



## DAILY INFORMATION BULLETIN

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Views on proposed privacy offences being sought

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The Privacy Sub-committee of the Law Reform Commission today (Tuesday) published a consultation paper on "Regulating Surveillance and Interception of Communications".

The Sub-committee, whose chairman is the Hon Mr. Justice Mortimer, Justice of Appeal, consider that there is an increasing need for privacy and security of telecommunications. They conclude that with increasingly sophisticated technology, existing laws need to be updated to provide adequate and effective protection to the privacy of communications and safeguards against arbitrary or unlawful interference with a person's privacy or correspondence.

The Sub-committee believe that physical surveillance is a sufficiently serious intrusion into a person's privacy to warrant the use of criminal sanctions, and they recommend the creation of three criminal offences along the following lines:

- \* entering private premises as a trespasser with intent to observe, overhear or obtain personal information therein;
- \* placing or using in private premises a sense-enhancing, transmitting or recording device without the consent of the lawful occupier; and
- \* placing or using a sense-enhancing, transmitting or recording device outside private premises with the intention of monitoring the activities of the occupant without the consent of the lawful occupier.

As regards interception of communications, the Sub-committee agree that the integrity of the public communications systems should be protected. They recommend that it should be an offence intentionally to intercept or interfere with a communication transmitted by a mail or telecommunications system.

As the Sub-committee consider that private communications should also be protected, they recommend that it should be an offence intentionally to intercept or interfere with a communication by means of a technical device, whether or not the communication itself is mediated by means of such a device. However, this offence should be subject to a proviso that the interception concerned could not have been effected without the use of a device. This is to exclude communications which could in any event be casually overheard by a third party.

The Sub-committee acknowledge that there are circumstances where surveillance or interception of communications may be justified on legitimate grounds. They therefore recommend a warrant system which allows application to be made to the High Court for the issue of a warrant authorising intrusion for the purpose of preventing or detecting serious crime, or for the purpose of security, defence or international relations in respect of Hong Kong.

They recommend that a Justice of Appeal should be appointed as the supervisory authority to review the issue of warrants. Any person who suffers loss as a result of an unauthorised intrusion should be able to claim compensation.

The supervisory authority is also expected to furnish annual reports to the Governor and the Legislative Council, covering such matters as the number of warrants authorised and their average length and extensions.

The consultation paper is issued to elicit comments on the preliminary recommendations made by the Sub-committee. The consultation period will expire on June 15, 1996. The Secretary to the Commission, Mr Stuart Stoker, stressed the importance of the consultation process in ensuring that any final recommendations by the Commission were workable and broadly acceptable to the community.

The paper is available on the Government home page <http://www.info.gov.hk> (under "topical information: - consultation paper"). Anyone who wishes to obtain a hard copy of the paper should contact the Secretary to the Commission, 20th floor, Harcourt House, 39 Gloucester Road, Wan Chai, Hong Kong. All submissions should reach the Secretary of the Privacy Sub-committee at the same address or by facsimile on 2865 2902.

End

Publication of consultation paper on privacy welcomed

\* \* \* \* \*

The Government welcomes the publication of the consultation paper on "Regulating Surveillance and Interception of Communications" by the Privacy Sub-committee of the Law Reform Commission today (Tuesday).

"We will study the Paper carefully and consult within the Government, seeking the views of the departments concerned," a Government spokesman said.

"Particular attention will be paid to the operation implications of the Sub-committee's recommendations.

"Once our study is completed, we will pass on our views to the Sub-committee as soon as possible."

The spokesman noted that a lot of time and effort had been put into the consultation paper by the Sub-committee, the deliberation of which had included looking at the position in various countries overseas.

"We are looking forward to the final report by the Commission and will take it from there to form a view on what changes to existing legislation will be necessary," he said.

End

Government welcomes SFC consultative document

\* \* \* \* \*

In response to media enquiries on a consultative document on a draft Bill which seeks to consolidate all securities and futures-related ordinances and introduce reforms to the regulatory framework, a Financial Services Branch spokesman said today (Tuesday):

"We welcome the publication by the Securities and Futures Commission (SFC) of the consultative document .

