



DAILY INFORMATION BULLETIN

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WEDNESDAY, JANUARY 25, 1984

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POLICE ABILITY TO SUPPORT COMMUNITY CONFIRMED
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THE OPERATION CARRIED OUT IN THREE PHASES AGAINST THE DISTURBANCES IN KOWLOON ON THE EVENING OF JANUARY 13 ILLUSTRATED THE RESTRAINT AND EFFICIENCY OF THE POLICE FORCE, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, SAID IN THE LEGISLATIVE COUNCIL TODAY.

IN REPLY TO QUESTIONS FROM THE HON RITA FAN, MR JEAFFRESON SAID THE OPERATION ALSO FULLY CONFIRMED THE ABILITY OF THE POLICE TO SUPPORT THE COMMUNITY AGAINST ANY THREAT TO THE STABILITY OF HONG KONG.

EXPLAINING THE THREE-PHASE OPERATION, MR JEAFFRESON SAID FIRST, THERE WAS THE NEED FOR UNIFORMED OFFICERS TO KEEP TRAFFIC MOVING DESPITE THE SEVERE CONGESTION CAUSED BY TAXI DRIVERS ILLEGALLY PARKING THEIR TAXIS IN LARGE NUMBERS IN TSIM SHA TSUI, TAI PO AND THE CENTRAL DISTRICT.

+THIS EXERCISE CONTAINED A RISK OF CONFLICT BETWEEN THE TWO. IT WAS TO THE CREDIT OF BOTH, BUT IN PARTICULAR TO THE POLICE, THAT THERE WAS NO SERIOUS CONFRONTATION DURING THIS PHASE,+ HE SAID.

HE ADDED THAT THE POLICE TACTIC WAS TO KEEP THEIR PRESENCE LOW-KEY, DEALING EXPLICITLY ONLY WITH FLAGRANT BREACHES OF THE LAW.

IN THE SECOND PHASE, THERE WAS LARGE, HOSTILE BUT NOT VIOLENT CROWDS WHO BEGAN TO GATHER IN SOUTH KOWLOON.

TO AVOID PROVOKING ANY ESCALATION OF THE SITUATION, THE POLICE DURING THIS PHASE DEPLOYED INCREASED NUMBERS OF UNIFORMED OFFICERS IN THEIR NORMAL DRESS RATHER THAN IN EMERGENCY GEAR, MR JEAFFRESON EXPLAINED.

IT WAS ONLY IN THE THIRD PHASE WHEN ABOUT 1 000 PEOPLE IN THE CROWDS OF SOME 10 000 PEOPLE BEGAN TO TURN VIOLENT AND BREACH THE LAW BLATANTLY THAT THE POLICE DECIDED OPENLY TO DEPLOY THEIR EMERGENCY UNITS, HE SAID.

THE POLICE THEN RESTORED LAW AND ORDER IN A SHORT PERIOD OF TIME AS A RESULT OF A SWEEP CARRIED OUT THROUGH WEST KOWLOON, HE ADDED.

DURING THE OPERATION, THE POLICE SHOWED THEIR ABILITY TO ASSESS CORRECTLY WHAT WAS GOING ON AND TO DEVISE APPROPRIATE TACTICS, MR JEAFFRESON SAID.

THEY ALSO SHOWED HOW THE FORCE'S HIGH LEVEL OF TRAINING, DESIGNED SPECIFICALLY TO DEAL WITH INTERNAL SECURITY SITUATIONS, ENABLED THEM TO CARRY OUT THESE TACTICS EFFECTIVELY, HE POINTED OUT.

HE SAID THAT ONLY FIVE PER CENT OF THE POLICE FORCE'S EMERGENCY CAPACITY WAS EMPLOYED TO DISPERSE THE UNRULY CROWDS.

/MR JEAFFRESON

MR JEAFFRESON SAID HE WAS PLEASED AT THE OPPORTUNITY TO PUBLICLY THANK THE POLICE, ON BEHALF OF THE COMMUNITY, +FOR THE MASTERLY WAY IN WHICH THEY DEALT WITH THE DISTURBANCES ON JANUARY 13.+

HE ALSO EXPRESSED THE COMMUNITY'S APPRECIATION OF THE WAY IN WHICH THE POLICE SKILFULLY DEALT WITH THE PROTEST ACTION TAKEN BY TAXI DRIVERS BETWEEN JANUARY 11 AND 14.

IT WAS +A PROTEST WHICH CALLED FOR A CAREFULLY CONTROLLED LOW-KEY RESPONSE IN ORDER TO AVOID PROVOKING CONFRONTATION AT A TIME WHEN EMOTIONS WERE RUNNING HIGH,+ HE ADDED.

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SUGGESTIONS ON BILL INVALUABLE : JACOBS

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INVALUABLE SUGGESTIONS WERE PROVIDED BY THE UNOFFICIAL MEMBERS' AD HOC GROUP WHICH CONSIDERED THE COMPANIES (AMENDMENT) BILL 1983, THE SECRETARY FOR ECONOMIC SERVICES, THE HON PIERS JACOBS, SAID IN THE LEGISLATIVE COUNCIL TODAY.

MR JACOBS AGREED WITH UNOFFICIAL MEMBERS THAT MUCH REMAINED TO BE DONE IN THE FIELD OF COMPANY LAW REFORM EVEN AFTER THE ENACTMENT OF THE BILL.

REPEATING REMARKS HE MADE WHEN INTRODUCING THE BILL IN THE COUNCIL ON MARCH 9 LAST YEAR, MR JACOBS SAID:

+COMPANY LAW MUST CHANGE WITH THE EVOLUTION OF THE ECONOMIC AND BUSINESS ENVIRONMENT. WE MUST IN FUTURE ENSURE THAT COMPANIES LEGISLATION IS KEPT RESPONSIVE TO OUR NEEDS.

