



DAILY INFORMATION BULLETIN

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<u>CONTENTS</u>	<u>PAGE NO.</u>
<u>LEGISLATIVE COUNCIL MEETING :</u>	
FIRST BILINGUAL BILL READY BY MAY	1
BILINGUAL LAWS 'DESIRABLE AND EQUITABLE'	2
DOUBT OVER BILINGUAL LAW BILL EXPRESSED	4
VIEWS ON GAP BETWEEN WRITTEN AND SPOKEN LANGUAGE	5
MOST APPROPRIATE FIRST STEP TAKEN	6
FULL COMMITMENT TO RAISING STANDARD OF CHINESE	7
SETTING UP OF CHINESE LANGUAGE FOUNDATION BACKED	10
CALL FOR FOUNDATION TO PROMOTE WIDER USE OF CHINESE	12
MOVE TO CONTROL DISPENSING OF PHARMACEUTICAL PRODUCTS ..	13
LABELLING OF MEDICINE TO GO BILINGUAL	14
IMMIGRATION PROCEDURES FOR HK RESIDENTS STREAMLINED	16
HOSPITAL RIGHT OF TRAFFIC ACCIDENT VICTIMS STRESSED	18
AD HOC GROUP REVEALS GOVERNMENT DEFICIENCIES	19
LEGAL AID FEES TO GO UP	21
CHANGES TO APPROVED ESTIMATES OF EXPENDITURE	21
CAVEATS IN PARTITION BILL DELETED	21
UPGC INTERIM REPORT TABLED	22
BAPTIST COLLEGE MAKES POSITIVE DEVELOPMENTS	23
FILM CLASSIFICATION BILL UNDER WAY	23
ATTORNEY GENERAL'S DISCRETION IN PROSECUTION EXPLAINED .	25

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CONTROL OF FRINGE GOLD TRADING NEED TO BE STUDIED	27
SECURITY STEPPED UP FOR CRIME-PRONE PARKS	28
MONEY LENDING LAW WORKING WELL	29
TAX DISPUTE CASES EXPLAINED	30
TATE'S CAIRN TUNNEL FEASIBILITY CONFIRMED	31
ACTION TAKEN TO BOOST SUBVENTED HOSPITAL OCCUPANCY ...	32
EFFECTIVE CO-ORDINATION BEHIND SECRETARY SYSTEM	33
NEED TO PROMOTE SAFETY AT HOME STRESSED	34
LICENCE FOR BILLIARD CLUBS PROPOSED	35
17 SENT ABROAD FOR SPECIAL TRAINING	35
FOUR BILLS PASSED	35
INDEPENDENT OPINION SURVEY OFFICE ON GREEN PAPER SET UP ...	36
EFFECTIVE REGULATIONS VITAL FOR SECOND STOCK MARKET	38
EMPLOYMENT, VACANCIES, PAYROLL SURVEY STARTS	39
MAIL SERVICE OFFERED FOR 1987 YEARBOOK	40
UNAUTHORISED STRUCTURES TO BE CLEARED	41
ILLEGAL STRUCTURES CLEARED IN TSIM SHA TSUI	42
POSTAL SERVICES TO LEBANON SUSPENDED	42
DETAILS OF TAI PO DRAGON BOAT RACE	42
TRAFFIC CHANGES IN SHAM SHUI PO	43

WEDNESDAY, MARCH 25, 1987

- 1 -

FIRST BILINGUAL BILL READY BY MAY
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THE FIRST BILL WHICH WILL BE INTRODUCED INTO A BILINGUAL FORMAT IS EXPECTED TO BE TABLED BEFORE THE LEGISLATIVE COUNCIL IN MAY THIS YEAR SUBJECT TO THE APPROVAL OF THE EXECUTIVE COUNCIL.

THIS WAS DISCLOSED BY THE ATTORNEY-GENERAL, THE HON MICHAEL THOMAS, IN WINDING UP THE DEBATE ON THE OFFICIAL LANGUAGES (AMENDMENT) BILL 1986 AND THE INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) (NO. 3) BILL 1986 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE ALSO SAID THE FIRST BILINGUAL BILL WOULD LIKELY BE THE PROPOSED NEW WEIGHT AND MEASURES BILL 1987.

MR THOMAS NOTED THAT SEVERAL MEMBERS HAD EXPRESSED FEARS ABOUT THE ADEQUACY OF THE RESOURCES AND PERSONNEL AVAILABLE TO HIS CHAMBERS AS THE GOVERNMENT EMBARKED ON THIS IMPORTANT PROJECT.

+I LOOK FORWARD OF COURSE, TO THE FUTURE SUPPORT IN THE ESTABLISHMENT SUB-COMMITTEE OR THE FINANCE COMMITTEE SHOULD IT BE NECESSARY TO COME BACK FOR ADDITIONAL POSTS OR FUNDS IN THE FUTURE,+ HE ADDED.

MR THOMAS SAID THE ENACTMENT OF THE BILLS WAS ONLY THE FIRST STEP TO A HERCULEAN TASK.

+BUT GIVEN THE WILL AND THE SUPPORT OF THIS COUNCIL, THE LEGAL PROFESSIONS AND THE COMMUNITY AT LARGE, I AM CONFIDENT THAT WE SHALL ACCOMPLISH OUR TASK,+ HE SAID.

HE SAID THE TWO BILLS WOULD PROVIDE A SOUND LEGAL FRAMEWORK FOR IMPLEMENTING THE IMPORTANT PROJECT OF BILINGUAL LEGISLATION.

MR THOMAS ALSO THANKED MEMBERS OF THE LEGISLATIVE COUNCIL AD HOC GROUP FOR STUDYING THE BILLS AND FOR THE COMMENTS MEMBERS MADE DURING THE DEBATE.

HE SAID THE AMENDMENTS TABLED TODAY WERE THE RESULT OF INTENSIVE CONSULTATION WITH THE PROFESSIONS AND WITH THE ADMINISTRATION.

THE PROPOSED COMMITTEE STAGE AMENDMENTS HAD THE FULL SUPPORT OF THE ADMINISTRATION, HE ADDED.

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BILINGUAL LAWS 'DESIRABLE AND EQUITABLE'

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IN A COMMUNITY WHERE MORE THAN 98 PER CENT OF THE POPULATION ARE CHINESE, IT IS BOTH DESIRABLE AND EQUITABLE THAT LAWS IN HONG KONG SHOULD BE ENACTED IN BOTH ENGLISH AND CHINESE, THE HON PETER C WONG SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING DURING THE RESUMED DEBATE OF THE OFFICIAL LANGUAGES (AMENDMENT) BILL 1986 AND THE INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) (NO. 3) BILL 1986, MR WONG SAID THE ENACTMENT OF THE TWO RELATED BILLS WOULD REPRESENT A SIGNIFICANT MILESTONE IN THE HISTORY OF LAW MAKING IN HONG KONG.

MR WONG IS THE CONVENER OF A 14-MEMBER LEGISLATIVE COUNCIL AD HOC GROUP SET UP TO STUDY THE TWO BILLS.

HE TOLD THE COUNCIL THAT THE GROUP MET SEVERAL TIMES AND HAD INFORMAL BUT IN-DEPTH DISCUSSIONS WITH THE LEGAL PROFESSION AS WELL AS REPRESENTATIVES OF THE JUDICIARY AND THE LEGAL DEPARTMENT.

HE NOTED THAT THE INFORMAL MEETINGS PROVED EXTREMELY FRUITFUL, AND THAT THE GROUP WAS INDEBTED TO THE LEGAL PROFESSION AND THE JUDICIARY FOR THEIR VALUABLE CONTRIBUTION. THE CHAIRMAN OF THE BAR ASSOCIATION AND THE PRESIDENT OF THE LAW SOCIETY DEMONSTRATED A KEEN INTEREST IN THE BILLS, AND TOOK AN ACTIVE PART IN THE DISCUSSIONS.

+I BELIEVE CO-OPERATION OF THIS NATURE IS HIGHLY DESIRABLE, ESPECIALLY WHEN A USEFUL DIALOGUE CAN BE ESTABLISHED, THUS PAVING THE WAY FOR THE SMOOTH PASSAGE OF IMPORTANT PIECES OF LEGISLATION,+ HE ADDED.

MR WONG SAID THE PRINCIPLE OF BILINGUAL LEGISLATION HAD BEEN THE SUBJECT OF EXTENSIVE AND INTENSIVE CONSULTATION. A DISCUSSION PAPER ON THE LAWS IN CHINESE WAS ISSUED FOR PUBLIC DISCUSSION IN APRIL LAST YEAR AND AN ADJOURNMENT DEBATE ON THE SUBJECT WAS HELD IN THE COUNCIL IN JULY.

THE PUBLIC'S WARM WELCOME TO THE PRINCIPLE OF BILINGUAL LEGISLATION AND POINTS RAISED DURING THE ADJOURNMENT DEBATE HAD BEEN OF GREAT ASSISTANCE TO HIS AD HOC GROUP, HE NOTED.

MR WONG POINTED OUT THAT THE MAIN TASK OF THE GROUP WAS TO EXAMINE THE TECHNICAL ASPECTS OF THE BILLS AND THE PRACTICAL IMPLICATIONS IN IMPLEMENTATION.

HE SAID THE BASIC PRINCIPLE THAT FINAL LEGISLATIVE POWER SHOULD REST WITH THE LEGISLATIVE COUNCIL AND NOT THE EXECUTIVE COUNCIL RECEIVED THE GROUP'S METICULOUS ATTENTION AND DEPARTURES FROM THIS PRINCIPLE IN THE BILLS HAD BEEN RESOLVED.

/MR WONG

MR WONG SAID AFTER CAREFUL DELIBERATION, THE FOLLOWING AGREEMENT HAD BEEN REACHED WITH THE ADMINISTRATION, AND APPROPRIATE AMENDMENTS INCORPORATING SUGGESTIONS BY THE LEGAL PROFESSION, WOULD BE MOVED BY THE HON K C CHAN AND THE HON SZETO WAH AT THE COMMITTEE STAGE.

ON THE OFFICIAL LANGUAGES (AMENDMENT) BILL 1986, A NEW SUBSECTION (4) WILL BE ADDED TO THE NEW SECTION 4B TO PROVIDE THAT ANY PROPOSED ORDER DECLARING A TRANSLATION OF AN EXISTING LAW TO BE AN AUTHENTIC TEXT CANNOT TAKE LEGAL EFFECT UNLESS IT IS LAID BEFORE THE LEGISLATIVE COUNCIL IN DRAFT AND APPROVED BY RESOLUTION.

THIS PROPOSED AMENDMENT ENSURED A POSITIVE ROLE FOR THE LEGISLATIVE COUNCIL IN THE PROCESS OF DECLARING AUTHENTIC TEXTS OF EXISTING LEGISLATION, BUT AT THE SAME TIME PLACED THE BURDEN OF PRODUCING SATISFACTORY TESTS ON THE ADMINISTRATION, MR WONG SAID.

IN THE PROPOSED NEW SECTION 4C(1)(A), THE STATUTORY DESCRIPTION OF THE FUNCTION OF THE BILINGUAL LAWS ADVISORY COMMITTEE WILL BE EXPANDED TO MAKE IT EXPRESSLY CLEAR THAT THE ADVICE WHICH IT MAY GIVE TO THE GOVERNOR IN COUNCIL +MAY INCLUDE RECOMMENDATIONS AS TO THE SEQUENCE IN WHICH AUTHENTIC TEXTS OF ORDINANCES SHOULD BE DECLARED UNDER SECTION 4B(1)+.

THE INTENTION WAS TO MAKE IT CLEAR THAT THE COMMITTEE HAD A VALUABLE ROLE TO PLAY IN ADVISING THE GOVERNOR IN COUNCIL ON PRIORITIES OF ORDINANCES FOR TRANSLATION, THUS ENSURING THAT THE SEQUENCE WOULD BE REALISTIC AND PRAGMATIC, MR WONG EXPLAINED.

IN THE PROPOSED NEW SECTION 4C(3), WHICH DEALS WITH THE COMPOSITION OF THE BILINGUAL LAWS ADVISORY COMMITTEE, AN AMENDMENT WILL PROVIDE THAT THE BARRISTER APPOINTEE WILL BE APPOINTED AFTER CONSULTATION WITH THE CHAIRMAN OF THE HONG KONG BAR ASSOCIATION, AND THE SOLICITOR APPOINTEE AFTER CONSULTATION WITH THE PRESIDENT OF THE LAW SOCIETY.

THE PROPOSED NEW SECTION 4C(6) WILL BE SLIGHTLY AMENDED TO MAKE IT CLEAR THAT THE BILINGUAL LAWS ADVISORY COMMITTEE MAY CONSULT OTHER EXPERTS.

TURNING TO THE INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) (NO. 3) BILL 1986, MR WONG SAID THE NEW SECTION 10E WOULD BE AMENDED TO PROVIDE THAT NO NOTICE DECLARING WORDS, EXPRESSIONS, OFFICES TITLES ETC. AS EQUIVALENTS IN THE OFFICIAL LANGUAGES SHOULD BE MADE UNLESS THE NOTICE WAS APPROVED IN DRAFT BY THE LEGISLATIVE COUNCIL.

+THIS IS TO ENSURE THAT THE FINAL POWER OF ENACTING LAW RESTS WITH THIS COUNCIL,+ HE ADDED.

MR WONG CONCLUDED HIS SPEECH BY SAYING THAT THE ENACTMENT OF THE BILLS WAS ONLY THE FIRST STEP TO BILINGUAL LEGISLATION AND MUCH WORK REMAINED TO BE DONE.

+RESOURCES WILL BE A MAJOR PROBLEM, PARTICULARLY THE AVAILABILITY OF BILINGUAL LAW DRAFTSMEN.

+AT THE MOMENT, THE LEGAL DEPARTMENT IS ABLE TO RECRUIT ONLY FIVE QUALIFIED OFFICERS FOR THIS PURPOSE AND IT IS NOT EXPECTED THAT MANY PIECES OF LEGISLATION IN CHINESE WILL FLOW FROM THEIR COMBINED EFFORT,+ HE SAID.

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DOUBT OVER BILINGUAL LAW BILL EXPRESSED
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THE HON MARTIN LEE TODAY (WEDNESDAY) SAID HE HAD DOUBT OVER THE WISDOM OF SECTION 4 OF THE OFFICIAL LANGUAGES (AMENDMENT) BILL 1986, WHICH PROVIDED THAT ALL NEW ORDINANCES MUST BE ENACTED AND PUBLISHED IN BILINGUAL FORMS.

SPEAKING IN THE LEGISLATIVE COUNCIL DURING THE RESUMED DEBATE OF THE BILL, MR LEE SAID THAT ALTHOUGH THE SECTION MADE PROVISION FOR AN ORDINANCE TO BE PUBLISHED IN ONE OFFICIAL LANGUAGE WHEN IT WAS URGENT, THIS WAS NOT SUFFICIENT TO DEAL WITH THE DANGER OF UNNECESSARY USE OF SCARCE BILINGUAL DRAFTING RESOURCES WHERE THE GOVERNMENT'S LEGISLATIVE PROGRAMME CONTAINED ITEMS OF TECHNICAL AND COMPLEX NEW LEGISLATION WHICH HAD NO DIRECT IMPACT UPON THE GENERAL PUBLIC.

+WHAT IS THE POINT OF DEVOTING OUR LIMITED RESOURCES TO SUCH ESOTERIC NEW ORDINANCES AT THE EXPENSE OF THOSE EXISTING ORDINANCES WHICH CAN READILY BE IDENTIFIED AS IMPORTANT TO THE POPULATION AS A WHOLE?+ HE QUESTIONED.

WITH REGARD TO THE PROPOSED COMMITTEE STAGE AMENDMENT TO THE NEW SECTION 4C(1)(A) RELATING TO THE FUNCTIONS OF THE BILINGUAL LAWS ADVISORY COMMITTEE, MR LEE SAID HE WOULD LIKE TO RECORD A NOTE OF RESERVATION ON BEHALF OF THE HONG KONG BAR ASSOCIATION AND THE LAW SOCIETY OF HONG KONG, WHOSE REPRESENTATIVES HAD MET WITH THE LEGISLATIVE COUNCIL AD HOC GROUP STUDYING THE BILL AND ALSO WITH THE ADMINISTRATION.

THE PROPOSED AMENDMENT IN EFFECT STATED THAT THE ADVISORY COMMITTEE MIGHT MAKE RECOMMENDATIONS TO THE GOVERNOR IN COUNCIL AS TO WHICH EXISTING ORDINANCE SHOULD RECEIVE PRIORITY IN THE TRANSLATION PROGRAMME.

/+WHILST THE

+WHILST THE AMENDMENT APPEARS TO BE AN IMPROVEMENT ON THE BILL AS GAZETTED, IT WILL IN REALITY BE MEANINGLESS IF THE RESOURCES OF THE LEGAL DEPARTMENT'S LAW DRAFTING DIVISION ARE SWALLOWED UP IN THE TASK OF COMPLYING WITH SECTION 4, WHICH PROVIDE THAT ALL NEW ORDINANCES MUST BE ENACTED AND PUBLISHED IN BILINGUAL FORM,+ HE SAID.

MR LEE SAID HE HOPED THAT THE ASSURANCES WHICH THE AD HOC GROUP RECEIVED FROM THE GOVERNMENT AS TO THE ADEQUACY OF BILINGUAL DRAFTING RESOURCES WOULD PROVE TO BE WELL-FOUNDED, OTHERWISE THE PROPOSED AMENDMENT TO SECTION 4C(1)(A) WOULD BE OF NO PRACTICAL HELP TO THE BILINGUAL LAWS ADVISORY COMMITTEE IN ITS TASK OF ENSURING THAT GOVERNMENT TOOK NOTE OF PUBLIC OPINION ON THE QUESTION OF PRIORITIES IN THE TRANSLATION OF EXISTING ORDINANCES.

