVENT EFFLUENTS FROM NEW DEVELOPMENTS FOULING BATHING BEACHES AN ON-GOING PROGRAMME TO BUILD SEWAGE TREATMENT AND DISPOSAL FACILITIES AND SPECIFIC CONTROLS ON MARINE AND BEACH LITTERING.

MR BARNES SAID ALL WATER SAMPLES WERE ANALYSED TO DETERMINE WHETHER THESE CONTROLS HAVE THE DESIRED EFFECT.

SHOULD THE WATER QUALITY AT ANY BEACH BE FOUND TO HAVE DETERIORATED TO THE EXTENT THAT IT COULD NO LONGER MEET THE WORLD HEALTH ORGANISATION STANDARD, PROMPT ACTION WOULD BE TAKEN TO INFORM THE PUBLIC OF THE HEALTH HAZARDS BY MEANS OF WARNING NOTICES POSTED AT THE BEACH, HE ADDED.

+IN 1981 THIS LED TO TWO OF THE TERRITORY'S 42 GAZETTED BEACHES BEING JUDGED UNSAFE FOR SWIMMING -- CASTLE PEAK BEKH AT TUEN MUN AND ANGLERS' BEACH NEAR TSUEN WAN. AT THESE BEACHES NOTICES HAVE BEEN POSTED PROMINENTLY, WARNING PEOPLE NOT TO SWIM.

+THE SITUATION AT THESE AND THE REMAINDER OF OUR GAZETTED BEACHES IS VERY CLOSELY MONITORED. THIS IS ESSENTIAL IN VIEW OF THE RAPID EXPANSION OF THE TERRITORY'S POPULATION AND INDUSTRY,+ HE SAID.

MR BARNES ADDED THAT THE POLLUTION CONTROL MEASURES WERE GENERALLY ADEQUATE TO SAFEGUARD THE HEALTH OF SWIMMERS.

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SWD GATHERING INFORMATION ON PRIVATE HOMES FOR AGED
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THE SOCIAL WELFARE DEPARTMENT IS OBTAINING INFORMATION ABOUT THE FACILITIES AND SERVICES PROVIDED BY PRIVATE RESIDENTIAL HOMES FOR THE ELDERLY TO DECIDE WHETHER ANY GOVERNMENT INTERVENTION IS REQUIRED, THE DIRECTOR OF SOCIAL WELFARE, THE HON JOHN CHAMBERS, SAID TODAY (WEDNESDAY).

IN REPLY TO A QUESTION BY DR THE HON HO KAM-FAI IN THE LEGISLATIVE COUNCIL, MR CHAMBERS SAID HE WAS AWARE THAT A NUMBER OF PRIVATE HOMES FOR THE ELDERLY HAD BEEN ESTABLISHED IN RECENT MONTHS.

/+VISITS ALREADY

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+VISITS ALREADY MADE TO SOME OF THESE HOMES DO NOT INDICATE ANY IMMEDIATE CAUSE FOR CONCERN,+ HE SAID.

HE SAID THESE HOMES +APPEAR TO BE MEETING A COMMUNITY NEED, PARTICULARLY FOR THE RELATIVELY BETTER-OFF FAMILIES WHO ARE NOT CATERED FOR BY SUBVENTED HOMES.+

+NO COMPLAINT HAS BEEN RECEIVED SO FAR FROM ANY RESIDENT OF THESE HOMES,+ HE ADDED.

PRIVATE RESIDENTIAL HOMES FOR THE ELDERLY ARE NOT AT PRESENT SUBJECT TO ANY SPECIFIC GOVERNMENT CONTROLS. THEY ARE SUBJECT TO THE NORMAL PROVISIONS OF THE BUILDINGS ORDINANCE WHICH APPLY TO ALL PRIVATE BUILDINGS.

MEANWHILE, A SOCIAL WELFARE DEPARTMENT SPOKESMAN, COMMENTING ON RECENT PRESS REPORTS WHICH APPEARED TO CONFUSE PRIVATE HOMES FOR THE AGED WITH SOCIAL CENTRES FOR THE ELDERLY, SAID IT WAS WRONG TO SAY THAT MANY ORGANISATIONS RUNNING THESE HOMES WERE BEING DISCOURAGED FROM OPERATING NEW ESTABLISHMENTS BECAUSE OF A CUT IN GOVERNMENT SUBSIDIES.

PRIVATE RESIDENTIAL HOMES FOR THE ELDERLY, HE SAID, ARE PROFIT-MAKING. THEY RECEIVE NO SUBVENTION FROM THE GOVERNMENT AND OPERATE IN RESPONSE TO MARKET FORCES.

ON THE OTHER HAND, SOCIAL CENTRES FOR THE ELDERLY PROVIDE SERVICES LARGELY OF A SOCIAL OR RECREATIONAL NATURE AND ARE NON-RESIDENTIAL. THEY ARE CLASSIFIED IN CATEGORY II UNDER THE NEW SUBVENTION SYSTEM, WHICH MEANS THEY RECEIVE LESS THAN 100 PER CENT SUPPORT FROM THE GOVERNMENT.

+THE INTENTION IS TO PROMOTE THE VOLUNTARY SPIRIT BY ATTRACTING AN ELEMENT OF COMMUNITY SUPPORT FOR SUCH SERVICES ON TOP OF THE GOVERNMENT'S SUBVENTION,+ THE SPOKESMAN SAID.

REFERRING TO PRESS REPORTS THAT THE NEW SYSTEM HAD DISCOURAGED MANY AGENCIES FROM STARTING NEW SOCIAL CENTRES FOR THE ELDERLY, THE SPOKESMAN REITERATED THAT THERE WAS NO EVIDENCE OF THIS AND ADDED THAT THE DEPARTMENT WAS PREPARED TO GIVE SYMPATHETIC CONSIDERATION TO THE PROVISION OF ADDITIONAL SUPPORT TO ANY AGENCY WHICH EXPERIENCED GENUINE FINANCIAL DIFFICULTIES.

+THE FUTURE DEVELOPMENT OF THESE VALUABLE SERVICES IS PROCEEDING SMOOTHLY AND THE PLANNED PROVISIONS FOR 1983/84 HAVE ALL BEEN TAKEN UP BY INTERESTED AGENCIES, INCLUDING A FEW NEW ONES NOT ALREADY OPERATING SUCH SERVICES,+ THE SPOKESMAN SAID.

HE ADDED THAT ONLY TWO OUT OF THE 30 VOLUNTARY AGENCIES WHICH RUN SOME 70 SOCIAL CENTRES FOR THE ELDERLY APPEALED OVER LAST YEAR'S ALLOCATIONS.

+THESE WERE SATISFACTORILY RESOLVED,+ THE SPOKESMAN SAID.

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GYRATORY SYSTEM BRINGS ABOUT TRAFFIC IMPROVEMENT
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THE DECISION TO POSTPONE THE CONSTRUCTION OF FOOTBRIDGES AT NORTH POINT AND QUARRY BAY WAS TAKEN IN THE LIGHT OF THE PROGRESS IN THE GYRATORY TRAFFIC MANAGEMENT SYSTEM AND THE STRATEGIC REQUIREMENT FOR EFFECTIVE ROAD AND TRAFFIC MANAGEMENT IN HONG KONG AS A WHOLE, THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, SAID TODAY.

THE PROJECT OF THESE FOOTBRIDGES, WITH ONE ON JAVA ROAD AT ITS JUNCTION WITH NORTH POINT ROAD AND EIGHT ALONG KING'S ROAD AT ITS JUNCTIONS WITH NORTH POINT ROAD, TIN CHIU STREET, MANSION STREET, FINNIE STREET, PAN HOI STREET, QUARRY BAY STREET, YAU MAN STREET AND TAI KOO SHING ROAD, HAD NOT BEEN UPGRADED FROM CATEGORY AB TO CATEGORY A, MR SCOTT SAID AT THE LEGISLATIVE COUNCIL MEETING.

THE EFFECT WAS THAT THE FULL POTENTIAL BENEFITS OF THE GYRATORY TRAFFIC MANAGEMENT SYSTEM WOULD BE DELAYED, HE ADDED.

+HOWEVER, THE IMPLEMENTATION OF THE GYRATORY SYSTEM HAS ALREADY BROUGHT ABOUT A SIGNIFICANT IMPROVEMENT IN TRAFFIC FLOWS ALONG KING'S ROAD, RESULTING IN JOURNEY TIME SAVINGS OF THE ORDER OF FIVE MINUTES FOR EASTBOUND TRAFFIC AND FIVE TO 11 MINUTES FOR WESTBOUND TRAFFIC,+ HE SAID.

MR SCOTT WAS REPLYING TO POINTS RAISED BY THE HON MARIA TAM CONCERNING THE GOVERNMENT'S RECENT DECISION TO SHELVE THE CONSTRUCTION OF FOOTBRIDGES AT NORTH POINT AND QUARRY BAY IN ORDER TO FINANCE THE CONSULTANCY ON ELECTRONIC ROAD PRICING SCHEME.

HE ADDED THAT FURTHER IMPROVEMENTS WERE EXPECTED DURING THE NEXT 12 MONTHS AS A RESULT OF THE IMPLEMENTATION OF THE HONG KONG AREA TRAFFIC CONTROL INITIAL SYSTEM WHICH WOULD COVER KING'S ROAD, HENNESSY ROAD, CAUSEWAY ROAD AND SHAU KEI WAN ROAD.

THE GOVERNOR IN COUNCIL HAD APPROVED A PROPOSAL FOR A CONSULTANCY TO ESTABLISH THE PILOT STAGE OF AN ELECTRONIC ROAD PRICING SCHEME, SUBJECT TO SAVINGS BEING FOUND IN THE TRANSPORT COMPONENT OF THE PUBLIC WORKS PROGRAMME, MR SCOTT POINTED OUT.

+THE FINANCE COMMITTEE OF THIS COUNCIL, WHEN CONSIDERING THE PROVISION OF FUNDS FOR THE PILOT STAGE, NOTED WHICH PROJECTS WERE PROPOSED FOR POSTPONEMENT TO PROVIDE THE NECESSARY FUNDS,+ HE SAID.

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TRIAD ACTIVITIES TACKLED IN SCHOOLS

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THE GOVERNMENT IS FULLY ALERT TO THE DANGERS OF TRIAD ACTIVITIES IN SCHOOLS AND POSITIVE ACTION HAS BEEN TAKEN TO COMBAT THEM, THE DIRECTOR OF EDUCATION, THE HON COLVYN HAYE, SAID AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON CHAN KAM-CHUEN, MR HAYE SAID ALL SCHOOLS HAD BEEN TOLD HOW TO RECOGNISE THE SYMPTOMS OF TRIAD OR GANG ACTIVITIES, AND HOW TO COUNTER THEM, THROUGH VERY CLOSE AND CONSTANT LIAISON ON A DAY-TO-DAY BASIS WITH LOCAL POLICE AND COMMUNITY RELATIONS OFFICERS, AND ON A REGULAR SEMINAR BASIS WITH THE EDUCATION DEPARTMENT AND THE POLICE.

+SPECIFIC ADVICE AND ACTION IS AVAILABLE TO ANY SCHOOL REQUIRING IT AND TEACHERS KNOW THAT THEY HAVE ONLY TO LIFT A PHONE TO GET IMMEDIATE HELP,+ HE NOTED.

MR HAYE SAID THAT IN THE LONG TERM THE GOVERNMENT HAD TAKEN MEASURES TO PREVENT CHILDREN BEING DRAWN INTO UNHEALTHY PURSUITS OR ACTIVITIES BOTH IN AND OUT OF SCHOOL.

HE SAID: +WE ENCOURAGE A WIDE AND STIMULATING RANGE OF EXTRA-CURRICULAR ACTIVITIES WITH AN EMPHASIS ON COMMUNITY SERVICE AND INVOLVEMENT.

+OF THE MANY SCHOOL-BASED CLUBS TWO DESERVE PARTICULAR MENTION - THE COMMUNITY YOUTH CLUBS (WHICH HAVE BEEN GOING SINCE 1979 AND WHICH NOW HAVE A MEMBERSHIP OF 72 000 DRAWN FROM 590 SCHOOLS) AND THE JUNIOR POLICE CALL CLUBS (WHICH HAVE ENJOYED PHENOMENAL POPULARITY SINCE THEY WERE LAUNCHED IN 1981 AND WHICH NOW HAVE 330 000 MEMBERS IN 247 SCHOOLS).+

MR HAYE SAID A FEW MONTHS AGO HE MADE A VERY COMPREHENSIVE STATEMENT IN THE COUNCIL ON THE PROGRESS THE GOVERNMENT HAD MADE IN PROMOTING AN AWARENESS OF MORAL AND ETHICAL BEHAVIOUR IN SCHOOLS.

+THIS HIGHLIGHTED NOT ONLY THE MORAL EDUCATION OF PUPILS, BUT STEPS TAKEN TO REACH PARENTS AND TEACHERS IN ARRESTING AN APPARENT EROSION OF TRADITIONAL SOCIAL VALUES.

+IT IS AGAINST THIS BACKGROUND OF AWARENESS THAT GENERAL AND SPECIFIC PROGRAMMES OF EDUCATION AND ACTION HAVE BEEN LAUNCHED AND WILL BE VIGOROUSLY MAINTAINED,+ THE DIRECTOR SAID.

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INVOLVEMENT OF IMMIGRANTS IN CRIME

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THERE IS AN UPWARD TREND OF INVOLVEMENT OF RECENT ARRIVALS IN CRIMINAL ACTIVITIES, PARTICULARLY IN VIOLENT CRIMES, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, SAID TODAY.

HE WAS REPLYING TO A QUESTION BY THE HON SELINA CHOW IN THE LEGISLATIVE COUNCIL.

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+IN 1980, RECENT ARRIVALS MADE UP 6.4 PER CENT OF THE POPULATION AND ACCOUNTED FOR 6.8 PER CENT OF THE PROSECUTIONS FOR CRIME AND 6.1 PER CENT OF THE PROSECUTIONS FOR VIOLENT CRIME. IN 1981 THE PERCENTAGES WERE 8 PER CENT, 11.1 PER CENT AND 9.5 PER CENT. IN 1982, 9 PER CENT, 13.7 PER CENT AND 11.9 PER CENT,+ HE SAID.

HE NOTED THAT EVADERS, WHO ENTERED ILLEGALLY SINCE DECEMBER 1980, ARE EXTENSIVELY INVOLVED IN CRIME, PARTICULARLY ROBBERY, PICKPOCKETING AND THEFT.

+OF THE 16 TO 30 MALE AGE GROUP WHICH IS THE GROUP MOST PRONE TO CRIME, EVADERS AND LEGAL ARRIVALS ARE APPRECIABLY MORE PRONE TO CRIME THAN ARE LOCAL RESIDENTS,+ HE ADDED.