"We see this as a final and very important step to implementing the recommendations in the Report on the Securities Review Committee.

"As some of the proposals in the draft Bill involve major policy changes which would have far-reaching implications for investors and the securities and futures industry, we therefore welcome the SFC's move to consult widely and substantively on these proposals.

"The Government will carefully assess the views and comments expressed during the consultation period before formulating proposals for the consideration of the Executive Council.

"We hope to introduce the Bill into the Legislative Council in the next legislative session."

End

Transcript of remarks by Governor

\* \* \* \* \*

Following is the transcript of the remarks made by the Governor, the Rt Hon Christopher Patten, to the media at Government House after meeting Mr Paul Au Wing-cheung and Mr Wong Chuen-ming this (Tuesday) afternoon:

I just like to say that I'm delighted to have been able to meet Mr Au and Mr Wong today. I know that the whole community is absolutely delighted that they've been released. We welcome them all back to Hong Kong and I think that it's not only their family and friends who are impressed by the strength which they've shown during this ordeal. We're delighted that it's now over and we very much hope that they'll be able to resume a normal life and put the experience of the last few years behind them. But I'm delighted to have been able to welcome them today and I'm obviously grateful to all those members of the community, in the Legislative Council, in the media and elsewhere who have taken such a great interest in their case. Thank you very much indeed.

End

Opening of North East New Territories Landfill

\* \* \* \* \*

North East New Territories (NENT) Landfill, the last of the Government's three strategic landfills, is officially opened today (Tuesday).

Situated in an uninhabited valley next to Wong Mau Hang Shan in Ta Kwu Ling on the north eastern part of the New Territories, the NENT landfill is capable of receiving a total of 35 million tonnes of waste from both public and private waste collectors over the next two decades.

The \$2.6 billion landfill provides a large scale environmentally friendly disposal facility for municipal and construction waste in the northeast New Territories, following the closure of Shuen Wan Landfill.

State-of-the-art environmental protection technology has been engineered into the development of this landfill to prevent pollution to the environment.

Continuous monitoring of air, noise, groundwater and surface water quality within and near the landfill is being carried out to ensure that high environmental standards are met.

Officiating at the opening ceremony, North District Board Chairman, Mr Tang Kwok-yung, said the opening of the NENT landfill marked a milestone in the history of Hong Kong's solid waste management and environmental protection.

He said the North District Board had all along been committed to improving the environment.

Mr Tang said he hoped that with the co-operation of relevant government departments, environmental impacts of the landfill would be kept to the minimum.

Also present at the opening ceremony were the Assistant Director of Environmental Protection, Mr Mike Stokoe and the Chairman of Far East Landfill Technologies Limited, Mr Jean-Claude Lebel.

End

Immigration (Amendment) Bill 1996 to be introduced

\* \* \* \* \*

The Government announced today (Tuesday) that a Bill will soon be introduced into the Legislative Council aiming at preventing Vietnamese migrants (VMs) from seeking release from detention in the wake of a Privy Council judgement, until they have been rejected by the Vietnamese authorities for repatriation.

The Immigration (Amendment) Bill 1996 provides that where a VM claims that he is not a Vietnamese national, that the purpose of his detention is spent and hence should be released, the court shall not find that the purpose of his detention has failed until the Vietnamese Government has formally rejected the return of such a person.

"The most important factor in any question of alleged rejection by Vietnam, must be the response by Vietnam in the individual case - until then it is an exercise in speculation," a Government spokesman said.

"The Vietnamese authorities give answers in every case. If they take too long the detainee can still apply for release by habeas corpus.

"There is no question of the Bill seeking to encroach on human rights principles, and the Bill is in line with the International Covenant on Civil and Political Rights," he said.

Noting that there are still 7,000 VMs whose return has not yet been cleared by the Vietnamese Government, the spokesman said: "The longer the loophole remains unplugged, the longer we will be exposed to the possibility of having to release more migrants."

"We therefore hope the Bill will be studied by the Legislative Council and passed into law as quickly as possible."

The Bill will be made available to all Legislative Council Members this afternoon and will be published in the Gazette this Friday.

A meeting of the Legislative Council Security Panel has been scheduled for tomorrow (Wednesday) to discuss the Bill.