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VIEWS ON GAP BETWEEN WRITTEN AND SPOKEN LANGUAGE
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THE HON LEE YU-TAI SAID TODAY (WEDNESDAY) THAT ALTHOUGH THE CHINESE VERSION OF BILINGUAL LEGISLATION WAS LIKELY TO BE WRITTEN MAINLY IN THE MODERN CHINESE LANGUAGE, ORAL STATEMENTS AND INTERPRETATIONS IN COURTS SHOULD BE CARRIED OUT IN CANTONESE.

SPEAKING IN THE LEGISLATIVE COUNCIL DURING THE RESUMED DEBATE OF THE OFFICIAL LANGUAGES (AMENDMENT) BILL 1986 AND THE INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) (NO. 3) BILL 1986, MR LEE SAID THE CANTONESE DIALECT WOULD CONTINUE TO BE THE MOST EXTENSIVE MEDIUM OF COMMUNICATION IN HONG KONG.

HE SAID THAT EVEN IF MUCH WIDER USE OF CHINESE BECAME POSSIBLE IN COURT PROCEEDINGS, PEOPLE WOULD STILL MAKE ORAL STATEMENTS IN CANTONESE, AND NOT KUO YU OR MODERN STYLE OF WRITTEN CHINESE.

+I WOULD OPPOSE TO ANY SUGGESTION FOR THE USE OF KUO YU OR PUTONGHUA IN COURTS, WHICH IS NOT ONLY IMPRACTICAL BUT ALSO DETRIMENTAL TO PUBLIC CONFIDENCE,+ HE SAID.

HE SAID THE DIFFERENCE BETWEEN HONG KONG AND MAINLAND CHINA MUST BE PRESERVED, OTHERWISE THE CONCEPT OF +ONE COUNTRY, TWO SYSTEMS+ WOULD NOT SUCCEED.

MR LEE NOTED THAT SOME PROBLEMS MIGHT ARISE FROM THE GAP BETWEEN THE WRITTEN LANGUAGE AND THE SPOKEN DIALECT. THESE PROBLEMS SHOULD BE DEALT WITH AS AND WHEN THEY OCCURRED. ANY ATTEMPT TO ALIGN THE WRITTEN LANGUAGE AND THE SPOKEN DIALECT WOULD ONLY END UP IN COMPLETE FAILURE.

/HE SAID

- 6 -

HE SAID HONG KONG HAD ALWAYS BEEN OPEN TO THE REST OF THE WORLD AND THE CHINESE LANGUAGE SPOKEN AND WRITTEN BY THE PEOPLE OF HONG KONG WAS MUCH RICHER IN CONTENT AND MORE DIVERSIFIED IN USAGE.

+IT IS THEREFORE UNWISE TO FOREGO A RICHER AND MORE DIVERSIFIED MEDIUM OF EXPRESSION IN ORDER TO ACHIEVE HARMONISATION;+ HE SAID.

HE ALSO NOTED THAT AT THE COMMITTEE STAGE, A NEW SUBSECTION WOULD BE INTRODUCED INTO THE OFFICIAL LANGUAGES (AMENDMENT) BILL 1986 TO PROVIDE THAT ANY PROPOSED ORDER DECLARING A TRANSLATION OF AN EXISTING LAW TO BE AN AUTHENTIC TEXT COULD NOT TAKE LEGAL EFFECT UNLESS IT WAS LAID BEFORE THE LEGISLATIVE COUNCIL IN DRAFT AND APPROVED BY RESOLUTION.

HE SAID THE PROPOSED AMENDMENT ENSURED A POSITIVE ROLE FOR THE LEGISLATIVE COUNCIL IN THE PROCESS OF DECLARING AUTHENTIC TEXTS OF EXISTING LEGISLATION.

+LAWS MUST BE MADE ONLY BY THE LEGISLATIVE COUNCIL, WHETHER IT IS NEW LEGISLATION OR A TRANSLATED VERSION OF EXISTING LEGISLATION WHICH HAS LEGAL FORCE,+ HE SAID.

HE SAID THE FUNCTIONS OF THE LEGISLATURE AND THE EXECUTIVE MUST REMAIN DISTINCT FROM EACH OTHER, AND ANY COMPROMISE WOULD MEAN AN INFRINGEMENT OF ONE FUNCTION UPON THE OTHER.

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MOST APPROPRIATE FIRST STEP TAKEN
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THE PROMULGATION OF AN AUTHENTIC VERSION OF THE LAW IN CHINESE IS THE MOST APPROPRIATE FIRST STEP TO BE TAKEN TO SOLVE THE PROBLEM OF BILINGUAL LEGISLATION, THE HON ANDREW WONG SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING IN SUPPORT OF THE OFFICIAL LANGUAGES (AMENDMENT) BILL 1986 AND THE INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) (NO 3) BILL 1986, MR WONG SAID THE BILLS WOULD GIVE EFFECT TO THE IMPLEMENTATION OF THE BILINGUAL LAW PROJECT WHICH WAS SO NECESSARY FOR THE CONTINUED STABLE DEVELOPMENT OF HONG KONG TOWARDS 1997 AND BEYOND.

HE ALSO REITERATED THAT THE PRIORITIES LISTED IN THE DISCUSSION PAPER ON LAWS IN CHINESE WERE BASICALLY CORRECT AND SAID HE PERSONALLY BELIEVED THAT THE EXERCISE, AT LEAST IN THE BEGINNING, SHOULD BE REGARDED AS A +TRIAL AND AMEND+ PROCESS.

+THIS IS CERTAINLY THE BEST WAY FOR THE STAFF AND MEMBERS OF THE LEGISLATIVE COUNCIL TO REALISE AND GRASP THE SUBTLETIES BEHIND THE LAWS,+ HE SAID QUOTING FROM HIS SPEECH DELIVERED DURING THE ADJOURNMENT DEBATE ON THE DISCUSSION PAPER HELD IN JULY.

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FULL COMMITMENT TO RAISING STANDARD OF CHINESE
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THE GOVERNMENT IS FULLY COMMITTED TO THE OBJECTIVE OF RAISING THE STANDARD OF CHINESE IN THE COMMUNITY AND TO PROMOTING WIDER USAGE OF THE LANGUAGE, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON RON BRIDGE, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

WINDING UP THE ADJOURNMENT DEBATE ON THE REPORT OF THE WORKING PARTY ON THE DEVELOPMENT OF A CHINESE LANGUAGE FOUNDATION, MR BRIDGE SAID SUBSTANTIAL RESOURCES WERE BEING DEVOTED TO THIS IN A VARIETY OF WAYS.

+THE GOVERNMENT IS VERY CONSCIOUS OF THE CULTURAL IMPORTANCE OF THE CHINESE LANGUAGE AND OF THE IMPORTANCE OF PROMOTING AND FACILITATING ITS USE AS A BASIC TOOL FOR COMMUNICATION, STUDY, WORK AND LEISURE, AND I SHARE (LEGISLATIVE COUNCIL) MEMBERS' CONCERN ABOUT THE NEED TO IMPROVE THE STANDARD OF CHINESE IN THE COMMUNITY AS A WHOLE,+ HE SAID.

THE ESSENTIAL QUESTION WAS, HOWEVER, HOW THIS OBJECTIVE COULD BE ACHIEVED ECONOMICALLY AND EFFECTIVELY, HE ADDED.

IN THE WORKING PARTY'S REPORT, MR BRIDGE SAID, IT WAS ENVISAGED THAT THE MAJOR AREAS OF WORK OF THE PROPOSED FOUNDATION SHOULD INCLUDE THE FOLLOWING:

- * PUBLICATION OF HIGH-QUALITY TEXTBOOKS AND REFERENCE MATERIALS FOR SCHOOLS;
- * PUBLICATION OF HIGH-QUALITY LEISURE READING MATERIALS IN WELL WRITTEN CHINESE FOR THE GENERAL PUBLIC;
- * PROMOTION OF THE USE OF GOOD MODERN CHINESE IN EDUCATIONAL INSTITUTIONS OF ALL KINDS;
- * STRENGTHENING OF THE POSITION OF THE CHINESE LANGUAGE IN THE COMMUNITY BY REQUIRING THAT PROFICIENCY IN CHINESE BE SPECIFIED AS A SELECTION CRITERION FOR APPOINTMENTS TO THE PUBLIC SERVICE; AND
- * CONDUCTING AND SPONSORING RESEARCH ON THE USE OF MODERN CHINESE.

MR BRIDGE SAID SPOKEN CANTONESE AND WRITTEN CHINESE HAD ALWAYS ENJOYED A PROMINENT POSITION IN THE LIFE OF THE COMMUNITY AND THE GOVERNMENT FULLY SHARED MEMBERS' WISH TO SEE THE QUALITY OF THE LANGUAGE MAINTAINED AND IMPROVED.

+THE GOVERNMENT HAS TAKEN THE VIEW THAT THE BEST WAY TO ACHIEVE THIS OBJECTIVE IS THROUGH THE EDUCATION SYSTEM AND HAS MADE SUBSTANTIAL PROGRESS IN THIS DIRECTION.+

A CHINESE TEXTBOOKS COMMITTEE CHAIRED BY THE HON SZETO WAH WAS FORMED LAST MAY TO IDENTIFY THE DEMAND FOR AND TO ENSURE THE AVAILABILITY OF GOOD-QUALITY TEXTBOOKS IN CHINESE TO MEET THE NEEDS OF SCHOOLS, MR BRIDGE SAID.

THE COMMITTEE HAD COMPLETED THE FIRST STAGE OF ITS WORK AND PUT FORWARD PROPOSALS WHICH THE GOVERNMENT WAS NOW LOOKING AT AND WOULD AIM TO RESPOND TO AS QUICKLY AS POSSIBLE, HE ADDED.

WORK WAS ALSO IN HAND TO PROMOTE THE USE OF CHINESE IN SCHOOLS, AND IN ITS REPORT NO. 1, THE EDUCATION COMMISSION RECOMMENDED THAT SECONDARY SCHOOLS SHOULD BE ENCOURAGED TO ADOPT CHINESE AS THE TEACHING MEDIUM.

THIS RECOMMENDATION HAD BEEN ACCEPTED BY THE GOVERNMENT AND THE EDUCATION DEPARTMENT WROTE TO INDIVIDUAL SCHOOL AUTHORITIES LAST YEAR AS A RESULT OF WHICH MORE THAN THREE-QUARTERS OF PUBLIC SECTOR SECONDARY SCHOOLS EXPRESSED SOME INTEREST IN INCREASING THE USE OF CHINESE AS THE MEDIUM OF INSTRUCTION.

+THE AVAILABILITY OF A GOOD SUPPLY OF TEXTBOOKS IN CHINESE IS, OF COURSE, A FUNDAMENTAL REQUIREMENT IF THIS INTEREST ON THE PART OF SCHOOLS IS TO BE GIVEN EFFECT,+ MR BRIDGE SAID.

SUBSTANTIAL PROGRESS HAD ALSO BEEN MADE IN A NUMBER OF OTHER AREAS IDENTIFIED BY THE WORKING PARTY.

+THE GOVERNMENT HAS STEPPED UP ITS EFFORTS TO DEVELOP THE ABILITY OF GOVERNMENT OFFICERS AT ALL LEVELS TO COMMUNICATE MORE EFFECTIVELY IN WRITTEN CHINESE AND HAS PROVIDED GUIDELINES ON THE STYLE AND FORMAT FOR OFFICIAL CORRESPONDENCE IN CHINESE.+

MOREOVER, HE ADDED, OFFICERS WHO NEEDED A WORKING KNOWLEDGE OF CHINESE TO DO THEIR JOB EFFECTIVELY WERE REQUIRED TO PROVE THEIR COMPETENCE IN THE USE OF CHINESE BEFORE APPOINTMENT.

+SINCE 1985, A COMPULSORY TEST OF ABILITY IN THE USE OF CHINESE HAS BEEN INTRODUCED INTO THE COMMON RECRUITMENT EXAMINATION FOR ADMISSION TO THE ADMINISTRATIVE, EXECUTIVE, LABOUR OFFICER AND MANAGEMENT SERVICES GRADES,+ MR BRIDGE SAID.

THE USE OF CHINESE FOR COMMUNICATION BETWEEN THE GOVERNMENT AND THE PUBLIC HAD EXPANDED GREATLY SINCE THE ENACTMENT IN 1974 OF THE OFFICIAL LANGUAGES ORDINANCE, WHICH DECLARED THAT BOTH CHINESE AND ENGLISH WERE TO BE CONSIDERED THE OFFICIAL LANGUAGES IN HONG KONG.

MORE THAN 450 CHINESE LANGUAGE OFFICERS WERE NOW WORKING IN VARIOUS GOVERNMENT DEPARTMENTS INVOLVED IN TRANSLATING FROM ENGLISH INTO CHINESE FORMS, PUBLIC NOTICES, LETTERS, AND OTHER DOCUMENTS INTENDED FOR RECIPIENTS WHO MIGHT NOT UNDERSTAND ENGLISH, MR BRIDGE SAID.

- 9 -

SUBSTANTIAL PROGRESS HAD ALSO BEEN MADE SINCE 1980 IN THE TRANSLATION OF LEGISLATION, AND A TOTAL OF 153 ITEMS OF LEGISLATION OF MAJOR SIGNIFICANCE AND WIDE PUBLIC INTEREST HAD SO FAR BEEN TRANSLATED INTO CHINESE.

+ALTHOUGH THEY ARE NOT AUTHENTIC TEXTS, THESE TRANSLATION HAVE SERVED AS USEFUL REFERENCES FOR THE PUBLIC,+ MR BRIDGE SAID.

HE NOTED THAT THE EXECUTIVE COUNCIL IN JULY 1985 AUTHORISED THE PRODUCTION OF AN AUTHENTIC CHINESE VERSION OF THE LAWS OF HONG KONG AND THIS DECISION MEANT THAT CHINESE WOULD BE GIVEN A NEW STATUS AS AN ORIGINAL LANGUAGE OF LAW.

THE NECESSARY AMENDMENTS TO THE ROYAL INSTRUCTIONS WERE INTRODUCED LAST YEAR AND BILLS TO AMEND THE INTERPRETATION AND GENERAL CLAUSES ORDINANCE AND THE OFFICIAL LANGUAGES ORDINANCE, PAVING THE WAY FOR THE INTRODUCTION OF BILINGUAL LAWS, WERE PASSED BY THE COUNCIL TODAY, HE SAID.

MR BRIDGE SAID PROBLEMS WERE FORESEEN FOR AN IDEA PUT FORWARD BY THE HON LEE YU-TAI WHO SUGGESTED THAT A CHINESE LANGUAGE FOUNDATION, WITH ADEQUATE PUBLIC FUNDING, WOULD BE BEST PLACED TO UNDERTAKE THE JOB OF PROVIDING GOOD-QUALITY READING MATERIALS IN CHINESE FOR THE GENERAL PUBLIC.

+ALTHOUGH THE WORKING PARTY ADVOCATED THAT THE PROPOSED FOUNDATION SHOULD PROVIDE GENERAL READING MATERIALS FOR THE PUBLIC, IT IS NOT CLEAR HOW THIS MIGHT BE ACCOMPLISHED, NOR HOW LARGE AN INJECTION OF PUBLIC FUNDS MIGHT BE REQUIRED, NOR WHETHER IT IS IN FACT A PROPER FUNCTION FOR A GOVERNMENT OR A GOVERNMENT-FUNDED BODY TO ATTEMPT TO INFLUENCE WHAT PEOPLE READ AT THEIR LEISURE.+

HOWEVER, MR BRIDGE SAID, THE GOVERNMENT WOULD WELCOME ANY PRIVATE INITIATIVE TO SET UP A FUND TO SPONSOR THE PUBLICATION OF GOOD-QUALITY READING MATERIALS IN CHINESE.

+BUT I DO NOT FEEL IT IS EITHER NECESSARY OR DESIRABLE FOR THE GOVERNMENT TO BE SEEN TO BE INVOLVED IN DECIDING WHAT IS GOOD FOR THE PUBLIC TO READ.+

MR BRIDGE ALSO SAID THAT IN THE LIGHT OF RECOMMENDATIONS FROM THE UNIVERSITY AND POLYTECHNIC GRANTS COMMITTEE, THE GOVERNMENT HAD AGREED IN PRINCIPLE TO A SUBSTANTIAL INCREASE IN THE VOLUME OF FUNDS TO BE MADE FOR RESEARCH AT THE VARIOUS TERTIARY INSTITUTIONS DURING THE NEXT TRIENNIUM.

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WEDNESDAY, MARCH 25, 1987

- 10 -

SETTING UP OF CHINESE LANGUAGE FOUNDATION BACKED

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A CHINESE LANGUAGE FOUNDATION SHOULD BE SET UP TO PROMOTE THE USE OF CHINESE, THE HON YEUNG PO-KWAN SAID TODAY (WEDNESDAY).

SPEAKING IN THE LEGISLATIVE COUNCIL DURING THE ADJOURNMENT DEBATE ON CHINESE LANGUAGE FOUNDATION, MR YEUNG NOTED THAT THE REASONS GIVEN BY THE GOVERNMENT FOR NOT PROCEEDING TO SET UP A CHINESE LANGUAGE FOUNDATION WERE THAT THE SIGNING OF THE SINO-BRITISH JOINT DECLARATION HAD ALREADY PROMPTED A GROWING TENDENCY IN THE COMMUNITY TO ATTACH MORE IMPORTANCE TO THE USE OF CHINESE, AND THAT THE AUTHORITIES CONCERNED HAD ALREADY ENCOURAGED THE USE OF CHINESE AS A MEDIUM OF INSTRUCTION IN SCHOOLS.

YET, IF THESE REASONS WERE EXAMINED IN GREATER DEPTH, THEY INDICATED EXACTLY THAT THE SETTING UP OF A CHINESE LANGUAGE FOUNDATION WOULD BE OF GREAT IMPORTANCE TO THE PROMOTION OF THE USE OF CHINESE, HE SAID.

