



## DAILY INFORMATION BULLETIN

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Statement by Governor to Legislative Council

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Following is the statement by the Governor, the Rt Hon Christopher Patten, to the Legislative Council at his question-and-answer session today (Thursday):

I visited London from April 10 to 12 and Belfast from April 12 to 13.

I had useful discussions with the Prime Minister and the Deputy Prime Minister, and two meetings with the Governor of Bank of England, during which we discussed the strength of the Hong Kong economy and the guarantees of Hong Kong's autonomy in fiscal, economic and trading matters after 1997. I had meetings with Foreign Office officials and also gave three major speeches.

In my meeting with the Prime Minister, we followed up the subjects that were raised during his important visit to Hong Kong last month.

We discussed the actions that had been taken since then on visa-free access, right of abode and passports for war widows. We will be pressing for as many countries as possible to provide liberal visa regimes for SAR passport holders and we hope that we will be able to see countries declaring their hands in the coming months. Obviously the progress we make on this issue depends in part on China's position on right of abode. We have noted the comments made by Director Lu during his visit to Hong Kong. These underline the need for Chinese officials to join us in expert talks as soon as possible so we can all be clear about what the detailed arrangements will be.

On passports for war widows, I very much hope that we will be able to see a Bill coming forward before the end of this Parliamentary session. This will help to put people's minds at ease and be a solid indication of Britain's commitment to resolve that issue.

I also discussed with the Prime Minister my forthcoming visit to the United States to discuss the renewal of MFN status for China, and we are obviously working closely with the British Government on that issue.

The Prime Minister had been concerned to hear about the decision to establish a provisional legislature, announced by Chinese officials after the recent meeting of the Preparatory Committee in Peking. He noted that this decision, coupled with a number of remarks about the civil service, had alarmed civil servants and the community as a whole. We both hope that we will hear more in the way of reassurance from Chinese officials in the coming weeks and months.

We also discussed the position of Vietnamese migrants in Hong Kong. During his meeting in Bangkok with other Asian and European leaders, the Prime Minister had a good meeting with the Prime Minister of Vietnam. As a result of that meeting an official from the Foreign Office went to Vietnam to discuss how we could speed up the repatriation of Vietnamese migrants. That visit was followed by one by Jeremy Hanley which has produced good results. I hope that we will now see an acceleration in the rate of return of Vietnamese migrants.

We discussed a number of other matters as well, including Hong Kong's economy and Britain's continuing relationship with and commitment to Hong Kong after next summer.

I also visited Northern Ireland, where I stressed the attractions of Hong Kong to Northern Ireland investors and vice versa.

In all, a productive visit. I am now happy to take Honourable Members' questions.

End

#### Governor's question-and-answer session in LegCo

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Following is a transcript of the Governor, the Rt Hon Christopher Patten's question-and-answer session the legislative Council today (Thursday):

Dr Leong Che-hung: Thank you Mr President. Mr President I would like to take this opportunity, with your permission of course, to thank the Governor on behalf of the House, and I am sure you yourself will join Members too, Mr President, for his effort in securing a speedy and fair appeal for the two Hong Kong residents, Mr Au Wing-cheung and Mr Wong Chun-ming, who were detained in the Philippines. We all know that they have now been released and have returned to their very relieved families.

May I, Mr President, with your permission, also ask the Governor to convey our gratitude to the Prime Minister and Foreign Secretary and all those in the British Government who have helped in this particular direction.

Mr President, many of us in this Council have done much, also, to help to bring this result about and I am sure we are all very happy to see this satisfactory outcome - including, even, the return of some \$8,000 to both Mr Au and Mr Wong, and that the rule of law has been maintained.

If you will allow me the permission, Mr President, I would also like to ask the Governor a question - that is if you do not rule me out of order. And the question is that should this or similar events occur after the change of sovereignty, to Hong Kong people travelling with a BNO or BOC passport, what would be the British Government's action, if any, and how could we see the whole process being initiated?

Governor: I am grateful to the honourable gentleman for that expression of gratitude. I know that all our discussions together take place in that warm feeling of exchanges of gratitude from both sides, and I am sure this session will continue in that spirit.

I think it is fair to say that what we saw in the case of Mr AU and Mr WONG was very good teamwork between this Council - and it would be invidious to single out individual members but I know that there were many who took a very close personal interest in the case and went to considerable trouble to help Mr Au and Mr Wong - the Hong Kong Government - and I was pleased that I was able to raise the issue directly when I visited the Philippines, with President Ramos, last December - and the British Government as well, it was raised by a number of ministers and officials on a variety of visits to the Philippines and meetings with Philippines ministers.

There are two points I would just like to add on that particular case. The first is that having met Mr Au and Mr Wong myself, I am sure that like many honourable members I have been struck by their extraordinary fortitude in bearing the difficult conditions of the last few years with such strength of character. I was very impressed by my meeting with them and with their families. They can, of course, be absolutely certain that they will get all the help that is required as far as welfare benefits and other matters are concerned, as they re-establish themselves and prepare to re-launch themselves on what I hope will be successful business and professional careers.

Secondly, I think a reason why we are all pleased that this has at last been cleared up is that we do have a very good relationship with the Philippines. There is a large Filipina community here in Hong Kong which is making such a substantial contribution to our own well-being and welfare, and this issue, I think, was one of the very few difficulties in an otherwise excellent relationship and I would like to express my gratitude to President Ramos for his part in clearing it up.

The position as far as after 1997 is concerned is, I hope, clear - and was I think made clear by both the Prime Minister and the Foreign Secretary during their visits. Those who travel on a British passport will have all the consular protection after 1997 that they could expect today. I hope that they will also be able to count on co-operation between the future sovereign power and the United Kingdom which provides them with the consular protection. I hope that that is the case and I am sure that Chinese officials would want to stress that it would be the case if they were sitting here in my position - which perhaps one day they may.

Mr Albert Chan (in Chinese): Thank you Mr President. Mr Governor, when you were in the UK you told the public and the press that in Hong Kong there were people of different political views and there were also demonstrations in Hong Kong and they should be treated well.

Then when Director Lu Ping was in Hong Kong a lot of our members and others demonstrated but then your staff hit us and wrongly alleged that they were doing something that they never did. So your staff never treated the protesters well. Now I wonder if you could see this picture here, you can see here there are some of your staff who were holding onto protesters' necks and this was quite uncalled for.

So in the coming 400 days there will be a lot more protest actions I am sure. So how can you ensure that your staff will definitely well treat protesters instead of you resorting to such violent means?

Governor: Perhaps the Council will allow me to set out my views on this subject at some length.

We have in Hong Kong, which is a free and open society where people have the right to express their views, where they have the right to assemble and to demonstrate if necessary, we have a first class police force who, I think, manage to hold the balance between the rights of those who wish to protest and the rights of the rest of the community in an extraordinary firm but fair way.

I want to place on record now my gratitude to the police for the way they have handled events in the last few days and for the way they've handled events over the last years.

Hong Kong is an extremely tranquil community. We haven't seen many events like those of the last few days in my four years in Hong Kong. And when there are demonstrations or protests, they are handled with extremely good humour and good sense by our police. Very often young men and women recently joined the Force. Let me give an example: it's within all our knowledge that the headquarters of the New China News Agency is sometimes a focus for political argument and discussion. In 1994 and 1995 there were in all 139 meetings in the vicinity of the front entrance of the New China News Agency. There were nine marches to the New China News Agency. In all that time, with all those demonstrations, there was only one arrest. I think that's a tribute to the police and I have to say, I think it's a tribute to the way in which, by and large, people put their views in Hong Kong. Even when they feel strongly about them and even when they feel that they have to put those views in a demonstration or in a march.

