



DAILY INFORMATION BULLETIN

WEDNESDAY, JULY 19, 1978

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VALUE OF HONG KONG DOLLAR
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THE HONG KONG DOLLAR HAS DEPRECIATED BY ABOUT 12 PER CENT SINCE THE END OF 1976 IN TERMS OF THE PUBLISHED EFFECTIVE EXCHANGE RATE INDEX WEIGHTED AGAINST THE CURRENCIES OF OUR 15 PRINCIPAL TRADING PARTNERS.

THIS WAS STATED BY THE ACTING FINANCIAL SECRETARY, THE HON. DAVID JORDAN IN THE LEGISLATIVE COUNCIL TODAY IN REPLY TO THE HON. JAMES WU WHO ASKED THE GOVERNMENT TO COMMENT ON THE CURRENT VALUE OF THE HK DOLLAR IN RELATION TO THE CURRENCIES OF OUR MAJOR TRADING PARTNERS.

MR. JORDAN SAID THE DEPRECIATION, HAD OCCURRED DESPITE THE VERY LITTLE CHANGE IN THE EXCHANGE RATE OF OUR DOLLAR WITH THE US DOLLAR DURING THE LAST 18 MONTHS.

+THIS DOWNWARD MOVEMENT IN THE EFFECTIVE EXCHANGE RATE IS PART OF THE ADJUSTMENT PROCESS OF THE ECONOMY AND IS LIKELY TO HAVE A NUMBER OF IMPLICATIONS FOR OUR TRADE AND ECONOMY,+ MR. JORDAN SAID.

HE SAID THE DEPRECIATION OF OUR DOLLAR WOULD TEND TO IMPROVE OUR EXPORT COMPETITIVENESS TO SOME EXTENT AGAINST EXPORTS FROM COUNTRIES WHOSE CURRENCIES HAD APPRECIATED SUBSTANTIALLY. +BUT SUCH IMPROVEMENT WILL OF COURSE BE LIMITED BECAUSE OF THE HIGH IMPORT CONTENT OF OUR EXPORTS,+ HE ADDED.

ANOTHER IMPLICATION, MR. JORDAN SAID, IS THAT IMPORTS GENERALLY WILL TEND TO BECOME MORE EXPENSIVE IN TERMS OF THE HK DOLLAR BUT THIS TENDENCY HAS SO FAR BEEN LARGELY OFFSET BY STEADY OR DECLINING WORLD EXPORT PRICES OF INDUSTRIAL IMPORTS. HE ALSO POINTED OUT THAT THE UPWARD PRESSURE ON DOMESTIC PRICE LEVEL FROM THIS SOURCE HAS CONSEQUENTLY BEEN LIMITED.

+THE CURRENT PICK UP IN OUR EXPORT TRADE AND THE EXPECTED SLOWING DOWN OF THE GROWTH RATE IN THE DOMESTIC SECTOR COULD HELP TO STABILISE THE INDEX,+ MR. JORDAN SAID.

+THE RECENT DECISION BY THE BANKS HERE TO RAISE THEIR INTEREST RATES MAY ALSO MAKE SOME CONTRIBUTION TO THIS PROCESS,+ HE ADDED.

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MORE COMPENSATION FOR OWNERS - OCCUPIERS OF
POST-WAR FLATS RESUMED FOR DEVELOPMENT

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THE GOVERNMENT IS TO INTRODUCE A NEW FORM OF ASSISTANCE TO OWNER-OCCUPIERS OF POST-WAR RESIDENTIAL PROPERTIES RESUMED FOR DEVELOPMENT PURPOSES TO HELP THEM TOWARDS BUYING A NEW FLAT IF THE COMPENSATION FOR THE RESUMED FLAT IS NOT ENOUGH.

THE FIRST GROUP TO BENEFIT FROM THIS SCHEME ARE THE OWNER-OCCUPIERS OF FLATS AT SAI LAU KOK, TSUEN WAN WHICH ARE BEING RESUMED TO MAKE WAY FOR THE MASS TRANSIT RAILWAY STATION AND DEPOT AND THE ASSOCIATED NEW TOWN DEVELOPMENT AT NORTH TSUEN WAN.

UNDER THE SCHEME, THE GOVERNMENT WILL OFFER THE EQUIVALENT OF AN INTEREST-FREE LOAN TO AN OWNER-OCCUPIER TO MAKE UP THE DIFFERENCE, IF ANY, BETWEEN THE VALUE OF HIS RESUMED FLAT AND THE PURCHASE PRICE OF A NEW FLAT OF HIS CHOICE- PROVIDED THAT THIS DIFFERENCE IS NO MORE THAN HALF THE VALUE OF THE RESUMED FLAT OR \$100,000 WHICHEVER IS THE LESSER AMOUNT.

THE ASSISTANCE WILL BE GIVEN NOT AS A LOAN BUT IN THE FORM OF A LUMP SUM REPRESENTING THE CASH VALUE OF THE INTEREST WHICH THE OWNER-OCCUPIER WOULD HAVE HAD TO PAY IF HE HAD BORROWED THE DIFFERENCE IN VALUE OF THE TWO FLATS. THE LUMP SUM WILL BE CALCULATED AT AVERAGE PREVAILING RATES OF INTEREST BASED ON MORTGAGE LOAN REPAYMENTS OVER A 12-YEAR PERIOD. INITIALLY, THE RATE OF INTEREST USED TO CALCULATE THE LUMP SUM WILL BE 10.5 PER CENT. THE LUMP SUM WILL BE PAID EITHER TO THE AFFECTED OWNER-OCCUPIER OR TO THE FINANCIAL INSTITUTION HOLDING THE MORTGAGE.

A GOVERNMENT SPOKESMAN SAID THAT THE SCHEME IS DESIGNED ON THE ASSUMPTION THAT OWNER-OCCUPIERS WILL WISH TO REACCOMMODATE THEMSELVES IN THE SAME DISTRICT WHERE THEY LIVE BUT CANNOT FIND SUITABLE ACCOMMODATION OF A SIMILAR SIZE AND STANDARD. UNTIL HE FINDS SUITABLE ACCOMMODATION, THE OWNER-OCCUPIER IS ENTITLED TO TEMPORARILY OCCUPY A FLAT IN A HOUSING AUTHORITY ESTATE FOR UP TO ONE YEAR.

ALTERNATIVELY, ELIGIBLE OWNER-OCCUPIERS NOT WISHING TO AVAIL THEMSELVES OF THIS SCHEME, WILL BE OFFERED PUBLIC HOUSING ON THE SAME BASIS AS ELIGIBLE TENANTS OF RESUMED RESIDENTIAL PROPERTIES.

THE GOVERNMENT SPOKESMAN SAID THAT THE SCHEME IS ADDITIONAL TO THE EXISTING STATUTORY AND EX-GRATIA PROVISIONS WHICH APPLY IN SUCH CASES.

/AS AN EXAMPLE,

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AS AN EXAMPLE, IN THE SAI LAU KOK CASE, THE CROWN WILL REQUIRE POSSESSION OF THE BUILDINGS IN APRIL OR MAY 1979 AND RESIDENTIAL OCCUPIERS WHO ARE ELIGIBLE FOR AND INTEND TO TAKE UP ACCOMMODATION IN A HOUSING AUTHORITY ESTATE WILL, PRIOR TO THE END OF MARCH 1979, BE OFFERED ACCOMMODATION WITHIN THE TSUEN WAN DISTRICT. IF AT ANY TIME BETWEEN NOW AND THE DATE OF CLEARANCE PERSONS WISH TO LEAVE THEIR PREMISES, THEY WILL RECEIVE HALF OF THE COMPENSATION OR ALLOWANCE OFFERED TO THEM BEFORE VACATING THEIR PREMISES WITH THE BALANCE BEING PAID IMMEDIATELY ON GIVING VACANT POSSESSION. IN RESPECT OF ANY DISPUTE INVOLVING THE AMOUNT OF COMPENSATION FOR ANY LEGAL INTERESTS IN LAND, ARBITRATION AND FINAL SETTLEMENT MAY BE UNDERTAKEN BY THE LANDS TRIBUNAL.