TO IMPROVE THE SITUATION, THE GOVERNMENT WILL CONTINUE TO TAKE MEASURES TO ELIMINATE ILLEGAL IMMIGRATION AND TO CONTAIN LEGAL IMMIGRATION. THE GOVERNMENT IS ALSO TACKLING THE DIFFICULT QUESTION OF FACILITATING THE ASSIMILATION OF LEGAL IMMIGRANTS INTO OUR SOCIETY.

ON THE POLICE SIDE CONSIDERABLE RESOURCES ARE BEING DEVOTED TO THE PURSUIT OF RECENTLY ARRIVED CRIMINAL ELEMENTS, MR JEAFFRESON SAID.

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DROP IN DROWNING TOLL
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DROWNING ACCIDENTS AT PUBLIC BEACHES AND SWIMMING POOLS DROPPED FROM 11 IN 1981 TO THREE LAST YEAR, THE SECRETARY FOR HOME AFFAIRS, THE HON DENIS BRAY, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON CHEUNG YAN-LUNG, MR BRAY ALSO SAID THAT HONORARY LIFE GUARDS WOULD BE EMPLOYED BY THE URBAN SERVICES DEPARTMENT THIS SUMMER TO SUPPLEMENT THE REGULAR LIFE GUARD SERVICE DURING THE PEAK SWIMMING SEASON.

HE ADDED THAT AS IN PREVIOUS YEARS, THE ANNUAL WATER SPORTS SAFETY CAMPAIGN WOULD BE CO-ORDINATED BY THE RECREATION AND CULTURE DEPARTMENT ON THE ADVICE OF THE COUNCIL FOR RECREATION AND SPORT.

+THE URBAN COUNCIL WATER SAFETY POSTER DESIGN COMPETITION WILL AGAIN BE HELD THIS YEAR. THE WINNING ENTRIES WILL BE USED AS THE DESIGN FOR THE POSTER, COPIES OF WHICH WILL BE DISPLAYED AT PUBLIC BEACHES AND SWIMMING POOLS AS WELL AS OTHER PROMINENT POSTER SITES,+ MR BRAY SAID.

HE ADDED THAT THE URBAN COUNCIL LEARN-TO-SWIM SCHEME AND THE RECREATION AND SPORT SERVICE SWIMMING CLASSES WOULD ALSO BE HELD TO INTRODUCE AND PROMOTE SWIMMING SKILLS AND SAFETY CONCEPTS.

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PASSAGE OF AIR POLLUTION CONTROL BILL IS RESULT OF
LENGTHY CONSULTATIVE PROCESS

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THE LENGTHY CONSULTATIVE PROCESS BEGINNING IN 1978 AND CULMINATING TODAY (WEDNESDAY) IN THE PASSING OF THE AIR POLLUTION CONTROL BILL 1982 WAS DESCRIBED BY THE SECRETARY FOR HOME AFFAIRS, THE HON DENIS BRAY.

SPEAKING AT THE THIRD READING OF THE BILL, MR BRAY SAID:

+IF ANYBODY STILL THINKS THAT IN THE ABSENCE OF AN ELECTED LEGISLATURE THE GOVERNMENT IN HONG KONG CAN CASUALLY DASH OFF AND ENACT LEGISLATURE WITHOUT EXAMINATION I SHOULD VERY MUCH LIKE TO SEE HIM AFTERWARDS AND TELL HIM ABOUT THE FOUR-YEAR GESTATION PERIOD OF THIS BILL AND THE NEARLY ONE YEAR OF ITS PASSAGE THROUGH THIS COUNCIL.+

WORK ON THE BILL, HE SAID, STARTED IN 1978 AND LONG BEFORE IT CAME TO THE COUNCIL IT HAD BEEN FIRST THROUGH THE ENVIRONMENTAL PROTECTION ADVISORY COMMITTEE WHOSE SOLE REPRESENTATIVE IN THE COUNCIL, THE HON ANDREW SO, HAD DEVOTED MUCH TIME ON THE SUBJECT AND WHOSE SUPPORT HAD BEEN SO REASSURING.

THEN, MR BRAY SAID, THERE WERE LONG SESSIONS WITH INDUSTRIALISTS, LAWYERS, ADMINISTRATORS, CONSERVATIONISTS, ENVIRONMENTAL SCIENTISTS AND ANYONE ELSE WHO THOUGHT HE KNEW ABOUT IT.

+EVEN SO, WE FOUND THAT MUCH GROUND HAD TO BE GONE OVER FROM FIRST PRINCIPLES IN THIS COUNCIL. I DO NOT RESENT THIS AND I THINK THE BILL IS BETTER NOW. BUT I AM GLAD I DO NOT HAVE MANY SUCH BILLS,+ HE ADDED.

MR BRAY THEN SUMMED UP THE BILL'S AIMS AND WHAT ALL THE DISCUSSION HAD BEEN ABOUT.

HE SAID THAT THEY WERE CONSIDERING, IN THE BILL, AIR POLLUTION ARISING FROM STATIC SOURCES -- FURNACES, FACTORIES, CHIMNEYS AND THE LIKE AND THAT THESE OPERATIONS WERE DIVIDED INTO TWO SORTS: THOSE OBVIOUSLY LIKELY TO GIVE RISE TO SERIOUS POLLUTION ON THE ONE HAND AND THE REST ON THE OTHER.

+THE FIRST SORT OF OPERATION WE HAVE CALLED 'SPECIFIED PROCESSES'. THERE ARE PROVISIONS FOR LICENSING THESE PROCESSES PLANT BY PLANT. THE PLANNING, DESIGN, CONSTRUCTION AND OPERATION ARE REQUIRED TO TAKE PLACE UNDER CONTROLLED CONDITIONS SO THAT THE BEST PRACTICAL METHODS CAN BE INCORPORATED FROM THE BEGINNING,+ HE SAID.

PLANTS ALREADY IN OPERATION WHEN THE LAW IS ENFORCED WOULD BE EXEMPTED FROM LICENSING UNTIL THE PLANT IS REPLACED OR EXPANDED AND, HE SAID, THERE ARE 81 SUCH PLANTS OPERATING NOW.

HE SAID THAT FOR THE REST, THE BILL PROPOSED GENERALLY TO FOLLOW THE PRACTICES THAT HAD BEEN IN USE FOR OVER 20 YEARS UNDER THE CLEAN AIR ORDINANCE.

/+HERE OPERATORS

+HERE OPERATORS PROCEED UNFETTERED UNLESS THEY ARE CAUSING A NUISANCE TO PEOPLE ROUND ABOUT. IF THIS HAPPENS THEY ARE SHOWN HOW TO REDUCE THE NUISANCE AND, WHEN NECESSARY, THERE ARE POWERS TO REQUIRE OPERATORS TO PUT THINGS RIGHT,+ MR BRAY EXPLAINED.

HE WAS HAPPY WITH THE AMENDMENTS PROPOSED BY THE HON SELINA CHOW ON THE PROVISIONS DEALING WITH THE POTENTIALLY VERY POLLUTING ACTIVITIES DESCRIBED AS SPECIFIED PROCESSES.

BUT, HE ADDED, THE PRINCIPAL CHANGE OF SUBSTANCE HAD BEEN PROPOSED BY THE HON WONG PO-YAN.

+THE ORIGINAL BILL PROVIDED THAT SPECIFIED PROCESSES SHOULD BE DETERMINED BY THE GOVERNOR-IN-COUNCIL. THERE NEVER WAS ANY QUESTION THAT THE LIST WOULD BE KEPT SECRET OR UNKNOWN TO SMALL INDUSTRIALISTS AS MR WONG SUGGESTED, BUT THE LIST COULD HAVE BEEN ADDED TO WITHOUT FORMAL PUBLIC DEBATE,+ MR BRAY SAID.

HE ADDED THAT BY PUTTING THE LIST IN A SCHEDULE TO THE BILL, AND PROVIDING THAT AMENDMENTS TO THE SCHEDULE WOULD REQUIRE A RESOLUTION OF THE COUNCIL, THE ADDITION OF NEW PROCESSES WOULD ONLY FOLLOW AFTER DUE PUBLIC NOTIFICATION AND DEBATE.

THIS, HE SAID, WAS AN IMPROVEMENT.

ANSWERING MR WONG'S AND THE HON S.L. CHEN'S SUGGESTION THAT REALISTIC ACCOUNT BE TAKEN OF THE FACTS OF INDUSTRIAL LIFE IN FIXING AIR QUALITY OBJECTIVES, MR BRAY POINTED TO THE TWO LARGE POWER STATIONS.

THEY, WITH EXCELLENT CONTROLS OVER AIR POLLUTION, HAVE BEEN BUILT ON SITES CHOSEN PRECISELY BECAUSE POWER GENERATION WAS BOUND TO GENERATE SOME POLLUTION AND SHOULD BE KEPT AWAY FROM WHERE PEOPLE LIVED, HE EXPLAINED.

+IF A POINT IS REACHED AT WHICH AIR QUALITY OBJECTIVES ARE ENDANGERED THEN AS NEW SPECIFIED PROCESSES ARE PROPOSED SPECIAL CARE OVER SITING AND LICENCE CONDITIONS COULD STILL MAKE THEM ACCEPTABLE,+ HE SAID.

MR BRAY FOUND IT DIFFICULT TO ACCEPT MR CHEN'S SECOND POINT CONCERNING THE NEED TO INSPECT PLANS OF PLANTS INVOLVED IN SPECIFIC PROCESSES.

TO EXERCISE PROPER CONTROL IN A COST-EFFECTIVE WAY, HE SAID, THE AUTHORITY'S OFFICERS PLAINLY NEEDED ACCESS TO INFORMATION AND, THE DANGER THAT THEY MIGHT BE ENCOURAGED TO DIVULGE THIS WOULD BE HEAVILY COUNTERED BY PENALTIES UNDER CLAUSE 41.

+THIS IS THE ONLY CLAUSE IN THIS BILL UNDER WHICH SOMEONE CAN BE SENT TO PRISON: A PENALTY NOT TO BE INFLICTED EVEN UPON SOMEONE WHO IS POISONING THE ATMOSPHERE AND ONE WHICH WOULD CERTAINLY END AN OFFICER'S CAREER,+ HE EXPLAINED.

ON AIR POLLUTION NUISANCES, MR BRAY SAID WHAT DID CAUSE MUCH MORE DIFFICULT WAS THE COMPARATIVELY MINOR EXTENSION OF CONTROL PROCEDURES THAT HAVE OPERATED FOR OVER 20 YEARS WITHOUT GENERATING EITHER A CORRUPT OR OPPRESSIVE BUREAUCRACY NOR ANY BODY OF PROTEST.

/HE EXPLAINED

HE EXPLAINED THAT THE CONCEPT OF NUISANCE USED IN THE BILL, THOUGH THE SUBJECT OF PAGES OF DISCUSSION IN LEARNED LAW BOOKS, CLEARLY INVOLVED SERIOUS AND UNREASONABLE INTERFERENCE WITH THE COMFORT AND CONVENIENCE OF OTHER PEOPLE.

POINTING OUT THAT THERE WERE A GREAT MANY MINOR INDUSTRIAL ACTIVITIES THAT COULD GIVE RISE TO AIR POLLUTION, HE SAID THE BASIC PRINCIPLE WAS THAT IF THE POLLUTION WAS NOT CAUSING A NUISANCE, OR A DANGER TO HEALTH OR TO AIRCRAFT, IT REALLY COULD NOT BE DOING MUCH HARM AND MIGHT BE LEFT ALONE.

HE SAID HE COULD NOT UNDERSTAND WHY SOME MEMBERS FOUND THIS EMINENTLY COMMONSENSE APPROACH SO OBJECTIONABLE.

+THE PRACTICAL PROBLEMS OF COMPILING A COMPENDIUM OF ABSOLUTE STANDARDS OF EVERY CONCEIVABLE FORM OF AIR POLLUTION WOULD BE FORMIDABLE. AND WHAT WOULD BE THE POINT OF IT,+ HE ASKED.

MR BRAY SAID THAT FOR THE GENERALITY OF THIS MINOR POLLUTION WHAT MATTERS WAS NOT WHETHER SOME STANDARD OR OTHER WAS BREACHED BUT WHETHER THE POLLUTION WAS CAUSING TROUBLE TO OTHER PEOPLE.

HE ADDED THAT IT SEEMED SENSIBLE TO CONCENTRATE ON THE EFFECT ON PEOPLE AND NOT SOME ABSTRUSE CHEMICAL OR PHYSICAL STANDARD.

+BUT PEOPLE AND THEIR FEELINGS ARE NOT SUSCEPTIBLE TO MATHEMATICAL MEASUREMENT AND SO THE BILL AND ITS PREDECESSOR THE CLEAN AIR ORDINANCE PROCEED DELIBERATELY,+ HE SAID.

MR BRAY SAID INITIALLY IT WAS A PROFESSIONAL OFFICER WHOSE JUDGEMENT WAS EXERCISED IN ASSESSING WHETHER THE AIR POLLUTION WAS CAUSING A NUISANCE OR NOT. IF THERE WAS A NUISANCE HE WOULD FIRST PROCEED BY OFFERING ADVICE.

IF THE PLANT OPERATOR FAILED TO HEED ADVICE, HE EXPLAINED THAT THE AUTHORITY MAY THEN REQUIRE, BY A NOTICE, SOME ACTION BE TAKEN TO ABATE THE NUISANCE.

IN ENGLISH PRACTICE THE NEXT STEP WOULD BE A PROSECUTION IN A MAGISTRATE'S COURT. +WE THOUGHT IT WOULD BE BETTER TO HAVE SUCH ARGUMENTS HEARD BEFORE AN APPEAL BOARD COMPRISING A DISTRICT JUDGE AND EXPERTS IN THE RELEVANT ENGINEERING FIELD,+ HE SAID.

MR BRAY DISAGREED WITH THE HON BILL BROWN THAT THE BOARD WOULD BE UNABLE TO MAKE A FULL AND COMPREHENSIVE EXAMINATION OF THE PROBLEM, INCLUDING WHETHER THE INITIAL ACTION OF THE AUTHORITY WAS CORRECT.

HE EXPLAINED: +IT DOES NOT TRY AN OFFENCE. IT IS CONSIDERING THE PROBLEM OF SOMEONE 'AGGRIEVED BY A DECISION, REQUIREMENT OR SPECIFICATION OF A PUBLIC OFFICER'. THE APPEAL BOARD IS ENABLED TO 'CONFIRM, REVERSE OR VARY THE DECISION, REQUIREMENT OR SPECIFICATION APPEALED FROM'.