We come to the events of last weekend and I want to say one thing which is pretty obvious straightaway. I think the euphemism is the 'united front press' have claimed that the Governor of Hong Kong, that I was responsible for the demonstrations and the arguments and those sad pictures that flashed around the world of people burning tyres and people marching. It's just another of the fabrications that we get from Wen Wei Po and others. I suspect that if they ever started being nice about me I'd have reason to think I was doing my job badly. It's only a matter of time, I can assure the honourable member, that the NCNA or those 'united front newspapers' will accuse me of being responsible for the demonstrations in 1989. It's, of course, complete and utter nonsense. I don't want in any way to ever excuse breaches of the law or rowdy behaviour because in my view arguments should always be carried on within the law and should always be carried on in as civilised a way as possible. But I don't think that those who refuse to listen should be very surprised if other people raise their voices and that's what I'm afraid we've seen in the last few days. I repeat, this is a very tranquil community. It's a community whose politics are extraordinarily moderate and it takes quite a lot to push people in Hong Kong into behaving in an immoderate way. It takes quite a lot to push them into raising their voices.

Let me offer one piece of advice and I take it from Ta Kung Pao, the edition of the 12 March, which reported extensively a speech by a Member of the Politburo, Mr Li Ruihuan who noted how important it was to allow people to have their say in relation to Hong Kong. That's what he was talking about quite explicitly and he quoted Chairman Mao. Now I don't want to comment on the context in which the Chairman's remarks were made. It's not my part to play the role of historian now but what he said was this; "the heaven's will not fall even if we allow people to speak their minds otherwise the heaven's will surely fall sooner or later." In other words if you don't allow people to speak their minds. An open and plural society should respect people's rights to speak their own mind but of course it must insist that they do that within the law. That is what our police ensure happens. They have all my sympathy for the pressure that they've been placed under in recent days.

Mr Albert Chan (in Chinese): Mr President, of course we fully appreciate that most police officers are just trying to fulfil their duty and most of our civil servants are doing very well but as we approach 1997, you cannot rule out this possibility that because of the change of sovereignty and change of masters some of these police officers are afraid that they will lose their job so that's why they are over zealous in protecting Chinese officials during the interim. That's why you see something like this happening in this picture. We are talking about a six foot tall police officer, security officer, using force against a much smaller person and that's clearly unnecessary.

So, Mr Governor, how would you instruct your staff that when they deal with such demonstrations, as you said, they must treat them well? How can you ensure there would not be abuse of force?

Governor: I don't want the honourable member, or anybody else, to think that I don't have strong views about the importance of policing demonstrations in a firm but fair way. But I have to say that I don't think the Commissioner of the Royal Hong Kong Police or his senior or junior officers need instructions from me about how to handle these matters. I think they handled them conspicuously well. I think they handled them with good sense. I think they handled them with good humour and I think they have managed to handle them, most of the time, with dignity.

I repeat what I've said before. I've been Governor of Hong Kong for four years. We've had remarkable social harmony during that period, despite the fact that we've had arguments on very important issues and we've very often found ourselves, I can look around this Chamber and see honourable members who've been vigorously on the other side of the debate, but we've had social harmony and we've had social harmony because we've had an open dialogue. If you try to exclude people, particularly those who can point to the fact that they represent the majority of opinion in Hong Kong, if you try to exclude people from the debate and the discussion about their own future, then you are going and I borrow again from Mr Li Ruihuan, you're going to risk social disharmony. You're going to risk a perpetuation of instances in which public officials feel obliged to leave meetings by the back door. I've never in four years left anywhere in Hong Kong by the back door and I never will.

The people in Hong Kong are extremely law abiding. The people in Hong Kong are decent and fair minded. The people of Hong Kong want to make a success of 1997. The people of Hong Kong would like to hear from Director Lu and his senior colleagues.

I'm delighted, just let me make this additional point. I'm delighted that this evening Director Lu will be seeing the Chief Secretary. I hope that he sees the Chief Secretary on many future occasions. I hope that he sees other secretaries and members of the Administration. I'd like to see him going to our hospitals with the Secretary for Health and Welfare. I'd like to see him going to our schools with the Secretary for Education and Manpower. I'd like to see him going to our public housing estates with the Secretary for Housing. If Chinese officials would do that, even though they will sometimes have to receive a petition or listen to people saying things that they don't much care for. If they do that they will find that the people of Hong Kong are extremely kind hearted, warm hearted and wish to ensure that Hong Kong remains as successful after 1997 as it is today. There is nothing in Hong Kong that anybody should be anxious about or frightened about.

Mr David Chu: Mr Governor, I have a question regarding the provisional legislature. I hope you do not answer the question by giving me a Chairman Mao quotation.

Regardless of our personal preferences, do you agree that at this point in time the establishment of the provisional legislature is a certainty? And if you agree, then would this Government recognise and co-operate with the provisional legislature so that its work can be better integrated with that of the Government and this Council, whereby help with a smooth transition?

Governor: I promise not to give the honourable member a quotation from Chairman Mao but what he says about a smooth transition reminds me very much of the story of the man who punched somebody else on the jaw and then blamed the other fellow for hurting his hand with his chin. Because the threat to a smooth transition comes from those who say they will dismantle this Legislative Council, elected by the largest number of people who have ever voted in Hong Kong's history, elected fairly and freely, entirely in line with the Joint Declaration and the Basic Law.

Whether or not this Legislative Council is dismantled, I repeat what the British Foreign Secretary has said, that the proposal to dismantle it is reprehensible and unjustifiable. There is no justification under the Joint Declaration and the Basic Law for dismantling it. We have had a tissue of fabrications suggesting that somehow the arrangements for electing this Legislative Council were not in line with the sacred texts. Nobody, as the honourable gentleman will know perfectly well, has ever been able to demonstrate that.

The only thing which is true is that the Chinese officials did not like the arrangements for electing this Legislative Council. And let me dwell for a moment on that point. We all know, Legislative Councillors with experience on the Executive Council know, Legislative Councillors who were here in 1992 and 1993 know perfectly well, that the reason that discussions on electoral arrangements broke down was that our side, Hong Kong Government, the British Government, refused to accept arrangements, refused to connive at arrangements, which would have specifically excluded some members of this Council from a future Legislative Council solely because of their views, and which would have attempted to dilute the number of pro-democracy politicians in the Legislative Council in future by the sort of arrangements that were made.

Now, we refused to go along with that. What Chinese officials are now doing is asking the Preparatory Committee to endorse precisely those sort of arrangements. And I don't think the 13 members of this Legislative Council who it appears are prepared to go along with that should be surprised if other members of this Legislative Council and other members of the community, and the international community, find that offensive. I don't know how honourable members can justify that.

The honourable gentleman asks about our attitude to the provisional legislature - if there is one. There is only one Legislative Council constitutionally in Hong Kong before 30 June 1997. There can only be one Legislative Council in Hong Kong. If there is a provisional legislature it may have some constitutional or legal position in China but before 30 June 1997 it has no constitutional or legal position here in Hong Kong. It can't make laws - though I concede this Chinese body could make recommendations.