THE SETTING UP OF A FOUNDATION, HE SAID, WOULD HAVE IMPLICATIONS ON SOCIAL ASPECT, EDUCATION ASPECT AND RESEARCH.

SOCIALLY, THE USE OF CHINESE BY THE GOVERNMENT, THE PRIVATE SECTOR AND THE GENERAL PUBLIC ON OFFICIAL BUSINESS VARIED CONSIDERABLY IN STYLE AND FORMAT. SOME USED THE LITERALLY STYLE WHILE OTHERS PREFERRED THE VERNACULAR LANGUAGE= SOME STUCK TO THE TRADITIONAL FORMAT WHILE OTHERS FOLLOWED THE WESTERN STYLE OF LETTER-WRITING. THIS LACK OF STANDARDISATION CAUSED GREAT INCONVENIENCE AND SHOULD BE DEALT WITH BY THE CHINESE LANGUAGE FOUNDATION, HE SAID.

MR YEUNG ALSO NOTED THAT MANY IMPORTED PRODUCTS WERE NOT PROVIDED WITH CHINESE SPECIFICATIONS. THIS HAD RESULTED IN THE MISUSE OF THE PRODUCT CONCERNED AND LED TO TRAGIC ACCIDENTS. A CHINESE LANGUAGE FOUNDATION WOULD DEFINITELY PLAY A USEFUL ROLE IN THIS RESPECT.

HE SAID THAT IN LINE WITH THE FUTURE DEVELOPMENT OF A BILINGUAL SOCIETY, THERE MIGHT BE A TENDENCY FOR PROFESSIONAL EXAMINATIONS TO BE CONDUCTED IN ENGLISH AS WELL AS IN CHINESE. THE ESTABLISHMENT OF A CHINESE LANGUAGE FOUNDATION WOULD BE HELPFUL TO THIS DEVELOPMENT.

HE ADDED THAT AS ONE OF THE MAJOR OBJECTIVES OF SUCH A FOUNDATION WOULD BE TO PROMOTE THE BETTER USE OF CHINESE, IT MIGHT BE WORTHWHILE TO CONSIDER THE SETTING UP OF A SPECIAL BODY TO APPRAISE THE USE OF CHINESE. THE APPRAISAL BODY COULD BE SET UP UNDER THE AUSPICES OF THE FOUNDATION.

HE SAID THE FOUNDATION WOULD ALSO BE THE APPROPRIATE AUTHORITY TO CO-ORDINATE THE EXPERT ADVICE OF THOSE IN THE LEGAL PROFESSION AND IN THE LINGUISTIC FIELD IN TRANSLATING LAWS INTO CHINESE.

/HE NOTED

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HE NOTED THAT PEOPLE IN HONG KONG HAD NOT DEVELOPED A GOOD READING HABIT. THE FOUNDATION WOULD THEREFORE BE HELPFUL IN ENCOURAGING THE PUBLIC TO READ HIGH QUALITY PUBLICATIONS. THIS WOULD MEAN THAT THE FOUNDATION COULD PAY ATTENTION TO THE PRODUCTION AND PUBLICATION OF HIGH-QUALITY READING MATERIAL.

TURNING TO THE EDUCATIONAL ASPECTS OF THE FOUNDATION, MR YEUNG SAID THAT AT PRESENT THERE WAS MUCH TO BE DESIRED IN THE LINGUISTIC STANDARD OF CHINESE TEXTBOOKS AND WORKBOOKS FOR ALL SUBJECTS. THEY CONTAINED SUPERFLUOUS WORDING AND DIALECTAL EXPRESSIONS.

+IN VIEW OF THIS, IT IS ESSENTIAL TO ESTABLISH A SPECIAL BODY TO BE CHARGED WITH THE TASK OF IMPROVING THE STANDARD OF CHINESE OF PRIMARY SCHOOL TEXTBOOKS AND WORKBOOKS IN ALL SUBJECTS,+ HE SAID.

HE SAID THE FOUNDATION COULD ALSO DETERMINE THE MOST SUITABLE WAY OF TEACHING PUTONGHUA IN HONG KONG AND HELP IMPROVE THE LINGUISTIC PROFICIENCY OF STUDENTS, ESPECIALLY IN RELATION TO THE SPOKEN LANGUAGE.

HE ADDED THAT HONG KONG SHOULD PROMOTE CIVIC AND MORAL EDUCATION THROUGH THE USE OF CHINESE, SUCH AS THE PUBLICATION OF GOOD PERIODICALS IN THE CHINESE LANGUAGE. THIS COULD BE ONE OF THE AREAS TO WHICH THE FOUNDATION SHOULD DEVOTE ITS EFFORTS.

TURNING TO THE FOUNDATION'S ASSISTANCE IN RESEARCH PROJECTS, MR YEUNG SAID IT WOULD BE APPROPRIATE FOR THE FOUNDATION TO PROVIDE FINANCIAL ASSISTANCE FOR SOME URGENT RESEARCH PROJECTS.

HE SAID IMMEDIATE STUDIES SHOULD BE CONDUCTED ON SUCH AREAS AS THE COMPILATION OF REFERENCE BOOKS, THE USE OF CHINESE AS A MEDIUM OF COMMUNICATION IN INFORMATION TECHNOLOGY, PROFICIENCY IN CHINESE OF TRANSLATORS, PROFICIENCY IN SPOKEN LANGUAGES OF PEOPLE EMPLOYED BY THE MASS MEDIA, THE TEACHING OF PUTONGHUA, AND COMPARATIVE STUDIES ON THE USE OF CHINESE IN VARIOUS CHINESE COMMUNITIES.

IN CONCLUSION, MR YEUNG SAID THAT AT PRESENT THERE WAS NO APPROPRIATE AUTHORITY TO TAKE UP THE RESPONSIBILITY OF PROMOTING THE USE OF CHINESE TO ALL FORMS AND CLASSES IN SCHOOLS AND TO ALL SECTORS OF THE COMMUNITY.

+THE RIGHT APPROACH IS TO SET UP A CHINESE LANGUAGE FOUNDATION TO UNDERTAKE THIS IMPORTANT TASK,+ HE SAID.

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CALL FOR FOUNDATION TO PROMOTE WIDER USE OF CHINESE
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THE ESTABLISHMENT OF A CHINESE LANGUAGE FOUNDATION IS NECESSARY TO PROMOTE THE WIDER USE OF CHINESE IN SOCIETY, THE HON LEE YU-TAI SAID TODAY (WEDNESDAY).

SPEAKING DURING AN ADJOURNMENT DEBATE ON THE TOPIC IN THE LEGISLATIVE COUNCIL, MR LEE URGED THE GOVERNMENT TO RECONSIDER ITS EARLIER DECISION ON THE SETTING UP OF A CHINESE LANGUAGE FOUNDATION.

HE NOTED THAT A WORKING PARTY ON THE DEVELOPMENT OF THE FOUNDATION SUBMITTED ITS REPORT TO THE GOVERNMENT IN FEBRUARY 1982 BUT IT TOOK THE GOVERNMENT MORE THAN FOUR YEARS TO ANNOUNCE THAT IT WOULD NOT SET UP SUCH A FOUNDATION.

HE SAID THIS MIGHT GIVE THE PUBLIC THE IMPRESSION THAT THE GOVERNMENT HAD BEEN DELAYING THE ISSUE DELIBERATELY.

HE ADDED THAT THE GOVERNMENT HAD PROPOSED THAT THE FINANCE COMMITTEE SHOULD ALLOCATE SOME \$40 MILLION FOR RECRUITING EXPATRIATE TEACHERS.

HE SAID HE FEARED THAT IF NO REVIEW WAS MADE ON THE DECISION TO SHELVE THE FOUNDATION, THE PUBLIC MIGHT MISUNDERSTAND THAT THE GOVERNMENT WAS GIVING FAVOURED TREATMENT TO ONE LANGUAGE OVER THE OTHER.

MR LEE POINTED OUT THAT THE SETTING UP OF THE CHINESE LANGUAGE FOUNDATION WOULD ACHIEVE FOUR PURPOSES.

+FIRSTLY, AS THE CHINESE TEXTBOOKS COMMITTEE HAS ALREADY BEGUN ITS WORK, CONSIDERATION MIGHT BE GIVEN IN FUTURE TO GIVE SOME APPROPRIATE FORM OF ASSISTANCE TO PUBLISH SOME CHINESE TEXTBOOKS,+ HE SAID.

+IF FINANCIAL ASSISTANCE COMES FROM PUBLIC REVENUE, THE PUBLIC MIGHT THINK THAT THE GOVERNMENT IS ALSO INVOLVED AND MIGHT DOUBT WHETHER THESE BOOKS WERE OBJECTIVE ENOUGH.

+BUT IF THESE BOOKS WERE FINANCED BY THE CHINESE LANGUAGE FOUNDATION WHICH IS INDEPENDENT THEIR OBJECTIVITY WOULD BE BEYOND DOUBT,+ HE STRESSED.

SECONDLY, MR LEE POINTED OUT THAT ENGLISH WAS GENERALLY USED AS THE MEDIUM OF COMMUNICATION AMONG HONG KONG'S PROFESSIONAL SERVICES AND IN VIEW OF FUTURE DEVELOPMENTS AND THE NEED OF LOCALISATION, ACTIVE MEASURES SHOULD BE TAKEN TO PROFESSIONALISE CHINESE TRANSLATION.

HE SAID THIS COULD BE PROMOTED BY THE CHINESE LANGUAGE FOUNDATION BY SETTING UP AN AD HOC COMMITTEE UNDER IT TO LIAISE WITH VARIOUS PROFESSIONS TO FULLY IMPLEMENT THE WORK AND TO ALLOCATE SOME OF ITS RESOURCES TO FINANCE RESEARCH AND TRANSLATION WORK.

MR LEE THEN REFERRED TO THE SO-CALLED +POP-CULTURE+ WHICH HE SAID HAD STRONG INFLUENCE ON SOCIETY AND HAD LED TO A GENERAL DECLINE IN THE POWER OF EXPRESSION AND THE CULTURAL STANDARD OF THE LOCAL POPULATION.

HE SUGGESTED THAT THE FOUNDATION MIGHT HELP DEVELOP A +COUNTER-CULTURE+ BY MAKING AVAILABLE PUBLICATIONS WHICH WERE DEFICIENT IN THE MARKET AND BY ALLOCATING NECESSARY RESOURCES TO SPONSOR THE MASS MEDIA TO PRODUCE CULTURAL PROGRAMMES, SO AS TO REDUCE THE BAD INFLUENCE BROUGHT ABOUT BY +POP-CULTURE+.

MR LEE ALSO FELT THAT THE FOUNDATION COULD HELP PROMOTE CHINESE CULTURE AND CULTIVATE A SENSE OF BELONGING.

HE NOTED THAT WITH GREATER IMPORTANCE ATTACHED TO THE USE OF CHINESE AND THE IMMINENT DRAFTING OF LAWS IN CHINESE, THE CHINESE LANGUAGE DIVISION OF THE GOVERNMENT WAS ASSUMING AN INCREASINGLY IMPORTANT ROLE.

THEREFORE, HE PROPOSED THE SETTING UP OF A CHINESE LANGUAGE COMMITTEE WHICH WOULD INCLUDE NON-GOVERNMENT MEMBERS TO REFLECT THE VIEWS OF THE PUBLIC ON THE USE OF CHINESE IN OFFICIAL MATTERS.

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MOVE TO CONTROL DISPENSING OF PHARMACEUTICAL PRODUCTS
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THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, TODAY (WEDNESDAY) SOUGHT APPROVAL FOR THE CONTROL OF THE DISPENSING OF PHARMACEUTICAL PRODUCTS.

MOVING A MOTION ON THE PHARMACY AND POISONS (AMENDMENT) REGULATIONS 1987, MR CHAMBERS SAID THE REGULATIONS WOULD PUT INTO PRACTICE THE RECOMMENDATION OF THE WORKING PARTY ON THE PRACTICE OF PHARMACY AND ANCILLARY MATTERS.

HE SAID THE GOVERNMENT HAD ACCEPTED THE WORKING PARTY'S RECOMMENDATION THAT PRESCRIPTIONS SHOULD BE DISPENSED ONLY BY QUALIFIED PHARMACISTS ENGAGED BY AUTHORISED SELLERS OF POISONS OR IN OTHER APPROVED OUTLETS.

HE SAID THAT REGULATION 4 PROHIBITED LISTED SELLERS OF POISONS FROM DISPENSING PRESCRIPTIONS WHILE REGULATION 6 PROHIBITED THE POSSESSION OR USE OF UNREGISTERED OR DEREGISTERED PHARMACEUTICAL PRODUCTS, SUCH AS SYNTHETIC HORMONES, THE SALE AND DISTRIBUTION OF WHICH HAD ALREADY BEEN BANNED BY EXISTING LEGISLATION.

+REGULATION 7 PROVIDES THAT, FOR MEDICINES WHICH CAN BE FREELY SOLD OVER THE COUNTER, INFORMATION ON THE KEY ASPECTS OF DOSAGE, ROUTE AND FREQUENCY OF ADMINISTRATION SHOULD BE PROVIDED IN BOTH ENGLISH AND CHINESE.

+THIS IS AN IMPROVEMENT OVER THE EXISTING REQUIREMENT WHICH IS THAT LABELS GIVING DETAILS OF THE COMPOSITION, THE MANUFACTURER AND THE CERTIFICATE OF REGISTRATION SHOULD BE IN EITHER ENGLISH OR CHINESE,+ HE SAID.

MR CHAMBERS POINTED OUT THAT A GRACE PERIOD OF 18 MONTHS WOULD BE ALLOWED FOR THE PHARMACEUTICAL TRADE TO COMPLY WITH THIS PROVISION.

+REGULATION 8 INCREASES THE PENALTIES FOR THE ILLEGAL MANUFACTURE OF PHARMACEUTICAL PRODUCTS AND THEIR ILLEGAL SUPPLY TO UNAUTHORISED PERSONS IN ORDER TO STRENGTHEN THE DETERRENT EFFECT OF THE EXISTING REGULATIONS.

+REGULATION 9 STIPULATES THE FORM OF LOGO FOR DISPLAY BY AUTHORISED SELLERS OF POISONS TO FACILITATE IDENTIFICATION BY MEMBERS OF THE PUBLIC.+

HE ADDED THAT THE AMENDMENT REGULATIONS ALSO MADE A NUMBER OF MINOR CHANGES, MAINLY TO THE FORMS SPECIFIED IN THE REGULATIONS.

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LABELLING OF MEDICINE TO GO BILINGUAL
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A PROPOSED AMENDMENT IN THE PHARMACY AND POISONS (AMENDMENT) REGULATIONS 1987, WHICH PROVIDES FOR THE LABELLING OF MEDICINE WITH KEY INFORMATION TO BE PRINTED IN BOTH ENGLISH AND CHINESE, WAS SUPPORTED BY LEGISLATORS.

DR THE HON HENRIETTA IP, CONVENER OF THE LEGISLATIVE COUNCIL AD HOC GROUP FORMED TO STUDY THE REGULATIONS, SAID TODAY (WEDNESDAY) THAT THE PROPOSED AMENDMENT REGULATION 7 WAS +SENSIBLE AND NECESSARY+. SINCE THE MAJORITY OF CONSUMERS IN HONG KONG WERE CHINESE, AND A LARGE PROPORTION OF THE PHARMACEUTICAL PRODUCTS WERE IMPORTED FROM OVERSEAS COUNTRIES.

SHE ADDED THAT THERE WOULD BE A GRACE PERIOD OF 18 MONTHS BEFORE THE NEW LABELLING PROVISIONS BECAME EFFECTIVE SO THAT THE PHARMACEUTICAL TRADE HAD THE NECESSARY TIME TO COMPLY.

SHE SAID THAT THE AD HOC GROUP FELT IT DESIRABLE TO INCLUDE ON THE LABEL FURTHER INFORMATION REGARDING POSSIBLE CONTRA-INDICATIONS AND SIDE-EFFECTS OF A PRODUCT.

/SHE SAID

SHE SAID THAT THE GROUP UNDERSTOOD THAT SUCH AMENDMENTS MIGHT REQUIRE CONSULTATION AND MEMBERS DID NOT WISH TO DELAY THE PASSING OF THESE REGULATIONS WHICH CONTAINED MORE IMPORTANT PROVISIONS. THE GROUP, HOWEVER, AGREED TO LET THE PHARMACY AND POISONS REGISTRATION COMMITTEE TO UNDERTAKE THE MONITORING ROLE FOR THE TIME BEING.

+THE ADMINISTRATION ASSURES US THAT IN FUTURE DURING THE PROCESS OF REGISTRATION, STEPS WILL BE TAKEN TO REQUIRE INFORMATION REGARDING POSSIBLE CONTRA-INDICATIONS AND SIDE-EFFECT TO BE SPECIFIED ON THE LABEL OR LEAFLET ATTACHED TO A MEDICINE.

+MEMBERS OF THE AD HOC GROUP TEND TO FEEL THAT A DIRECT LEGAL REQUIREMENT TO INCLUDE SUCH INFORMATION IS A BETTER SAFEGUARD THAN INDIRECT ADMINISTRATIVE ENFORCEMENT.

+I WOULD THEREFORE URGE THE ADMINISTRATION TO MONITOR THIS PROPOSED MEASURE CLOSELY. SHOULD IT BE FOUND NOT TO BE WORKING SATISFACTORILY, FURTHER AMENDMENTS TO THE REGULATIONS MUST THEN BE MADE,+ DR IP SAID.

TURNING TO THE PROPOSED REGULATION 6, SHE SAID THAT THE EFFECT OF THIS NEW AMENDMENT WAS THAT NOT ONLY WAS THE SALE AND DISTRIBUTION OF UNREGISTERED OR DEREGISTERED PHARMACEUTICAL PRODUCTS PROHIBITED, BUT POSSESSION OF THEM WAS ALSO AN OFFENCE.

