



DAILY INFORMATION BULLETIN

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WEDNESDAY, MARCH 9, 1983

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REVIEW OF INVESTOR PROTECTION SUGGESTED

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THERE WAS A NEED TO REVIEW THE WHOLE SUBJECT OF INVESTOR PROTECTION, THE HON BILL BROWN AND THE HON BENTON CHEUNG SAID AT THE LEGISLATIVE COUNCIL TODAY.

THEY WERE SPEAKING DURING THE RESUMED DEBATE ON THE PROTECTION OF INVESTORS (AMENDMENT) BILL WHICH WAS APPROVED WITH AMENDMENTS.

THE BILL PROVIDES FOR +SELECTIVE CONTROLS+ ON ADVERTISEMENTS FOR PAPER GOLD SCHEMES, MAKING THEM SUBJECT TO ADVANCE VETTING BY THE SECURITIES COMMISSION.

MR BROWN, CONVENER OF AN AD HOC GROUP OF UNOFFICIALS FORMED TO STUDY THE BILL, SAID ACHIEVEMENT OF THE BILL'S AIM WOULD DEPEND TO SOME EXTENT ON THE ABILITY OF THE AUTHORITIES TO ENFORCE ITS PROVISIONS.

+IT MAY BE RELATIVELY EASY TO STOP UNAUTHORISED ADVERTISING IN THE MEDIA, BUT MANY OF THE SCHEMES WE ARE ATTEMPTING TO DISCOURAGE ARE SOLD TO THE PUBLIC BY HIGH PRESSURE SALESMEN MAKING CONTACT BY TELEPHONE AND PERSONAL VISITS.

+THIS OF COURSE COMES WITHIN THE MEANING OF 'INVITATION TO INVEST', AS DEFINED BY THE ORDINANCE, BUT IT IS DIFFICULT TO POLICE.

+INDEED, I UNDERSTAND FROM THE COMMISSIONER FOR SECURITIES THAT NO ONE HAS EVER BEEN CHARGED UNDER THE PROTECTION OF INVESTORS ORDINANCE SINCE IT WAS ENACTED IN 1974, WHICH PERHAPS UNDERLINES THE POINT, FOR I WOULD FIND IT DIFFICULT TO BELIEVE THERE HAVE BEEN NO INFRINGEMENTS,+ MR BROWN SAID.

WHILE SUPPORTING THE AMENDMENT BILL AS A STEP IN THE RIGHT DIRECTION, MR BROWN NEVERTHELESS EXPRESSED FEAR THAT THE PUBLIC WOULD NOT BE PROPERLY PROTECTED UNTIL THE COMMODITIES TRADING ORDINANCE WAS ALSO +GIVEN MORE TEETH+.

HE CALLED FOR AN ASSURANCE THAT THE WORKING PARTY WAS EXAMINING THE COMMODITIES TRADING ORDINANCE +WITH A DEGREE OF URGENCY+.

MR CHEUNG SPOKE AT LENGTH ON CONTROLS ON PERMITTED ADVERTISING.

HE SAID JUST AS A PAPER GOLD SCHEME COULD BE CLEVERLY DESIGNED TO ESCAPE THE CLUTCHES OF THE LAW, SO COULD ADVERTISING BE CREATED TO DO THE SAME.

+I THINK A LAYMAN READING THE PROTECTION OF INVESTORS ORDINANCE WOULD WONDER IF 'ADVERTISING' COVERS ANYTHING MORE THAN PAID INSERTIONS IN THE EYES OF THE LAW?+ HE SAID.

+FOR EXAMPLE, IF A NEWSPAPER OR MAGAZINE REVIEWS AN INVESTMENT SCHEME, OR INTERVIEWS A MERCHANT; IF A CAREFULLY-WORDED SCHEME OFFER IS SENT TO HOUSEHOLDERS BY MAIL; IF SCHEME MERCHANTS HIRE A FUNCTION ROOM AND CONDUCT DIRECT SALES BY PRIVATE OFFER ONLY; DO THESE METHODS CONSTITUTE 'ADVERTISING'?

/+I SEEK

+ I SEEK CLARIFICATION OF THIS POINT BECAUSE OF THE WIDESPREAD PUBLIC VIEWS OF THE DEFINITION OF 'ADVERTISING', + HE SAID.

MR CHEUNG FELT THE GOVERNMENT SHOULD EXERCISE MORE STRINGENT CONTROL OVER THE OPERATIONS OF COMPANIES, BY SPECIFYING MORE EXPLICIT ACCOUNTING RESPONSIBILITIES, AND SHOULD SET RULES AND REGULATIONS FOR THEIR OPERATION.

THANKING THE UNOFFICIALS FOR THEIR SUPPORT, THE SECRETARY FOR ECONOMIC SERVICES, THE HON P. JACOBS SAID A MORE COMPREHENSIVE SYSTEM OF CONTROL ALONG THE LINES SUGGESTED BY MR CHEUNG WOULD BE COSTLY TO ADMINISTER AND COULD PLACE A CONSIDERABLE BURDEN ON LEGITIMATE TRADERS.

BUT IF THERE WAS CLEAR EVIDENCE IN FUTURE THAT THE GOVERNMENT'S PROPOSALS WERE INADEQUATE, HE WOULD RECONSIDER THE APPROACH TAKEN.

REFERRING TO THE QUESTION OF ADVERTISING, HE SAID +ADVERTISEMENT+ WAS DEFINED IN THE PRINCIPAL ORDINANCE AS INCLUDING EVERY FORM OF ADVERTISING, WHETHER NOTIFIED OR PUBLISHED, IN A NEWSPAPER, MAGAZINE, JOURNAL OR OTHER PERIODICAL.

+THE DEFINITION ALSO INCLUDES DISPLAYS OF POSTERS OR NOTICES, AND THE DISTRIBUTION OF CIRCULARS OR BROCHURES AND SO ON.

+IT EVEN INCLUDES EXHIBITIONS OF PHOTOGRAPHS OR CINEMATOGRAPHIC FILMS. SO THE DEFINITION IS WIDE, AND I BELIEVE THAT IN PRACTICE IT SHOULD CATCH MOST SCHEMES THAT ARE LIKELY TO BE PUT TOGETHER EVEN THOUGH SOME OF THE EXAMPLES GIVEN BY MR CHEUNG MIGHT FALL OUTSIDE ITS AMBIT, + HE SAID.

THE COMMISSIONER FOR SECURITIES' OFFICE, HE SAID, HAD THE RELEVANT AND QUALIFIED EXPERTISE TO VET ADVERTISEMENTS. AND, IN FACT, THE OFFICE HAD BEEN EXAMINING ADVERTISEMENTS UNDER THE EXISTING PROVISIONS OF THE PRINCIPAL ORDINANCE EVEN SINCE IT WAS FIRST ENACTED IN 1974. THE COMMISSIONER'S STAFF ALSO CAREFULLY SCRUTINISED ADVERTISEMENTS FOR UNIT TRUSTS AND MUTUAL FUNDS.

+SO THE EXPERIENCE AND ADMINISTRATIVE MACHINERY IS THERE; AND THIS IS ONE OF THE REASONS WHY WE ADOPTED THIS PARTICULAR ROUTE FOR CONTROLLING PAPER GOLD SCHEMES, + HE SAID.

WITH REFERENCE TO THE CALL BY MR BROWN AND MR CHEUNG FOR A REVIEW OF THE WHOLE SUBJECT OF PROTECTION OF INVESTORS, HE SAID THIS SUBJECT SHOULD BE CONSIDERED BY THE STANDING COMMITTEE ON COMPANY LAW REFORM.

+AS TO THE COMMODITIES TRADING ORDINANCE, MEMBERS WILL RECOLLECT THAT IN ANSWER TO MR PETER WONG'S QUESTION IN THIS COUNCIL ON DECEMBER 22 LAST YEAR, I SAID THAT A WORKING PARTY CHAIRED BY THE COMMISSIONER FOR COMMODITIES TRADING HAD BEEN APPOINTED TO REVIEW THE COMMODITIES TRADING ORDINANCE GENERALLY.

+THE REVIEW IS PROGRESSING AND I HAVE TAKEN DUE NOTE OF MR BROWN'S CALL FOR URGENCY, + HE SAID.

INSURANCE DEPOSIT SCHEME NOT JUSTIFIED

A DEPOSIT INSURANCE SCHEME IN HONG KONG WOULD NOT BE JUSTIFIED OR WORKABLE AND WOULD BE EXPENSIVE, THE FINANCIAL SECRETARY, THE HON JOHN BREMRIDGE, SAID IN THE LEGISLATIVE COUNCIL TODAY.

MR BREMRIDGE WAS REPLYING TO THE HON ANDREW SO WHO ASKED WHAT CONSIDERATION HAD BEEN GIVEN TO ESTABLISHING A DEPOSIT INSURANCE FUND TO PROTECT DEPOSITORS WITH BOTH BANKS AND DEPOSIT-TAKING COMPANIES.

OTHER THAN IN THE UNITED STATES -- WHERE THERE IS A LIMIT OF US\$100 000 -- SCHEMES OF THIS NATURE WERE GENERALLY RESTRICTED TO COVERING SMALL DEPOSITS, MR BREMRIDGE POINTED OUT.

PREMIUMS FOR A SCHEME TO COVER ALL DEPOSITS WOULD BE PROHIBITIVE AND WOULD THUS RENDER IT UNWORKABLE, HE SAID.

MOREOVER, LEGISLATORS HAD TENDED TO HAVE THE INTERESTS OF SMALL DEPOSITORS IN MIND WHEN FRAMING SUCH SCHEMES, HE ADDED.

+THE ESSENCE OF THE THREE-TIER STRUCTURE IN HONG KONG IS THAT ONLY BANKS ARE ALLOWED TO ACCEPT SMALL DEPOSITS. LARGER DEPOSITS WHICH HAVE BEEN LOST THROUGH RECENT DTC FAILURES WOULD PROBABLY NOT HAVE BEEN COVERED BY A DEPOSIT INSURANCE SCHEME,+ MR BREMRIDGE SAID.

WHILE \$50 000 MIGHT BE CONSIDERED SMALL NOWADAYS, IT WOULD UNDER HONG KONG'S SYSTEM BE A LOGICAL UPPER LIMIT IF ANY INSURANCE SCHEME WERE TO BE INTRODUCED, HE SAID.

+ONE CONSIDERATION, WHICH IS OFTEN OVERLOOKED, IS THAT SUCH SCHEMES MUST INEVITABLY BE FOUNDED ON THE ACTUARIAL ASSUMPTION THAT THE MIGHTY ARE UNLIKELY TO FALL.

+THE STRONGER INSTITUTIONS (OR THEIR DEPOSITORS) ARE, IN EFFECT, REQUIRED TO STAND READY TO PAY OFF THE DEPOSITORS WITH THE WEAK IN THE EVENT OF FAILURE,+ MR BREMRIDGE STATED.

