



DAILY INFORMATION BULLETIN

WEDNESDAY, MARCH 14, 1979

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TAX APPEAL BILL

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A BILL WHICH SEEKS TO FACILITATE JUDICIAL PROCEEDINGS BETWEEN TAXPAYERS AND THE COMMISSIONER OF INLAND REVENUE HAD ITS SECOND READING IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE INLAND REVENUE (AMENDMENT) (NO. 3) BILL, THE FINANCIAL SECRETARY, THE HON. PHILIP HADDON-CAVE SAID +CLAUSE 3 OF THE BILL INTRODUCES A NEW PROCEDURE WHEREBY DIRECT APPEAL AGAINST THE COMMISSIONER'S DETERMINATION MAY BE MADE TO THE HIGH COURT, IF THE PARTIES CONCERNED ARE IN AGREEMENT.+

HE SAID THE PROPOSAL TO PROVIDE FOR THE RIGHT OF DIRECT APPEAL, BY-PASSING THE BOARD OF REVIEW, WAS MADE IN THE INTERESTS OF BOTH THE COMMISSIONER OF INLAND REVENUE AND TAXPAYERS.

+THE COMMISSIONER WISHES TO SEE THAT, IN CASES WHICH INVOLVE IMPORTANT OR DIFFICULT POINTS OF LAW, BINDING JUDICIAL PRECEDENTS ARE ESTABLISHED AS SOON AS POSSIBLE.+

THE FINANCIAL SECRETARY SAID THE TAXPAYERS ALSO WISHED TO SEE THAT THEIR EXPENSES ARE MINIMISED.

WHERE LARGE SUMS ARE IN DISPUTE, A TAXPAYER OFTEN ENGAGES AT HIS EXPENSE, A TAX LAWYER TO REPRESENT HIM BEFORE THE BOARD BECAUSE ADVERSE DECISIONS BY THE BOARD, PARTICULARLY ON QUESTIONS OF FACT, ARE VERY DIFFICULT TO UPSET THE SUBSEQUENT APPEALS TO THE COURTS.

+IN SUCH CASES, IT OUGHT TO BE POSSIBLE, IF THE PARTIES SO PREFER, TO HAVE THE APPEAL ARGUED BEFORE THE HIGH COURT.+

MR. HADDON-CAVE SAID AT PRESENT AND NOT INFREQUENTLY, CASES CONCERNING IMPORTANT QUESTIONS OF THE LAW, AS DETERMINED BY THE BOARD, +ARE SUBSEQUENTLY TAKEN ON APPEAL TO THE HIGH COURT.+

+HOWEVER, NO SUCH ENABLING PROVISIONS IS CONTAINED IN THE PRESENT SUPREME COURT ORDINANCE. CLAUSE 5 OF THE BILL PROPOSES TO RESTORE A PROCEDURE WHICH EXISTED PRIOR TO THE ENACTMENT OF THE SUPREME COURT ORDINANCE IN FEBRUARY 1976, WHEREBY AN APPEAL AGAINST A DECISION OF THE BOARD OF REVIEW MAY BE MADE DIRECT TO THE COURT OF APPEAL WITHOUT GOING THROUGH THE HIGH COURT FIRST, SUBJECT TO THE LEAVE OF THE COURT OF APPEAL.

+FINALLY, CLAUSE 2 OF THE BILL SEEKS TO INTRODUCE TWO MINOR TECHNICAL AMENDMENTS TO SECTION 63C(1) OF THE PRINCIPAL ORDINANCE TO MAKE IT CLEAR THAT IN ASSESSING PROVISIONAL SALARIES TAX FOR ANY YEAR OF ASSESSMENT, LOSSES AVAILABLE FOR SET-OFF IN THAT YEAR WILL BE TAKEN INTO ACCOUNT.

+BUT, NEEDLESS TO SAY, LOSSES TAKEN INTO ACCOUNT IN THE PRECEDING YEAR WILL NOT AGAIN BE AVAILABLE FOR SET-OFF IN THAT YEAR OF ASSESSMENT. CLAUSE 2 ALSO PROVIDES THAT THE STANDARD RATE APPLICABLE TO PROVISIONAL SALARIES TAX WILL BE THE RATE PREVAILING IN THE YEAR OF ASSESSMENT.+

MR. HADDON-CAVE SAID THESE TWO PROPOSED AMENDMENTS TO SECTION 63C(1) +GIVE LEGISLATIVE EFFECT TO EXISTING DEPARTMENTAL PRACTICE AND WILL OPERATE TO THE ADVANTAGE OF TAXPAYERS.

EARLIER, THE FINANCIAL SECRETARY TOLD THE COUNCIL THAT THE INLAND REVENUE ORDINANCE PRESENTLY PROVIDES FOR THREE LEVELS OF APPEALS:

- * A RIGHT OF OBJECTION TO THE COMMISSIONER OF INLAND REVENUE AGAINST AN ASSESSMENT MADE BY THE ASSESSOR-
- * A RIGHT OF APPEAL TO THE BOARD OF REVIEW AGAINST THE COMMISSIONER'S DETERMINATION OF THE OBJECTION AND,
- * A RIGHT OF APPEAL TO THE HIGH COURT, ON A POINT OF LAW, AGAINST THE BOARD'S DECISION.

DEBATE ON THE BILL WAS ADJOURNED.

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EMPLOYMENT (AMENDMENT) BILL 1979 PASSED
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AN AMENDMENT BILL CLARIFYING THE EXISTING WORDINGS ON THE PROVISIONS OF PAID ANNUAL LEAVE FOR WORKERS COVERED BY THE EMPLOYMENT ORDINANCE WAS PASSED BY THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SPEAKING ON THE EMPLOYMENT (AMENDMENT) BILL 1979, THE COMMISSIONER FOR LABOUR, THE HON. NEIL HENDERSON, SAID THE BILL INTRODUCED NO CHANGES OF POLICY, OR ADDITIONAL PROVISIONS, BUT HELPED TO ENSURE EMPLOYEES GET THEIR LEAVE AS INTENDED.