The Joint Declaration is entirely clear on the point. I draw the honourable member's attention to Article 30 of the Joint Declaration which underlines who is responsible for the administration of Hong Kong until 30 June 1997 and which makes it clear that the Government of China should co-operate with us in our responsibilities for administering the territory.

So that is my position: there is one Legislative Council in Hong Kong while I am Governor and that is the Legislative Council here. And anybody who dismantles that, anybody who seeks to set up another Legislative Council, will have to justify that and will have to tell people why it is morally, politically and legally acceptable.

Mr Allen Lee: A point of order because the Governor said under his governorship there will be one Legislative Council. Yes, it is true. Yet the provisional legislature is the provisional legislature after 1997, July 1, and that is when the Governor leaves Hong Kong and that is the case, it is not confusing the issue the provisional legislature is here before July 1, 1997. It may be elected before but to make laws after 1997.

Governor: Well --

The President: Governor, please hold on a minute.

Governor: Can I --

The President: Mr Lee, you have not raised a point of order. I am not here to rule on law, I am here to rule on order only. But you have slipped in a question.

Governor: I assume that since that was a point of information, what we have just heard from a member of the Preparatory Committee is that no provisional legislature would operate before 30 June 1997. That is what the honourable gentleman has said. It is a confirmation, of course, of the position under the Royal Instructions, The Letters Patent and the Joint Declaration, and I am delighted to hear it.

Mr Allen Lee: Mr President, can I make one statement?

The President: Mr Lee, I am sorry.

Mr Allen Lee: I just want to clarify this point, a very important point which the Governor said.

The President: But I cannot let you ask the question because it is Mr David Chu's turn, not your turn. You raised a point of order and I ruled that was not a point of order but I allowed your question to slip through. So I should not allow you to ask a supplementary.

Mr Chu, do you have a short follow-up?

Mr David Chu: Yes. If the provisional legislature is constituted some time before 1 July 1997, which I believe is a reasonable assumption, would this Government, as I stated in the original question, recognise and co-operate with this body, Mr Governor?

Governor: The honourable gentleman is talking about a body which may have some legal status in China but has no legal or constitutional position in Hong Kong. That is undeniably the case. So if you're talking about, if the honourable gentleman is talking about winding up this body and if he's talking about putting something in its place, he'd better explain why that is legally justified and why it's morally justified. Let me say this, there is no reference to a provisional legislature in the Joint Declaration. There is no reference to a provisional legislature in the Basic Law. There is no reference to a provisional legislature in the NPC decisions of 1990 and 1994. At present, as I understand it, the arguments about a provisional legislature rest on the assumption that the NPC decisions give the Preparatory Committee carte blanche. I think that's a slightly worrying argument and a slightly dubious argument but it's not for me to say what is or is not legally justified so far as the provisional legislature is concerned. A point made very well the other day by Mr Denis Chang. All I'm saying is that there is only one Legislative Council here in Hong Kong before 30 June, 1997. Only one. And that is the Legislative Council the Executive Council is going to work with and that is the Legislative Council which the Government is openly accountable to.

Mr James To (in Chinese): Mr President, now whether the LegCo will be dismantled or not, we won't know yet but it seems that some are already dismantling some important constitutional principles of the ExCo. Mr Tung Chee-hwa voted to support the provisional legislature in the Preparatory Committee and another ExCo member, Mr Raymond Ch'ien said there was a legal basis for the provisional legislature. Both their words have already departed from the principles of the Government and the position of the Government. So I want to ask the Governor whether they have breached the collective responsibility system because this is something you have always stressed is important? And that's the reason why you kept out some members with a lot of public opinion backing from the ExCo. So is this collective responsibility system no longer in existence, in effect? Or are you afraid of them because some of them are tipped as potential candidate for the Chief Executive post? So are their words in breach of the principles of ExCo?

Governor: Let me, in these confidential surroundings, be very honest with the honourable gentleman. I was a member of two British Cabinets, I have a good deal of personal experience of the application of the principle of collective responsibility. Therefore the honourable gentleman has never and will never hear large numbers of lectures from me on the subject. I know that it's a principle which has to be applied with a degree of propriety by those who are collectively responsible and good sense by whoever is *primus inter pares* and that has always been the position and will remain the position.

Yes, we do have a position of collective responsibility in the Executive Council and it's exercised with I think the tolerance and generosity of spirit which are necessary in order to have as broadly based an Executive Council as possible which I believe to be in the best interests of Hong Kong. Honourable members will know that I deliberately chose an Executive Council which represented all shades of opinion here in Hong Kong. I hope that some of its members even represent the broad aspirations of the honourable member. Well there are going to be one or two members of the Executive Council, if I may say so, who will be broken hearted by the feeling that they don't represent the honourable member there. It's a broadly based Executive Council and I intend to ensure that it stays that way. I could hardly crack the whip and behave like the Spanish inquisition over the Executive Council when I've said and feel very strongly that others should be a little more open minded and generous of spirit in the way that they deal with disagreement and argument.

Having said that, the position of the Executive Council and the Government is absolutely clear and it's the position which I set out earlier and it's the position which others like the Chief Secretary and the Financial Secretary and senior officials have set out on other occasions. There's only one Legislative Council. It's the one which sits here and was elected here last Autumn and the Executive Council and the Government will work with it until 30 June, 1997.

Mr James To (in Chinese): Mr President, a question for the Governor. Are you concerned that the nearer we are towards 1997, if you keep liberalising this principle, relaxing this principle, then it's possible that there could be a massive defection of ExCo members and that may go against your principles. So Mr Governor, do you think that you have already relaxed the principle to the extent of being risky?

Governor: No I don't think I've relaxed the principle to the extent of being risky. I think I've applied it in my customarily sensible and civilised way. I believe in open discussion and debate. I think I've helped with some members of this Council to extend that important aspect of a free society here a little bit in Hong Kong and I certainly don't intend cracking the whip unnecessarily either with my colleagues in the Administration or with those whose advice I take in the Executive Council.

I think if the honourable member looks back he may find in history rather more examples of Executive Council members speaking out for themselves in years past than there have been in the last four years but what I've said about collective responsibility doesn't mean that the principle doesn't still apply. It has to be implemented in a sensitive and sensible way, that's how I'll continue to do it and I hope that we have as broadly based an Executive Council as long as possible because I think, particularly at this difficult and challenging period for Hong Kong, it's helpful to have as broad a base of advice as I can possibly get.

The President: And be fairly tolerant of the wits too?

Governor: And be tolerant of the ?

The President: Wits.

Governor: Wits, whips, tolerant of everybody.

Mr Ngan Kam-chuen (in Chinese): Mr Governor, as Governor of Hong Kong you face the provisional legislature that is to be set up by the future sovereignty; your criticisms, are they appropriate and are you barring your officials from co-operating with the provisional legislature?

Governor: The provisional legislature has nothing to do with me. If Chinese officials want to set one up as a Chinese institution, then it would be impertinent of me to involve myself in it. All I am saying to the honourable gentleman is that it has nothing to do with the Government of Hong Kong between now and the 30 June 1997. If Chinese officials, or others, wish to make preparations for the position after 1997 then that is their matter but the provisional legislature does not have a constitutional position in Hong Kong. If it has a legal position at all, that is for Chinese officials to justify. But I repeat, it is nothing to do with me.

Mr Ngan Kam-chuen (in Chinese): Well, you may have the team designate and they will have to work with the provisional legislature probably, and would you ask them to resign from the Hong Kong Government then?