+THE SUBJECT IS DYNAMIC AND THE LAW IN THIS AREA HAS TO BE CONSTANTLY UPDATED IN THE LIGHT OF CHANGING CIRCUMSTANCES.+

MR JACOBS SAID HE WAS PLEASED TO INFORM THE COUNCIL THAT THE STANDING COMMITTEE ON LAW REFORM, HAD NOW BEEN ESTABLISHED UNDER THE CHAIRMANSHIP OF THE HON JUSTICE CONS, A JUSTICE OF APPEAL.

THE FIRST TASK FACING THE COMMITTEE, HE EXPLAINED, WOULD BE TO DEAL WITH THE ISSUES MENTIONED BY THE HON BILL BROWN.

+THESE HAVE BEEN SHOWN TO BE COMPLEX AND OFTEN CONTROVERSIAL IN NATURE,+ HE SAID.

MUCH RESEARCH AND PREPARATORY WORK WOULD HAVE TO BE UNDERTAKEN TO ASSIST THE COMMITTEE, AND, SUBJECT TO APPROVAL OF THE FINANCE COMMITTEE, A FULL TIME POST OF SECRETARY TO THE COMMITTEE WOULD BE CREATED.

REFERRING TO MR BROWN'S SUGGESTION OF THE POSSIBLE NEED FOR AN ENTIRELY NEW COMPANIES BILL TO BE PRODUCED IF THE STANDING COMMITTEE RECOMMENDS SIGNIFICANT FURTHER CHANGES, MR JACOBS SAID THIS APPROACH MIGHT WELL BE APPROPRIATE IN FUTURE AND HE GAVE ASSURANCE THAT HE WOULD +NOT LOSE SIGHT+ OF THE SUGGESTION.

HE DISCLOSED THAT ARRANGEMENTS HAD ALREADY BEEN MADE TO PRODUCE A REPRINT OF THE COMPLETE COMPANIES ORDINANCE INCORPORATING THE AMENDMENTS CONTAINED IN THE BILL.

+THIS REPRINT WILL BE PUBLISHED AS SOON AS POSSIBLE AFTER THE AMENDMENTS HAVE BEEN BROUGHT INTO OPERATION,+ HE SAID.

HE WOULD ALSO BE MOVING AN AMENDMENT TO CLAUSE 46(B) (III) TO DELETE THE PROPOSED NEW SECTION 80 (2)(J), HE SAID.

THIS AMENDMENT WOULD REMOVE THE PROPOSED REQUIREMENT TO REGISTER A CHARGE ON SHARES HELD BY A COMPANY IN A BODY CORPORATE WHICH IS ITS SUBSIDIARY WHEN THE CHARGE IS CREATED.

+WHILE THIS REQUIREMENT IMPLEMENTS A CLRC RECOMMENDATION AND IS CONSIDERED TO BE HIGHLY DESIRABLE IN PRINCIPLE, IT BECAME APPARENT FROM COMMENTS MADE BY THE HONG KONG ASSOCIATION OF BANKS THAT IF THE NEW SECTION WERE ENACTED, THEY AND OTHER CREDITORS WOULD HAVE REAL DIFFICULTIES IN THAT THEY COULD NOT BE CERTAIN WHETHER THE SHARES TO WHICH A CHARGE RELATED WERE INDEED THOSE OF A SUBSIDIARY AS DEFINED IN THE PRINCIPAL ORDINANCE.

+HAVING CONSIDERED THESE COMMENTS, IT HAS BEEN AGREED THAT THE PROPOSED REQUIREMENT SHOULD BE DELETED AND THE MATTER REFERRED TO THE STANDING COMMITTEE ON COMPANY LAW REFORM FOR FURTHER CONSIDERATION,+ HE SAID.

MR JACOBS SAID ALSO THAT CONCERN HAD BEEN EXPRESSED BY THE LAW SOCIETY OF HONG KONG AND THE HONG KONG DEPOSIT-TAKING COMPANIES ASSOCIATION ABOUT THE STAMP DUTY IMPLICATIONS FOR INTERNATIONAL BONDS IN THE PROPOSED NEW SECTION 74A IN CLAUSE 41 OF THE BILL.

WHILE NO AMENDMENT WOULD BE MADE TO THIS PROPOSED SECTION, WHICH BASICALLY SERVED COMPANY LAW PURPOSES, IT WAS THE INTENTION OF THE ADMINISTRATION TO INTRODUCE IN DUE COURSE AN AMENDMENT TO THE STAMP DUTY ORDINANCE TO MEET THIS CONCERN, HE EXPLAINED.

MR JACOBS CONCLUDED BY THANKING ALL MEMBERS OF THE COMMUNITY WHO HAD TAKEN THE TROUBLE TO CONVEY THEIR VIEWS ON THE SUBJECT.

+THEIR WIDE KNOWLEDGE AND EXPERIENCE HAS CONTRIBUTED MUCH TO THAT CONSULTATIVE PROCESS WHICH IS ESSENTIAL IN COMPANY LAW REFORM,+ MR JACOBS CONCLUDED.

UNOFFICIALS BACK COMPANY LAW REFORM COMMITTEE

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THE LEGCO AD-HOC GROUP ON THE COMPANIES (AMENDMENT) BILL 1983 WELCOMED THE ESTABLISHMENT OF A STANDING COMMITTEE ON COMPANY LAW REFORM, THE HON BILL BROWN SAID TODAY, AT THE RESUMED DEBATE ON THE COMPANIES (AMENDMENT) BILL IN THE LEGISLATIVE COUNCIL.

SUPPORTING THE MOTION, MR BROWN SAID THAT PLACING THE BILL ON THE STATUTE BOOK WOULD BE A FURTHER MILESTONE ON A JOURNEY WHICH COMMENCED IN 1974 WHEN A PROGRAMME OF LEGISLATION WAS INITIATED TO IMPLEMENT THE RECOMMENDATIONS OF THE COMPANIES LAW REVISION COMMITTEE SECOND REPORT, PUBLISHED IN APRIL 1973.