THE AMENDMENTS MADE CLEAR THE FOLLOWING POINTS :-

- * THAT IF A REST DAY OR HOLIDAY FALLS WITHIN ANY PERIOD OF ANNUAL LEAVE GRANTED, IT MUST BE GRANTED AS ANNUAL LEAVE AND ANOTHER REST DAY OR HOLIDAY MUST BE SUBSTITUTED IN ACCORDANCE WITH EXISTING PROVISIONS GOVERNING SUBSTITUTIONS.
- * THAT ANNUAL LEAVE IS IN ADDITION TO THE REST DAYS AND STATUTORY HOLIDAYS.
- * THAT EACH OF THE SEVEN DAYS ANNUAL LEAVE MUST BE A PAID DAY.
- * THAT A PERSON COMPLETING THREE MONTHS OF SERVICE OR MORE WILL BE ENTITLED TO PROPORTIONATE ANNUAL LEAVE PAY.

THREE UNOFFICIAL MEMBERS SPOKE IN SUPPORT OF THE AMENDMENT BILL.

BUT THE REV. THE HON. PATRICK MCGOVERN SAID HE STILL HAD MISGIVINGS.

WHILE HE SUPPORTED THE BILL'S AIM TO REMOVE CONFUSION BETWEEN STATUTORY HOLIDAYS AND REST DAYS, AND THE ADDITIONAL SEVEN CONSECUTIVE DAYS PAID ANNUAL LEAVE, HE THOUGHT THE COMPROMISE FLEXIBILITY CLAUSE ALLOWING ONLY FOUR CONSECUTIVE DAYS, IF THE EMPLOYEE SO REQUESTS, WAS OPEN TO MISUNDERSTANDING AND ABUSE.

+THE MAJORITY OF EMPLOYEES IN HONG KONG ARE IN NO POSITION TO MAKE REQUESTS. MANY OF THEM HAVE BEEN BRAINWASHED INTO THEIR EMPLOYERS' OWN MENTALITY THAT A WORKER IS THERE TO DO WHAT HE IS TOLD, AND SHOULD FEEL HONOURED TO HAVE THE PRIVILEGE OF BEING ALLOWED TO DO SO,+ HE SAID.

FR. MCGOVERN ALSO POINTED OUT THAT IF A WORKER DOES REQUEST, FREELY OR UNDER THREAT, TO OPT FOR FOUR CONSECUTIVE DAYS INSTEAD OF SEVEN, HE STILL HAS NO FREEDOM OF CHOICE AS TO WHEN HE TAKES THE REMAINING THREE DAYS.

THE ORDINANCE STATES THAT +... THE TIME WHEN THE LEAVE IS SO GRANTED SHALL BE APPOINTED BY THE EMPLOYER.+ IT GOES ON -- +AFTER CONSULTATION WITH THE EMPLOYEE OR HIS REPRESENTATIVES.+

+YOU CAN FORGET ABOUT THE REST OF THE SENTENCE,+ FR. MCGOVERN SAID. +THIS IS HONG KONG WHERE CONSULTATION WITH EMPLOYEES IS ABOUT AS RARE AS FRESH LICHEES AT CHRISTMAS TIME.+

HE REFERRED TO THE LATEST HONG KONG ANNUAL REPORT WHERE IT IS SAID THAT 25 ESTABLISHMENTS WERE KNOWN TO THE LABOUR DEPARTMENT TO HAVE FORMAL JOINT CONSULTATION COMMITTEES.

IT IS NOT CLEAR WHETHER THIS WAS 25 OUT OF THE SOME 59,000 REGISTERED COMPANIES, OR THE 39,000 MORE ODD MANUFACTURING ESTABLISHMENTS.

+BUT IN EITHER CASE THE FIGURE IS A FAIR INDICATION OF THE PART CONSULTATION PLAYS IN THE LIFE OF A HONG KONG WORKER,+ HE SAID.

THE HON. FRANCIS TIEN FULLY SUPPORTED THE BILL AND POINTED OUT THAT THERE HAD BEEN AMPLE OPPORTUNITY FOR BOTH EMPLOYERS AND EMPLOYEES TO PUT THE PAID ANNUAL LEAVE PROVISIONS INTO PRACTICE.

RECENTLY, HE SAID, THE PRESS HAD REPORTED THAT IN THE MANUFACTURING SECTOR IN PARTICULAR, EMPLOYERS HAD COMBINED THE SEVEN DAYS PAID ANNUAL LEAVE WITH THOSE OF THE STATUTORY LUNAR NEW YEAR HOLIDAYS, AND THIS HAD ENABLED MANY WORKERS TO PAY CUSTOMARY VISITS TO THEIR RELATIVES IN CHINA.

THE HON. PETER C. WONG SAID THAT AFTER CAREFUL STUDY, HE WAS SATISFIED THAT THE BILL HAD ACHIEVED ITS OBJECTIVE OF REMOVING AMBIGUITIES.

HE SAID HE WOULD ALWAYS GIVE WHOLE-HEARTED SUPPORT TO ANY PROPOSAL TO REMOVE VAGUENESS AND IMPRECISION IN LEGISLATION.

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NEW DEPUTY SECRETARY FOR CIVIL SERVICE APPOINTED
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THE SECRETARY FOR THE CIVIL SERVICE TODAY (WEDNESDAY) ANNOUNCED THE APPOINTMENT OF MR. JAMES SO, 38, AS A DEPUTY SECRETARY IN THE CIVIL SERVICE BRANCH OF THE GOVERNMENT SECRETARIAT. HE WILL BE ONE OF THE THREE DEPUTY SECRETARIES IN THE CIVIL SERVICE BRANCH.

IN HIS NEW APPOINTMENT, MR. SO WILL BE RESPONSIBLE FOR POLICY ON CONDITIONS OF SERVICE, HOUSING AND QUARTERING, DISCIPLINE, STAFF MANAGEMENT AND STAFF RELATIONS IN THE CIVIL SERVICE.

MR. SO WILL REPLACE MR. JOHN HUNTER WHO WILL BE RETIRING EARLY IN MAY.