Governor: I don't understand what the honourable gentleman means about them working with the provisional legislature. What is the honourable gentleman suggesting that the provisional legislature will do? Is he suggesting that before 30 June 1997 it will pass laws? It can't. What is he suggesting? What happens after 1 July 1997 isn't my business, though I have an interest in it.

Mr Szeto Wah (in Chinese): When the Constitutional Affairs Panel discussed with Government officials about the tenure of office for members in this Council, Government officials told us that our tenure of office would not necessarily be four years because you as the Governor are empowered to dissolve this Council any time. So, Mr Governor, before 30 June 1997, would you order on that day or before that day that this Council be dissolved to tie-in with the setting up of the provisional legislature?

Governor: Certainly not.

Mr Szeto Wah (in Chinese): In the last term of this Council a member passed away, unfortunately, and also another member was imprisoned, and they did not serve the four year term. So if Government officials use the example that the Governor has the power to dissolve this Council and say that we do not have a four year term, then is it equivalent to citing similar unfortunate examples of those who have passed-away or who have been imprisoned and who therefore did not serve the four year term? So do you think it is the same ridiculous logic if we use that?

Governor: I don't think the logic I am about to offer the honourable gentleman is ridiculous and I hope he won't think it ridiculous either. Honourable members are elected to this Council for four years and it is desirable that they should be able to serve their four years but nobody has ever suggested they have a legal entitlement, as it were, a four year contract. They don't.

One reason why they have not in the past and do not now has nothing to do with 1997 and it is the most important reason of all, and that is that, for example, the Hong Kong Governor could, I suppose, under the Royal Instructions and the Letters Patent, dissolve the Legislative Council and call for new elections. In those circumstances he would not feel obliged to pay everybody for the two years or three years or three-and-a-half years of service in the Legislative Council which they had been denied by an election.

In the United Kingdom we have five-year Parliaments but nobody has an entitlement to be paid as an MP for five years. It is exactly the same principle and I repeat, basically has nothing to do with 1997.

Mr Howard Young: Mr Governor, during your trip to London you said you raised the question of travel documents and of course right of abode which is linked to it, and I agree it is an issue which is imminent. It appears that this issue, now, is being tackled through a very perhaps should I say unique way by the Chinese Government, of rather than doing things with the Basic Law, to tackle it by some other sort of legal mechanism with regard to the Chinese Nationality Law.

Now although, Governor, you have called on discussions on these issues be taken up with China, you have done so for some time and there is still no result. But I believe that the National People's Congress is very shortly going to debate this explanatory or amendment or whatever to the Nationality Law which will become legally effective as Chinese Law.

If there is no route through diplomatic channels will you consider perhaps through another channel, say the Preparatory Committee members, some of which sit on this Council, including myself who I genuinely feel that I have been able to - to use your quotation of Chairman Mao "to speak my mind" in the Preparatory Committee - to through us to see whether we can do something to ensure that this result in explaining the Nationality Law is satisfactory and will dovetail with Hong Kong law in this regard. The time is so short and I believe the next opportunity will be towards the end of May at the next PC Meeting.

Governor: Not least because of his own experience in the functional constituency which he represents, the honourable member knows as well as anyone just how important this issue is to Hong Kong's self-confidence and to Hong Kong's continuing prosperity as an open society with the maximum freedom of travel.

Our position is quite simply this: in January, Mr Rifkind had a successful meeting with Vice Premier Qian Qichen during the course of which Vice Premier Qian Qichen confirmed that anybody who had permanent residency in Hong Kong before 1997 would have it after 1997, though both of them of course recognised that the precise way in which this was to be achieved had to be worked out in relation to the Basic Law and so on.

Now we very much hoped that that meeting could be followed by very rapid expert talks. It is not a question, or should not be a question, of high politics, it is a question of dealing with real administrative difficulties in a way which helps people in Hong Kong and helps people - the extended Hong Kong family in Canada, Australia and elsewhere. Unfortunately, those expert talks have not yet taken place though we have had leaks of what the Chinese position is and we have now had this interesting speech by Director Lu last week.

I don't know any more about the situation than that, nor do my officials, though they have - and this is not because we are carping it is because our Immigration Department is eventually going to have to make this work - they have literally dozens of difficult questions which we are being asked. Look at the newspapers. Look at the difficult questions which the newspapers are asking about these arrangements. Consider the questions which our Immigration staff are going to start having at Immigration counters before very long.

The sooner we can start addressing with Chinese officials these very difficult questions, the better. And if the honourable member and other members of the Preparatory Committee are offering their help in elucidating these matters, then we would very much welcome that assistance and welcome any information that we can get from them.

Originally, you may recall, we didn't think it was going to be possible to deal with the question of visa-free access for SAR passport holders to the United Kingdom until we had sorted out right of abode. I didn't think we could wait any longer on SAR passport visa-free access and I am delighted that the British Government reached a sensible decision on that. But there are all sorts of other countries which are going to be very reluctant to move on visa regimes for SAR passport holders until that question of right of abode is absolutely clear.

So however we achieve it, I think the sooner we can get our experts sitting down round a table with Chinese officials, the better, because nobody doubts that under the Joint Declaration and the Basic Law it is going to be for our Immigration Department to try to make this policy work.

Mr Howard Young: Governor, as a demonstration that the Executive Council is not the only body that has problems of skirting around the edges of collective responsibility, could you bear in mind that all that has been said about the amendment to Nationality Law is not all that secretive, there has been an official decision by the Preparatory Committee and on that basis, plus what Mr Lu said which is also public, that there is a great deal of room within the next few months through whatever channel - private or personal capacity - for us to achieve a central solution to the right of abode.

Governor: Can I say something about that. I think it has been suggested during the last few days by one or two very senior Chinese officials that even though the Preparatory Committee have reached this view, discussions can't begin with Hong Kong Government officials because the NPC hasn't made a decision. I really find that difficult to accept as a sensible position but I assure the honourable member that it has been said.

We really have to clear up these matters very, very quickly. There are difficult problems, mainly problems of implementation. We think, and we have tried to sound positive, that the proposals are an advance on the previous position. I still happen to think that the best way forward would have been to allow people to make a simple declaration. But that is not acceptable to Chinese officials, so we must try to find some other way forward. But the way that they are proposing raises all sorts of questions and we had better get on with sorting them out because otherwise there are going to be some very worried people come 1997, and some very confused Immigration Department officials.

Mr Chim Pui-chung (in Chinese): Thank you Mr President. Mr Governor, now it's almost four years since you've come to Hong Kong to become our Governor. As you said, on political views maybe we differ but from other aspects of your work, personally I am very appreciative of the work you've done and effort you've put in it.

Mr Governor, I have a question about the Securities and Futures Commission.

The President: Mr Chim Pui-chung, this is not one of the six topics.

Mr Chim Pui-chung (in Chinese): Mr President, Mr Governor has agreed to answer the question because just now I have been heaping praises on him, that's why he has to return the favour.

Now on the check and balances of Government's work the Hong Kong people are very appreciative of that but in the past when it comes to the work of the SFC it seems that it gives the impression to the public and investors there is not enough check and balance on the SFC. The Secretary for Financial Services and the Financial Secretary of course are empowered to monitor these bodies but these bodies just ignore their presence. So Mr Governor, I hope that something concrete will be done.

Now recently there is a company of which I am Chairman, the company has been suspended for trading for ten years. We have gone through the normal procedure to apply for trading again but then there were some Australian officials on the SFC...