+WE STILL HAVE A LONG WAY TO GO DOWN THIS ROAD AND A NUMBER OF VERY IMPORTANT ISSUES STILL NEED TO BE ADDRESSED,+ HE ADDED.

IT WAS FOR THIS REASON THAT THE UNOFFICIAL MEMBERS PARTICULARLY WELCOMED THE ESTABLISHMENT OF THE SAID STANDING COMMITTEE.

MATTERS TO BE REFERRED TO THE NEW COMMITTEE INCLUDE:

- * TO CONSIDER WHETHER THE ULTRA VIRES DOCTRINE SHOULD BE MAINTAINED AND THE EXTENT OF PROTECTION THAT SHOULD BE AFFORDED TO THIRD PARTIES IN ULTRA VIRES TRANSACTIONS.
- * TO CONSIDER THE QUESTION OF RESTRICTION ON THE GIVING OF FINANCIAL ASSISTANCE BY A COMPANY FOR THE PURCHASE OF ITS OWN SHARES; IN THIS CONNECTION TO CONSIDER SIMULTANEOUSLY THE QUESTION OF WHETHER A COMPANY SHOULD BE ABLE TO PURCHASE ITS OWN SHARES WHICH IS NOW ALLOWED IN BRITAIN UNDER SECTIONS 46 - 52 OF THE COMPANIES ACT 1981.
- * TO REVIEW THE LAW ON REGISTRATION OF CHARGES IN THE LIGHT OF THE MANY SUGGESTIONS MADE BY VARIOUS MEMBERS OF THE PUBLIC FOR FAR-REACHING AMENDMENTS EVEN TO THE EXTENT OF DEPARTING FROM THE BRITISH SYSTEM. IN THIS CONNECTION, TO CONSIDER MATTERS ARISING FROM THE APPLICATION OF PART III OF THE ORDINANCE ON THE SUBJECT TO A COMPANY INCORPORATED OUTSIDE HONG KONG IN THE LIGHT OF FINDINGS IN THE SLAVENBURG CASE.
- * TO CONSIDER WHETHER IN THE CASE OF A PRIVATE COMPANY WHICH IS NOT A MEMBER OF A GROUP OF COMPANIES WHICH INCLUDES A LISTED COMPANY, APPROVAL OF THE COMPANY SHOULD BE REQUIRED FOR THE DISPOSAL OF ITS FIXED ASSETS BY ITS DIRECTORS.
- * TO CONSIDER THE REQUIREMENT IN THE PROPOSED NEW SECTION 155D (DIRECTOR'S DUTY REGARDING INFORMATION TO SHAREHOLDERS) IN THE COMPANIES (AMENDMENT) BILL 1983 AND IN PARTICULAR TO SEE WHETHER ANY FURTHER EXEMPTIONS ARE JUSTIFIED.

/* TO CONSIDER

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- * TO CONSIDER THE QUESTION OF GENERAL FIDUCIARY DUTY OF DIRECTORS.
- * TO CONSIDER WHETHER THE PROPOSED NEW SECTION 162 (DISCLOSURE BY DIRECTORS OF MATERIAL INTEREST IN CONTRACTS) SHOULD BE EXTENDED AS HAS BEEN DONE IN BRITAIN BY SECTION 60 OF THE COMPANIES ACT 1980.

MR BROWN NOTED THAT THESE WERE JUST A FEW OF THE INITIAL 22 ITEMS WHICH THE ADMINISTRATION HAD AGREED TO REFER TO THE NEW STANDING COMMITTEE.

+I FEEL IT WOULD ASSIST ALL OF US IN UNDERSTANDING OUR COMPANY LEGISLATION IF, IN THE EVENT THE STANDING COMMITTEE WERE TO RECOMMEND SIGNIFICANT FURTHER CHANGES TO OUR COMPANY LAW, WE PRODUCED AN ENTIRELY NEW BILL RATHER THAN ANOTHER VOLUMINOUS AMENDMENT BILL,+ HE ADDED.

HE SAID THAT AT THE COMMITTEE STAGE AMENDMENTS WOULD BE MOVED BY UNOFFICIAL MEMBERS WHICH AS A WHOLE HAD THE UNANIMOUS SUPPORT OF THE WHOLE AD-HOC GROUP.

RECALLING THE AD-HOC GROUP'S DELIBERATIONS ON THE BILL, HE SAID, +THE COMPLEXITY OF THIS BILL IS PERHAPS SELF-EVIDENT, BUT IT SHOULD BE NOTED THAT THE PROPOSALS WERE FIRST PUBLISHED AS A DRAFT BILL ON JULY 18, 1980. THE LEGCO AD-HOC GROUP TOOK THE UNUSUAL STEP OF DELIBERATING ON COMMENTS FROM THE PUBLIC AND REACHING AGREEMENT WITH THE ADMINISTRATION ON MANY CHANGES WHILE THE BILL WAS STILL IN ITS DRAFT FORM.

+IN SHORT, THE BILL NOW BEFORE US ALREADY INCLUDES SOME 41 AMENDMENTS AND SEVEN DELETIONS PROPOSED BY THE AD-HOC GROUP, AND THESE IN TURN AFFECT MORE THAN 70 SECTIONS OF THE PRINCIPAL ORDINANCE.

+I AND MY COLLEAGUES ARE GRATEFUL TO THE ADMINISTRATION FOR THE HELP, ASSISTANCE AND UNDERSTANDING RECEIVED DURING THE CONSULTATIVE PROCESS AND FOR AMENDING THE DRAFT BILL TO ACCOMMODATE OUR SUGGESTION,+ HE SAID.