HE WAS APPOINTED AN ADMINISTRATIVE OFFICER IN 1966 AND HAS SINCE WORKED IN THE RESETTLEMENT DEPARTMENT, THE HOME AFFAIRS DEPARTMENT, THE URBAN SERVICES DEPARTMENT AND SEVERAL BRANCHES OF THE GOVERNMENT SECRETARIAT.

HE IS AT PRESENT THE PRINCIPAL ASSISTANT SECRETARY IN THE HOME AFFAIRS BRANCH OF THE SECRETARIAT RESPONSIBLE FOR YOUTH AND RECREATION PROGRAMMES.

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ADVICE ON FUTURE DEMAND FOR LAWYERS
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THE SECOND READING OF THE LEGAL PRACTITIONERS (AMENDMENT) BILL 1979 WAS MOVED BY THE ATTORNEY GENERAL, THE HON. JOHN HOBLEY AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IT MAKES TWO PROPOSALS.

+FIRSTLY, IT WILL RECONSTITUTE THE ADVISORY COMMITTEE ON LEGAL EDUCATION WITH AN ENLARGED MEMBERSHIP AND NEW TERMS OF REFERENCE, WHICH PARTICULARLY REQUIRE IT TO ADVISE ON THE FUTURE DEMAND FOR LAWYERS AND THE MEANS WHEREBY THAT DEMAND MAY BE MET,+ MR. HOBLEY SAID.

+SECONDLY,+ THE ATTORNEY GENERAL ADDED, +THE BILL PROPOSES SOME RESTRICTION ON ELIGIBILITY FOR ADMISSION TO THE ROLL OF STUDENTS MAINTAINED BY THE LAW SOCIETY OF HONG KONG, WHICH EFFECTIVELY DETERMINES WHICH STUDENTS MAY ULTIMATELY QUALIFY FOR ADMISSION AS SOLICITORS -- OTHER THAN THOSE WHO FIRST QUALIFY AS ENGLISH SOLICITORS WHOLLY IN ENGLAND. THE CHANGE IS AN UNWELCOME ONE.+

/MR. HOBLEY

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MR. HOBLEY SAID FOR MANY YEARS, THE LAW SOCIETY HAD PROVIDED FACILITIES IN HONG KONG SO THAT STUDENTS MAY QUALIFY FOR ADMISSION AS SOLICITORS HERE WITHOUT HAVING TO GO TO ENGLAND EITHER FOR EXAMINATION OR FOR THE PURPOSE OF ARTICLES.

+THIS IS ONE OF THE THREE MAIN METHODS BY WHICH STUDENTS MAY NOW QUALIFY FOR ADMISSION IN HONG KONG.+

BUT, MR. HOBLEY SAID THAT BECAUSE OF CHANGES IN THE SYSTEM OF LEGAL EDUCATION IN ENGLAND, +THAT FACILITY WILL BE WITHDRAWN WITH EFFECT FROM THE END OF 1980.+

+FORTUNATELY, THE LAW SOCIETY OF HONG KONG HAS BEEN ABLE TO PROCURE THE SERVICE OF THE ENGLISH LAW SOCIETY'S EXAMINERS UNTIL THE END OF 1982. THIS MEANS THAT STUDENTS NOW ENROLLED HAVE FOUR YEARS TO QUALIFY AS A SOLICITOR BY THIS METHOD.+

MR. HOBLEY POINTED OUT THAT THE ROLL OF STUDENTS WILL, IF +THIS BILL BECOMES LAW AS IT NOW STANDS, BE CLOSED WITH EFFECT FROM ITS PUBLICATION IN THE GAZETTE ON FEBRUARY 23 EXCEPT TO STUDENTS WHO HOLD THE POST GRADUATE CERTIFICATE IN LAW OF THE UNIVERSITY OF HONG KONG OR A LAW DEGREE CONFERRED BY A RECOGNISED UNIVERSITY.+

+NO FURTHER STUDENTS WILL BE ADMITTED WITH A VIEW TO QUALIFICATION BY THE METHOD WHICH IS TO DISAPPEAR BY 1983.+

MR. HOBLEY SAID THIS RETROSPECTIVE CLOSING OF THE ROLL +IS NECESSARY IN ORDER TO AVOID A POSSIBLE RUSH OF STUDENTS SEEKING ADMISSION IN ORDER TO PRESERVE THEIR POSITION IN RELATION TO THAT METHOD OF QUALIFYING.+

THE ATTORNEY GENERAL SAID THAT THE LOSS OF THIS METHOD OF QUALIFYING AS A SOLICITOR WILL +HOPEFULLY BE OFFSET BY AN INCREASED NUMBER OF QUALIFIED STUDENTS LEAVING THE SCHOOL OF LAW AT THE UNIVERSITY OF HONG KONG IN 1982.+

+NEVERTHELESS, THERE WILL BE A NET LOSS AND THE ADVISORY COMMITTEE ON LEGAL EDUCATION IS URGENTLY CONSIDERING HOW THE FUTURE DEMAND FOR LAWYERS SHOULD BE MET IN TERMS OF TYPE OF TRAINING AND METHOD OF QUALIFYING.+

DEBATE ON THE BILL WAS ADJOURNED.

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LORRIES TO BE TESTED ANNUALLY

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THE OPENING OF THE NEW KOWLOON BAY VEHICLE EXAMINATION CENTRE LATER THIS YEAR WILL ENABLE THE GOVERNMENT TO INSPECT GOODS VEHICLES ANNUALLY SO AS TO IMPROVE THEIR MAINTENANCE STANDARDS.

THE SECRETARY FOR THE ENVIRONMENT, THE HON. DEREK JONES, SAID THIS IN REPLY TO A QUESTION FROM THE HON. HILTON CHEONG-LEEN AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR. JONES SAID ANNUAL INSPECTIONS ON THESE VEHICLES ARE IMPOSSIBLE AT PRESENT BECAUSE OF LACK OF TESTING FACILITIES.

