



## DAILY INFORMATION BULLETIN

ISSUED BY GOVERNMENT INFORMATION SERVICES  
BEACONSFIELD HOUSE, HONG KONG. TEL: 5-233191

WEDNESDAY, MAY 27, 1987

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VIEWS ON GREEN PAPER LISTENED TO WITH GREAT CARE

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THE CHIEF SECRETARY, THE HON DAVID FORD, TODAY (WEDNESDAY) APPEALED TO THE PEOPLE OF HONG KONG TO STUDY THE GREEN PAPER ON THE 1987 REVIEW OF DEVELOPMENTS IN REPRESENTATIVE GOVERNMENT, CONSIDER CAREFULLY THE OPTIONS IT PRESENTED AND SEND IN THEIR VIEWS TO THE SURVEY OFFICE.

+I URGE AND ENCOURAGE THEM TO DO SO, AND ASSURE THEM THAT THEIR VIEWS WILL BE LISTENED TO WITH GREAT CARE,+ MR FORD SAID.

TABLING THE DOCUMENT AT THE LEGISLATIVE COUNCIL, HE SAID THE PURPOSE OF THE GREEN PAPER WAS TO CONSIDER WHETHER THE HONG KONG SYSTEM OF REPRESENTATIVE GOVERNMENT SHOULD BE FURTHER DEVELOPED, AND IF SO, IN WHAT MANNER AND OVER WHAT TIME SCALE.

+THE PUBLICATION OF THE GREEN PAPER TODAY SIGNALS THE BEGINNING OF THE PERIOD OF PUBLIC CONSULTATION WHICH WILL LAST UNTIL 30 SEPTEMBER. DURING THIS PERIOD THE PEOPLE OF HONG KONG - EVERY INDIVIDUAL, GROUP AND ORGANISATION - WILL HAVE THE OPPORTUNITY TO STATE THEIR VIEWS ON WHAT THEY THINK THE GOVERNMENT SHOULD DO, OR SHOULD NOT DO, IN 1988 BY WAY OF FURTHER DEVELOPMENT OF OUR SYSTEM OF REPRESENTATIVE GOVERNMENT,+ HE SAID.

HE NOTED THAT THIS WAS AN UNUSUAL GREEN PAPER IN AT LEAST TWO RESPECTS.

+FIRST, SOME OF THE ISSUES ADDRESSED IN IT HAVE ALREADY BEEN THE SUBJECT OF KEEN DEBATE AMONG SECTORS OF THE COMMUNITY IN THE PAST YEAR OR SO, INDEED, MUCH OF THE CONTENT OF THE GREEN PAPER REFLECTS THE VIEWS EXPRESSED IN THAT DEBATE.

+SECONDLY, THE GREEN PAPER DOES NOT STATE THE GOVERNMENT'S POLICY INTENTIONS OR CONTAIN SPECIFIC PROPOSALS FOR ACTION. INSTEAD, IT SETS OUT POSSIBLE OPTIONS FOR FURTHER DEVELOPMENT IN 1988 AND PRESENTS THE ARGUMENTS FOR AND AGAINST EACH OF THOSE OPTIONS, AS WELL AS THE FACTORS THAT SHOULD BE BORNE IN MIND WHEN CONSIDERING THE CHOICE OF OPTIONS,+ HE SAID.

MR FORD SAID SOME OF THE VIEWS AND ARGUMENTS AIRED IN THE PUBLIC DEBATE MIGHT WELL BE AIMED AT TRYING TO INFLUENCE PUBLIC OPINION, AND HE URGED EVERY PERSON IN HONG KONG TO FORM HIS OWN VIEWS.

+EVERY PERSON IN HONG KONG IS FREE TO AGREE OR DISAGREE WITH ANY OTHER PERSON'S POINT OF VIEW. THE GOVERNMENT IS ANXIOUS TO HEAR THE VIEWS OF THE PEOPLE OF HONG KONG, AND I HAVE NO DOUBT THAT THEY ARE QUITE CAPABLE OF FORMING THEIR OWN JUDGMENT,+ HE SAID.

+AS FAR AS THE GOVERNMENT IS CONCERNED, WE SHALL KEEP AN OPEN MIND UNTIL WE HAVE LISTENED TO THOSE VIEWS,+ HE STRESSED.

MR FORD .....

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MR FORD POINTED OUT THAT THE INDEPENDENT SURVEY OFFICE WAS ESTABLISHED TO ENCOURAGE THE WIDEST POSSIBLE PUBLIC RESPONSE, IN PARTICULAR, THE RESPONSE OF THE MAJORITY OF THE POPULATION WHO HAD SO FAR REMAINED SILENT. THE RESPONSIBILITY OF THE OFFICE IS TO SEEK OUT AND RECORD THE VIEWS EXPRESSED ON THE ISSUES DISCUSSED IN THE GREEN PAPER.

TO ENSURE THAT THE SURVEY OFFICE CARRIES OUT ITS DUTIES PROPERLY, ACCURATELY AND IMPARTIALLY, TWO INDEPENDENT MONITORS HAVE BEEN APPOINTED TO OVERSEE ITS WORK.

MR FORD WENT ON TO SAY THAT AT THE CONCLUSION OF THE PERIOD OF PUBLIC CONSULTATION, THE SURVEY OFFICE WOULD PREPARE AN IMPARTIAL AND ACCURATE REPORT COLLATING AND PRESENTING ALL THE VIEWS WHICH WOULD HAVE BEEN EXPRESSED.

HE NOTED THAT THE REPORT WOULD BE SUBMITTED TO THE GOVERNOR-IN-COUNCIL NO LATER THAN OCTOBER 31 THIS YEAR AND IT WOULD THEN BE TABLED IN THE LEGISLATIVE COUNCIL AND PUBLISHED.

+THE GOVERNOR-IN-COUNCIL WILL THEN FORM A JUDGMENT, IN THE LIGHT OF THE SURVEY OFFICE REPORT, AND TAKING FULL ACCOUNT OF THE VIEWS REFLECTED IN IT, AS TO THE RIGHT STEPS TO BE TAKEN IN 1988.

+THE DECISIONS REACHED AT THAT TIME, LIKE ALL OTHER DECISIONS OF THE GOVERNOR-IN-COUNCIL, WILL BE CORPORATE DECISIONS TAKEN IN THE BEST INTERESTS OF HONG KONG PEOPLE AS A WHOLE. THEY WILL BE PUBLISHED IN A WHITE PAPER, PROBABLY EARLY IN THE NEW YEAR,+ HE SAID.

MR FORD SAID THE PUBLIC DEBATE WHICH HAD ALREADY BEEN TAKING PLACE MIGHT WELL HAVE GIVEN SOME THE IMPRESSION THAT THE 1987 REVIEW WAS CONCERNED SOLELY WITH THE QUESTION WHETHER THERE SHOULD BE DIRECT ELECTIONS TO THE LEGISLATIVE COUNCIL IN 1988.

HOWEVER, A QUICK GLANCE THROUGH THE CONTENT PAGES OF THE GREEN PAPER WOULD READILY SHOW THAT THIS WAS NOT THE CASE, HE SAID.

+THE GREEN PAPER IS IN FACT A COMPREHENSIVE REVIEW OF THE EXISTING SYSTEMS OF REPRESENTATIVE GOVERNMENT COMPRISING THREE LEVELS OF INSTITUTIONS: THE DISTRICT BOARDS, THE URBAN AND REGIONAL COUNCILS AND THE LEGISLATIVE COUNCIL,+ MR FORD SAID.

IT WOULD DISCUSS A WIDE RANGE OF ISSUES CONCERNING NOT ONLY THE ROLE AND COMPOSITION OF THESE BODIES, BUT ALSO THE INTER-RELATIONSHIPS BETWEEN THEM, HE ADDED.

THESE ISSUES WERE, MR FORD SAID, +FIRST, THE COMPOSITION AND FUNCTIONS OF THE DISTRICT BOARDS AND THE URBAN AND REGIONAL COUNCILS, AND POSSIBLE WAYS OF IMPROVING THE LINKS BETWEEN THEM=

/+SECONDLY; THE .....

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+SECONDLY; THE COMPOSITION OF THE LEGISLATIVE COUNCIL, INCLUDING POSSIBLE CHANGES IN THE NUMBERS AND BALANCE OF OFFICIAL, APPOINTED, AND ELECTED MEMBERS AND THE QUESTION WHETHER NEW FORMS OF ELECTION TO THE COUNCIL SHOULD BE INTRODUCED;

+THIRDLY; THE QUESTION WHETHER THE GOVERNOR SHOULD CONTINUE TO BE THE PRESIDENT OF THE LEGISLATIVE COUNCIL; AND

+FOURTHLY; VARIOUS PRACTICAL QUESTIONS SUCH AS THE SEQUENCE AND TIMING OF ELECTIONS, THE VOTING AGE AND ELECTORAL ARRANGEMENTS.+

+IN EACH CASE THE GREEN PAPER CONSIDERS, IN THE LIGHT OF THE DEVELOPMENTS WHICH HAVE TAKEN PLACE SO FAR, THE OPTIONS FOR FURTHER DEVELOPMENT IN 1988,+ MR FORD SAID.

HE POINTED OUT THAT THE GREEN PAPER DID NOT RECOMMEND ANY ONE OPTION IN PREFERENCE TO ANOTHER, BUT SET OUT THE ARGUMENTS FOR AND AGAINST EACH OF THOSE OPTIONS.

ALL OF THEM WERE GENUINE OPTIONS, HE SAID.

+THE GOVERNMENT HAS NO PRECONCEIVED IDEAS. THERE IS NO PRE-DETERMINED OUTCOME,+ MR FORD STRESSED.

NOTING THAT MUCH HAD HAPPENED SINCE THE LAST REVIEW OF REPRESENTATIVE GOVERNMENT IN 1984, MR FORD SAID +THE ISSUES BEFORE US HAVE FAR-REACHING IMPLICATIONS FOR THE FUTURE WELL-BEING OF OUR COMMUNITY, AND IT IS NOT SURPRISING, THEREFORE, THAT THERE IS, A RANGE OF SINCERELY HELD VIEWS WITH REGARD TO THE PACE AND DIRECTION OF CHANGE.+

HE REFUTED CRITICISM THAT THE GOVERNMENT WAS TRYING TO ABDICATE ITS RESPONSIBILITY FOR WHAT CHANGES TO BE INTRODUCED TO THE SYSTEMS OF REPRESENTATIVE GOVERNMENT IN 1988.

+THE GOVERNMENT RECOGNISES THAT IT HAS THAT RESPONSIBILITY, AND WILL DISCHARGE IT WHEN THE TIME COMES FOR DECISIONS TO BE TAKEN,+ HE SAID.

+BUT, IN THE FACE OF THE DEBATE NOW TAKING PLACE WITHIN THE COMMUNITY, THE GOVERNMENT RECOGNISES THAT IT HAS ANOTHER, MORE IMMEDIATE RESPONSIBILITY: TO LISTEN TO THE VIEWS OF THE PEOPLE OF HONG KONG ON HOW THEY WISH TO SEE THESE SYSTEMS DEVELOP, AND TO DO SO UNFETTERED BY PRECONCEIVED IDEAS AS TO THE RIGHT COURSE TO TAKE,+ MR FORD ADDED.

MR FORD SAID THE SUCCESS OF ANY COMMUNITY DEPENDED UPON THE COMBINATION OF A NUMBER OF FACTORS, AND ONE OF THE MOST IMPORTANT WAS HAVING A STABLE AND CONSISTENT GOVERNMENT THAT COULD OPERATE EFFECTIVELY, AND WITH THE SUPPORT OF THE MAJORITY OF THE PEOPLE MAKING UP THAT COMMUNITY.

/+THIS MEANS .....

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+THIS MEANS A GOVERNMENT WHICH IS SENSITIVE TO THE NEEDS AND ASPIRATIONS OF THE COMMUNITY AS A WHOLE, AS THEY CHANGE AND DEVELOP OVER TIME, AND WHICH IS PREPARED TO RESPOND TO THOSE NEEDS AND ASPIRATIONS IN FORMULATING AND CARRYING OUT ITS POLICIES,+ HE SAID.

THIS WAS THE GOVERNMENT THE ADMINISTRATION HAD ENDEAVOURED TO BE, MR FORD SAID.

+FOR MANY YEARS WE HAVE BEEN COMMITTED TO DEVELOPING OUR GOVERNMENTAL INSTITUTIONS ALONG MORE REPRESENTATIVE LINES, IN STEP WITH THE GROWTH WITHIN THE COMMUNITY OF THE WISH FOR A SAY, AND FOR DIRECT PARTICIPATION, IN THE PROCESS OF GOVERNMENT.+

HE SAID THIS COMMITMENT WAS REFLECTED IN THE WIDE RANGE OF CHANNELS WHICH NOW EXISTED THROUGH WHICH THE VIEWS AND CONCERNS OF THE COMMUNITY COULD BE MADE KNOWN TO THE GOVERNMENT.

+THEY INCLUDE AN EXTENSIVE NETWORK OF ADVISORY BOARDS AND COMMITTEES, ON WHICH MANY HUNDREDS OF PEOPLE PARTICIPATE, AS WELL AS THE MORE FORMAL INSTITUTIONS OF REPRESENTATIVE GOVERNMENT: THE DISTRICT BOARDS, THE MUNICIPAL COUNCILS AND THIS COUNCIL ITSELF.+

MR FORD SAID THE PROCESS OF DEVELOPING A MORE REPRESENTATIVE GOVERNMENT HAD BEEN GRADUAL, AND THE STEPS TAKEN CAREFUL AND MEASURED. HE SAID AT EACH STAGE, THE GOVERNMENT HAD CONSULTED EXTENSIVELY WITHIN THE COMMUNITY.

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ANTI-CORRUPTION LAW UPDATED  
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CHANGES TO THE ANTI-CORRUPTION LAW ARE AIMED AT CLARIFYING OR IMPROVING PRESENT PROCEDURES OR REVISING PENALTIES, THE ATTORNEY GENERAL, THE HON MICHAEL THOMAS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE PREVENTION OF BRIBERY (AMENDMENT) BILL 1987, MR THOMAS SAID NONE OF THE CHANGES WERE INTENDED TO MAKE ANY SIGNIFICANT EXTENSION TO THE POWER AND RANGE OF OPERATIONS OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION.

HE SAID IT WAS SEVEN YEARS SINCE THE LAST COMPREHENSIVE REVIEW OF THE LEGISLATION UNDER WHICH THE INDEPENDENT COMMISSION AGAINST CORRUPTION OPERATED.

/HE ADDED .....