Mr James To: Mr President, now is it because the Governor agrees to answer the question and then we could disregard all the rules and orders of this Council because we've already set the topics for today's sitting?

The President: I do think that I shouldn't allow that question but since the Governor is pleased to answer it, could we ... I think the intervention is appropriate in another sense in that, are you personally pecuniary involved, interested in the Company that you were talking about?

Mr Chim Pui-chung (in Chinese): No, not at all Mr President. Now I will be giving the Governor a letter just now and he could peruse it at his own time but I just want him to know whether there should be check and balances on the SFC. Now if there are any, what are they?

Mr Ronald Arculli: Mr President, I would like you to rule on the fact as to whether or not a member of this Council can properly put the Governor in that embarrassing position of putting a specific case to the Governor during Governor's Question Time. Thank you very much.

The President: I rule that the question itself is inappropriate.

Mr Cheung Man-kwong (in Chinese): Mr Governor, now I agree fully with what our Chairman of House Committee, Dr C H Leong, said, that is you have put in great effort on Mr Au and Mr Wong's case. You have fulfilled your duty as the Governor of Hong Kong but the Au and Wong case leads us to think about Mr Xi Yang's case.

Mr Governor, when you were in London did you take up this matter with the Prime Minister, Mr John Major? The Ming Pao journalist Mr Xi Yang is detained in Beijing and have you taken up that case and what are the Hong Kong and British Governments doing to secure the release of Mr Xi Yang? As we know from press reports Mr Xi Yang is now ill and he has not seen the sun for ages so we are very sad to hear that. I wonder if the Hong Kong and British Governments will formally request the Chinese Government to release Mr Xi Yang on bail because of his ill health?

Governor: If I can, without breaching the rules of order, just apologise if I was in any way responsible for an earlier breach. I have on previous occasions, occasionally answered questions which weren't actually on the list in front of us. It doesn't necessarily mean that I'll always do it if people are flattering and kind to me but that does actually help. Should I resume a political career in the future I'll know where to turn for assistance.

On the sad case that the honourable member has mentioned, I can assure the honourable member that I always discuss that particular and related issues when I return to London. It wasn't actually on the agenda of my meeting with the Prime Minister but we did during the course of other discussions touch on it. The honourable gentleman will know the slightly more limited capacity for intervention where one is talking about somebody with resident's status rather than citizenship or a passport but we have at meetings between senior British Ministers and senior Chinese officials raised the case continually and will continue to do so. I think that it's a case which concerns everyone in Hong Kong in the same way perhaps as the case of Mr Au and Mr Wong did. There is a difference in what one is able to do in the two different cases but I appreciate that concerns will continue to be expressed, particularly if Mr Xi Yang is not in good health.

Mr Cheung Man-kwong (in Chinese): Mr Governor, tonight the Chief Secretary Mrs Anson Chan will be meeting with Director Lu Ping. So I wonder if you are aware of this Mr Governor? Would the Chief Secretary raise the Xi Yang case at tonight's meeting to secure the release of Mr Xi Yang? If the Governor is not aware of that, would you at least convey my view, that is in tonight's meeting the Xi Yang case should be raised?

And also Mr Governor, when you were in London did you also request the British Government to go through diplomatic channels? For example, send a special envoy to China to visit Mr Xi Yang? And have you also impressed upon China your hope that Mr Xi Yang should be released as soon as possible, at least on humanitarian grounds he should be released on bail so that he could seek medical treatment in Hong Kong?

Governor: I'm sure that reports of what the honourable gentleman has said will reach the Chief Secretary before her engagement this evening. I'm not sure whether Director Lu is the ideal, and I'm speaking in terms of administrative responsibility, recipient of the message but I will ensure that the message arrives at the Chief Secretary's office.

I didn't raise in London the suggestion of a special envoy but I will continue to raise the argument that British Ministers should keep in touch with their counterparts on an issue which I repeat has caused widespread concern, not only in this community but elsewhere too. It's the sort of case which I dare say I will find myself answering questions on when I go in a couple of weeks' time to the United States to argue for the renewal of MFN status against a background of concern in the United States about matters such as the one the honourable gentleman has raised.

Mr Cheng Yiu-tong (in Chinese): I have often heard the Governor and his officials saying that our term will extend until 1999 but I do have with me a collection of legal articles by the PRC and it says that it will end on 30 June 1997. So under such circumstances, will the Governor fight for the interests of this Council or would you be on hunger strike, let's say, for 50 hours let's say?

Governor: Well, I could probably make more physical use of a hunger strike than any of the lean, perfectly formed-- It is rather a pity when one pays people a compliment and they can't recognise themselves.

Let me deal with the honourable gentleman's question seriously. Nothing I have ever said seeks to argue that 30 June 1997 does not see the end of British sovereignty in Hong Kong. Equally, nothing that I have seen justifies the derailing of the so-called through train on 30 June, which has nothing to do with decisions taken by this Council or the Hong Kong Government except that those decisions which were in line with the Joint Declaration and the Basic Law were not liked by Chinese Officials.

I think that this Legislative Council should continue until 1999. I think that it would be in the community's advantage for it to do so. And I repeat that anybody who garrottes this Council in the middle of 1997 will have to justify that to opinion in Hong Kong and I dare say, since there will be quite a lot of interest in the issue, to international opinion too.

Mr Cheng Yiu-tong (in Chinese): Well, I do hope that you Mr Governor will be able to meet with Director Lu. And last time I talked about your using your charisma to charm him to Hong Kong. Now that Director Lu is in Hong Kong but you won't be meeting him and this evening Mrs Anson Chan will be meeting Mr Lu and also Mr Zhou Nan would you make use of the charisma of Mrs Anson Chan? Or, the Foreign Office officials will be also meeting them at the weekend, and then would you make use of them so as to clarify the issues so that you can protect our interests, the interests of the Legislative Council that is?

Governor: I am not sure that my charisma or lack of it has anything to do with whether or no Director Lu will meet me. There is of course an obligation on us to meet, regularly, under the MOU on the airport. It is not me that is preventing that happening.

The South China Morning Post didn't like it when I said that I thought the civilised thing to do for people in Director Lu's position and mine was to meet and talk, as happened elsewhere in the world. Well let me put the point in another way. Everybody knows in this community that it would be in the interests of Hong Kong for us to meet and discuss matters. Everybody knows that there is hardly anything that would send a better signal to the community and the outside world. When I say hardly anything, there is one thing and that is if Chinese officials would bring themselves - which they will have to do sooner or later - to begin a dialogue with those who represent the majority of public opinion here in Hong Kong.

But in the absence of Director Lu or other Chinese officials meeting me, I hope that they will have many and increasingly frequent fruitful meetings with the Chief Secretary and other senior members of my Administration. I hope that that will be the pattern for the future, even if this Patten won't be part of it.

But nothing that has been said, nothing that will be said, no reflection of anyone's charisma, is going to change the fundamentals of the position on the Legislative Council, on the Bill of Rights, on the application of the International Covenants in Hong Kong and on the faithful and successful implementation of the Joint Declaration.