End

#### 119 VMs depart on Orderly Repatriation flight

\* \* \* \* \*

A group of 119 Vietnamese migrants (VMs) returned by air to Hanoi, Vietnam today (Tuesday) on the 33rd flight under the Orderly Repatriation Programme (ORP).

All of the returnees, comprising 77 men, 26 women, six boys and 10 girls, are from North Vietnam.

The majority of them arrived in Hong Kong in 1989 and 1995, with the remaining in 1988 and 1991.

The group brought to 2,398 the total number repatriated on ORP flights since November 1991.

End

Monitors' report submitted to CS

\* \* \* \* \*

The monitors appointed to observe the Orderly Repatriation Programme operation this (Tuesday) morning have submitted their report to the Chief Secretary.

The monitors were Mrs Alice Lam Lee Kiu-yue, a Justice of the Peace, and Ms Harriet Sewell from Christian Action.

End

Exhibition on environmental protection

\* \* \* \* \*

A two-day exhibition on achievements made on the environmental front in the past 10 years as well as goals set for the coming years by the Government will be put up at the Landmark starting tomorrow (Wednesday).

The event is organised by the Environmental Protection Department (EPD) to mark its 10th year of service to the community.

"The exhibits will include environmental milestones made since 1986, when the department was set up," EPD's Assistant Director, Mr John Boxall, said.

Among the milestones are the declaration of water control zones, commissioning of various waste facilities, introduction of anti-pollution legislation and the setting up of Local Control Offices.

Also on display are issues that need to be addressed in the coming years, which include the enactment of environmental impact assessment legislation, further controls on vehicle emissions and formulation of strategies for waste reduction.

"We are certainly not being complacent as much more still needs to be done in tackling our environmental problems," Mr Boxall said.

The exhibition will also be staged in Empire Centre in Tsim Sha Tsui on April 27 and 28.

Members of the public will also have an opportunity to understand pollution problems as well as work being carried out by the EPD in protecting their living environment through visits to the department's Local Control Offices (LCOs) on their open days.

"The LCOs are set up to serve local communities by controlling polluting activities, taking enforcement actions, and handling enquiries and complaints," the spokesman said.

Following is a timetable for the LCO open days:

Name of LCO	Address	Date of open day
Territory North	Units 1-10, 11/F, Grand Central Plaza Tower 1, 138 Shatin Rural Committee Road, Shatin	21.4.96
Territory East	5/F, Nan Fung Commercial Centre, 19 Lam Lok Street, Kowloon Bay, Kowloon	28.4.96
Territory South	2/F, Chinachem Exchange Square, 1 Hoi Wan Street, Quarry Bay	5.5.96
Urban West	8/F, Tsuen Wan Government Office, 38 Sai Lau Kok Road, Tsuen Wan	5.5.96

End

#### Macau delegation visits Civil Service Branch

\* \* \* \* \*

The Secretary for the Civil Service, Mr W K Lam, today (Tuesday) received a delegation from the Macau Administration and Civil Service Department and the Macau Polytechnic Institute.

Welcoming the 12-member delegation headed by Mr Ho Veng On, Vice-director of the Administration and Civil Service Department, Mr Lam said the visit was timely because the delegates would be able to see the two institutes under the Civil Service Branch which have just taken on a new identity as from April 1. They are the Civil Service Training and Development Institute (CSTDI) and the Official Languages Agency (OLA).

In their visit to CSTDI, the delegates were briefed on the merger of the former Civil Service Training Centre and the Senior Staff Training Centre to become the CSTDI in order to achieve better efficiency and effectiveness in the provision of civil service training.

During their visit to OLA, the delegates were informed that this set up evolved from the former Chinese Language Division. In addition to providing translation and interpretation services, the OLA has taken on the role of promoting wider use of Chinese within the civil service.

The delegation was also briefed on the government's policy regarding the management of human resources and the computer system to capture and retain the information regarding such resources.

End

#### Provision of international school places

\* \* \* \* \*

The Deputy Director of Education, Mr Kwan Ting-fai, today (Tuesday) assured that Hong Kong will continue its proactive approach in the provision of international school places.