HE ADDED THE LATEST REVIEW HAD SHOWN THE NEED FOR A MODEST NUMBER OF CHANGES TO BOTH THE INDEPENDENT COMMISSION AGAINST CORRUPTION ORDINANCE WHICH IS THE COMMISSION'S CHARTER, AND THE PREVENTION OF BRIBERY ORDINANCE WHICH CONCERNED ITS OPERATIONS.

HE SAID THE BILL CONTAINED A NEW PROVISION SEEKING FOR CONFISCATION ORDERS BE MADE OF THE PROPERTY OF CROWN SERVANTS CONVICTED OF BEING IN CONTROL OF UNEXPLAINED WEALTH.

+IT IS AN ESSENTIAL DETERRENT TO CORRUPTION THAT NEITHER AN OFFENDER NOR HIS CLOSE RELATIVES AND ASSOCIATES SHOULD BE ALLOWED TO ENJOY THE BENEFITS OF HIS CORRUPTION,+ HE SAID.

HE POINTED OUT THAT IT WAS FOR THIS REASON THAT PROVISION FOR ADDITIONAL MONETARY PENALTY ORDERS WERE INCLUDED IN THE ORDINANCE IN 1974 AND MORE THAN 20 SUCH ORDERS HAD BEEN MADE SINCE THE PROVISIONS WERE INTRODUCED.

HOWEVER, HE EXPLAINED, IN A SIGNIFICANT NUMBER OF CASES, RECOVERY HAD BEEN ONLY PARTIALLY SUCCESSFUL AND THEN ONLY AT THE EXPENSE OF LENGTHY COURT PROCEEDINGS BY THE CROWN.

+SO LONG AS AN ORDER REMAINS A PERSONAL DEBT, A CONVICTED PERSON MAY ARRANGE HIS AFFAIRS SO AS TO PUT HIS ASSETS OUT OF REACH -- WHILE RETAINING CONTROL -- AND THEN PLEAD POVERTY,+ MR THOMAS SAID.

MR THOMAS EXPLAINED THAT AS THE TRIAL OF A CROWN SERVANT ALWAYS INVOLVED A CLOSE EXAMINATION OF THE ASSETS IN HIS CONTROL, AND AN IMPLICIT FINDING, IF HE WAS CONVICTED, THAT SOME OR ALL OF THOSE ASSETS REPRESENTED THE PROFITS OF HIS CORRUPTION.

+IT SEEMS LOGICAL THAT THERE SHOULD BE A MORE DIRECT PROCEDURE FOR TAKING HOLD OF THOSE ASSETS IDENTIFIED AS TAINTED, WHETHER THEY ARE IN THE HANDS OF AN OFFENDER OR A RELATIVE OR AN ASSOCIATE,+ HE ADDED.

ANOTHER PROVISION INTRODUCED WOULD PROVIDE FOR THE MAKING BY THE DISTRICT COURT OR HIGH COURT OF AN ORDER FOR CONFISCATION OF PROPERTY IN THE CONTROL OF THE CONVICTED PERSON TO A VALUE NOT EXCEEDING THE VALUE OF ASSETS THE ACQUISITION OF WHICH HAS NOT BEEN SATISFACTORILY EXPLAINED.

HE ADDED THAT SUCH POWER WAS SUBJECT TO A NUMBER OF IMPORTANT LIMITATIONS AND SAFEGUARDS.

+FIRST, THE APPLICATION FOR AN ORDER MUST BE MADE BY THE ATTORNEY GENERAL WITHIN 28 DAYS AFTER THE CONVICTION.

+SECONDLY, WHERE THE ASSETS ARE HELD BY A PERSON OTHER THAN THE PERSON CONVICTED, THEN THAT OTHER PERSON MUST BE GIVEN A REASONABLE OPPORTUNITY TO SHOW CAUSE WHY THE ORDER SHOULD NOT BE MADE.

/+THIRDLY, NO .....

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+THIRDLY, NO ORDER MAY BE MADE UPON ASSETS HELD BY A PERSON OTHER THAN THE PERSON CONVICTED IF THAT OTHER PERSON SATISFIES THE COURT THAT AN ORDER WOULD BE UNJUST IN THE CIRCUMSTANCES.

+FOURTHLY, A CONFISCATION ORDER AND A MONETARY PENALTY ORDER CANNOT BE IMPOSED IN RESPECT OF THE SAME ASSETS,+ HE SAID.

THE BILL ALSO PROVIDED FOR A THIRD PARTY IN POSSESSION OF CONFISCATED ASSETS A RIGHT OF APPEAL TO THE COURT OF APPEAL AGAINST A CONFISCATION ORDER, HE SAID.

MR THOMAS EMPHASISED THAT THE POWER OF THE COURT TO ORDER CONFISCATION APPLIED SOLELY TO CONVICTED CROWN SERVANTS OR FORMER CROWN SERVANTS AND THEIR CLOSE ASSOCIATES; TO THE ONE OFFENCE, AND TO ASSETS WHICH HAD ALREADY BEEN THE SUBJECT OF A TRIAL. IT WOULD ALSO BE DISCRETIONARY IN EVERY CASE, HE ADDED.

THE BILL ALSO SOUGHT TO INCREASE THE MAXIMUM FINE FOR THE POSSESSION AS A CROWN SERVANT OF UNEXPLAINED WEALTH FROM \$500 000 TO \$1 MILLION ON INDICTMENT AND FROM \$100 000 TO \$500 000 ON A SUMMARY CHARGE.

AMENDMENTS CONCERNING MAGISTRATES' POWERS TO ORDER THE SURRENDER OF A SUSPECT'S TRAVEL DOCUMENTS WERE ALSO PROPOSED.

HE SAID ALTHOUGH THE EXISTING PROVISIONS PROVED A VERY EFFECTIVE AID TO THE INVESTIGATION OF CORRUPTION OFFENCES, SOME ASPECTS OF THE PRESENT PROVISIONS WERE CRITICISED AS UNFAIR TO THE SUSPECT AND LACKING IN FLEXIBILITY.

THE AMENDMENTS PROPOSED WOULD MAKE THE PROCEDURE BOTH FAIRER AND MORE FLEXIBLE IN THAT A SUSPECT MAY APPLY TO THE COMMISSIONER FOR RETURN OF HIS TRAVEL DOCUMENT AT ANY TIME.

+THE RETURN MAY BE MADE SUBJECT TO CONDITIONS AS TO THE FUTURE APPEARANCE OF THE HOLDER AND FURTHER SURRENDER OF THE DOCUMENT, AND THE HOLDER MAY BE REQUIRED TO GIVE ADEQUATE SECURITY. THERE IS PROVISION FOR APPEAL AGAINST A REFUSAL TO RETURN TRAVEL DOCUMENTS OR THE IMPOSITION OF UNREASONABLE CONDITIONS,+ HE ADDED.

ANOTHER AMENDMENT PROVIDED THAT A PERSON WHO HAD FAILED TO COMPLY WITH CONDITIONS UPON WHICH A TRAVEL DOCUMENT WAS RETURNED MAY BE ARRESTED AND HIS SECURITY BE FORFEITED, HE SAID.

THE BILL ALSO PROVIDED FOR THE ARREST OF ANY SUSPECT WHO WAS BELIEVED TO BE ARRANGING HIS DEPARTURE FROM HONG KONG WHILE INVESTIGATIONS WERE PROCEEDING, AND FOR THE ADMISSION OF SUCH A PERSON TO BAIL.

/SUSPECTS HAVE .....

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SUSPECTS HAVE AT TIMES REQUESTED THAT DUE TO THE DIFFICULTY OF RAISING A LARGE BAIL AT SHORT NOTICE, THEY SHOULD BE ALLOWED TO DEPOSIT PROPERTY AND, IN PARTICULAR, TITLE DEEDS, IN LIEU OF PART OF THE CASH BAIL.

HE PROPOSED TO AMEND THE ORDINANCE TO ALLOW FOR THIS OPTION.

ANOTHER AMENDMENT WHICH AROSE FROM PRACTICAL EXPERIENCE, HE SAID, WAS TO ADMIT A CERTIFICATE SIGNED BY THE CHIEF SECRETARY TO PROVE THE STATUS AND EMOLUMENTS OF A CROWN SERVANT OR FORMER CROWN SERVANT.

+THE CERTIFICATE AVOIDS THE PRODUCTION OF FILES AND WITNESSES FROM VARIOUS GOVERNMENT DEPARTMENTS, ON MATTERS WHICH ARE RARELY IN DISPUTE. THE CERTIFICATE EVIDENCE MAY OF COURSE BE REBUTTED BY THE DEFENDANT.+

OTHER AMENDMENTS INCLUDED NEW DEFINITIONS OF +PUBLIC SERVANT+ AND +MEMBER OF A PUBLIC BODY+, MINOR CHANGES TO REMOVE SOME UNCERTAINTY AS TO THE EXISTING POWERS OF COMMISSION OFFICERS WHEN INVESTIGATING AN OFFENCE, AND RELATING TO THE ISSUE OF NOTICES AND ORDERS RESTRAINING DEALINGS IN THE PROPERTY OF SUSPECTS.

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CHANGES PROPOSED TO ICAC POWERS OF ARREST  
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THE MOST SIGNIFICANT AMENDMENTS SOUGHT IN THE INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL 1987 CONCERNED THE POWERS OF ARRESTS BY COMMISSION OFFICERS, THE ATTORNEY - GENERAL, THE HON MICHAEL THOMAS, SAID TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE BILL, HE SAID, A SECTION OF THE ORDINANCE CONTAINED A LIST OF OFFENCES FOR WHICH A COMMISSION OFFICER MIGHT ARREST A PERSON IF THE OFFENCE WAS DISCLOSED IN THE COURSE OF AN INVESTIGATION INTO AN OFFENCE UNDER THE PREVENTION OF BRIBERY ORDINANCE.

INCLUDED IN THE LIST WAS THE OFFENCE OF OBTAINING A PECUNIARY ADVANTAGE BY DECEPTION UNDER SECTION 18 OF THE THEFT ORDINANCE, HE SAID.

HE CONTINUED, HOWEVER, IN 1980, PART OF THE SECTION WAS REPEALED AND REPLACED BY THREE SEPARATE OFFENCES DEALING WITH, RESPECTIVELY, OBTAINING SERVICES BY DECEPTION, EVADING LIABILITY BY DECEPTION, AND MAKING OFF WITHOUT PAYMENT.

/+A FURTHER .....

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+A FURTHER RELATED OFFENCE, THAT OF PROCURING FALSE ENTRIES IN THE RECORDS OF A BANK OR DEPOSIT-TAKING COMPANY, WAS ADDED TO THE THEFT ORDINANCE IN 1986.+

HE THEREFORE PROPOSED TO INSERT THESE FOUR OFFENCES INTO THE STATUTORY LIST.

ANOTHER CLAUSE WAS PROPOSED TO GIVE COMMISSION OFFICERS THE POWER TO ARREST SUSPECTS WHO HAVE BEEN PREVIOUSLY ARRESTED AND GRANTED BAIL IN RESPECT OF CORRUPTION OFFENCES, WHERE THERE IS SOUND REASON FOR BELIEVING THAT BAIL MAY BE BROKEN.

+AT PRESENT POLICE TAKE SUCH ACTION AT THE REQUEST OF THE COMMISSION,+ HE SAID.

OTHER AMENDMENTS WERE OF A MINOR NATURE, INCLUDING INCREASING THE MAXIMUM FINES FOR THE OFFENCES OF OBSTRUCTION AND OF MAKING FALSE REPORTS TO COMMISSION OFFICERS, THE ESTABLISHMENT OF PERMANENT DETENTION FACILITIES IN THE MURRAY ROAD CARPARK BUILDING AND THE APPOINTMENT OF SPECIALIST GUARDING OFFICERS.

MR THOMAS MOVED THAT THE DEBATE ON THE MOTIONS BE ADJOURNED.

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CHANGE IN IMMIGRATION LAW URGED  
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THE GOVERNMENT WAS URGED TO GIVE CONSIDERATION TO A FURTHER CHANGE IN THE IMMIGRATION LAW WHICH WOULD MAKE IT POSSIBLE FOR NON-CHINESE HONG KONG BELONGERS TO BECOME HONG KONG PERMANENT RESIDENTS BY DECLARING THEIR INTENTION TO MAKE HONG KONG THEIR PLACE OF PERMANENT RESIDENCE.

SPEAKING DURING THE RESUMED DEBATE ON THE IMMIGRATION (AMENDMENT) BILL 1987 AND THE REGISTRATION OF PERSONS (AMENDMENT) BILL 1987, CONVENOR OF THE LEGISLATIVE COUNCIL AD HOC GROUP WHICH STUDIED THESE BILLS, THE HON JOHN SWAINE, SAID SUCH A MOVE WOULD BE CONSISTENT WITH THE PROVISIONS OF THE JOINT DECLARATION.

HE EXPLAINED THAT THE IMMIGRATION ORDINANCE PROVIDED THAT FOUR CATEGORIES OF PERSONS SHOULD HAVE THE RIGHT TO LAND IN HONG KONG. THEY WERE: HONG KONG BELONGERS, CHINESE RESIDENTS, RESIDENT BRITISH CITIZENS AND PERSONS WHO IMMEDIATELY BEFORE 1ST JANUARY 1983 WERE RESIDENT UK BELONGERS.

HE NOTED THAT OF THESE FOUR CATEGORIES OF PERSONS, THE ONLY PERSON WHO AT PRESENT HAD THE ABSOLUTE RIGHT TO LAND AND REMAIN IN HONG KONG WAS THE HONG KONG BELONGER, AGAINST WHOM NO DEPORTATION ORDER COULD BE MADE.

/THE RIGHT .....

THE RIGHT OF THE THREE OTHER CATEGORIES OF PERSONS TO LAND WAS MADE EXPRESSLY SUBJECT TO SECTION 20(6) WHICH PROVIDED THAT THE RIGHT TO LAND SHOULD CEASE WHILE A DEPORTATION ORDER WAS IN FORCE AGAINST SUCH PERSONS.

UNDER THE AMENDMENTS PROPOSED IN THE IMMIGRATION (AMENDMENT) (NO. 2) BILL 1987, THE STATUS OF HONG KONG BELONGER WOULD BE SUBSUMED IN THE NEW STATUS OF HONG KONG PERMANENT RESIDENT.

HONG KONG PERMANENT RESIDENTS WERE DEFINED ESSENTIALLY AS FORMER HONG KONG BELONGERS PLUS THE FORMER CATEGORY OF CHINESE RESIDENTS, THAT WAS THOSE PERSONS WHO WERE WHOLLY OR PARTLY OF CHINESE RACE AND WHO HAD ORDINARILY RESIDED IN HONG KONG FOR A CONTINUOUS PERIOD OF NOT LESS THAN SEVEN YEARS.