NUMEROUS REPRESENTATIONS HAD BEEN RECEIVED FROM THE LAW SOCIETY OF HONG KONG, THE HONG KONG SOCIETY OF ACCOUNTANTS AND MANY OTHER PROFESSIONAL BODIES, BUT ALSO FROM ORDINARY MEMBERS OF THE PUBLIC, HE SAID.

+THIS, TOGETHER WITH THE FACT THAT THE AD-HOC GROUP HAS MET ON 15 OCCASIONS TO DELIBERATE ON THE BILL, WILL PERHAPS EXPLAIN THE AMOUNT OF TIME IT HAS TAKEN TO BRING MATTERS TO THIS STAGE AND COUNTER CRITICISM OF UNNECESSARY DELAY,+ HE SAID.

FURTHER REPRESENTATIONS MADE SUBSEQUENT TO THE BILL'S FIRST READING AND PUBLICATION LAST YEAR HAD BEEN CONSIDERED AND DISCUSSED WITH THE ADMINISTRATION, RESULTING IN ADDITIONAL AMENDMENTS OF SUBSTANCE, HE SAID.

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UNOFFICIALS MOVE AMENDMENTS

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AMENDMENTS TO THE COMPANIES (AMENDMENT) BILL 1983 WERE MOVED BY SEVEN UNOFFICIAL MEMBERS AND THE SECRETARY FOR ECONOMIC SERVICES, THE HON PIERS JACOBS, AT THE COMMITTEE STAGE TODAY.

THE UNOFFICIAL MEMBERS WERE THE HON PETER C. WONG, THE HON CHARLES YEUNG, THE HON ANDREW SO, THE HON WONG PO-YAN, THE HON STEPHEN CHEONG, THE HON MARIA TAM AND THE HON PETER POON.

SUPPORTING THE MOTION IN THE RESUMED DEBATE ON THE BILL, THE UNOFFICIALS SUPPORTED MR BROWN'S REMARK THAT THE BILL WAS AN IMPORTANT PIECE OF LEGISLATION.

THEY ALSO JOINED HIM IN WELCOMING THE ESTABLISHMENT OF THE STANDING COMMITTEE ON COMPANY LAW REFORM.

ON SPECIFIC AMENDMENTS, MR PETER C. WONG EXPLAINED THAT HE WOULD BE MOVING AMENDMENTS TO CLAUSE 24(B) AND CLAUSE 27.

CLAUSE 24 AMENDS SECTION 45 OF THE PRINCIPAL ORDINANCE REGARDING ALLOTMENT OF SHARES.

MR WONG SAID THAT THE VIEW OF THE LAW SOCIETY HAD BEEN ACCEPTED AND HE WOULD BE MOVING AMENDMENT TO THE EFFECT THAT THE ALLOTMENTS REFERRED TO IN THE NEW SUBSECTION (1A) (A) WOULD BE DESCRIBED AS '+ALLOTTED CREDITED+' AND NOT MERELY AS 'ALLOTTED'.

CLAUSE 27 ADDS NEW SECTIONS 57A, 57B AND 57C AND MR WONG WOULD BE MOVING AMENDMENTS TO NEW SECTIONS 57A AND 57B.

SECTION 57A SUBSECTION (1) DEALS WITH SHARES WITH NO VOTING RIGHTS AND THE WORDS 'NON-VOTING' MUST APPEAR ON SHARE CERTIFICATES AS WELL AS IN ANY PROSPECTUS OR REPORT.

AMENDMENT WOULD BE MADE TO CLARIFY THAT THE REPORT REFERRED TO WOULD BE DESCRIBED AS 'DIRECTOR'S REPORT', MR WONG EXPLAINED.

SECTION 57A SUBSECTION (2) PROVIDES THAT SHARE CERTIFICATES ISSUED BY A COMPANY WHICH HAS ITS SHARE CAPITAL DIVIDED INTO DIFFERENT CLASSES MUST CONTAIN A STATEMENT TO THAT EFFECT AS WELL AS THE AMOUNT FIXED BY THE MEMORANDUM IN RESPECT OF THE SHARES OF EACH CLASS AND THE VOTING RIGHTS ATTACHED THERETO.

+AS THE MEMORANDUM OF A COMPANY RARELY SPECIFIES THE AMOUNT OF THE SHARES OF EACH CLASS, REFERENCE TO THE MEMORANDUM WILL BE DELETED AND THE AMENDMENT WILL MAKE IT CLEAR THAT THE NOMINAL VALUE OF THE SHARES IN EACH CLASS MUST APPEAR ON THE CERTIFICATE,+ MR WONG SAID.

SECTION 57B PROVIDES THAT WITH THE EXCEPTION OF A PRO-RATA ALLOTMENT OF SHARES TO MEMBERS, THE DIRECTORS OF A COMPANY MUST FIRST OBTAIN THE APPROVAL OF THE COMPANY IN GENERAL MEETING.

SUBSECTION (5) STIPULATES THAT ANY RESOLUTION WHEREBY AN APPROVAL IS GIVEN SHOULD BE REGISTERED AS PROVIDED BY SECTION 117 OF THE PRINCIPAL ORDINANCE.

/+AGAIN FOR

+AGAIN FOR THE SAKE OF CLARITY, AN AMENDMENT WILL BE MOVED REQUIRING ANY RESOLUTION THAT IS REVOKED OR VARIED AS PROVIDED IN SUBSECTION (3) TO BE REGISTERED AS WELL,+ HE ADDED.

AMENDMENT WOULD ALSO BE MOVED TO MAKE IT CLEAR THAT SUBSCRIBERS' SHARES WOULD NOT FALL WITHIN THE AMBIT OF THIS NEW SECTION.

IN ADDITION, MR WONG WOULD MOVE THAT ALL REFERENCES TO 1983 IN THESE TWO CLAUSES BE DELETED AND SUBSTITUTED BY 1984.