HE SAID THAT THE PROPERTIES AT SAI LAU KOK WILL REVERT TO THE CROWN IN NOVEMBER 1978 AND DURING THE INTERVENING PERIOD, IT WILL BE NECESSARY FOR OFFICERS OF THE HOUSING AUTHORITY, THE MASS TRANSIT OFFICE OF THE P.W.D. AND THE DISTRICT OFFICE, TSUEN WAN TO VISIT ALL THE PREMISES IN ORDER TO DETERMINE ELIGIBILITY FOR ACCOMMODATION IN PUBLIC HOUSING AND TO ASSESS THE AMOUNT OF COMPENSATION AND OTHER SUCH ALLOWANCES AS GOVERNMENT MAY PROVIDE. UNTIL THESE VISITS TAKE PLACE, IT WILL NOT BE POSSIBLE TO INFORM EITHER THE OWNERS OR THE TENANTS OF THE AMOUNT OF COMPENSATION TO WHICH THEY ARE ENTITLED.

FINALLY, IF THERE ARE ANY QUESTIONS REGARDING RESUMPTION PROCEDURES OR IF FURTHER DETAILS AS TO ELIGIBILITY FOR REACCOMMODATION ARE REQUIRED, PEOPLE SHOULD CONTACT THE LIAISON OFFICER (M.T.R.), TSUEN WAN, PUBLIC ENQUIRY SERVICE CENTRE AT 175 CASTLE PEAK ROAD, GROUND FLOOR, ON TELEPHONE NO. 12-431394 OR 12-431451, OR MR. VINCENT SUNG OF THE MASS TRANSIT OFFICE AT TSUEN KING BUILDING, HOI PA STREET, TSUEN WAN, ON TELEPHONE NO. 12-420324.

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REGISTRATION TIMES ANNOUNCED FOR NEW SCHOOLS

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BOTH THE ST. TERESA SECONDARY SCHOOL AND THE NG YUK SECONDARY SCHOOL ON SATURDAY (JULY 22) WILL BEGIN REGISTERING FOR THE NEXT ACADEMIC YEAR MIDDLE 1 TO 4 PUPILS OF THE FORMER PRECIOUS BLOOD GOLDEN JUBILEE SECONDARY SCHOOL.

AN EDUCATION DEPARTMENT SPOKESMAN ANNOUNCED THIS TODAY FOLLOWING DISCUSSIONS BETWEEN THE DIRECTOR OF EDUCATION, MR. KENNETH TOPLEY, AND REPRESENTATIVES OF BOTH SCHOOLS.

THE SPOKESMAN SAID LETTERS WERE TODAY SENT TO PARENTS OF MIDDLE 1 TO 4 PUPILS AT THE FORMER PRECIOUS BLOOD GOLDEN JUBILEE SECONDARY SCHOOL INFORMING THEM THAT THEIR CHILDREN COULD ENROL FOR MIDDLE 2 TO 5 CLASSES IN EITHER THE ST. TERESA SECONDARY SCHOOL OR THE NG YUK SECONDARY SCHOOL.

THE OPTION OF ENROLLING IN EITHER INSTITUTION ALSO HAD BEEN EXTENDED IN LETTERS SENT TO THE PARENTS OF MORE THAN 250 PRIMARY 6 LEAVERS FROM OTHER SCHOOLS ALLOCATED FORM/MIDDLE 1 PLACES IN ST. TERESA SECONDARY SCHOOL UNDER THE NEW SECONDARY SCHOOL PLACES ALLOCATION SYSTEM.

EACH LETTER WAS ACCOMPANIED BY AN OPTION FORM THAT MUST BE COMPLETED AND SIGNED BY PARENTS AND PRODUCED AT THE TIME OF REGISTRATION.

THE SPOKESMAN SAID A REGISTRATION CENTRE FOR PUPILS WISHING TO ENROL IN THE ST. TERESA SECONDARY SCHOOL WOULD BE SET UP IN THE LOK FU GOVERNMENT PRIMARY SCHOOL IN JUNCTION ROAD, KOWLOON.

PUPILS WISHING TO ENTER THE NG YUK SECONDARY SCHOOL WOULD BE REQUIRED TO REGISTER AT ITS PREMISES IN THE HOK YUEN STREET ANNEX OF THE GRANTHAM COLLEGE OF EDUCATION IN HUNG HOM.

THE DATES AND TIMES FOR REGISTRATION ARE:-

- * ST. TERESA SECONDARY SCHOOL -- MIDDLE 1, JULY 25 TO 27 (9 A.M. TO 10 A.M. AND 2 P.M. TO 3 P.M.)= MIDDLE 2, JULY 22 (9 A.M. TO 12 NOON)= MIDDLE 3 TO 5, JULY 24 (9 A.M. TO 12 NOON).
- * NG YUK SECONDARY SCHOOL -- MIDDLE 1, JULY 25 TO 26 (9A.M. TO 12 NOON)= MIDDLE 2, JULY 22 (9 A.M. TO 12 NOON)= MIDDLE 3 TO 5, JULY 24 (9 A.M. TO 12 NOON).

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POLICE INVESTIGATION INTO WALL COLLAPSE AT WESTERN
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A GOVERNMENT SECRETARIAT SPOKESMAN SAID TODAY (WEDNESDAY) THAT THE POLICE ARE CARRYING OUT AN INVESTIGATION INTO THE COLLAPSE OF A WALL AT A DEMOLITION SITE AT CENTRE STREET, WESTERN, YESTERDAY, WHICH KILLED TWO PEOPLE AND INJURED 11 OTHERS.

THE SPOKESMAN SAID THE AIM OF THE INVESTIGATION WOULD BE TO SEE WHETHER THERE WERE SUFFICIENT GROUNDS FOR CRIMINAL PROCEEDINGS TO BE TAKEN.

HE SAID THERE WOULD BE A NORMAL ENQUIRY BY THE POLICE WITH A VIEW TO PRESENTING PAPERS TO THE CORONER FOR HIM TO DECIDE WHETHER THERE SHOULD BE AN INQUEST.

HE SAID THE BUILDINGS ORDINANCE OFFICE HAD ALSO INITIATED ITS OWN TECHNICAL INVESTIGATION OF THE CIRCUMSTANCES OF THE INCIDENT. THE RESULTS WOULD BE MADE AVAILABLE TO THE POLICE AND TO THE CORONER'S OFFICER.

HE SAID THE SITE WAS NOW UNDER THE CONTROL OF THE B.O.O. WHICH HAD UNDERTAKEN EMERGENCY WORKS TO ENSURE THAT THE SITE WOULD BE SAFE. THESE WORKS WERE EXPECTED TO BE FINISHED TODAY.

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MAGISTRATES (AMENDMENT) BILL
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A BILL MAINLY DESIGNED TO ENABLE THE INTRODUCTION OF THE ASSESSOR SCHEME TO APPOINT CANTONESE-SPEAKING MEMBERS OF THE PUBLIC TO SIT WITH MAGISTRATES IN AN ADVISORY CAPACITY WAS INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY.

THE MAGISTRATES (AMENDMENT) BILL 1978 ALSO SEEKS TO CHANGE TWO ASPECTS OF THE PRINCIPAL ORDINANCE DEALING WITH COMMITTAL PROCEEDINGS.