+OUR IMMIGRATION LAW WILL THUS BE BROUGHT CLOSER TO THE PROVISIONS OF THE JOINT DECLARATION AS CLAUSE XIV OF ANNEX I THERETO SPECIFIES THAT A CHINESE NATIONAL WHO HAS ORDINARILY RESIDED IN HONG KONG FOR A CONTINUOUS PERIOD OF SEVEN YEARS OR MORE SHALL HAVE THE RIGHT OF ABODE IN HONG KONG,+ MR SWAINE EXPLAINED.

HE NOTED THAT UNDER THE PROVISIONS OF THE JOINT DECLARATION, A NON-CHINESE HONG KONG BELONGER WOULD NOT AUTOMATICALLY ENJOY RIGHT OF ABODE IN HONG KONG AFTER 1997 BUT MUST INSTEAD TRY TO QUALIFY UNDER CLAUSE XIV AS SOMEONE WHO HAD ORDINARILY RESIDED IN HONG KONG FOR A CONTINUOUS PERIOD OF SEVEN YEARS AND HAD TAKEN HONG KONG AS HIS PLACE OF PERMANENT RESIDENCE.

HE ALSO NOTED THE STATEMENT BY THE SECRETARY FOR SECURITY THAT THE BRITISH AND CHINESE GOVERNMENT HAD REACHED A COMMON UNDERSTANDING THAT THE WAY TO ESTABLISH THAT SUCH A PERSON HAD TAKEN HONG KONG AS HIS PLACE OF PERMANENT RESIDENCE WOULD BE BY SIGNING A SIMPLE DECLARATION.

UNDER THE BILL, RESIDENT BRITISH CITIZENS AND RESIDENT UK BELONGERS WOULD NOT HAVE THE STATUS OF HONG KONG PERMANENT RESIDENT AND THEY WOULD STILL BE LIABLE TO DEPORTATION.

+HOWEVER UNDER A NEW SECTION 8 WHICH I WILL MOVE AT THE COMMITTEE STAGE, THEIR RIGHTS WILL BE CLEARLY AND POSITIVELY SET OUT, NAMELY (A) TO LAND IN HONG KONG (B) NOT TO HAVE IMPOSED UPON THEM ANY CONDITIONS OF STAY AND (C) NOT TO HAVE A REMOVAL ORDER MADE AGAINST THEM,+ HE SAID.

HE NOTED THAT THE LIABILITY TO DEPORTATION OF THIS CATEGORY OF PERSONS WOULD ARISE ONLY IF THE GOVERNOR IN COUNCIL DEEMED IT CONDUCIVE TO THE PUBLIC GOOD ON THE GROUND THAT THE DEPARTURE OF SUCH PERSON FROM HONG KONG WAS NECESSARY IN THE INTEREST OF THE SECURITY OF HONG KONG OR FOR POLITICAL REASONS AFFECTING THE RELATIONS OF THE BRITISH GOVERNMENT WITH ANOTHER COUNTRY.

/HE EXPLAINED .....

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HE EXPLAINED THAT IT WAS THIS LIABILITY TO DEPORTATION IN THESE NARROW CIRCUMSTANCES WHICH PREVENTED RESIDENT BRITISH CITIZENS AND UK BELONGERS FROM ENJOYING THE FULL BENEFITS OF RIGHT OF ABODE IN HONG KONG.

HE SAID HE UNDERSTOOD THAT THERE WERE MANY SUCH RESIDENT BRITISH CITIZENS IN HONG KONG WHO WOULD WELCOME THE OPPORTUNITY TO CROSS THIS DIVIDE AND BECOME HONG KONG PERMANENT RESIDENTS WITH THE RIGHT OF ABODE IN HONG KONG.

+I WOULD THEREFORE URGE THAT THE GOVERNMENT GIVE CONSIDERATION TO A FURTHER CHANGE IN OUR IMMIGRATION LAW WHICH WOULD MAKE IT POSSIBLE FOR SUCH PERSONS TO BECOME HONG KONG PERMANENT RESIDENTS BY DECLARING THEIR INTENTION TO MAKE HONG KONG THEIR PLACE OF PERMANENT RESIDENCE, A MOVE WHICH WOULD BE CONSISTENT WITH THE PROVISIONS OF THE JOINT DECLARATION,+ HE SAID.

FURTHERMORE, MR SWAINE SAID: +IF A PERSON IS AGGRIEVED BY A DECISION OF A REGISTRATION OFFICER NOT TO ISSUE A PERMANENT IDENTITY CARD OR TO DECLARE SUCH A CARD INVALID, HE MAY APPEAL TO A TRIBUNAL SPECIALLY SET UP FOR THIS PURPOSE UNDER THE NEW SECTION 3C TO BE KNOWN AS THE REGISTRATION OF PERSONS TRIBUNAL.+

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CALL TO CLARIFY STATUS OF HK CHINESE WITH FOREIGN PASSPORTS

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THE GOVERNMENT HAS BEEN URGED TO SEEK CLARIFICATION WHETHER HONG KONG PERMANENT RESIDENTS OF CHINESE RACE HOLDING FOREIGN PASSPORTS WILL BE ENTITLED TO THE RIGHT OF ABODE AFTER 1997.

THE CALL WAS MADE BY THE HON HILTON CHEONG-LEEN DURING THE RESUMED DEBATE ON THE IMMIGRATION (AMENDMENT)(NO. 2) BILL 1987 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

POINTING OUT THAT THIS WAS A MATTER OF IMPORTANCE, MR CHEONG-LEEN SAID HE HOPED THE ISSUE COULD BE DISCUSSED WITHIN THE SPIRIT OF THE JOINT DECLARATION SO THAT PEOPLE UNDER THIS CATEGORY WOULD STILL BE ENTITLED TO THE RIGHT OF ABODE AFTER 1997.

+I BELIEVE THAT SUCH PERSONS, THE TOTAL NUMBER OF WHICH MAY WELL BE AROUND HALF-A-MILLION BY 1997, SHOULD BE GIVEN EVERY ENCOURAGEMENT TO RETURN TO HONG KONG AND TO MAKE A SIGNIFICANT CONTRIBUTION TOWARDS HONG KONG'S ECONOMIC GROWTH AND PROSPERITY,+ HE SAID.

/MR CHEONG-LEEN .....

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MR CHEONG-LEEN NOTED THAT UNDER THE NEW LEGISLATION, ABOUT FIVE MILLION PEOPLE IN HONG KONG WOULD BECOME +HONG KONG PERMANENT RESIDENTS+ TO BE ISSUED PERMANENT IDENTITY CARDS AS EVIDENCE OF THEIR RIGHT OF ABODE IN HONG KONG.

HE SAID THE BILL SHOULD BE WELCOMED BY ALL THE FIVE MILLION PEOPLE CONCERNED.

HE WAS ALSO PLEASED TO NOTE THAT NON-CHINESE PERSONS WHO HAD ORDINARILY RESIDED IN HONG KONG BEFORE OR AFTER THE ESTABLISHMENT OF THE SPECIAL ADMINISTRATIVE REGION FOR A CONTINUOUS PERIOD OF SEVEN YEARS OR MORE AND HAD TAKEN HONG KONG AS THEIR PLACE OF PERMANENT RESIDENCE WOULD EVENTUALLY BE GIVEN THE RIGHT OF ABODE BY SIGNING A SIMPLE DECLARATION TO THE EFFECT.

HE COMMENDED THIS AS A PRACTICAL ARRANGEMENT AND HOPED IT WOULD ENCOURAGE EXPATRIATES WHO HAD SETTLED IN HONG KONG TO CONTINUE RESIDING HERE PERMANENTLY AND MAKE CONTRIBUTIONS TO THE SOCIETY.

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UK URGED TO ESTABLISH BN(O) STATUS  
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LEGISLATIVE COUNCILLOR THE HON MARIA TAM TODAY (WEDNESDAY) CALLED ON THE BRITISH GOVERNMENT TO ESTABLISH THE STATUS OF THE BRITISH NATIONAL (OVERSEAS) (BNO) PASSPORTS AS SOON AS POSSIBLE SO THAT THEY WOULD HAVE THE SAME VALUE AS THE BRITISH DEPENDENT TERRITORIES CITIZEN (BDTC) PASSPORTS.

MISS TAM WAS SPEAKING IN THE LEGISLATIVE COUNCIL IN SUPPORT OF THE IMMIGRATION (AMENDMENT) (NO. 2) BILL 1987 AND THE REGISTRATION OF PERSONS (AMENDMENT) BILL 1987.

SHE NOTED THAT SINCE SEPTEMBER 1986, 17 NATIONS HAD FORMALLY INDICATED THAT THEY WOULD ACCEPT THE BN(O) PASSPORTS.

+THIS FIGURE STILL FALLS FAR SHORT OF OUR EXPECTATIONS,+ SHE SAID.

SHE SAID THAT THERE WERE NATIONS WHICH MAINTAINED CLOSE TRADING RELATIONS WITH HONG KONG, AND THEIR PEOPLE HAD FAMILY LINKS WITH HONG KONG PEOPLE, BUT HAD NOT YET FORMALLY DECLARED THAT THEY WOULD ACCEPT THE BN(O) PASSPORT. AMONG THESE NATIONS WERE MALAYSIA, THE PHILIPPINES, SOUTH KOREA, INDIA AND THAILAND.

SHE NOTED THAT AT PRESENT, HOLDERS OF BRITISH DEPENDENT TERRITORIES PASSPORTS COULD ENTER AT LEAST 69 NATIONS OR PLACES WITHOUT VISAS.

/TURNING TO .....

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TURNING TO THE TWO BILLS, SHE SAID THEIR MAIN OBJECTIVE WAS TO DEFINE WHO WOULD ACQUIRE THE STATUS OF HONG KONG PERMANENT RESIDENTS. SHE ADDED THAT THE BILL CLEARLY STATED THAT THESE PEOPLE WOULD BE: PERSONS WHOLLY OR PARTLY OF THE CHINESE RACE WHO HAD BEEN ORDINARILY RESIDENT IN HONG KONG FOR SEVEN YEARS OR MORE; BDTCS WHO HAD A CONNECTION WITH HONG KONG (BY VIRTUE OF ARTICLE 2 OF THE HONG KONG (BRITISH NATIONALITY) ORDER 1986); BDTCS WHO HAD A CONNECTION WITH THE BRITISH DEPENDENT TERRITORIES SET OUT IN SCHEDULE 6 OF THE BRITISH NATIONALITY ACT, AND COMMONWEALTH CITIZENS WHO HAD THE RIGHT TO LAND IN HONG KONG BEFORE JANUARY 1 1983 BY VIRTUE OF BEING A HONG KONG BELONGER.

MISS TAM NOTED THAT APART FROM THOSE WHO HAD RENOUNCED THEIR BDTC STATUS AFTER JANUARY 1, 1983, SUCH AS PEOPLE WHO HAD ACQUIRED DUTCH NATIONALITY, ALL OTHER PEOPLE WHO NOW HAD THE RIGHT OF ABODE IN HONG KONG WOULD RETAIN THEIR FULL RIGHTS.

PEOPLE WHO HAD THE RIGHT OF ABODE WOULD HAVE THE RIGHT TO LAND, WITH FREEDOM FROM CONDITIONS OF STAY, FREEDOM FROM REMOVAL AND FREEDOM FROM DEPORTATION.

+IT FOLLOWS LOGICALLY THAT A PERSON WITH THE RIGHT OF ABODE IN HONG KONG WHO WAS DEPORTED BY A FOREIGN STATE WOULD BE RETURNED TO HONG KONG AND NOT TO MAINLAND CHINA,+ SHE SAID.

SHE NOTED THAT APART FROM THE 3.25 MILLION PEOPLE MENTIONED, THERE WOULD BE A FURTHER 1.74 MILLION CHINESE RESIDENTS ENJOYING SUCH RIGHTS.

SHE ADDED THAT WHILE THE TWO BILLS WOULD ESTABLISH THE BASIS OF RESOLVING THE ISSUE CONCERNING TRAVEL DOCUMENTS AND PASSPORTS, PRACTICAL ACTION HAD TO BE TAKEN TO STRIVE FOR GREATER ACCEPTANCE OF THE BN(O) PASSPORT BY MORE COUNTRIES.

SHE SAID ALIENS SHOULD BE GIVEN AN OPPORTUNITY TO CHOOSE HONG KONG AS THEIR PLACE OF PERMANENT RESIDENCE AFTER RESIDING IN HONG KONG FOR SEVEN YEARS SO THAT THEY COULD BECOME QUALIFIED WITH THE RIGHT OF ABODE IN HONG KONG AS SPECIFIED IN THE JOINT DECLARATION.

SHE CALLED ON THE GOVERNMENT TO PUBLICISE AND EXPLAIN THE NEW LEGISLATION TO HONG KONG PEOPLE LIVING OVERSEAS AND ALLOW THEM TO HAVE THEIR IDENTITY CARD RENEWED.

THE GOVERNMENT SHOULD ALSO FULLY EXPLAIN THE APPEAL PROCEDURES TO THE PUBLIC CONCERNING THE APPLICATION OF PERMANENT IDENTITY CARD, SHE SAID.

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CALL FOR EARLY INTRODUCTION OF DECLARATION MECHANISM  
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THE MECHANISM FOR DECLARATION ALLOWING NON-CHINESE PERSONS TO OBTAIN THE RIGHT OF ABODE IN HONG KONG SHOULD BE INTRODUCED AS EARLY AS POSSIBLE, THE HON LEE YU-TAI URGED DURING THE RESUMED DEBATE OF THE IMMIGRATION (AMENDMENT) (NO. 2) BILL 1987 IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR LEE SAID HE WAS CONCERNED THAT THE BILL USED A RACIAL DISTINCTION TO DETERMINE WHO WOULD BE GIVEN THE RIGHT OF ABODE.

HE WELCOMED THE NEWS THAT NON-CHINESE PERSONS WHO HAD LIVED IN HONG KONG FOR A CONTINUOUS PERIOD OF MORE THAN SEVEN YEARS AND WHO HAD TAKEN HONG KONG AS THEIR PLACE OF PERMANENT RESIDENCE WOULD EVENTUALLY BE ABLE TO OBTAIN THE RIGHT OF ABODE BY MEANS OF A SIMPLE DECLARATION.

HOWEVER, HE REGISTERED HIS UNEASE ABOUT GIVING RIGHTS ACCORDING TO RACIAL DISTINCTION AND HOPED THIS WOULD NOT BE USED IN FUTURE LEGISLATION AS A BASIS FOR GRANTING RIGHTS.

MR LEE SAID HE WAS ALSO CONCERNED ABOUT THE EFFECT OF THE BILL IN TAKING AWAY THE RIGHT TO LAND OF NON-CHINESE PERSONS WHO HAD RENOUNCED THEIR BRITISH DEPENDENT TERRITORY CITIZEN (BDTC) STATUS SINCE JANUARY 1, 1983.