DR IP SAID UNSCRUPULOUS TRADERS WOULD NOW BE PREVENTED FROM TAKING ADVANTAGE OF THE LOOPHOLE BY STORING SUCH PRODUCTS OUTSIDE THEIR NORMAL BUSINESS PREMISES.

SHE ALSO CALLED ON THE GENERAL PUBLIC TO USE DISPENSARIES WHICH HAD A QUALIFIED PHARMACIST IN ATTENDANCE.

DR THE HON CHIU HIN-KWONG ALSO SPOKE ON THE REGULATIONS.

HE CONSIDERED THAT CLEAR, ACCURATE AND IMPORTANT INFORMATION ON DOSAGE, ROUTE AND FREQUENCY OF ADMINISTRATION WERE ESSENTIAL, BUT DETAILS ON CONTRA-INDICATIONS, SIDE-EFFECTS, PRECAUTIONS AND WARNINGS WERE ALSO INDISPENSABLE.

+IT WILL BE IMPRACTICABLE, IF NOT IMPOSSIBLE, TO REQUEST PHARMACEUTICAL MANUFACTURERS TO PROVIDE EVERY SINGLE DETAIL OF THE DRUGS CONCERNED.

+HOWEVER, IT IS IMPERATIVE TO ENSURE THAT KEY INFORMATION IS NOT OMITTED.

+THEREFORE, THE REGISTRATION COMMITTEE IS URGED TO TAKE UP THE RESPONSIBILITY TO CHECK ALL ESSENTIAL DETAILS DURING THE REGISTRATION PROCESS,+ HE SAID.

/DR CHIU

DR CHIU ALSO DREW THE GOVERNMENT'S ATTENTION TO THE FACT THAT THE ORIGINAL LITERATURE ON LABELS, LEAFLETS OR INSERTS OF SOME IMPORTED MEDICINES, WHEN TRANSLATED INTO CHINESE, HAD BEEN INTENTIONALLY ALTERED OR DELETED.

MOREOVER, A GREAT MAJORITY OF PHARMACEUTICAL PRODUCTS WERE CATEGORISED UNDER VERY BROAD TERMS.

DR CHIU SAID PATIENTS ON SELF-MEDICATION WERE OFTEN MISLED BY THE INACCURATE INFORMATION ON THE LABEL TO USE SUCH MEDICINE UNTIL THEY RAN INTO MORE GASTROINTESTINAL PROBLEMS AS A RESULT OF THE FAULTY MEDICATION.

THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, THEN THANKED MEMBERS OF THE AD HOC GROUP FOR THEIR CAREFUL SCRUTINY OF THE AMENDMENT REGULATIONS AND FOR THEIR SUPPORT.

AS TO DR IP'S AND DR CHIU'S SUGGESTION THAT MEDICINES SOLD OVER THE COUNTER SHOULD INCLUDE INFORMATION ABOUT POSSIBLE CONTRA-INDICATIONS AND SIDE-EFFECTS AND THAT THERE SHOULD BE A DIRECT LEGAL REQUIREMENT IN THE REGULATIONS THAT THIS SHOULD BE DONE, MR CHAMBERS SAID HE WOULD CONVEY THIS IDEA TO THE PHARMACY AND POISONS BOARD FOR ITS CONSIDERATION.

+I AM SURE THAT THE BOARD WILL CAREFULLY MONITOR THE POSITION UNDER THE PRESENT ARRANGEMENTS.

+I WILL ALSO BRING THE BOARD'S ATTENTION TO DR CHIU'S COMMENTS ON THE NEED FOR ACCURATE TRANSLATION OF LABELS AND LEAFLETS RELATING TO IMPORTED MEDICINES,+ HE SAID.

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IMMIGRATION PROCEDURES FOR HK RESIDENTS STREAMLINED
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HONG KONG RESIDENTS GOING TO CHINA AND MACAU WILL NOT HAVE TO GO THROUGH THE LABORIOUS PROCESS OF GETTING RE-ENTRY PERMITS IN FUTURE IF THE IMMIGRATION (AMENDMENT) BILL 1987 BECOMES LAW, THE SECRETARY FOR SECURITY, MR DAVID JEAFFRESON, SAID TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE BILL IN THE LEGISLATIVE COUNCIL, MR JEAFFRESON NOTED THAT THE PRIMARY PURPOSE OF THE BILL WAS TO INCREASE THE DIRECTOR OF IMMIGRATION'S POWERS OF EXEMPTION UNDER THE IMMIGRATION ORDINANCE SO AS TO ENABLE HONG KONG RESIDENTS, WHO AT PRESENT TRAVELLED ON RE-ENTRY PERMITS, TO TRAVEL TO CHINA AND MACAU ON THEIR IDENTITY CARDS.

/+SECONDLY,

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+SECONDLY, THE BILL ALSO PROVIDES FOR THE REVISION OF THE IMMIGRATION ORDINANCE TO EXPRESS MORE BROADLY THE POWER TO MAKE REGULATIONS FOR THE ISSUE OF TRAVEL DOCUMENTS,+ HE ADDED.

THE ARRANGEMENT FOR HONG KONG RESIDENTS TO USE IDENTITY CARDS INSTEAD OF RE-ENTRY PERMITS WHEN TRAVELLING TO CHINA AND MACAU WAS MADE POSSIBLE BY THE IMPLEMENTATION OF A COMPUTER SYSTEM - THE TRAVEL RECORD AND IMMIGRATION CONTROL ENFORCEMENT SYSTEM (TRAICES) - WHICH WAS DESIGNED TO STREAMLINE AND IMPROVE IMMIGRATION CONTROL PROCEDURES.

MR JEAFFRESON SAID THE FIRST PHASE OF THE SYSTEM TO BE INSTALLED AT THE MACAU FERRY TERMINAL AND SHAM SHUI PO PIER SHOULD BE COMPLETED BY MAY 1 THIS YEAR.

+IMMIGRATION OFFICERS AT CONTROL POINTS WHERE THE SYSTEM HAS BEEN INTRODUCED WILL KEY IN TO COMPUTER TERMINALS THE HONG KONG IDENTITY CARD NUMBERS OF HONG KONG RESIDENTS AS THEY ARRIVE AND DEPART.

+THE SYSTEM WILL CHECK WATCH LISTS AND WILL RECORD MOVEMENTS OF PASSENGERS. THERE WILL BE NO NEED FOR IMMIGRATION DEPARTMENT STAFF TO CHECK THE WATCH LIST MANUALLY, FOR HONG KONG RESIDENTS TO COMPLETE ARRIVAL CARDS OR FOR IMMIGRATION DEPARTMENT STAFF TO STAMP TRAVEL DOCUMENTS,+ HE SAID.

THOSE WHO HELD IDENTITY CARDS BUT EITHER CHOSE TO OR HAD TO TRAVEL ON PASSPORTS OF OTHER TYPES OF TRAVEL DOCUMENT WOULD ALSO BENEFIT PROVIDED THEY PRODUCED THEIR IDENTITY CARDS, HE ADDED.

MR JEAFFRESON NOTED THAT THE HONG KONG GOVERNMENT HAD CONSULTED CHINA AND MACAU AND BOTH GOVERNMENTS HAD AGREED TO THE ARRANGEMENTS NOW PROPOSED. IN ADDITION, MACAU WOULD ACCEPT HONG KONG IDENTITY CARDS AS ADEQUATE DOCUMENTS FOR TRAVELLERS FROM HONG KONG TO ENTER MACAU.

HOWEVER, THE PROPOSED ARRANGEMENTS WILL NOT BENEFIT THOSE UNDER 18 YEARS OLD, AND THEY WOULD STILL BE REQUIRED TO USE THEIR RE-ENTRY PERMITS, THUS ENSURING THAT THEY WOULD NOT EASILY TRAVEL OUT OF HONG KONG WITHOUT THE KNOWLEDGE OF THEIR PARENTS.

DEBATE ON THE BILL WAS ADJOURNED.

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HOSPITAL RIGHT OF TRAFFIC ACCIDENT VICTIMS STRESSED

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TRAFFIC ACCIDENT VICTIMS SHOULD BE EQUALLY ABLE TO ENJOY THE HIGHLY SUBSIDISED SERVICES PROVIDED BY PUBLIC HOSPITALS LIKE OTHER CITIZENS, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

WINDING UP DEBATE ON THE MOTOR VEHICLES INSURANCE (THIRD PARTY RISK) (AMENDMENT) BILL 1987, MR CHAMBERS SAID HE FULLY AGREED WITH DR THE HON HENRIETTA IP THAT A COST RECOVERY SCHEME SHOULD NOT BE ABANDONED SIMPLY BECAUSE OF ADMINISTRATIVE DIFFICULTIES, BUT HE THOUGHT CIVIL SERVANTS WERE QUITE RIGHT TO QUESTION THE APPROPRIATENESS OF SUCH A SCHEME IF THE ADMINISTRATIVE COST EXCEEDED THE REVENUE COLLECTED.

+THE ADMINISTRATION HAS SPENT A GREAT DEAL OF TIME AND EFFORT IN EXPLORING VARIOUS WAYS OF INCREASING THE VIABILITY OF THE HOSPITAL EXPENSES RECOVERY SCHEME.+

+HOWEVER,+ HE ADDED,+THE MAIN ARGUMENT IN FAVOUR OF REPEALING SECTION 8 OF THE PRINCIPAL ORDINANCE IS THAT WE SEE NO JUSTIFICATION FOR REQUIRING INSURANCE COMPANIES TO MEET THE COSTS INVOLVED IN TREATING TRAFFIC ACCIDENT VICTIMS IN OUR PUBLIC HOSPITALS, WHEN NO SIMILAR ARRANGEMENTS ARE MADE TO RECOVER HOSPITAL EXPENSES INCURRED IN TREATING OTHER TYPES OF INJURIES.+

HE SAID IN HONG KONG THE COST OF OPERATING PUBLIC HOSPITALS HAD ALWAYS BEEN A CHARGE TO THE GENERAL REVENUE.

+TRAFFIC ACCIDENT VICTIMS, LIKE OTHER CITIZENS WHO REQUIRE HOSPITAL SERVICES, SHOULD BE EQUALLY ABLE TO ENJOY THE HIGHLY SUBSIDISED SERVICES PROVIDED BY THE PUBLIC HOSPITALS.

+THE SPIRIT OF SECTION 8, WHICH WAS MODELLED ON A SIMILAR PROVISION IN THE UNITED KINGDOM LAW, HAS NO RELEVANCE IN THE LOCAL CONTEXT,+ HE ADDED.

REFERRING TO THE HON MARTIN LEE'S QUERY ON THE CORRECTNESS OF THE ADMINISTRATION'S ACTION IN SUSPENDING THE SCHEME IN 1981, MR CHAMBERS SAID HE WOULD CERTAINLY PUT MR LEE'S POINT TO THE ATTORNEY GENERAL.

+BUT IT SEEMS TO ME AS A LAYMAN THAT THE DIRECTOR WAS EXERCISING GOOD JUDGEMENT IN DISCONTINUING THE SCHEME WHEN IT BECAME CLEAR THAT ITS CONTINUATION WOULD HAVE RESULTED IN A CONTINUING LOSS TO THE PUBLIC FINANCES,+ HE ADDED.

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AD HOC GROUP REVEALS GOVERNMENT DEFICIENCIES
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A NUMBER OF DEFICIENCIES WITHIN GOVERNMENT ADMINISTRATION HAVE BEEN REVEALED BY A LEGISLATIVE COUNCIL AD HOC GROUP STUDYING THE MOTOR VEHICLES (THIRD PARTY RISKS) (AMENDMENT) BILL 1986, DR THE HON HENRIETTA IP SAID TODAY (WEDNESDAY).

SPEAKING AS CONVENER OF THE GROUP DURING THE RESUMED DEBATE ON THE BILL, DR IP SAID THE OVERRIDING REASON FOR THE BILL WAS TO REPEAL A PREVIOUS SCHEME WHICH WAS BASED ON FAULTY PRINCIPLE.

SHE RECALLED THAT MEMBERS' FIRST REACTION TO THE BILL WAS THAT IT APPEARED WRONG IN PRINCIPLE TO SUBSIDISE INSURANCE COMPANIES WHICH UNDER EXISTING LEGISLATION WERE REQUIRED TO PAY EXPENSES INCURRED BY NON-PROFIT MAKING HOSPITALS IN TREATING PEOPLE INJURED BY THE INSURED VEHICLES.

SHE SAID THE AD HOC GROUP INITIALLY FOCUSSED ATTENTION ON WAYS TO IMPROVE THE RECOVERY SCHEME INSTEAD OF ABANDONING IT BECAUSE THE GOVERNMENT'S MAIN ARGUMENT FOR THE BILL WAS IN THE ADMINISTRATIVE DIFFICULTIES ARISING FROM THE SCHEME.

SHE STRESSED THAT MEMBERS CONSIDERED THAT ADMINISTRATIVE AND FINANCIAL DIFFICULTIES SHOULD NOT STAND IN THE WAY OF THE EXECUTION OF FAIR AND JUST LEGISLATION.

HOWEVER, AFTER A SERIES OF MEETINGS, THE ADMINISTRATION BROUGHT OUT THE SECONDARY ARGUMENT THAT THERE WAS NO JUSTIFICATION FOR MOTORISTS TO BEAR THE FULL COST OF TREATING PERSONS INJURED, DR IP SAID.

DR IP OUTLINED THE DEFICIENCIES WHICH WERE REVEALED BY THE AD HOC GROUP IN THE COURSE OF ITS DELIBERATIONS OF THE BILL.

FIRSTLY, IT TOOK THE GOVERNMENT 27 YEARS AFTER THE ENACTMENT OF THE ORDINANCE TO INSTITUTE ARRANGEMENTS TO RECOVER HOSPITAL EXPENSES FROM INSURANCE COMPANIES;

SECONDLY, THE MANAGEMENT SERVICE DIVISION WAS BROUGHT IN TO ASSIST WHEN ADMINISTRATIVE DIFFICULTIES AROSE ONE YEAR AFTER THE IMPLEMENTATION OF THE RECOVERY SCHEME BUT NONE OF ITS SIX RECOMMENDATIONS WERE ADOPTED AFTER EIGHT YEARS;

THIRDLY, THE GOVERNMENT HAD NO LEGAL AUTHORITY TO SUSPEND THE SCHEME IN 1981;

FOURTHLY, IT TOOK THE GOVERNMENT SIX YEARS TO BRING THE PROBLEM TO THE ATTENTION OF THE EXECUTIVE COUNCIL AND THE LEGISLATIVE COUNCIL; AND

FIFTHLY, THE PRIME REASON GIVEN BY THE GOVERNMENT FOR REPEALING THE SCHEME WAS WRONG.

/LASTLY,

LASTLY, ALL MEMBERS OF THE AD HOC GROUP AGREED THAT CONSIDERATION SHOULD ALWAYS BE GIVEN TO IMPROVING COST-EFFECTIVENESS IN THE EXECUTION OF THE LAW RATHER THAN ABANDONING IT BECAUSE OF ADMINISTRATIVE DIFFICULTIES.

+IF HOWEVER THE POLICY BEHIND A LEGISLATION IS DOUBTFUL, THE MATTER SHOULD BE BROUGHT TO THE ATTENTION OF THE LEGISLATIVE COUNCIL AT THE EARLIEST OPPORTUNITY AND NOT AFTER 36 YEARS,+ DR IP SAID.

ALSO SPEAKING IN SUPPORT OF THE BILL, THE HON MARTIN LEE SAID ALTHOUGH THIS WAS FIVE YEARS OVERDUE IT WAS BETTER LATE THAN NEVER.

MR LEE SAID HE WOULD LIKE TO FOCUS ATTENTION ON ANOTHER ASPECT OF THE ISSUE WHICH WAS A MATTER OF LEGAL PRINCIPLE.

HE WAS REFERRING TO THE FACT THAT THE GOVERNMENT HAD IN SEPTEMBER 1981 DECIDED, WITHOUT REFERENCE TO THE LEGISLATIVE COUNCIL, TO SUSPEND THE OPERATION OF THE RECOVERY SCHEME WHICH WAS INTRODUCED BY LEGISLATION IN 1978, AND THEN SEEK LEGISLATIVE SANCTION FOR ITS DECISION ONLY IN JULY 1986.

MR LEE NOTED THAT THE GOVERNMENT ON THIS OCCASION WAS NOT ACTING CONTRARY TO THE LEGAL ADVICE IT HAD RECEIVED ALTHOUGH THE ADVICE WAS WRONG.

SUMMARISING THE POSITION UNDER WHICH THE DIRECTOR OF MEDICAL AND HEALTH SERVICES HAD DECIDED IN 1981 NOT TO COLLECT THE PAYMENTS FOR THE REASON THAT THE SCHEME WAS THOUGHT TO BE NOT COST-EFFECTIVE, MR LEE POINTED OUT THAT THE DIRECTOR WAS +CLEARLY DECLINING TO CARRY OUT SUCH A DUTY IMPOSED UPON HIM BY THIS COUNCIL AT HIS OWN REQUEST+.

HE SAID WHILST THIS CLEARLY SHOWED AN INSUFFICIENT GRASP OF THE RULE OF LAW BY THE ADMINISTRATION AT THE TIME, IT WAS AT LEAST OF SOME COMFORT THAT THE CURRENT ADMINISTRATION HAD FINALLY APPRECIATED THE NECESSITY OF ACCOUNTING ON THIS ISSUE TO THE PEOPLE OF HONG KONG THROUGH THE LEGISLATIVE COUNCIL.