MOVING THE SECOND READING OF THE BILL, THE SOLICITOR GENERAL, THE HON. GARTH THORNTON SAID THE PROPOSED SCHEME COULD HELP MAGISTRATES DETERMINE CASES BY THE ADVICE OF CANTONESE-SPEAKING MEMBERS OF THE PUBLIC WHO, IN ADDITION TO SPEAKING AND UNDERSTANDING THE LANGUAGE OF MOST ACCUSED PERSONS, HAVE KNOWLEDGE OF LOCAL TRADITIONS AND CUSTOMS AND ESPECIALLY CURRENT COMMUNITY VIEWS.

+THE SCHEME IS EXPERIMENTAL AND THEREFORE THE AMENDMENTS ARE PERMISSIVE IN CHARACTER AND CAPABLE OF FLEXIBLE APPLICATION BY THE CHIEF JUSTICE,+ MR. THORNTON SAID.

/COMMENTING ON

COMMENTING ON THE OTHER PROVISIONS IN THE BILL DEALING WITH COMMITTAL PROCEEDINGS, MR. THORTON SAID THE FIRST AMENDMENT WOULD PERMIT WRITTEN STATEMENTS IN COMMITTAL PROCEEDINGS TO BE TENDERED AS EVIDENCE IF COPIES ARE GIVEN TO THE MAGISTRATE AND THE DEFENCE NOT LESS THAN TEN DAYS BEFORE THE STATEMENT IS ACTUALLY TENDERED.

THE SECOND AMENDMENT PROVIDES THAT A FAILURE TO COMPLY WITH A TECHNICAL PROCEDURE LAID DOWN IN THE MAGISTRATES ORDINANCE DEALING WITH SUBMISSIONS OF STATEMENTS OR EXHIBITS IN A COMMITTAL PROCEEDING SHALL NOT RENDER SUCH WRITTEN STATEMENTS AND EXHIBITS INADMISSABLE SO LONG AS THE ACCUSED IS NOT PREJUDICED BY THE FAILURE.

MR. THORTON SAID THESE TWO AMENDMENTS WOULD REMOVE THE ADVERSE EFFECTS OF TECHNICAL DIFFICULTIES WITHOUT IN ANY WAY PREJUDICING THE INTEREST OF ACCUSED PERSONS.

THREE UNOFFICIAL MEMBERS, THE HON. HILTON CHEONG-LEEN, THE HON. WONG LAM, AND THE HON. JAMES WU SPOKE IN SUPPORT OF THE BILL.

BOTH MR. CHEONG-LEEN AND MR. WONG ASKED THE GOVERNMENT NOT TO RELAX ITS EFFORTS IN RECRUITING LOCAL MAGISTRATES, ALTHOUGH THEY WELCOMED THE ASSESSOR SCHEME.

MR. CHEONG-LEEN SAID HE SUPPORTED THE SCHEME AS AN INTERIM APPROACH ON THE UNDERSTANDING THAT IT WILL BE CONSTANTLY REVIEWED AND MR. WONG SAID THE SCHEME SHOULD ONLY BE TAKEN AS A COMPROMISE WHEN THERE ARE NOT ENOUGH LOCAL MAGISTRATE APPOINTMENTS.

THEY WERE CONCERNED ABOUT THE QUALITY OF THE ASSESSORS TO BE APPOINTED TO ASSIST MAGISTRATES.

MR. CHEONG-LEEN THOUGHT THE ASSESSORS SHOULD HAVE BROAD EXPERIENCE IN COMMUNITY SERVICE AND BE PREPARED TO SPEAK THEIR MIND WITH FIRMNESS. MR. WONG SAID THEY SHOULD PROVIDE THE MAGISTRATES WITH FAIR AND UNBIASED VIEWS BASED ON THEIR CONSCIENCE AND ON THEIR UNDERSTANDING OF THE LOCAL SITUATION AND CUSTOM.

+IN NO WAY SHOULD THEY REGARD THEMSELVES AS THE MAGISTRATE'S SUBORDINATES, ONLY ACQUIESCING WITH THEIR VIEWS AND NEVER CONTRADICTING,+ HE SAID.

THEY THOUGHT THAT WHERE A MAGISTRATE DOES NOT ACCEPT THE VIEWS OF AN ASSESSOR, THE VIEWS AND THE MAGISTRATE'S REASONS SHOULD BE RECORDED.

WHEN THERE IS SUBSEQUENT REPROVAL OR CRITICISM OF THE JUDGEMENT, ALTHOUGH THE LEGAL RESPONSIBILITY FOR IT IS ON THE MAGISTRATE, THE ASSESSOR WILL ALSO BE BLAMED MORALLY, MR. WONG SAID.

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RECORDS OF THE DIFFERENT VIEWS WILL ALSO PROVIDE HELP IN ASSESSING THE SUCCESS OF THE SCHEME, HE ADDED.

HE ALSO ASKED THAT EMPLOYERS BE REQUIRED TO ALLOW LEAVE TO THEIR STAFF IF NECESSARY DURING OFFICE HOURS, TO SERVE AS ASSESSORS.

MR. CHEONG-LEEN SUGGESTED THAT AS MOST EXPATRIATE MAGISTRATES ARE ON CONTRACT TERMS, PREFERENCE COULD BE GIVEN IN THE FUTURE TO RECRUITING THOSE WHO WOULD BE PREPARED TO ACQUIRE SOME PROFICIENCY IN THE CANTONESE DIALECT.

ANOTHER SUGGESTION HE HAD WAS FOR APPOINTING BILINGUAL LOCAL PERSONS WITH WIDE COMMUNITY EXPERIENCE TO ACT AS MAGISTRATES ASSISTED BY A LEGAL ASSESSOR WHO COULD BE AN EXPATRIATE.

HE POINTED OUT THAT IN PROPORTION TO POPULATION, SINGAPORE HAS TWICE AS MANY LAWYERS AS HONG KONG AND EVEN WITH THE INCREASED INTAKE TO THE SCHOOL OF LAW AT THE HONG KONG UNIVERSITY, HONG KONG WILL STILL LAG BEHIND SINGAPORE.

HE SUGGESTED THAT THE GOVERNMENT SHOULD REVIEW THE PROBLEM MORE SEARCHINGLY AND ASKED IT TO CONVINCE LOCAL LAWYERS OF THE GOOD JOB PROSPECTS AND JOB SATISFACTION IN THE JUDICIARY.

SPEAKING IN SUPPORT OF THE BILL, MR. JAMES WU RECOUNTED THE HISTORICAL CONCEPTS OF LAW IN CHINA AND POINTED OUT THAT ALTHOUGH CONFUCIANISM HAD BECOME GROSSLY INADEQUATE AS HUMAN RELATIONSHIP HAD GROWN INCREASINGLY COMPLICATED, THE VIRTUES IT PREACHED STILL HAD A PROFOUND EFFECT ON DETERRING CRIME.

+I HAVE SAID THESE TO BRING TO MIND THE CHINESE CULTURAL HERITAGE AND ITS LONG-HELD PHILOSOPHY THAT 'LAW IS BUT HUMANLY THINKING' AND THAT 'YOU CAN JUDGE HIS BEHAVIOUR BY LISTENING TO WHAT HE SAYS'.

+IN THE HONG KONG CONTEXT, DUE CONSIDERATION OF THESE FACTORS WOULD APPEAR TO BE ESSENTIAL FOR A SUCCESSFUL ADMINISTRATION, AND IN MODERN PARLANCE, FOR HELPING TO BRIDGE THE COMMUNICATION GAP, ALBEIT INDIRECTLY, BETWEEN GOVERNMENT AND THE PEOPLE,+ HE SAID.

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AUDIT (AMENDMENT) BILL PASSED
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THE AUDIT (AMENDMENT) BILL 1978, WHICH REFLECTS THE CREATION AND THE ROLE OF THE PUBLIC ACCOUNTS COMMITTEE AS A STANDING COMMITTEE OF THE LEGISLATIVE COUNCIL, WAS PASSED TODAY.