IT IS ESTIMATED THAT ABOUT 60 PER CENT OF ALL GOODS VEHICLES HAVE SOME DEFECT OR OTHER, BUT MOSTLY MINOR, WHICH ARE NOT SERIOUS ENOUGH TO MAKE THE VEHICLES CONCERNED DANGEROUS OR UNROADWORTHY, THE ENVIRONMENT SECRETARY SAID.

ON SPOT CHECKS, MR. JONES SAID THE POLICE, WITH THE ASSISTANCE OF MOTOR VEHICLE EXAMINERS, CARRY OUT LIMITED CHECKS OF VEHICLES AT THE ROADSIDE.

+IT IS PERTINENT THAT MOTOR VEHICLE EXAMINERS CAN UNDERTAKE MORE INSPECTIONS, AND MORE THOROUGH INSPECTIONS, IN VEHICLE TESTING CENTRES,+ HE ADDED.

ANSWERING A SEPARATE QUESTION FROM MR. CHEONG-LEEN, MR. JONES SAID INFORMATION WAS NOT SUFFICIENT TO SAY HOW MANY ACCIDENTS WERE CAUSED BY DEFECTIVE LORRIES.

LAST YEAR, HE SAID, THERE WERE 3,277 TRAFFIC ACCIDENTS INVOLVING GOODS VEHICLES BUT THEY AND THEIR DRIVERS WERE NOT RESPONSIBLE FOR ALL THESE.

+EVEN WHEN THEY WERE, IT WAS NOT NECESSARILY BECAUSE THE VEHICLE IN QUESTION WAS DEFECTIVE,+ HE SAID.

+NEVERTHELESS,+ HE ADDED, +THE RECORDS OF ALL THE 3,277 ACCIDENTS WILL BE EXAMINED MANUALLY TO EXTRACT WHAT INFORMATION THERE IS ON THE ROADWORTHINESS OF THE VEHICLES INVOLVED.+

HE WENT ON TO SAY THAT OVER THE LAST FIVE YEARS, ACCIDENTS INVOLVING GOODS VEHICLES AS A PERCENTAGE OF ALL ACCIDENTS HAVE INCREASED FROM ABOUT 12 PER CENT TO JUST UNDER 16 PER CENT.

BUT OVER THAT PERIOD THE NUMBER OF LORRIES ON THE ROAD HAS INCREASED FASTER THAN OTHER VEHICLES AND THEY NOW COMPRISE OVER 20 PER CENT OF ALL VEHICLES.

+THE PLANNED INTRODUCTION LATER THIS YEAR OF COMPULSORY ANNUAL INSPECTIONS FOR ALL GOODS VEHICLES SHOULD IN DUE COURSE CONSIDERABLY REDUCE THE NUMBER OF LORRIES ON THE ROADS WITH SERIOUS MECHANICAL DEFECTS,+ HE SAID.

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CALL FOR SAFETY-CONSCIOUS SUPERVISION AT CONSTRUCTION SITES
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THE COMMISSIONER FOR LABOUR, THE HON. NEIL HENDERSON, SAID TODAY (WEDNESDAY) IT WAS VITAL THAT THERE SHOULD BE SAFETY-CONSCIOUS SUPERVISION BY CONTRACTORS, ENGINEERS AND THEIR STAFF IN HELPING TO MINIMISE THE RISK OF ACCIDENTS AT CONSTRUCTION SITES.

HE SAID THE LABOUR DEPARTMENT INTENDED TO DOUBLE THE NUMBER OF FACTORY INSPECTORS FOR SITE INSPECTION DURING THE NEXT THREE OR FOUR YEARS AND TO INCREASE THE FREQUENCY OF INSPECTION.

BUT HE POINTED OUT THAT +WHILE THIS MAY BE AN IMPROVEMENT IT IS OF ITSELF ONLY A PART OF WHAT IS NECESSARY TO BETTER SAFETY STANDARDS.+

+INSPECTION BY THE FACTORY INSPECTORATE CANNOT MAINTAIN A CONTINUOUS PRESENCE ON THE SITES,+ HE ADDED.

MR. HENDERSON WAS REPLYING AT THE LEGISLATIVE COUNCIL TO THE HON. ANDREW SO WHO ASKED WHETHER OR NOT GOVERNMENT WOULD CARRY OUT MORE INSPECTIONS OF THE OPERATION AND MAINTENANCE OF CRANES AND OTHER HEAVY CONSTRUCTION EQUIPMENT AND TAKE ALL REASONABLE MEASURES, INCLUDING PROSECUTIONS TO MINIMISE THE RISK OF ACCIDENTS ARISING FROM NEGLIGENCE.

MR. HENDERSON ALSO SAID THAT AT PRESENT THE LABOUR DEPARTMENT HAS A STAFF OF 15 INSPECTORS TO INSPECT CONSTRUCTION SITES TO ENSURE THAT BUILDING CONTRACTORS WERE AWARE OF AND FULFIL THEIR OBLIGATIONS UNDER THE CONSTRUCTION SITES (SAFETY) REGULATIONS.

THESE REGULATIONS COVERED, AMONG OTHER THINGS, THE OPERATION AND MAINTENANCE OF CRANES AND PLACED THE RESPONSIBILITY ON BUILDING CONSTRUCTORS FOR ENSURING THAT SUCH EQUIPMENT WAS MAINTAINED IN SAFE WORKING ORDER AND WAS OPERATED ONLY BY TRAINED AND COMPETENT PERSONS.

HE REPORTED THAT IN 1977 LABOUR DEPARTMENT'S INSPECTORS MADE 4,626 INSPECTIONS OF CONSTRUCTION SITES AND 5,750 IN 1978.

ON AVERAGE THIS MEANT BETWEEN THREE AND FOUR VISITS TO EACH SITE EACH YEAR, ALTHOUGH IN PRACTICE MORE INSPECTIONS WERE MADE TO THE LARGER OR MORE HAZARDOUS SITES THAN TO THE OTHERS.

ON PROSECUTIONS, MR. HENDERSON SAID 144 SUMMONSES UNDER THE CONSTRUCTION SITES (SAFETY) REGULATIONS WERE HEARD IN THE MAGISTRACIES DURING 1977 OF WHICH 13 INVOLVED LIFTING APPLIANCES AND FINES TOTALLING \$159,150 WERE IMPOSED.