HE STRESSED THAT THE +RULE OF LAW+ MEANT THAT EVERYONE, INCLUDING THE GOVERNMENT, RESPECTED THE FUNDAMENTAL GROUND RULES LAID DOWN EITHER BY THE LEGISLATURE (THROUGH ORDINANCES) OR BY THE COURTS (THROUGH THE DECLARATION OF COMMON LAW PRACTICES).

+THE RULE OF LAW CANNOT BE COMPROMISED BY GOOD INTENTIONS,+ HE STATED.

+FOR ONLY BY RESPECTING THE RULE OF LAW WILL THE GOVERNMENT COMMAND THE RESPECT AND CONFIDENCE OF THE PEOPLE OF HONG KONG,+ HE SAID.

LEGAL AID FEES TO GO UP

THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) APPROVED AN INCREASE OF 33 PER CENT IN FEES PAYABLE TO COUNSEL AND SOLICITORS ASSIGNED BY THE DIRECTOR OF LEGAL AID TO CONDUCT CRIMINAL CASES, WITH EFFECT FROM APRIL 1 THIS YEAR.

MOVING THE LEGAL AID IN CRIMINAL CASES (AMENDMENT) RULES 1987, THE CHIEF SECRETARY, THE HON DAVID FORD, SAID THAT THE FEES WERE LAST INCREASED IN JANUARY 1982.

THE PRESENT INCREASE WAS TO REFLECT INFLATION AS EVIDENCED BY THE CONSUMER PRICE INDEX SINCE THAT DATE, HE SAID.

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CHANGES TO APPROVED ESTIMATES OF EXPENDITURE

A SUMMARY OF THE CHANGES TO THE APPROVED ESTIMATES OF EXPENDITURE IN THE THIRD QUARTER OF THE FINANCIAL YEAR 1986-87 WAS TABLED BY THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR JACOBS SAID THAT ITEMS IN THE SUMMARY HAD BEEN APPROVED EITHER BY THE FINANCE COMMITTEE OR UNDER DELEGATED AUTHORITY.

+SUPPLEMENTARY PROVISION OF \$217.1 MILLION WAS APPROVED,+ HE SAID, ADDING THAT IT WAS FULLY OFFSET EITHER BY SAVINGS UNDER THE SAME OR OTHER HEADS OF EXPENDITURE OR BY DELETION OF FUNDS UNDER THE ADDITIONAL COMMITMENT VOTES.

MR JACOBS ALSO POINTED OUT THAT, DURING THE PERIOD, APPROVED NON-RECURRENT COMMITMENTS WERE INCREASED BY \$480.8 MILLION AND NEW NON-RECURRENT COMMITMENTS OF \$629.1 MILLION WERE ALSO APPROVED.

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CAVEATS IN PARTITION BILL DELETED

AN AMENDMENT TO DELETE THE PROVISION OF CAVEATS IN THE PARTITION (AMENDMENT) BILL 1987 WAS PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE AMENDMENT DURING THE COMMITTEE STAGE OF THE BILL, THE ATTORNEY GENERAL, THE HON MICHAEL THOMAS, SAID THERE WAS NO SYSTEM OF CAVEATS AGAINST LAND DEALINGS IN HONG KONG AND THEREFORE THIS PROVISION SERVED NO PRACTICAL PURPOSE.

+AS IT STANDS AT PRESENT NEW SECTION 3B(3)(A)(II) IN CLAUSE 4 PROVIDES THAT A MEMORANDUM FILED BY THE DIRECTOR OF BUILDINGS AND LANDS IN A PARTITION ACTION WILL NOT OPERATE TO PREVENT THE MAKING OF AN ORDER TO PREVENT THE LAPSE OF A CAVEAT AGAINST LAND DEALINGS,+ HE ADDED.

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UPGC INTERIM REPORT TABLED

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THE PRIME RESPONSIBILITY OF THE UNIVERSITY AND POLYTECHNIC GRANTS COMMITTEE (UPGC) IS TO ENSURE THAT THE INCREASING DEMAND FOR GRADUATES FROM THE TERTIARY SECTOR IS MET WITHOUT ANY DIMINUTION IN STANDARD AND WITH THE TAX-PAYER GETTING VALUE FOR MONEY, THE HON JOHN SWAINE SAID TODAY (WEDNESDAY).

TABLING THE UPGC'S INTERIM REPORT FOR THE PERIOD COVERING JANUARY 1985 TO DECEMBER 1986 AS ITS CHAIRMAN, MR SWAINE POINTED OUT THAT ON PRESENT PLANNING TARGETS THE TOTAL STUDENT POPULATION FOR THE SIX TERTIARY INSTITUTIONS WOULD GROW TO 60 000 FULL-TIME EQUIVALENTS BY THE YEAR 2000.

IN THE YEAR 1986-87, THE TOTAL STUDENT POPULATION WAS 32 300 FULL-TIME EQUIVALENTS, INCLUDING 26 000 FULL-TIME AND 21 400 PART-TIME STUDENTS, HE SAID.

MR SWAINE NOTED THAT THE COST OF TERTIARY EDUCATION RAN HIGH, WITH THE RECURRENT COSTS AMOUNTING TO \$1 600 MILLION FOR THE ACADEMIC YEAR ENDING JUNE 30, 1986.

HE ALSO OBSERVED THAT THERE WAS A NATURAL TREND ON THE PART OF THE NON-UNIVERSITY INSTITUTIONS TO MOVE TOWARDS MORE AND MORE DEGREE WORK AT THE EXPENSE OF SUB-DEGREE COURSES.

+IT IS IMPORTANT TO KEEP A BALANCE BETWEEN THESE TYPES OF AWARDS AND ENSURE A SUFFICIENT SUPPLY OF COURSES AT HIGHER CERTIFICATES AND DIPLOMA LEVELS SO AS TO MEET COMMUNITY NEEDS,+ HE SAID.

HE ADDED THAT NON-UNIVERSITY INSTITUTIONS ALSO HAD NATURAL ASPIRATIONS TO PROVIDE HIGHER DEGREE WORK AND THE HONG KONG POLYTECHNIC HAD INTRODUCED ITS FIRST PROGRAMMES FOR THE DEGREE OF MASTER OF PHILOSOPHY BY RESEARCH.

+HERE AGAIN, IT IS NECESSARY TO PROCEED WITH CARE SO AS TO ENSURE THE MAINTENANCE OF STANDARDS,+ HE SAID.

TURNING TO THE UNIVERSITY LEVEL, MR SWAINE SAID THE MAIN AREA OF CONCERN HAD BEEN THE QUESTION OF THE LENGTH OF COURSE LEADING TO A FIRST DEGREE.

HE POINTED OUT THERE WERE MANY FACETS TO THIS PROBLEM AND THERE WAS NO EASY SOLUTION IN SIGHT.

+IN THE END, THE ANSWER MUST BE FOUND IN WHAT BEST SERVES THE COMMUNITY'S NEEDS AND IN THE BEST ALLOCATION OF PUBLIC RESOURCES TO MEET COMPETING DEMANDS,+ HE SAID.

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BAPTIST COLLEGE MAKES POSITIVE DEVELOPMENTS

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THE HONG KONG BAPTIST COLLEGE, RAVING NEW FIRMLY ESTABLISHED ITSELF AFTER SETTING UP FOR 30 YEARS, WOULD CONTINUE IN THE YEARS AHEAD TO MATURE AS A DISTINGUISHED ACADEMIC COMMUNITY SERVING THE INTERESTS OF HONG KONG THROUGH HIGHER EDUCATION, THE HON WONG PO-YAN SAID TODAY (WEDNESDAY).

TABLING ITS ANNUAL REPORT FOR 1985-86 IN THE LEGISLATIVE COUNCIL IN HIS CAPACITY AS CHAIRMAN OF THE COLLEGE'S BOARD OF GOVERNORS AND COUNCIL, MR WONG SAID MANY POSITIVE DEVELOPMENTS IN THE COLLEGE HAD BEEN MADE DURING THE YEAR.

MOST IMPORTANT OF ALL, THE COLLEGE HAD GAINED APPROVAL TO OFFER TWO BACHELOR DEGREE COURSES IN COMBINED SCIENCES AND SOCIAL WORK, AFTER THESE COURSES WERE GIVEN HIGH MARKS BY ACADEMIC VALIDATION TEAMS FROM THE UK COUNCIL FOR NATIONAL ACADEMIC AWARDS, HE NOTED.

IN ADDITION, THERE WAS A NINE PER CENT INCREASE IN THE NUMBER OF SENIOR ACADEMIC STAFF WHILE THE TOTAL STUDENT POPULATION WAS HELD AT ZERO GROWTH, HE SAID.

INCREASED FUNDING HAD BEEN ALLOCATED TO STAFF RESEARCH, WHICH HAD NOT ONLY INCREASED IN QUANTITY BUT ALSO EXPANDED IN SCOPE AND IMPROVED IN QUALITY, HE NOTED.

THE COLLEGE'S LIBRARY HAD BEEN COMPUTERISED WITH A FULLY-INTEGRATED AUTOMATION SYSTEM, AND ITS COLLECTION HAD EXPANDED BY 12 PER CENT TO REACH A NEW HIGH OF 150 000 VOLUMES, HE SAID.

HE ADDED THAT THE CAMPUS REDEVELOPMENT PROGRAMME PROCEEDED ON SCHEDULE AND A TEMPORARY SITE AT RENFREW ROAD NEAR THE CAMPUS HAD BEEN ACQUIRED AS DECANTING SPACE FOR THE STAFF AND STUDENTS WHEN CONSTRUCTION WORK ON THE CAMPUS WAS IN PROGRESS.

LASTLY, WHILE APPRECIATING THE SUPPORT FROM PUBLIC FUNDS, MR WONG ALSO THANKED THE PRIVATE SECTOR FOR ITS CONTINUING SUPPORT TO THE COLLEGE.

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FILM CLASSIFICATION BILL UNDER WAY

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THE EXECUTIVE COUNCIL'S AGREEMENT WOULD BE SOUGHT TO PUBLISH A DRAFT BILL TO IMPLEMENT A THREE-CATEGORY FILM CLASSIFICATION SYSTEM ON APRIL 3, THE CHIEF SECRETARY, THE HON DAVID FORD, TOLD THE LEGISLATIVE COUNCIL MEETING THIS (WEDNESDAY) AFTERNOON.

REPLYING TO A QUESTION FROM THE HON SELINA CHOW, MR FORD SAID THE GOVERNMENT SUPPORTED A LEGISLATIVE COUNCIL MEMBERS' RECOMMENDATION REACHED AT LAST FRIDAY'S IN-HOUSE MEETING TO ADOPT A LEGISLATIVE APPROACH IN IMPLEMENTING THE NEW FILM CLASSIFICATION SYSTEM, AND DISCUSSIONS OF A DRAFT BILL WERE UNDER WAY WITH AN AD HOC GROUP UNDER THE CONVENORSHIP OF THE HON YEUNG PO-KWAN.

+AT THE MEETING OF THE AD HOC GROUP THIS MORNING, I UNDERSTAND IT WAS AGREED THAT EXCO'S AGREEMENT WOULD BE SOUGHT TO PUBLISH A DRAFT BILL ON APRIL 3 AND THEREAFTER PROVIDE A PERIOD FOR PUBLIC CONSULTATION.

+THE INTENTION IS TO INTRODUCE THE BILL TO THIS COUNCIL FOR ENACTMENT WITHIN THE CURRENT SESSION,+ HE ADDED.

HE ADMITTED THAT THE WAY TO IMPLEMENT THE THREE-CATEGORY FILM CLASSIFICATION HAD PRESENTED DIFFICULTIES AND THE GOVERNMENT HAD EXAMINED TWO APPROACHES.

+THE FIRST IS BY ENACTING NEW LEGISLATION FOR FILM CENSORSHIP PURPOSES TO REPLACE THE EXISTING FILM CENSORSHIP REGULATIONS WHICH ARE NOT SATISFACTORY BECAUSE THEY WERE MADE UNDER AN OMNIBUS ORDINANCE GOVERNING PLACES OF PUBLIC ENTERTAINMENT AND WHICH LEGAL ADVICE HAS BEEN GIVEN EXPRESSING DOUBTS ABOUT THEIR LEGALITY,+ HE SAID.

IN DRAFTING THE LEGISLATION, MR FORD SAID PROBLEMS WERE ENCOUNTERED IN FINDING AN APPROPRIATE EXPRESSION OF THE PRINCIPLES OF FILM CENSORSHIP WHICH WOULD ADEQUATELY GUIDE THE FILM INDUSTRY. DIFFICULTIES WERE FOUND IN CIRCUMSCRIBING THE POWERS OF THE CENSORS AND SAFEGUARDING AGAINST POSSIBLE ABUSES, MR FORD ADDED.

HE ALSO SAID THE PUBLIC COULD BE SENSITIVE TO THE CRITERIA FOR CENSORING FILMS, CURRENTLY EMBODIED IN THE ADMINISTRATIVE +NOTE OF GUIDANCE,+ BEING CONFIRMED BY STATUE.

+CONSIDERATION WAS THEN GIVEN TO IDENTIFYING AN ALTERNATIVE METHOD OF INTRODUCING A SYSTEM OF FILM CLASSIFICATION WITHIN THE EXISTING FRAMEWORK.

+THIS COULD HAVE BEEN ACHIEVED BY AMENDING THE 'NOTE OF GUIDANCE' TO INCLUDE A PROVISION FOR FILM CLASSIFICATION AND BY REQUIRING CINEMA-OPERATORS TO USE ALL REASONABLE MEANS TO ENSURE THAT IN RESPECT OF CATEGORY III FILMS ONLY PERSONS WHO HAVE ATTAINED THE AGE OF 18 YEARS ARE ADMITTED,+ MR FORD SAID.

BUT HE ADDED THAT WITHOUT LEGISLATIVE BACKING, THERE MIGHT HAVE BEEN DIFFICULTIES IN ENFORCING THE REQUIREMENT.

COMMENTING ON THE CONTROVERSY SURROUNDING THE LEGALITY OF THE EXISTING FILM CENSORSHIP REGULATION, MR FORD SAID THERE WAS VERY LITTLE DISCUSSION ON THE SUBJECT SINCE THE QUESTION WAS FIRST BROUGHT TO THE ATTENTION OF THE ADMINISTRATION IN 1972.

+DURING THE 10 YEARS BETWEEN 1972 AND 1982, NO ACTION WAS TAKEN TO REMEDY THE LAW. FILE RECORD OF THE PERIOD SHOWED THERE WAS LITTLE, THERE WAS VERY LITTLE, DISCUSSION ON THE SUBJECT.+

- 25 -

HE COULD THEREFORE ONLY SECOND GUESS THE REASON FOR THE ADMINISTRATION NOT TO TAKE ANY ACTION TO REMEDY THE LAW. +I CAN ONLY MAKE ASSUMPTIONS, I CANNOT VERIFY THEM,+ HE ADDED.

MR FORD SAID IT WOULD SEEM THERE WAS LITTLE PRESSURE ON THE ADMINISTRATION TO RAISE THIS +RATHER DELICATE POLITICAL PROBLEM+ AS THE SYSTEM HAD BEEN OPERATING TO THE APPARENT SATISFACTION OF THE PUBLIC AND THE CINEMA-OPERATORS.

HE ADMITTED THIS WAS NOT VERY SATISFACTORY EXPLANATION BUT AT LEAST IT HAD THE MERIT OF BEING HONEST.

HE SAID THE SITUATION HAD CHANGED SINCE 1982.

THE INTRODUCTION OF THE FILM CLASSIFICATION SYSTEM PROPOSED WHICH BEGAN TO TAKE SHAPE WITH THE DISTRICT BOARDS GAVE THE ADMINISTRATION THE GOOD OPPORTUNITY TO REVAMP THE LAW WHICH WAS OUTDATED AND UNSATISFACTORY ON SEVERAL ACCOUNTS, HE ADDED.

MR FORD SAID DETAILS DRAFTING INSTRUCTIONS WERE ISSUED IN MARCH, 1985 AND NO LESS THAN EIGHT DRAFTS OF THE BILL HAD BEEN PRODUCED.

HE ADMITTED DIFFICULTIES WERE ENCOUNTERED OVER THE EXPRESSION OF THE PRINCIPLES OF FILM CENSORSHIP AND THERE WERE INDEED DIFFERENCES WITHIN THE ADMINISTRATION AS TO HOW THE PROBLEM SHOULD BE TACKLED.

BUT MR FORD STRESSED THERE WAS NO LACK OF WILL ON THE PART OF THE ADMINISTRATION TO TACKLE THE ISSUE.

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ATTORNEY GENERAL'S DISCRETION IN PROSECUTION EXPLAINED
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EVEN IF THERE IS EVIDENCE THAT TENDS TO PROVE THE NECESSARY INGREDIENTS OF AN OFFENCE, A BARE PRIMA FACIE CASE IS, GENERALLY SPEAKING, NOT ENOUGH TO WARRANT A PROSECUTION, THE ATTORNEY GENERAL, THE HON MICHAEL THOMAS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON STEPHEN CHEONG, MR THOMAS QUOTED THE CRIMINAL PROCEDURE ORDINANCE WHICH STATED THAT +THE ATTORNEY GENERAL SHALL NOT BE BOUND TO PROSECUTE AN ACCUSED PERSON IN ANY CASE IN WHICH HE MAY BE OF OPINION THAT THE INTERESTS OF PUBLIC JUSTICE DO NOT REQUIRE HIS INTERFERENCE+.

/ON FACTORS

ON FACTORS HE TOOK INTO ACCOUNT WHEN MAKING A DECISION WHETHER TO PROSECUTE, MR THOMAS SAID THAT THERE MUST BE A REASONABLE PROSPECT OF SECURING A CONVICTION BECAUSE IT WAS NOT IN THE INTERESTS OF PUBLIC JUSTICE, NOR OF THE PUBLIC PURSE, THAT WEAK, OR BORDERLINE, CASES SHOULD BE PROSECUTED.