Speaking at an AmCham Education Luncheon Seminar, Mr Kwan said a team had been established to implement the recommendations of the Working Group on the Provision of International School Places.

"To meet the additional requirement for international school places in the next five years, we already have three projects in the pipeline. These can provide around 3000 additional places by the year 2000," Mr Kwan said.

"We are working closely with the Planning Department to find suitable sites for international schools. Some possibilities have been identified. We will further explore their feasibility."

Mr Kwan is confident that the additional requirement for international school places in the next five years will be met.

He added that the team is now working hard at establishing the procedures for providing the new package of government assistance which was recommended by the working group.

"We hope to have the procedures in place as soon as possible to enable the provision of interest-free loan for new international schools and extensions."

Mr Kwan noted that the working group in November 1994 had reviewed international school place provision from quantity and quality perspectives.

After studying the findings of three commissioned surveys as well as available material, the working group made recommendations on the provision of international school places, government financial assistance and admission.

According to the survey, the requirement for additional international school places is estimated to be 7,400 by the year 2000.

The Education Department will review such requirement annually to keep up with the latest development in the international school scene, he added.

Mr Kwan noted that the working group had also recommended a continuation of land grant at nominal premium, with an improved application procedure, and a new interest-free loan specially for international schools.

Under the improved procedure for land grant, the Planning Department will search for suitable sites for international schools and appropriate sponsoring bodies will be invited to apply for land grants.

The interest-free loan is intended to assist the building of new international schools or extensions. The loan will amount up to 100 per cent of the standard cost of building a standard design primary or secondary public sector school.

The working group considered that since international schools now have their own package of financial assistance, there is little justification for them to remain with, or join, the Direct Subsidy Scheme.

"The four international schools already admitted into the DSS will therefore phase out of the scheme when their affected students leave the school," he noted.

The working group recommended that to ensure these schools serve the target group of students, the Director of Education can exercise his/her powers to require international schools receiving government financial assistance to make rectification in their admissions.

Mr Kwan said that the Government's consistently proactive approach towards international school places provision, along with the improved package of financial assistance, reflect Hong Kong's commitment to become a "business-friendly Government", as mentioned in the Financial Secretary's pledge in his recent budget speech.

End

#### 71 pollution convictions in March

\* \* \* \* \*

A total of 71 convictions were made in the courts last month (March) for breaching anti-pollution legislation enforced by the Environmental Protection Department.

Among them, 20 were convictions made under the Water Pollution Control Ordinance (WPCO), 16 under the Noise Control Ordinance (NCO), 13 under the Air Pollution Control Ordinance (APCO), 20 under the Waste Disposal Ordinance (WDO) and two under the Dumping At Sea Act 1974 (Overseas Territories) Order 1975 (DASO).

The fines imposed on the offenders ranged from \$2,500 to \$180,000. Fanta Construction Company Limited was fined \$180,000 and \$90,000 on a separate occasion for permitting the loading of substances for dumping at sea not in accordance with licence conditions.

End

### Employment exhibition at City Hall tomorrow

\* \* \* \* \*

An "Employment Information Post" exhibition will be held at the Hong Kong City Hall tomorrow (Wednesday) to help job-seekers find jobs and assist employers to recruit suitable staff.

A total of 23 employers from different trades including manufacturing, catering, department store, tourism, retail, property management, trade and community services will participate in the event providing some 700 vacancies for application at the venue.

They will brief job seekers on their vacancies and can arrange job interviews on the spot or on a later date.

Three retraining institutes will be giving talks on their retraining courses and the latest information on the labour market.

Visitors will be briefed on employment services being provided by the Labour Department's Job Matching Programme and they can register for the services on the spot.

The event is jointly organised by the Labour Department, the Employees Retraining Board, the Federation of Hong Kong Industries, the Chinese Manufacturers' Association of Hong Kong, the Chinese General Chamber of Commerce and the Hong Kong General Chamber of Commerce.

All Hong Kong residents looking for jobs are welcome to visit the Employment Information Post from 11 am to 6 pm at the Exhibition Hall, Hong Kong City Hall, Lower Block, Central. Admission is free.