MR BRAY SAID HE SAW NO OBJECTION TO MR BROWN'S AMENDMENT TO REQUIRE THE APPEAL BOARD TO START AT THE BEGINNING -- TO CONSIDER WHETHER THERE EVER WAS A NUISANCE AT ALL.

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HE ALSO WELCOMED MR BROWN'S PROPOSAL FOR THE AWARD OF COSTS AND COMPENSATION IF THE PLANT OPERATOR HAD BEEN UNREASONABLY PURSUED.

REPLYING TO THE HON STEPHEN CHEONG'S COMMENTS, MR BRAY REFERRED HIM TO THE OCTOBER 13, 1982, MEMORANDUM WHICH INCLUDED GRAPHS SPECIFYING LEVELS OF SULPHUR DIOXIDE IN MILLIGRAMS PER CUBIC METRE AND SUSPENDED PARTICULATES IN THE SAME MEASURE YEAR BY YEAR FOR 10 YEARS AT SEVERAL LOCATIONS, AND A FULL ANALYSIS OF THE READINGS.

+THIS COMPARED IN THE MOST PRECISE WAY AIR POLLUTION IN THESE LOCATIONS WITH THE STANDARDS USED IN THE EEC AND FOUND THE SITUATION IN HONG KONG ACCEPTABLE,+ HE SAID.

MR BRAY ALSO ASSURED MR CHEONG THAT THE NETWORK OF MONITORS WAS STILL MEASURING KEY POLLUTANTS — SULPHUR DIOXIDE, COEFFICIENT OF HAZE, AND TOTAL SUSPENDED PARTICULATE CONCENTRATIONS.

+THESE ARE THE KEY INDICATOR OF INDUSTRIAL AIR POLLUTION IN A CITY LIKE OURS. THE DATA PRESENTED SUPPORTS THE VIEW THAT PRESENT LEVELS OF AIR POLLUTION ARE WITHIN TOLERABLE LIMITS, ALTHOUGH THE SITUATION IS MARGINAL IN SOME PLACES AND THERE ARE UNDOUBTED BLACKSPOTS,+ HE SAID.

BUT, HE ADDED, IT SHOULD BE REMEMBERED THAT DESPITE REASONABLE CONTROLS ON THE NEW CHEMICAL, POWER GENERATION AND CEMENT PRODUCTION FACILITIES ALREADY UNDER CONSTRUCTION, THERE WOULD BE SUBSTANTIAL INCREASES IN EMISSIONS OF SUCH THINGS AS SULPHUR DIOXIDE, OXIDES OF NITROGEN AND PARTICULATE MATTER OVER THE NEXT FEW YEARS.

MR BRAY POINTED OUT THAT WITHOUT THE OVERALL, AS WELL AS DETAILED, CONTROLS ON FURTHER ADDITIONAL EMISSIONS WHICH THE AIR POLLUTION CONTROL BILL WAS INTENDED TO PROVIDE, AIR QUALITY IN HONG KONG WOULD DETERIORATE TO UNACCEPTABLE LEVELS.

MR CHEONG ALSO SUGGESTED THAT MOST OF THE EXISTING AIR POLLUTION PROBLEMS COULD BE DEALT WITH WITHOUT EXTENDING THE AMBIT OF THE CLEAN AIR ORDINANCE BECAUSE AT A GIVEN TIME THERE WERE ONLY 96 PREMISES CAUSING AIR POLLUTION WHICH DID NOT COME WITHIN THE ORDINANCE.

IN REPLY, MR BRAY SAID THE EXTENSION WAS TO COVER AIR POLLUTION NOT ONLY BY SMOKE AND GRIT BUT BY NUMEROUS POISONOUS GASES THOUGH NOT ODOURS WHICH REALLY WERE UNMEASURABLE.

+THIS HAPPILY LOW FIGURE OF PLANTS NOT NOW COVERED IS NOT STATIC. WITH CONTINUING DEVELOPMENT IT MAY BE EXPECTED TO RISE AND EVEN NOW HALF THE AIR POLLUTION COMPLAINTS RECEIVED ARISE FROM PROCESSES NOT COVERED BY THE CLEAN AIR ORDINANCE.+ HE SAID.

THE PRIME AIM, HE ADDED, WAS TO STABILISE THE PRESENT SITUATION AND GUARD AGAINST FURTHER DETERIORATION, NOT LAUNCH A MASSIVE ASSAULT ON EXISTING INDUSTRY. +FAR BETTER, BY PRUDENT PLANNING, TO PLACE OURSELVES ADVANTAGEOUSLY TO GUARD AGAINST FURTHER DETERIORATION, THAN TO FAIL TO ARM OURSELVES NOW ON THE GROUNDS THAT THERE IS NO EXISTING PROBLEM.

/HE REITERATED

HE REITERATED THAT THE BILL WOULD NOT DEAL WITH MOBILE SOURCES OF AIR POLLUTION, THAT IS VEHICULAR SOURCES -- THESE WERE ALREADY CONTROLLED BY EXISTING LEGISLATION.

+IN ADDITION, THE EMISSION OF EXCESSIVE SMOKE BY ANY MOTOR VEHICLE IS AN OFFENCE AND CONTROLS ARE EXERCISED PRIMARILY BY THE POLICE USING SMOKE METERS TO EXAMINE SUSPECT VEHICLES,+ HE ADDED.

MR BRAY POINTED OUT THAT NEARLY 6 000 FIXED PENALTY TICKETS WERE ISSUED IN THE SECOND HALF OF 1982.

+SO WHAT WE ARE DOING TODAY IS TO PLUG THE GAP IN EXISTING LEGISLATION BY EXTENDING CONTROLS ON THE STATIONARY SOURCES FOR WHICH THE CLEAN AIR ORDINANCE IS INADEQUATE. I HOPE NOW WE HAVE GOT THIS RIGHT. THIS IS NOT EASY LEGISLATION AND IT IS IMPORTANT,+ HE SAID.

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LABOUR COMMISSIONER GIVES ASSURANCE

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THE LABOUR DEPARTMENT WILL EXERCISE +CONSCIENTIOUSLY AND EFFECTIVELY+ THE POWERS CONFERRED BY THE AIR POLLUTION CONTROL BILL IN ISSUING STATUTORY AIR POLLUTION NUISANCE ABATEMENT NOTICES, THE COMMISSIONER FOR LABOUR, THE HON J.N. HENDERSON, SAID AT THE LEGISLATIVE COUNCIL THIS (WEDNESDAY) AFTERNOON.

HE ASSURED THE COUNCIL THAT IN EXERCISING THE POWERS HE WOULD APPLY THE EXISTING WELL-TRIED ENFORCEMENT POLICY IN RESPECT OF THE ISSUING OF SMOKE NUISANCE ABATEMENT NOTICES UNDER THE CLEAN AIR ORDINANCE.

IN PARTICULAR, HE ADDED, INVESTIGATING OFFICERS FROM THE DEPARTMENT'S AIR POLLUTION CONTROL DIVISION MUST HAVE THE APPROVAL OF A SENIOR OFFICER BEFORE ISSUING A STATUTORY NOTICE FOR THE ABATEMENT OF AN AIR POLLUTANT NUISANCE.

FURTHERMORE, A SET OF CAREFULLY THOUGHT OUT GUIDELINES FOR THE INVESTIGATION OF AIR POLLUTION COMPLAINTS WOULD BE USED TO BRING ABOUT UNIFORMITY AND FAIRNESS IN ENFORCEMENT.

MR HENDERSON POINTED OUT THAT THE DEPARTMENT'S POLICY TO ADVISE, PERSUADE AND GIVE TECHNICAL ASSISTANCE TO THE PERSON CONCERNED TO BRING ABOUT THE ABATEMENT OF A NUISANCE HAD WORKED WELL.

IN THE GREAT MAJORITY OF CASES THE NUISANCES WERE ABATED WITHOUT RESORTING TO THE STATUTORY NOTICE WHICH WAS ISSUED ONLY ON THE APPROVAL OF THE HEAD OF THE AIR POLLUTION CONTROL DIVISION.

IN 1982, 302 CASES OF SMOKE NUISANCES WERE DEALT WITH, AND ONLY IN EIGHT CASES STATUTORY NOTICES HAD TO BE ISSUED.

THE CLEAN AIR ORDINANCE PROVIDED FOR APPEAL BY WAY OF PETITION TO THE GOVERNOR IF THE RECEIPIENT OF THE STATUTORY NOTICE FELT AGGRIEVED, BUT THERE HAD BEEN NO SUCH APPEAL SINCE THE ORDINANCE CAME INTO FORCE IN 1960, INDICATING THAT THE LAW HAD BEEN REASONABLY AND FAIRLY ENFORCED.

NEW APPEAL PROCEDURES AS CONTAINED IN THE BILL WAS A DESIRABLE SAFEGUARD IN PROVIDING A JUDICIAL CHECK IN DISPUTED CASES, MR HENDERSON ADDED.

REFERRING TO A POINT RAISED BY THE HON STEPHEN CHEONG ON ENFORCEMENT OF THE BILL, MR HENDERSON POINTED OUT THAT THE BILL AND OTHER LEGISLATION, PARTICULARLY WHERE THE PUBLIC AT LARGE WAS AFFECTED, MUST RELY ON A MIXTURE OF ENFORCEMENT BY INSPECTION AND COMPLAINT.

HOWEVER, HE REASSURED MR CHEONG THAT MAJOR OFFENDERS WOULD CERTAINLY RECEIVE THE DEPARTMENT'S FULL ATTENTION WHEN NECESSARY.

EXPERIENCE SHOWED THAT COMPLAINT WAS AN EFFECTIVE WAY OF DRAWING THE DEPARTMENT'S ATTENTION TO THE PROBLEM SPOTS. EVERY COMPLAINT WAS THOROUGHLY INVESTIGATED, BUT ON AVERAGE LESS THAN HALF OF THE SMOKE COMPLAINTS WERE FOUND JUSTIFIED.

IN REPLY TO THE HON SELINA CHOW AND THE HON S.L. CHEN, MR HENDERSON EXPLAINED THAT THE POWERS OF ENTRY AND INSPECTION CONTAINED IN THE BILL WERE NECESSARY TO ENABLE THE AUTHORITY TO DETERMINE THE SOURCE AND CAUSE OF AIR POLLUTION.

+SEVERAL FACTORIES OFTEN SHARE A COMMON CHIMNEY, AND WITHOUT POWERS OF ENTRY IT WOULD NOT BE POSSIBLE TO DETERMINE THE FACTORY WHICH IS CAUSING THE AIR POLLUTANT NUISANCE.+

HOWEVER, ENTRY TO AND SEARCH OF PREMISES USED SOLELY FOR DWELLING PURPOSES REQUIRED A WARRANT.

FINALLY, MR HENDERSON TOOK SLIGHT ISSUE WITH THE HON WONG PO-YAN ON THE SUBJECT OF LABOUR LEGISLATION.

HE NOTED THAT MR WONG BLANKETED SUCH LEGISLATION BY THE TERM 'RESTRICTIVE MEASURES'.

+IT SEEMS TO ME,+ MR HENDERSON SAID, +THAT THIS DESCRIPTION IS TO UNDERVALUE GREATLY THE IMPROVED HEALTH, SAFETY AND WELFARE PROVISION FOR THE WORKFORCE ON WHICH INDUSTRY DEPENDS, AND IT CERTAINLY DOES LESS THAN JUSTICE TO THE SUPPORT GIVEN BY EMPLOYERS AND THEIR ORGANISATION TO MUCH OF THIS LEGISLATION.+

WITH REGARD TO ASSISTANCE TO SMALL OPERATORS, THE LABOUR DEPARTMENT WOULD CERTAINLY TENDER WHATEVER HELP AND ADVICE IT COULD, MR HENDERSON CONCLUDED.

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AIR POLLUTION CONTROL BILL QUERIED

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THE HON T.S. LO TODAY (WEDNESDAY) QUERIED WHETHER THE PASSAGE OF THE AIR POLLUTION CONTROL BILL 1982 WOULD GIVE HONG KONG CLEAN AIR.

+VERY LIKELY IT WILL MERELY INTERFERE WITH MANY PEOPLE MAKING A LIVING,+ SAID MR LO, WHO IS THE CONVENER OF THE LEGISLATIVE COUNCIL UNOFFICIALS' GENERAL SERVICES WORKING GROUP ON THE AIR POLLUTION CONTROL BILL.

EIGHT OTHER UNOFFICIALS SPOKE ON THE BILL TODAY.

MR LO SAID IT WAS NOW POSSIBLE TO IMAGINE, THEORETICALLY AT ANY RATE, MEN OF THE AIR POLLUTION CONTROL DIVISION DEALING WISELY AND IMPARTIALLY WITH ALL COMPLAINTS OF POLLUTION THEY RECEIVED, RANGING FROM CLOUDS OF SMOKE ERUPTING FROM A GOVERNMENT INCINERATOR TO FAINTLY VISIBLE FUMES FROM THE STOVE OF AN ANCIENT INTINERANT HAWKER ROASTING CHESTNUTS.

+THESE WISE MEN WILL ADVISE THE ANCIENT HAWKER EXPERTLY AND PATIENTLY HOW TO EXTRACT HIS CHESTNUTS FROM THE FIRE AND, IN THE CASE OF THE GOVERNMENT INCINERATOR, TAKE ON THE CHIEF SECRETARY AND ADVISE HIM ON THE TYPE OF \$120M PRECIPITATOR TO BE INSTALLED WITH EQUAL EXPERTISE AND, I HOPE, WITH EQUAL PATIENCE.

+I AM ASTONISHED THAT SUCH WISE AND PATIENT MEN MAY BE ATTRACTED INTO GOVERNMENT EMPLOYMENT ON POINT 21 OF THE MASTER PAY SCALE,+ HE SAID.

THE AIR POLLUTION CONTROL BILL WAS INTRODUCED LAST JUNE AND WAS ONLY BROUGHT BACK BEFORE COUNCIL TODAY DUE IN PART +TO AN UNDERDEVELOPED SENSE OF URGENCY.+

MR LO SAID A MORE IMPORTANT REASON FOR THE DELAY WAS THAT THE ADMINISTRATION FOR A CONSIDERABLE TIME CONSIDERED IT INAPPROPRIATE TO LOOK AT THE FUNDAMENTAL ISSUES RAISED BY THE BILL.

+IT WAS ARGUED WITH GREAT CONVICTION IF NOT LOGIC THAT WHATEVER THE FUNDAMENTAL ISSUES MAY HAVE BEEN THEY NEED NOT BE LOOKED AT AFRESH BECAUSE WE ALREADY HAVE ON THE STATUTE BOOKS THE CLEAN AIR ORDINANCE.