OTHER FACTORS TO BE CONSIDERED IN ASSESSING WHERE THE INTERESTS OF PUBLIC JUSTICE LAY WERE:

- * WHAT ARE THE SURROUNDING CIRCUMSTANCES OF THE OFFENCE?
- * HOW SERIOUS WAS IT?
- * WHAT WERE ITS PRACTICAL EFFECTS?
- * WHAT EXTENUATING CIRCUMSTANCES ARE THERE?
- * WHAT IS THE ATTITUDE OF THE SUSPECT?
- * HOW WOULD THE DECISION TO LAUNCH A PROSECUTION AFFECT OTHER PEOPLE?
- * HOW SERIOUS A VIEW WOULD A COURT TAKE OF THE OFFENCE IF THERE WERE A CONVICTION?
- * WOULD THE CONSEQUENCES OF PROSECUTION BE OUT OF ALL PROPORTION TO THE SERIOUSNESS OF THE OFFENCE OR TO THE PENALTY A COURT WOULD BE LIKELY TO IMPOSE?

MR THOMAS SAID THAT THE LIST, THOUGH NOT EXHAUSTIVE, WAS SUFFICIENT TO INDICATE THAT JUDGEMENT WHETHER TO PROSECUTE ULTIMATELY DEPENDED ON A BROAD VIEW OF THE INTERESTS OF JUSTICE.

ON THE POINT THAT HIS DECISION NOT TO PROSECUTE MR ALAN BOND HAD BEEN VIEWED AS REFLECTING ADVERSELY ON HONG KONG'S STANDARDS IN THE SECURITIES FIELD AND ON ITS REPUTATION AS A FINANCIAL CENTRE, MR THOMAS SAID THAT SUCH ALLEGATION PRESUPPOSED THAT A PROSECUTION SHOULD HAVE BEEN BROUGHT, WHICH WAS THE VERY POINT AT ISSUE.

HE SAID THE COMMISSIONER FOR SECURITIES WAS RIGHTLY CONCERNED ABOUT THE MATTER AND WAS IN CONTACT WITH HIS CHAMBERS AND WITH THE POLICE.

+I REQUESTED THAT THE POLICE UNDERTAKE AN INVESTIGATION OF THE CIRCUMSTANCES, AND CHECK THE RECORDS OF THE JOURNALISTS AND OTHERS PRESENT AT THE PRESS CONFERENCE TO ASCERTAIN EXACTLY WHAT WAS SAID.

+I RECEIVED REPRESENTATIONS FROM MR BOND'S LAWYERS AND I DISCUSSED THE MATTER WITH MY ADVISERS IN CHAMBERS.

- 27 -

HE ADDED THAT HE HAD LOOKED AT ALL OTHER RELEVANT FACTORS AND CONCLUDED THAT A PROSECUTION SHOULD NOT BE BROUGHT.

+DECISIONS OF THIS NATURE ARE ESSENTIALLY MATTERS OF JUDGEMENT.

+I WAS MADE AWARE THAT CRIMINAL LIABILITY WOULD BE KEENLY CONTESTED. MY VIEW WAS THAT THE OUTCOME OF A PROSECUTION WAS FAR FROM CERTAIN,+ MR THOMAS SAID.

+IN THE END, THE DECISION WAS MINE ALONE. NO ONE DIRECTED ME WHAT TO DO,+ HE STRESSED.

MR THOMAS ALSO POINTED OUT THAT THERE WERE GOOD REASONS WHY AN ATTORNEY GENERAL DID NOT NORMALLY EXPLAIN IN PUBLIC A DECISION NOT TO PROSECUTE IN A PARTICULAR CASE.

+IN OUR LEGAL SYSTEM, THE ONLY PROPER PLACE FOR QUESTIONS OF GUILT OR INNOCENCE OF CRIME TO BE DETERMINED IS IN A COURT, WHERE THE ACCUSED HAS THE RIGHT TO A FAIR TRIAL IN ACCORDANCE WITH THE RULES OF CRIMINAL JUSTICE, AND THE OPPORTUNITY TO DEFEND HIMSELF,+ HE SAID.

+IT WOULD BE QUITE WRONG FOR AN ATTORNEY GENERAL, HAVING DECIDED THAT THE ISSUE SHOULD NOT PROCEED TO TRIAL IN THE COURTS, TO SAY ANYTHING IN PUBLIC THAT MIGHT BE TAKEN TO INDICATE A BELIEF IN THE SUSPECT'S GUILT, OR WHICH MIGHT LEAD TO A PUBLIC DISCUSSION OF THAT VERY QUESTION,+ HE SAID.

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CONTROL OF FRINGE GOLD TRADING NEED TO BE STUDIED

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THE GOVERNMENT IS CONSIDERING WHETHER THE FRINGE ELEMENT OF LOCO-LONDON GOLD TRADING COULD BE CAUGHT BY THE PROVISIONS OF THE GAMBLING ORDINANCE IN CERTAIN CIRCUMSTANCES, THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON DANIEL TSE, MR JACOBS SAID WHILE MOST TRADING IN LOCO-LONDON GOLD IN HONG KONG WAS CARRIED OUT BY HIGHLY REPUTABLE DEALERS, THE GOVERNMENT HAD NOTED THERE WAS A LESS DESIRABLE ELEMENT IN THE MARKET.

HE ADDED SOME COMPLAINTS HAD BEEN LODGED BY INVESTORS WHO FELT THEY HAD BEEN VICTIMISED. HE SAID THE PRACTICES ADOPTED BY THE LESS REPUTABLE DEALERS WERE CLEARLY UNDESIRABLE AND COULD AFFECT THE REPUTATION OF HONG KONG'S GOLD MARKET, WHICH WAS AMONG THE LARGEST IN THE WORLD.

/+IF WE

+IF WE ARE TO INTRODUCE NEW MEASURES THAT GO BEYOND OUR EXISTING REGULATIONS IN RELATION TO TRADING IN THE FINANCIAL SECTOR, THEN WE NEED TO ENSURE THAT WE DO NOT IMPEDE THE DEVELOPMENT OF THE REPUTABLE END OF THE MARKET,+ HE SAID.

MR JACOBS ADVISED THE PUBLIC WHO FELT THEY HAD BEEN GIVEN LESS THAN SATISFACTORY SERVICE OR HAD OTHERWISE BEEN VICTIMISED WHILE TRADING IN LOCO-LONDON GOLD TO COME FORWARD AND REPORT THE FACTS TO THE OFFICE OF THE COMMISSIONER FOR SECURITIES AND COMMODITIES TRADING. IF AN OFFENCE HAD BEEN COMMITTED, THEN THE COMMERCIAL CRIME BUREAU WOULD BECOME INVOLVED, HE ADDED.

+HIGH RETURNS ARE USUALLY ASSOCIATED WITH HIGH RISKS. IF INVESTORS WISH TO TRADE IN LOCO-LONDON GOLD, THEY ARE BEST ADVISED TO STAY WITH THE LARGE AND REPUTABLE DEALERS.

+IN OTHER WORDS, INVESTORS SHOULD THEMSELVES EXERCISE PRUDENCE AND CAUTION AND A DEGREE OF COMMON SENSE BEFORE GOING INTO THIS DIFFICULT MARKET, WHICH TENDS TO BE DOMINATED BY PROFESSIONALS,+ HE ADDED.

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SECURITY STEPPED UP FOR CRIME-PRONE PARKS
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THE RESPONSIBILITY FOR POLICING COUNTRY PARKS LIES WITH THE POLICE DISTRICT IN WHICH THE PARKS ARE LOCATED AND ANY SIGN THAT CRIME HAD INCREASED IN A PARTICULAR AREA WOULD BE MET WITH AN INCREASED ALLOCATION OF POLICE RESOURCES, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON PETER C WONG, MR JEAFFRESON SAID THAT POLICE PATROLS WERE REGULAR IN COUNTRY PARKS EITHER BY CAR OR MOTORCYCLE OR ON FOOT. BESIDES, POLICE DOGS AND PLAINCLOTHES OFFICERS WERE ALSO DEPLOYED.

HE SAID THAT THE 29 MANAGEMENT CENTRES AND 20 PARK WARDEN POSTS OF THE AGRICULTURE AND FISHERIES DEPARTMENT AT STRATEGIC POINTS IN THE PARKS ALSO SERVED AS CENTRES WHERE THE PUBLIC COULD SEEK ASSISTANCE AND REPORT CRIME.

HE ADDED THAT 115 UNIFORMED PARK WARDENS PATROLLED COUNTRY PARKS DAILY, REPORTED CRIMES TO THE POLICE AND SPECIAL PATROLS WERE MADE AT WEEKENDS AND PUBLIC HOLIDAYS, CONCENTRATING ON THE MOST POPULAR COUNTRY PARKS.

/+SINCE THEY

- 29 -

+SINCE THEY KNOW THEIR AREA WELL AND ARE IN RADIO CONTACT WITH MANAGEMENT CENTRES, THEY CAN HELP THE POLICE TO LOOK FOR THE CRIMINALS INVOLVED,+ HE SAID.

MR JEAFFRESON POINTED OUT THAT A WORKING GROUP ON COUNTRYSIDE FIRES AND SECURITY, WHICH INCLUDED THE POLICE, THE AGRICULTURE AND FISHERIES DEPARTMENT, THE FIRE SERVICES DEPARTMENT AND THE CIVIL AID SERVICES MET EVERY TWO MONTHS.

+THE WORKING GROUP IS A USEFUL FORUM FOR THE EXCHANGE OF INFORMATION AND IDEAS TO PROMOTE SECURITY IN OUR COUNTRY PARKS,+ HE NOTED.

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MONEY LENDING LAW WORKING WELL
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A COMPREHENSIVE REVIEW OF THE MONEY LENDERS ORDINANCE CONDUCTED LAST YEAR CONCLUDED THAT THE ORDINANCE WAS GENERALLY SUCCESSFUL IN PREVENTING LOAN SHARKING AND LENDING AT USURIOUS RATES, THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

+IN PARTICULAR, THERE WAS SEEN TO BE NO NEED TO INCREASE THE PENALTIES PROVIDED UNDER THE ORDINANCE,+ HE SAID.

REPLYING TO A QUESTION BY THE HON CHEUNG YAN-LUNG, MR JACOBS SAID, HOWEVER, AN AMENDMENT BILL WHICH WOULD PROPOSE SOME AMENDMENTS TO THE ORDINANCE TO IMPROVE ITS OPERATION AND ADMINISTRATION WAS NOW IN THE FINAL DRAFTING STAGES.

THE AMENDMENTS WOULD ALSO CONTAIN PROPOSALS DESIGNED TO ASSIST THE POLICE IN CONTROLLING AND INVESTIGATING MONEY LENDERS, HE ADDED.

+IN PARTICULAR,+ HE SAID, +THE BILL WILL PROPOSE THAT THE POLICE BE GIVEN THE RIGHT TO ENTER AND SEARCH A MONEY LENDER'S PREMISES AND TO SEIZE DOCUMENTS, AND THAT THE TIME LIMIT FOR INSTITUTING PROSECUTIONS FOR ALL OFFENCES UNDER THE ORDINANCE BE EXTENDED FROM SIX MONTHS TO TWO YEARS.+

REGARDING STATISTICS ON PROSECUTIONS, MR JACOBS SAID THE NUMBER OF PERSONS PROSECUTED UNDER THE ORDINANCE INCREASED FROM AN AVERAGE OF TWO PER MONTH BETWEEN JANUARY 1983 AND APRIL 1984 TO JUST UNDER SIX PER MONTH BETWEEN MAY 1984 AND FEBRUARY 1987.

ON THE NUMBER OF SUCCESSFUL PROSECUTIONS, MR JACOBS SAID THAT THEY WERE ONLY AVAILABLE FROM JULY 1986 ONWARD.

HE SAID THAT OUT OF A TOTAL OF 37 PERSONS TRIED ON THE PRINCIPAL CHARGE OF LENDING MONEY WITHOUT A LICENCE OR LENDING MONEY AT AN EXCESSIVE RATE OF INTEREST IN THE LAST SIX MONTHS, THERE WERE 14 CONVICTIONS REPRESENTING A CONVICTION RATE OF ABOUT 38 PER CENT.

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TAX DISPUTE CASES EXPLAINED

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SINCE THE INLAND REVENUE (AMENDMENT) (NO.2) BILL 1984 WAS ENACTED IN FEBRUARY 1985, SOME 65 000 OBJECTIONS HAVE BEEN RECEIVED, THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY THE HON RITA FAN, MR JACOBS SAID ACCORDING TO AVAILABLE INFORMATION, AN ESTIMATED 5 400 APPELLANT TAXPAYERS WERE REQUIRED TO MAKE IMMEDIATE PAYMENT IN CASH, BUT THE AMOUNT OF TAX INVOLVED WAS NOT AVAILABLE.

ANOTHER 1 674 APPELLANT TAXPAYERS WERE REQUIRED TO PURCHASE TAX RESERVE CERTIFICATES AMOUNTING TO ABOUT \$903 MILLION AND 29 WERE REQUIRED TO FURNISH A BANK GUARANTEE INVOLVING SOME \$52 MILLION, HE ADDED.

MR JACOBS SAID THAT AN ESTIMATED 57 000 APPELLANT TAXPAYERS WERE GRANTED UNCONDITIONAL HOLDOVER OF TAX BY THE COMMISSIONER OF INLAND REVENUE BUT THE AMOUNT OF TAX INVOLVED WAS NOT KNOWN.

HE NOTED THAT THESE 57 000 CASES ARE REFERRED TO AS HOLDOVER CASES SINCE, IN EVERY CASE WHERE AN OBJECTION IS LODGED, A HOLDOVER MUST BE CONSIDERED.

+HOWEVER, IN MANY CASES, THE TAX IN DISPUTE CAN BE DISCHARGED BEFORE THE DUE DATE FOR PAYMENT ARRIVES AND THE HOLDOVER OF THIS TAX BECOMES A MERE FORMALITY,+ MR JACOBS SAID.

+FOR EXAMPLE, WHERE A TAXPAYER FAILS TO SUBMIT A RETURN WITHIN THE PRESCRIBED TIME, AN ESTIMATED ASSESSMENT WILL BE ISSUED. AGAINST THIS ASSESSMENT, THE TAXPAYER WILL USUALLY LODGE AN OBJECTION ON THE GROUNDS THAT THE ASSESSMENT IS EXCESSIVE.+

HE SAID THAT IN ORDER TO VALIDATE THE OBJECTION, A RETURN MUST BE SUBMITTED, THEN IT WOULD BECOME APPARENT TO THE ASSESSOR THAT THE ESTIMATED ASSESSMENT WAS EXCESSIVE AND SHOULD BE REVISED DOWNWARDS. IN THIS SITUATION, THE TAX IN DISPUTE COULD OFTEN BE DISCHARGED BEFORE THE DUE DATE.

+HOWEVER, IN CASES WHERE IT IS NOT POSSIBLE TO DISCHARGE THE ASSESSMENT BEFORE THE DUE DATE, A HOLDOVER ORDER IS ISSUED. IT SHALL BE NOTED THAT UNCONDITIONAL HOLDOVER ORDERS ARE ALWAYS ISSUED IN RESPECT OF PROVISIONAL TAX IN DISPUTE IN AN ASSESSMENT UNDER OBJECTION,+ HE ADDED.

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TATE'S CAIRN TUNNEL FEASIBILITY CONFIRMED

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THE FEASIBILITY STUDY OF THE TATE'S CAIRN TUNNEL PROJECT COMPLETED LAST YEAR HAS CONFIRMED ITS ENGINEERING FEASIBILITY AND HAS IDENTIFIED THE MOST SUITABLE TUNNEL ALIGNMENT AND ROAD CONNECTION ARRANGEMENTS, THE SECRETARY FOR TRANSPORT, THE HON MICHAEL LEUNG, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY DR THE HON CONRAD LAM, MR LEUNG SAID FURTHER SITE INVESTIGATIONS AND DETAILED DESIGN WERE IN PROGRESS AND THE PROJECT WOULD CONSIST OF A 4 KILOMETRE LONG DUAL TWO-LANE TUNNEL BETWEEN DIAMOND HILL IN KOWLOON AND SIU LEK YUEN IN SHA TIN, TOGETHER WITH APPROACH ROADS AND SLIP ROADS AT EITHER END TO CONNECT THE TUNNEL TO THE EXISTING AND FUTURE ROAD NETWORK.

+BEARING IN MIND THE TIME REQUIRED FOR DESIGN AND OTHER PREPARATORY WORKS, INCLUDING GAZETTING PROCEDURES, LAND RESUMPTION AND CLEARANCE, PREPARATION, ASSESSMENT AND AWARD OF TENDERS OR PROPOSALS TO BUILD, AND POSSIBLY TO OPERATE THE TUNNEL, AND MOBILISATION BY THE SELECTED CONTRACTORS OR CONSORTIUM, THE EARLIEST CONSTRUCTION IS LIKELY TO START IN THE EARLY SUMMER OF 1988, JUST OVER ONE YEAR FROM NOW,+ MR LEUNG EXPLAINED.

HE SAID THE TUNNEL WOULD BE COMPLETED IN 1992 BECAUSE BUILDING A TUNNEL OF THIS MAGNITUDE WAS A VERY COMPLEX TASK AND ADVICE FROM CONSULTANTS WAS NEEDED MAKING IT UNLIKELY THAT THE CONSTRUCTION PERIOD COULD BE SIGNIFICANTLY SHORTENED.

+ON THE SHA TIN SIDE, RELATIVELY LITTLE CLEARANCE IS NECESSARY, WITH ONLY ABOUT 60 PEOPLE BEING DISPLACED. THE CLEARANCE AT THE DIAMOND HILL END WILL, HOWEVER, INVOLVE MOVING ABOUT 16 000 PEOPLE,+ MR LEUNG ADDED.