End

Chief Secretary's media session at CGO

\* \* \* \* \*

The following is the transcript of a media session by the Chief Secretary, Mrs Anson Chan, this (Thursday) evening after having dinner at the Xinhua News Agency villas in Stanley:

Chief Secretary: Good evening everyone. I'm sorry to keep you all waiting. I had a very good dinner tonight with Mr Zhou Nan and Mr Lu Ping. It was a very friendly and very relaxed affair. There was a good opportunity for us to have a very frank exchange of views on transitional issues. Both sides agreed that we should set aside our differences and concentrate on intensifying co-operation in order to achieve a smooth transition. I took the opportunity to outline to Mr Lu the specific concerns of the civil service. I stressed that stability and continuity in the civil service is crucial to a smooth transition. I also pointed out that civil servants have always been impartial in their work, loyal and dedicated to serving the community and it was imperative that this should remain so. Mr Lu assured me of the importance that the Chinese side placed on the civil service. He agreed with me that stability and continuity was important and he specifically reaffirmed that civil service should remain politically neutral and loyal and dedicated to serving the people of Hong Kong. I am sure that like me, my civil service colleagues will find this very, very reassuring.

I was also able to raise with Mr Lu the question of right of abode. I pointed out that there is a great deal of concern and many questions arising out of the proposals which he outlined in his speech earlier this week and I urged Mr Lu to agree to early expert talks so that we can sort out the detailed arrangements and then we can be in a position to answer the very legitimate questions that many people have, not only Hong Kong people, but also business people.

Finally I think I should perhaps say a word about how we can intensify co-operation. We have agreed that in so far as co-operation with the preparatory committee and with the Chief Executive Officer (Designate) is concerned that we should sit down and discuss specific areas of co-operation and I was very glad to accept Mr Lu Ping's invitation to continue our discussion in Beijing very soon. We have not yet fixed a date but clearly as soon as we have agreed a date, we will make a separate announcement about that visit. So, all told, I thought this was a very good discussion. I think that civil servants will find some of the topics that we discussed and Mr Lu Ping's statement very reassuring. But there will be a need to continue for us to be sensitive to civil service concerns. Clearly there is a will to try and co-operate and not to concentrate on our differences. So I very much look forward to our continuing dialogue not only with Mr Lu but also with other Chinese leaders.

Question: Do principal officials have to support the provisional legislature in order to get through 1997?

CS: Mr Lu reaffirmed that civil servants should remain politically neutral and should remain loyal and dedicated to serving the people of Hong Kong. This will be so before 1997. Of course, after 1997, civil servants will be loyal and will serve the SAR Government and the people of Hong Kong.

Question: Chief Secretary. Thank you very much for coming to see us. Can you first sum up for us please in English which you've already said and then I have a question?

CS: I thought I did the summing up already at the start of this brief press... Yes. Let me attempt a summing up in a different way. I thought this was a very useful discussion. It gave me an opportunity to put forward certain views frankly. I think that they were... that both Mr Lu and Mr Zhou listened very attentively to what I have to say. I think they are well aware of civil service concerns. They are anxious to explore with us and to agree with us the areas in which we can co-operate so that we can achieve a smooth transition and not make life difficult for civil servants. One question, you said.

Question: You said that you agreed to set aside the differences. But in the course of the discussion, were there some disagreements between you?

CS: I think clearly there is a difference of opinion on the provisional legislature. But as I said, both sides' position is quite clear.

Question: Do you agree to co-operate selectively on certain matters?

CS: We have agreed to set aside our differences and to explore areas in which we can co-operate. And we both want to co-operate because that is ... that will help us to ensure a smooth transition. It is what the people of Hong Kong wish to see and that is what we will try and achieve. Okay. Thank you all very much.

End

Information code to be extended

\* \* \* \* \*

Seven more government agencies will be subject to the Code on Access to Information from Monday (April 22), the Government announced today (Thursday).

"This will bring the total number of government agencies covered by the Code to 82. The Code will be extended to the remaining agencies by the end of this year," a spokesman for the Efficiency Unit of the Government Secretariat said.

The additional agencies to come under the Code in April are the Auxiliary Medical Services (department), Civil Aid Services (department), Immigration Department, Official Languages Agency, Civil Service Training and Development Institute, Secretariat of the Standing Commission on Civil Service Salaries and Conditions of Service, and Secretariat of the Standing Committee on Disciplined Services Salaries and Conditions of Service.

Under the Code, anyone can seek access to information and records held by government departments. A department must provide access to the requested information unless there are specific grounds for refusal.

Anyone who thinks that a department has not complied with the Code may ask for a review, or complain to the Commissioner for Administrative Complaints.

The Code has been operating smoothly since its introduction in March 1995. A total of 855 requests for access to information were received by departments. Of these, only 27 have been rejected and 19 partially declined.

The spokesman added that the full text of the Code had been published on the Internet, together with its internal guidelines on application and interpretation and the contact details of departmental Access to Information Officers. Such information could be accessed at the World-Wide Web Government Information Centre on <http://www.info.gov.hk/access/index.htm>.

End

#### Textiles consultations with Turkey fail to proceed

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The consultations originally scheduled to be held between Hong Kong and Turkey on April 16 and 17 in Geneva over the unilateral imposition of discriminatory quotas by Turkey on textiles and clothing imports from Hong Kong could not proceed as Turkey failed to respond to Hong Kong's request for consultations on the terms agreed between the two sides.

The Deputy Director-General of Trade, Mrs Rebecca Lai, who led the Hong Kong delegation to the consultations, said today (Thursday): "Hong Kong regrets that although the consultations proposed by Hong Kong had been accepted by Turkey on February 20, Turkey stated just prior to the commencement of the first session of the consultations on April 16 that it could not proceed on the basis as requested by Hong Kong and previously agreed by Turkey in accordance with the proper procedures under the multilateral framework."

She pointed out that the purpose of the meeting on April 16 was to engage in the proposed consultations under Article XXII of the General Agreement on Tariffs and Trade (GATT).

However, she said, it proved impossible to conduct the consultations on the agreed basis and in accordance with the World Trade Organisation (WTO) dispute settlement procedures (DSU).

Article XXII.1 of the GATT provides for bilateral consultations between the requesting and responding parties (i.e. Hong Kong and Turkey in this case), and Article 4.11 of the WTO DSU allows for other members joining the Article XXII.1 consultations if they are accepted by the responding party on grounds of their substantial trade interest.

"The consultations could not proceed because Turkey and the European Communities (EC) insisted at the outset of the meeting, contrary to Hong Kong's position, that the consultations could not be considered as being conducted bilaterally between Hong Kong and Turkey," Mrs Lai said.

"Instead, Turkey demanded that Hong Kong should hold consultations with both Turkey and the EC as a so-called 'joint exercise'. Turkey tried to argue that since the quantitative restrictions have been imposed arising from the formation of the EC/Turkey Customs Union, both Turkey and the EC should jointly participate at the consultations with Hong Kong."

Mrs Lai explained that while Hong Kong had no problem with the EC participating as an interested party under the proper WTO procedures, the Turkish position of a "joint exercise" with the EC was however a derogation from the framework previously agreed between Hong Kong and Turkey, and it also deviated from the multilateral rules, Hong Kong therefore insisted that the consultations be held in accordance with the agreed framework.

"But Turkey did not agree. The consultations therefore did not take place," she said.

The Deputy Director-General of Trade elaborated that the situation was reported to the WTO Dispute Settlement Body at its meeting on April 17.

The DSU provides that WTO members should try to resolve disputes within 30 days from the date of a complaint. Having been extended by mutual agreement between Hong Kong and Turkey to April 17, the consultation period in this case had expired.