+I CAN UNDERSTAND THIS ATTITUDE FOR I AM AWARE HOW VERY EFFECTIVELY LED IS THE PRESSURE GROUP OF ENVIRONMENTALISTS KNOWN AS EPCOM,+ HE SAID.

IN THE END THE UNOFFICIALS INDICATED TO THE ADMINISTRATION THAT IF THESE ISSUES WERE NOT DEALT WITH AND THE BILL IN ITS ORIGINAL FORM WERE TO BE BROUGHT BACK TO COUNCIL THEY WOULD VOTE AGAINST IT. SUBSEQUENTLY, THE BILL WAS REMOVED FROM THE ORDER PAPER.

+MORE MEETINGS FOLLOWED IN ONE OF WHICH WE WERE MUCH BENEFITED BY THE PRESENCE OF THE ATTORNEY GENERAL HIMSELF WHOSE CONTRIBUTION ALLOWED SUBSTANTIAL CHANGES TO THE BILL,+ HE SAID.

/AS ORIGINALLY

AS ORIGINALLY PUBLISHED THE BILL IN EFFECT ALLOWED THE ADMINISTRATION TO CAUSE A PERSON TO BE PUNISHED BY THE COURTS FOR NOT COMPLYING WITH AN ABATEMENT NOTICE WITHOUT THE COURTS BEING ABLE TO CONSIDER WHETHER HE WAS RESPONSIBLE FOR ANY POLLUTION AT ALL.

THE BILL ALSO LICENSED LARGE POLLUTORS AND SO LONG AS THEY COMPLIED WITH THE TERMS OF THEIR LICENCES THEY WERE NOT LIABLE TO ABATEMENT NOTICES EVEN THOUGH MANY JUSTIFIABLE COMPLAINTS MIGHT BE MADE AGAINST THEM.

+THESE ARE PRETTY SUBSTANTIAL POINTS AND I AM GLAD THAT THEY ARE NO LONGER THERE TO OFFEND THE EYE,+ MR LO SAID.

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POLLUTION BILL -- ASSURANCE SOUGHT

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THE GOVERNMENT SHOULD ASSURE THAT INDUSTRY WOULD NOT BE DISALLOWED OR UNDULY PENALISED ON THE GROUNDS OF AIR QUALITY OBJECTIVES AND MODIFY THE POWER PROVIDED BY CLAUSE 28 OF THE AIR POLLUTION CONTROL BILL, THE HON S.L. CHEN SAID AT THE LEGISLATIVE COUNCIL TODAY.

HE SAID THAT +UNLESS MY TWO POINTS ARE DEALT WITH SATISFACTORILY, I AM AFRAID THAT I SHALL ABSTAIN FROM VOTING ON THE BILL.+

PART II OF THE BILL, HE SAID, PROVIDED FOR THE DECLARATION OF AIR CONTROL ZONES AND THE ESTABLISHMENT OF AIR QUALITY OBJECTIVES (AQO).

MR CHEN SAID THESE WERE THE GENERAL GUIDELINES FOR THE AUTHORITY TO OBSERVE AND TRANSLATE INTO CONTROL REQUIREMENTS FOR INDIVIDUAL PLANTS OR INDUSTRIAL PROCESSES SO THAT COLLECTIVELY, THE AIR QUALITY OF A PARTICULAR ZONE WOULD BE MAINTAINED WITHIN A CERTAIN ESTABLISHED STANDARD.

+THIS BEING THE CASE THE BILL WOULD THEREFORE OPERATE ON A 'FIRST COME FIRST SERVED' BASIS IN THE SENSE THAT IF THE EMISSION OF A NEW PLANT, WHEN TAKEN TOGETHER WITH THE EXISTING EMISSIONS FROM OTHER ADJACENT PLANTS, WERE WITHIN THE ESTABLISHED AQO IN AN AIR CONTROL ZONE, THE PLANT COULD BE ALLOWED.

+ON THE OTHER HAND, ANOTHER IDENTICAL PLANT WITH SIMILAR OR LESS EMISSION MIGHT BE DISALLOWED BECAUSE THE TOTAL EMISSION FROM ALL OTHER PLANTS IN THE ZONE HAD ALREADY SATURATED THE AQO,+ HE SAID.

MR CHEN SAID THIS APPEARED TO BE UNFAIR AND NEW INDUSTRY WOULD AS A CONSEQUENCE BE PENALISED.

HE EXPECTED

HE EXPECTED THAT THE GOVERNMENT MUST HAVE REGARD TO THE NORMAL AND POTENTIAL INDUSTRIAL GROWTH IN THE ZONE SUCH THAT THE AQO ESTABLISHED WOULD NOT REACH OR LIKELY TO REACH SATURATION POINT FOR A CONSIDERABLE PERIOD OF TIME, SAY AT LEAST A DECADE OR TWO.

+ALTHOUGH THE PROVISION IN CLAUSE 7(3) OF THE BILL WOULD ENABLE THE AQO TO BE AMENDED FROM TIME TO TIME BY THE SECRETARY, AFTER CONSULTATION WITH THE ENVIRONMENTAL PROTECTION ADVISORY COMMITTEE, I NEVERTHELESS WOULD LIKE TO HAVE AN ASSURANCE FROM GOVERNMENT THAT AS AN ADMINISTRATIVE POLICY GUIDELINE, NO INDUSTRY SHALL BE DISALLOWED OR UNDULY PENALISED ON THE GROUNDS OF AQO,+ HE SAID.

MR CHEN STRESSED THAT THE POWER PROVIDED BY CLAUSE 28 OF THE BILL WAS +FAR TOO WIDE+. IN PARTICULAR, UNDER SUB-CLAUSE (1)(IV) AN AUTHORISED OFFICER WAS EMPOWERED TO OBSERVE AND RECORD ANY PROCESS OR PROCEDURE USED IN OR IN CONNECTION WITH THE CONDUCT OF ANY SPECIFIED PROCESS, AND TO INSPECT AND MAKE COPIES OF ANY DRAWINGS, RECORDS OR DOCUMENTS RELATING TO THE SPECIFIED PROCESS.

THE DANGER THAT TRADE SECRETS COULD BE REVEALED WAS NOT AN IMPOSSIBILITY, HE POINTED OUT.

+WE WERE TOLD, HOWEVER, THAT SUCH A SITUATION WOULD BE SAFEGUARDED BY CLAUSE 41 OF THE BILL WHERE A PERSON COMMITS AN OFFENCE IN DISCLOSING TO ANOTHER PERSON TRADE OR MANUFACTORY SECRET WHICH HAS COME TO HIS KNOWLEDGE OR POSSESSION IN THE COURSE OF PERFORMING HIS DUTIES UNDER THE PROPOSED ORDINANCE, AND IS LIABLE TO A FINE OF \$10 000 AND TO IMPRISONMENT FOR SIX MONTHS.

+HOWEVER, FOR SOME HIGHLY PROFITABLE TRADE SECRETS, THESE PENALTIES WOULD HARDLY PROVIDE ANY PROTECTION, AND I REMAIN UNCONVINCED THAT CLAUSE 28 SHOULD BE ALLOWED TO STAND WITHOUT SOME MODIFICATIONS,+ HE SAID.

TURNING TO STAFFING IMPLICATIONS OF THE BILL, HE SAID THAT TO OPERATE THE BILL THE AIR POLLUTION CONTROL DIVISION OF THE LABOUR DEPARTMENT WOULD ONLY NEED TO INCREASE ITS MANPOWER STRENGTH BY THE ADDITION OF FOUR PROFESSIONAL AND THREE CLERICAL OFFICERS WHEN THE BILL WAS ENACTED.

THE DIVISION AT PRESENT COMPRISES ONE AIR POLLUTION CONTROL OFFICER, TWO SENIOR ENVIRONMENTAL PROTECTION OFFICERS, 17 ENVIRONMENTAL PROTECTION OFFICERS AND SIX CLERICAL STAFF.

+I AM PREPARED TO ACCEPT THE PROPOSED INCREASE IN MANPOWER REQUIREMENT BUT WOULD OPPOSE STRONGLY, THAT ANY FURTHER ADDITIONAL POSTS TO BE CREATED IN THE FORESEEABLE FUTURE, SAY DURING THE NEXT THREE OR FOUR YEARS AFTER THE ENACTMENT OF THE BILL,+ MR CHEN SAID.

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REASONABLENESS IN DEGREE OF CLEAN AIR STRESSED
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THE MAIN AIM OF THE AIR POLLUTION CONTROL BILL 1982 IS TO ENSURE A REASONABLE DEGREE OF CLEAN AIR ACCORDING TO THE DICTATE OF THE CIRCUMSTANCES, THE HON CHARLES YEUNG SAID TODAY (WEDNESDAY).

SPEAKING IN SUPPORT OF THE MOTION, HE ADDED THAT THE LEVEL OF CONTROL AND PROHIBITION SHOULD THEREFORE ONLY BE THAT WHICH WAS NECESSARY TO ACHIEVE THAT AIM.

+THE DEGREE OF 'REASONABLENESS' IS RELATIVE TO CIRCUMSTANCES.

+ONE CANNOT EXPECT CITY AIR TO BE AS CLEAN AS COUNTRY AIR. THE SOURCE OF POLLUTION IN INDUSTRIAL TOWNS IS DIFFERENT FROM THAT IN COMMERCIAL OR RESIDENTIAL AREAS,+ HE SAID.

IN RECOGNITION OF THIS, PART II OF THE BILL PROVIDED FOR THE ESTABLISHMENT OF AIR CONTROL ZONES AND AIR QUALITY OBJECTIVES.

+CARE MUST BE TAKEN TO ENSURE THE WIDEST POSSIBLE CONSULTATION AND TO MONITOR PUBLIC REACTION TO ITS APPLICATION. CHANGES WHERE NECESSARY SHOULD BE PROMPTLY INTRODUCED IN THE LIGHT OF EXPERIENCE,+ HE SAID.

MR YEUNG SAID POLLUTION FROM AREA SOURCES WAS GENERALLY CONTROLLED BY PART III OF THE BILL WHICH DEALT WITH THE ABATEMENT OF AIR POLLUTANT NUISANCES, EXTENDING THE PROVISIONS OF THE CLEAN AIR ORDINANCE TO INCLUDE CHEMICALS AND EMISSIONS INJURIOUS TO HEALTH.

THIS PARTICULAR PART OF THE BILL WOULD CAST A VERY WIDE NET AND WOULD AFFECT NOT ONLY RESTAURANTS AND SMALL FACTORIES BUT ALSO HOUSEWIVES, HAWKERS, FARMERS AND NEARLY EVERYBODY.

+IT IS OF PARTICULAR IMPORTANCE THAT ITS PROVISIONS SHOULD BE SPECIFIC AND THAT THEY SHOULD BE APPLIED FAIRLY, TAKING INTO ACCOUNT ALL ECONOMIC, SOCIAL AND GEOGRAPHICAL FACTORS.

+IN ORDER TO ACHIEVE THIS, MUCH TIME AND EFFORT HAS BEEN SPENT BY UNOFFICIAL MEMBERS IN EXAMINING THIS PART OF THE BILL.

+ALTHOUGH MY UNOFFICIAL COLLEAGUES WILL BE MOVING AMENDMENTS TO IMPROVE THE SITUATION, ONE CAN NEVER BE CERTAIN THAT THE RIGHT BALANCE HAS BEEN STRUCK,+ HE SAID.

MR YEUNG STRESSED THAT VIGILANCE WAS REQUIRED TO MONITOR PROGRESS.

ON POLLUTION FROM POINT SOURCES, HE SAID LARGE SCALE EMITTERS, SUCH AS MUNICIPAL INCINERATORS, POWER AND CEMENT PLANTS WOULD POSE THE MOST SERIOUS POLLUTION THREAT AND THE COST FOR REDUCING POLLUTION FROM THIS SOURCE ALONE WOULD BE VERY HIGH.

/MR YEUNG

MR YEUNG SAID THAT PART IV OF THE BILL ATTEMPTED TO CONTAIN THE PRESENT LEVEL OF POLLUTION EMITTED BY EXISTING PLANTS AND TO CONTROL EMISSIONS FROM NEW SPECIFIED PROCESSES BY REQUIRING THEM TO APPLY FOR LICENCES.

HE SAID THE GOVERNMENT AIMED TO PURSUE ITS OBJECTIVE OF IMPROVING AIR QUALITY BY IMPOSING CONDITIONS ON THE CONDUCT OF THESE PROCESSES. IT WOULD ALSO ACCEPT LIABILITY FOR THE PAYMENT OF COMPENSATION IN THE EVENT OF CANCELLATION OR VARIATION OF THE LICENCE.

+IF GOVERNMENT IMPOSES TOO HIGH A STANDARD, THE COSTS TO ACHIEVE IT MAY BECOME PROHIBITIVE AND THEREBY STIFLE OUR ECONOMY.

+ON THE OTHER HAND IF TOO LOW A STANDARD IS SET, THE EMISSION MAY BE IN BREACH OF THE LAW UNDER PART II OR PART III OF THE BILL AND THE OPERATOR OF THE PLANT WILL BE RESPONSIBLE FOR SUCH EMISSIONS,+ HE SAID.

FURTHERMORE, SPECIFIED PROCESSES OF LARGE SCALE PLANTS HAD AN ADVANTAGE OVER NON-SPECIFIED PROCESSES OF SMALL FACTORIES AND RESTAURANTS AS THIS BENEFIT WAS NOT AVAILABLE TO THEM, HE ADDED.

MR YEUNG URGED THAT WHEN THE BILL BECAME LAW, THE AUTHORITY SHOULD PROCEED WITH CIRCUMSPECTION IN ITS IMPLEMENTATION AND ENFORCEMENT.

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AIR POLLUTION CONTROL BILL ONLY THE BEGINNING

THE AIR POLLUTION CONTROL BILL, IF PASSED, WOULD ONLY BE A BEGINNING, THE HON ANDREW SO TOLD THE LEGISLATIVE COUNCIL TODAY.

IT WOULD SERVE AS A FRAMEWORK FOR DRAWING UP FUTURE REGULATIONS THAT DEAL WITH PREVENTION AND TREATMENT OF AIR POLLUTION SO THAT THE ENFORCEMENT AUTHORITIES MAY FOLLOW THE REGULATIONS AND EXECUTE THEIR DUTIES EFFECTIVELY, MR SO SAID.

IN GIVING HIS SUPPORT TO THE BILL, MR SO, WHO IS A MEMBER OF THE ENVIRONMENTAL PROTECTION ADVISORY COMMITTEE AND OF THE LEGISLATIVE COUNCIL UNOFFICIALS' GENERAL SERVICES WORKING GROUP ON AIR POLLUTION CONTROL BILL, SAID HE APPRECIATED FULLY THE PRUDENT PROCEDURES INVOLVED IN STUDYING AND DEBATING THE BILL.