HE NOTED THAT ALTHOUGH THIS GROUP OF PEOPLE COULD RESUME THEIR BDTC STATUS AT ANY TIME BEFORE JULY 1, 1997, THIS WOULD HAVE TO BE DONE AT THE EXPENSE OF GIVING UP THE OTHER NATIONALITY.

HE EXPRESSED HIS SYMPATHY FOR THIS GROUP OF PEOPLE WHO WERE ANXIOUS ABOUT THE FUTURE OF HONG KONG AND SAID THEY COULD NOT BE BLAMED FOR TAKING OUT INSURANCE BY OBTAINING FOR THEMSELVES A FALLBACK NATIONALITY.

+PEOPLE WHO ACQUIRE OVERSEAS CITIZENSHIP DO NOT WISH TO LEAVE HONG KONG, BUT THEY ARE MERELY TAKING A PRECAUTIONARY MEASURE,+ HE SAID.

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MOVE TO SIMPLIFY ID CARD RENEWAL WELCOMED  
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THE HON HILTON CHEONG-LEEN SAID TODAY (WEDNESDAY) HE WELCOMED THE GOVERNMENT'S UNDERTAKING THAT PROCEDURES WILL BE MADE AS SIMPLE AS POSSIBLE SO THAT PERSONS RETURNING TO HONG KONG AND RENEWING THEIR IDENTITY CARDS WOULD NOT BE REQUIRED TO MAKE ANY DECLARATION ABOUT WHETHER THEY POSSESSED FOREIGN PASSPORTS.

HE WAS SPEAKING DURING THE RESUMED DEBATE OF THE REGISTRATION OF PERSONS (AMENDMENT) BILL 1987, WHICH SEEKS TO REPEAL REGULATION 17 OF THE REGISTRATION OF PERSONS REGULATIONS WHICH REQUIRES CERTAIN IMMIGRANTS TO SURRENDER THEIR IDENTITY CARDS WHEN EMIGRATING FROM HONG KONG IN THE LEGISLATIVE COUNCIL.

AS THE NUMBER OF PEOPLE EMIGRATING FROM HONG KONG SHOWED NO INDICATION OF DECREASING WITHIN THE NEXT FEW YEARS, MR CHEONG-LEEN URGED THE ADMINISTRATION TO MAKE IT CLEAR IN THEIR OVERSEAS PUBLIC RELATIONS PROGRAMME THAT SUCH PEOPLE WERE WELCOMED TO RETURN TO HONG KONG AT ANY TIME TO CONTRIBUTE TO HONG KONG'S ECONOMIC VIABILITY AND PROSPERITY.

+AND PROVIDING THEY MEET THE CONDITIONS OF THE RIGHT OF ABODE, THEY WILL BE ISSUED WITH A PERMANENT IDENTITY CARD WITH MINIMUM RED TAPE AND DELAY,+ HE SAID.

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BILL AMENDED TO CLEAR DOUBTS  
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THE PURPOSE OF AN AMENDMENT TO THE INLAND REVENUE (AMENDMENT) BILL 1987 IS TO MAKE CLEAR THAT ANY CONSIDERATION RECEIVED FOR THE TRANSFER OF A RIGHT TO A STREAM OF TAXABLE INCOME IS ITSELF CHARGEABLE, THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, SAID TODAY (WEDNESDAY).

MOVING AN AMENDMENT TO THE BILL DURING THE COMMITTEE STAGE IN THE LEGISLATIVE COUNCIL, MR JACOBS SAID THE AMENDMENT PUT BEYOND DOUBT THAT THIS CONSIDERATION WAS TAXABLE IN THE HANDS OF THE TRANSFEROR NOTWITHSTANDING THE EXCLUSION ON PROFITS ARISING FROM THE SALE OF CAPITAL ASSETS CONTAINED IN THE GENERAL CHARGING PROVISION OF THE ORDINANCE.

HE SAID THAT THE NEW SECTION 15A, CONTAINED IN CLAUSE 4 OF THE BILL, WAS INTENDED TO COUNTER THE SO-CALLED +MYER+ TYPE TAX AVOIDANCE SCHEMES BY BRINGING TO CHARGE CONSIDERATION RECEIVED FOR THE TRANSFER OF THE RIGHT TO A STREAM OF TAXABLE INCOME.

+HOWEVER, FOLLOWING THE PUBLICATION OF THE BILL, THE VIEW HAS BEEN EXPRESSED THAT THE PROPOSED SECTION 15A, AS PRESENTLY DRAFTED, MAY NOT ACHIEVE ITS DESIRED OBJECT AND WILL LEAD TO DISPUTES OVER ITS EFFECT,+ HE ADDED.

IT HAD BEEN SUGGESTED THAT BECAUSE THE SECTION DID NOT EXPRESSLY SAY THAT THIS CONSIDERATION WAS AN INCOME RECEIPT, IT COULD BE ARGUED THAT SUCH RECEIPT AROSE FROM THE SALE OF A CAPITAL ASSET AND WAS THEREFORE NOT CHARGEABLE TO PROFITS TAX.

+WHILST THE POINT MAY BE ARGUABLE, I AGREE THAT WE SHOULD SEEK CLARITY,+ HE SAID.

HE ADDED THAT THE AMENDMENT IN NO WAY EXTENDED THE SCOPE OF THIS ANTI-AVOIDANCE MEASURE FROM THAT DESCRIBED IN THE BUDGET SPEECH AND EXPLANATORY MEMORANDUM TO THE BILL. NEITHER DID IT SEEK TO RENDER ONSHORE, AND THEREFORE ASSESSABLE, THE CONSIDERATION RECEIVED FOR THE TRANSFER OF A STREAM OF OFFSHORE INCOME.

HE SAID THERE COULD BE NO QUESTION OF THIS PIECE OF LEGISLATION BEING IN BREACH OF THE TERRITORIAL SOURCE PRINCIPLE WHICH IS FUNDAMENTAL TO THE TAXATION SYSTEM.

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INLAND REVENUE BILL SUPPORTED  
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CONVENER OF THE OMELCO TAXATION PANEL, THE HON PETER POON SAID THE PANEL HAD CONSIDERED A PROPOSED AMENDMENT TO SECTION 15A(1) OF THE INLAND REVENUE (AMENDMENT) BILL 1987 WHICH WOULD MAKE IT ABSOLUTELY CERTAIN THAT THE CONSIDERATION RECEIVED FOR THE TRANSFER OF A RIGHT TO RECEIVE INCOME FROM PROPERTY SHOULD BE CONSIDERED AS A TRADING RECEIPT.

MR POON WAS SPEAKING DURING THE RESUMED DEBATE ON THE BILL IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), WHICH SEEKS TO AMEND THE PRINCIPAL ORDINANCE MAINLY TO PROVIDE FOR VARIOUS CONCESSIONS IN THE AREAS OF PERSONAL, PROFIT, PROPERTY AND INTEREST TAXATION.

THE PANEL WAS SATISFIED THAT THE PROPOSED AMENDMENT WAS DESIRABLE TO ELIMINATE ANY DOUBT AS TO THE PURPOSE AND EFFECTIVENESS OF THE NEW ANTI-AVOIDANCE PROVISION AGAINST THE SO-CALLED 'MYER' SCHEME, HE ADDED.

MR POON SAID THAT THE PANEL HAD RECEIVED A REPRESENTATION FROM AN ACCOUNTING FIRM WHICH SOUGHT CLARIFICATION AS TO WHETHER THE WORDS 'DEEMED TO BE' IN THE NEW SECTION 15A OF THE BILL WOULD HAVE THE EFFECT OF INCLUDING OFFSHORE PROFITS.

AFTER A MEETING WITH THE ADMINISTRATION, THE PANEL WAS SATISFIED THAT THERE WOULD BE NO SUCH EFFECT AS IT WAS CLEARLY DEFINED IN THE BILL THAT THE INCOME FOR THE PURPOSE OF SECTION 15A WOULD ONLY COVER INCOME OR PROFITS ARISING IN OR DERIVED FROM HONG KONG, HE SAID.

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POLICE COMPLAINTS COMMITTEE RELEASES FIRST REPORT  
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THE POLICE COMPLAINTS COMMITTEE, AN INDEPENDENT MONITORING GROUP APPOINTED BY THE GOVERNOR IN EARLY 1986 TO TAKE OVER THE WORK PREVIOUSLY UNDERTAKEN BY THE FORMER UMEICO POLICE GROUP (UPG), HAS RELEASED ITS FIRST ANNUAL REPORT.

TABLING THE REPORT IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) IN HIS CAPACITY AS CHAIRMAN OF THE POLICE COMPLAINTS COMMITTEE, THE HON S.L. CHEN SAID DURING THE YEAR 1986, THE COMMITTEE EXAMINED IN DETAIL 4 536 COMPLAINT CASES, EMBRACING 6 198 SEPARATE POINTS OF COMPLAINT, PROCESSED BY THE COMPLAINTS AGAINST POLICE OFFICE (CAPO) OF THE ROYAL HONG KONG POLICE FORCE.

THIS FIGURE REPRESENTED AN INCREASE OF 11 PER CENT OVER THE 4 080 CASES HANDLED BY THE FORMER UPG IN 1985.

THE REPORT STATES THAT THE LARGEST SINGLE SUBJECT OF COMPLAINT (27.9 PER CENT) WAS ABOUT OVERBEARING, IMPOLITE CONDUCT OR ABUSIVE LANGUAGE OF POLICE OFFICERS, FOLLOWED BY NEGLECT OF DUTY OR IMPROPER ACTION (21.9 PER CENT), ASSAULT (21.1 PER CENT), UNNECESSARY USE OF AUTHORITY (13.9 PER CENT) AND FABRICATION OF EVIDENCE (8.3 PER CENT).

IN ADDITION, THE REPORT STATES THAT AS A RESULT OF COMPLAINT INVESTIGATIONS CARRIED OUT BY OR ON BEHALF OF THE CAPO, EITHER CRIMINAL OR DISCIPLINARY PROCEEDINGS WERE INSTITUTED OR OTHER FORMS OF INTERNAL ACTION WERE TAKEN AGAINST 1 081 POLICE OFFICERS DURING 1986.

HOWEVER, MR CHEN SAID THE FIGURES FOR PUBLIC COMPLAINTS AND THE VARIOUS FORMS OF DISCIPLINARY OR INTERNAL ACTION TAKEN AGAINST POLICE OFFICERS SHOULD BE SEEN IN THE LIGHT OF THE DIFFICULT AND FRONT-LINE NATURE OF POLICE WORK AS WELL AS THE 3.1 MILLION POTENTIAL POLICE-PUBLIC CONFRONTATION SITUATIONS IN 1986, COMPRISING 1.8 MILLION PERSONS STOPPED AND SEARCHED AND 1.3 MILLION TRAFFIC SUMMONSES AND TICKETS ISSUED BY THE POLICE.

+HAVING SAID THIS, THE COMMITTEE WOULD LIKE TO PLEDGE ITS CONTINUED DETERMINATION TO SAFEGUARD THE INTEGRITY OF INVESTIGATIONS INTO COMPLAINTS AGAINST THE POLICE AND TO EXERT ITS UTMOST TO BE WORTHY OF THE TRUST THAT THE COMMITTEE HAS BEEN VESTED WITH BY THE GOVERNOR,+ HE ADDED.

MR CHEN SAID BECAUSE OF THE SOUND FOUNDATION LAID DOWN BY THE FORMER UPG, THE COMMITTEE HAD BEEN ABLE TO ASSUME ITS RESPONSIBILITIES WITHOUT DISRUPTION AND DEVELOP THE MONITORING SYSTEM FURTHER WITHOUT DIFFICULTY.

/THE COMMITTEE, .....

THE COMMITTEE, WITH THE SUPPORT OF AN INDEPENDENT SECRETARIAT, WAS ABLE TO MONITOR THE PROCESSING BY THE CAPO OF EACH AND EVERY COMPLAINT CASE MADE BY MEMBERS OF THE PUBLIC AGAINST THE POLICE, HE NOTED.

IN THE COURSE OF EXAMINING THE COMPLAINT CASES DURING THE YEAR, THE COMMITTEE HAD ALSO PROPOSED A NUMBER OF CHANGES TO POLICE PRACTICES, PROCEDURES AND INSTRUCTIONS WITH A VIEW TO IMPROVING THE OVERALL EFFECTIVENESS OF THE COMPLAINTS SYSTEM AND ASSISTING THE COMMISSIONER OF POLICE IN MINIMISING PUBLIC COMPLAINTS AGAINST THE POLICE, MR CHEN SAID.

THE REPORT ALSO NOTES THAT A TOTAL OF 4 544 NEW CASES WERE REGISTERED BY THE CAPO IN 1986, WHICH SHOWED AN INCREASE OF 4.8 PER CENT OVER THE FIGURE (4 333) FOR 1985.

THE POLICE COMPLAINTS COMMITTEE HAS A CHAIRMAN AND TWO VICE-CHAIRMEN, DRAWN FROM THE OMELCO, AND EIGHT MEMBERS WHO ARE ALL ACTIVE JUSTICES OF THE PEACE. THE ATTORNEY GENERAL IS THE ONLY OFFICIAL REPRESENTATIVE ON THE COMMITTEE.

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INTERNAL DISCUSSION ON COURT OF FINAL APPEAL BEGUN  
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ON THE ESTABLISHMENT OF A COURT OF FINAL APPEAL IN HONG KONG, IT WILL BE NECESSARY TO CONSULT THE CHINESE AUTHORITIES, SAID THE ATTORNEY GENERAL, THE HON MICHAEL THOMAS IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON LEE YU-TAI, MR THOMAS SAID SINCE THE ESTABLISHMENT OF A COURT OF FINAL APPEAL WOULD CONSTITUTE STEPS TOWARDS THE IMPLEMENTATION OF PROVISIONS OF THE JOINT DECLARATION RELATING TO THE VESTING OF POWER OF FINAL ADJUDICATION IN THE HONG KONG SPECIAL ADMINISTRATIVE REGION, THE CHINESE AUTHORITIES SHOULD BE CONSULTED.

+CONSULTATION WITH THE CHINESE AUTHORITIES WOULD SERVE TO ENSURE THAT ANY COURT OF FINAL APPEAL ESTABLISHED BEFORE 1997 WAS CAPABLE OF SURVIVING 1997 WITH A MINIMUM OF CHANGE TO ITS ESSENTIAL STRUCTURE AND PROCEDURES,+ HE SAID.