"Hong Kong is now considering the way forward. We have reserved our rights to pursue the matter further in accordance with relevant provisions of the multilateral trade agreements, including a request for the establishment of a dispute settlement panel," Mrs Lai added.

End

#### Purchase of office accommodation for HKETO in Washington

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A spokesman for the Trade and Industry Branch regretted the sensational but incorrect report published today (Thursday) in a local newspaper that the Government was purchasing a permanent office for the Hong Kong Economic and Trade Office (HKETO) in Washington secretly without seeking the voting of funds from the Finance Committee of the Legislative Council.

"It is publicly known Government policy to house HKETOs in owned premises. This is more economical in the long term and will ensure security of tenure not otherwise available in leased accommodation," the spokesman said.

The purchase of permanent accommodation for each overseas office has to be approved by the Finance Committee. To date, five HKETOs are already housed in owned accommodation and funds have already been voted for the purchase of accommodation for another four HKETOs.

"In the case of the HKETO in Washington, the purchase of accommodation was approved by the Finance Committee on July 28, 1995. As meetings of the Finance Committee are open to the public, there is no question of the matter being handled 'secretly' without public knowledge," the government spokesman said.

End

Hotline for complaints of improper debt recovery actions

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The Hong Kong Monetary Authority (HKMA) announced today (Thursday) that with effect from April 22 (Monday), the public can make use of a hotline (2878 1378) set up by the authority to lodge complaints about improper behaviour (such as intimidatory, violent or illegal actions) of debt collection agencies appointed by authorised institutions.

"This complaint channel will ensure that any irregularities on the part of debt collection agencies employed by authorised institutions will receive the immediate attention of the HKMA so that appropriate action can be taken," said Mr David Carse, Deputy Chief Executive (Banking) of the HKMA.

The HKMA, the Hong Kong Association of Banks and the Deposit-taking Companies Association have formed a working group to develop a Code of Banking Practice which aims to promote good banking practices and a fair and cordial relationship between authorised institutions and their customers.

Further guidance on the use of debt collection agencies in debt recovery actions will be considered by the working group. The HKMA has also used the occasion of the setting up of the complaint hotline to write again to the industry associations to stress the need for authorised institutions to exercise strict control over the agencies.

End

Law to enhance safety of gas installations

\* \* \* \* \*

The Gas Safety (Amendment) Bill 1996, to be gazetted tomorrow (Friday), proposes that owners of fuel gas installations such as gas works, high pressure gas pipes and gas storage facilities, should have a statutory duty to maintain and operate the installations safely.

The existing provisions of the Gas Safety Ordinance enable the Gas Authority (the Director of Electrical and Mechanical Services) to enter and inspect fuel gas installations and he does so annually.

If the inspector finds any faults, an improvement notice can be issued directing that they be remedied within a certain period.

The Bill improves on these arrangements by putting a statutory obligation on owners to ensure that their installations are maintained and operated safely and that they are inspected periodically by a competent person.

This will ensure that the owner does not wait until the Gas Authority's inspector points out faults before performing maintenance work.

A spokesman for the Gas Standards Office of the Electrical and Mechanical Services Department said : "The Gas Authority will specify how often owners should arrange for a competent person to inspect different types of installations, examine the inspection findings and issue improvement notices when necessary.

"The proposals will not only improve the safety of gas installations but also give the Department stronger powers to deal with any installation deemed to be unsafe.

"The Bill will enable the Gas Authority to effect remedial work himself if necessary or decommission the installation until it is made safe."

The spokesman stressed that "the overall safety level of gas installations is good" and decommissioning of an installation by the Department would only happen "in unusual or extreme cases".

The Bill provides that expenses incurred by the Gas Authority in doing remedial work on an installation or decommissioning it will be recoverable from the person concerned as a civil debt due to the Government.

The proposals in the Bill will apply equally to fuel gas installations owned by registered gas supply companies, the Government and numerous institutional, commercial and industrial private sector establishments such as schools, power companies, private housing developments, restaurants and factories.

The Bill also amends the Gas Safety (Gas Supply) Regulations to enable the Gas Authority to prohibit disposable liquefied petroleum gas (LPG) containers which have no valve to automatically close off the gas when the container is disconnected from a gas appliance. These containers are the sort used with camping stoves.

The spokesman said: "Experience has shown that accidents with disposable LPG containers without a closing off valve often result in the user sustaining burns."

"As the market will be adequately supplied with camping gas containers equipped with a closing off valve, we intend to prohibit the supply of those without a valve, in the interests of public safety," he said.

The Bill also enables the transfer of responsibility for the examination of gasholders from the Labour Department to the Electrical and Mechanical Services Department.

The Bill will be introduced into the Legislative Council on May 1, 1996.

End

#### Marine safety campaign in busy fairway

\* \* \* \* \*

The Marine Department and the Marine Police will jointly mount a safety campaign in the Northern Fairway, one of the busiest waterways in Hong Kong, to remind vessel operators of the International Regulations for Preventing Collisions at Sea, 1972 (COLREG).

Briefing the media on the operations, the Marine Officer of the North Marine District, Mr Eric Lau, said today (Thursday) that the Northern Fairway, which runs from the western part of Victoria Harbour to the container port in Kwai Chung, is a popular thoroughfare for barges, container vessels, high-speed ferries.

The two government departments will deploy additional launches to issue warnings to those who defy the rules of the road during the first phase of the campaign which will begin next Monday (April 22).

This fresh round of marine safety campaign follows a similar operation conducted in January this year at the central part of Victoria Harbour.

Last year there were 41 marine casualties involving local craft and river-trade vessels in the Tsing Yi area of the Northern Fairway.

"Any accident occurred in the busy fairway will seriously affect the smooth operation of our port," Mr Lau said.

"For the sake of their own safety and also that of other port users, every operator should follow strictly COLREG, particularly in the Northern Fairway where traffic is heavy," he said.

Mr Lau said that two departments will deploy much of their attention to tackle speeding offences in the coming exercise.

"The Marine Department will use a 'radar gun', a portable speed detector for use in maritime environment, to gather evidence of speeding offences," Mr Lau said.

"In addition conventional methods will also be employed in the exercise," Mr Lau said.

Launches from the two departments will set up checkpoints at strategic locations along the fairway to monitor speed engaged by the vessels in the area.

Mr Lau hoped that the week-long educational exercise will drive home the safety messages to vessel operators.

"If they fail to follow the rules of the road strictly, officers from the two departments will take enforcement action as a final course of action," he warned.

Also briefing the media was the Assistant Divisional Commander (Operations) of the Marine Police Harbour Division, Mr Kong Sai-cheong.

Mr Kong said that offenders will be prosecuted when the operation enters its second phase on April 29.

Vessel operators found contravening COLREG will be summonsed and may face maximum fine of \$25,000 upon conviction.

Masters, coxswains and persons-in-charge of vessels are advised to observe the following good practices of seamanship:

- To maintain a constant and proper lookout by sight and hearing as well as by all available means to determine whether there is a risk of collision;
- To proceed at a safe speed appropriate to the circumstances and not to exceed the maximum permitted speed;
- Not to enter marine works areas;
- To keep the Tsim Sha Tsui Light Buoy on the port side when proceeding along the Hung Hom Fairway;
- To use proper sound signals whenever it is required to do so;

- When vessels engaged in towing, the tow line should not exceed the length of the vessel being towed or two and a half times the length of the towing vessel, whichever is greater and in no circumstances other than in an emergency should a tow line be longer than 100 metres;
- Appropriate lights and signals must be displayed; and
- Not more than two vessels may be towed by a single tug at one time.