SUCH ARRANGEMENTS, HE ADDED, HAD PROVED ACCEPTABLE IN SOME COUNTRIES FOR VARIOUS REASONS, INCLUDING THE PRESERVATION OF A COMPETITIVE FINANCIAL SYSTEM.

BUT HE POINTED TO HONG KONG SITUATION BEING DISTINCT IN AT LEAST THREE RESPECTS :

- * FIRST, HONG KONG'S VARIOUS STATUTORY ARRANGEMENTS ALREADY ENSURE AN ADEQUATE AMOUNT OF COMPETITION FOR DEPOSITS.
- * SECOND, THE STRONG ARE ALREADY PREPARED TO STAND BEHIND THE WEAK IN A WAY WHICH DOES NOT SIMPLY HELP DEPOSITORS BUT MAY ALSO SAVE THE INSTITUTIONS. THIS SUPPORT HAS NOT GIVEN DEPOSITORS OF FAILED INSTITUTIONS THE COVER THAT INSURANCE MIGHT HAVE PROVIDED, BUT IT CAN HELP TO PROTECT THEM FROM IRRATIONAL MISFORTUNE.

/* THIRD, TO

* THIRD, TO THE EXTENT THAT ONE IS THINKING IN CLEAR-CUT TERMS OF BANKS ON THE ONE HAND AND DTC'S ON THE OTHER, IT MUST BE RECALLED THAT THE DEPOSIT-TAKING COMPANIES SECTOR OWES MUCH OF ITS GROWTH TO THE PRACTICE OF OFFERING HIGHER INTEREST RATES THAN THE BANKS.

IN THIS CONTEXT, MR BREMRIDGE SAID, IT WOULD SEEM UNACCEPTABLE TO ASK THE BANKS TO PROVIDE AT CONSIDERABLE COST INSURANCE COVER FOR THE DEPOSITS WHICH HAVE BEEN BID AWAY FROM THEM BY THE OFFER OF HIGHER INTEREST RATES MATCHING GREATER RISK.

EVEN LESS COULD THE TAXPAYER BE EXPECTED TO SUPPORT THE INTERESTS OF THOSE SEEKING RATES OF RETURN HIGHER THAN OFFERED BY THE BANKS, HE ADDED.

+IN SUM, I CONSIDER THAT THE BALANCE OF THE ARGUMENT IS AGAINST THE ESTABLISHMENT IN HONG KONG OF SUCH A SCHEME WHOSE COST WOULD FALL ON THE PRUDENT IN THE INTERESTS OF THE IMPRUDENT.

+I PREFER TO CONCENTRATE ON STRIVING TO ENSURE THAT INDIVIDUAL INSTITUTIONS ARE SOUNDLY MANAGED. A DEPOSIT INSURANCE SCHEME IS NOT THE BEST VEHICLE FOR INSTILLING IN MANAGEMENT A SENSE OF RESPONSIBILITY TO DEPOSITORS,+ HE SAID.

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BOOST FOR EMPLOYEES' COMPENSATION

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THE LEVELS OF COMPENSATION FOR EMPLOYEES INJURED OR KILLED AT WORK WILL SOON BE INCREASED BY 44 PER CENT DUE TO A CORRESPONDING INCREASE IN THE OVERALL NOMINAL WAGE LEVEL SINCE MARCH 1980.

THE LEVELS OF COMPENSATION FOR PEOPLE SUFFERING FROM PNEUMOCONIOSIS WILL ALSO BE ADJUSTED BY THE SAME PERCENTAGE.

RESOLUTIONS TO RAISE THE COMPENSATION LEVELS PROVIDED UNDER THE EMPLOYEES' COMPENSATION ORDINANCE AND THE PNEUMOCONIOSIS (COMPENSATION) ORDINANCE WERE APPROVED BY THE LEGISLATIVE COUNCIL THIS (WEDNESDAY) AFTERNOON.

MOVING THE RESOLUTIONS, THE COMMISSIONER FOR LABOUR, THE HON J.N. HENDERSON, PROPOSED THAT THE NEW LEVELS BE BROUGHT INTO OPERATION ON JULY 1 THIS YEAR TO ALLOW BOTH EMPLOYERS AND INSURANCE COMPANIES SUFFICIENT TIME TO MAKE THE NECESSARY ADJUSTMENTS.

EARLIER, HE RECALLED THAT ON MOVING AN AMENDMENT BILL IN JUNE 1980 TO REVISE THE COMPENSATION LEVELS, HE HAD INFORMED THE COUNCIL THAT HE INTENDED TO REVIEW BIENNIALY THE LEVELS OF COMPENSATION TO TAKE ACCOUNT OF CHANGES IN WAGE LEVELS AND THE COST OF LIVING.

/+GIVEN THE

+GIVEN THE TIME LAPSE BETWEEN THE DATE OF INJURY AND THE DATE ON WHICH FINAL ASSESSMENTS ON INCAPACITY ARE MADE, I THINK IT WOULD BE MORE EQUITABLE TO ADOPT THE MAXIMUM APPLICABLE TO THE LATTER DATE IN THE CALCULATIONS,+ DR FANG SAID.

THANKING DR FANG FOR SUPPORTING THE MOTION, MR HENDERSON LATER POINTED OUT THAT CHANGES IN THE NOMINAL WAGE LEVELS DID REFLECT THE RATE OF INFLATION AMONG OTHER FACTORS. THE COMPENSATION ITSELF PAYABLE UNDER THE EMPLOYEES' COMPENSATION ORDINANCE WAS WAGE-RELATED SO THAT THE NOMINAL WAGE INDEX WAS THE LOGICAL GUIDE. FURTHER IT WOULD BE DETRIMENTAL TO WORKERS TO RELATE THE FIGURES TO THE COST OF LIVING INDEX IN TIMES WHEN REAL WAGES RISE.

MR HENDERSON SAID HE TOOK DR FANG'S POINT ABOUT CASES WHERE PAYMENT COULD NOT BE MADE UNTIL A LONG PERIOD HAD ELAPSED.

+I WILL BE INVESTIGATING WHETHER IMPROVEMENTS CAN BE MADE BUT TO RELATE THE COMPENSATION TO THE DATE OF AWARD RATHER THAN THE DATE OF ACCIDENT ITSELF WOULD SEEM TO PRESENT PROBLEM IN AN INSURANCE-BASED SCHEME SUCH AS OURS,+ HE NOTED.

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WELFARE OF CHILDREN SAFEGUARDED
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THE UNDERLYING PRINCIPLES OF THE MATRIMONIAL CAUSES (AMENDMENT) BILL WHICH AIMS TO SAFEGUARD THE WELFARE OF CHILDREN CAUGHT UP IN MATRIMONIAL PROCEEDINGS WERE DESCRIBED AS +WELL-INTENDED+ BY UNOFFICIAL MEMBER, DR THE HON HARRY FANG, IN THE LEGISLATIVE COUNCIL TODAY.

SPEAKING IN SUPPORT OF THE BILL DURING ITS SECOND READING, DR FANG SAID IT HAD BEEN STUDIED CAREFULLY BY THE SOCIAL SERVICES WORKING GROUP OF UNOFFICIALS, ON WHICH HE SERVES AS CONVENER.

HE NOTED THAT EMPHASIS HAD BEEN PLACED ON WHETHER THE WISHES OF THE CHILD CONCERNED WOULD BE TAKEN INTO CONSIDERATION BY THE COURT IN DECIDING TO ISSUE A CARE ORDER, AND WHETHER THE DIRECTOR OF SOCIAL WELFARE, ON ACCEPTING THE CHILD INTO HIS CARE, HAD THE NECESSARY RESOURCES TO PROVIDE A SATISFACTORY LEVEL OF CARE.

+WE WERE SATISFIED THAT THE PROVISIONS IN THE BILL AND THE PLANS WHICH THE DIRECTOR OF SOCIAL WELFARE HAD IN HAND WERE ADEQUATE.+

ON THE PROPOSED LEVEL OF FINE FOR FAILURE TO NOTIFY THE DIRECTOR OF SOCIAL WELFARE OF ANY CHANGE OF ADDRESS, DR FANG SAID HIS GROUP HAD BEEN ASSURED THAT ACCEPTANCE OF THE PROPOSAL WOULD NOT LEAD AUTOMATICALLY TO A REVISION OF PENALTY PROVISIONS FOR SIMILAR OFFENCES IN OTHER LEGISLATIONS.

/ACCORDING TO

ACCORDING TO STATISTICS FROM THE CENSUS AND STATISTICS DEPARTMENT, BETWEEN THE PERIOD FROM MARCH 1980 TO SEPTEMBER 1982, THERE HAD BEEN AN INCREASE OF 39.8 PER CENT IN THE OVERALL NOMINAL WAGE LEVEL. IT WAS ALSO PROJECTED THAT FROM SEPTEMBER 1982 TO MARCH 1983, THERE WOULD BE A FURTHER INCREASE OF THREE PER CENT IN THE WAGE LEVELS.

+WHEN THIS INCREASE IS RELATED BACK TO THE ORIGINAL LEVEL IN MARCH 1980, THE OVERALL INCREASE BECOMES 44 PER CENT,+ HE ADDED.

AFTER THE REVISION, MR HENDERSON CONTINUED, THE MAXIMUM AMOUNT OF COMPENSATION FOR DEATH WILL BE INCREASED FROM \$168 000 TO \$242 000, AND THAT FOR PERMANENT TOTAL INCAPACITY FROM \$192 000 TO \$276 000.

THE MINIMUM LEVELS FOR DEATH AND PERMANENT TOTAL INCAPACITY WILL BE INCREASED FROM \$56 000 AND \$64 000 TO \$81 000 AND \$92 000 RESPECTIVELY.

THE ALLOWANCE FOR CONSTANT ATTENTION PAYABLE UNDER THE EMPLOYEES' COMPENSATION ORDINANCE WILL ALSO BE ADJUSTED FROM \$77 000 TO \$111 000.

THE LEVELS OF COMPENSATION PROVIDED UNDER THE PNEUMOCONIOSIS (COMPENSATION) ORDINANCE, WHICH HAVE BEEN SET AT EXACTLY THE SAME LEVELS AS THOSE UNDER THE EMPLOYEES' COMPENSATION ORDINANCE, WOULD BE ADJUSTED ACCORDINGLY, MR HENDERSON ADDED.

THE GOVERNMENT'S MOVE TO INCREASE THE MAXIMUM COMPENSATION TO REFLECT CHANGES IN WAGE LEVELS OF WORKERS WAS WELCOMED BY DR THE HON HARRY FANG.

HOWEVER, HE SUGGESTED SUCH REVISIONS ALSO TAKE ACCOUNT OF CHANGES IN THE COST OF LIVING, HE SAID IN THE LEGISLATIVE COUNCIL.