MR THOMAS ADDED THAT THE CHIEF JUSTICE AND HIS COLLEAGUES HAD BEGUN TO SET OUT IDEAS ON THE FORM WHICH A COURT OF FINAL APPEAL MIGHT TAKE.

+THESE HAVE BEEN DISCUSSED ON A PRELIMINARY BASIS WITHIN THE ADMINISTRATION, AND WE HAVE SOUGHT ADVICE FROM LONDON ON THE CONSTITUTIONAL IMPLICATIONS.+

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ANNUAL SCREENING FOR VISUAL IMPEDIMENT  
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THERE IS NO INDICATION THAT THERE IS ANY SIGNIFICANT CHANGE IN THE SITUATION AS REGARDS THE NUMBER OF STUDENTS WEARING SPECTACLES, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, SAID TODAY (WEDNESDAY) IN THE LEGISLATIVE COUNCIL.

REPLYING TO A QUESTION BY THE HON HILTON CHEONG-LEEN, MR CHAMBERS SAID NO SPECIFIC SURVEY ON THE NUMBER OF STUDENTS WEARING SPECTACLES HAD BEEN CONDUCTED IN HONG KONG IN RECENT YEARS. HOWEVER, THE EDUCATION DEPARTMENT DID CONDUCT A COMBINED SCREENING PROGRAMME ANNUALLY AMONGST PRIMARY ONE PUPILS TO DETECT ANY VISUAL HEARING OR SPEECH IMPEDIMENTS, HE SAID.

HE ALSO SAID STUDENTS WHO WERE FOUND TO HAVE EYESIGHT PROBLEMS WERE REFERRED TO SPECIALIST CLINICS FOR ASSESSMENT AND REMEDIAL ACTION.

MR CHAMBERS POINTED OUT THAT IN 1985/86, OUT OF 84 677 PRIMARY ONE PUPILS SCREENED TO IDENTIFY POSSIBLE EYESIGHT PROBLEMS, 4 803 WERE REFERRED TO SPECIALIST CLINICS AND 4.23 PER CENT OF THEM WERE ADVISED TO WEAR SPECTACLES.

IN THE PREVIOUS YEAR, HE ADDED, 86 400 WERE SCREENED, 6 300 WERE REFERRED AND 5.91 PER CENT WERE ADVISED TO WEAR SPECTACLES.

+APART FROM THE SCREENING PROCESS, OTHER MEASURES ARE TAKEN TO IMPROVE THE SITUATION,+ HE SAID.

HE SAID THE HEALTH EDUCATION SYLLABUS FOR PRIMARY SCHOOLS INCLUDED A STUDY OF THE EYES AND THEIR CARE, AND PUPILS WERE TAUGHT ABOUT THE IMPORTANCE OF SUITABLE LIGHTING CONDITIONS FOR SCHOOL WORK AND ABOUT THE CORRECT DISTANCE BETWEEN THE EYES AND THE BOOK WHEN READING.

HE ADDED THAT THE EDUCATION REGULATIONS REQUIRED CLASSROOMS AND BLACKBOARDS TO BE ADEQUATELY LIT AND TEXTBOOKS TO USE PRINT OF APPROPRIATE TYPE AND SIZE.

AN EDUCATION CIRCULAR GAVE DETAILED ADVICE ON THESE REQUIREMENTS AND ALSO ON EYE CARE AND THE PREVENTION OF ACCIDENTS TO THE EYES, MR CHAMBERS SAID.

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GREEN PAPER OPTIONS IN LINE WITH JOINT DECLARATION  
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THE PUBLIC ARE FREE TO COMMENT ON THE OPTIONS OF THE GREEN PAPER ON REPRESENTATIVE GOVERNMENT AS THEY WOULD NOT BE INCONSISTENT WITH THE PROVISIONS OF THE JOINT DECLARATION, THE SECRETARY FOR DISTRICT ADMINISTRATION, THE HON DONALD LIAO, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE WAS REPLYING TO A QUESTION BY DR THE HON CONRAD LAM ON WHETHER THE PUBLIC WOULD BE ENCOURAGED TO EXPRESS THEIR VIEWS ON THE ISSUE OF DIRECT ELECTIONS WITHOUT FEARING THAT BY DOING SO THEY WOULD BE INFRINGING THE PROVISIONS OF THE SINO-BRITISH JOINT DECLARATION.

HE ADDED THAT THE GOVERNMENT WOULD ENCOURAGE MEMBERS OF THE PUBLIC TO EXPRESS THEIR VIEWS ON ALL THE ISSUES ADDRESSED IN THE GREEN PAPER.

MR LIAO SAID MEMBERS OF THE PUBLIC WERE FREE TO SUPPORT OR OPPOSE ANY OF THE OPTIONS DISCUSSED IN THE GREEN PAPER.

+WE DO NOT BELIEVE THAT ANY OF THEM IS INCONSISTENT WITH THE JOINT DECLARATION,+ MR LIAO SAID.

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COUNCIL TO CONSIDER CIGARETTE SALE BAN ON YOUNG PERSONS  
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THERE IS AT PRESENT NO PLAN TO INTRODUCE LEGISLATION TO BAN THE SALE OF CIGARETTES TO PERSONS UNDER 18 IN HONG KONG, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, SAID TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON LIU LIT-FOR IN THE LEGISLATIVE COUNCIL, MR CHAMBERS SAID THAT IT WAS NOT POSSIBLE TO ESTABLISH STATISTICALLY THE EFFECT OF SUCH LEGISLATION, SINCE SO MANY OTHER FACTORS ALSO AFFECTED THE NUMBERS OF YOUNG SMOKERS.

HE SAID THAT ACCORDING TO INFORMATION FROM THE WORLD HEALTH ORGANISATION, A NUMBER OF COUNTRIES PROHIBITED THE SALE OF CIGARETTES TO CHILDREN UNDER 16. THESE INCLUDED THE UNITED KINGDOM, SOUTH AUSTRALIA, ICELAND AND SPAIN. URUGUAY BANNED CIGARETTE SALES TO PERSONS UNDER 18.

HE ALSO POINTED OUT THAT THE BRITISH LEGISLATION DATED BACK TO 1933 AND THE PENALTY FOR THIS OFFENCE WAS INCREASED LAST YEAR.

/+HOWEVER, ACCORDING .....

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+HOWEVER, ACCORDING TO THE DEPARTMENT OF HEALTH AND SOCIAL SECURITY, THERE IS EVIDENCE TO SUGGEST THAT THE LAW IS COMMONLY FLOUTED. IT IS ALSO POSSIBLE THAT SUCH A BAN CAN ACTUALLY INCREASE THE ATTRACTION OF CIGARETTES BY MAKING THEM FORBIDDEN FRUIT,+ HE SAID.

HE SAID THAT HE WAS SCEPTICAL ABOUT THE VALUE OF INTRODUCING LEGISLATION TO BAN THE SALE OF CIGARETTES TO YOUNG PEOPLE, GIVEN THE ENFORCEMENT DIFFICULTIES.

+HOWEVER I UNDERSTAND THAT THIS QUESTION IS ON THE AGENDA FOR THE NEXT MEETING OF THE RECENTLY ESTABLISHED PROVISIONAL COUNCIL ON SMOKING AND HEALTH AND I AWAIT THEIR ADVICE WITH INTEREST,+ HE ADDED.

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EDUCATION ROLE OF CABLE TV CONSIDERED  
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THE GOVERNMENT IS PRESENTLY CONSIDERING THE IMPLICATIONS FOR TELECOMMUNICATION POLICY OF THE INTRODUCTION OF CABLE TELEVISION, THE FINANCIAL SECRETARY, THE HON PIERS JACOBS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON MRS RITA FAN ON WHETHER THERE WOULD BE ONE CHANNEL OF THE CABLE TELEVISION RESERVED FOR EDUCATIONAL PURPOSES, MR JACOBS SAID AT PRESENT HE WAS NOT ABLE TO GIVE A DEFINITIVE ANSWER.

+WHEN A DECISION HAS BEEN TAKEN ON THIS POLICY ISSUE, CONSIDERATION WILL BE GIVEN TO THE LICENSING CONDITIONS OF CABLE TELEVISION,+ HE SAID.

BUT HE ADDED THAT IT WOULD TAKE A FEW MONTHS BEFORE THE TELECOMMUNICATION POLICY ISSUES COULD BE SETTLED.

MR JACOBS TOLD THE COUNCIL THAT THE EDUCATION COMMISSION HAD RECOMMENDED THE FORMATION OF AN OPEN EDUCATION CONSORTIUM AND ALSO RECOMMENDED THE RESERVATION OF ONE CABLE TELEVISION CHANNEL FOR POST-SECONDARY OPEN EDUCATION.

+SHOULD THE COMMISSION'S RECOMMENDATIONS ON ESTABLISHING AN OPEN LEARNING INSTITUTE BE ACCEPTED BY THE GOVERNMENT, AND IF AND WHEN A DECISION IS REACHED TO INTRODUCE A CABLE TELEVISION SERVICE, CAREFUL CONSIDERATION WILL BE GIVEN BY THE GOVERNMENT TO RESERVING SUCH A CHANNEL,+ HE SAID.

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FLOTATION CLASS SYSTEM TO STAY  
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THE FLOTATION CLASS SYSTEM DID NOT HAVE ANY ADVERSE EFFECT UPON THE QUALITY OF EDUCATION AND IT SHOULD BE A PERMANENT FEATURE OF ALL PUBLIC SECTOR SECONDARY SCHOOLS, THE SECRETARY FOR EDUCATION AND MANPOWER, THE HON MICHELANGELO PAGLIARI, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON MRS PAULINE NG, MR PAGLIARI SAID THE FLOATING CLASSES WERE A DEVICE TO ACHIEVE A MORE EFFICIENT USE OF SECONDARY SCHOOL PREMISES.

+AS SECONDARY SCHOOLS ARE PROVIDED WITH A MIXTURE OF STANDARD CLASSROOMS AND SPECIAL ROOMS FOR CERTAIN SPECIALISED ACTIVITIES, IT IS POSSIBLE TO OPERATE MORE CLASSES THAN THERE ARE ACTUAL CLASSROOMS,+ MR PAGLIARI SAID.

HE FURTHER EXPLAINED THAT THERE HAD BEEN FLOATING CLASSES IN THE PRE-VOCATIONAL AND TECHNICAL SCHOOLS SINCE THE 1950S AND 1960S, AND FLOATING CLASSES WERE NOT UNCOMMON IN EUROPE AND NORTH AMERICA.

MR PAGLIARI TOLD THE COUNCIL THAT THE 1974 WHITE PAPER ON SECONDARY EDUCATION IN HONG KONG PROPOSED THE EXTENSION OF THE FLOTATION SYSTEM GENERALLY TO SECONDARY SCHOOLS AS PART OF A SERIES OF TEMPORARY MEASURES TO PERMIT THE INTRODUCTION OF UNIVERSAL JUNIOR SECONDARY EDUCATION.

+A REVIEW OF THESE TEMPORARY MEASURES, INCLUDING FLOTATION, WAS CARRIED OUT IN 1977 WITH A VIEW TO ASSESSING THEIR EFFECTS ON THE QUALITY OF EDUCATION,+ HE SAID.

FINDINGS OF THE REVIEW WERE INCORPORATED IN THE 1978 WHITE PAPER ON +THE DEVELOPMENT OF SENIOR SECONDARY AND TERTIARY EDUCATION+.

IT CONCLUDED THAT FLOTATION REPRESENTED AN EFFICIENT USE OF SCHOOL ACCOMMODATION, WITHOUT ANY SACRIFICE IN QUALITY.

MR PAGLIARI POINTED OUT THAT IN THE CURRENT SCHOOL YEAR, 289 SECONDARY SCHOOLS, WERE OPERATING A TOTAL OF 1 559 FLOATING CLASSES, REPRESENTING SOME 17 PER CENT OF ALL PUBLIC SECTOR SECONDARY CLASSES.

+THE ASSESSMENT IN THE 1978 WHITE PAPER, THAT THE USE OF FLOATING CLASSES DID NOT IMPAIR THE QUALITY OF EDUCATION, WAS BASED ON THE SITUATION WHERE A STANDARD SCHOOL CONSISTED OF 24 CLASSROOMS PLUS 12 SPECIAL ROOMS AND WOULD ACCOMMODATE EITHER 5 OR 6 FLOATING CLASSES,+ HE SAID.

+THIS DEGREE OF FLOTATION WAS FELT TO BE ACCEPTABLE AS IT WOULD ACHIEVE A MORE INTENSIVE USE OF TEACHING FACILITIES, WITH CONSEQUENTIAL SAVINGS IN CAPITAL EXPENDITURE, WITHOUT LOSS OF QUALITY OF EDUCATION,+ HE ADDED.

/+SINCE THEN, .....

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+SINCE THEN, HOWEVER, ADDITIONAL SUBJECTS AND OTHER CURRICULAR CHANGES HAVE BEEN INTRODUCED, SUCH AS COMPUTER STUDIES AND REMEDIAL TEACHING, WHICH REQUIRE ADDITIONAL SPECIAL ROOMS AND A REVIEW HAS BEEN MADE OF THE DESIGN OF THE STANDARD SCHOOL TO MEET THIS REQUIREMENT.+

+THE OPPORTUNITY HAS ALSO BEEN TAKEN TO INCREASE THE NUMBER OF STANDARD CLASSROOMS TO PERMIT A REDUCTION IN THE NUMBER OF FLOATING CLASSES IN EACH SCHOOL,+ HE SAID.

MR PAGLIARI INFORMED THE COUNCIL THAT A NEW DESIGN FOR A STANDARD SECONDARY SCHOOL WAS BEING CONSIDERED WHICH WOULD HAVE 26 CLASSROOMS, 14 SPECIAL ROOMS AND THREE SMALLER ROOMS FOR REMEDIAL OR SPLIT-CLASS TEACHING.

+IF ADOPTED, THIS WOULD EASE THE ADMINISTRATIVE INCONVENIENCE WHICH THE FLOTATION SYSTEM CAUSES TO THE SCHOOL MANAGEMENT,+ HE ADDED.

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POLICE EFFECTIVE IN TACKLING MTR INDECENT ASSAULTS  
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ALTHOUGH THE NUMBER OF REPORTED INDECENT ASSAULTS WITHIN MTR STATION PRECINCTS HAS INCREASED, THE POLICE ARE TACKLING THE PROBLEM EFFECTIVELY, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, SAID TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON MRS ROSANNA TAM IN THE LEGISLATIVE COUNCIL, MR JEAFFRESON SAID THAT 16 WOMEN REPORTED THAT THEY HAD BEEN INDECENTLY ASSAULTED WITHIN THE MTR SYSTEM IN 1986 AND 12 CASES WERE REPORTED UP TO THE END OF APRIL THIS YEAR.