End

### Unlicensed guesthouse operator fined

\* \* \* \* \*

A guesthouse operator was fined \$20,000 in the San Po Kong Magistracy today (Tuesday) after pleading guilty to running a guesthouse in Kowloon Tong without a licence.

The court heard that officers of the Home Affairs Department's Office of the Licensing Authority (OLA) inspected a premises at 18-20 Essex Crescent on December 11 last year and found it being operated as a guesthouse without a licence.

The operator was later charged under Section 5 of the Hotel and Guesthouse Accommodation Ordinance.

A spokesman for the department said that illegal guesthouses would not be tolerated and enforcement action would continue to be taken to eliminate such premises.

He said efforts would be stepped up to ensure all guesthouses met the required building and fire safety standards and were properly licensed.

He also appealed to the public to help in the effort to crack down on unlicensed guesthouses by reporting them to the OLA on 2881 7034.

End

#### Woman jailed for employment contract fraud

\* \* \* \* \*

The Immigration Department today (Tuesday) warned that all foreign domestic helpers are only permitted to perform domestic duties for their specific employers under an approved employment contract. They are liable to prosecution if they were found to have breached their condition of stay.

An Immigration spokesman said: "Under the laws of Hong Kong, it is an offence to furnish false information to immigration officers in obtaining visa for Hong Kong. Offenders, together with the aider and abettor, are liable to heavy penalty."

The renewed warning was issued following a court case in which a Filipina was sentenced to 12 months' imprisonment by Western Magistracy for preparing forged employment contracts to support domestic helpers' applications for entry visa and extension of stay.

The defendant, a manageress of an employment agent, was found guilty of two counts of aiding and abetting the making of false representation to an immigration officer and one count of conspiracy to defraud.

She was prosecuted for applying entry visa and extension of stay on two separate occasions in 1991 and 1992 for a Philippines domestic helper who had never actually worked for her.

In other cases, the defendant was found guilty of assisting in the entry visa applications of foreign domestic helpers with copies of Hong Kong identity cards and proof of income she obtained unlawfully from some Hong Kong residents.

She received a reward of between \$1,500 and \$8,000 in each case.

End

#### Index of industrial production for 1995

\* \* \* \* \*

The index of industrial production for the whole year of 1995 increased slightly, by 0.9% over 1994, according to the results of a survey released today (Tuesday) by the Census and Statistics Department. This represented a modest improvement from the decline of 1% in 1993 and virtually no growth in 1994.

The production in the industry group of electrical and electronic products, machinery, professional equipment and optical goods rose by 9%. Within this group, the production of machinery, equipment, apparatus, parts and components increased markedly, by 15%, but the production of consumer electrical and electronic products decreased slightly, by 1.1%.

Output of the wearing apparel (except footwear) industry and paper products and printing industry group increased slightly, by 1.3% and 0.2% respectively.

On the other hand, a decrease of 5.1% was registered in the industry group of chemical, rubber, plastic and non-metallic mineral products. Within this group, the production of plastic products decreased markedly, by 15.5%.

Output of the textiles (including knitting) industry decreased moderately by 3.9%.

Small decreases were recorded in the industry groups of basic metals and fabricated metal products (-1.5%) and food, beverages and tobacco (-0.4%).

The index of industrial production for the fourth quarter of 1995 decreased moderately, by 2.4% and 2.7% respectively over the same quarter of 1994 and the third quarter of 1995.

The index of industrial production reflects changes of local manufacturing output in real terms. In other words, it measures the volume of local production after discounting the effect of price changes.

More detailed information can be obtained from the "Quarterly Index of Industrial Production, 4th Quarter 1995" report, which is on sale at \$11 a copy at the Government Publications Sales Centre, Low Block, ground floor, Queensway Government Offices, 66 Queensway, Hong Kong, or at the Census and Statistics Department Publications Unit, 19th floor, Wanchai Tower, 12 Harbour Road, Wan Chai. Regular subscription may also be arranged.

Enquiries about the survey result may be directed to the General Economic Surveys Section of the Census and Statistics Department on 2805 6643.