DR FANG NOTED THAT THE \$3 000 ALLOWED FOR BURIAL AND MEDICAL ATTENDANCE EXPENSES IN RESPECT OF A DECEASED EMPLOYEE LEAVING NO DEPENDANT HAD NOT BEEN CHANGED SINCE 1980.

+JUDGING FROM THE INCREASE IN THE COST OF LIVING IN THE PAST TWO YEARS, A REVISION OF THIS COMPENSATION RATE IS DUE,+ DR FANG SAID.

DR FANG FELT THE GOVERNMENT SHOULD ALSO LOOK INTO THE COMPENSATION PAYABLE TO WORKERS INJURED ON DUTY.

THESE COMPENSATION WERE SUBJECT TO MAXIMUM LEVELS IN FORCE ON THE DATE OF INJURY. BUT THEY HAD GIVEN RISE TO COMPLAINTS FROM SOME WORKERS, BECAUSE DURING THE TIME WHEN THEIR EXTENT OF INCAPACITY WERE BEING ASSESSED, INCREASES ON THE MAXIMUM PAYMENTS WERE INTRODUCED, HE ADDED.

+THE WORKERS CONCERNED, WHO COULD HAVE RECEIVED A BIGGER COMPENSATION HAD THE REVISED MAXIMUM BEEN APPLIED, WERE ONLY AWARDED A SMALLER SUM BECAUSE THE FORMER CEILING WAS BEING USED.

THE UNOFFICIALS ALSO NOTED THAT SINCE NO TIME LIMIT HAD BEEN STIPULATED IN THE BILL FOR THE NOTIFICATION OF CHANGE OF ADDRESS TO BE MADE, ITS ENFORCEMENT WOULD BE DIFFICULT.

ACCORDINGLY, DR FANG MOVED AN AMENDMENT DURING COMMITTEE STAGE TO IMPOSE A TIME LIMIT OF ONE MONTH TO THE PROVISIONS CONCERNED.

TWO OTHER UNOFFICIALS ALSO SPOKE ON THE BILL.

THE REV THE HON JOYCE M BENNETT SUPPORTED THE BILL WITH CONSIDERABLE RESERVATION ABOUT ITS IMPLEMENTATION.

+I SUPPORT THE BILL IN THE HOPE THAT IT WILL PROVIDE A FURTHER INCENTIVE TO THE DIRECTOR OF SOCIAL WELFARE TO TAKE MORE POSITIVE ACTION IN REGARD TO CHILDREN IN CARE AND THOSE IN NEED OF SOME KIND OF RESIDENTIAL OR FOSTER HOME,+ SHE EXPLAINED.

MISS BENNETT POINTED OUT THAT ABOUT 50 MORE PLACES WOULD BE NEEDED A YEAR IN RESIDENTIAL OR FOSTER HOMES TO MEET THE ADDITIONAL REQUIREMENTS RESULTING FROM THIS BILL.

+CLEARLY WE DO NOT AT THE MOMENT HAVE ENOUGH PLACES FOR CHILDREN, WHO IN TIME OF CRISIS REQUIRE PLACEMENT IN CHILDREN'S HOMES.

+WE RECALL CASES IN RECENT TIMES WHERE CHILDREN ORPHANED BY THE SUDDEN DEATH OF THEIR PARENTS BY FIRE OR ACCIDENT, COULD NOT BE PLACED IN THE SAME CHILDREN'S HOME AND REMAIN UNITED TOGETHER.

+SUCH TRAGEDIES SHOULD BELONG TO THE PAST WHEN THE IMPORTANCE OF KEEPING CHILDREN OF THE SAME FAMILY TOGETHER HAD NOT BEEN RECOGNISED,+ SHE SAID.

WHILE NOTING THAT THE PROVISION OF MORE FOSTER HOMES WOULD BE IDEAL, MISS BENNETT WARNED THAT CHILDREN SHOULD NOT BE TAKEN OUT OF THEIR OWN ENVIRONMENT AND SOCIAL BACKGROUND WHEN THEY WERE PLACED IN A FOSTER HOME.

SHE SAID SHE HAD RECENTLY BEEN MADE AWARE OF THE DANGERS THAT COULD ENSUE WHEN THIS OCCURRED.

SHE ASKED IF THE GOVERNMENT COULD UNDERTAKE A PUBLICITY DRIVE TO ENCOURAGE SUITABLE FAMILIES TO CONSIDER FOSTERING HOMELESS CHILDREN.

+WHAT MORE IS THE DIRECTOR OF SOCIAL WELFARE PLANNING TO ENSURE THE EFFECTIVE IMPLEMENTATION OF THIS BILL?

+WHAT POSITIVE ENCOURAGEMENT IS HE GIVING TO THE VOLUNTARY AGENCIES IN THESE MATTERS?+

DR THE HON HO KAM-FAI MAINTAINED THAT TWO CONSTRAINTS MUST BE OVERCOME IN ORDER TO ENSURE THE SMOOTH ENFORCEMENT OF THE PROVISIONS.

THE FIRST RELATED TO THE CRITICAL SHORTAGE OF ACCOMMODATION, HE SAID.

DR HO POINTED OUT THAT ALTHOUGH IT WOULD BE PREFERABLE TO PLACE A CHILD IN NEED OF CARE AND PROTECTION IN FOSTER HOMES OR SMALL GROUP HOMES, THERE WERE ONLY 45 AND EIGHT SUCH PLACES RESPECTIVELY, CATERING FOR SIMILAR NEEDS IN A LARGE NUMBER OF CARE AND PROTECTION CASES OTHER THAN THOSE ARISING FROM THE BILL.

+I WAS INFORMED THAT THE SOCIAL WELFARE DEPARTMENT IS ENCOURAGING VOLUNTARY ORGANISATIONS TO OPERATE FOUR MORE SMALL GROUP HOMES WITH AN ADDITIONAL 32 PLACES AND 60 MORE FOSTER CARE PLACES IN THE NEXT TWO YEARS.

+FOR THESE PLANS TO BE SUCCESSFUL, THE CO-OPERATION OF VOLUNTARY AGENCIES AND CIVIC-MINDED CITIZENS ARE DESPARATELY NEEDED.

+IN ORDER TO MAKE THE RESPONSES MORE FORTHCOMING, THE DEPARTMENT SHOULD STEP UP ITS EFFORTS.+

DR HO ALSO SUGGESTED THAT A LESS FAVOURABLE ALTERNATIVE WOULD BE TO PLACE A CHILD IN RESIDENTIAL INSTITUTIONS, SUCH AS CHILDREN'S HOMES, CRECHES AND BOYS' AND GIRLS' CENTRES.

THE SECOND CONSTRAINT RELATED TO THE PROVISION OF ADEQUATE SUPERVISION AND GUIDANCE TO THE CHILD ENTRUSTED TO THE DIRECTOR OF SOCIAL WELFARE.

DR HO POINTED OUT THAT A CHILD FROM A BROKEN MARRIAGE TENDED TO DEMAND MORE ATTENTION, CARE AND AFFECTION THAN ONE FROM A NORMAL FAMILY.

HE NOTED, HOWEVER, THAT THE EXISTING WORKLOAD OF A FAMILY SERVICE WORKER WAS MORE THAN 100 CASES AND SAID THE NEW RESPONSIBILITY CREATED BY THE BILL NEEDED TO BE DISCHARGED WITH THE EQUAL DEGREE OF DILIGENCE AND ATTENTION.

THE DIRECTOR OF SOCIAL WELFARE, THE HON J.W. CHAMBERS THANKED DR FANG, MISS BENNETT AND DR HO KAM-FAI FOR THEIR SUPPORT OF THE BILL.

HE AGREED THAT IT WOULD BE HELPFUL IF A TIME LIMIT OF ONE MONTH WERE PRESCRIBED FOR THE NOTIFICATION OF CHANGE OF ADDRESS TO BE MADE TO THE DIRECTOR OF SOCIAL WELFARE, AND SUPPORTED THE AMENDMENT MOVED BY DR FANG AT THE COMMITTEE STAGE.

HE EXPLAINED THAT A CENTRAL PLANNING UNIT HAD RECENTLY BEEN ESTABLISHED WITHIN THE DEPARTMENT TO PROMOTE THE DEVELOPMENT OF FOSTER CARE AND SMALL GROUP HOMES.

+I AM GLAD TO SAY THAT WE ARE MAKING GOOD PROGRESS AND THAT IN ADDITION TO EXISTING AGENCIES WHICH ARE INTERESTED IN EXPANDING THEIR PLACEMENTS, A NEW AGENCY WILL BE TAKING UP THE FOSTER CARE SERVICE VERY SHORTLY.

+THE CENTRAL PLANNING UNIT WILL PROVIDE THE NECESSARY STIMULUS TO VOLUNTARY AGENCIES TO EXPAND IN THESE AREAS, AND A TERRITORY-WIDE PUBLICITY CAMPAIGN TO PROMOTE THE FOSTER CARE SERVICE IS PLANNED FOR THE NEAR FUTURE.

+THE UNIT WILL ALSO DETERMINE THE BEST STRATEGY FOR RECRUITING FOSTER PARENTS AND WILL BE RESPONSIBLE FOR REGISTERING POTENTIAL FOSTER PARENTS AND FOR ASSESSING THEIR SUITABILITY.

+THOSE FOUND SUITABLE WILL BE REFERRED TO APPROPRIATE VOLUNTARY AGENCIES FOR MATCHING WITH CHILDREN,+ HE SAID. MR CHAMBERS ASSURED MISS BENNETT THAT THE CHILD'S SOCIAL BACKGROUND AND ENVIRONMENT WOULD ALSO BE CONSIDERED, SO AS TO ENSURE COMPATIBILITY WITH THE FOSTER PARENTS.

+IF ALL GOES WELL, WE EXPECT IN THE NEXT TWO YEARS TO BE ABLE TO INCREASE THE NUMBER OF PLACES IN FOSTER HOMES FROM 45 TO 160, AND IN SMALL GROUP HOMES FROM 8 TO 72.

+THE NUMBER OF RESIDENTIAL PLACES IN ORDINARY HOMES WILL ALSO BE INCREASED FROM 1 171 TO 1 238, AND I SHALL CONSIDER THE PROVISION OF ADDITIONAL HOSTEL PLACES FOR THE OLDER AGE GROUP IF THIS APPEARS TO BE NECESSARY,+ HE SAID.

MR CHAMBERS ALLAYED CONCERN ABOUT THE POSSIBILITY THAT CHILDREN COMMITTED TO HIS CARE UNDER THIS BILL MIGHT BE PLACED IN CORRECTIONAL INSTITUTIONS OPERATED BY THE DEPARTMENT.