HE SAID THE MAIN PURPOSE OF THE BILL WAS TO CONTROL CERTAIN LARGE INDUSTRIES THAT WOULD POSE A MAJOR POLLUTION HAZARD THROUGH LICENSING ARRANGEMENTS FOR +SPECIFIED PROCESSES+.

+AT THE SAME TIME IT AIMS TO CONTROL AIR POLLUTANT NUISANCE CAUSED BY CERTAIN SMALL INDUSTRIES AND OTHER SOURCES OF POLLUTION BY MEANS OF 'ABATEMENT NOTICES' PROCEDURES,+ HE ADDED.

MR SO SAID THAT THE BALANCE BETWEEN SOCIAL NEEDS AND ECONOMIC INTERESTS HAD TO BE BORNE IN MIND.

+IN THE FIELD OF ENFORCEMENT,+ HE ADDED,+ WE MUST TRY OUR BEST TO BE FAIR TO ALL PARTIES CONCERNED.+

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AIR POLLUTION IS EVOLVING PROBLEM

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THERE COULD BE NO COMPLETE AND SIMPLE SOLUTION TO AN EVOLVING AIR POLLUTION PROBLEM, THE HON WONG PO YAN SAID IN THE LEGISLATIVE COUNCIL TODAY.

SPEAKING AT THE RESUMED DEBATE ON THE AIR POLLUTION CONTROL BILL 1982, MR WONG NOTED THAT THERE WAS NO INTERNATIONALLY RECOGNISED STANDARD FOR THE MAXIMUM PERMISSIBLE LEVEL OF A GIVEN AIR POLLUTANT.

NEW MATERIAL, MACHINERY AND PROCESSES HAD CREATED NEW POLLUTANTS WHILE, ON THE OTHER HAND, NEW PROCESSES TO ABATE AIR POLLUTION HAD BEEN DEVELOPED THROUGH SCIENTIFIC RESEARCH, HE SAID.

THE AIR POLLUTION ISSUE WAS THUS +CONSTANTLY EVOLVING+ AND THE GOVERNMENT SHOULD THEREFORE +TAKE EVERY PRECAUTION TO SET OBJECTIVES AT REALISTIC LEVELS AND MAKE PROVISION FOR FUTURE DEVELOPMENT, TAKING INTO ACCOUNT THE SPECIAL NATURE OF AIR EMISSION, DISPERSIVE CHARACTERISTICS OF THE ATMOSPHERIC ENVIRONMENT AND LOCAL ECOLOGICAL CONDITIONS,+ HE SAID.

MR WONG MENTIONED PART IV AND PART VII OF THE BILL WHICH PROVIDE GUIDELINES TO MINIMISE AIR POLLUTION BY REQUIRING LARGE SCALE PLANTS WITH HIGH POLLUTION POTENTIAL TO HOLD LICENCES, AND BY ENCOURAGING SMALL OPERATORS TO COMPLY WITH CODES OF PRACTICE COVERING STANDARD CONTROL MEASURES.

HE POINTED OUT THAT DURING MANY HOURS OF DELIBERATION ON THE BILL, UNOFFICIALS OF THE COUNCIL'S GENERAL SERVICES WORKING GROUP WERE CONCERNED THAT THE +STRINGENT CONTROL PROVISIONS STIPULATED WOULD BE INEXPEDIENT AND IMPRACTICABLE IF APPLIED INDISCRIMINATELY.+

+UNOFFICIALS, THEREFORE, URGED THAT A SCHEDULE OF SPECIFIED PROCESSES BE ADDED TO DEFINE IN DETAIL PROCESSES THAT WOULD BE SUBJECT TO LICENSING.

+AT MEMBERS' REQUEST, THE SECRETARY FOR HOME AFFAIRS IDENTIFIED 23 SPECIFIED PROCESSES WHICH WILL FORM A NEW SCHEDULE 1A,+ MR WONG POINTED OUT.

THIS NEW SCHEDULE WOULD BE A MAJOR IMPROVEMENT TO THE BILL AND WOULD OFFER AN IMPORTANT GUIDELINE FOR THE SMALL INDUSTRIES WHICH OTHERWISE MIGHT NOT BE SURE WHETHER THEY WOULD COME UNDER THE CATEGORY OF SPECIFIED PROCESSES, HE SAID.

+FOR MY PART, I SHALL BE PROPOSING AN AMENDMENT TO CLAUSE 11 TO THE EFFECT THAT ANY PROCESS NOT INCLUDED IN THE LIST WILL NOT BE A SPECIFIED PROCESS AND WILL NOT BE SUBJECT TO CONTROL PROCEDURES UNDER PART IV OF THE BILL.

/+THE AMENDED

+THE AMENDED CLAUSE 11 WILL ALSO MAKE PROVISION FOR THE INCLUSION OF NEW PROCESSES AND, MORE IMPORTANTLY, FOR THIS COUNCIL TO AMEND THE NEW SCHEDULE 1A OF SPECIFIED PROCESSES BY RESOLUTION,+ MR WONG SAID.

HE EMPHASISED THE NEED FOR MAINTAINING FLEXIBILITY IN SETTING LICENSING CONDITIONS FOR INDIVIDUAL OPERATORS SO AS TO MINIMISE THE INITIAL IMPACT ON OPERATIONAL EFFICIENCY AND POSSIBLE HIGHER COSTS OF PRODUCTION.

AS FOR SMALL OPERATORS WHO WILL NOT BE REQUIRED TO TAKE OUT LICENCES, AT LEAST INITIALLY, MR WONG SUGGESTED THAT THEY BE OFFERED ASSISTANCE AND INCENTIVES SO THAT THEY MIGHT UNDERSTAND THE IMPORTANCE OF POLLUTION CONTROL AND LIMIT THEIR POLLUTANT EMISSIONS VOLUNTARILY.

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ENVIRONMENTAL IMPROVEMENT MUST NOT BE
AT EXPENSE OF CIVIL RIGHTS
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POLLUTION CONTROL COULD NOT BE ACHIEVED MERELY BY PLACING LEGISLATION ON THE STATUTE BOOK, THE HON BILL BROWN SAID AT THE RESUMED DEBATE ON THE AIR POLLUTION CONTROL BILL 1982 IN THE LEGISLATIVE COUNCIL TODAY.

+SUCH CONTROL MUST ALSO INCLUDE INSTITUTIONAL, SCIENTIFIC AND TECHNOLOGICAL ARRANGEMENTS, WHICH ARE ECONOMICALLY FEASIBLE AND WITHOUT WHICH THE LEGISLATION WOULD BE A POINTLESS EXERCISE,+ MR BROWN SAID.

IT HAD BEEN NECESSARY FOR UNOFFICIAL MEMBERS TO ENQUIRE INTO THESE ISSUES AND TO SATISFY THEMSELVES ON THEM, HE SAID.

ADDITIONALLY, THEY HAD BEEN CONCERNED THAT THE DESIRE TO IMPROVE THE ENVIRONMENT SHOULD NOT BE ACHIEVED AT THE EXPENSE OF UNNECESSARY ENCROACHMENT UPON THOSE CIVIL RIGHTS WHICH THE PEOPLE OF HONG KONG ARE ENTITLED TO SEE PRESERVED, HE SAID.

+THE BILL AS IT CURRENTLY STANDS OPERATES ON THE BASIS OF THE OPINION OF THE LAW ENFORCEMENT OFFICER AS FAR AS THE ISSUE OF ABATEMENT NOTICES IS CONCERNED,+ MR BROWN POINTED OUT.

HE NOTED THAT THE SECRETARY FOR HOME AFFAIRS WAS OPTIMISTIC THAT THE APPEAL BOARD PROCEDURES WOULD ENSURE JUSTICE AND GOOD GOVERNMENT.

+HOWEVER, AS THE MAIN FUNCTION OF THE APPEAL BOARD ON THIS MATTER WILL BE TO DECIDE WHETHER THE AUTHORITY IS RIGHT TO ISSUE THE ABATEMENT NOTICE AND AS IT IS AN OFFENCE NOT TO COMPLY WITH THE NOTIFICATION, IT IS DIFFICULT TO SEE ON WHAT GROUNDS APPEALS WOULD SUCCEED,+ HE SAID.

TO GET OVER THIS, IT HAD BEEN SUGGESTED THAT THE BILL COULD BE AMENDED TO MAKE IT CLEAR THAT THE APPEAL BOARD MUST CONSIDER THE QUESTION OF WHETHER A NUISANCE EXISTED OR WAS IMMINENT AT THE TIME AN ABATEMENT NOTIFICATION WAS GIVEN.

+HOWEVER, THIS WOULD IMPOSE UPON THE INDIVIDUAL THE BURDEN OF PROOF THAT AN AIR POLLUTANT NUISANCE DOES NOT EXIST OR IS NOT IMMINENT.

+THIS IS AGAINST A FUNDAMENTAL PRINCIPLE IN ENGLISH LAW THAT IT IS UP TO THE STATE TO PROVE BEYOND REASONABLE DOUBT THAT AN INDIVIDUAL HAS COMMITTED AN OFFENCE,+ HE POINTED OUT.

AT THE COMMITTEE STAGE, MR BROWN SAID THAT HE WOULD THUS BE MOVING AMENDMENTS TO CLAUSE 10 TO THE EFFECT THAT AN INDIVIDUAL CAN HAVE HIS CASE CONSIDERED BY THE COURT AND, MORE IMPORTANTLY, TO PLACE UPON THE PROSECUTION, INSTEAD OF THE INDIVIDUAL, THE BURDEN OF PROOF THAT AN AIR POLLUTANT EXISTED.

HE ALSO DEALT WITH ANOTHER FUNDAMENTAL PRINCIPLE IN ENGLISH LAW: IF AN INDIVIDUAL SUFFERS LOSS OR DAMAGE, AND INCURS SUBSTANTIAL COSTS BY BEING WRONGLY ACCUSED, HE SHOULD BE AWARDED COSTS AND IN APPROPRIATE CIRCUMSTANCES COMPENSATION.

+THIS IS NOT PROVIDED FOR IN THE BILL. ACCORDINGLY, AT THE COMMITTEE STAGE I SHALL BE MOVING AMENDMENTS TO CLAUSE 33 WHICH WILL HAVE THE EFFECT OF CONFERRING UPON THE APPEAL BOARD THE POWER TO AWARD COSTS AND COMPENSATION, WHERE THE APPEAL BOARD ALLOWS AN APPEAL,+ HE SAID.

EVEN WITH THESE AMENDMENTS, MR BROWN SAID HE STILL HAD RESERVATIONS AS TO THE ABILITY OF THE AUTHORITIES TO ENFORCE THE PROVISIONS OF THE BILL.

+IN THE FINAL ANALYSIS, EFFECTIVE LAW ENFORCEMENT IS NOT REALLY POSSIBLE WITHOUT THE SUPPORT OF THE PUBLIC, AND CONCERN MUST BE EXPRESSED AS TO WHETHER SUCH SUPPORT IS BEING ERODED BY THE CRIMINAL STATUTE BOOK BECOMING UNMANAGEABLE THROUGH THE SHEER VOLUME OF CRIMINAL LAW BEING ADDED TO IT,+ HE SAID.

SUPPORT FROM THE PUBLIC, HE ADDED, DEPENDED ON RESPECT WHICH COULD BEGIN TO WANE IF DAILY VIOLATIONS OF THE LAW WENT UNPUNISHED.

+WE MUST BE CAREFUL, THEREFORE, TO QUESTION ALL NEWLY CREATED OFFENCES, AND INDEED I SEE IT AS AN IMPORTANT PART OF THE DUTIES OF UNOFFICIAL MEMBERS TO QUESTION ALL NEWLY CREATED OFFENCES TO ENSURE SUCH ARE REALLY NECESSARY,+ MR BROWN SAID.

THE AMENDMENTS WOULD RESULT IN A BILL DIFFERENT IN MANY FUNDAMENTAL RESPECTS FROM THAT AS ORIGINALLY INTRODUCED, HE SAID.

+IN ITS AMENDED FORM, IT IS, HOWEVER, IN MY VIEW APPROPRIATE TO WHAT WE ARE TRYING TO ACHIEVE IN HONG KONG IN THE FIELD OF ANTI-POLLUTION MEASURES AT THIS STAGE OF OUR DEVELOPMENT,+ MR BROWN SAID.

CALL TO PROTECT SMALL FACTORIES
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THE HON K C CHAN SAID HE WAS +ALL FOR FIGHTING AIR POLLUTION+.

HOWEVER, HE ADDED, IN HONG KONG'S UNIQUE SET-UP, WE MUST PROTECT OUR INDUSTRY, OVER 95 PER CENT OF WHICH SMALL FACTORIES EMPLOYING LESS THAN 50 WORKERS EACH.

SPEAKING AT THE DEBATE ON AIR POLLUTION CONTROL BILL 1982 IN THE LEGISLATIVE COUNCIL MR CHAN SAID WE SHOULD NOT GET OURSELVES INTO THE SITUATION FACED BY SOME ADVANCED INDUSTRIAL NATIONS, WHERE DUE TO TOO HARSH ENVIRONMENTAL PROTECTION CONTROLS, A NUMBER OF ONE-INDUSTRY TOWNS HAVE TURNED INTO GHOST TOWNS.

MR CHAN, WHO SUPPORTED THE MOTION, POINTED OUT THAT CLAUSE 9 OF THE BILL, AS PUBLISHED, EMPOWERED THE ADMINISTRATION TO GIVE NOTICES OF AIR POLLUTANT NUISANCE TO OWNERS OF PREMISES TO ABATE THE NUISANCE, EITHER VERBALLY OR IN WRITING.

+I SEE DANGER HERE, AND I SHARE MY COLLEAGUES' VIEWS THAT A WRITTEN NOTICE SHOULD BE MANDATORY.

+AT THE COMMITTEE STAGE, I SHALL BE MOVING AN AMENDMENT TO CLAUSE 9 TO THIS EFFECT. I AM GLAD THAT THE ADMINISTRATION HAS AGREED TO THE AMENDMENT,+ HE SAID.

MR CHAN SAID THAT IN THE BEGINNING THE DIRECT COSTS OF CONTROLLING AIR POLLUTION WOULD ONLY BE BORNE BY THE UTILITIES AND INDUSTRIES RESPONSIBLE.

BUT THE COSTS WILL ULTIMATELY BE PASSED ONTO THE LOCAL CONSUMERS, RESULTING IN HIGHER PRICES AND POSSIBLY INCREASED TAXATION. FOR OVERSEAS CONSUMERS, THIS COULD RESULT IN OUR PRICES BECOMING LESS COMPETITIVE, RESULTING IN LESS ORDERS AND LOCAL EMPLOYMENT.