+TO REDUCE DISRUPTION TO THE MINIMUM, REMOVAL OF THOSE AFFECTED WILL BE PHASED TO FIT IN WITH THE CONSTRUCTION PROGRAMME,+ HE EXPLAINED.

MR LEUNG ALSO SAID THE FIRST PHASE WOULD TAKE PLACE IN THE LATTER HALF OF THIS YEAR SO THAT PREPARATORY WORKS COULD START TO ALLOW COMMENCEMENT OF THE CONSTRUCTION OF THE TUNNEL ITSELF IN EARLY SUMMER 1988.

HE ADDED FURTHER PHASES OF CLEARANCE WOULD FOLLOW TO ALLOW THE CONSTRUCTION OF APPROACH ROADS AND TO PROVIDE THOSE AFFECTED WITH COMPENSATION AND REHOUSING IN ACCORDANCE WITH NORMAL POLICY.

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ACTION TAKEN TO BOOST SUBVENTED HOSPITAL OCCUPANCY
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THE BED OCCUPANCY RATES OF SUBVENTED HOSPITALS WERE GENERALLY LOWER THAN THAT OF GOVERNMENT HOSPITALS, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY DR THE HON CHIU HIN-KWONG, MR CHAMBERS SAID THAT THE OVERALL OCCUPANCY RATES IN SUBVENTED HOSPITALS AND GOVERNMENT HOSPITALS WERE 78.9 PER CENT AND 90.4 PER CENT RESPECTIVELY LAST YEAR.

+THE BED OCCUPANCY RATES OF A HOSPITAL DEPENDS ON A NUMBER OF FACTORS INCLUDING THE TYPE OF SERVICES PROVIDED BY THE HOSPITAL, THE CASE-MIX AND THE DURATION OF STAY OF THE PATIENTS,+ HE SAID.

+IN ADDITION, THE TRADITIONAL PREFERENCE OF THE PUBLIC FOR ADMISSION INTO GOVERNMENT HOSPITALS APPEARS TO BE ONE CAUSE OF THE RELATIVELY LOWER OCCUPANCY RATE IN THE SUBVENTED HOSPITALS.+

HE POINTED OUT THAT THE AVERAGE OCCUPANCY RATE OF ALMOST 79 PER CENT FOR SUBVENTED HOSPITALS WAS BY INTERNATIONAL STANDARDS AND WAS ONLY RELATIVELY LOWER THAN WHEN COMPARED TO THE OVERCROWDED SITUATION IN MOST GOVERNMENT REGIONAL HOSPITALS.

+IT IS GOVERNMENT'S POLICY TO ENCOURAGE A MORE EVEN UTILISATION OF HOSPITAL BEDS IN THE GOVERNMENT AND SUBVENTED HOSPITAL SECTORS,+ MR CHAMBERS SAID.

HE SAID THAT MEASURES WHICH HAD BEEN TAKEN BY THE MEDICAL AND HEALTH DEPARTMENT TOWARDS THIS END INCLUDED:

- * THE CONVERSION OF SPECIALTY WARDS WITH LOW OCCUPANCY RATES SUCH AS PAEDIATRIC AND OBSTETRIC WARDS, INTO SURGICAL AND MEDICAL WARDS FOR WHICH THERE WAS A GREATER DEMAND;
- * MORE PUBLICITY REGARDING THE ACCIDENT AND EMERGENCY SERVICES OF SOME SUBVENTED HOSPITALS;
- * ACTIVE ENCOURAGEMENT OF DOCTORS IN NEARBY CLINICS TO REFER MORE CASES TO SUBVENTED HOSPITALS; AND
- * THE TRANSFER OF CONVALESCENT PATIENTS FROM GOVERNMENT REGIONAL HOSPITALS TO SUBVENTED HOSPITALS.

+IN ADDITION, THE CONSULTANTS' REPORT ON THE HOSPITAL SYSTEM RECOMMENDED A STRATEGY OF INTEGRATION THROUGH THE PROPOSED HOSPITAL AUTHORITY TO DEAL WITH THIS PROBLEM.

+THIS RECOMMENDATION IS STILL BEING CONSIDERED AND NO FINAL DECISION HAS YET BEEN MADE,+ HE SAID.

EFFECTIVE CO-ORDINATION BEHIND SECRETARY SYSTEM
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THE STRENGTH OF THE +SECRETARY+ SYSTEM LIES IN THE DIVISION OF RESPONSIBILITY AMONG SECRETARIES ACCORDING TO PROGRAMME AREAS, NOT DEPARTMENTS, SO THAT THERE WAS EFFECTIVE CO-ORDINATION OF RELATED ACTIVITIES OF SEVERAL DEPARTMENTS, THE CHIEF SECRETARY, THE HON DAVID FORD, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY DR THE HON CONRAD LAM, MR FORD SAID THAT THE SYSTEM WHICH FOLLOWED THE RECOMMENDATIONS OF THE 1973 MCKINSEY REPORT HAD SERVED THE ADMINISTRATION WELL.

+THE SYSTEM IS ALSO FLEXIBLE ENOUGH TO ENABLE CHANGES IN PROGRAMMES TO BE MADE QUICKLY IN RESPONSE TO CHANGING CIRCUMSTANCES,+ HE SAID.

+OVER THE YEARS, THE STRUCTURE AND ORGANISATION OF THE GOVERNMENT SECRETARIAT HAVE BEEN ADJUSTED FROM TIME TO TIME TO TAKE ACCOUNT OF THE CHANGING NEEDS OF THE COMMUNITY,+ HE ADDED.

MR FORD EXPLAINED THAT WHILE IT WAS A FACT THAT A LARGE NUMBER OF KEY POLICY-MAKING OR SECRETARY POSTS WERE FILLED BY MEMBERS OF THE ADMINISTRATIVE GRADE, NOT ALL OF THEM WERE +GENERALISTS+ IN THE USUAL SENSE OF THE WORD.

SOME SECRETARIES WERE FORMERLY DEPARTMENTAL-PROFESSIONAL OFFICERS, SOME HAD A SPECIALIST BACKGROUND, WHILE OTHERS HAD DEVELOPED A CERTAIN AMOUNT OF EXPERTISE IN THEIR AREAS OF WORK DURING THEIR LONG CAREERS IN THE ADMINISTRATIVE GRADE, HE SAID.

MR FORD POINTED OUT THAT THERE WERE ALSO SEVERAL SECRETARY-EQUIVALENT OR D6 POSTS WHICH WERE DEPARTMENTAL RANKS.

AT THE DIRECTORATE LEVEL, HE SAID, POSTS WERE FILLED BY BOTH DEPARTMENTAL-PROFESSIONAL AND ADMINISTRATIVE OFFICERS.

+PARTICULAR EMPHASIS IS PLACED ON SUCCESSION PLANNING IN ALL DEPARTMENTS WITH A VIEW TO GROOMING OFFICERS WITH POTENTIAL FOR HIGHER OFFICE,+ HE SAID.

+THERE ARE INFORMAL ARRANGEMENTS FOR CROSS-POSTINGS BETWEEN DIFFERENT CAREER STREAMS, SO THAT THE MOST SUITABLE OFFICER IS SELECTED FOR THE JOB.+

THESE ARRANGEMENTS HAD BEEN ENDORSED BY THE STANDING COMMITTEE ON DIRECTORATE SALARIES AND CONDITIONS OF SERVICE AS BEING AN IMPORTANT MEANS OF MAKING THE BEST USE OF THE TALENT AVAILABLE IN THE CIVIL SERVICE.

NEED TO PROMOTE SAFETY AT HOME STRESSED

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ALTHOUGH THERE IS NO COMPREHENSIVE PLAN IN THE IMMEDIATE FUTURE TO TIGHTEN UP CONTROL MEASURES UNDER THE VARIOUS ORDINANCES WHICH COVER THE SALE AND LABELLING OF DOMESTIC PRODUCTS CONTAINING POISONOUS OR TOXIC SUBSTANCES, THE GOVERNMENT IS FULLY AWARE OF THE NEED TO PROMOTE SAFETY PRACTICES AT HOME, THE SECRETARY FOR TRADE AND INDUSTRY, THE HON ERIC HO, SAID TODAY (WEDNESDAY).

IN REPLY TO A QUESTION FROM THE HON CHUNG PUI-LAM, MR HO SAID THAT DEPENDING ON ONE'S DEFINITION OF DOMESTIC PRODUCTS, THERE WERE A NUMBER OF ORDINANCES WHICH COVERED THE SALE AND LABELLING OF SOME SUCH PRODUCTS.

+HOWEVER, THERE IS NO LEGISLATION WHICH CONTROLS THE USAGE OF THESE PRODUCTS AFTER THEY HAVE BEEN SOLD,+ HE SAID.

+FOR EXAMPLE, CERTAIN HOUSEHOLD CHEMICALS ARE CONTROLLED UNDER THE PHARMACY AND POISONS ORDINANCE, WHICH REQUIRES THEM TO BE SOLD BY LISTED SELLERS OF POISONS AND LABELLED AS 'POISON'.

+THE DANGEROUS DRUGS ORDINANCE CONTAINS PROVISIONS GOVERNING THE SALE AND SUPPLY OF DANGEROUS DRUGS BY LICENCE.

+THE AGRICULTURAL PESTICIDES ORDINANCE CONTAINS PROVISIONS COVERING THE SALE AND SUPPLY OF AGRICULTURAL PESTICIDES BY LICENCE AND FOR THE LABELLING OF REGISTERED AGRICULTURAL PESTICIDES SUPPLIED OR OFFERED ON RETAIL SALE.

+THERE ARE ALSO SOME PROVISIONS UNDER THE ANTIBIOTICS ORDINANCE, THE RADIATION ORDINANCE AND THE PUBLIC HEALTH AND URBAN SERVICES ORDINANCE WHICH MAY BE CONSIDERED RELEVANT TO THE ISSUE+.

MR HO SAID MANY HOUSEHOLD PRODUCTS, IRRESPECTIVE OF WHETHER THEY CONTAINED TOXIC SUBSTANCES AS SUCH, COULD CAUSE INJURY OR HARM IF THEY WERE USED CARELESSLY OR IN AN INAPPROPRIATE MANNER.

+THE CONSUMER COUNCIL, THROUGH ITS REGULAR PROGRAMME OF PRODUCT TESTING AND SUBSEQUENT DISCLOSURE OF UNSAFE ASPECTS RELATING TO THESE PRODUCTS IN THEIR USE, HAD MADE VERY USEFUL CONTRIBUTIONS IN ALERTING THE PUBLIC'S AWARENESS.

+FOR ITS PART THE GOVERNMENT IS RUNNING A MAJOR PUBLICITY CAMPAIGN ENCOMPASSING MANY ASPECTS OF SAFETY IN THE HOME, INCLUDING THE LOCKING UP OF DRUGS AND ENSURING THAT DANGEROUS OBJECTS ARE KEPT OUT OF CHILDREN'S REACH.

MR HO ADDED THAT PROVISION HAD BEEN INCLUDED IN THE 1987-88 DRAFT ESTIMATES FOR A MAJOR PUBLICITY CAMPAIGN TO BE UNDERTAKEN BY THE GOVERNMENT ON SAFETY IN THE HOME.

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- 35 -

LICENCE FOR BILLIARD CLUBS PROPOSED

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BILLIARD CLUBS WOULD BE REQUIRED TO OBTAIN A LICENCE IN THE SAME WAY AS LICENSED PUBLIC BILLIARD SALOONS, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON ROSANNA TAM, MR JEAFFRESON SAID THE PURPOSE OF THIS PROPOSAL WAS TO CONTROL THOSE BOGUS PRIVATE BILLIARD CLUBS WHICH MASQUERADED AS PRIVATE CLUBS WHEN THEY WERE IN FACT BEING RUN AS COMMERCIAL +PUBLIC+ BILLIARD SALOONS.

BUT HE STRESSED BONA FIDE CLUBS PROVIDING BILLIARD FACILITIES SHOULD BE EXEMPTED FROM LICENSING.

HE ALSO SAID THAT LEGISLATIVE AMENDMENTS TO THE PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE WERE BEING PREPARED AND A BILL TO IMPLEMENT THE PROPOSAL WAS EXPECTED TO BE PUT TO THE LEGISLATIVE COUNCIL DURING THE CURRENT SESSION.

MR JEAFFRESON ADDED THE PROPOSAL WAS REACHED UPON AFTER THE LICENSING AUTHORITIES FOR PUBLIC BILLIARD SALOONS, THE URBAN AND REGIONAL COUNCILS, HAD CONDUCTED EXTENSIVE CONSULTATIONS AND DISCUSSIONS WITH THE DISTRICT BOARDS, THE HEUNG YEE KUK AND THE NEW TERRITORIES GENERAL CHAMBER OF COMMERCE.

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17 SENT ABROAD FOR SPECIAL TRAINING

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SEVENTEEN OFFICERS OF THE SOCIAL WELFARE DEPARTMENT HAVE SO FAR BEEN SENT ABROAD FOR SPECIAL TRAINING IN MENTAL HEALTH SOCIAL WORK, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON RON BRIDGE, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN A WRITTEN REPLY TO A QUESTION BY THE HON HUI YIN-FAT ON THE NUMBER OF STAFF SENT ABROAD FOR SUCH TRAINING, MR BRIDGE SAID OF THOSE WHO WERE SENT ABROAD, ALL EXCEPT TWO WERE STILL WORKING IN THE PSYCHIATRIC SOCIAL WORK FIELD.

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FOUR BILLS PASSED

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THE OFFICIAL LANGUAGES (AMENDMENT) BILL 1986, THE INTERPRETATION AND GENERAL CLAUSES (AMENDMENT)(NO. 3) BILL 1986, THE PARTITION (AMENDMENT) BILL 1987 AND THE MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS)(AMENDMENT) BILL 1986 WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE IMMIGRATION (AMENDMENT) BILL 1987 WAS READ A SECOND TIME AND DEBATE ON IT WAS ADJOURNED.

THE MEETING WAS ADJOURNED TO APRIL 1.

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INDEPENDENT OPINION SURVEY OFFICE ON GREEN PAPER SET UP
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AN INDEPENDENT SURVEY OFFICE WILL BE SET UP TO COLLECT, COLLATE AND REPORT ON PUBLIC RESPONSE TO THE FORTHCOMING GREEN PAPER ON THE DEVELOPMENT OF REPRESENTATIVE GOVERNMENT, WHICH IS EXPECTED TO BE PUBLISHED IN MAY THIS YEAR.

THE TERMS OF REFERENCE OF THE SURVEY OFFICE ARE:

- (A) TO INVITE AS WIDE A PUBLIC RESPONSE AS POSSIBLE TO THE ISSUES DISCUSSED IN THE GREEN PAPER; +THE 1987 REVIEW OF DEVELOPMENTS IN REPRESENTATIVE GOVERNMENT+, AND TO RECEIVE AND RECORD ALL VIEWS EXPRESSED IN WRITING BY SEPTEMBER 30, 1987, INCLUDING THOSE SUBMITTED DIRECTLY TO IT OR INDIRECTLY THROUGH ESTABLISHED CONSULTATIVE CHANNELS; AND
- (B) TO SUBMIT TO THE GOVERNOR IN COUNCIL, NOT LATER THAN OCTOBER 31, 1987, AN IMPARTIAL AND ACCURATE REPORT COLLATING AND PRESENTING ALL SUCH VIEWS IN ACCORDANCE WITH THE FOLLOWING DIRECTIONS:
 - (1) ELICITATION OF PUBLIC RESPONSE: THE SURVEY OFFICE SHALL INVITE GROUPS, ASSOCIATIONS, STATUTORY AND NON-STATUTORY BODIES AND INDIVIDUALS TO CONSIDER THE ISSUES DISCUSSED IN THE GREEN PAPER AND TO FORWARD THEIR VIEWS IN WRITING TO THE SURVEY OFFICE; AND TAKE APPROPRIATE STEPS TO ENCOURAGE AS WIDE A RESPONSE AS POSSIBLE.
 - (2) PUBLIC OPINION SURVEYS: THE SURVEY OFFICE MAY COMMISSION PUBLIC OPINION SURVEYS; IT SHALL TAKE NOTE OF OTHER SURVEYS AND COMMENT ON THEM.
 - (3) CONFIDENTIALITY: DOCUMENTS IN RESPECT OF WHICH CONFIDENTIALITY HAS BEEN REQUESTED BY THE CONTRIBUTOR SHALL BE TREATED ACCORDINGLY AND SHALL BE DESTROYED AS SOON AS PRACTICABLE AFTER THE PUBLICATION OF THE WHITE PAPER.
 - (4) MEDIA REPORTS: THE SURVEY OFFICE SHALL MONITOR VIEWS AS REPORTED IN THE MEDIA, TO THE EXTENT THAT THESE COMPLEMENT, AND DO NOT REPEAT, SUBMISSIONS ALREADY RECEIVED BY THE OFFICE.
 - (5) SIGNATURE CAMPAIGNS AND SIMILAR DOCUMENTS: THE SURVEY OFFICE SHALL COMMENT UPON THE SOURCE AND METHOD OF COMPILATION OF SUCH DOCUMENTS, DRAWING ATTENTION TO ANY DUPLICATION OR REPETITION.
 - (6) THE REPORT SHALL, INTER ALIA, INCLUDE FACTUAL SUMMARIES OF OPINIONS EXPRESSED IN THE FOLLOWING CATEGORIES:

- (I) DEBATES, MINUTES AND SUBMISSIONS IN THE DISTRICT BOARDS, THE URBAN COUNCIL, THE REGIONAL COUNCIL AND THE LEGISLATIVE COUNCIL ;
- (II) THE WRITTEN SUBMISSIONS OF OTHER STATUTORY AND NON-STATUTORY BODIES, WITH THEIR MEMBERSHIP, FUNCTIONS AND OBJECTIVES AND THE PROCEDURES FOLLOWED IN FORMULATING THEIR SUBMISSIONS NOTED;
- (III) THE WRITTEN SUBMISSIONS OF GROUPS AND ASSOCIATIONS, WITH THEIR MEMBERSHIP, FUNCTIONS AND OBJECTIVES AND THE PROCEDURES FOLLOWED IN FORMULATING THEIR SUBMISSIONS NOTED;
- (IV) THE WRITTEN SUBMISSIONS OF INDIVIDUALS WHO DO NOT REQUEST CONFIDENTIALITY; AND
- (V) THE WRITTEN SUBMISSIONS OF INDIVIDUALS WHO DO REQUEST CONFIDENTIALITY.