+SUCH PLACEMENTS WOULD BE QUITE INAPPROPRIATE SINCE THE CHILDREN OF BROKEN MARRIAGES ARE IN A QUITE DIFFERENT SITUATION FROM THOSE YOUNG PEOPLE WHO ARE COMMITTED TO A PERIOD OF STAY IN A CORRECTIONAL INSTITUTION. I WISH THEREFORE TO STRESS THAT I HAVE NO INTENTION OF RESORTING TO THE USE OF SUCH FACILITIES IN THE CASE OF CHILDREN ENTRUSTED TO MY CARE UNDER THIS BILL,+ HE SAID.

THE DEGREE OF CARE AND SUPERVISION REQUIRED WOULD VARY IN EACH CASE, HE SAID. AS THIS WAS A NEW COMMITMENT, IT WAS DIFFICULT AT THIS STAGE TO PREDICT HOW MANY SUCH CASES WOULD ARISE AND THEIR AGE RANGE BUT HE DID NOT EXPECT THE NUMBER TO BE LARGE.

+GIVEN PRESENT PLANS TO EXPAND BOTH RESIDENTIAL AND NON-INSTITUTIONAL CARE SERVICES, I DO NOT EXPECT ANY INSURMOUNTABLE DIFFICULTIES IN PROVIDING ADEQUATE CARE AND SUPERVISION,+ HE SAID.

NEW PROPERTY TAX ASSESSMENT 'MORE EQUITABLE'
 * * * * *

MEMBERS OF THE MONETARY POLICY GROUP OF UNOFFICIALS EXAMINING THE PROPOSED NEW SYSTEM OF ASSESSMENT OF PROPERTY TAX UNDER THE INLAND REVENUE (AMENDMENT) BILL 1983, CONSIDERED IT MORE EQUITABLE THAN THE EXISTING SYSTEM.

BUT, THE GROUP CONVENER, THE HON BILL BROWN, POINTED OUT: +IT IS ASSUMED THAT BY MAKING THE CHANGES DETAILED IN THIS BILL, THE GOVERNMENT HAS DECIDED NOT TO IMPLEMENT, AT LEAST FOR THE FORESEEABLE FUTURE, THE RECOMMENDATION CONTAINED IN THE REPORT OF THE THIRD INLAND REVENUE ORDINANCE REVIEW COMMITTEE, THAT 'THE EXPLOITATION OF THE OWNERSHIP OF PROPERTY SHOULD BE TREATED AS THE CARRYING ON OF A BUSINESS, CONSEQUENTLY SEPARATE PROPERTY TAX BE ABOLISHED'.+

HE WAS SPEAKING AT THE RESUMED DEBATE ON THE BILL IN THE LEGISLATIVE COUNCIL TODAY.

THE BILL REPLACES THE EXISTING SYSTEM OF PROPERTY TAX ASSESSMENT - BASED ON VALUATIONS, WHICH NORMALLY REFLECT THE RENT AT WHICH THE PROPERTY MIGHT REASONABLY BE EXPECTED TO BE LET - WITH A SYSTEM BASED ON ACTUAL RENTS RECEIVED.

MR BROWN SAID THAT AFTER DISCUSSIONS WITH GOVERNMENT OFFICIALS, THE FOLLOWING POINTS IN CONNECTION WITH THE DEFINITION OF +CONSIDERATION+ (WHICH INCLUDES THE SUM OF MONEY, OR MONEY'S WORTH, PAYABLE TO THE OWNER FOR THE RIGHT OF USE OF THE PREMISES) HAD BEEN CLARIFIED:

- * THE COST OF MANAGEMENT FORMS PART OF THE +CONSIDERATION+ WHERE A TENANT PAYS THE MANAGEMENT FEES DIRECT TO THE LANDLORD FOR THE BENEFIT OF THE LANDLORD HIMSELF. HOWEVER, IT WILL NOT BE INCLUDED IN THE +CONSIDERATION+ WHERE THE TENANT IS LIABLE TO PAY SUCH FEES TO, SAY, A MANAGEMENT COMPANY, BUT DOES SO VIA THE LANDLORD;
- * WHERE THE LANDLORD IS CONTRACTUALLY LIABLE TO PAY THE MANAGEMENT FEES BUT BUILDS SUCH FEES INTO THE RENTAL STRUCTURE, THE GROSS SUM IS INCLUDED IN THE +CONSIDERATION+;
- * +CONSIDERATION+ DOES NOT INCLUDE RATES WHERE THE OWNER AGREES TO PAY THE RATES; AND
- * AMOUNTS CHARGED TO TENANTS FOR THE USE OF FURNITURE WILL NOT BE INCLUDED IN THE +CONSIDERATION+.

HE ALSO NOTED THAT AS THE WORDING IN THE BILL HAD CAUSED DOUBT IN SOME MINDS AS TO HOW ITS PROVISIONS WOULD BE INTERPRETED IN PRACTICE, THE COMMISSIONER OF INLAND REVENUE HAD ASSURED THAT:

- * WHERE A PERSON IS ONLY THE OWNER OF A PROPERTY FOR PART OF A YEAR OF ASSESSMENT HE IS ONLY TAXABLE IN RESPECT OF THAT PART OF THE YEAR FOR WHICH HE IS THE OWNER; AND

* WHERE PROVISIONAL PROPERTY TAX IS PAID BY AN OWNER AND A REFUND BECOMES PAYABLE AFTER THE PROPERTY HAS PASSED INTO THE OWNERSHIP OF A SUBSEQUENT OWNER, SUCH REFUND WILL BE MADE TO THE ORIGINAL OWNER AND WILL NOT BE APPLIED AGAINST ANY LIABILITY TO TAX OF THE SUBSEQUENT OWNER.

OTHER POINTS WHICH EMERGED DURING THE COURSE OF EXAMINATION OF THE BILL, AND THE STUDY OF REPRESENTATIONS RECEIVED BY THE UNOFFICIALS, INCLUDED THE PROPOSAL THAT PREMIA FOR THE GRANT OF LEASES BE SPREAD OVER THE LIFE OF SUCH LEASES OR FOR A PERIOD OF THREE YEARS WHICHEVER IS THE SHORTER.

+WHILE SOME RESERVATIONS REMAIN REGARDING THE EQUITY OF THIS ARRANGEMENT, + MR BROWN SAID, +WE ACCEPT THAT LONG LEASES ARE UNUSUAL FOR DOMESTIC PREMISES OWNED BY PRIVATE LANDLORDS.

+MOST LONG LEASES ARE FOUND IN THE CORPORATE SECTOR AND THERE IS OF COURSE NO PROVISION TO SPREAD SUCH BENEFITS RECEIVED WHEN HAVING REGARD TO PROFITS TAX.+

TURNING TO CLAIMS THAT THE BILL COULD CAUSE UNDUE HARDSHIP FOR LANDLORDS, MR BROWN SAID HIS GROUP HAD BEEN ASSURED THAT DEMAND NOTES FOR THE 1983/84 PROVISIONAL PROPERTY TAX WOULD BE ISSUED BETWEEN JULY AND MID-AUGUST THIS YEAR, WITH DUE DATES FOR PAYMENT FALLING BETWEEN NOVEMBER 1, 1983 AND FEBRUARY 29, 1984.

+THIS CONFIRMS WITH THE DUE DATE PATTERN ADOPTED FOR 1982/83 AND EARLIER YEARS,+ HE ADDED.

+THE 1983/84 PROVISIONAL ASSESSMENTS WILL USE 1982/83 ASSESSABLE VALUES AND THERE IS A PROVISION IN THE BILL - CLAUSE 18 NEW SECTION 63(O) - FOR THE PROVISIONAL TAX TO BE HELD OVER WHERE THE FINAL 1983/84 LIABILITY IS LIKELY TO BE LESS THAN THE AMOUNT PROVISIONALLY ASSESSED.+

DR THE HON HENRY HU AND THE HON K.C. CHAN ALSO SPOKE ON THE BILL.

DR HU EXPRESSED CONCERN THAT THERE MIGHT BE CONFUSION IN ASCERTAINING +CONSIDERATION+ BECAUSE IN CERTAIN CIRCUMSTANCES, THE COST OF MANAGEMENT WAS INCLUDED IN THE +CONSIDERATION+ WHILE IN OTHERS IT WAS NOT.

HE ALSO THOUGHT THAT THERE SHOULD BE NO CHARGE TO PROPERTY TAX ON THE AMOUNT PAYABLE TO THE LANDLORD FOR THE USE OF FURNITURE.

EXPLAINING THE TRADITIONAL DEFINITION OF +CONSIDERATION+, DR HU SAID: +IT IS 'SOMETHING OF VALUE IN THE EYE OF THE LAW' GIVEN OR ACCEPTED IN RETURN FOR A PROMISE.

+IT FOLLOWS THAT IF THE MANAGEMENT FEE AND/OR THE FURNITURE ELEMENT FORM PART AND PARCEL OF THE TENANCY, IT WOULD BE BETTER NOT TO DESCRIBE AN AMOUNT AS 'CONSIDERATION' FROM WHICH THE FURNITURE ELEMENT AND/OR THE MANAGEMENT FEE ARE DEDUCTED.+

IN VIEW OF THIS RATHER NARROW AND PECULIAR MEANING OF +CONSIDERATION+ USED IN THE BILL, HE SUGGESTED THAT A SEPARATE DEFINITION OF THE TERM SHOULD BE INSERTED UNDER THE PRINCIPAL ORDINANCE SPECIFYING THE SPECIAL MEANING OF +CONSIDERATION+ FOR THE PURPOSE OF PROPERTY TAX EVALUATION SO THAT THE RIGHTS AND DUTIES OF A TAXPAYER COULD BE PLACED IN A MORE CLEAR PERSPECTIVE.

MR CHAN SAID THE BILL WOULD CHANGE THE CONCEPT OF +ASSESSABLE VALUE+ OF PROPERTIES FOR PROPERTY TAX PURPOSES TO +ACTUAL RENTAL INCOME+.

THE INCREASED REVENUE FROM PROPERTY TAX WOULD ALSO HELP TO AUGMENT THE PUBLIC COFFERS IN THE COMING FINANCIAL YEAR, HE ADDED.

HE DISMISSED THE DOUBTS THAT THERE WOULD BE ABUSE IN REPORTING A +FALSE+ RENTAL WHICH WAS LOWER THAN THE ACTUAL RENTAL BY THE LANDLORD IN COLLABORATION WITH THE TENANT.

+I NOTE THAT BESIDES THE USUAL STIFF PENALTIES FOR THE EVASION OF TAX, THERE IS A BUILT-IN SAFEGUARD IN A LANDLORD AND TENANT RELATIONSHIP IN THAT ONCE A RENT RECEIPT ON THE LOWER RENTAL IS SIGNED, THE LANDLORD WOULD BE PENALISED BY THE TENANT WHO WILL THEREAFTER PAY THE FORMER THE LOWER 'FALSE' RENTAL,+ SAID MR CHAN.