MR YEUNG SAID THAT HE WOULD PROPOSE AMENDMENTS TO CLAUSES 63, 84, 125, 134, 240 AND THE NINTH SCHEDULE.

CLAUSE 63 OF THE BILL REPLACES SECTION 99 OF THE PRINCIPAL ORDINANCE WITH NEW PROVISION CLARIFYING THE REQUIREMENTS RELATING TO THE CLOSING OF THE REGISTER OF MEMBERS AND THE REGISTER OF DEBENTURE HOLDERS DURING THE YEAR.

+SPECIALLY, A COMPANY MAY CLOSE THE REGISTERS IN QUESTION FOR NOT EXCEEDING 30 DAYS IN EACH YEAR, WITH FURTHER PROVISION FOR EXTENDING THE PERIOD OF 30 DAYS,+ MR YEUNG EXPLAINED.

HE WOULD BE MOVING AMENDMENTS TO IMPOSE AN OVERALL LIMIT ON THE POWER OF A COMPANY TO EXTEND THE CLOSURE OF SUCH REGISTER AS WELL AS TO LIMIT ANY EXTENSION OF THE CLOSING OF THE REGISTER OF MEMBERS AND THE REGISTER OF DEBENTURE HOLDERS TO A MAXIMUM OF 60 DAYS.

CLAUSE 84 AMENDS SECTION 119 OF THE PRINCIPAL ORDINANCE TO REQUIRE, INTER ALIA, A COMPANY TO KEEP MINUTES OF ALL GENERAL MEETINGS, MEETINGS OF DIRECTORS AND MEETINGS OF MANAGERS.

AFTER CONSIDERING REPRESENTATIONS WHICH CONTENDED THAT THIS WOULD CAUSE INTERPRETATIONAL PROBLEM, THE AD-HOC GROUP AND THE ADMINISTRATION AGREED TO DELETE THE REQUIREMENT TO KEEP MINUTES OF MEETINGS OF MANAGERS.

CLAUSE 125 REPLACES SECTION 168 WITH NEW PROVISION TO GIVE EFFECT TO THE JENKINS COMMITTEE RECOMMENDATIONS IN RESPECT OF TAKE-OVERS AND THE ACQUISITION OF MINORITY INTERESTS.

THE RIGHTS OF THE COMPANY ON THE ONE HAND AND OF THE MINORITY SHAREHOLDERS ON THE OTHER ARE SET OUT IN DETAIL IN THE NEW NINTH SCHEDULE.

MR YEUNG WOULD BE MOVING AMENDMENTS TO THE NINTH SCHEDULE SO THAT THE WORDS USED WOULD BE CONSISTENT WITH THOSE IN CLAUSE 125.

CLAUSE 134 REPEALS AND REPLACES SECTION 185 OF THE PRINCIPAL ORDINANCE, AND PROVIDES THAT ON THE MAKING OF A WINDING-UP ORDER, A COPY OF THE ORDER BE DELIVERED BY THE COMPANY TO THE REGISTRAR.

AMENDMENT TO BE MOVED BY MR YEUNG WOULD MAKE IT CLEAR THAT THE WINDING-UP ORDER IS TO BE DELIVERED TO THE REGISTRAR FOR THE PURPOSE OF REGISTRATION.

CLAUSE 240 REPLACES, INTER ALIA, SECTION 346 OF THE PRINCIPAL ORDINANCE WHICH SPECIFIES THAT DOCUMENTS DELIVERED TO THE REGISTRAR ARE TO CONFORM TO CERTAIN REQUIREMENTS.

IF SUCH REQUIREMENTS ARE NOT COMPLIED WITH, THE REGISTRAR WILL SERVE A NOTICE TO THE PERSON WHO SUBMITS THE DOCUMENTS STATING HOW THAT PERSON HAS NOT COMPLIED WITH THE REQUIREMENTS AND THAT PERSON WILL BE GIVEN A 14-DAY GRACE PERIOD TO COMPLY WITH THE REQUIREMENTS.

MR YEUNG WOULD BE MOVING A TECHNICAL AMENDMENT TO CLARIFY THAT THE GRACE PERIOD WOULD BEGIN FROM THE DATE OF RECEIPT OF THE NOTICE SERVED BY REGISTERED POST.

MR WONG PO-YAN, STRESSED THAT A DIRECTOR OF A COMPANY, IN DISCHARGING HIS DUTIES, MUST ACT HONESTLY IN THE EXERCISE OF HIS POWERS IN THE INTERESTS OF THE COMPANY AND IN ACCORDANCE WITH THE CODE OF COMMERCIAL MORALITY AND BUSINESS ETHICS VOLUNTARILY.

HE WOULD MOVE AMENDMENTS TO CLAUSE 114 RELATING TO THE RESIGNATION OF DIRECTOR OR SECRETARY OF A COMPANY AND THE PROHIBITION OF LOANS TO DIRECTORS.

CLAUSE 114 ADDS NEW SECTIONS 157A TO 157J.

NEW SECTIONS 157A TO 157F INTRODUCE NEW REQUIREMENTS RELATING TO APPOINTMENT, QUALIFICATIONS, REMOVAL AND RESIGNATION OF DIRECTORS, INCLUDING THE POWER OF THE COURT TO MAKE DISQUALIFICATION ORDERS AGAINST FRAUDULENT PERSONS OR DIRECTORS OF INSOLVENT COMPANIES.

HE WOULD BE MOVING AN AMENDMENT TO MAKE IT CLEAR THAT WHERE THE ARTICLES OF A COMPANY REQUIRE A DIRECTOR OR SECRETARY OF THE COMPANY TO GIVE NOTICE FOR RESIGNATION, THE NOTICE SHALL BE IN WRITING BY THE PERSON GIVING SUCH NOTICE.