+IN THE LONGER TERM, WE MUST PROCEED CAUTIOUSLY AND EDUCATE THE PUBLIC ON THE IMPORTANCE OF ELIMINATING AIR POLLUTION AT SOURCE.

+AS THIS WILL BE LEAST COSTLY, WE SHOULD SEEK COOPERATION FROM THE PUBLIC IN THE FIRST INSTANCE. IT IS ALSO IMPORTANT TO SEEK A BALANCE BETWEEN THE SOCIAL AND ECONOMIC COSTS AND THE BENEFITS THAT CAN BE DERIVED.

+OUR OBJECTIVE SHOULD BE TO GET CLEAN AIR, WITHOUT UNDUE ECONOMIC RISKS TO OUR MANUFACTURING SECTOR WHICH IS STILL THE LIFE BLOOD OF HONG KONG,+ HE SAID.

TURNING TO STATISTICS, MR CHAN SAID HE CAME ACROSS SOME FIGURES PRODUCED BY USA IN THE EARLY 1970S WHEN THERE WERE A LOT OF PUBLIC DEBATES ON ENVIRONMENTAL PROTECTION.

IT WAS ESTIMATED THAT ABOUT 215 MILLION TONS OF POLLUTANTS WERE POURED INTO THE AIR EACH YEAR, OR ONE TON PER PERSON, FROM THE VARIOUS SOURCES AS FOLLOWS:-

	<u>MILLION TONS</u>
* VEHICLES (MOSTLY AUTOMOBILES)	90 MILLION TONS
* SMOKESTACKS (CHIEFLY ELECTRIC POWER PLANTS)	46 MILLION TONS
* INDUSTRIAL PROCESSES	30 MILLION TONS
* SOLID-WASTE DISPOSAL (INCINERATION)	11 MILLION TONS
* MISCELLANEOUS SOURCES (INCLUDING FOREST FIRES)	38 MILLION TONS

+IF WE DO NOT HAVE TO SPEND MILLIONS OF DOLLARS TO PRODUCE SIMILAR STATISTICS, IT WOULD BE INTERESTING TO COMPARE HONG KONG'S FIGURES WITH THE ABOVE FIGURES.

+PERHAPS, BECAUSE WE HAVE FEWER HEAVY INDUSTRIES AND AUTOMOBILES AND OUR PUBLIC TRANSPORT MODES ARE GRADUALLY SHIFTING TO NON-POLLUTING ONES E.G. ELECTRIFIED TRAINS AND TRAMS, WE MAY HAVE MORE ENCOURAGING FIGURES.

+IN THIS, I THINK GOVERNMENT HAS MADE A SIGNIFICANT STEP IN THE RIGHT DIRECTION TO IMPROVE PUBLIC HEALTH AND OUR AIR QUALITY BY LEGISLATING AGAINST CIGARETTE SMOKING.

+IF WE ENCOURAGE MORE RESTAURANTS IN RESIDENTIAL AREAS TO COOK WITH GAS AND ELECTRICITY, AND TAXIS TO USE LP GAS INSTEAD OF DIESEL OIL LIKE JAPAN, IT MAY FURTHER HELP TO REDUCE AIR POLLUTION,+ HE SAID.

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+SCIENTIFIC STANDARDS, TESTS LACKING+
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NO SCIENTIFIC STANDARDS HAVE BEEN LAID DOWN AND NO SCIENTIFIC TESTS PROVIDED FOR UNDER THE AIR POLLUTION CONTROL BILL 1982, THE HON STEPHEN CHEONG TOLD THE LEGISLATIVE COUNCIL TODAY.

SPEAKING IN SUPPORT OF THE BILL BUT WITH ONE RESERVATION, MR CHEONG SAID THAT THE ABATEMENT PROVISIONS REQUIRED ONLY THAT THE AUTHORITY, OR AN AUTHORISED OFFICER, BE OF THE OPINION THAT THE EMISSIONS WOULD CONTRIBUTE TO SOME UNDEFINED AND POSSIBLY MINIMAL EXTENT TO AN AIR POLLUTANT NUISANCE.

HE SAID THEIR OPINION WAS THAT ANY STATUTORY ACTION IN RESPECT OF EMISSIONS FROM SOURCES OTHER THAN +SPECIFIED PROCESSES+ SHOULD BE BASED ON FACTUAL EVIDENCE THAT THE EMISSIONS CONSTITUTED OR CONTRIBUTED SUBSTANTIALLY TO AN AIR POLLUTANT NUISANCE.

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THE UNOFFICIALS' WORKING GROUP WERE CONCERNED THAT, IN THE ABSENCE OF ANY OVERALL MONITORING OF EMISSIONS, ACTION UNDER THE ABATEMENT PROVISIONS WOULD IN PRACTICE BE TAKEN MAINLY, IF NOT SOLELY, ON THE BASIS OF COMPLAINTS FROM MEMBERS OF THE PUBLIC, MR CHEONG SAID.

BUT HE NOTED THAT THE COMPLAINANT DID NOT NEED TO PRODUCE FACTUAL EVIDENCE OR PROVE ANY DAMAGE.

+THE RESULT MAY BE THAT CONTROL WILL PROBABLY BE APPLIED UNEVENLY AND HAPHAZARDLY, AND THAT ACTION MAY BE TAKEN AGAINST VERY MINOR OFFENDERS BUT NO ATTENTION PAID TO MAJOR OFFENDERS,+ HE SAID.

MR CHEONG MENTIONED CLAUSE 46 OF THE BILL IN THE PUBLISHED FORM WHICH ALLOWED A PERIOD OF ONE YEAR FOR THE LAYING OF A COMPLAINT OR INFORMATION FROM THE TIME THEY ARISE; AND FURTHER ALLOWED A PERIOD OF TWO YEARS FROM THE TIME OF THE COMMISSION OF AN OFFENCE.

HE CONSIDERED THE PERIOD FAR TOO LONG EFFECTIVELY FOR THE AUTHORITY TO GATHER INFORMATION ON THE OFFENCE WHICH MIGHT LEAD ONE TO MISINTERPRET THAT THE ADMINISTRATION LACKED EFFICIENCY IN ITS ENFORCEMENT ACTIONS.

HE WAS GRATEFUL THAT THE ADMINISTRATION HAS AGREED TO AMEND THE CLAUSE AT THE COMMITTEE STAGE TO THE EFFECT THAT THE PERIODS BE REDUCED BY HALF, TO SIX MONTHS AND ONE YEAR RESPECTIVELY.

MR CHEONG ALSO COMPLAINED ABOUT THE ADMINISTRATION'S INABILITY TO CLEARLY INFORM THE PUBLIC THE RELEVANT FACTS AND FIGURES CONCERNING AIR POLLUTION IN HONG KONG.

HE SAID: +WITHOUT KNOWING WHAT THE CURRENT LEVELS OF POLLUTION ARE AND WHAT LEVEL OF POLLUTION IS ACCEPTABLE OR NOT, ANY MEANINGFUL PLAN ENVISAGED MUST BE THEORETICAL TO A GREAT EXTENT.+

CITING INFORMATION WHICH ADVISED THAT SOURCES OF AIR POLLUTION IN HONG KONG CAN BE ATTRIBUTED TO MOVABLE SOURCES (SUCH AS MOTOR VEHICLES AND AIRCRAFTS) AND STATIONARY CULPRITS (SUCH AS FACTORIES AND INCINERATORS) APPROXIMATELY IN A PROPORTION OF 6:4, MR CHEONG SAID, +IT WOULD BE LOGICAL TO ASSUME THAT THE OBJECTIVE OF HAVING CLEANER AIR FOR HONG KONG CAN ONLY BE ACHIEVED THROUGH TAKING A COMBINATION OF MEASURES AGAINST BOTH MOVABLE AS WELL AS STATIONARY SOURCES OF POLLUTION.+

BUT HE EXPECTED THAT COST IMPLICATIONS TO THE COMMUNITY WOULD BE CAREFULLY ANALYSED.

+LET US NOT LOSE SIGHT OF THE FACT THAT OUR SURVIVAL IS VERY MUCH DEPENDENT ON WHETHER OR NOT WE CAN CONTINUE OUR PROGRESS ON THE ECONOMIC FRONT,+ HE ADDED.

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CALL FOR IMPROVED AND SIMPLIFIED PROCEDURES

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THE HON SELINA CHOW, SPEAKING IN THE DEBATE ON THE AIR POLLUTION CONTROL BILL 1982, TODAY CALLED FOR +IMPROVED AND SIMPLIFIED+ PROCEDURES FOR LICENSING SPECIFIED PROCESSES.

SHE SAID, PART IV OF THE BILL DEALT WITH SPECIFIED PROCESSES AND, AS PUBLISHED, CLAUSE 16 REQUIRED THE OPERATOR OF A SPECIFIED PROCESS TO REPEAT THE ENTIRE APPLICATION PROCEDURES WHEN HIS LICENCE WAS DUE FOR RENEWAL.

+MY UNOFFICIAL COLLEAGUES HAD EXPRESSED STRONG FEELING THAT THESE LICENCE HOLDERS SHOULD NOT UPON RENEWAL BE REQUIRED TO REPEAT THE SAME LENGTHY PROCEDURES REQUIRED BY FRESH APPLICATION.

+TO SIMPLIFY MATTERS, I SHALL MOVE AT THE COMMITTEE STAGE AN AMENDMENT TO MAKE IT CLEAR THAT THE PROCEDURES FOR APPLICATION FOR NEW LICENCES WOULD NOT APPLY TO APPLICATIONS FOR RENEWALS UNLESS THE AUTHORITY DIRECTS OTHERWISE,+ SHE SAID.

MRS CHOW DISCUSSED CLAUSE 19 WHICH DEALT WITH NOTICES OF EXISTING PREMISES USED FOR SPECIFIED PROCESS.

IN ITS PRESENT FORM, SHE SAID, CLAUSE 19 DID NOT PROVIDE FOR THE AUTHORITY TO STATE SPECIFIC REQUIREMENTS FOR APPLICATIONS, AND IT WAS NOT CLEAR THAT THE AUTHORITY WOULD SO SPECIFY.

FURTHER, IT WAS NOT CLEAR WHEN THE NOTICE PERIOD OF SIX MONTHS WOULD COMMENCE.

+TO REMOVE ANY TRACE OF DOUBT, I SHALL MOVE AMENDMENTS TO CLAUSE 19 AT THE COMMITTEE STAGE SEEKING TO REQUIRE THE AUTHORITY TO STATE SPECIFIC REQUIREMENTS REGARDING PARTICULARS AND INFORMATION TO BE FURNISHED BY THE OWNER OF ANY PREMISES USED FOR THE CONDUCT OF A SPECIFIED PROCESS, AND TO CLARIFY THAT THE PERIOD OF SIX MONTHS' NOTICE WOULD START FROM THE TIME WHEN THE ORDER FOR SUCH INFORMATION IS PUBLISHED.

+CONSEQUENTIAL TO THIS AMENDMENT, CLAUSES 20 AND 21 WOULD NEED TO BE SUITABLY AMENDED,+ SHE SAID, ADDING THAT SHE WOULD ALSO MOVE AMENDMENTS TO THESE TWO CLAUSES.

MRS CHOW SAID SHE WAS GLAD THAT THE ADMINISTRATION HAD AGREED TO ALL THESE AMENDMENTS, WHICH IF ADOPTED WOULD GO A LONG WAY TO SIMPLIFYING AND IMPROVING THE BILL.

TURNING TO CLAUSE 28 SUBSECTION 2, SHE SAID THE AUTHORITY WAS GRANTED THE RIGHT OF ENTRY TO SEARCH ANY PREMISES WITHOUT WARRANT.

MRS CHOW SHARED SOME OF THE UNOFFICIALS' CONCERN THAT SUCH WIDE POWERS MIGHT BE OPEN TO ABUSE AND STRESSED THE NEED FOR +EXTREME CAUTION AND DISCRETION+ AND +CLOSE MONITORING+ TO ENSURE THAT EXECUTION WAS IN LINE WITH THE ORIGINAL SPIRIT AND INTENTION OF THE BILL.

WEDNESDAY, APRIL 27, 1983

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MTR A POPULAR FORM OF PUBLIC TRANSPORT
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THE MASS TRANSIT RAILWAY HAD CLEARLY PROVED ITSELF AS A POPULAR, EFFICIENT AND REASONABLY PRICED FORM OF PUBLIC TRANSPORT, THE FINANCIAL SECRETARY, THE HON JOHN BREMRIDGE SAID TODAY.

IN TABLING THE MTRC'S ANNUAL REPORT FOR 1982 AND ITS ACCOUNTS AT THE LEGISLATIVE COUNCIL, MR BREMRIDGE SAID THE MOST SIGNIFICANT EVENT DURING THE YEAR WAS THE COMMISSIONING OF THE TSUEN WAN EXTENSION IN MAY.

IT WAS COMPLETED BELOW BUDGET AND SEVEN MONTHS AHEAD OF SCHEDULE. BY THE END OF 1982, A DAILY AVERAGE OF 1.2 MILLION PASSENGERS WERE CARRIED BY THE MODIFIED INITIAL SYSTEM AND THE TSUEN WAN EXTENSION TOGETHER, COMPARED WITH JUST OVER 700 000 AT THE END OF 1981.

ON THE ISLAND LINE, MR BREMRIDGE SAID DESPITE PROBLEMS DUE TO THE CHANGED CIRCUMSTANCES IN HONG KONG'S PROPERTY DEVELOPMENT MARKET, MAJOR CONTRACTS HAD BEEN LET AS PLANNED AND PROGRESS HAD BEEN SATISFACTORY.

THE FINANCIAL SECRETARY PAID TRIBUTE TO THE MTR CHAIRMAN, MR NORMAN THOMPSON WHO WILL RETIRE FROM THAT POST NEXT MONTH, FOR HIS UNIQUE CONTRIBUTIONS TO THE CREATION OF THE MASS TRANSIT RAILWAY.

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TAX PROPOSALS APPROVED
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THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) APPROVED TAX PROPOSALS MADE BY THE FINANCIAL SECRETARY IN HIS BUDGET FOR 1983-84.

THE PROPOSALS, SET OUT IN FOUR RESOLUTIONS ARE EXPECTED TO YIELD \$2 105 MILLION ADDITIONAL REVENUE FOR THE CURRENT FINANCIAL YEAR.