MOVING THE SECOND READING OF THE BILL, THE FINANCIAL SECRETARY, THE HON JOHN BREMRIDGE THANKED MR BROWN, DR HU AND MR CHAN FOR THEIR THOUGHTFUL COMMENTS.

HE REFERRED TO DR HU'S SUGGESTION THAT THE TERM +CONSIDERATION+ SHOULD BE DEFINED MORE PRECISELY, AND SAID HE WAS ADVISED THAT IT WOULD BE VERY DIFFICULT TO PRODUCE A SATISFACTORILY EXHAUSTIVE DEFINITION.

+ANY ATTEMPTED ONE WOULD ALMOST CERTAINLY PRESENT OPPORTUNITIES FOR TAX AVOIDANCE,+ HE ADDED.

MR BREMRIDGE LATER MOVED FOUR AMENDMENTS TO THE BILL IN THE COMMITTEE STAGE AS FOLLOWS:

- * CLAUSE 4 - AMENDED TO PROVIDE RELIEF TO A LANDLORD WHO PAYS THE RATES.
- * CLAUSE 6 - AMENDED TO MAKE IT CLEAR THAT MANAGEMENT FEES PAID BY THE TENANT TO THE LANDLORD ARE TAXABLE UNDER THE NEW SYSTEM.
- * CLAUSE 18 - TO CORRECT A MINOR TYPOGRAPHICAL ERROR. A NEW CLAUSE, NUMBER 18A, ADDED TO THE BILL TO MAKE IT AN OFFENCE LIABLE TO PENALTY IF A LANDLORD FAILS TO KEEP SUFFICIENT RECORD OF THE RENT HE RECEIVES FROM THE TENANT.

COMPUTER BACK-UP FOR NEW ID CARDS

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A COMPUTER BACK-UP FOR THE NEW FORGERY-PROOF IDENTITY CARDS WILL ENABLE POLICEMEN ON THE BEAT TO CHECK PARTICULARS ON SUCH CARDS IN HALF AN HOUR, THE HON PETER C. WONG SAID IN THE LEGISLATIVE COUNCIL TODAY.

SPEAKING IN SUPPORT OF THE REGISTRATION OF PERSONS (AMENDMENT) BILL 1983, MR WONG POINTED OUT THAT AN IMPORTANT FEATURE OF THE NEW ARRANGEMENT WAS THAT ALL RECORDS WOULD BE COMPUTERISED AND BE AVAILABLE TO THE POLICE THROUGH THE BEAT RADIO SCHEME.

THIS WOULD GREATLY ASSIST THE LAW ENFORCEMENT AGENCY IN COMBATING ILLEGAL IMMIGRATION, HE SAID.

THE BILL HAD BEEN CAREFULLY STUDIED BY AN AD HOC GROUP SET UP BY THE UNOFFICIAL MEMBERS OF THE COUNCIL.

MR WONG SAID THAT THE GROUP'S WIDE-RANGING DISCUSSIONS WITH THE GOVERNMENT HAD RESULTED IN THE FOLLOWING CHANGES TO THE BILL MADE AT THE COMMITTEE STAGE TODAY :

- * WHILE THE PROVISION OF A \$3 000 FINE AS PROPOSED IN THE NEW SECTION 7B(3) FOR FAILURE TO APPLY FOR A NEW CARD WAS CONSIDERED REASONABLE, A TERM OF ONE YEAR'S IMPRISONMENT APPEARED TO BE HARSH AND WOULD BE DELETED.
- * POSSESSION OF AN INVALID ID CARD SHOULD NOT CONSTITUTE AN OFFENCE CARRYING A PENALTY OF \$3 000 AND A SENTENCE OF ONE YEAR'S IMPRISONMENT, AS OTHERWISE ANYONE WHO INADVERTENTLY RETAINS AN OLD CARD WOULD BE LIABLE TO PROSECUTION. THIS OFFENCE AND THE PENALTIES AS PROPOSED IN THE NEW SECTION 7C(3) WOULD BE DELETED AND THE MATTER WOULD BE DEALT WITH UNDER OTHER SECTIONS OF THE PRINCIPAL ORDINANCE.

THE HON CHAN KAM CHUEN, ALSO SPEAKING IN SUPPORT OF THE BILL, SUGGESTED THAT THE +ASSEMBLY LINE CONCEPT+ BE ADOPTED TO SAVE TIME IN DEALING WITH THE HUGE NUMBER OF CARDS INVOLVED.

IN HIS VIEW, THE OFFICERS ON THE WORK LINE SHOULD AIM AT SPEED WITH EFFICIENCY AND IN CASE OF A REJECT, TRANSFER HIS CASE IMMEDIATELY TO A RELIEF UNIT AND THE +QC+ TO DECIDE WHETHER A NEW ID CARD SHOULD BE ISSUED. THE UNOFFICIAL MEMBERS WERE THANKED BY THE SECRETARY FOR SECURITY THE HON D.G. JEAFFRESON, FOR THEIR SUPPORT OF THE BILL.

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CAUSE OF GASSING INCIDENT EXPLAINED

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IN THE LABOUR DEPARTMENT'S VIEW, THE PRIMARY CAUSE OF THE GASSING INCIDENT IN A SAN PO KONG FACTORY IN JANUARY WAS FAILURE BY THE FACTORY PROPRIETOR TO OBSERVE EXISTING REGULATIONS REGARDING VENTILATION OF WORKROOMS.

HOWEVER, THE LABOUR DEPARTMENT WILL BE EXAMINING THE ADEQUACY OF THE VARIOUS SAFETY REGULATIONS IN THE LIGHT OF THE INCIDENT TO SEE IF AMENDMENTS TO THE EXISTING REGULATIONS OR NEW REGULATIONS WOULD ASSIST IN THE PROTECTION OF EMPLOYEES FROM TOXIC SUBSTANCES.

THIS WAS STATED BY THE COMMISSIONER FOR LABOUR, THE HON J.N. HENDERSON, AT THE LEGISLATIVE COUNCIL THIS (WEDNESDAY) AFTERNOON IN REPLY TO A QUESTION ON THE INCIDENT BY DR THE HON HARRY FANG.

THE FACTORY INSPECTORATE OF THE LABOUR DEPARTMENT, MR HENDERSON CONTINUED, WILL CONTINUE ITS EFFORTS IN THE ENFORCEMENT OF THE SAFETY REGULATIONS CONCERNING GENERAL VENTILATION OF WORKROOMS AND LOCAL EXHAUST SYSTEMS FOR SPECIAL PROCESSES.

AT THE SAME TIME, STAFF OF BOTH THE FACTORY INSPECTORATE AND THE OCCUPATIONAL HEALTH DIVISION WILL CONTINUE TO ADVISE FACTORY PROPRIETORS ON THE REQUIREMENTS FOR ADEQUATE VENTILATION OF WORKROOMS. DURING THEIR VISITS TO FACTORIES, THEY WILL PAY PARTICULAR ATTENTION TO PROCESSES WHICH MAY GENERATE TOXIC GASES WITHOUT ADEQUATE VENTILATION.

IN THE DEPARTMENT'S ON-GOING INDUSTRIAL SAFETY AND HEALTH PUBLICITY CAMPAIGN PROGRAMME, SPECIAL EMPHASIS WILL BE GIVEN TO THE PREVENTION OF POISONING BY TOXIC GASES AND THE IMPORTANCE OF ADEQUATE VENTILATION IN THE WORKROOMS.

EARLIER, MR HENDERSON POINTED OUT THAT THE PROPRIETOR OF THE FACTORY CONCERNED FAILED TO INSTALL LOCAL EXHAUST SYSTEMS TO A NEW PRINTING PROCESS WHICH USED ULTRA-VIOLET LIGHT AND PERCHLOROETHYLENE. THE PROCESS GENERATED OZONE AND PHOSGENE WHICH, IN THE ABSENCE OF +PROPER EXHAUST+, ACCUMULATED IN THE WORKROOMS.

DURING A VISIT TO THE FACTORY WITHIN AN HOUR OF RECEIVING A REPORT, MR HENDERSON CONTINUED, AN OCCUPATIONAL HYGIENIST FOUND A NEW PRINTING PROCESS HAD BEEN INSTALLED ON FIVE MACHINES WITHOUT CONNECTING THEM TO THE EXHAUST SYSTEMS.

ALL THESE MACHINES HAD STOPPED OPERATION SINCE THE PREVIOUS DAY. THE NEW PROCESS WAS NO LONGER IN OPERATION AND NO EVIDENCE OF ACTIVE TOXIC AGENT WAS FOUND IN THE ENVIRONMENT AT THE TIME OF THE VISIT.

FOR THE NEXT TWO DAYS, STAFF OF THE OCCUPATIONAL HEALTH DIVISION AND THE FACTORY INSPECTORATE CONTINUED THEIR INVESTIGATIONS, AND EXAMINATION OF THE VENTILATION SYSTEM, THE NEW PROCESS AND MATERIALS USED, AND A REVIEW OF THE FINDINGS SUGGESTED POSSIBLE TOXIC AGENTS FROM THE PROCESS AS OZONE, PHOSGENE OR OXIDES OF NITROGEN.

/TO CONFIRM

TO CONFIRM THIS, A SIMULATION TEST WAS CARRIED OUT IN THE AFTERNOON OF SATURDAY (JANUARY 29), WITHOUT THE PRESENCE OF WORKERS, AND AIR SAMPLES WERE TAKEN BY THE GOVERNMENT CHEMIST.

ANALYSIS OF THE AIR SAMPLES BY THE GOVERNMENT CHEMIST CONFIRMED THAT OZONE AND PHOSGENE WERE THE GASES RESPONSIBLE FOR THE TOXIC EFFECTS ON THE AFFECTED WORKERS.

MR HENDERSON POINTED OUT THAT A PROPERLY DESIGNED EXHAUST SYSTEM SHOULD CONTROL THE TOXIC GASES GENERATED IN THE PROCESS AND PREVENTED ANY ESCAPE TO THE GENERAL WORK PLACE ENVIRONMENT. HOWEVER, THE PROPRIETOR HAS INFORMED THE DEPARTMENT RECENTLY THAT HE HAS DECIDED TO CEASE OPERATING THE PROCESS AND TO RETURN THE MACHINERY TO JAPAN.

A REGISTER OF AFFECTED PERSONS IS BEING ESTABLISHED AND THEIR HEALTH PATTERN WILL BE KEPT UNDER REVIEW. ARRANGEMENTS HAVE ALSO BEEN MADE FOR THE OBSTETRIC UNIT AND PEDIATRIC UNIT OF THE QUEEN ELIZABETH HOSPITAL TO PROVIDE SPECIAL SURVEILLANCE FOR PREGNANT EMPLOYEES AND THEIR BABIES.