THE NEW LEGISLATION STIPULATES THAT THE DIRECTOR OF AUDIT WILL SUBMIT HIS REPORTS TO THE PRESIDENT OF THE LEGISLATIVE COUNCIL AND THAT THE GOVERNMENT'S ANNUAL ACCOUNTS AND THE DIRECTOR OF AUDIT'S REPORTS ON THEM WILL BE LAID BEFORE THE COUNCIL ALONG WITH THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

SPEAKING AT THE RESUMED DEBATE ON THE BILL BEFORE IT WAS PASSED, UNOFFICIAL COUNCILLOR, THE HON. LI FOOK-WO SAID UNLESS THE PUBLIC ACCOUNTS COMMITTEE HAS THE AUTHORITY TO CHALLENGE ANY DECISION BY THE FINANCE BRANCH TO ALTER OR TO TAKE NO ACTION ON THE COMMITTEE'S RECOMMENDATIONS, IT IS DIFFICULT TO SEE HOW IT CAN EFFECTIVELY CARRY OUT ITS TASK AS THE LEGISLATIVE COUNCIL'S +WATCH-DOG+ OVER THE EXPENDITURE OF PUBLIC FUNDS.

MR. LI NOTED THAT THE ACTING CHIEF SECRETARY SAID IN THE COUNCIL MEETING ON MAY 10 THAT THE COMMITTEE WOULD HAVE NO POWER TO ORDER ANY PARTICULAR ACTION TO BE TAKEN BUT THAT THE FINANCE BRANCH, AS THE BRANCH OF THE GOVERNMENT SECRETARIAT RESPONSIBLE FOR THE CONTROL AND MANAGEMENT OF PUBLIC FUNDS, WOULD NATURALLY ATTACH GREAT WEIGHT TO THE COMMITTEE'S OPINION.

HOWEVER, MR. LI SAID THAT WHILE THE UNOFFICIALS FULLY APPRECIATED THIS AND WHILE THEY DID NOT WISH TO INTERFERE WITH THE CONSTITUTIONAL ASPECTS OF FINANCIAL MANAGEMENT, THEY WERE MORE THAN A LITTLE UNEASY THAT THE POWER OF THE COMMITTEE WAS TO BE LIMITED ONLY TO MAKING RECOMMENDATIONS.

+ALSO, IF THE FINANCE BRANCH HAS THE RIGHT NOT TO IMPLEMENT ANY PARTICULAR RECOMMENDATION OF THE COMMITTEE OR TO TAKE ACTION OTHER THAN THAT WHICH THE COMMITTEE RECOMMENDS, DOES THIS NOT MEAN THAT IT IS THE FINANCE BRANCH THAT HAS THE LAST WORD ON THE CONTROL OF PUBLIC EXPENDITURE AND NOT THE LEGISLATIVE COUNCIL?+ MR. LI ASKED.

ON BEHALF OF THE UNOFFICIAL MEMBERS, MR. LI SOUGHT AN ASSURANCE FROM THE GOVERNMENT THAT THE NECESSARY AUTHORITY WOULD BE INCLUDED IN THE COMMITTEE'S FINAL TERMS OF REFERENCE.

IN REPLY, THE ACTING FINANCIAL SECRETARY, THE HON. DAVID JORDAN SAID THAT THE FINAL TERMS OF REFERENCE OF THE COMMITTEE HAVE ALREADY BEEN LAID DOWN IN THE NEW STANDING ORDER AND COULD BE ALTERED ONLY BY A FURTHER RESOLUTION AND DEBATE, ENTIRELY SEPARATE FROM TODAY'S DEBATE ON THE AUDIT (AMENDMENT) BILL.

+THE BILL WE ARE CONSIDERING TODAY PROVIDED FOR THE REPORT OF THE COMMITTEE TO BE LAID BEFORE THE COUNCIL,+ MR. JORDAN SAID.

/+SIMILARLY,

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+SIMILARLY, THE POWERS OF THE COMMITTEE HAVE ALREADY BEEN DETERMINED BY THE RESOLUTION ESTABLISHING THE NEW STANDING ORDER. I MIGHT ADD THAT THE GOVERNMENT TOO IS BOUND BY THE TERMS OF THE RESOLUTION.+

HOWEVER, MR. JORDAN ADDED THAT ALTHOUGH THE FORMAL POWER OF THE PUBLIC ACCOUNTS COMMITTEE WOULD BE LIMITED TO MAKING COMMENTS AND RECOMMENDATIONS, THE GOVERNMENT WILL NATURALLY GIVE GREAT WEIGHT TO THE COMMITTEE'S OPINIONS.

HE SAID THAT SINCE THE COMMITTEE HAS POWER TO REQUIRE OFFICIALS TO GIVE ANY INFORMATION OR EXPLANATIONS THAT THE COMMITTEE MAY REQUIRE IN PERFORMING ITS DUTIES, THE COMMITTEE'S VIEWS ON SUCH INFORMATION AND EXPLANATIONS CAN BE INCLUDED IN ITS REPORT.

+THE REPORT CAN THEN BE DEBATED IN THIS COUNCIL AND THE GOVERNMENT REQUIRED TO ANSWER FOR ITS ACTIONS,+ MR. JORDAN SAID.

+IT SEEMS TO ME THAT THIS WILL ENABLE THE COMMITTEE TO PERFORM ITS 'WATCH-DOG' FUNCTION,+ HE ADDED.

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NEW LEGISLATION BEING CONSIDERED
TO CONTROL VEHICLES' GAS EMISSIONS
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THE GOVERNMENT IS CONSIDERING NEW LEGISLATION TO EXTEND THE SCOPE OF VEHICLE INSPECTION TO COVER GASEOUS EMISSIONS OTHER THAN SMOKE.

THIS WAS STATED IN THE LEGISLATIVE COUNCIL TODAY BY THE SECRETARY FOR THE ENVIRONMENT, THE HON. DEREK JONES, IN REPLY TO A QUESTION FROM DR. THE HON. HARRY FANG ON THE EMISSION OF NOXIOUS FUMES BY MOTOR VEHICLES.

+ALL VEHICLES WITH PETROL ENGINES MANUFACTURED AFTER NOVEMBER 1, 1974 AND ALL DIESEL ENGINED VEHICLES MANUFACTURED AFTER SEPTEMBER 1, 1976 MUST COMPLY WITH EMISSION STANDARDS LAID DOWN BY THE ECONOMIC COMMISSION FOR EUROPE BEFORE THEY CAN BE REGISTERED,+ MR. JONES SAID.

/IN REPLY TO

IN REPLY TO ANOTHER QUESTION FROM DR. FANG ON THE LEVELS OF NOXIOUS FUMES EMITTED BY MOTOR VEHICLES IN THE NEW LION ROCK TUNNEL, MR. JONES SAID THE AVERAGE IS 50 PARTS PER MILLION (PPM) ON WEEKDAYS AND 75 PPM ON SUNDAYS WITH THE HIGHEST READING RECORDED SO FAR BEING 80 PPM.

+THESE LEVELS ARE ACCEPTABLE FROM A HEALTH POINT OF VIEW AND ARE WELL WITHIN INTERNATIONAL OPERATING STANDARDS,+ HE SAID.

+A DANGEROUS LEVEL IS ONLY REACHED WHEN CARBON MONOXIDE IN A TUNNEL EXCEEDS 400 PPM OR, DURING ANY 30 MINUTE PERIOD, AN AVERAGE OF 250 PPM,+ HE ADDED.

MR. JONES ALSO POINTED OUT THAT THE VENTILATION SYSTEMS OF THE TWO LION ROCK TUNNELS ARE CONSIDERED TO BE ADEQUATE AND THEY WILL WORK BETTER WHEN BOTH TUBES ARE OPEN TO TRAFFIC LATER THIS YEAR BECAUSE OF THE RAM EFFECT OF VEHICLES TRAVELLING IN ONE DIRECTION ONLY.