Indices of industrial production by industry group and  
selected component industry  
(1986 = 100)

Industry group / Selected component industry	Index for 4th Qtr. 1995	% change over		Percentage change in the index for 1995 as a whole
		4th Qtr. 1994	3rd Qtr. 1995	
1. Food, beverages and tobacco	172	-2.7	+6.1	-0.4
2. Wearing apparel (except footwear)	129	-3.2	+1.9	+1.3
3. Textiles (including knitting)	113	-16.4	-15.0	-3.9
4. Paper products and printing	261	-3.3	-14.9	+0.2
5. Chemical, rubber, plastic and non-metallic mineral products	65	-2.7	+0.8	-5.1
within which : Plastic products	(38)	(-15.6)	(-5.7)	(-15.5)
6. Basic metals and fabricated metal products	94	-2.1	-2.9	-1.5
within which : Fabricated metal products (except machinery and equipment)	(91)	(-3.7)	(-4.3)	(-4.0)
7. Electrical and electronic products, machinery, professional equipment and optical goods	199	+10.8	+3.8	+9.0
within which : Consumer electrical and electronic products	(107)	(-6.6)	(-14.4)	(-1.1)
: Machinery, equipment, apparatus, parts and components	(321)	(+20.4)	(+9.7)	(+15.0)
8. Miscellaneous manufacturing industries	84	-3.8	*	-4.3
ALL MANUFACTURING INDUSTRIES	134	-2.4	-2.7	+0.9

Notes : 1. Four selected component industries, which carry relatively large weights and are major components of their relevant industry groups, are also included in the above table. For easy reading, the figures of these selected component industries are shown in brackets.

2. As from the first quarter of 1992, the Hong Kong Standard Industrial Classification (HSIC) is used to form the industry groups and selected component industries presented in the above table. For the exact coverage of the industry groups and component industries in terms of HSIC codes, please refer to the publication 'Quarterly Index of Industrial Production, 4th Quarter 1995'.

\* Change within  $\pm 0.05\%$

End

Hong Kong Monetary Authority tender results

\* \* \* \* \*

Tender date	16 Apr 96	16 Apr 96
Paper on offer	EF bills	EF bills
Issue number	Q616	Y688
Issue date	17 Apr 96	17 Apr 96
Maturity date	17 Jul 96	16 Apr 97
Amount applied	HK\$5,510 MN	HK\$2,400 MN
Amount allotted	HK\$1,500 MN	HK\$500 MN
Average yield accepted	5.06 PCT	5.48 PCT
Highest yield accepted	5.08 PCT	5.49 PCT
Pro rata ratio	About 31 PCT	About 10 PCT
Average tender yield	5.09 PCT	5.51 PCT

Hong Kong Monetary Authority

Tenders to be held in the week beginning April 22, 1996 -

Tender date	22 Apr 96	23 Apr 96	23 Apr 96
Paper on offer	EF notes	EF bills	EF bills
Issue number	3904	Q617	H663
Issue date	23 Apr 1996	24 Apr 1996	24 Apr 1996
Maturity date	23 Apr 1999	24 Jul 1996	23 Oct 1996
Tenor	3 years	91 days	182 days
Amount on offer	HK\$500+100 MN	HK\$1,500+300 MN	HK\$800+160 MN
Coupon	6.30 PCT		

End

Hong Kong Monetary Authority money market operations

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	<u>\$million</u>	<u>Time (hours)</u>	<u>Cumulative change (\$million)</u>
Opening balance in the account	1,833	0930	+967
Closing balance in the account	1,358	1000	+967
Change attributable to :		1100	+967
Money market activity	+960	1200	+965
LAF today	-1,435	1500	+965
		1600	+960

LAF rate 4.00% bid/6.00% offer TWI 124.1 \*+0.0\* 16.4.96

Hong Kong Monetary Authority

EF bills		EF notes				
Terms	Yield	Term	Issue	Coupon	Price	Yield
1 week	4.93	2 years	2802	5.16	98.67	6.02
1 month	4.99	3 years	3901	5.57	98.28	6.35
3 months	5.07	5 years	5103	6.75	99.44	7.00
6 months	5.17	7 years	7302	6.02	93.68	7.33
12 months	5.48	5 years	M502	7.30	100.56	7.28

Total turnover of EF bills and notes - \$21,307 million

Closed April 16, 1996

End