TURNING TO THE PROHIBITION OF LOANS OF DIRECTORS, MR WONG SAID, +THE NEW SECTIONS 157H, 157I AND 157J BREAK NEW GROUND IN RESPECT OF THE MAKING OF LOANS OR THE GIVING OF GUARANTEES BY COMPANIES TO DIRECTORS OR FOR THE BENEFIT OF DIRECTORS.

+UNDER NEW SECTION 157H, WHICH DOES NOT APPLY TO BANKS OR DEPOSIT-TAKING COMPANIES, THE GENERAL RULE IS THAT LOANS OR GUARANTEES BY A COMPANY TO THE DIRECTORS OF THE COMPANY OR OF ITS HOLDING COMPANY, OR TO A COMPANY CONTROLLED BY ANY ONE OR MORE OF ITS DIRECTORS, ARE PROHIBITED.+

THERE ARE FIVE EXCEPTIONS:

- * LOANS ETC. AS BETWEEN COMPANIES IN THE SAME GROUP;
- * LOANS ETC. BY PRIVATE COMPANIES (EXCEPT THOSE BELONGING TO A GROUP OF COMPANIES OF WHICH A MEMBER IS A LISTED COMPANY) IF APPROVED IN GENERAL MEETING;
- * LOANS ETC. TO DEFRAY LEGITIMATE EXPENSES INCURRED WHILE ON COMPANY BUSINESS;

/* LOANS (NOT

- * LOANS (NOT EXCEEDING 80 PER CENT OF THE VALUE) FOR THE PURCHASE OF A RESIDENCE; AND
- * LOANS ETC. (UP TO AMOUNTS NOT EXCEEDING \$500 000) BY COMPANIES WHOSE ORDINARY BUSINESS INCLUDES THE LENDING OF MONEY OR THE GIVING OF GUARANTEES.

THE LATTER THREE EXCEPTIONS ARE SUBJECT TO A +GLOBAL+ LIMIT OF FIVE PER CENT OF NET ASSETS, AND ARE DEALT WITH UNDER SUBSECTION 157H(7).

MR CHEONG DESCRIBED THE INTRODUCTION OF THE COMPANIES AMENDMENT BILL AS +TIMELY+.

+FOR, IN CONSOLIDATING OUR SUCCESS AND IN PREPARING FOR OUR NEXT PHASE OF GROWTH, IT IS NECESSARY TO CONTINUOUSLY UPDATE OUR LEGAL SYSTEM, THEREBY DEFINING MORE CLEARLY AND IN MORE DETAIL THE PARAMETERS WITHIN WHICH OUR COMPANIES CAN OR SHOULD OPERATE,+ HE SAID.

HE WOULD BE MOVING AMENDMENTS TO CLAUSE 155, 158, 161 AND 209.

CLAUSE 155 REPLACES SECTION 224 OF THE PRINCIPAL ORDINANCE WHICH EMPOWERS THE COURT TO ARREST AN ABSCONDING CONTRIBUTORY OR OFFICER.

MR CHEONG WOULD MOVE AMENDMENT TO SPECIFY THAT THE POWERS OF ARREST SHALL COVER BOTH THE PRESENT AND PAST OFFICERS OF A COMPANY SO THAT THE LATTER CANNOT EVADE RESPONSIBILITY AND THE NEW SECTION 224 SIMPLY THROUGH RESIGNATION.

CLAUSE 158 REPLACES SECTION 227 WITH NEW SECTION 226A WHICH PROVIDES FOR A SUMMARY METHOD OF DISSOLUTION, AND A NEW SECTION 227 WHICH RECASTS THE EXISTING SECTION 227 BY PROVIDING THAT A DISSOLUTION ORDER MAY BE MADE ONLY WHEN THE LIQUIDATOR MAKES APPLICATION TO THE COURT IN THAT BEHALF.

MR CHEONG WOULD PROPOSE AMENDMENT TO SPECIFY THAT THE LIQUIDATOR MUST DELIVER A COPY OF THE COURT ORDER TO THE REGISTRAR WITHIN 14 DAYS FOR THE PURPOSE OF REGISTRATION.

CLAUSE 161 ADDS NEW SECTION 228A TO INTRODUCE A SPECIAL PROCEDURE TO SPEED UP THE APPOINTMENT OF A LIQUIDATOR IN AN URGENT CASE WHERE A COMPANY CANNOT BY REASON OF ITS LIABILITIES CONTINUE IN BUSINESS.

MR CHEONG OBSERVED THAT THE CLAUSE, AS DRAFTED NEEDED TO BE CLARIFIED IN TWO AREAS.

+FIRST, NEW SUBSECTION 228A(3)(A) MAKES REFERENCE TO THE WINDING UP OF A COMPANY BEING DEEMED TO COMMENCE AT THE TIME OF THE DELIVERY TO THE REGISTRAR OF THE STATUTORY DECLARATION THAT THE COMPANY CANNOT CONTINUE ITS BUSINESS.

/+WE CONSIDER

+WE CONSIDER THAT THE WORDS +BE DEEMED TO+ IN THE CLAUSE ARE UNNECESSARY, AND SHOULD BE DELETED,+ HE SAID.

+SECONDLY, NEW SUBSECTION 228(4)(B) PROVIDES FOR THE APPOINTMENT OF A PROVISIONAL LIQUIDATOR, BUT WITHOUT SPECIFYING THAT THE PUBLIC NOTICE OF SUCH AN APPOINTMENT SHOULD STATE THE NAME AND ADDRESS OF THE PROVISIONAL LIQUIDATOR.

+WE THINK IT WOULD BE DESIRABLE THAT RELEVANT DETAILS SUCH AS NAMES AND ADDRESS OF THE PROVISIONAL LIQUIDATOR BE PUBLISHED,+ HE ADDED.