+MORE OFTEN THAN NOT, THE POLICE MANGE TO ARREST THE ASSAILANT,+ HE SAID.

HE POINTED OUT THAT SINCE THE BEGINNING OF 1983, EIGHT OUT OF TEN ASSAILANTS HAD BEEN ARRESTED.

+FOR THE 12 CASES THIS YEAR, ALL THE CULPRITS WERE CAUGHT,+ HE ADDED.

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TRAM LIFEGUARD DEVICE REMOVED AFTER DUE CONSIDERATION  
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THERE IS NO CONCRETE PROOF THAT THE LIFEGUARD DEVICE AT THE FRONT CHASSIS OF TRAMS HAS BEEN AN EFFECTIVE DEVICE FOR SAVING THE LIFE OF A PERSON KNOCKED DOWN BY A TRAM, THE SECRETARY FOR TRANSPORT, THE HON MICHAEL LEUNG, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION BY THE HON TAM YIU-CHUNG, MR LEUNG SAID THE REMOVAL OF THE LIFEGUARD DEVICE FROM TRAMS IS AS PART OF THE PROGRAMME RECOMMENDED BY THE CONSULTANTS OF THE HONG KONG TRAMWAYS LTD TO REDUCE NOISE FROM TRAMS.

+BECAUSE IT INVOLVED MODIFICATIONS TO A TRAM BODY, THE COMPANY SOUGHT THE ADVICE OF THE DIRECTOR OF ELECTRICAL AND MECHANICAL SERVICES LAST YEAR BEFORE DOING SO,+ HE SAID.

+THE DIRECTOR, AFTER CONSULTING OTHER GOVERNMENT DEPARTMENTS, INCLUDING THE POLICE, HIGHWAYS AND TRANSPORT DEPARTMENTS, INFORMED THE COMPANY THAT HE HAS NO OBJECTION TO THE REMOVAL OF THE LIFEGUARD DEVICE,+ HE ADDED.

+IT IS NO LONGER STANDARD PRACTICE ELSEWHERE TO FIT LIFEGUARDS ON TRAMS AND THIS IS NOT A LEGAL REQUIREMENT UNDER THE TRAMWAY ORDINANCE,+ HE ADDED.

MR LEUNG NOTED THAT THE ISSUE OF REMOVING LIFEGUARDS WAS NOT TAKEN LIGHTLY.

+THE FACT THAT THE COMPANY SOUGHT GOVERNMENT'S VIEWS, EVEN WHEN THERE WAS NO LEGAL OBLIGATION TO DO SO, INDICATES THAT IT DID NOT WISH TO ACT AGAINST THE PUBLIC INTEREST,+ HE SAID.

MR LEUNG POINTED OUT THAT GOVERNMENT ACCORDINGLY RESEARCHED ITS OWN RECORDS TO SEE IF THE LIFEGUARDS HAD REDUCED THE RISK OF INJURY AND FATALITY AMONGST THE VICTIMS OF TRAM ACCIDENTS, AND CAME TO THE CONCLUSION THAT THERE WAS NO EVIDENCE THAT THEY HAD.

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OBJECTIVES OF RESIDENTIAL TRAINING OUTLINED  
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THE BROAD OBJECTIVE OF RESIDENTIAL TRAINING IN A DISCIPLINED AND CONTROLLED ENVIRONMENT IS TO BRING ABOUT CHANGES IN BEHAVIOUR AND SOCIAL ATTITUDES SO THAT YOUNG OFFENDERS WILL BE BETTER EQUIPPED TO LIVE AS LAW-ABIDING MEMBERS OF THE COMMUNITY AFTER THEIR DISCHARGE, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION FROM THE HON MRS ROSANNA TAM, MR CHAMBERS SAID THE SOCIAL WELFARE DEPARTMENT AT PRESENT RAN SEVEN HOMES FOR YOUNG OFFENDERS WHO WERE SUBJECT TO PROBATION ORDERS WITH RESIDENTIAL REQUIREMENTS OR SENTENCED BY COURTS TO A PERIOD OF RESIDENTIAL TRAINING.

THE COURSE CONTENT AND TEACHING METHODS OF THE BOYS AND GIRLS HOMES WERE SUBJECT TO REGULAR REVIEWS, BOTH BY THE DEPARTMENT AND BY SPECIALIST OFFICERS FROM THE EDUCATION DEPARTMENT TO CHECK IF THEY WERE IN LINE WITH THE NEEDS OF THE SOCIETY, HE SAID.

+THE 1983 REVIEW NOTED THAT AS MOST OF THE TRAINEES HAD VERY LOW EDUCATIONAL ATTAINMENT, POOR WORK DISCIPLINE AND WERE MORE ORIENTED TOWARDS PRACTICAL SUBJECTS, IT WAS RECOMMENDED THAT THE COURSES SHOULD PROVIDE TRAINING FOR SEMI-SKILLED JOBS,+ HE ADDED.

THE REVIEW ALSO RECOMMENDED THAT THE VOCATIONAL TRAINING COURSES IN THESE HOMES SHOULD BE MORE INTENSIVE SO AS TO BETTER EQUIP THE TRAINEES FOR EMPLOYMENT AFTER DISCHARGE.

THE SOCIAL WELFARE DEPARTMENT ALSO HAD PLANS TO IMPROVE THE EDUCATIONAL PROGRAMME IN THESE RESIDENTIAL HOMES BY EMPLOYING QUALIFIED TEACHING STAFF, INCLUDING TECHNICAL TEACHERS, TO TAKE OVER TEACHING DUTIES FROM SOCIAL WORKERS.

MR CHAMBERS INFORMED THE COUNCIL THAT THE TRAINING PROGRAMME OFFERED TO THE BOYS' AND GIRLS' HOMES OF THE SOCIAL WELFARE DEPARTMENT INCLUDED THE TEACHING OF ACADEMIC SUBJECTS, VOCATIONAL TRAINING COURSES AND TRAINING IN SOCIAL SKILLS.

+THE SUBJECTS TAUGHT IN VOCATIONAL TRAINING COURSES FOR BOYS INCLUDE CARPENTRY, SEWING AND TAILORING, PRINTING, WELDING, ELECTRICAL WIRING, RADIO REPAIRS, MOTOR CAR MAINTENANCE, METAL WORK AND LEATHER WORK; THOSE FOR GIRLS INCLUDE SEWING AND TAILORING, KNITTING AND EMBROIDERY, COOKING AND HOUSEHOLD MANAGEMENT,+ HE SAID.

+EACH PERSON IS GIVEN A CHOICE OF AT LEAST THREE SUBJECTS,+ HE ADDED.

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FRAUDULENT PRACTICES OF EMPLOYMENT STAMPED OUT

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THE GOVERNMENT WILL CONTINUE TO TAKE STEPS TO STAMP OUT FRAUDULENT PRACTICES CONNECTED WITH THE EMPLOYMENT OF FOREIGN DOMESTIC HELPERS, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION FROM THE HON MRS SELINA CHOW, MR JEAFFRESON SAID STATISTICS AS REGARDS PROSECUTION OF FRAUDULENT PRACTICES HAD ONLY BEEN KEPT SINCE MID-1985.

SINCE THEN, 204 FOREIGN DOMESTIC HELPERS, REPRESENTING 15.6 PER CENT OF THOSE INVESTIGATED, HAD BEEN PROSECUTED FOR TAKING UP UNAPPROVED EMPLOYMENT AND FURNISHING FALSE CONTRACTS, HE SAID.

DURING THE SAME PERIOD, HE ADDED, 50 BOGUS EMPLOYERS, REPRESENTING 41.3 PER CENT OF THOSE INVESTIGATED, WERE PROSECUTED FOR SIGNING FALSE EMPLOYMENT CONTRACTS WITH FOREIGN DOMESTIC HELPERS.

TO STAMP OUT SUCH FRAUDULENT PRACTICES, MR JEAFFRESON SAID THE IMMIGRATION DEPARTMENT HAD ESTABLISHED A TASK FORCE TO INVESTIGATE SUCH OFFENCES. THE TASK FORCE WOULD VISIT ESTABLISHMENTS WHERE FOREIGN DOMESTIC HELPERS MIGHT BE WORKING ILLEGALLY AND WOULD INVESTIGATE COMPLAINTS OF FOREIGN DOMESTIC HELPERS TAKING UP EMPLOYMENT OTHER THAN DOMESTIC SERVICE OR WORKING AS DOMESTIC SERVANTS FOR EMPLOYERS OTHER THAN THOSE IN THEIR OFFICIAL CONTRACTS, HE SAID.

+ALL THOSE DOMESTIC HELPERS SUCCESSFULLY PROSECUTED WILL BE RETURNED TO THEIR COUNTRIES OF ORIGIN AND WILL NOT BE ALLOWED INTO HONG KONG AGAIN TO WORK.

+EMPLOYERS WHO ARE SUCCESSFULLY PROSECUTED WILL NOT BE ALLOWED TO EMPLOY FOREIGN DOMESTIC HELPERS,+ HE ADDED.

HE ALSO NOTED THAT THE RECENTLY REVISED CONDITIONS OF EMPLOYMENT LIMITING THE STAY OF FOREIGN DOMESTIC HELPERS NORMALLY TO TWO WEEKS OR LESS AFTER A CONTRACT WAS TERMINATED SHOULD ALSO HELP REDUCE THE OPPORTUNITIES FOR FOREIGN DOMESTIC HELPERS TO WORK ILLEGALLY OUTSIDE THEIR CONTRACTS.

MOTION TO SUSPEND STANDING ORDER PASSED

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THE ATTORNEY GENERAL, THE HON MICHAEL THOMAS, MOVED A MOTION ON THE LEGISLATIVE COUNCIL STANDING ORDER TODAY (WEDNESDAY) TO ALLOW THE CHIEF SECRETARY TO MAKE A STATEMENT ON THE GREEN PAPER ON THE 1987 REVIEW OF DEVELOPMENTS IN REPRESENTATIVE GOVERNMENT AFTER MOTIONS AND BILLS HAVE BEEN PROCESSED.

MOVING THE MOTION, MR THOMAS SAID THAT STANDING ORDER 11 REQUIRED THAT STATEMENTS BE MADE BEFORE MOTIONS AND BILLS WERE PROCESSED.

HOWEVER, AS IT WAS THE DESIRE OF THE CHIEF SECRETARY TO MAKE A STATEMENT ON THE GREEN PAPER IN HIS OWN CAPACITY AND THE PRESIDENT WAS EXPECTED TO BE ABLE TO PRESIDE AT THE MEETING LATER, MR THOMAS MOVED THAT THE STANDING ORDER 11 (1)(F) BE SUSPENDED TO ENABLE THE CHIEF SECRETARY TO BE IN HIS USUAL PLACE TO MAKE THE STATEMENT AFTER THE BILLS HAD BEEN DEALT WITH.

THE MOTION WAS PASSED.

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EIGHT BILLS PASSED

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EIGHT BILLS WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THEY ARE : THE BUSINESS REGISTRATION (AMENDMENT) BILL 1987, THE ROAD TRAFFIC (DRIVING LICENCES REGULATIONS AND REGISTRATION AND LICENSING OF VEHICLES REGULATIONS) (AMENDMENT) BILL 1987, THE IMMIGRATION REGULATIONS (AMENDMENT) BILL 1987, THE INLAND REVENUE (AMENDMENT) BILL 1987, THE ESTATE DUTY (AMENDMENT) BILL 1987, THE CHINESE PERMANENT CEMETERIES (AMENDMENT) BILL 1987, THE IMMIGRATION (AMENDMENT) (NO. 2) BILL 1987 AND THE REGISTRATION OF PERSONS (AMENDMENT) BILL 1987.

TWO OTHER BILLS - THE PREVENTION OF BRIBERY (AMENDMENT) BILL 1987 AND THE INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL 1987 WERE READ A SECOND TIME AND DEBATE ON THEM WERE ADJOURNED.

A MOTION TO SUSPEND THE STANDING ORDER 11(1)(F) TO ENABLE THE CHIEF SECRETARY TO MAKE A STATEMENT AFTER THE COMPLETION OF PROCEEDINGS ON GOVERNMENT MOTIONS AND BILLS WAS ALSO PASSED.

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PUBLIC URGED TO COMMENT ON GREEN PAPER

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THE GOVERNMENT IS ANXIOUS TO HEAR THE VIEWS OF THE PEOPLE OF HONG KONG ON THE ISSUES DISCUSSED IN THE GREEN PAPER ON THE 1987 REVIEW OF DEVELOPMENTS IN REPRESENTATIVE GOVERNMENT AND WILL KEEP AN OPEN MIND UNTIL IT HAS LISTENED TO THOSE VIEWS. THE DEPUTY CHIEF SECRETARY, MR JOHN CHAN, SAID TODAY (WEDNESDAY).

AT A PRESS BRIEFING HELD AFTER THE TABLING OF THE GREEN PAPER IN THE LEGISLATIVE COUNCIL, MR CHAN SAID THE GOVERNMENT HOPED THAT ALL THE PEOPLE OF HONG KONG WOULD STUDY THE GREEN PAPER, CONSIDER CAREFULLY THE OPTIONS AND SEND IN THEIR VIEWS TO THE SURVEY OFFICE AT GPO BOX 8800.

THE PURPOSE OF THE GREEN PAPER WAS TO CONSIDER WHETHER THE SYSTEMS OF REPRESENTATIVE GOVERNMENT IN HONG KONG SHOULD BE FURTHER DEVELOPED IN 1988, AND IF SO, IN WHAT MANNER.

+IT COVERS THE COMPOSITION AND FUNCTIONS OF THE DISTRICT BOARDS AND THE URBAN AND REGIONAL COUNCILS, AND POSSIBLE WAYS OF IMPROVING THE LINKS BETWEEN THEM.

+IT LOOKS AT THE COMPOSITION OF THE LEGISLATIVE COUNCIL AND THE METHODS OF CHOOSING ITS MEMBERS, INCLUDING THE QUESTION WHETHER NEW FORMS OF ELECTION TO THE COUNCIL SHOULD BE INTRODUCED.

+IT DISCUSSES WHETHER THE GOVERNOR SHOULD CONTINUE TO BE PRESIDENT OF THE LEGISLATIVE COUNCIL= AND IT LOOKS AT VARIOUS PRACTICAL ASPECTS OF ELECTIONS,+ HE SAID.

MR CHAN NOTED THAT ALTOGETHER SOME 40 OPTIONS WERE PRESENTED FOR CONSIDERATION.

THE GOVERNMENT WOULD MAKE SURE THAT THE GREEN PAPER WAS EASILY AVAILABLE TO ANYONE WISHING TO OBTAIN A COPY AND WOULD ENCOURAGE MEMBERS OF THE PUBLIC TO COME FORWARD AND GIVE THEIR VIEWS.