HE POINTED OUT THAT THE PRESENT RATHER POOR VISIBILITY IN THE TUNNEL IS CAUSED BY THE DUST FROM EARTH CARRYING LORRIES, PARTICULARLY THOSE MOVING FROM THE MASS TRANSIT RAILWAY WORK SITES TO THE RECLAMATIONS IN SHA TIN.

+THIS SITUATION WILL ALSO IMPROVE WHEN BOTH TUBES ARE OPEN TO TRAFFIC AND IT WILL CEASE ALTOGETHER WHEN THE WORKS ARE FINISHED,+ MR. JONES SAID.

REFERRING TO ANOTHER QUESTION ON THE VENTILATION CONDITIONS OF THE COVERED FRONTAGE AREA OUTSIDE THE BUFFER HALL OF THE KAI TAK AIRPORT TERMINAL BUILDING USED BY TOURIST COACHES AS A PICK-UP POINT, MR. JONES SAID THEY WILL BE IMPROVED BY MARCH NEXT YEAR WHEN THE FIRST PHASE OF A VENTILATION SYSTEM BECOMES OPERATIONAL.

HE SAID THE NATURAL AIR FLOW IN THE AREA HAS BEEN PARTIALLY IMPEDED BY HOARDINGS PUT UP AT THE WESTERN END OF THE BUILDING TO ENABLE THE WORK ON THE EXTENSION OF THE TERMINAL BUILDING TO PROCEED.

+AS THE EXTENSION TO THE TERMINAL BUILDING PROGRESSES, THE AIR FLOW SHOULD BE IMPROVED BECAUSE THE DESIGN OF THE BUILDING PROVIDES FOR THE INSTALLATION OF A VENTILATION SYSTEM WHICH WOULD ENSURE A CONSTANT CIRCULATION OF FRESH AIR IN ALL THE COVERED AREAS OUTSIDE THE TERMINAL BUILDING,+ MR. JONES SAID.

TRAFFIC FLOW IN WEST KOWLOON IMPROVED

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A CONSIDERABLE IMPROVEMENT IN TRAFFIC FLOW IN WEST KOWLOON HAS BEEN ACHIEVED WITH THE INTRODUCTION OF THE COMPUTERISED TRAFFIC MONITORING SYSTEM, THE HON. DEREK JONES, SECRETARY FOR THE ENVIRONMENT, SAID TODAY.

REPLYING TO A QUESTION BY THE HON. PETER C. WONG IN THE LEGISLATIVE COUNCIL, MR. JONES SAID THE SCHEME HAD RESULTED IN A 30 PER CENT REDUCTION IN AVERAGE JOURNEY TIMES, A 52 PER CENT REDUCTION IN THE TIME DURING WHICH VEHICLES WERE STOPPED AND 42 PER CENT INCREASE IN THE AVERAGE SPEED OF MOVEMENT.

IN REPLY TO ANOTHER QUESTION BY MR. WONG, MR. JONES SAID IN ORDER TO AVOID ACCIDENT AND DANGER TO MOTORISTS AND PEDESTRIANS, IT WAS THE GOVERNMENT'S POLICY TO INSTALL TRAFFIC LIGHTS AT MORE PEDESTRIAN CROSSINGS.

HE SAID THAT AT PRESENT THERE ARE 216 SIGNAL CONTROLLED CROSSINGS AND 145 ZEBRA CROSSINGS THROUGHOUT HONG KONG.

MOST OF THE SIGNAL CONTROLLED CROSSINGS WERE PROGRAMMED TO SYNCHRONISE WITH OTHER TRAFFIC LIGHTS IN THE AREA AND THEY HAD REGULAR TIMINGS TO ALLOW PEDESTRIANS TO CROSS.

MR. JONES SAID THIS SYSTEM WAS PREFERABLE WHERE THERE WAS A CONSTANT FLOW OF VEHICLES AND PEDESTRIANS.

+PEDESTRIAN ACTIVATED SIGNALS ARE ONLY PROVIDED IN PLACES WHERE IT IS NOT NECESSARY FOR THEM TO BE SYNCHRONISED WITH OTHER TRAFFIC LIGHTS,+ HE ADDED.

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QUERY ON TAXI DRIVERS PRACTICE

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THE SECRETARY FOR THE ENVIRONMENT, THE HON. DEREK JONES SAID TODAY THAT THE GOVERNMENT WAS AWARE THAT MANY TAXI DRIVERS WERE USING +OUT-OF-SERVICE+ SIGNS OR COVERING THEIR METERS WITH RAGS AND REFUSING TO HIRE OUT HIS TAXI.

HE WAS ANSWERING A QUESTION FROM THE HON. CHARLES YEUNG IN THE LEGISLATIVE COUNCIL TODAY.

BUT, MR. JONES CAUTIONED THAT A TAXI DRIVER IS NOT ACTING ILLEGALLY IF HE REFUSES TO ACCEPT A HIRING WHEN HIS FLAG IS COVERED IN SUCH A WAY THAT IT IS NOT VISIBLE OUTSIDE THE TAXI.

+IT IS THEREFORE DIFFICULT TO PROVE AN OFFENCE IN SUCH CIRCUMSTANCES AND IT IS REALLY UP TO THE PUBLIC TO REFUSE TO TAKE PART IN SUCH BARGAINING,+ HE SAID.

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WORK SAFETY STRESSED
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THE COMMISSIONER FOR LABOUR, THE HON. NEIL HENDERSON, TODAY STRESSED THE NECESSITY FOR PROPRIETORS AND WORKERS TO OBSERVE PRECAUTIONS LAID DOWN BY LAW TO SAFEGUARD PEOPLE WORKING IN CONFINED SPACES.

SPEAKING IN THE LEGISLATIVE COUNCIL, MR. HENDERSON DREW ATTENTION TO THE PRECAUTIONS REQUIRED BY THE 1973 FACTORIES AND INDUSTRIAL UNDERTAKINGS (CONFINED SPACES) REGULATIONS.

HE WAS REPLYING TO THE HON. WONG LAM, WHO ASKED WHAT STEPS THE GOVERNMENT WOULD TAKE TO PREVENT A RECURRENCE OF SUCH ACCIDENTS AS THE TWO RECENT TRAGEDIES WHICH RESULTED IN THE DEATH OF TWO WORKERS AT KAI TAK AND FIVE HONG KONG SEAMEN WHILE WORKING IN A FUEL TANK ABOARD A SHIP.

MR. HENDERSON POINTED OUT THAT BECAUSE OF THE TRANSIENT NATURE OF WORK IN CONFINED SPACES, THE WIDE VARIETY OF SUCH CONFINED SPACES, AND THE WAY OF DIFFERENT HAZARDS ENCOUNTERED, FIELD INSPECTION IN THESE CASES WAS OF LIMITED VALUE. THE LABOUR DEPARTMENT THEREFORE CONCENTRATED ITS EFFORT ON GUIDANCE AND ADVICE.

HE SAID A GUIDE TO THE REGULATIONS WAS PUBLISHED AND FREE SAFETY COURSES ON WORK IN CONFINED SPACES WERE HELD REGULARLY.

WITH REGARD TO THE FATAL ACCIDENT AT KAI TAK, MR. HENDERSON SAID THE LABOUR DEPARTMENT WAS CONSIDERING WHETHER A PROSECUTION WAS WARRANTED, BUT INVESTIGATIONS WERE NOT YET COMPLETE.

AS FOR THE FATAL ACCIDENT INVOLVING THE HONG KONG SEAMEN ON BOARD A BRITISH REGISTERED TANKER IN THE PACIFIC, THE U.K. DEPARTMENT OF TRADE WAS CONDUCTING AN INVESTIGATION.