A pamphlet using cartoons to demonstrate the essential points of good seamanship will be distributed to vessel operators. Copies of the pamphlet are also available from the Marine District Offices and from the Marine Department Homepage on the Internet at <http://www.info.gov.hk/mardep>.

End

#### Board dogs in licensed places

\* \* \* \* \*

Pet owners who want to board their animals are advised to put them in licensed boarding establishments.

The appeal was made today (Thursday) by the Agriculture and Fisheries Department (AFD) following media reports of advertisements in a public housing estate inviting tenants to put their dogs into a boarding place.

An AFD senior veterinary officer, Dr K.K. Liu said that people putting pets in unlicensed boarding establishments could place their animals at risk of unnecessary suffering because of sub-standard facilities and services offered there.

"These unlicensed premises are, after all, already breaching the Public Health (Animals) (Boarding Establishment) Regulations," Dr Liu said.

He pointed out that the department is still investigating the reports to see if there are illegal practices involved.

Dr Liu also took the opportunity to remind public housing tenants who are unable to keep their animals to arrange for them to be placed in the care of others or humanely destroyed.

Under an existing arrangement between AFD and Housing Department, public housing tenants can surrender their pets at designated housing estate offices for collection by AFD staff for humane destruction.

Dog owners may also surrender their unwanted dogs to Government kennels in Shek Wu Hui, Sha Tin, Sung Wong Toi and Victoria Road direct.

Since the launching of the dog collection exercise in April 9, a total of 16 dogs have been handed over to AFD staff.

Those who want their dogs to be adopted by others can contact the RSPCA or transfer them to friends or relatives, he added.

In addition, Dr Liu gave several hints for people who want to keep dogs for pets. His hints are:

#### Select the right dog

- \* Ensure that the dog you choose suits your home;
- \* Avoid large, active breeds if there are young children or elderly people or if you have little room for the dog to exercise.

#### Avoid nuisances

- \* Prevent your dog from wandering. Put it on leash when taking it out;
- \* Do not allow your dog to bark and disturb neighbours;
- \* Clean up after your dog and dispose of dog faeces in a sanitary manner;
- \* Do not allow your dog to worry or attack other people or animals. If it is aggressive, muzzle it when taking it out.

#### Protect children from attack

- \* Do not leave children with dogs unless an adult is present;
- \* Do not let children approach feeding dogs and bitches with puppies.

#### Desex the animal

- \* Desex your dog to prevent unwanted breeding and aggression.

Dispose of unwanted animals properly

- \* Do not abandon dogs. Take them to the nearest Government kennel or RSPCA.

End

Second open forum for Conduct Council election

\* \* \* \* \*

Teachers and principals of secondary and special schools will have a chance to meet candidates for the Council on Professional Conduct in Education election at a forum on Saturday (April 20).

Assistant Director of Education (Services), Mr David Pun, said the forum provided a good opportunity for candidates competing in the category of secondary and special schools to exchange views with their voters on promoting the professional status of teachers with the establishment of the Council.

Teachers and principals are urged to attend the forum on Saturday to show their support for the election, Mr Pun said.

"The Council on Professional Conduct in Education is set up in the interest of teaching profession. It is aimed at enhancing their professional conduct and status."

This forum on Saturday will be the second and last one for the election. It will be held at 9.15 am at the Lecture Theatre, Grantham Campus I, the Hong Kong Institute of Education, Gascoigne Road, Yau Ma Tei, Kowloon.

A total of 12 candidates - eight from secondary schools and four from special schools - will contest in the election in the category of special and secondary schools. The candidates will in turn deliver a three-minute speech explaining their platforms and answer questions from the floor at the forum.

The Council on Professional Conduct in Education is a non-statutory body to advise the Government on measures to promote professional conduct in education, including the drafting of operational criteria defining the conduct expected of an educator, and to advise the Director of Education in resolving cases of dispute or alleged professional misconduct.

End

Customs and Excise Department's performance pledges for 1996

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The Customs and Excise Department announced today (Thursday) the publication of its performance pledges for 1996. It pledged to continue to provide an efficient, courteous and professional service to the public.

Included in the 1996's edition are two new pledges in connection with the "Motor Vehicle First Registration Tax Assessment". These new pledges and their respective performance standards are: firstly, the target processing time for registration of applications for motor vehicle importers and distributors should be within seven working days; and secondly, the assessment of provisional taxable value on imported vehicles should be within five working days.

In addition, to tie in with the implementation of the pledges, a series of improvements to the existing services were made.

These included the installation of new signboards and electronic indicator panels to guide applicants submitting trade declarations in the collection offices; installation of new perforating machines and computer network for Customs kiosks at Man Kam To, Lok Ma Chau and Sha Tau Kok border crossings to facilitate processing of cross-border vehicles and the introduction of a 24-hour telephone enquiry service through a computerized Interactive Voice Response System to further improve the department's telephone enquiry service.

Over the past 12 months, the Department had fully achieved the performance standards in most of its targets set. However, due to incomplete information being provided by applicants, a slightly lower achievement rate of 84.38% was recorded in relation to the issuing of dutiable commodities import and export licenses.

The Department welcomes any comments or suggestions about the ways in which its services are delivered. These should be addressed to the Commissioner of Customs and Excise, eighth floor, Harbour Building, 38 Pier Road, Central, Hong Kong. The performance pledge leaflets are available at all Customs Offices throughout the territory.

End

Immigration officers awarded long service medals

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Seventy-four Immigration Officers were today (Thursday) awarded the Hong Kong Disciplined Services Medals by the Director of Immigration, Mr Laurence Leung Ming-yin.

At the presentation ceremony held at the Immigration Headquarters, Mr Leung said the award of the long and meritorious service insignia was to honour those who have rendered long and meritorious service as members of the Immigration Service in Hong Kong.

He also congratulated all recipients and thanked them for their many years of loyalty and dedication to the Immigration Service.

At the ceremony, Assistant Director, Mr Davis Chan Ching-bor, and ten others, were awarded the second clasps to the medals for their 30 years of dedicated service.

First clasp, signifying 25 years of service, was presented to 17 Immigration Officers. Another 46 officers received the medal which marked their 18 years of service.

End

Hong Kong Monetary Authority money market operations

\* \* \* \* \*

	<u>\$ million</u>	<u>Time (hours)</u>	<u>Cumulative change (\$million)</u>
Opening balance in the account	1,779	0930	+1,020
Closing balance in the account	1,779	1000	+1,020
Change attributable to :		1100	+1,021
Money market activity	+1,021	1200	+1,021
LAF today	-1,021	1500	+1,021
		1600	+1,021

LAF rate 4.00% bid/6.00% offer TWI 123.9 \*-0.2\* 18.4.96

Hong Kong Monetary Authority

EF bills		EF notes				
Terms	Yield	Term	Issue	Coupon	Price	Yield
1 week	4.93	2 years	2802	5.16	98.59	6.07
1 month	4.98	3 years	3901	5.57	98.11	6.42
3 months	5.10	5 years	5103	6.75	99.08	7.09
6 months	5.22	7 years	7302	6.02	93.16	7.44
12 months	5.54	5 years	M502	7.30	100.40	7.32

Total turnover of EF bills and notes - \$9,999 million

Closed April 18, 1996

End