DURING 1978, 385 SUCH CASES INCLUDING 66 INVOLVING LIFTING APPLIANCES, WERE HEARD AND FINES TOTALLING \$231,850 WERE IMPOSED.

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ADEQUATE CREMATION FACILITIES AVAILABLE THROUGHOUT THE 1980'S
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THE GOVERNMENT IS AWARE OF THE GROWING DEMAND FOR CREMATION FACILITIES AND THE POLICY IS TO ENCOURAGE IT TO CONSERVE LAND THAT WOULD OTHERWISE BE REQUIRED FOR BURIAL IN CEMETERIES.

THE SECRETARY FOR THE ENVIRONMENT, THE HON. DEREK JONES SAID THIS IN REPLY TO A QUESTION FROM THE HON. WONG LAM AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR. JONES SAID THERE WERE 9,889 CREMATIONS IN 1978.

THIS REPRESENTED A RATIO OF ABOUT 45 PER CENT CREMATIONS TO 55 PER CENT BURIALS.

+THE AIM IS TO ACHIEVE A RATIO OF 70 PER CENT CREMATIONS TO 30 PER CENT BURIALS IN 10 YEARS' TIME AND, ON THIS BASIS, BY THE LATE 1980'S THE PROJECTED ANNUAL DEMAND FOR CREMATIONS SHOULD BE APPROXIMATELY 24,000,+ HE SAID.

THE EXISTING CREMATORIA AT CAPE COLLINSON AND DIAMOND HILL HAVE A CAPACITY OF 9,200 CREMATIONS PER YEAR AND, SO FAR, THEY HAVE MANAGED TO COPE WITH THE EXISTING DEMAND OF JUST UNDER 10,000 CREMATIONS BY OPERATING EXTENDED HOURS.

+A NEW CREMATORIUM TO REPLACE THE EXISTING ONE AT DIAMOND HILL WILL BE COMPLETED BY THE MIDDLE OF THIS YEAR, GIVING AN ADDITIONAL CAPACITY OF 2,700 CREMATIONS PER ANNUM.

+ANOTHER NEW CREMATORIUM, WITH A CAPACITY OF 4,000 CREMATIONS PER YEAR, IS ALSO BEING CONSTRUCTED AT TSUEN WAN AND WILL BE IN OPERATION BY THE THIRD QUARTER OF THIS YEAR,+ MR. JONES SAID.

PLANNING PROVISION HAS ALSO BEEN MADE FOR THE FURTHER EXPANSION OF THESE TWO CREMATORIA TO ALLOW FOR AN ADDITIONAL 4,000 CREMATIONS PER YEAR IF THIS IS REQUIRED.

+SO, BY THE END OF THIS YEAR, THERE SHOULD BE A TOTAL CAPACITY OF APPROXIMATELY 16,000 CREMATIONS PER YEAR, WITH THE POSSIBILITY OF EXPANDING THIS BY A FURTHER 4,000 AS AND WHEN REQUIRED.+

ON TOP OF THIS, HE SAID, THERE IS ALSO PROVISION IN THE PUBLIC WORKS PROGRAMME FOR TWO MORE CREMATORIA TO BE BUILT AT SHA TIN AND TUEN MUN, EACH HAVING A CAPACITY OF 4,000 CREMATIONS PER YEAR AND EACH WITH PLANNING PROVISION FOR A FURTHER EXPANSION OF 2,000 PER YEAR AS AND WHEN NECESSARY.

BOTH THESE FACILITIES ARE EXPECTED TO BE COMPLETED IN 1981, MR. JONES SAID.

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+BY THE BEGINNING OF 1982, THEREFORE, THE CAPACITY OF THE THEN AVAILABLE CREMATORIA WILL BE APPROXIMATELY 24,000, WITH A PROVISION FOR A FURTHER 8,000 CREMATIONS PER YEAR AS AND WHEN REQUIRED.

+THIS PROGRAMME WILL ENSURE THAT, ADEQUATE CREMATION FACILITIES WILL BE AVAILABLE THROUGHOUT THE 1980S. FURTHERMORE THE LOCATION OF CREMATORIA AT CAPE COLLINSON, DIAMOND HILL, TSUEN WAN, SHA TIN AND TUEN MUN WILL ENSURE A REASONABLE GEOGRAPHICAL SPREAD,+ MR. JONES ADDED.

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GOVERNMENT GUARANTEES LOANS FOR MTR
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THE FINANCIAL SECRETARY TODAY (WEDNESDAY) SOUGHT THE LEGISLATIVE COUNCIL'S APPROVAL FOR GOVERNMENT GUARANTEES FOR LOANS, EXPORT CREDITS AND A SUPPLIER CREDIT BY THE MASS TRANSIT RAILWAY CORPORATION FOR EXTENSION OF ITS RAILWAY TO TSUEN WAN.

IN MOVING THE MOTION, THE HON. PHILIP HADDON-CAVE SAID THE LOANS WILL BE FOR FIVE CONTRACTS. ALL ARE ON A FIXED PRICE BASIS.

TWO LOANS AMOUNTING TO US\$111 MILLION ARE TO FINANCE CONTRACTS PLACED IN THE UNITED KINGDOM FOR 150 RAIL-CARS AND POWER SUPPLY EQUIPMENT.

+BUT THERE IS PROVISION FOR SWITCHING THE LOANS INTO HONG KONG DOLLARS AT ANY TIME DURING THEIR CURRENCY IN THE EVENT THAT HONG KONG DOLLARS BECOME AVAILABLE ON TERMS AND CONDITIONS ACCEPTABLE TO ALL PARTIES TO THE AGREEMENTS,+ HE SAID.

THE TWO EXPORT CREDITS, INVOLVING HK\$127 MILLION, ARE TO FINANCE CONTRACTS PLACED IN FRANCE FOR ESCALATORS AND CIVIL WORKS IN RELATION TO KWAI HING AND KWAI FONG STATIONS AND STRUCTURES.