MR CHAN ALSO POINTED OUT THAT THE PUBLIC WOULD HAVE AMPLE TIME TO EXPRESS THEIR VIEWS. +THEY WILL HAVE UNTIL SEPTEMBER 30 TO SEND THEIR WRITTEN SUBMISSIONS TO THE INDEPENDENT SURVEY OFFICE WHICH HAS BEEN SET UP TO COLLECT THEIR VIEWS AND, EVENTUALLY, TO REPORT ON THEM.+

+MY OWN OFFICE AND DISTRICT OFFICES OF CITY AND NEW TERRITORIES ADMINISTRATION WILL ALSO BE PREPARED TO PROVIDE FACTUAL ANSWERS TO QUESTIONS AIMED AT CLARIFYING THE CONTENTS OF THE GREEN PAPER,+ HE SAID.

HE ADDED THAT CNTA STAFF WOULD BE OFFERING ASSISTANCE TO MEMBERS OF THE PUBLIC IN A NUMBER OF WAYS.

/FIRSTLY, AT .....

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FIRSTLY, AT THE REQUEST OF MUTUAL AID COMMITTEES, AREA COMMITTEES, DISTRICT BOARDS AND OTHER LOCAL ORGANISATIONS, CNTA STAFF WOULD ASSIST IN RECORDING THE MINUTES OF MEETINGS HELD TO DISCUSS THE GREEN PAPER, AND FORWARDING THESE MINUTES TO THE SURVEY OFFICE AFTER CONFIRMATION BY THE ORGANISATIONS CONCERNED.

SECONDLY, CNTA STAFF WOULD BE PREPARED TO ASSIST DB'S, AC'S AND COMMUNITY GROUPS IN ORGANISING PUBLIC MEETINGS OR SEMINARS FOR THE SOLE PURPOSE OF DISCUSSING THE GREEN PAPER.

THIRDLY, IN GENUINE CASES OF NEED, CNTA STAFF WOULD BE PREPARED TO ASSIST INDIVIDUALS ONLY ABLE OR PREPARED TO STATE THEIR VIEWS ORALLY BUT WISHING THEIR VIEWS TO BE RECORDED AND FORWARDED TO THE SURVEY OFFICE.

+IN VIEW OF THE GOVERNMENT'S NEUTRAL AND OPEN-MINDED POSITION IN THE REVIEW, GOVERNMENT OFFICIALS WILL NOT TAKE PART IN ANY DISCUSSIONS ON THE SUBSTANTIVE ISSUES DEALT WITH IN THE GREEN PAPER,+ MR CHAN SAID.

HOWEVER, AS INDIVIDUALS, THEY MIGHT SUBMIT THEIR VIEWS TO THE SURVEY OFFICE IN THE SAME WAY AS ALL OTHER MEMBERS OF THE COMMUNITY.

+THE SURVEY OFFICE WILL HAVE UNTIL OCTOBER 31 TO COMPILE ITS REPORT FOR SUBMISSION TO THE GOVERNOR AND THE EXECUTIVE COUNCIL,+ MR CHAN SAID, ADDING THAT THE REPORT WOULD ALSO BE TABLED IN THE LEGISLATIVE COUNCIL AND PUBLISHED.

+THEREAFTER, A WHITE PAPER SETTING OUT THE GOVERNMENT'S PROPOSALS FOR THE FURTHER DEVELOPMENT OF REPRESENTATIVE GOVERNMENT WILL BE PREPARED AND PUBLISHED, PROBABLY EARLY IN THE NEW YEAR,+ MR CHAN SAID.

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#### PRINCESS MARGARET ARRIVES HONG KONG

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HER ROYAL HIGHNESS THE PRINCESS MARGARET, COUNTESS OF SNOWDON, ARRIVED IN HONG KONG THIS (WEDNESDAY) AFTERNOON FOR AN OFFICIAL VISIT.

ARRIVING ON THE QUEEN'S FLIGHT AFTER TOURING CHINA, THE PRINCESS WAS ACCOMPANIED BY HER CHILDREN, VISCOUNT LINLEY AND LADY SARAH ARMSTRONG-JONES.

AS THE PRINCESS STEPPED DOWN FROM THE AIRCRAFT, SHE WAS RECEIVED BY THE GOVERNOR, SIR DAVID WILSON, AND LADY WILSON.

/THE GOVERNOR .....

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THE GOVERNOR THEN PRESENTED HER TO THE COMMANDER BRITISH FORCES, MAJOR GENERAL ANTHONY BOAM; SENIOR MEMBER OF THE EXECUTIVE COUNCIL, SIR S.Y. CHUNG, AND THE DEPUTY SECRETARY-GENERAL OF THE NEW CHINA NEWS AGENCY (HONG KONG BRANCH), MR QIAO ZONGHUAI.

A STEP-LINING PARTY PROVIDED BY THE 1ST BATTALION COLDSTREAM GUARDS WAS PRESENT AT GOVERNMENT HOUSE FOR THE ARRIVAL OF THE PRINCESS.

PRINCESS MARGARET, WHO LAST VISITED HONG KONG IN 1966 AND STOPPED-OVER IN 1969, WILL BE HAVING A BUSY PROGRAMME DURING HER SHORT STAY.

TOMORROW MORNING, SHE VISITS THE ACADEMY FOR PERFORMING ARTS IN WAN CHAI BEFORE CROSSING THE HARBOUR TO TOUR THE HEADQUARTERS OF THE HONG KONG GIRL GUIDES ASSOCIATION.

IN THE AFTERNOON, THE PRINCESS VISITS HMS TAMAR TO UNVEIL A PLAQUE COMMEMORATING THE OPENING OF A NEW NAVY WORKSHOP AND WILL ALSO WATCH A SEARCH AND RESCUE DEMONSTRATION.

ON FRIDAY, PRINCESS MARGARET WILL OPEN THE TUEN MUN TOWN HALL BEFORE VISITING THE OCEAN PARK IN THE AFTERNOON TO OPEN A NEW AVIARY AND TOUR THE ATOLL REEF.

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NOTE TO EDITORS:

REMINDER ON PRINCESS MARGARET'S PROGRAMME TOMORROW:

ACADEMY FOR PERFORMING ARTS

PRINCESS MARGARET WILL VISIT THE ACADEMY AT 11.10 AM TOMORROW (THURSDAY).

A PRESS COACH WILL LEAVE THE C.G.O. CARPARK AT 10 AM FOR THE ACADEMY WHERE TWO FIXED POSITIONS, AT A DANCE STUDIO AND THE ORCHESTRAL HALL, WILL BE ARRANGED FOR ACCREDITED MEDIA REPRESENTATIVES.

HONG KONG .....

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HONG KONG GIRL GUIDES ASSOCIATION

HRH WILL ARRIVE AT THE GIRL GUIDES HEADQUARTERS AT 11.50 AM. SHE WILL ALSO PLANT A TREE AT THE END OF THE TOUR.

THERE WILL BE TWO FIXED PRESS POSITIONS FOR THIS EVENT. A PRESS COACH WILL LEAVE THE C.G.O. CARPARK AT 10.30 AM.

EDITORS SHOULD NOTE THAT MEDIA REPRESENTATIVES COVERING THE ACADEMY FOR PERFORMING ARTS WILL NOT BE ABLE TO COVER THE GIRL GUIDES ASSOCIATION.

HMS TAMAR

PRINCESS MARGARET WILL ARRIVE AT 2.30 PM TO UNVEIL A PLAQUE TO COMMEMORATE THE OPENING OF A NEW WORKSHOP AT TAMAR AND WATCH A SEARCH AND RESCUE DEMONSTRATION.

A PRESS POSITION WILL BE PROVIDED FOR THE UNVEILING CEREMONY AND RESCUE DEMONSTRATION. ACCREDITED MEDIA REPRESENTATIVES COVERING THIS FUNCTION SHOULD ASSEMBLE AT THE MAIN GATE OF TAMAR BY 1.30 PM AT THE LATEST.

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GOVERNOR TO GIVE PRESS CONFERENCE

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THE GOVERNOR, SIR DAVID WILSON, WILL HOLD A PRESS CONFERENCE AT 3.30 PM ON FRIDAY (MAY 29) IN THE GIS PRESS CONFERENCE ROOM ON THE FIFTH FLOOR OF THE BEACONSFIELD HOUSE.

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NOTE TO EDITORS:

YOU ARE CORDIALLY INVITED TO COVER THE EVENT. DUE TO LIMITATION OF SPACE, ATTENDANCE AT THE PRESS CONFERENCE WILL HAVE TO BE RESTRICTED TO ONE REPORTER FROM EACH PRINT MEDIA ORGANISATION.

/AS FOR .....

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AS FOR THE ELECTRONIC MEDIA, EACH STATION IS REQUESTED TO SEND A CREW OF NO MORE THAN TWO PEOPLE (EXCLUDING THE REPORTER). THEY ARE ADVISED TO ARRIVE AT LEAST 30 MINUTES EARLIER TO SET UP THEIR CAMERAS AT FIXED POSITIONS.

THERE WILL BE A TWO-MINUTE PHOTO-CALL BEFORE THE START OF THE PRESS CONFERENCE FOR STILL PHOTOGRAPH.

PLEASE ALSO NOTE THAT CLEAN SOUND OUTLETS WILL BE PROVIDED FOR RECORDING PURPOSES AT THE BACK OF THE CONFERENCE ROOM.

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SYSTEMATIC REPLANNING AND  
ADJUSTMENT NEEDED TO RESOLVE ENVIRONMENTAL FOE  
\* \* \* \* \*

HONG KONG CANNOT IMMEDIATELY ASPIRE TO THE SAME STANDARDS OF ENVIRONMENT AS THOSE ENJOYED IN SOME OTHER COUNTRIES WITH MORE USABLE LAND, THE SECRETARY FOR LANDS AND WORKS, MR GRAHAM BARNES, SAID TODAY (WEDNESDAY).

MR BARNES WAS SPEAKING AT A ONE-DAY JOINT SEMINAR ON ENVIRONMENTAL PLANNING, MANAGEMENT AND TECHNOLOGY IN HONG KONG ORGANISED BY THE HONG KONG INSTITUTE OF PLANNERS AND THE CENTRE OF URBAN STUDIES AND URBAN PLANNING OF THE UNIVERSITY OF HONG KONG IN COLLABORATION WITH THE HONG KONG INSTITUTE OF ENGINEERS AND THE CENTRE OF ENVIRONMENTAL STUDIES OF THE HONG KONG POLYTECHNIC.

THE MAIN PURPOSE OF THE SEMINAR, HELD TO MARK THIS YEAR'S WORLD ENVIRONMENT DAY ON JUNE 5, IS TO STIMULATE PUBLIC INTEREST IN DIFFERENT PROFESSIONAL APPROACHES TO ENVIRONMENTAL IMPROVEMENT IN HONG KONG.

MR BARNES SAID WITH SO MUCH INVESTED IN LAND AND EXISTING INFRASTRUCTURE AND BUILDINGS, HONG KONG COULD NOT ACHIEVE IMPROVEMENTS OTHER THAN THROUGH A LONG AND SYSTEMATIC PROGRAMME OF REPLANNING AND ADJUSTMENT.

IN THESE CIRCUMSTANCES HE BELIEVED THAT THE MAIN OBJECTIVE SHOULD BE TO SEGREGATE POLLUTING INDUSTRY.

HE SAID HONG KONG HAD BEEN EXTRAORDINARILY FORTUNATE THAT IN QUANTITATIVE TERMS THERE WAS LESS SERIOUSLY POLLUTING INDUSTRY THAN IN MANY OTHER COUNTRIES, BUT, ON THE OTHER HAND, BECAUSE MOST OF THE TERRITORY'S INDUSTRY OPERATED IN MULTI-STOREY BUILDINGS CONSTRUCTED FOR RENT AND SALE AND THERE HAD ALWAYS BEEN A PHILOSOPHIC RELUCTANCE TO DICTATE WHO SHOULD DO WHAT AND WHERE, POLLUTERS WERE MORE TOTALLY MIXED UP WITH OTHER INDUSTRY AND LAND USERS THAN WAS NORMAL ELSEWHERE.

/SO SEGREGATION .....

SO SEGREGATION WITH OTHERS INVOLVED MOVING OUT FACTORY OPERATIONS FROM WHOLE BUILDINGS OR SINGLE FLOORS, AND IT MEANT THE ESTABLISHMENT OF SEPARATE FACTORY AREAS FOR THEM WHERE THEY WERE NOT IN A POSITION TO POLLUTE ANYONE ELSE.

+I THINK THIS IS ACHIEVABLE FOR WHAT ONE CAN CALL SMALL POLLUTERS, WHOSE TOTAL LOAD MAY BE MANAGEABLE IF REMOVED FROM RESIDENTIAL AREAS,+ MR BARNES SAID.

+BUT FOR VERY MAJOR POLLUTERS WE MUST SEGREGATE AND REDUCE THE OVERALL POLLUTION LOAD OR CLOSE THEM DOWN.+

MR BARNES SAID EFFORTS SHOULD ALSO BE MADE TO REMOVE WHAT WERE KNOWN AS THE POTENTIALLY HAZARDOUS INSTALLATIONS, THAT WAS, STORAGES OF SUBSTANCES WHICH IF ESCAPED COULD DAMAGE AND SET AT RISK LARGE NUMBERS OF PEOPLE.

HERE THE HARM DONE IN ROUTINE OPERATION TO THOSE WHO LIVED NEXT DOOR WAS MINIMAL, AS THEY WERE IN FACT WELL PROTECTED BY THE SELF-INTEREST OF THOSE OPERATING THE STORAGE, BY SAFETY REGULATIONS AND BY THEIR ENFORCEMENT.

+I THINK PERHAPS THE MOST EFFECTIVE FORM OF PROTECTION IS THE OPERATORS' OWN INTEREST IN SAFETY, WHICH IS A FACTOR WHICH SELDOM EXISTS IN RELATION TO POLLUTION,+ HE SAID.

+AND FOR MYSELF I WOULD RATE A HIGHER PRIORITY TO MOVING THE FACTORY, WHICH IS CONTENTEDLY CUTTING ITS COSTS BY DAILY FILLING UP THE GUTS OF ITS NEIGHBOURS WITH SO<sub>2</sub>, THAN TO THE COMPANY WHICH HAS A MASSIVE INTEREST, IN BOTH FINANCIAL AND LEGAL TERMS AND ALSO IN ITS OVERALL REPUTATION WORLDWIDE, IN THE PROTECTION OF BOTH ITS GOODS AND ITS NEIGHBOUR FROM DANGER.