CLAUSE 209 ADDS A NEW SECTION 297A TO THE PRINCIPAL ORDINANCE AND TOGETHER WITH OTHER NEW CLAUSES WHICH AMEND PART VI OF THE BILL DEALING WITH RECEIVERS AND MANAGERS, A NUMBER OF NEW PROVISIONS RELATING TO THE FUNCTIONS OF RECEIVERS AND MANAGERS WILL BE INTRODUCED.

SPECIFICALLY, NEW SECTION 297A PRESCRIBES THE PENALTIES FOR ANY PERSON WHO IS AN UNDISCHARGED BANKRUPT TO ACT AS A RECEIVER OR MANAGER.

MR CHEONG WOULD BE MOVING AMENDMENT TO CLARIFY THAT AN UNDISCHARGED BANKRUPT SHALL BE DISQUALIFIED FROM BEING A RECEIVER OR MANAGER OF THE PROPERTY OF A COMPANY ON BEHALF OF DEBENTURE HOLDERS.

MISS TAM SAID THAT DIRECTORS IN THE EXERCISE OF THEIR POWERS ARE FIDUCIARY AGENTS FOR THE COMPANY AND MUST USE THEIR POWERS FOR THE BENEFIT OR INTENDED BENEFIT OF THE COMPANY.

+SUBJECT TO THIS OVERRIDING CONSIDERATION THE DIRECTORS MAY DO WHATEVER IS FAIRLY INCIDENTAL TO THE EXERCISE OF THEIR POWER IN CARRYING OUT THE OBJECTS OF THE COMPANY, AND HENCE WHETHER THE INTEREST OF THE SHAREHOLDERS ARE PROPERLY PROTECTED DEPENDS ON THE JUDGMENT AND HONESTY OF THE COMPANY'S DIRECTORS, AND THE MORE WE KNOW OF THEIR OWN VESTED INTERESTS THE BETTER THE SHAREHOLDERS CAN PROTECT THEIR INTEREST IN THE COMPANY,+ SHE SAID.

+FOR THE SAME REASON IT IS ALSO IMPORTANT TO DISCLOSE THE TRUE IDENTITY OF THE DIRECTORS OF A COMPANY, PARTICULARLY IN THE CASE OF COMPANIES WHERE GENERALLY THE SHAREHOLDERS HAVE LITTLE INSIDE OR PERSONAL KNOWLEDGE OF ITS DECISION MAKERS,+ SHE ADDED.

SHE WOULD BE MOVING AMENDMENTS TO CLAUSES 110 AND 112.

CLAUSE 110 AMENDS THE PRINCIPAL ORDINANCE BY ADDING NEW SECTIONS 154A AND 154B.

THE NEW SECTION 154A PROVIDES THAT, EXCEPT IN THE CASE OF CERTAIN PRIVATE COMPANIES, IT WILL NO LONGER BE POSSIBLE TO HAVE BODIES CORPORATE AS DIRECTORS OF COMPANIES.

+THUS THE IDENTITY OF THE INDIVIDUALS WHO ARE DIRECTORS OF THE COMPANY IS REVEALED.

/+IN ORDER

+IN ORDER TO GIVE SUFFICIENT TIME FOR ADJUSTMENT, A PERIOD OF SIX MONTHS' GRACE IS ALLOWED FOR COMPANIES TO CONFORM AFTER THE BILL COMES INTO OPERATION,+ MISS TAM SAID.

SHE WOULD BE MOVING AMENDMENT TO AVOID ANY CONFUSION OVER WHICH COMPANIES ARE TO BE REFERRED TO AND HOW AND WHEN THE DIRECTORS OF BODIES CORPORATE SHOULD VACATE THEIR OFFICES.

IN ORDER TO FURTHER PROTECT THE INTEREST OF THE SHAREHOLDERS, CLAUSE 112 ADDS NEW SECTION 155A TO 155D WHICH IMPOSE RESTRICTIONS AND OBLIGATIONS ON DIRECTORS IN THEIR MANAGEMENT FUNCTIONS VIS-A-VIS BOTH THE COMPANY AND THE SHAREHOLDERS.

+THIS IS AN IMPORTANT AMENDMENT BECAUSE THESE NEW PROVISIONS DEAL WITH THE DISPOSAL BY THE DIRECTORS OF A COMPANY'S FIXED ASSETS.

+THEY IMPOSE AN OBLIGATION ON THE DIRECTORS TO INDICATE THE PURPOSE OF THE COMPANY'S RESOLUTIONS REQUIRED FOR SUCH DISPOSAL OF FIXED ASSETS, AND TO DISCLOSE ANY RELATED INTERESTS OF THE DIRECTORS OF A MATERIAL NATURE AND, ALSO, TO KEEP ALL SHAREHOLDERS EQUALLY INFORMED,+ MISS TAM OBSERVED.

SHE NOTED THAT THE CLAUSE HAD THEREFORE ATTRACTED COPIOUS COMMENTS AND STRONG REPRESENTATIONS FROM PROFESSIONAL BODIES AND MOST OF THESE COMMENTS WERE MADE ON THE NEW SECTIONS 155A AND 155D.

NEW SECTION 155A PROVIDES THAT THE DIRECTORS OF A COMPANY SHOULD SEEK THE APPROVAL OF THE COMPANY AT A GENERAL MEETING FOR DISPOSAL OF THE COMPANY'S FIXED ASSETS IF THE VALUE TO BE DISPOSED OF OVER A PERIOD SHOULD EXCEED 33 PER CENT OF THE COMPANY'S FIXED ASSETS.

MISS TAM WOULD BE MOVING AMENDMENTS TO SUBSECTION 155A(1), (2), (3) AND (5) TO STIPULATE THAT THE REQUIREMENT BE APPLICABLE TO ALL LISTED COMPANIES AND THEIR SUBSIDIARIES AND TO COMPANIES WHICH ARE MEMBERS OF A GROUP OF COMPANIES WHICH INCLUDES A LISTED COMPANY.