MR ADOLF HSU, AT PRESENT DEPUTY SECRETARY FOR ADMINISTRATIVE SERVICES AND INFORMATION, HAS BEEN APPOINTED AS COMMISSIONER OF THE SURVEY OFFICE. HE IS EXPECTED TO TAKE UP HIS NEW ASSIGNMENT SHORTLY AFTER EASTER.

THE ACTING GOVERNOR HAS APPOINTED TWO INDEPENDENT MONITORS TO OVERSEE THE WORK OF THE SURVEY OFFICE NAMELY MR LI FOOK-KOW, WHO WILL SHORTLY BE RETIRING AS CHAIRMAN OF THE PUBLIC SERVICE COMMISSION AND MR ANDREW SO KWOK-WING, FORMER MEMBER OF THE LEGISLATIVE COUNCIL.

THE MONITORS WILL HAVE THE FOLLOWING TERMS OF REFERENCE:

+THE MONITORS ARE REQUIRED TO OBSERVE ALL ASPECTS OF THE WORK OF THE SURVEY OFFICE AND TO SUBMIT THEIR INDEPENDENT REPORT TO THE GOVERNOR AS TO WHETHER THEY ARE SATISFIED THAT THE SURVEY OFFICE HAS PROPERLY, ACCURATELY AND IMPARTIALLY CARRIED OUT ITS DUTIES AND FOLLOWED THE PROCEDURES PRESCRIBED IN ITS TERMS OF REFERENCE.+

THEY WILL NOT INVOLVE THEMSELVES IN THE WORK OF THE SURVEY OFFICE ON AN EXECUTIVE BASIS, BUT WILL HAVE DIRECT ACCESS TO SUBMISSIONS RECEIVED AND TO THE WORKING OF THE SURVEY OFFICE.

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WEDNESDAY, MARCH 25, 1987

- 38 -

EFFECTIVE REGULATIONS VITAL FOR SECOND STOCK MARKET

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THE GOVERNMENT WOULD ONLY ALLOW THE SETTING UP OF A SECOND STOCK MARKET IF AND WHEN IT WAS TOTALLY SATISFIED THAT THERE WOULD BE AN EFFECTIVE REGULATORY FRAMEWORK WHICH ADEQUATELY PROTECTED INVESTORS, THE FINANCIAL SECRETARY, MR PIERS JACOBS, SAID THIS (WEDNESDAY) EVENING.

MR JACOBS SAID AN IDEA TO WHICH THE UNIFIED STOCK EXCHANGE, WHICH OPENED LAST APRIL, HAD BEEN DEVOTING MUCH ATTENTION WAS THE PROPOSAL TO SET UP A SECOND MARKET.

HE WAS SPEAKING AT A PRIZE PRESENTATION CEREMONY OF AN ESSAY COMPETITION ORGANISED JOINTLY BY THE UNIFIED STOCK EXCHANGE AND A LOCAL NEWSPAPER.

MR JACOBS SAID: +THE CREATION OF A SECOND MARKET HAS IN MANY COUNTRIES BEEN OF SIGNIFICANT VALUE IN SPREADING THE SHARE-OWNING HABIT AND IN HELPING ENTREPRENEURS TO RAISE ADDITIONAL CAPITAL TO EXPAND THEIR BUSINESSES,+ HE SAID.

HE SAID HE LOOKED FORWARD TO READING THE REPORT ON A SECOND MARKET BEING PREPARED BY AN EXCHANGE'S WORKING PARTY WHEN IT WAS PRESENTED TO THE GOVERNMENT LATER THIS YEAR.

+WE HAVE AT PRESENT AN ENTIRELY OPEN MIND ON THE SUBJECT.

+IF A CLEAR NEED FOR SUCH A MARKET IN HONG KONG IS IDENTIFIED AND AN APPROPRIATE REGULATORY FRAMEWORK CAN BE DEvised, I SEE NO REASON WHY A SECOND MARKET SHOULD NOT BE ESTABLISHED.+

MR JACOBS SAID HE WELCOMED THE CARE AND ATTENTION WITH WHICH THE SUBJECT WAS BEING RESEARCHED BY THE EXCHANGE'S WORKING PARTY.

IT WAS PARTICULARLY IMPORTANT THAT +CAREFUL ATTENTION IS GIVEN TO THE PROPOSED REGULATORY FRAMEWORK,+ MR JACOBS SAID.

+THERE NEEDS TO BE A CLEAR IDENTIFICATION OF THE WAY THE MARKET WILL OPERATE.

+THERE MUST BE ADEQUATE CAPITAL REQUIREMENTS AND SURVEILLANCE AND MONITORING SYSTEMS.

+THERE MUST ALSO BE ADEQUATE MEASURES OF PROTECTION FOR THE INVESTORS.+

/THERE WAS

THERE WAS A COMMON COMMITMENT TO MAINTAIN HONG KONG'S REPUTATION AS A WELL-REGULATED AND PROPERLY-RUN INTERNATIONAL FINANCIAL CENTRE, HE ADDED.

MR JACOBS HAILED THE OPENING OF THE UNIFIED STOCK EXCHANGE AS A +LANDMARK IN THE DEVELOPMENT OF OUR SECURITIES INDUSTRY+.

+IN THE FIRST MONTH OF BUSINESS, TURNOVER AVERAGED \$440 MILLION WHICH IN ITSELF REPRESENTED A SUBSTANTIAL INCREASE IN THE AGGREGATE TURNOVER OF THE FOUR PREVIOUS EXCHANGES. NOW, DAILY TURNOVER EXCEEDING \$1 BILLION IS COMMONPLACE.+

THE SIGNIFICANT GROWTH OF THE STOCK MARKET OVER THE PAST YEAR, MR JACOBS WENT ON, WAS ATTRIBUTABLE TO A NUMBER OF FACTORS INCLUDING THE THRIVING ECONOMY, THE MODERN AND EFFICIENT FACILITIES OF THE UNIFIED STOCK EXCHANGE AND HONG KONG'S CONTINUING DEVELOPMENT AS A CENTRE FOR THE MANAGEMENT OF UNIT TRUSTS AND MUTUAL FUNDS WHICH ATTRACTED A HOST OF FUND MANAGERS AND INTERNATIONAL INSTITUTIONAL INVESTORS.

EARLIER MR JACOBS PRAISED THE QUALITY OF THE ESSAYS IN THE COMPETITION AS TRULY IMPRESSIVE AND SAID THE NUMBER OF ENTRIES WAS AN INDICATION OF THE WIDESPREAD INTEREST IN THE STOCK MARKET.

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EMPLOYMENT, VACANCIES, PAYROLL SURVEY STARTS * * * * *

THE CENSUS AND STATISTICS DEPARTMENT HAS STARTED TO CONDUCT THE MARCH 1987 ROUND OF THE SURVEY OF EMPLOYMENT, VACANCIES AND PAYROLL IN MAJOR SECTORS OF THE ECONOMY TO COLLECT INFORMATION ON EMPLOYMENT, VACANCIES AND PAYROLL IN RESPECT OF THE FIRST QUARTER OF 1987.

THE SURVEY IS CONDUCTED QUARTERLY AND THE SURVEY RESULTS ARE USEFUL IN PROVIDING SHORT-TERM ECONOMIC INDICATORS AS WELL AS INFORMATION ON THE STRUCTURAL CHANGES IN THE LABOUR MARKET IN HONG KONG.

THIS ROUND OF THE SURVEY COVERS ABOUT 88 000 ESTABLISHMENTS WHICH ARE DRAWN FROM VARIOUS SECTORS INCLUDING THE DISTRIBUTIVE TRADES SECTOR (WHOLESALE, RETAIL, IMPORT AND EXPORT TRADES, RESTAURANTS AND HOTELS), THE INDUSTRIAL SECTOR (MINING AND QUARRYING; MANUFACTURING; ELECTRICITY AND GAS), WITH FULL ENUMERATION OF ESTABLISHMENTS IN THE SERVICES SECTOR (TRANSPORT, STORAGE AND COMMUNICATION; FINANCING, INSURANCE REAL ESTATE AND BUSINESS SERVICES; COMMUNITY, SOCIAL AND PERSONAL SERVICES).

INFORMATION ON NUMBER OF PERSONS ENGAGED AND EXISTING VACANCIES ON MARCH 31 WILL BE SOUGHT FROM EACH SAMPLE ESTABLISHMENT.

SOME 10 000 ESTABLISHMENTS ARE RANDOMLY SELECTED FROM THIS SAMPLE TO PROVIDE ADDITIONAL INFORMATION ON PAYROLL IN EACH OF THE THREE MONTHS DURING THE REFERENCE PERIOD OF JANUARY-MARCH 1987.

QUESTIONNAIRES ARE BEING MAILED TO INDIVIDUAL SAMPLE ESTABLISHMENTS. IN ACCORDANCE WITH THE CENSUS AND STATISTICS ORDER 1982 (LEGAL NOTICE NO. 69 OF 1982, GAZETTED ON MARCH 5, 1982), ESTABLISHMENTS RECEIVING QUESTIONNAIRES ARE REQUIRED TO COMPLETE AND RETURN THEM TO THE CENSUS AND STATISTICS DEPARTMENT WITHIN THE SPECIFIED PERIOD.

RESPONDENTS WITH DIFFICULTY COMPLETING THE FORMS, SHOULD CONTACT THE DEPARTMENT FOR ASSISTANCE AT THE FOLLOWING TELEPHONE NUMBERS (PRINTED AT THE BACK OF THE QUESTIONNAIRES): 5-436551, 5-444301, 5-455661 AND 5-455668.

AS FOR THOSE ESTABLISHMENTS KNOWN TO THIS DEPARTMENT DURING JANUARY - MARCH 1987, THEY WILL ALSO BE ENUMERATED IN ORDER TO MAKE THE SURVEY RESULTS COMPLETE.

FIELD OFFICERS OF THE DEPARTMENT, EACH BEARING A GOVERNMENT IDENTITY CARD, WILL CALL ON THESE ESTABLISHMENTS TO SOLICIT INFORMATION ON NUMBER OF PERSONS ENGAGED, EXISTING VACANCIES, TYPE OF OWNERSHIP, NATURE OF BUSINESS AND DATE ON WHICH BUSINESS COMMENCED.

IN CASE OF ANY ENQUIRIES REGARDING THESE FIELD VISITS, PLEASE CONTACT THE DEPARTMENT FOR ASSISTANCE ON 5-444364.

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MAIL SERVICE OFFERED FOR 1987 YEARBOOK
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IN RESPONSE TO DEMAND, THE GOVERNMENT INFORMATION SERVICES' PUBLISHING SUB-DIVISION IS OFFERING A SPECIAL MAIL SERVICE TO PEOPLE WISHING TO SEND THE HONG KONG 1987 YEAR BOOK OVERSEAS.

THE YEARBOOK COSTS \$35, BUT FOR AN ADDITIONAL SUM OF \$30, THE GIS WILL PROVIDE SPECIAL HEAVY-DUTY PACKAGING TO ENSURE THE GOOD CONDITION OF THE BOOK, AND WILL ADDRESS IT AND SEND IT BY SEA MAIL TO ALL DESTINATIONS.

AIR POSTAGE TO ASIAN COUNTRIES WILL AMOUNT TO \$75, AND TO OTHER COUNTRIES \$100, APART FROM THE \$35 FOR THE YEARBOOK.

+CHARGES FOR POSTING AND PACKAGING ARE AT COST. THE SERVICE IS BEING OFFERED ONLY IN RESPONSE TO THE MANY REQUESTS WE HAVE RECEIVED FROM PEOPLE SEEKING A CONVENIENT SERVICE AND SECURE PACKAGING,+ A GIS SPOKESMAN SAID.

/PAYMENT

- 41 -

PAYMENT SHOULD BE MADE BY CROSSED CHEQUE TO THE +HONG KONG GOVERNMENT+. THE TOTAL COST, INCLUDING THE YEARBOOK IS: \$65 BY SEA MAIL, \$110 BY AIR TO ASIAN COUNTRIES, AND \$135 BY AIR TO ALL OTHER DESTINATIONS, HE SAID.

+THE POPULAR YEARBOOK IS SELLING FAST. IT IS VERY MUCH IN DEMAND OVERSEAS, AS WELL AS IN HONG KONG. IT IS CRAMMED WITH FACTS AND FIGURES, AND MANY COLOUR SECTIONS. PERSONS INTERESTED IN HAVING IT SENT OVERSEAS SHOULD PLACE THEIR ORDERS SOON,+ THE SPOKESMAN SAID.

ORDERS MAY BE PLACED WITH THE GIS PUBLISHING SUB-DIVISION AT BASKERVILLE HOUSE, 2ND FLOOR, 13 DUDELL STREET, CENTRAL.

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UNAUTHORISED STRUCTURES TO BE CLEARED
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THE BUILDING AUTHORITY IS SEEKING THE CLOSURE OF ILLEGAL STRUCTURES AT 191-203 CHEUNG SHA WAN ROAD, KOWLOON, SO THAT THEY CAN BE DEMOLISHED WITHOUT DANGER TO OCCUPIERS AND THE PUBLIC.

THESE STRUCTURES ARE ERECTED OVER THE STAIRCASES ON THE 11TH FLOOR AS WELL AS ATTACHED TO THE REAR EXTERNAL WALLS OF FLAT A ON THE SIXTH, 10TH AND 11TH FLOORS OF THE BUILDING.

NOTICES OF INTENTION TO APPLY FOR CLOSURE ORDERS FROM HONG KONG DISTRICT COURT ON MAY 28 WERE POSTED ON THE STRUCTURES TODAY (WEDNESDAY).

THE CLOSURE IS PART OF THE EXERCISE TO ENFORCE ORDERS ISSUED UNDER THE BUILDINGS ORDINANCE IN JANUARY 1985 AND JULY 1986 REQUIRING DEMOLITION OF THE ILLEGAL STRUCTURES.

DEMOLITION WORK WILL BE CARRIED OUT ONCE THE CLOSURE ORDERS ARE OBTAINED.

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- 42 -

ILLEGAL STRUCTURES CLEARED IN TSIM SHA TSUI

THE YAU MA TEI DISTRICT OFFICE TODAY (WEDNESDAY) CO-ORDINATED AN OPERATION TO CLEAR 24 ILLEGAL STRUCTURES IN TSIM SHA TSUI.

HALF OF THESE STRUCTURES WERE LOCATED IN REAR LANES BOUNDED BY MINDEN ROW, MODY ROAD AND CHATHAM ROAD SOUTH AND THE OTHERS IN AREAS BOUNDED BY HANKOW ROAD, PEKING ROAD, MIDDLE ROAD AND NATHAN ROAD.

+OF THE CLEARED STRUCTURES, 15 WERE USED AS STORAGE AND NINE FOR COMMERCIAL PURPOSES,+ A SPOKESMAN FOR THE DISTRICT OFFICE SAID.

EX-GRATIA PAYMENTS AMOUNTING TO ABOUT \$17 000 WERE GIVEN TO ELIGIBLE BUSINESS OPERATORS, HE ADDED.

TODAY'S OPERATION, AS PART OF THE EFFORTS TO IMPROVE THE LIVING ENVIRONMENT, WAS JOINTLY CARRIED OUT BY THE HOUSING DEPARTMENT, THE BUILDINGS AND LANDS DEPARTMENT, THE URBAN SERVICES DEPARTMENT AND THE POLICE.

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POSTAL SERVICES TO LEBANON SUSPENDED

DUE TO THE CLOSURE OF BEIRUT AIRPORT, AIRMAIL AND AIR PARCEL SERVICES BETWEEN HONG KONG AND LEBANON ARE TEMPORARILY SUSPENDED WITH IMMEDIATE EFFECT, A POST OFFICE SPOKESMAN ANNOUNCED TODAY (WEDNESDAY).

SURFACE MAIL AND SURFACE PARCEL SERVICES TO LEBANON ALSO REMAIN SUSPENDED, HE ADDED.

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DETAILS OF TAI PO DRAGON BOAT RACE

THE TAI PO DISTRICT DRAGON BOAT RACE COMMITTEE WILL HOLD ITS FIRST MEETING TOMORROW (THURSDAY) TO DISCUSS DETAILS OF THIS YEAR'S RACE.

THE MEETING WILL BE HELD AT 10 AM IN THE CONFERENCE ROOM OF THE TAI PO SPORTS ASSOCIATION'S LI FOOK LAM INDOOR SPORTS CENTRE AT 2 ON CHEUNG ROAD, TAI PO.

PRESIDING AT THE MEETING WILL BE CHAIRMAN OF THE COMMITTEE, MR STEPHEN WONG.

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NOTE TO EDITORS:

YOU ARE INVITED TO COVER THE MEETING.

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- 13 -

TRAFFIC CHANGES IN SHAM SHUI PO
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TO FACILITATE THE CONSTRUCTION OF A PEDESTRIAN SUBWAY, THE SECTION OF PEI HO STREET BETWEEN TAI PO ROAD AND BERWICK STREET IN SHAM SHUI PO WILL BE CLOSED TO TRAFFIC FOR ABOUT 11 MONTHS FROM 10 AM ON FRIDAY (MARCH 27).

VEHICLES ON TAI PO ROAD EASTBOUND HEADING FOR BERWICK STREET WILL HAVE TO USE PAK TIN STREET.

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