THE SUPPLIER CREDIT OF US\$6 MILLION IS TO FINANCE A CONTRACT PLACED IN GERMANY FOR THE SUPPLY OF OVERHEAD CONDUCTORS.

+THE INTEREST RATES INVOLVED WILL BE COMPETITIVE AND AMOUNTS DUE IN RESPECT OF INTEREST WILL BE COVERED BY THE GUARANTEES,+ HE SAID.

THE FINANCIAL SECRETARY SAID THE GOVERNMENT'S TOTAL GUARANTEE COMMITMENT IN THE CORPORATION WILL BE HK\$8,580 MILLION.

MOTION WAS APPROVED.

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996 CHILDREN UNDER SWD'S CARE AND SUPERVISION
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THE DIRECTOR OF SOCIAL WELFARE, THE HON. THOMAS LEE, SAID TODAY (WEDNESDAY) 996 CHILDREN ARE NOW UNDER THE CARE AND SUPERVISION OF THE SOCIAL WELFARE DEPARTMENT FOR VARIOUS REASONS WHICH RENDER THE PARENTS UNFIT OR UNABLE TO LOOK AFTER THEM.

REPLYING TO A QUESTION BY THE REV. THE HON. JOYCE M. BENNETT IN THE LEGISLATIVE COUNCIL, MR. LEE SAID THAT, OF THESE CHILDREN, 688 ARE LIVING WITH THEIR PARENTS AT HOME AND 308 ARE STAYING IN INSTITUTIONS.

HE SAID THAT DURING THE FIRST SEVERAL MONTHS, THE CASEWORKER CONTACTS THE PARENTS AND THE CHILDREN ABOUT ONCE OR TWICE A WEEK, DEPENDING ON THE SITUATION.

LATER ON AS THE SITUATION IMPROVES, HE SAID, THE FREQUENCY OF SUCH CONTACTS IS GRADUALLY REDUCED TO ABOUT ONCE A MONTH.

MR. LEE SAID THAT AT PRESENT 67 PROFESSIONALLY TRAINED CASEWORKERS IN THE DEPARTMENT CARRY SUCH CASES, WHICH CONSTITUTE ABOUT 13 PER CENT OF THEIR TOTAL CASELOAD AS THEY ALSO DEAL WITH OTHER TYPES OF CASES.

IN THE FAMILY SERVICES DIVISION WITH A TOTAL WORKLOAD OF 15,000 CASES, HE SAID, THERE ARE ALTOGETHER 17 CASEWORK SUPERVISORS RESPONSIBLE FOR THE WORK OF 144 CASEWORKERS.

ON AVERAGE, ONE SUPERVISOR SUPERVISES ABOUT NINE CASEWORKERS, HE ADDED.

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OPERATING PILING, DRILLING MACHINES OUTSIDE PERMITTED HOURS RARE
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THE OFFENCE OF OPERATING PILING AND DRILLING MACHINES OUTSIDE PERMITTED HOURS HAS RARELY, IF EVER, BEEN COMMITTED IN RECENT YEARS, THE SECRETARY FOR THE ENVIRONMENT, THE HON. DEREK JONES TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

REPLYING TO A QUESTION FROM THE HON. ANDREW SO, MR. JONES SAID COMPLAINTS AGAINST CONSTRUCTION NOISE WERE OVERWHELMINGLY RELATED TO NOISE DURING PERMITTED HOURS.

MR. JONES ADDED THAT AMENDMENTS HAVE BEEN MADE TO THE SUMMARY OFFENCES ORDINANCE TO EXTEND THE HOURS DURING WHICH PILING OPERATIONS ARE BANNED, FROM BETWEEN 8 P.M. AND 6 A.M. AT PRESENT, TO BETWEEN 7 P.M. AND 7 A.M. AND +TO APPLY THE BAN TO ALL CONSTRUCTION MACHINES OF HIGHER THAN ONE HORSE-POWER.+

/+THE EXTENDED

+THE EXTENDED BAN WILL COME INTO FORCE ON JULY 1 THIS YEAR,+
MR. JONES SAID.

+WORK IS ALSO PROCEEDING ON THE PREPARATION OF A COMPREHENSIVE
NOISE ABATEMENT BILL AND THIS WILL, AMONG OTHER THINGS, PERMIT
MEASURES TO BE TAKEN TO BETTER CONTROL CONSTRUCTION NOISE DURING
PERMITTED HOURS OF WORK.

+I HOPE TO BE ABLE TO BRING THIS BILL FORWARD DURING THE NEXT
SESSION OF THIS COUNCIL,+ MR. JONES SAID.

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WIDER PROTECTION FOR INVENTORS * * * * *

INVENTORS WISHING TO PROTECT THEIR INVENTIONS IN HONG KONG
MAY SOON BE ABLE TO APPLY FOR A EUROPEAN PATENT IN ADDITION TO
THE REQUIRED UNITED KINGDOM REGISTRATION TO GIVE THEM WIDER
PROTECTION.

THE SECRETARY FOR ECONOMIC SERVICES, THE HON. DAVID T.K.
WONG SAID THIS IN MOVING THE SECOND READING OF THE UNITED
KINGDOM PATENTS (AMENDMENT) BILL 1979 AT THE LEGISLATIVE COUNCIL
TODAY (WEDNESDAY).

MR. WONG SAID THE PURPOSE OF THE BILL IS TO AMEND THE
PRINCIPAL ORDINANCE TO TAKE ACCOUNT OF THE CHANGES INTRODUCED
IN THE U.K. BY THE PATENTS ACT 1977 AND TO ALLOW FOR THE
REGISTRATION OF BOTH UNITED KINGDOM AND EUROPEAN (U.K.) PATENTS
HERE.

BECAUSE HONG KONG DOES NOT HAVE AN ORIGINAL PATENTS
REGISTRATION SYSTEM, HE SAID, INVENTORS, UNDER THE EXISTING
REQUIREMENT, MUST APPLY FOR A U.K. PATENT AND THEN SUBSEQUENTLY
REGISTER IT HERE.