+THAT IS WHY I PUT THIS FORM OF SAFETY IN A LOWER PRIORITY THAN POLLUTION, ESPECIALLY AIR POLLUTION, THOUGH I REALISE THAT I WILL BE STICKING MY NECK OUT A LONG WAY IN DOING SO, AND THAT THE GENERAL PUBLIC, EXCITED BY HORROR STORIES IN THE MEDIA, MAY NOT FEEL THE SAME WAY.+

MR BARNES SAID THE THIRD PRIORITY FOR REPLANNING WAS THE OLDER URBAN AREAS.

+THESE ARE AS I HAVE SAID ELSEWHERE BEFORE, GOING DOWNHILL QUITE STEADILY, AND THEY NEED A CONSIDERABLE AMOUNT OF SORTING OUT.+

HE SAID THIS WAS BEING DONE IN SEVERAL WAYS, THE FIRST BEING THE LAND DEVELOPMENT CORPORATION.

THE CONTRIBUTION IT COULD MAKE WAS IN REDEVELOPING LARGER BLOCKS OF LAND AND STREETS WITH A BETTER ENVIRONMENT THAN PRIVATE DEVELOPERS HAD HITHERTO ASPIRED TO.

BUT THIS WOULD NOT ALONE ACHIEVE EVEN THE KIND OF STANDARDS HONG KONG WAS NOW SEEKING TO ACHIEVE IN THE NEW TOWNS, LET ALONE THE STANDARDS TO WHICH ONE MIGHT EXPECT THE BETTER-EDUCATED AND MORE AFFLUENT HONG KONG CITIZEN OF THE TWENTY-FIRST CENTURY TO ASPIRE.

THE PROBLEM WAS DENSITY OF BUILDINGS, OF PEOPLE AND OF ACTIVITY.

TO A CERTAIN EXTENT THE NEW TOWNS PROGRAMME WAS HELPING AND WOULD CONTINUE TO HELP SORT OUT THE DENSITY OF PEOPLE.

SINCE 1961, THE NUMBERS OF PEOPLE LIVING IN THE CENTRAL PARTS OF CENTRAL, WESTERN, WAN CHAI, EASTERN, YAU MA TEI, MONG KOK, SHAM SHUI PO, AND KOWLOON CITY HAD DECREASED FROM ABOUT 2.1 MILLION TO 1.8 MILLION, DESPITE THE DEVELOPMENT OF RECLAMATIONS AND OTHER HITHERTO UNPOPULATED AREAS IN THEM WITHIN THIS PERIOD.

THIS PROCESS MUST CONTINUE, BUT BUILDING VOLUME IN THESE AREAS HAD INCREASED ENORMOUSLY AND NO PARALLEL INCREASE IN CIRCULATION AND OPEN SPACE HAD BEEN ACHIEVED, AND ACTIVITIES AT GROUND LEVEL IN TERMS OF PEDESTRIAN MOVEMENT, ILLICIT TRADING AND INDUSTRIAL OPERATIONS CONTINUED TO CONGEST DOWNTOWN STREETS AT LEVELS WHICH SEEMED AT LEAST AS OPPRESSIVE AS 25 YEARS AGO.

THE GOVERNMENT'S FORWARD DEVELOPMENT STRATEGY WHICH WAS ANNOUNCED IN 1985 AIMED THAT URBAN EXPANSION TO FOLLOW THE NEW TOWNS PROGRAMME SHOULD BE ON NEW HARBOUR RECLAMATIONS AT KENNEDY TOWN, KOWLOON AND HUNG HOM BAY.

+IT IS QUITE ESSENTIAL THAT THESE RECLAMATIONS SHOULD NOT BE SEEN AS LAND FOR GRABS, FOR NEWLY IMPORTED POPULATION, OR FOR REVENUE, BUT AS THE MAIN MEANS BY WHICH OVER PERHAPS A VERY LONG TIME THE DENSITY OF BUILDING IN THE OLDER URBAN DISTRICTS MAY BE RELIEVED BY THE REMOVAL OF BUILDINGS AND ACTIVITIES FROM THE BUSIER DOWNTOWN AREAS AND THEIR REPLACEMENT WITH OPEN SPACE AND CIRCULATION AREAS,+ SAID MR BARNES.

IN THE AREAS WHERE PUBLIC HOUSING ESTATES PREDOMINATED, SUCH AS NORTH-EAST KOWLOON, TSUEN WAN AND KWAI CHUNG, SIMILAR IMPROVEMENTS COULD BE ACHIEVED WITH THE REPLANNING OF THE OLDER PUBLIC HOUSING AREAS, ALTHOUGH WITH THE LARGER AREAS TO BE PLANNED AS A WHOLE, THERE WAS NOW POSSIBILITY FOR ARCHITECTURAL INNOVATIONS.

+FAIRLY RECENTLY I ANNOUNCED THE GOVERNMENT'S INTENTION TO PRODUCE A MASTER DEVELOPMENT PLAN FOR THE WHOLE OF THE METROPOLITAN AREA,+ HE SAID.

+THIS WILL BE A STATEMENT OF POLICIES AND PROPOSALS GUIDING THE USE OF NEW LANDS FOR THE REDEVELOPMENT OF THE OLDER AREAS.

+THE MAIN MOTIVATION FOR SUCH A RESTATEMENT IS ENVIRONMENTAL,+ MR BARNES SAID.

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HE ALSO SAID A REALLY GOOD LOOK NEEDED TO BE TAKEN AT THE RURAL AREAS BETWEEN THE NEW TOWNS AND THE COUNTRY PARKS.

LAND USE HAD FOR VARIOUS REASONS BEEN VIRTUALLY UNCONTROLLED AND MANY OF THESE AREAS WERE NOW A MIXTURE OF DUMPS AND PIGSTIES AND SQUATTER STRUCTURES CAUSED BY PROSPEROUS FARMING COMMUNITIES IN THE EARLY SIXTIES.

THERE WAS NO SEWERAGE AND FEW ROADS AND THE NATURAL STREAMS WERE CHOKED WITH PIG AND HUMAN MANURE WHICH IN TURN AFFECTED THE SEA WATER AND BEACHES AROUND THE COAST.

+I THINK THE TURNING POINT IN THESE AREAS WILL BE THE BANNING AND LICENSING OF PIG FARMS WHICH WILL BE PUT INTO OPERATION IN THE COMING YEAR,+ MR BARNES SAID.

THE LOAD OF MANURE IN THE STREAMS HAD HITHERTO MADE ANY REAL ATTEMPTS AT SEWERAGE SYSTEMS QUITE POINTLESS, BUT WITH A REDUCTION OF ANIMAL WASTES, SEWERAGE AND SEPTIC SYSTEMS SHOULD BECOME A PRACTICAL, IF EXPENSIVE, PROPOSITION AND MUST BE CONSIDERED.

+BUT IF THIS IS TO BE SUCCESSFUL IT MUST BE ACCOMPANIED BY A SYSTEM OF PLANNING CONTROL TO ENSURE THE SEWERAGE SYSTEMS ARE NOT OVERLOADED AND THAT REAL IMPROVEMENT IS ACHIEVED IN THE LOCAL ENVIRONMENT.

+THE EXPENDITURE IMPLICATIONS ARE CONSIDERABLE- THE POLITICAL IMPLICATIONS STILL MORE FORMIDABLE, AND I SHALL BE PROPOSING THAT A SUBSTANTIAL WORKING PARTY COMPRISING BOTH OFFICIALS AND UNOFFICIALS SHOULD BE SET UP TO PREPARE A COMPREHENSIVE PLAN FOR SYSTEMATIC IMPLEMENTATION,+ MR BARNES SAID.

HE SAID HE SINCERELY BELIEVED THAT HONG KONG MUST ATTEMPT AND SUCCEED IN URBAN SURGERY, HOWEVER PAINFUL, AND THAT THE TIME WAS RIGHT TO START IT NOW BECAUSE THE BASIC HOUSING PROBLEM WAS WELL ON THE WAY TO A TOLERABLE SOLUTION AND HONG KONG SHOULD HAVE THE PUBLIC RESOURCES TO DEVOTE TO A STEADY PROGRAMME OF ENVIRONMENTAL IMPROVEMENTS, PROVIDED THEY WERE GIVEN PRIORITY.

HE ALSO SAID THE RELATIVE AND INCREASING INFERIORITY OF THE URBAN ENVIRONMENT AND THE ENVIRONMENTAL MISMATCHES WERE BEGINNING TO OBTRUDE TO THE EXTENT WHICH PEOPLE WOULD FIND INTOLERABLE AND THAT HONG KONG STILL HAD SOME OPPORTUNITIES IN TERMS OF LAND TO SORT OUT THE GREATER PART OF THE PROBLEMS.

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NEW ROADS FOR TUEN MUN VILLAGES PROPOSED  
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THE TERRITORY DEVELOPMENT DEPARTMENT PLANS TO BUILD FOUR NEW ROADS IN TUEN MUN TO PROVIDE AND IMPROVE ACCESS TO THREE VILLAGES AND THEIR NEARBY RESIDENTIAL AND INDUSTRIAL UPGRADING AREAS.

THE NEW ROADS, WHICH ARE PART OF A PROJECT TO IMPROVE THE YUEN LONG - TUEN MUN CORRIDOR, WILL BE BUILT AT SAN HING TSUEN, TUEN TSZ WAI AND TSING CHUEN WAI.

THEY WILL BE SINGLE CARRIAGEWAYS, RANGING IN WIDTH FROM 5.5 TO 7.3 METRES, WITH FOOTPATHS ON ONE OR BOTH SIDES.

ROADSIDE CAR PARKING FACILITIES WILL BE PROVIDED AT SOME LOCATIONS.

ALSO INCLUDED IN THE PROJECT WILL BE ASSOCIATED DRAINAGE, LANDSCAPING AND ANCILLARY WORKS.

A TOTAL OF 21 714 SQUARE METRES OF AGRICULTURAL LAND AND 664 SQUARE METRES OF BUILDING LAND AT THE THREE VILLAGES WILL NEED TO BE RESUMED FOR THE ROAD WORK.

NOTICES OF THE PROPOSED WORK AND RESUMPTION HAVE BEEN PUBLISHED IN THE LATEST GOVERNMENT GAZETTE.

WRITTEN OBJECTIONS MUST REACH THE SECRETARY FOR TRANSPORT BY JULY 21.

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JOINT URBAN, REGIONAL COUNCIL MEETING TOMORROW  
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THE JOINT URBAN COUNCIL/REGIONAL COUNCIL KEEP HONG KONG CLEAN STEERING COMMITTEE WILL DISCUSS THE DISTRIBUTION OF PLASTIC REFUSE BAGS TO THE FLOATING POPULATION AT TOMORROW'S (THURSDAY) MEETING.

MEMBERS OF THE COMMITTEE WILL FURTHER TALK ON THE CORPORATE INVOLVEMENTS BY THE OIL COMPANIES AND THE SUPERMARKETS, AND THE BLOCK-TO-BLOCK CLEAN-UP THROUGHOUT THE TERRITORY.

/THE COMMITTEE .....

THE COMMITTEE WILL ALSO REPORT ON THE ACTIVITIES HELD THIS MONTH, SUCH AS THE CLEAN-UP BY THE CHIEF JUSTICE, THE COLISEUM SHOW AND THE BLITZ OPERATION AGAINST UNAUTHORISED DISPLAY OF POSTERS.

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NOTE TO EDITORS:

YOU ARE INVITED TO SEND A REPRESENTATIVE TO COVER THE MEETING WHICH WILL OPEN AT 10 AM IN THE MAIN CONFERENCE ROOM, 2/F., REGIONAL COUNCIL CHAMBER, TSUEN WAN STATION MULTI-STOREY CARPARK AND GOVERNMENT OFFICE BUILDING, 174-208 CASTLE PEAK ROAD, TSUEN WAN, N.T.

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NEW DRAGON BOATS LAUNCHED IN TAI PO  
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TWO NEWLY-BUILT DRAGON BOATS FOR THIS YEAR'S TAI PO DRAGON BOAT RACE WERE LAUNCHED AT A CEREMONY AT THE TAI WONG YEH TEMPLE IN YUEN CHAU TSAI THIS (WEDNESDAY) MORNING.

THE CEREMONY BEGAN WITH AN OFFERING OF DELICACIES TO THE PATRON GOD OF FISHERMEN, TAI WONG YEH, BY CHAIRMAN OF THE TAI PO DRAGON BOAT RACE COMMITTEE 1987, MR STEPHEN WONG.

THE OFFERING WAS ACCOMPANIED BY PRAYERS IN THE HAKKA DIALECT BY RELIGIOUS PRACTITIONERS.

AFTER THE OFFERING, THE DIRECTOR OF AGRICULTURE AND FISHERIES, DR LAWRENCE LEE, DOTTED THE EYES OF THE DRAGON BOATS.

THIS WAS FOLLOWED BY AN EXHIBITION RACE BY LAST YEAR'S RACE WINNING TEAMS.

THIS YEAR'S RACE WILL BE HELD ALONG THE WATERFRONT OF THE TAI PO INDUSTRIAL ESTATE FROM 9.30 AM TO 1 PM ON SUNDAY (MAY 31).

OFFICIATING AT THE PRIZE PRESENTATION CEREMONY WILL BE THE FINANCIAL SECRETARY, MR PIERS JACOBS.

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DB TO BE BRIEFED ON WALLED CITY CLEARANCE  
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MEMBERS OF THE KOWLOON CITY DISTRICT BOARD WILL BE BRIEFED ON THE PROGRESS OF THE KOWLOON WALLED CITY CLEARANCE BY THE DEPUTY SECRETARY FOR DISTRICT ADMINISTRATION (SPECIAL DUTIES), MR H.T. LUI, AT THEIR MEETING TOMORROW (THURSDAY).

BOARD MEMBERS WILL ALSO DISCUSS THE LONG TERM HOUSING STRATEGY POLICY STATEMENT WHICH WILL BE PRESENTED BY THE PRINCIPAL ASSISTANT SECRETARY OF THE HOUSING BRANCH, MR D. GOULD, AND THE SENIOR PLANNING OFFICER OF THE HOUSING DEPARTMENT, MR T.C. YUEN.

OTHER ITEMS ON THE AGENDA INCLUDE THE FIVE-YEAR URBAN COUNCIL CAPITAL WORKS PROGRAMME, A PROPOSAL TO SET UP A DISTRICT COMMITTEE ON YOUTH AND THE ICAC MEI TUNG OFFICE LIAISON WORK PLAN 1987/88.

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NOTE TO EDITORS:

YOU ARE INVITED TO COVER THE MEETING AT 2.15 PM TOMORROW (THURSDAY) IN THE CONFERENCE ROOM OF THE DISTRICT OFFICE AT 141 KAU PUI LUNG ROAD.

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