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FATAL ACCIDENTS FROM DOMESTIC CARBON MONOXIDE POISONING DECLINE
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OVER THE LAST THREE YEARS THERE HAS BEEN A DECLINE IN THE NUMBER OF FATAL ACCIDENTS FROM CARBON MONOXIDE POISONING CAUSED AS A RESULT OF THE USE OF DOMESTIC GAS WATER HEATERS, THE SECRETARY FOR ECONOMIC SERVICES, THE HON P. JACOBS, SAID IN THE LEGISLATIVE COUNCIL TODAY.

THERE WERE 10 DEATHS FROM SUCH ACCIDENTS IN 1980, EIGHT IN 1981 AND FOUR IN 1982, MR JACOBS SAID IN REPLY TO THE HON LYDIA DUNN.

THE DROP REFLECTED NOT ONLY HEIGHTENED CONSUMER AWARENESS OF THE NEED TO TAKE PRECAUTIONS, BUT ALSO THE FACT THAT THERE WAS NOW AVAILABLE A SUPPLY OF SAFE WATER HEATERS, HE SAID.

+BUT THERE IS NO ROOM FOR COMPLACENCY. EVENTUALLY, IT WILL BE NECESSARY FOR THE GOVERNMENT TO INTRODUCE GAS SAFETY LEGISLATION TO REGULATE THE MANUFACTURE, STORAGE, TRANSMISSION, DISTRIBUTION AND UTILISATION OF GAS FUELS AND GAS APPLIANCES, + MR JACOBS SAID, ADDING THAT HE WOULD SHORTLY SUBMIT A REPORT ON GAS SAFETY TO THE EXECUTIVE COUNCIL.

THE FINDINGS OF THE GAS SAFETY CONSULTANTS WERE BASICALLY THAT FUELESS HEATERS AND OPEN FLUE HEATERS WERE UNSAFE BECAUSE THEY HAD NOT BEEN CORRECTLY INSTALLED, HE SAID.

/THE CONSULTANTS

THE CONSULTANTS RECOMMENDED THAT ALL SUCH UNSAFE WATER HEATERS BE REPLACED BY SAFE HEATERS OVER A PERIOD OF TIME, AND THAT UNSAFE APPLIANCES SHOULD BE BANNED AND DISCONNECTED AFTER THIS PERIOD.

+THIS RECOMMENDATION, DIFFICULT IN ANY EVENT TO IMPLEMENT, HAS BEEN EXAMINED BY THE ECONOMIC SERVICES BRANCH, THE GOVERNMENT'S OWN GAS ENGINEERS AND OTHER GOVERNMENT DEPARTMENTS DURING THE FIRST HALF OF 1982.

+IT WAS DECIDED THAT INSTEAD OF AN EVENTUAL BAN, IT WOULD BE MORE PRACTICAL TO GIVE CONSUMERS A CHOICE,+ MR JACOBS SAID.

THEY COULD CHOOSE SAFETY EITHER THROUGH VENTILATION OR BY REPLACING THEIR EXISTING UNSAFE HEATERS WITH IMPROVED, SAFER APPLIANCES, HE POINTED OUT.

THE NATURAL DRAUGHT BALANCED FLUE HEATER REQUIRES A SUFFICIENTLY LARGE APERTURE TO BE PROVIDED IN THE WALL OF THE BATHROOM.

WHILE THIS COULD BE DIFFICULT TO ACHIEVE IN EXISTING BUILDINGS, THE BUILDING ORDINANCE OFFICE HAD ISSUED A BUILDING PRACTICE NOTE TO ALL AUTHORISED PERSONS, ADVISING THEM TO MAKE PROVISION FOR THESE APERTURES IN THEIR PLANS FOR NEW DOMESTIC BUILDINGS, MR JACOBS POINTED OUT.

HE SAID THAT IN THE CIRCUMSTANCES, THE GOVERNMENT WAS SATISFIED THAT MUCH WAS BEING DONE TO REDUCE THE POSSIBILITY OF FATAL ACCIDENTS.

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BENEFITS OF SCHOOL DENTAL PLAN RECOGNISED

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A SCHOOL DENTAL CARE SERVICE WAS RECOGNISED AS A MOST APPROPRIATE AND COST EFFECTIVE SCHEME TO PROMOTE DENTAL HEALTH AMONG SCHOOL CHILDREN, THE DIRECTOR OF MEDICAL AND HEALTH SERVICES, DR THE HON K.L. THONG, SAID TODAY.

+THE BENEFITS OF SUCH SCHEMES, DESIGNED TO PROVIDE ORAL HEALTH EDUCATION AND BASIC CONSERVATIVE DENTAL TREATMENT, HAVE BEEN CLEARLY DEMONSTRATED IN OTHER COUNTRIES WITH SIMILAR PROGRAMMES,+ HE TOLD THE LEGISLATIVE COUNCIL IN REPLY TO A QUESTION BY DR THE HON HENRIETTA IP.

DR THONG SAID \$3.93 MILLION WAS SPENT ON THE SCHOOL DENTAL CARE SERVICE FOR 1981/82. WITH 75 842 PUPILS PARTICIPATING IN THE SCHEME, THIS WORKED OUT AT \$52 EACH PUPIL.

+THE SERVICE IS ESSENTIALLY PREVENTIVE IN NATURE AND IS CARRIED OUT AMONG SCHOOL CHILDREN WHERE IT WILL DO MOST GOOD AND AT REASONABLE COST,+ HE ADDED.

/IN REPLY

IN REPLY TO ANOTHER QUESTION ABOUT THE DELAY IN THE PLANNED DEVELOPMENT OF SCHOOL CHILDREN'S DENTAL CLINICS, DR THONG SAID THAT THE REASON FOR THE RE-SCHEDULING OF THE ARGYLE STREET DENTAL CLINIC, WAS BECAUSE THE PROJECT WAS NOT ACCEPTED AS A PRIORITY ITEM FOR IMMEDIATE UPGRADING IN THE PUBLIC WORKS BUILDING PROGRAMME.

THIS MEANT THAT THE PROJECT COULD NOW ONLY BE COMPLETED A YEAR BEHIND SCHEDULE, HE ADDED.

DR THONG SAID IT FOLLOWED THAT THE BUILDING SCHEDULES FOR OTHER SCHOOL CHILDREN DENTAL CLINIC PROJECTS WOULD BE AFFECTED TO SOME EXTENT.

HOWEVER, THE DEVELOPMENT OF THE SCHOOL DENTAL CARE SERVICE WOULD NOT BE AFFECTED UP TO THE END OF THIS YEAR.

BUT THE STUDENT DENTAL THERAPISTS WHO WOULD QUALIFY AT THE END OF THIS YEAR AND 1984 WOULD HAVE TO BE ACCOMMODATED IN ALTERNATIVE FACILITIES FOR THEIR WORK, HE SAID.

+ACTIVE CONSIDERATION IS NOW BEING GIVEN TO FIND SUCH ALTERNATIVE ACCOMMODATION IN EXISTING DENTAL FACILITIES OF THE UNIVERSITY AS WELL AS THE GOVERNMENT,+ HE SAID.

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EXCO'S VIEW ON DRIVING LICENCE BEING CONSIDERED

THE MOTION BY THE SECRETARY FOR SECURITY FOR THE DELETION OF DRIVING LICENCE AS PROOF OF IDENTITY WOULD ENSURE THAT THE SECURITY ADVANTAGES OF THE NEW ID CARD SYSTEM WOULD NOT BE UNDERMINED, THE HON PETER WONG SAID IN THE LEGISLATIVE COUNCIL TODAY.

HOWEVER, UNOFFICIAL MEMBERS SHARED THE EXECUTIVE COUNCIL'S CONCERN THAT THE PROPOSED DELETION WOULD CAUSE INCONVENIENCE TO THOSE WHO, WHEN DRIVING, WOULD BE REQUIRED TO CARRY BOTH THEIR DRIVING LICENCE AND THEIR ID CARD.

HE THEREFORE WELCOMED THE SECRETARY FOR SECURITY, THE HON D.G. JEAFFRESON'S STATEMENT THAT THE EXECUTIVE COUNCIL'S SUGGESTION THAT DRIVERS SHOULD NOT BE REQUIRED TO CARRY THEIR DRIVING LICENCES IN ADDITION TO THEIR IDENTITY CARDS, WAS BEING SERIOUSLY CONSIDERED.

+THERE WAS A TIME, NOT TOO LONG AGO, WHEN THE CARRYING OF A DRIVING LICENCE WHILE DRIVING WAS NOT MANDATORY. THAT WORKED WELL FOR MANY DECADES. WITH COMPUTER BACK-UP, THE OLD SYSTEM MAY WELL PROVE TO BE SATISFACTORY,+ HE SAID.

MR WONG SAID SINCE THE NUMBER OF A DRIVING LICENCE IS THE SAME AS THE ID CARD NUMBER OF THE HOLDER, AND SINCE ALL RELEVANT RECORDS ARE COMPUTERISED, HE FAILED TO SEE WHY THE EXECUTIVE COUNCIL'S SUGGESTION MIGHT PROVE IMPRACTICAL, AS SUGGESTED BY MR JEAFFRESON WHEN MOVING THE MOTION.

ON THIS OPTIMISTIC NOTE, HE SAID, HE SUPPORTED THE MOTION.

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BILL TO VALIDATE PROPERTY ACQUISITION
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A BILL WAS INTRODUCED IN THE LEGISLATIVE COUNCIL TODAY TO VALIDATE THE ACQUISITION OF CERTAIN PROPERTY BY THE COUNCIL OF ST PAUL'S CO-EDUCATIONAL COLLEGE.

MOVING THE SECOND READING OF THE COUNCIL OF ST PAUL'S CO-EDUCATION COLLEGE INCORPORATION (AMENDMENT) BILL 1983, THE HON MARIA TAM EXPLAINED ITS MAIN PURPOSE IS TO REMOVE THE REQUIREMENT THAT THE COLLEGE COUNCIL SHALL OBTAIN THE PRIOR CONSENT OF THE GOVERNOR-IN-COUNCIL WHEN ACQUIRING IMMOVABLE PROPERTY IN HONG KONG.

IT ALSO AIMS TO VALIDATE THE ACQUISITION OF PROPERTY SPECIFIED IN THE SCHEDULE TO THE BILL WHICH HAD BEEN MADE WITHOUT SUCH PRIOR CONSENT.

DEBATE ON THE BILL WAS ADJOURNED TILL APRIL 13 OR 14.