BUT FOLLOWING THE CHANGES OF THE U.K. PATENT LAW RECENTLY,
THE PATENTS ACT 1977 PROVIDES THAT INVENTORS MAY NOW APPLY NOT
ONLY FOR UNITED KINGDOM PATENTS BUT ALSO FOR EUROPEAN PATENTS
(U.K.) GRANTED UNDER THE CONVENTION ON THE GRANT OF EUROPEAN
PATENTS.

+IT IS THEREFORE LIKELY THAT INVENTORS WILL PREFER TO
APPLY FOR THE GRANT OF EUROPEAN PATENTS (U.K.) RATHER THAN A
UNITED KINGDOM PATENT,+ HE ADDED.

DEBATE ON THE MOTION WAS ADJOURNED.

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WEDNESDAY, MARCH 14, 1979

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VOTE ON ACCOUNT
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THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) ADOPTED A MOTION WHICH SEEKS FUNDS ON ACCOUNT TO ENABLE THE GOVERNMENT TO CARRY ON EXISTING SERVICES BETWEEN THE START OF THE FINANCIAL YEAR ON APRIL 1, 1979, AND THE ISSUE OF THE GENERAL WARRANT FOLLOWING THE ENACTMENT OF THE APPROPRIATION ORDINANCE.

MOVING THE MOTION, THE FINANCIAL SECRETARY, THE HON. PHILIP HADDON-CAVE SAID: +THE FUNDS ON ACCOUNT SOUGHT UNDER EACH HEAD HAVE BEEN DETERMINED IN ACCORDANCE WITH RULES WHICH HAVE BEEN AGREED BY THE FINANCE COMMITTEE OF THIS COUNCIL.+

HE SAID THE EXPENDITURE WILL BE REGULATED IN ACCORDANCE WITH THE HEADS AND SUBHEADS SHOWN IN THE DRAFT ESTIMATES 1979-80.

+A VOTE ON ACCOUNT WARRANT WILL BE ISSUED TO THE DIRECTOR OF ACCOUNTING SERVICES AUTHORISING HIM TO MAKE PAYMENTS UP TO THE AMOUNT SPECIFIED IN THIS MOTION, AND WILL LIMIT THE EXPENDITURE IN ACCORDANCE WITH THE AGREED RULES.+

MR. HADDON-CAVE SAID THAT UNDER THE APPROPRIATION-IN-AID SYSTEM, +CERTAIN RECEIPTS, CONSISTING OF FEES AND CHARGES, WILL BE APPROPRIATED-IN-AID AND USED TO OFFSET EXPENDITURE INSTEAD OF BEING CREDITED TO GENERAL REVENUE.+

+THE MOTION ALSO SEEKS THE AUTHORITY OF THIS COUNCIL TO ENABLE ME TO DIRECT THAT SUCH RECEIPTS SHOULD BE APPLIED IN THIS WAY DURING THE PERIOD COVERED BY THE VOTE ON ACCOUNT.+

EARLIER, MR. HADDON-CAVE SAID THAT THE DEBATE ON THE SECOND READING OF THE APPROPRIATION BILL HAD TO BE EXTENDED INTO APRIL TO ALLOW HONOURABLE MEMBERS MORE TIME TO EXAMINE THE DRAFT ESTIMATES FOR 1979-80.

+THUS THE ENACTMENT OF THE APPROPRIATION ORDINANCE WILL NOT TAKE PLACE UNTIL THE END OF APRIL.+

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WEDNESDAY, MARCH 14, 1979

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PUBLIC SERVICES COMMISSION (AMENDMENT) BILL 1979

THE SECRETARY FOR THE CIVIL SERVICE, THE HON. MARTIN ROWLANDS TODAY (WEDNESDAY) MOVED THE SECOND READING OF THE PUBLIC SERVICES COMMISSION (AMENDMENT) BILL, 1979 AT THE LEGISLATIVE COUNCIL.

HE SAID THE BILL HAS TWO MAIN PURPOSES:

- * TO PROVIDE FOR THE TEMPORARY APPOINTMENT OF A CHAIRMAN OR MEMBER OF THE COMMISSION WHEN THOSE OFFICES ARE VACANT, AND
- * TO PROVIDE FOR THE COMMISSION TO ADVISE THE GOVERNOR ON ANY MATTER AFFECTING THE CONDUCT AND DISCIPLINE OF PUBLIC OFFICERS.

THE BILL ALSO SEEKS TO CHANGE THE NAME OF THE COMMISSION FROM +PUBLIC SERVICES COMMISSION+ TO +PUBLIC SERVICE COMMISSION+, HE SAID.

DEBATE ON THE MOTION WAS ADJOURNED.

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DISCOTHEQUES -- POPULAR FORM OF ENTERTAINMENT

DISCOTHEQUES HAPPEN TO BE A PARTICULARLY POPULAR FORM OF ENTERTAINMENT AT THE PRESENT TIME, BUT NO ONE IS COMPELLED TO FREQUENT THEM.

THE SECRETARY FOR SOCIAL SERVICES, THE HON. E.P. HO SAID THIS AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) IN REPLY TO A QUESTION FROM THE HON. HILTON CHEONG-LEEN.

MR. HO SAID DISCO FEVER HAD ALSO HIT OTHER COUNTRIES AND HE WAS NOT AWARE OF ITS CURTAILMENT OR SUPPRESSION BY ANY AUTHORITIES ON PUBLIC HEALTH GROUNDS.

+ACCORDINGLY ANY SURVEY OF NOISE LEVELS IN DISCOTHEQUES IS LIKELY TO BE AN ACADEMIC EXERCISE, AND IN THE CIRCUMSTANCES IT DOES NOT APPEAR TO ME TO BE APPROPRIATE FOR THE GOVERNMENT TO CONDUCT ONE AT PRESENT,+ MR. HO ADDED.

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WEDNESDAY, MARCH 14, 1979

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LEGAL OFFICERS (AMENDMENT) BILL 1979
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THE FINANCE COMMITTEE RECENTLY APPROVED PROPOSALS FOR CHANGES IN THE MANAGEMENT STRUCTURE OF THE ATTORNEY GENERAL'S CHAMBERS.