THE FOUR RESOLUTIONS WERE MADE UNDER SECTION 4 OF THE DUTIABLE COMMODITIES ORDINANCE FOR INCREASES IN DUTY RATES FOR LIQUOR, TOBACCO AND HYDROCARBON OILS; SECTION 18(1) OF THE RATING ORDINANCE FOR INCREASES IN THE GENERAL RATE PERCENTAGES; SECTION 18 OF THE BUSINESS REGISTRATION ORDINANCE FOR INCREASE IN ANNUAL BUSINESS REGISTRATION FEE, AND SECTION 3(2) OF THE HOTEL ACCOMMODATION TAX ORDINANCE FOR INCREASE IN THE RATE OF HOTEL ACCOMMODATION TAX ON ROOM CHARGES.

FOUR AMENDMENT BILLS WERE ALSO INTRODUCED INTO THE LEGISLATIVE COUNCIL BY THE FINANCIAL SECRETARY FOR SIMILAR PURPOSES.

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THE FOUR AMENDING BILLS WERE COMPANIES (AMENDMENT) (NO. 2) BILL FOR INCREASE IN COMPANY REGISTRATION FEE; BETTING DUTY (AMENDMENT) BILL FOR INCREASES IN BETTING DUTY; ROAD TRAFFIC (REGISTRATION AND LICENSING OF VEHICLES) REGULATIONS (AMENDMENT) BILL FOR INCREASES IN ANNUAL LICENCE FEES FOR SPECIFIED CLASSES OF MOTOR VEHICLES, AND ROAD TRAFFIC (DRIVING LICENCES) REGULATIONS (AMENDMENT) BILL FOR INCREASES IN THE FEES FOR PROVISIONAL DRIVING LICENCES, ANNUAL DRIVING LICENCES AND DRIVING TESTS.

DEBATE ON THE BILLS WAS ADJOURNED.

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BILL TO GIVE CONCESSION TO DISABLED DRIVERS

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THE MAIN PURPOSE OF THE MOTOR VEHICLES (FIRST REGISTRATION TAX) (AMENDMENT) BILL 1983 IS TO PERMIT A DISABLED PERSON TO REGISTER A NEW CAR WITH A CIF VALUE OF UP TO \$30 000 WITHOUT PAYING FIRST REGISTRATION TAX, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON KENNETH TOPLEY, SAID TODAY.

MOVING THE SECOND READING OF THE BILL, MR TOPLEY SAID AS 370 DISABLED DRIVERS WERE DEPENDENT ON A CAR FOR MOBILITY, THIS LATEST CONCESSION WOULD SUPPORT AND REAFFIRM THE GOVERNMENT'S CONTINUING INTENTION TO +ENSURE THE FULLEST POSSIBLE INTEGRATION OF PEOPLE WITH DISABILITIES IN ALL ASPECTS OF THE LIFE OF THEIR COMMUNITIES+.

+THIS CONCESSION WILL BE ALLOWED ONCE EVERY FIVE YEARS UNLESS THE COMMISSIONER OF TRANSPORT IS SATISFIED THERE ARE SPECIAL CIRCUMSTANCES JUSTIFYING A SHORTER PERIOD,+ HE ADDED.

UNDER THE BILL, A NUMBER OF DEFINITIONS IS ALSO AMENDED TO BRING THEM INTO LINE WITH THOSE USED IN THE ROAD TRAFFIC ORDINANCE 1982.

AMENDMENT IS ALSO MADE TO CLOSE A POSSIBLE LOOPHOLE IN THE LAW, WHEREBY A MOTOR VEHICLE IS FIRST REGISTERED IN A CATEGORY CARRYING A LOW RATE OF TAX AND, BY CHANGE OF USE, IS CONVERTED INTO A VEHICLE OF A CATEGORY WHICH WOULD HAVE ATTRACTED A HIGHER RATE OF TAX.

+IN FUTURE THE DIFFERENCE IN TAX IN SUCH A CASE WOULD BE PAYABLE AND CALCULATED WITH REFERENCE TO THE DATE ON WHICH THE VEHICLE WAS REGISTERED INITIALLY,+ HE EXPLAINED.

DEBATE ON THE BILL WAS ADJOURNED.

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RENT CONTROL POLICY -- A DYNAMIC ENTITY
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RENT CONTROL POLICY IS A DYNAMIC ENTITY WHICH MUST BE ADJUSTED IN RESPONSE TO SOCIAL AND MARKET SITUATIONS WHILE KEEPING IN VIEW THE OVERALL OBJECTIVE OF AN EVENTUAL RETURN TO FREE MARKET CONDITIONS, THE SECRETARY FOR HOUSING, THE HON DONALD LIAO, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN MOVING THE SECOND READING OF THE LANDLORD AND TENANT (CONSOLIDATION)(AMENDMENT) BILL 1983, MR LIAO SAID ALTHOUGH STEPS WERE TAKEN IN 1981, CIRCUMSTANCES HAVE SINCE CHANGED: SELLING PRICES OF FLATS HAVE DROPPED SUBSTANTIALLY AND RENTS HAVE STABILISED OR FALLEN.

+AT THE END OF 1982, THERE WERE SOME 32 000 DOMESTIC PREMISES STANDING VACANT - AN ALL-TIME RECORD,+ HE SAID. +IT IS AGAINST THIS BACKGROUND THAT THE PROPOSALS IN THE BILL NOW BEFORE THIS COUNCIL HAVE BEEN FORMULATED.+

MR LIAO SAID THE MAIN PROPOSAL WAS THAT THE LIFE OF PART II OF THE ORDINANCE SHOULD BE EXTENDED FOR TWO YEARS BEYOND ITS PRESENT EXPIRY DATE OF DECEMBER 18, 1983.

HE SAID BECAUSE OF PROLONGED AND RIGID RENT INCREASE CONTROL THERE WAS IN MANY CASES A VERY WIDE DISPARITY BETWEEN CONTROLLED AND MARKET RENTS.

+WHILST CONTROLLED RENTS STAND, ON AVERAGE, AT ABOUT 45 PER CENT OF MARKET RENTS, A GREAT NUMBER OF TENANTS PAY SUBSTANTIALLY LOWER RENTS FOR THEIR ACCOMMODATION.

+UNDER THESE CIRCUMSTANCES, IT WOULD CLEARLY BE WRONG TO CONSIDER SUDDEN AND COMPLETE REMOVAL OF RENT CONTROLS: THE DEGREE OF SOCIAL UPHEAVAL WOULD BE UNACCEPTABLE.+

MR LIAO SAID IT WAS FOR THIS REASON ABOVE ALL THAT THE GOVERNMENT WAS COMMITTED TO A GRADUAL RETURN TO A FREE MARKET IN PRIVATE RENTED ACCOMMODATION.

+IN EXTENDING THE LIFE OF THIS LEGISLATION, WE ARE PROPOSING THREE FURTHER STEPS IN THIS GRADUAL DECONTROL PROCESS,+ HE ADDED.

THESE WERE:

- * THE MODIFICATION OF THE EXISTING SYSTEM OF RENT INCREASE CONTROL UNDER PART II SO THAT VERY LOW CONTROLLED RENTS MAY BE INCREASED TO AT LEAST 30 PER CENT OF THE PREVAILING MARKET RENT;
- * THE EXCLUSION FROM THE PROVISIONS OF PART II OF ALL FRESH TENANCIES; AND
- * THE EXCLUSION FROM PART II FROM DECEMBER 19, 1983 ONWARDS OF EXISTING TENANCIES OF PREMISES WITH RATEABLE VALUES OF \$50 000 OR MORE.

/MR LIAO

MR LIAO SAID THE MODIFICATION OF EXISTING SYSTEM OF RENT INCREASE CONTROL WAS INTENDED TO PREVENT EXCEPTIONALLY LOW CONTROLLED RENTS FROM FALLING EVEN FURTHER BELOW MARKET LEVEL, AND TO MAKE POSSIBLE THE EVENTUAL RAISING OF SUCH RENTS CLOSER TO MARKET LEVELS.

+UNDER THE REVISED SYSTEM, ABOUT 7 000 TENANCIES, OR FIVE PER CENT OF ALL PROTECTED SOLE TENANCIES, WILL FACE A LARGER INCREASE THAN UNDER THE PRESENT ARRANGEMENTS IN ORDER THAT THEIR RENTS MAY BE BROUGHT UP TO AT LEAST 30 PER CENT OF THE PREVAILING MARKET RENT.

+THESE INCREASES, HOWEVER, WILL BE ON VERY LOW BASE RENTS WHICH HAVE GENERALLY BEEN SUBJECT TO CONTROL FOR MANY YEARS, AND THUS ARE NOT EXPECTED TO BE SIGNIFICANT IN MONEY TERMS.+

HE SAID TENANTS AFFECTED BY THIS PROPOSAL WOULD BE THOSE WHOSE CURRENT RENTS WERE 23 PER CENT OR LESS OF PREVAILING MARKET RENT.

FOR THE REMAINING 95 PER CENT OF PROTECTED TENANCIES, HE SAID, PERMITTED RENT INCREASE REMAIN AS DETERMINED BY THE EXISTING SYSTEM.

ON THE PROPOSAL TO EXCLUDE FRESH LETTING FROM RENT INCREASE CONTROL UNDER PART II, MR LIAO SAID THIS SHOULD ENCOURAGE LANDLORDS TO RELEASE VACANT PREMISES INTO THE RENTAL MARKET, THUS HELPING TO STIMULATE THE SUPPLY OF FLATS FOR RENT.

+THIS MEASURE IS EXPECTED TO HAVE A POSITIVE STABILISING EFFECT ON THE MOVEMENT OF RENTS TO THE BENEFIT OF PROSPECTIVE TENANTS,+ HE SAID.

ON THE EXCLUSION OF TENANCIES OF PREMISES WITH RATEABLE VALUES OF \$50 000 OR MORE, HE SAID THIS WAS A CONTINUATION OF PROGRESSIVE DECONTROL OF LUXURY PREMISES, AS RECOMMENDED BY THE COMMITTEE OF REVIEW. ABOUT 1 100 TENANCIES WOULD BE AFFECTED BY THE PROPOSAL. OF THESE, SOME 80 PER CENT ARE HELD IN THE NAME OF CORPORATE BODIES, GOVERNMENTS AND SO ON.

MR LIAO SAID IT WAS GOVERNMENT'S INTENTION TO CONTINUE THIS PROCESS OF EXCLUDING LUXURY PREMISES FROM RENT CONTROL AND FURTHER PROPOSALS IN THIS REGARD WOULD BE MADE FOLLOWING THE INTRODUCTION OF NEW RATEABLE VALUES NEXT APRIL.

OTHER THAN THESE MEASURES IN PURSUIT OF DECONTROL, MR LIAO SAID, THERE WERE ALSO A NUMBER OF IMPROVEMENTS TO THE EXISTING LEGISLATION.

THESE INCLUDED PROVISION FOR SURRENDER BY AGREEMENT OF TENANCY PROTECTED UNDER PART II, RECOMMENDATION THAT A PRINCIPAL TENANT WHO HAS SUB-LET THE WHOLE OF A PREMISES SHOULD NOT BE ACCORDED SECURITY OF TENURE, STRENGTHENING OF THE EXISTING PROHIBITION ON LETTING OR SELLING OF PREMISES FOLLOWING RECOVERY OF POSSESSION, AND A PROPOSAL TO MAKE HARASSMENT WITH INTENT TO INDUCE A TENANT TO QUIT A CRIMINAL OFFENCE.

DEBATE ON THE BILL IS EXPECTED TO BE RESUMED ON MAY 25.

PUBLIC EXPECTED TO WELCOME LANDS TRIBUNAL BILL

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THE LANDS TRIBUNAL (AMENDMENT) BILL 1983, WHICH PROPOSES EXTENSION OF THE JURISDICTION OF THE LANDS TRIBUNAL AND IMPROVEMENTS IN MATTERS OF PRACTICE AND PROCEDURE, WAS EXPECTED TO BE WELCOMED BY THE PUBLIC AS AN IMPROVEMENT TOWARDS SAVING COSTS AND FURTHER RATIONALISATION OF JURISDICTION IN LANDLORD AND TENANTS MATTERS, THE SECRETARY FOR HOUSING, THE HON DONALD LIAO SAID TODAY.

IN MOVING THE SECOND READING OF THE BILL, MR LIAO SAID, +THE MOST IMPORTANT PROVISION IS THAT CONTAINED IN CLAUSE 2 WHICH GIVES THE TRIBUNAL JURISDICTION TO DEAL WITH APPLICATIONS FOR POSSESSION DURING THE CONTRACTUAL PERIOD OF A LEASE.

+AT PRESENT, SUCH CASES HAVE TO BE REFERRED TO THE DISTRICT COURT.+

MR LIAO POINTED OUT THAT AS THE LANDS TRIBUNAL WAS NOW THE MAJOR JUDICIAL BODY ON LANDLORD AND TENANT MATTERS, THIS BILL WAS CLOSELY LINKED TO THE LANDLORD AND TENANT (CONSOLIDATION) (AMENDMENT) BILL 1983.

DEBATE ON THE BILL WAS ADJOURNED.

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BILL TO CHANGE TITLES

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THE LEGAL AID (AMENDMENT) BILL 1983 WHICH SEEKS TO CHANGE THE TITLE OF THREE OFFICES IN THE LEGAL AID DEPARTMENT AND MAKE SOME CONSEQUENTIAL AMENDMENTS, WAS INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY.

IN MOVING THE SECOND READING OF THE BILL, THE LAW DRAFTSMAN, THE HON GERALD NAZARETH, SAID THE NEW TITLES WOULD REFLECT MORE ACCURATELY THE DUTIES AND RESPONSIBILITIES OF THE OFFICERS CONCERNED, AND WOULD FIT BETTER IN THE GENERAL NOMENCLATURE OF COMPARABLE GRADES.

THE BILL PROPOSED TO CHANGE THE TITLES OF ASSISTANT PRINCIPAL LEGAL AID OFFICER, SENIOR LEGAL AID OFFICER AND LEGAL AID OFFICER TO ASSISTANT PRINCIPAL LEGAL AID COUNSEL, SENIOR LEGAL AID COUNSEL AND LEGAL AID COUNSEL, RESPECTIVELY.

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FOUR BILLS PASSED

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FOUR BILLS WERE PASSED IN THE LEGISLATIVE COUNCIL MEETING TODAY (WEDNESDAY). THEY ARE THE APPROPRIATION BILL 1983, BILLS OF EXCHANGE (AMENDMENT) BILL 1983, AIR POLLUTION CONTROL BILL 1982, AND MARINE FISH CULTURE (AMENDMENT) BILL 1983.

THE NEXT COUNCIL MEETING WILL BE HELD ON MAY 11.