MR. HENDERSON SAID THE MARINE DEPARTMENT AND THE U.K. DEPARTMENT OF TRADE BOTH OFFERED GUIDANCE AND ADVICE ON WORKING IN CONFINED SPACES ON BOARD SHIPS. HE ALSO SAID THAT THE SHIPPING AND PORT CONTROL BILL WHICH WOULD BE ENACTED SHORTLY WOULD REQUIRE WORK PLACES ON BOARD SHIPS WITHIN HONG KONG WATERS TO BE MADE SAFE BEFORE WORK ON REPAIRS OR CARGO-HANDLING COMMENCED.

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BOILERS AND PRESSURE RECEIVERS (AMENDMENT) BILL BECOMES LAW
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THE BOILERS AND PRESSURE RECEIVERS (AMENDMENT) BILL 1978 WAS PASSED INTO LAW IN THE LEGISLATIVE COUNCIL TODAY MINUS ITS ORIGINAL PROPOSAL TO EXTEND THE APPLICATION OF THE MAIN ORDINANCE TO INCLUDE VESSELS CONTAINING COMPRESSED INERT GASES.

THE PROPOSAL WAS WITHDRAWN FOR THE TIME BEING BY THE COMMISSIONER FOR LABOUR, THE HON. NEIL HENDERSON, FOLLOWING SIR SZE-YUEN CHUNG'S REPRESENTATION THAT PRIORITY OF IMPOSING ADDITIONAL CONTROLS BE GIVEN TO COMPRESSED NON-INERT GASES IN VIEW OF THE GREATER HAZARDS POTENTIAL.

/MR. HENDERSON

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MR. HENDERSON EXPLAINED THAT IF CONTROL WERE TO BE EXTENDED TO NON-INERT GAS CONTAINERS IT WOULD AT ONCE AFFECT NUMEROUS REFRIGERATED INSTALLATIONS -- SUCH AS AIR CONDITIONING PLANTS IN LARGE COMMERCIAL AND PUBLIC BUILDINGS, COLD STORAGES AND ICE PLANTS - WHICH WOULD ENORMOUSLY INCREASE THE SCOPE OF ENFORCEMENT OF THE ORDINANCE.

HE SAID IT WAS ALSO DOUBTFUL IF SIMILAR RIGID CONTROL ON REFRIGERATED SYSTEMS WAS EXERCISED ANYWHERE ELSE OR WAS INDEED NECESSARY.

+A MUCH MORE DETAILED STUDY WOULD BE NEEDED TO ESTABLISH CRITERIA FOR VESSELS CONTAINING NON-INERT GASES WHICH ARE CONNECTED TO AIR OR GAS COMPRESSING PLANT CONTROL,+ MR. HENDERSON SAID.

+THEREFORE SINCE WE CANNOT PROCEED WITH THE NON-INERT GASES AT PRESENT I HAVE DECIDED FOR THE TIME BEING TO DELETE THE REFERENCE TO MY PROPOSAL TO EXTEND THE APPLICATION OF THE ORDINANCE TO VESSELS CONTAINING COMPRESSED INERT GAS.+

UNDER THE NEW LAW THE AMENDMENTS TO THE PRINCIPAL ORDINANCE INCLUDE CLARIFICATION OF THE POWERS OF INSPECTORS OF LAND BOILERS= THE APPLICATION OF THE ORDINANCE TO BOILERS AND PRESSURE RECEIVERS WHICH HAD PREVIOUSLY BEEN EXEMPTED WHERE OWNERSHIP CHANGED FROM THE CROWN= CLARIFICATION OF THE SCOPE OF EXEMPTION ACCORDED TO ANY PRESSURE EQUIPMENT FIXED ON A FLOATING CRAFT OR INTENDED FOR SUPPLY OF LOCOMOTIVE POWER TO A VEHICLE, WHICH ARE COVERED BY OTHER LEGISLATION= AND A BROADENING OF THE POWER TO HOLD INQUIRIES INTO ALL ACCIDENTS IN OR TO BOILERS AND PRESSURE RECEIVERS.

THE NEW LAW ALSO REQUIRES THAT TECHNICAL DOCUMENTS SUBMITTED TO THE REGISTRAR OF BOILERS AND PRESSURE RECEIVERS, IF WRITTEN IN A LANGUAGE OTHER THAN ENGLISH OR CHINESE, SHOULD BE ACCOMPANIED BY AN ENGLISH TRANSLATION AND THAT ALL APPLICATIONS FOR REGISTRATION OF EQUIPMENT MUST BE MADE AT LEAST 30 DAYS BEFORE THE EQUIPMENT IS PUT INTO USE.

IT ALSO MAKES PRESSURE ACCUMULATION TESTS OBLIGATORY IN THE CASE OF EXAMINATION OF NEW EQUIPMENT= SPECIFIES THE PROCEDURE FOR CARRYING OUT PRESSURE ACCUMULATION TESTS ON BOILERS AND MORE REALISTIC TEST PRESSURES FOR HYDRAULIC TESTS OF EQUIPMENT= AND MAKES IT CLEAR THAT A PORTABLE GAS GENERATOR MAY REQUIRE EXAMINATION BEFORE PERMISSION IS GIVEN FOR IT TO BE USED.

MEASUREMENTS IN THE NEW LAW ARE TO BE GIVEN IN IMPERIAL AS WELL AS METRIC UNITS BECAUSE VERY OFTEN BOILERS AND PRESSURE VESSELS HAVE BEEN IMPORTED WITH SPECIFICATIONS AND INSTRUMENTATIONS IN IMPERIAL UNITS, WHICH MAKES IT DIFFICULT TO GO FULLY METRIC IN THIS FIELD AT PRESENT.

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QUERY ON WORKING HOURS OF BUS DRIVERS

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THE GOVERNMENT WILL TAKE STEPS TO INTRODUCE MAXIMUM WORKING HOURS FOR PUBLIC OMIBUS DRIVERS IF IT CAN BE SHOWN THAT LONG WORKING HOURS BY EXPERIENCED DRIVERS ARE CAUSING ACCIDENTS.

THIS WAS STATED TODAY BY THE SECRETARY FOR THE ENVIRONMENT, THE HON. DEREK JONES, IN REPLY TO A QUESTION FROM THE HON. HILTON CHEONG-LEEN IN THE LEGISLATIVE COUNCIL.

MR. JONES NOTED THAT THE COMMISSIONER FOR TRANSPORT ALREADY EXERCISED INFLUENCE OVER WORKING HOURS BY FIXING SCHEDULES TO ENSURE THAT DRIVING REQUIREMENTS ARE REASONABLE AND THAT THERE WAS ADEQUATE PROVISION FOR LAYOVER TIMES BETWEEN TRIPS AND FOR MEAL BREAKS.

MR. JONES SAID THAT THE STANDARD WORKING WEEK FOR BUS AT PRESENT WAS 48 HOURS BUT, GIVEN THE DIFFICULTIES IN RECRUITING SUITABLE DRIVERS, OVERTIME WAS USUALLY WORKED.

+IF RIGID MAXIMUM HOURS WERE TO BE FIXED THE PUBLIC WOULD HAVE TO ACCEPT THE CONSEQUENCE THAT LESS BUSES WOULD BE ON THE ROAD,+ HE SAID.

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MONEY-LENDERS ORDINANCE ADEQUATE TO PROTECT BORROWERS

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THE ACTING SECRETARY FOR ECONOMIC SERVICES, THE HON. DAVID T.K. WONG TOLD THE LEGISLATIVE COUNCIL TODAY THAT THERE IS ADEQUATE PROVISION IN THE MONEY-LENDERS ORDINANCE FOR THE COURTS TO PROTECT BORROWERS AGAINST EXORBITANT RATES OF BOTH SIMPLE AND COMPOUND INTERESTS, AND THERE IS NO PLAN TO AMEND THE ORDINANCE.