THE ATTORNEY GENERAL TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) WHEN HE MOVED THE SECOND READING OF THE LEGAL OFFICERS (AMENDMENT) BILL 1979.

THE HON. JOHN HOBLEY SAID THE MAIN PURPOSE OF THE BILL IS TO MAKE NECESSARY CONSEQUENTIAL CHANGES.

DEBATE ON THE BILL WAS ADJOURNED.

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MACHINERY CONTRACT FOR SEWAGE TREATMENT WORKS
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A MULTI-MILLION-DOLLAR CONTRACT TO SUPPLY AND INSTALL MACHINERY FOR THE INITIAL STAGE OF THE PILLAR POINT SEWAGE TREATMENT WORKS IN TUEN MUN WILL BE SIGNED TOMORROW (THURSDAY).

THE CONTRACT WILL BE THE FIRST OF TWO FOR THIS STAGE.

THE SIGNING CEREMONY WILL BE HELD AT THE PUBLIC WORKS DEPARTMENT'S ELECTRICAL AND MECHANICAL OFFICE, CAROLINE HILL.

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NOTE TO EDITORS:

YOU ARE INVITED TO SEND REPRESENTATIVES TO COVER THE SIGNING CEREMONY OF THE MULTI-MILLION-DOLLAR CONTRACT TO SUPPLY AND INSTALL MACHINERY FOR THE INITIAL STAGE OF THE PILLAR POINT SEWAGE TREATMENT WORKS TO BE HELD TOMORROW (THURSDAY) AT 11.30 A.M. AT THE ELECTRICAL AND MECHANICAL OFFICE, PWD, IN CAROLINE HILL.

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BILL ON COURT RECORDS
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THE PURPOSE OF THE MAGISTRATES (AMENDMENT) BILL 1979 IS TO AUTHORISE THE ATTORNEY GENERAL TO OBTAIN A COPY OF A RECORD OF PROCEEDINGS BEFORE A MAGISTRATE FOR THE USE OF UMELCO, THE LEGISLATIVE COUNCIL WAS TOLD TODAY (WEDNESDAY).

IN MOVING THE SECOND READING OF THE BILL, THE HON. JOHN HOBLEY SAID MEMBERS OF THE EXECUTIVE AND LEGISLATIVE COUNCILS FROM TIME TO TIME HAVE +A VERY CLEAR AND PROPER INTEREST THEREIN.+

DEBATE ON THE BILL WAS ADJOURNED.

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WEDNESDAY, MARCH 14, 1979

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PRISONS DEPARTMENT STAFF PARADE
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THE COMMISSIONER OF PRISONS, MR. T.G. GARNER, WILL PRESENT COLONIAL SERVICE MEDAL CLASPS TO 32 PRISONS DEPARTMENT MEMBERS DURING A CEREMONIAL PARADE ON FRIDAY AT THE STAFF TRAINING INSTITUTE AT STANLEY.

A TOTAL OF 120 PRISON OFFICERS, COMMANDED BY MR. PI WING-LEE, PRINCIPAL OF THE TRAINING INSTITUTE, AND THE CAPE COLLINSON TRAINING CENTRE BAND WILL BE ON PARADE.

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NOTE TO EDITORS:

MEDIA REPRESENTATIVES ARE INVITED TO ATTEND THE PARADE AND TO JOIN THE COMMISSIONER AND HIS OFFICERS FOR REFRESHMENTS IN THE PRISON OFFICERS' CLUB AFTERWARDS. A SPECIAL ANNOUNCEMENT WILL BE MADE AT THE CLUB CONCERNING THE PRESENTATION TO THE CLUB OF A TROPHY DONATED BY ONE OF THE LONGEST SERVING LIFE MEMBERS OF THE CLUB.

PRESS TRANSPORT WILL LEAVE GUARDIAN HOUSE, 32 OI KWAN ROAD, WANCHAI, AT 3 P.M. ON FRIDAY AND RETURN AFTER THE PARADE.

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NEW ROAD OPEN TO TRAFFIC
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THE TRANSPORT DEPARTMENT ANNOUNCED TODAY (WEDNESDAY) THAT THE NEW ROAD BETWEEN SHING HO ROAD AND TAI WAI ROAD WILL BE OPENED TO VEHICULAR TRAFFIC AND WILL BE ROUTED ONE-WAY SOUTHBOUND FROM 10 A.M. ON SATURDAY.

FOR ABOUT THREE MONTHS FROM THE SAME DAY, SOUTHBOUND TRAFFIC WILL BE DIVERTED AT THE SHING HO ROAD AND TAI PO ROAD JUNCTION TO TRAVEL ON THE NEW ROAD AND TO REJOIN TAI PO ROAD AT THE TAI WAI ROAD AND TAI PO ROAD JUNCTION.

THE SECTION OF TAI PO ROAD BETWEEN SHING HO ROAD AND TAI WAI ROAD WILL BE RE-ROUTED ONE-WAY NORTHBOUND AT THE SAME TIME.

THE BUS STOP FOR KMB ROUTE NOS. 71 AND 72, KOWLOON-BOUND, WILL BE MOVED TO A POINT ABOUT 100 METRES FURTHER SOUTH DIRECTLY IN FRONT OF TAI WAI ON THE NEW ROAD.

TRAFFIC SIGNS WILL BE SET UP TO GUIDE MOTORISTS.

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WEDNESDAY, MARCH 14, 1979

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WATER CUT
* * *

WATER SUPPLY TO A NUMBER OF PREMISES IN HUNG HOM WILL BE STOPPED FROM MIDNIGHT TO 6 A.M. ON SATURDAY FOR NIGHT LEAKAGE TESTS.

THE AREA AFFECTED IS BOUNDED BY DYER AVENUE, DOCK STREET, BULKELEY STREET, CHATHAM ROAD, WUHU STREET, LO LUNG HANG STREET, STATION LANE AND MA TAU WAI ROAD, INCLUDING TAKU STREET, MARSH STREET, KUN YAM STREET, GILLIES AVENUE, WALKER STREET AND VALLEY ROAD.

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