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CONSULTANTS' STUDY READY IN JUNE
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THE DEFINITIVE FINDINGS OF THE STUDY BY CONSULTANTS ON THE EFFECT OF THE PROPOSED LYEMUN BRIDGE ON THE KAI TAK INSTRUMENT LANDING SYSTEM ARE EXPECTED TO BE READY BY THE END OF JUNE, THE SECRETARY FOR LANDS AND WORKS, MR DAVID MCDONALD, TOLD THE LEGISLATIVE COUNCIL TODAY.

THE PRELIMINARY FINDINGS, HE SAID, WOULD BE AVAILABLE IN MAY.

ANSWERING A QUESTION BY THE HON LYDIA DUNN, MR MCDONALD SAID THAT THE STUDY WAS ORIGINALLY EXPECTED TO BE COMPLETED BY THE END OF 1982.

HOWEVER, MODELLING OF THE AREA OF THE GLIDEPATH PROVED TO BE MORE DIFFICULT AND TIME-CONSUMING THAN ANTICIPATED AND CONSEQUENTLY THE DEFINITIVE FINDINGS OF THE STUDY WERE NOT YET AVAILABLE, HE SAID.

+ALTHOUGH FULL TESTING OF THE VARIOUS BRIDGE MODELS HAS NOT YET BEEN CARRIED OUT PRELIMINARY TESTS SHOW CLEARLY THAT IN THE ORIGINALLY PROPOSED LOCATIONS THE BRIDGE DESIGNS WOULD CAUSE UNACCEPTABLE LEVELS OF INTERFERENCE WITH THE INSTRUMENT LANDING SYSTEM,+ HE SAID.

IT WAS NOW PROPOSED TO CONTINUE TESTING THE PREFERRED BRIDGE DESIGNS IN THE MOST EASTERLY LOCATION AT PROGRESSIVELY LOWERED HEIGHTS, HE ADDED.

+AT THIS STAGE IT IS NOT KNOWN HOW LOW THE BRIDGE WOULD HAVE TO BE TO ACHIEVE AN ACCEPTABLE OPERATIONAL CONDITION BUT LOWERING OF THE LEVEL MIGHT MAKE FURTHER MARINE TRAFFIC RESTRICTIONS INEVITABLE,+ MR MCDONALD SAID.

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PUBLICITY TO DISCOURAGE VIETNAMESE REFUGEES FROM COMING
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THE CENTRAL THEME OF GOVERNMENT PUBLICITY TO DISCOURAGE VIETNAMESE REFUGEES FROM COMING HERE IS THAT THEY WILL BE MUCH BETTER OFF STAYING WHERE THEY ARE, THE SECRETARY FOR SECURITY, THE HON D.G. JEAFFRESON, TOLD THE LEGISLATIVE COUNCIL TODAY.

REPLYING TO A QUESTION BY THE HON ROGER LOBO, MR JEAFFRESON SAID THE GOVERNMENT IS PUBLICISING THE FACT THAT VIETNAMESE REFUGEES WHO COME HERE WILL BE CONFINED IN CLOSED CENTRES AND WILL NOT BE ALLOWED OUT TO WORK.

PUBLICITY IS ALSO BEING GIVEN TO THE FACT THAT THEY WILL FIND THEMSELVES AT THE END OF A VERY LONG QUEUE FOR RESETTLEMENT, AND THAT IN PRACTICE THEIR HOPES FOR RESETTLEMENT ANYWHERE, PARTICULARLY IN THE UNITED STATES ARE NOW VERY SLENDER INDEED, HE SAID.

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WORK ON SQUATTER AREA SLOPES
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THE AREAS OR INDIVIDUAL SQUATTER HUTS IDENTIFIED AS BEING IN IMMEDIATE DANGER FOLLOWING THE HEAVY RAINS OF LAST SUMMER HAVE ALL BEEN CLEARED, THE SECRETARY FOR HOUSING, THE HON DONALD LIAO, SAID IN THE LEGISLATIVE COUNCIL TODAY.

MR LIAO WAS REPLYING TO A QUESTION BY THE HON HO KAM-FAI ON THE SUBJECT.

IN ADDITION TO THE GOVERNMENT'S MAJOR PROGRAMME OF LANDSLIP PREVENTIVE MEASURES WHICH HAS BEEN IN PROGRESS SINCE 1976, MINOR REMEDIAL WORKS TO SLOPES IN SQUATTER AREAS WILL BE CARRIED OUT IN CONJUNCTION WITH THE PROPOSED PROGRAMME OF IMPROVING BASIC FACILITIES AND SERVICES IN SQUATTER AREAS, MR LIAO EXPLAINED.

THESE MEASURES SHOULD REDUCE THE RISK OF SLOPE FAILURE, BUT THE RISK, PARTICULARLY IN SEVERE WEATHER CONDITIONS, CANNOT BE TOTALLY ELIMINATED, HE SAID.

THE FIRST LINE OF DEFENCE FOR THESE AREAS MUST THEREFORE, FOR THE TIME BEING, REMAIN THAT OF TEMPORARILY EVACUATING THE OCCUPANTS WHEN HEAVY RAINFALL IS EXPECTED, HE ADDED.

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INLAND REVENUE (AMENDMENT)(NO. 2) BILL INTRODUCED

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THE PURPOSE OF THE INLAND REVENUE (AMENDMENT)(NO. 2) BILL 1983, INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY, IS TO REMOVE FROM PROFITS TAX LIABILITY GAINS ACCRUING TO UNIT TRUSTS FROM THE DISPOSAL OF SECURITIES, THE FINANCIAL SECRETARY, THE HON JOHN BREMRIDGE, SAID.

IT IS THE VIEW OF THE COMMISSIONER OF INLAND REVENUE THAT UNIT TRUSTS DO NOT ENGAGE IN TRADING IN SECURITIES TO ANY SIGNIFICANT EXTENT, MR BREMRIDGE SAID, IN MOVING THE SECOND READING OF THE BILL.

FOR THE MOST PART, TRANSACTIONS IN SECURITIES UNDERTAKEN BY UNIT TRUSTS ARE IN THE NATURE OF CAPITAL INVESTMENT TRANSACTIONS.

THE THREAT OF LIABILITY TO PROFITS TAX IS, HOWEVER, SEEN BY THE INDUSTRY AS A REAL DISINCENTIVE TO THE FURTHER EXPANSION OF UNIT TRUSTS IN HONG KONG, HE SAID.

+ACCORDINGLY, IN THE INTERESTS OF FOSTERING THE HEALTHY GROWTH OF THE UNIT TRUST MANAGEMENT INDUSTRY AS A USEFUL AND WORTHWHILE ANCILLARY TO THE FINANCIAL SECTOR, THE BILL PROVIDES FOR EXEMPTION FROM TAX OF PROFITS ARISING ON THE DISPOSAL OF SECURITIES BY TRUSTEES OF AN AUTHORISED UNIT TRUST,+ MR BREMRIDGE SAID.

THE PROPOSED EXEMPTION IS TO BE RETROSPECTIVE, AS IT WOULD BE ALMOST IMPOSSIBLE FOR FUND MANAGERS TO RECOVER TAX FROM THOSE UNIT HOLDERS WHO WERE PROPRIETORS OF A TRUST AT THE TIME OF THE RELEVANT TRANSACTIONS, BUT WHO HAVE SINCE CEASED TO BE MEMBERS OF THE UNIT TRUST SCHEME, HE EXPLAINED.

DEBATE ON THE BILL WAS ADJOURNED UNTIL APRIL 13 OR 14.

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NO ALTERNATIVE TO SMOKE LOBBY DOORS

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IT IS IMPRACTICAL TO MAKE IT AN OFFENCE IN LAW TO JAM SMOKE LOBBY DOORS OPEN, NOT LEAST BECAUSE OF THE DIFFICULTY IN POLICING IT AND FINDING THE CULPRITS, THE SECRETARY FOR SECURITY, THE HON D.G. JEAFFRESON, SAID IN THE LEGISLATIVE COUNCIL TODAY.

THE PROPER USE OF THE DOORS MUST DEPEND ON THE VOLUNTARY CO-OPERATION OF THE USERS, MR JEAFFRESON SAID IN REPLY TO THE HON ANDREW SO WHO ASKED WHAT ACTION THE GOVERNMENT WAS TAKING TO ENHANCE FIRE SAFETY ARRANGEMENTS, CONSIDERING THAT TAMPERING WITH SMOKE LOBBY DOORS WAS COMMON.

/+TO ENCOURAGE

+TO ENCOURAGE SUCH CO-OPERATION WE HAVE BEEN RELYING ON IMPROVED BUILDING MANAGEMENT, AND THE REGIONAL SECRETARY (HONG KONG AND KOWLOON) HAS SET UP A STANDING COMMITTEE TO STUDY WAYS AND MEANS OF ACHIEVING THIS END,+ HE SAID.

THE GOVERNMENT WOULD ALSO CONTINUE USING PUBLICITY TO EDUCATE THE PUBLIC ON FIRE SAFETY ARRANGEMENTS GENERALLY, STRESSING THE IMPORTANCE OF KEEPING FIRE DOORS SHUT, HE ADDED.

ONE IMPROVEMENT BEING PURSUED WAS TO MAKE IT COMPULSORY TO POST NOTICES ON THE DOORS, STATING THEY MUST BE KEPT CLOSED, HE SAID.

AFTER CONSIDERING AT LENGTH POSSIBLE MODIFICATIONS TO THE FIRE SAFETY CODES APPLICABLE TO BUILDING DESIGN, THE BUILDING DEVELOPMENT DEPARTMENT, IN CONSULTATION WITH THE FIRE SERVICES DEPARTMENT, PRIVATE ARCHITECTS AND ENGINEERS, CONCLUDED THERE WAS NO ALTERNATIVE TO SMOKE LOBBIES WITH SELF-CLOSING DOORS, MR JEAFFRESON POINTED OUT.

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BICYCLISTS AND ROAD SAFETY

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OVER 90 PER CENT OF PROSECUTIONS OF BICYCLISTS FOR TRAFFIC OFFENCES IN 1981 AND 1982 RESULTED IN CONVICTIONS, THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, SAID TODAY.

REPLYING TO A QUESTION BY THE HON WONG LAM IN THE LEGISLATIVE COUNCIL, MR SCOTT SAID 1 246 BICYCLISTS WERE CHARGED IN 1981 AND 1 691 LAST YEAR.

ABOUT 50 PER CENT OF THE CHARGES RELATED TO ENDANGERING THEIR OWN OR OTHERS' SAFETY THROUGH NEGLIGENCE, 40 PER CENT INVOLVED RIDING A BICYCLE WITHOUT LIGHTS DURING THE HOURS OF DARKNESS, AND THE REMAINING 10 PER CENT RELATED TO CARRYING PASSENGERS OR OVERLOADING, MR SCOTT EXPLAINED.

HE SAID HE THOUGHT THAT THESE FIGURES INDICATED REASONABLE DETERMINATION BY THE GOVERNMENT IN REGARD TO THIS PARTICULAR ASPECT OF ROAD SAFETY.