HE WAS REPLYING TO A QUESTION BY THE HON. HILTON CHEONG-LEEN ON WHETHER THE GOVERNMENT WILL CONSIDER AMENDING THE MONEY-LENDERS ORDINANCE SO AS TO LIMIT THE MAXIMUM RATE OF INTEREST CHARGEABLE BY MONEY-LENDERS ON ANY LOANS TO 36 PER CENT AND PROHIBIT THE CHARGING OF COMPOUND INTEREST BY THEM ON ANY LOANS.

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LEGO APPROVES FACTORIES REGULATIONS
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THE RE-ENACTMENT OF FIVE SETS OF REGULATIONS UNDER THE FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE WERE APPROVED BY THE LEGISLATIVE COUNCIL TODAY.

THEY ARE THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (AMENDMENT) REGULATIONS 1978= THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (BLASTING BY ABRASIVES) (AMENDMENT) SPECIAL REGULATIONS 1978= THE CONSTRUCTION SITES (SAFETY) REGULATIONS 1978= THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (CARGO HANDLING) REGULATIONS 1978= AND THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (WORK IN COMPRESSED AIR) (AMENDMENT) REGULATIONS 1978.

THE COMMISSIONER FOR LABOUR, THE HON. NEIL HENDERSON, IN MOVING THE MOTION FOR THEIR APPROVAL, SAID THEY WERE NECESSARY FOLLOWING THE AMENDMENT OF THE PRINCIPAL ORDINANCE BY THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (AMENDMENT) ORDINANCE 1978. THIS CLARIFIED THE DEFINITION OF 'INDUSTRIAL UNDERTAKING' TO EMBRACE NOT ONLY THE VARIOUS INDUSTRIAL ACTIVITIES IT SPECIFIED BUT ALSO THE PREMISES IN AND PLANT WITH WHICH THEY WERE CARRIED OUT.

MR. HENDERSON ADDED THAT THE RE-ENACTMENT MERELY SOUGHT TO CLARIFY THE LEGAL EFFECTS OF EXISTING REGULATIONS AND THE LEGISLATION WOULD NOT GIVE RISE TO NEW OBLIGATIONS OR REQUIREMENTS.

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NO AID TO FACTORY OWNERSHIP
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THE GOVERNMENT WILL NOT DEVISE A SPECIAL LOAN SCHEME OR ENCOURAGE OR SPONSOR THE BUILDING OF INDUSTRIAL ESTATES FOR SALE TO SMALL FACTORY OWNERS.

THIS WAS STATED BY THE ACTING SECRETARY FOR ECONOMIC SERVICES, THE HON. DAVID T.K. WONG, IN REPLY TO A QUESTION FROM THE HON. HILTON CHEONG-LEEN IN THE LEGISLATIVE COUNCIL TODAY.

MR. CHEONG-LEEN HAD ASKED: +IN ORDER TO ASSIST SMALL FACTORIES IN PURCHASING THEIR OWN FACTORY PREMISES, WILL GOVERNMENT DEVISE A SPECIAL LOAN SCHEME, OR ENCOURAGE OR SPONSOR THE BUILDING OF INDUSTRIAL ESTATES FOR SALE TO SUCH FACTORIES WITH PAYMENT TERMS EXTENDING UP TO 15-YEAR PERIODS?

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TIME FOR COLLECTING REGISTERED MAIL TO BE EXTENDED

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THE ACTING SECRETARY FOR ECONOMIC SERVICES, THE HON. DAVID T.K. WONG, SAID TODAY THE TIME FOR THE COLLECTION OF REGISTERED MAIL FROM POST OFFICES WILL BE EXTENDED FROM SEVEN DAYS TO A FORTNIGHT.

IN REPLY TO A QUESTION FROM DR. THE HON. HENRY HU IN THE LEGISLATIVE COUNCIL, MR. WONG ALSO SAID THAT OUT OF THE 8.3 MILLION REGISTERED ITEMS HANDLED BY THE POST OFFICE IN THE LAST FINANCIAL YEAR, LESS THAN 400,000 OR UNDER FIVE PER CENT WERE HELD FOR COLLECTION BY ADDRESSEES AT 18 DESIGNATED POST OFFICES.

OF THIS NUMBER, HE SAID, 310,000 WERE COLLECTED WITHIN THE PERIOD ALLOWED WHILE THE REMAINING 90,000 WERE RETURNED TO THEIR SENDERS.

HE SAID IT IS BELIEVED THAT THE MAJORITY OF REGISTERED LETTERS LEFT UNCOLLECTED ARE LETTERS WHICH ADDRESSEES DO NOT WANT TO COLLECT BECAUSE THEY MAY CONTAIN DEMANDS FOR PAYMENTS OF ONE KIND OR ANOTHER.

+FOR EXAMPLE,+ HE SAID, +IT IS ESTIMATED THAT 30,000 OF THE REGISTERED ITEMS RETURNED LAST YEAR ORIGINATED FROM THE INLAND REVENUE DEPARTMENT OR THE RATING AND VALUATION DEPARTMENT.+

MR. WONG FURTHER SAID THAT ABOUT 3,500 PEOPLE CALLED AT POST OFFICES LAST YEAR TO COLLECT REGISTERED LETTERS AFTER THEY HAD BEEN RETURNED TO SENDERS. THE NUMBER OF LETTERS INVOLVED REPRESENTED ROUGHLY 0.04 PER CENT OF ALL REGISTERED MAIL HANDLED AND 1.1 PER CENT OF REGISTERED MAIL COLLECTED AT POST OFFICES.

+I DO NOT THINK THAT THE SIZE OF THE PROBLEM WARRANTS THE KEEPING OF 18 POST OFFICES OPEN IN THE EVENING FOR THE COLLECTION OF REGISTERED MAIL,+ HE SAID.

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CALCULATION OF LIQUIDATED DAMAGES

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ALTERNATIVE METHODS OF CALCULATING LIQUIDATED DAMAGES FOR MAJOR CONTRACTS ARE CURRENTLY UNDER REVIEW BY THE STANDING COMMITTEE ON ARCHITECTURAL AND CIVIL ENGINEERING CONDITIONS OF CONTRACT, THE HON. DAVID MCDONALD, DIRECTOR OF PUBLIC WORKS, TOLD THE LEGISLATIVE COUNCIL TODAY.

WHEN FINALISED, HE SAID, THE NEW METHODS WOULD REPRESENT MORE ACCURATE PRE-ESTIMATES OF DAMAGES UNDER CURRENT CONTRACT VALUES AND CONTRACT PERIODS.

IN REPLY TO A QUESTION BY THE HON. T.S. LO, HE ADMITTED THAT THE LIQUIDATED DAMAGES OF \$6,000 A DAY INCLUDED IN THE TUEN MUN ROAD STAGE II CONTRACT, FIXED UNDER THE PRESENTLY EMPLOYED METHOD OF CALCULATING LIQUIDATED DAMAGES, DID NOT REFLECT THE DAILY VALUE OF THE ROAD TO THE COMMUNITY.

THIS METHOD, HE ADDED, WAS WORKED OUT IN THE EARLY 1960'S AND ALTHOUGH IT WAS STILL SATISFACTORY IN MANY CASES TODAY IT WAS NOT WELL SUITED FOR A NUMBER OF THE VERY EXTENSIVE CONTRACTS NOW BEING LET SUCH AS TUEN MUN ROAD STAGE II.

HOWEVER, MR. MCDONALD STRESSED: +OVER-ASSESSMENT OF LIQUIDATED SUMS COULD HAVE AND PROBABLY WOULD HAVE EFFECTS OTHER THAN THAT INTENDED, E.G. CONTRACTORS MIGHT TEND TO INCREASE THEIR TENDER RATES TO COVER THEMSELVES IN CASE OF OVER-RUN OF CONTRACT PERIODS THEREBY INCREASING THE OVERALL COST OF PROJECTS OR THEY MIGHT DISPUTE CLAIMS FOR DAMAGES ON THE BASIS THAT THE FIXED SUMS ARE PENALTIES AND NOT LIQUIDATED DAMAGES AND SO ARE NOT ENFORCEABLE.