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WEDNESDAY, APRIL 27, 1983

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SIR EDWARD OPENS HONG KONG COLISEUM
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THE HONG KONG COLISEUM, ONE OF ASIA'S LARGEST AND FINEST INDOOR STADIA, WAS OFFICIALLY OPENED BY THE GOVERNOR, SIR EDWARD YOUDE, THIS (WEDNESDAY) EVENING.

SPEAKING AT THE OPENING CEREMONY, SIR EDWARD SAID: +IN A CROWDED AND BUSY COMMUNITY SUCH AS OURS, WE MUST DO OUR BEST TO PROVIDE FACILITIES FOR SPORTS, RECREATIONAL AND CULTURAL FACILITIES TO REACH ALL SECTIONS OF THE COMMUNITY.

+THE COMPLETION OF THE COLISEUM IS ANOTHER INDICATION OF THE DETERMINATION OF BOTH THE GOVERNMENT AND THE URBAN COUNCIL TO PERSEVERE IN THIS TASK.+

THE OPENING OF THE COLISEUM ALSO COINCIDES WITH THE 100TH ANNIVERSARY OF THE URBAN COUNCIL.

SIR EDWARD BELIEVED THAT THE COLISEUM, WITH ITS 12 500 SEATS AND A FULLY AIR-CONDITIONED MULTI-PURPOSE ARENA OF 1 600 SQUARE METRES, WOULD SOON PROVE ITSELF TO BE A POPULAR VENUE FOR INTERNATIONAL SPORTS EVENTS AND OTHER RECREATIONAL AND CULTURAL ACTIVITIES.

THROUGH THE IMAGINATION OF THE URBAN COUNCIL AND THE BUILDING DEVELOPMENT DEPARTMENT, HE ADDED, THE COLISEUM HAD BEEN BUILT TO AN EYE-CATCHING +INVERTED PYRAMID+ DESIGN.

+THIS DESIGN IS NOT ONLY AESTHETICALLY APPEALING- IT ENABLES ALL SPECTATORS TO HAVE AN UNOBSTRUCTED VIEW OF THE ENTIRE ARENA,+ HE SAID.

+THE ARENA ITSELF HAS BEEN DESIGNED FOR SPORTS, CULTURAL AND CONFERENCE PURPOSES, WITH FLEXIBLE SEATING ARRANGEMENTS AND WITH ALL BACKSTAGE, LIGHTING, SOUND AND ACOUSTIC REQUIREMENTS TAKEN FULLY INTO ACCOUNT.+

THE CAPITAL COST FOR THE BUILDING AMOUNTS TO OVER \$140 MILLION, OF WHICH MORE THAN \$23.5 MILLION WAS CONTRIBUTED BY THE URBAN COUNCIL.

IN HIS WELCOMING SPEECH, THE SECRETARY FOR HOME AFFAIRS, MR DENIS BRAY, SAID THE OPENING OF THE COLISEUM SYMBOLISES THE CLOSE CO-OPERATION BETWEEN THE GOVERNMENT AND THE URBAN COUNCIL.

HE POINTED OUT THAT MUCH OF THE MONEY FOR THIS PROJECT CAME FROM THE GOVERNMENT WHICH WAS ALSO RESPONSIBLE FOR ITS PLANNING AND ERECTION.

+THROUGHOUT, THERE HAS BEEN THE CLOSEST WORKING RELATIONSHIP WITH THE URBAN COUNCIL AND THE STAFF OF THE URBAN SERVICES DEPARTMENT.

+FROM THE OPENING TODAY THEY WILL MANAGE THIS FINE NEW CIVIC CENTRE FOR THE BENEFIT OF EVERYONE WHO LIVES HERE IN THE COMPETENT WAY WE HAVE COME TO EXPECT OF THEM,+ MR BRAY ADDED.

/+THE CHAIRMAN

+THE CHAIRMAN OF THE URBAN COUNCIL, MR HILTON CHEONG-LEEN, DESCRIBED THE OPENING OF THE COLISEUM AS ANOTHER STEP FORWARD IN THE URBAN COUNCIL'S COMMITMENT TO THE COMMUNITY.

HE PAID TRIBUTE TO ALL THOSE WHO WERE INVOLVED IN THE PLANNING AND CONSTRUCTION OF THE COLISEUM WHICH, HE STRESSED, +WILL ASSUREDLY PROVIDE PLEASURE TO ALL WHO COME HERE FOR THE MANY SPORTS, CULTURAL AND ENTERTAINMENT PROGRAMMES IN COMFORTABLE SITTING AT ANY TIME DURING THE YEAR.+

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STEADY POLICIES PROVIDE STABLE,
ATTRACTIVE BUSINESS ENVIRONMENT, SAYS FS
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ONE IMPORTANT REASON THAT BUSINESS FIRMS HAVE CHOSEN TO OPERATE IN HONG KONG IS THAT THE GOVERNMENT'S STEADY POLICIES HAVE PROVIDED A STABLE AND ATTRACTIVE BUSINESS ENVIRONMENT WITH AN ESTABLISHED AND ACCEPTED INSTITUTIONAL AND LEGAL INFRASTRUCTURE, THE FINANCIAL SECRETARY, MR JOHN BREMRIDGE, SAID TODAY (WEDNESDAY).

IN A SPEECH TO THE ZONTA CLUB ON THE TERTIARY SERVICES SECTORS OF HONG KONG'S ECONOMY, MR BREMRIDGE SAID MANY OF THE FIRMS IN THESE SECTORS BY THEIR NATURE WERE HIGHLY MOBILE, PARTICULARLY THOSE PROVIDING THEIR SERVICES ON A REGIONAL AND INTERNATIONAL RATHER THAN A LOCAL BASIS.

+BECAUSE OF THIS, MANY ARE LIKELY TO REMAIN HERE ONLY SO LONG AS THE BUSINESS ENVIRONMENT REMAINS STABLE AND ATTRACTIVE AND THEY HAVE CONFIDENCE THAT IT WILL CONTINUE TO BE SO. CONFIDENCE IS THUS OF OVERWHELMING IMPORTANCE,+ HE SAID.

MR BREMRIDGE SAID THE ATTITUDE OF THE GOVERNMENT TOWARDS BUSINESS WAS AN ESSENTIAL FACTOR IN THE MAINTENANCE OF THIS CONFIDENCE.

+IT IS YOUR GOVERNMENT'S POLICY TO PROVIDE INFRASTRUCTURAL SUPPORT FOR ALL OF OUR CHANGING ECONOMY, BUT NOT TO DIRECT SUBSIDY OR OTHER FORMS OF ASSISTANCE TO ANY PARTICULAR SECTOR OR SECTORS. THEY MUST STAND ON THEIR OWN FEET.+

IN THE CASE OF FINANCING, INSURANCE, REAL ESTATE AND BUSINESS SERVICES THE GOVERNMENT'S POLICY REQUIRED NEVERTHELESS THE MAINTENANCE OF THE STABLE AND ATTRACTIVE ENVIRONMENT FOR BUSINESS, INCLUDING THE OVERSIGHT OF MARKETS AND, AS REQUIRED, THE REGULATION OF THEIR ACTIVITIES IN THE INTEREST OF THE PUBLIC.

+FAIR MARKETS OFFER GREAT ADVANTAGE TO THE CONSUMER, BUT IT IS ESSENTIAL TO ENSURE THAT THEY ARE FAIR,+ MR BREMRIDGE SAID.

HOWEVER, THE FINANCIAL SECRETARY SAID IT WAS NOT ALWAYS EASY TO ESTABLISH WHETHER AND HOW TO REGULATE. +WHILST THERE MUST BE SUFFICIENT REGULATION TO PROMOTE SOUND BUSINESS STANDARDS AND CONFIDENCE IN THE INSTITUTIONS, AT THE SAME TIME THE REGULATIONS MUST NOT IMPOSE UNNECESSARY BUREAUCRATIC BURDENS.

+IN PARTICULAR THEY MUST NOT IMPOSE THE JUDGMENT OF CIVIL SERVANTS UPON THOSE WHO TAKE THE RISKS. THUS IN SO FAR AS IT IS POSSIBLE SELF REGULATION IS TO BE PREFERRED.+

MR BREMRIDGE ADDED THAT ALTHOUGH THE GOVERNMENT SOUGHT TO PROVIDE A STABLE AND CONSISTENT REGULATORY FRAMEWORK, IT WAS A CONTINUOUS TASK TO ENSURE THAT THE FRAMEWORK REMAINED APPROPRIATE TO CURRENT CIRCUMSTANCES.

+HONG KONG IS BECOMING MORE AND MORE AN IMPORTANT PART OF THE INTERNATIONAL SCENE, AND WE THUS MUST SHOULDER INCREASING INTERNATIONAL FINANCIAL OBLIGATIONS - INCLUDING THE MAINTENANCE OF CONFIDENCE.+

MR BREMRIDGE SAID HONG KONG'S POSITION AS AN INTERNATIONAL FINANCIAL CENTRE HAD REMAINED STRONG DESPITE THE DIFFICULTIES RECENTLY EXPERIENCED BY A SMALL NUMBER OF FINANCIAL INSTITUTIONS.

+TO ENSURE THAT THIS REMAINS THE CASE IN THESE DIFFICULT TIMES AND TO PROMOTE FURTHER ADVANCES, I AM DETERMINED THAT THE ADMINISTRATIVE AND LEGAL FRAMEWORK WITHIN WHICH THE FINANCIAL AND RELATED SERVICES SECTOR OPERATES WILL BE SUBJECT TO CONSTANT REVIEW.

+IF IT EMERGES THAT FURTHER CHANGES ARE DESIRABLE, THEY WILL BE INTRODUCED.+

HOWEVER, HE ASSURED THAT HE DID NOT EXPECT THAT ANY SUDDEN OR DRASTIC CHANGES WOULD BE REQUIRED, AND THAT HE REGARDED THE CONSULTATIVE PROCESS IN HONG KONG AS OF GREAT IMPORTANCE.

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APPOINTMENT OF ATTORNEY GENERAL
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THE ATTORNEY GENERAL, MR JOHN GRIFFITHS QC, WILL LEAVE THE SERVICE OF THE HONG KONG GOVERNMENT IN JUNE 1983 TO RESUME HIS PRACTICE AT THE ENGLISH BAR. MR GRIFFITHS TOOK UP HIS PRESENT APPOINTMENT IN MAY 1979 FROM ENGLAND.

HE WILL BE SUCCEEDED BY MR MICHAEL THOMAS QC WHOSE APPOINTMENT HAS BEEN APPROVED BY THE SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS.

MR THOMAS IS 49 YEARS OF AGE. AFTER NATIONAL SERVICE IN THE ROYAL NAVY, HE GRADUATED AT THE LONDON SCHOOL OF ECONOMICS WITH AN LLB DEGREE IN 1954. HE WAS CALLED TO THE BAR BY MIDDLE TEMPLE IN 1955 AND BECAME A HARMSWORTH LAW SCHOLAR IN 1957. HE IS A BENCHER OF HIS INN.

HE HAS BEEN IN PRACTICE AT THE ENGLISH BAR SINCE 1957 AND WAS APPOINTED A QUEEN'S COUNSEL IN 1973. HE PREVIOUSLY SERVED AS JUNIOR COUNSEL TO THE MINISTRY OF DEFENCE (ROYAL NAVY) AND ALSO TO THE TREASURY IN ADMIRALTY MATTERS FROM 1966 TO 1973.

HIS PRACTICE HAS BROUGHT HIM TO HONG KONG ON SEVERAL OCCASIONS IN RECENT YEARS. HIS INTERESTS INCLUDE MUSIC AND TRAVEL.

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WEDNESDAY, APRIL 27, 1983

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SEMINAR ON DEED OF MUTUAL COVENANT
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A SEMINAR ON DEED OF MUTUAL COVENANT HAS BEEN ORGANISED FOR EASTERN DISTRICT RESIDENTS TO HELP INCREASE THEIR KNOWLEDGE ABOUT MULTI-STOREY BUILDING MANAGEMENT.

AN EASTERN DISTRICT BOARD MEMBER, MR KWAN LIM-HO, WILL GIVE A TALK ON THE SUBJECT, TO BE FOLLOWED BY A QUESTION-AND-ANSWER SESSION.

ORGANISED BY THE DISTRICT OFFICE AND THE EASTERN DISTRICT FEDERATION OF MULTI-STOREY BUILDING ORGANISATIONS, THE SEMINAR WILL BE HELD AT 8 PM ON FRIDAY (APRIL 29) IN THE ASSEMBLY HALL OF THE BRADBURY YOUTH CENTRE AT 55 MODEL LANE, NORTH POINT.

MEMBERS OF THE DISTRICT BOARD, MUTUAL AID COMMITTEES, OWNERS' CORPORATIONS AND AREA COMMITTEES HAVE BEEN INVITED.

THE SEMINAR IS ALSO OPENED TO THE PUBLIC AND THOSE WISHING TO ATTEND SHOULD CONTACT MR JOHN LEE OF THE DISTRICT OFFICE AT 5-630181.

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NOTE TO EDITORS:

YOU ARE INVITED TO COVER THE SEMINAR.

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DAILY INFORMATION BULLETIN

SUPPLEMENT

SPEECH BY HIS EXCELLENCY THE GOVERNOR
SIR EDWARD YOUDE, GCMG, MBE AT THE
OPENING CEREMONY OF THE HONG KONG
COLISEUM ON 27 APRIL 1983

I am delighted to be present this evening at the opening of the Hong Kong Coliseum.

The completion of the Coliseum is a landmark in the development of sporting, recreational and cultural facilities in Hong Kong. This Coliseum, with up to 12,500 seats and a fully air-conditioned multi-purpose arena of 1,600 square metres, is one of Asia's largest and finest indoor stadia. Well equipped with the most modern facilities, the Coliseum will soon prove itself to be a popular venue for international sports events and other recreational and cultural activities.

The Coliseum has been built to an eye-catching "inverted pyramid" design, thanks to the imagination shown by the Urban Council and the Building Development Department. This design, is not only aesthetically appealing; it enables all spectators to have an unobstructed view of the entire arena. The arena itself has been designed for sports, cultural and conference purposes, with flexible seating arrangements and with all backstage, lighting, sound and acoustic requirements taken fully into account.

The capital cost for this magnificent building amounts to over \$140 million. Of this, over \$23.5 million was contributed by the

/Urban Council

Urban Council and the remainder by the Government. In a crowded and busy community such as ours we must do our best to provide facilities for sports, recreational and cultural activities to reach all sections of the community. The completion of the Coliseum is another indication of the determination of both the Government and the Urban Council to persevere in this task.

I would like this evening to congratulate all who have been involved in this project. The Coliseum will stand as a symbol of the contribution they have made. It now gives me great pleasure to declare open the Hong Kong Coliseum.

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