MR SCOTT RECALLED THAT THE COUNCIL RECENTLY PASSED THE ROAD TRAFFIC ORDINANCE 1982, WHICH AMONG OTHER THINGS, WILL REPLACE THE OFFENCE OF A CYCLIST ENDANGERING THE SAFETY OF OTHER ROAD USERS THROUGH NEGLIGENCE BY THE OFFENCES OF RECKLESS CYCLING AND CARELESS CYCLING. THE ORDINANCE WILL ALSO RAISE THE AGE LIMIT FOR HIRING A BICYCLE FROM EIGHT TO 11 YEARS OF AGE, AND MAKE IT AN OFFENCE FOR A PERSON TO PERMIT A CHILD UNDER 11 YEARS OF AGE TO RIDE A BICYCLE ON A ROAD WITHOUT ADULT SUPERVISION.

+ENFORCEMENT AND PENALTIES ARE NOT, OF COURSE, THE ONLY WAY TO PROMOTE SAFE BICYCLING. POLICE ROAD SAFETY OFFICERS WILL CONTINUE VISITING SCHOOLS TO INSTRUCT CHILDREN ON ROAD SAFETY BEHAVIOUR BOTH AS PEDESTRIANS AND CYCLISTS. SEGREGATED CYCLE TRACKS ARE PROVIDED IN THE LAYOUT OF THE NEW TOWNS,+ MR SCOTT SAID.

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PROPOSALS BEING MADE TO DEAL WITH WING MIRROR ACCIDENTS
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FORTY-ONE PERSONS WERE INJURED BY WING MIRRORS ON VEHICLES IN THE NEW TERRITORIES LAST YEAR, AS AGAINST 30 IN 1981 AND 42 IN 1980, THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, SAID IN THE LEGISLATIVE COUNCIL TODAY.

THESE FIGURES WERE DERIVED FROM THE REPORTS OF POLICE OFFICERS SENT TO THE SCENE OF THE ACCIDENTS, AND IT WAS OFTEN DIFFICULT TO DEFINE EXACTLY WHICH PART OF A VEHICLE HAD CAUSED INJURY, MR SCOTT, WHO WAS REPLYING TO THE HON CHEUNG YAN-LUNG, POINTED OUT.

PROPOSALS WERE BEING MADE WITH THE AIM OF REDUCING THE INCIDENCE OF SUCH ACCIDENTS, HE SAID.

+IT IS PROPOSED THAT THE NEW CONSTRUCTION AND MAINTENANCE REGULATIONS, TO BE MADE UNDER THE ROAD TRAFFIC ORDINANCE 1982, SHALL CONTAIN RESTRICTIONS ON THE PROJECTION OF EXTERIOR MIRRORS, WHEN THESE ARE FITTED LESS THAN TWO METRES ABOVE THE ROAD SURFACE.

+THE REVISED HIGHWAY CODE WILL INCLUDE A REMINDER TO DRIVERS TO ALLOW AMPLE CLEARANCE WHEN PASSING PEDESTRIANS AND CYCLISTS,+ MR SCOTT SAID.

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LAND PROPERTY VALUATION

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THE TIME TAKEN TO VALUE LAND PROPERTY IN THE NEW TERRITORIES FOR ESTATE DUTY PURPOSES VARIES FROM CASE TO CASE DEPENDING UPON THE CIRCUMSTANCES, THE FINANCIAL SECRETARY, THE HON JOHN BREMRIDGE, SAID TODAY.

HE WAS REPLYING TO A QUESTION BY THE HON CHEUNG YAN-LUNG IN THE LEGISLATIVE COUNCIL.

+SIMPLE CASES ARE COMPLETED WELL WITHIN A MONTH, BUT EXCEPTIONALLY COMPLEX CASES CAN TAKE UP TO SIX MONTHS OR MORE. IF MR CHEUNG HAS HAD A SPECIFIC COMPLAINT I WOULD BE PLEASED TO LOOK INTO IT,+ HE SAID.

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FOUR BILLS PASSED

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FOUR BILLS -- THE INLAND REVENUE (AMENDMENT) BILL 1983, THE PROTECTION OF INVESTORS (AMENDMENT) BILL 1983, THE MATRIMONIAL CAUSES (AMENDMENT) BILL 1983 AND THE REGISTRATION OF PERSONS (AMENDMENT) BILL 1983 -- WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY.

THE INLAND REVENUE (AMENDMENT)(NO. 2) BILL 1983 AND THE COMPANIES (AMENDMENT) BILL 1983 WERE INTRODUCED AND READ A SECOND TIME, WITH DEBATE ON THEM ADJOURNED.

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TWO POST-WAR BUILDINGS IN TSUEN WAN DECLARED DANGEROUS
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THE BUILDING AUTHORITY TODAY DECLARED ROCK VILLA AND BUNGALOW C ON D.D. 399 LOT 417 TO BE LIABLE TO BECOME DANGEROUS.

THE PRINCIPAL GOVERNMENT BUILDING SURVEYOR SAID THIS (WEDNESDAY) MORNING THAT THESE TWO POST-WAR BUILDINGS, ONE A SINGLE STOREY AND THE OTHER A TWO-STOREY BUILDING, HAD BEEN INSPECTED RECENTLY.

PART OF THE SLOPE BELOW AND THE RETAINING WALL SUPPORTING THE ACCESS ROAD LEADING UP TO ROCK VILLA HAD ALREADY COLLAPSED AND AS THERE WERE SIGNS THAT THE SITUATION WAS LIKELY TO FURTHER DETERIORATE THIS BUILDING WAS AT RISK.

BUNGALOW C SITUATED BELOW THE COLLAPSED SLOPE AND RETAINING WALL WAS ALSO AT RISK FROM FALLING DEBRIS.

IT WAS THEREFORE CONSIDERED NECESSARY TO CLOSE BOTH THESE BUILDINGS.

NOTICES OF INTENTION TO APPLY FOR CLOSURE ORDERS IN KOWLOON DISTRICT COURT AT 9.30 AM ON APRIL 6 WERE POSTED ON THE BUILDINGS TODAY.

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UN OFFICIALS VISIT CORRECTIONAL INSTITUTIONS
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THE DEPUTY DIRECTOR OF THE UNITED NATIONS ASIA AND FAR EAST INSTITUTE FOR THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS (UNAFEI), MR MASAHARU HINO VISITED THE PIK UK CORRECTIONAL INSTITUTION AND THE MINIMUM SECURITY PIK UK PRISON OF THE CORRECTIONAL SERVICES DEPARTMENT THIS (WEDNESDAY) AFTERNOON.

MR HINO WHO WAS ACCOMPANIED BY TWO OF HIS SENIOR OFFICIALS WAS TAKEN ON A TOUR OF THE INSTITUTIONS BY THE COMMISSIONER OF CORRECTIONAL SERVICES, MR T.G. GARNER AND WAS SHOWN THE VARIOUS FACILITIES PROVIDED INCLUDING THE ACCOMMODATION FOR INMATES, CLASSROOMS, WORKSHOPS, HOSPITALS AND KITCHENS.

THEY ALSO TOURED THE MULTI-STOREY PIK UK LAUNDRY WHICH ARE OPERATED BY THE INMATES. THE LAUNDRY IS CAPABLE OF HANDLING 5.5 MILLION KILOGRAMMES OF CLOTHING AND LINEN FROM GOVERNMENT HOSPITALS AND CLINICS EACH YEAR.

THE VISITORS ARE STOPPING OVER IN HONG KONG FOR HALF A DAY ON THEIR WAY TO PAPUA NEW GUINEA AND TOOK THE CHANCE TO SEE SOME OF HONG KONG'S CORRECTIONAL PROGRAMMES AND FACILITIES.

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LECTURE ON BENJAMIN BRITTEN BY DR DONALD MITCHELL
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THE BRITISH COUNCIL AND THE MUSIC OFFICE OF THE RECREATION AND CULTURE DEPARTMENT WILL PRESENT A LECTURE BY DR DONALD MITCHELL ON THE MUSIC AND LIFE OF BENJAMIN BRITTEN ON MONDAY (MARCH 14) AT 5.30 PM AT THE RECITAL HALL, HONG KONG ARTS CENTRE.

DR MITCHELL, WHO WILL BE IN HONG KONG ON SATURDAY, IS A RENOWNED ENGLISH MUSIC WRITER AND CRITIC. HE IDENTIFIES HIMSELF CLOSELY WITH THE MUSIC OF BENJAMIN BRITTEN.

HE HAD BEEN THE EDITOR OF MUSIC SURVEY AND TEMPO AND THE MUSIC CRITIC FOR MUSICAL TIMES AND THE LISTENER. BETWEEN 1979 AND 1982, HE CONDUCTED A SERIES OF LECTURES AT THE UNIVERSITY OF KENT AND SOUTHWESTERN UNIVERSITY.

DR MITCHELL'S WRITINGS HAVE BEEN ALMOST EXCLUSIVELY CONCERNED WITH THE 20TH CENTURY MUSIC. HIS RESEARCH ON THE MUSIC OF MOZART, BRITTEN AND MAHLER ARE ESPECIALLY RECOGNISED BY HIS COLLEAGUES AS AN UNIQUE ACHIEVEMENT.

DR MITCHELL IS CURRENTLY VISITING CHINA AS A BRITISH COUNCIL REPRESENTATIVE MEETING LEADING FIGURES OF THE CHINESE MUSICIANS' ASSOCIATION, CENTRAL PHILHARMONIC ORCHESTRA, CENTRAL CONSERVATORY OF MUSIC IN BEIJING, SHANGHAI SYMPHONY ORCHESTRA AND SHANGHAI CONSERVATORY OF MUSIC. HE WILL PRESENT THEM WITH COLLECTIONS OF SCORES OF THE MUSIC OF BENJAMIN BRITTEN.

THE LECTURE TO BE CONDUCTED BY DR MITCHELL ON MONDAY IS EXPECTED TO BE AN INTERESTING AND A THOUGHT-PROVOKING SESSION.

FREE ADMISSION TICKETS ARE NOW AVAILABLE AT THE FOLLOWING MUSIC CENTRES OF THE MUSIC OFFICE:-

- (A) HONG KONG MUSIC CENTRE,
9/F., HONG KONG ARTS CENTRE,
WAN CHAI,
HONG KONG.
- (B) YAU MA TEI MUSIC CENTRE,
3/F., GOLDEN GATE COMMERCIAL BUILDING,
138 AUSTIN ROAD,
KOWLOON.
- (C) MONG KOK MUSIC CENTRE,
1/F., CAMBRIDGE COURT,
84 WATERLOO ROAD,
KOWLOON.

FOR ENQUIRIES, PLEASE CALL 5-283257.