+THE SOLUTION THEREFORE IS TO ADOPT FORMULAE WHICH PRODUCE GENUINE ESTIMATES OF DAMAGES AND SO ARE BOTH EQUITABLE AND ENFORCEABLE.+

IN REPLY TO ANOTHER QUESTION, HE POINTED OUT THAT A LIQUIDATED DAMAGES CLAUSE IN A CONTRACT WAS NOT DESIGNED AS AN INCENTIVE TO COMPLETE THE WORKS ON TIME.

+SUCH A CLAUSE PROVIDES FOR A FIXED OR AGREED SUM TO BE PAID AS DAMAGES FOR SOME BREACH OF CONTRACT AND A TYPICAL CLAUSE ALLOWS FOR THE DEDUCTION OF A FIXED SUM PER DAY FOR THE NUMBER OF DAYS OVER THE CONTRACT PERIODS OR EXTENDED CONTRACT PERIOD DURING WHICH THE WORKS ARE UNCOMPLETED,+ HE SAID.

+THEREFORE IN SUCH A CASE THE INTENTION IS TO COVER THE LOSS INCURRED BY LATE COMPLETION.+

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USD TO MANAGE TSUEN WAN TOWN HALL
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THE SECRETARY FOR HOME AFFAIRS, THE HON. F.K. LI, TOLD THE LEGISLATIVE COUNCIL TODAY THAT THE TSUEN WAN TOWN HALL, WHICH INCLUDES AN AUDITORIUM, WILL BE MANAGED BY THE URBAN SERVICES DEPARTMENT WHEN IT IS COMPLETED BY THE END OF NEXT YEAR.

IN REPLY TO A QUESTION FROM THE HON. ALEX WU, MR. LI SAID THE DIRECTOR OF URBAN SERVICES HAS ALREADY SOUGHT STAFF FOR THE PLANNING AND PROMOTION OF ACTIVITIES AND TO ASSESS THE LEVELS OF STAFF REQUIRED TO MANAGE THE HALL.

+HE PLANS TO SEEK THE NECESSARY MANAGEMENT STAFF LATER THIS YEAR, WITH A VIEW TO COMPLETING RECRUITMENT BY MID-1979,+ MR. LI SAID.

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BOATING ON WONG NEI CHUNG RESERVOIR
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THE URBAN COUNCIL'S RECREATION AND AMENITIES SELECT COMMITTEE HAS APPROVED, IN PRINCIPLE, DETAILED LAYOUT PLANS FOR BOATING ON WONG NEI CHUNG RESERVOIR, THE SECRETARY FOR HOME AFFAIRS, THE HON. F.K. LI, TOLD THE LEGISLATIVE COUNCIL TODAY.

+BUT THERE ARE STILL CERTAIN DETAILS CONCERNING ACCESS TO THE AREA WHICH NEED TO BE FINALISED BEFORE THIS PROJECT CAN BE CONSIDERED FOR UPGRADING TO CATEGORY 'A' OF THE PUBLIC WORKS PROGRAMME,+ MR. LI SAID IN REPLY TO A QUESTION FROM THE HON. JOHN BREMRIDGE.

HE SAID A PLANNING BRIEF RELATING TO THE PROJECT WAS APPROVED BY THE COMMITTEE IN JANUARY LAST YEAR AND THE DETAILED LAYOUT PLANS WERE APPROVED IN PRINCIPLE IN DECEMBER THE SAME YEAR.

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FEDERATION OF HONG KONG INDUSTRIES (AMENDMENT) BILL PASSED
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THE LEGISLATIVE COUNCIL TODAY PASSED INTO LAW THE FEDERATION OF HONG KONG INDUSTRIES (AMENDMENT) BILL 1978.

SPEAKING AT THE SECOND READING OF THE BILL, THE HON. JAMES WU SAID THE FEDERATION WILL, IN ADDITION TO PROVIDING TECHNICAL SERVICES AND STANDARDS AND TESTING FACILITIES FOR LOCAL INDUSTRIES, OFFER A 'SEAL OF APPROVAL' FOR QUALITY PRODUCTS.

THIS MARK WILL BE GRANTED TO A PRODUCT WHICH HAS BEEN TYPE-TESTED AND FOUND TO COMPLY WITH RELEVANT NATIONAL, INTERNATIONAL, OR OTHER APPROVED STANDARDS, AND HAS BEEN MANUFACTURED UNDER AN APPROVED SYSTEM OF QUALITY CONTROL AND SUPERVISION, HE SAID.

MR. WU, WHO IS ALSO CHAIRMAN OF THE FEDERATION, SAID HONG KONG PRODUCTS TODAY HAVE GENERALLY ACHIEVED A HIGH STANDARD OF QUALITY COMPARABLE TO ANY, AND SHOULD BE ACCORDED DUE RECOGNITION.

HE ADDED THAT THE FEDERATION IS WELL EQUIPPED TO TEST THE PRODUCTS IN ITS 15 MAJOR TESTING LABORATORIES AND IS ABLE TO OFFER TWO QUALITY CONTROL SERVICES, UNDER ITS PRESHIPMENT INSPECTION SCHEME AND QUALITY ASSURANCE PACKAGE SCHEME.

MR. WU SAID THE FEDERATION WOULD LIKE TO THINK THAT ITS EFFORTS HAVE HELPED TO RAISE THE QUALITY IMAGE AND STANDARDS OF HONG KONG PRODUCTS OVERSEAS, WITH MINIMAL ASSISTANCE FROM THE GOVERNMENT.

THE NEW LEGISLATION WILL HELP ITS EFFORT TO PROMOTE INDUSTRIALISATION. WITH SUFFICIENT HONG KONG PRODUCTS MEETING THE 'SEAL OF APPROVAL' TESTS, THE FEDERATION INTENDS TO PUT UP A 'BUY HONG KONG' QUALITY GOODS EXHIBITION LATER THIS YEAR AND WITH A NEW DIMENSION, HE ADDED.

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BILLS PASSED
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NINE BILLS WERE PASSED INTO LAW IN THE LEGISLATIVE COUNCIL TODAY.

THEY WERE THE AUDIT (AMENDMENT) BILL 1978, THE INLAND REVENUE (AMENDMENT) BILL 1978, THE INLAND REVENUE (AMENDMENT)(NO. 2) BILL 1978, THE TRAINING CENTRES (AMENDMENT) BILL 1978, THE FEDERATION OF HONG KONG INDUSTRIES (AMENDMENT) BILL 1978, THE MERCHANT SHIPPING (AMENDMENT)(NO. 2) BILL 1978, THE MASS TRANSIT RAILWAY (LAND RESUMPTION AND RELATED PROVISIONS) (AMENDMENT) BILL 1978, THE BOILERS AND PRESSURE RECEIVERS (AMENDMENT) BILL 1978, AND THE DUTIABLE COMMODITIES (AMENDMENT) (NO. 2) BILL 1978.

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TRAFFIC ARRANGEMENTS
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THE TRANSPORT DEPARTMENT ANNOUNCED TODAY THE WESTBOUND +BUS ONLY+ LANE IN LEIGHTON ROAD BETWEEN MATHESON STREET AND CANAL ROAD EAST WILL BE OPEN TO ALL EASTBOUND TRAFFIC FOR ABOUT ONE MONTH FROM 10 A.M. ON FRIDAY (JULY 21) TO FACILITATE ROAD WORKS IN THE AREA.

DURING THIS PERIOD BUSES WHICH NORMALLY USE THIS LANE WILL BE RE-ROUTED VIA WONG NAI CHUNG ROAD, EXCEPT ROUTE 103 BUSES WHICH WILL BE DIVERTED TO HENNESSY ROAD.

APPROPRIATE SIGNS WILL BE SET UP TO GUIDE MOTORISTS.

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