SHE WOULD ALSO PROPOSE TO DELETE A PROVISIO IN SUBSECTION 155A(5) WHICH EXONERATES A DIRECTOR WHO HAS FAILED TO COMPLY WITH SECTION 155(A)(1) FROM FINE AND/OR IMPRISONMENT, PROVIDED THAT THE TRANSACTION HE EXECUTED IS SUBSEQUENTLY APPROVED BY THE COMPANY IN A GENERAL MEETING.

IN ADDITION SHE WOULD MOVE TO DELETE NEW SECTION 155D WHICH DEALS WITH THE DIRECTORS' DUTY REGARDING INFORMATION TO SHAREHOLDERS.

MR POON SAID THAT THE PROPOSED CHANGES UNDER THE BILL WOULD CONTRIBUTE TO THE IMPROVEMENT OF ACCOUNT REPORTING AND AUDITING STANDARDS IN HONG KONG.

+THE NEW LEGISLATION WILL ALSO PLUG MAJOR LOOPHOLES, SUCH AS 'LOANS TO DIRECTORS' WHICH IS THE SUBJECT OF A LOT OF FOCUS AND CONCERN IN RECENT COMPANY FAILURES,+ HE SAID.

HE WOULD BE PROPOSING AMENDMENTS TO CLAUSES 55 AND 253.

CLAUSE 55 REPLACES SECTION 91 RELATING TO THE APPLICATION OF PART III OF THE PRINCIPAL ORDINANCE TO COMPANIES INCORPORATED OUTSIDE HONG KONG.

SPECIFICALLY, NEW SUBSECTION 91(3) ALLOWS A COMPANY 21 DAYS FOR REGISTRATION OF CHARGES WHICH ARE REQUIRED TO BE REGISTERED BY A COMPANY ON ESTABLISHMENT OF A PLACE OF BUSINESS IN HONG KONG AND MR POON WOULD MOVE AN AMENDMENT TO EXTEND THE TIME LIMIT IN QUESTION FROM 21 DAYS TO FIVE WEEKS.

CLAUSE 253 INTRODUCES A NEW FIRST SCHEDULE TO REPLACE THE EXISTING FIRST SCHEDULE TO THE PRINCIPAL ORDINANCE.

THIS SCHEDULE PRESCRIBES REGULATIONS FOR THE MANAGEMENT OF DIFFERENT TYPES OF COMPANIES, AND PART I OF TABLE A DEALS WITH REGULATIONS FOR THE MANAGEMENT OF A COMPANY LIMITED BY SHARES, AND NOT BEING A PRIVATE COMPANY.

REGULATION 86 DEALS WITH THE REQUIREMENT FOR A DIRECTOR TO DECLARE HIS INTEREST IN CERTAIN CIRCUMSTANCES IN ACCORDANCE WITH SECTION 162 OF THE ORDINANCE.

TO BRING REGULATION 86(1) AND (2) IN LINE WITH THE PROPOSED SECTION 162, MR POON WOULD MOVE AMENDMENT TO THE SAID REGULATION TO GIVE THE EFFECT THAT A DIRECTOR SHALL ONLY BE REQUIRED TO DECLARE HIS INTEREST OR NOT TO VOTE IN RESPECT OF A CONTRACT OR A PROPOSED CONTRACT WITH A COMPANY IF THE CONTRACT IS SIGNIFICANT IN RELATION TO THE COMPANY'S BUSINESS AND HIS INTEREST IN IT IS MATERIAL.

REGULATION 90 DEALS WITH DISQUALIFICATION OF DIRECTORS AND SPECIFICALLY, REGULATION 90(G) PROVIDES THAT A DIRECTOR SHALL BE DISQUALIFIED IF HE FAILS TO DECLARE HIS INTEREST IN ACCORDANCE WITH SECTION 162 OF THE ORDINANCE.

AFTER CONSIDERING REPRESENTATIONS RECEIVED ON THIS SUBJECT, (2) IT HAD BEEN AGREED TO DELETE PARAGRAPH (G) OF REGULATION 90 AND THIS WOULD BE PROPOSED BY MR POON AT THE COMMITTEE STAGE.

REGULATIONS 124 TO 128 OF TABLE A DEALS WITH THE KEEPING OF COMPANY ACCOUNTS.

TO BRING IT IN LINE WITH SECTION 129G, MR POON WOULD MOVE TO AMEND REGULATION 128 TO ALLOW 21 DAYS, INSTEAD OF 14 DAYS, BEFORE THE DATE OF THE GENERAL MEETING FOR SENDING BALANCE SHEET AND DIRECTORS' AND AUDITORS' REPORTS TO MEMBERS.

MR SO OBSERVED THAT IT WAS ONLY NATURAL FOR A BILL OF THIS SIZE TO BE PUNCTUATED BY CLERICAL AND TYPING ERRORS.

HE SAID THAT THE ADMINISTRATION WOULD BE MOVING MOST OF THESE NECESSARY AMENDMENTS TO RECTIFY THE ERRORS WHILE HE WOULD MOVE TO RECTIFY THOSE IN CLAUSES 77 AND 178.

COMPANY LAW REFORM STANDING COMMITTEE SET UP
* * * *

THE STANDING COMMITTEE ON COMPANY LAW REFORM, A NON-STATUTORY BODY, HAS BEEN ESTABLISHED BY GOVERNMENT.

ITS TERMS OF REFERENCE AS APPROVED BY THE GOVERNOR ARE:

- (A) TO ADVISE THE FINANCIAL SECRETARY ON AMENDMENTS TO THE COMPANIES ORDINANCE AS AND WHEN EXPERIENCE SHOWS THEM TO BE NECESSARY.
- (B) TO REPORT ANNUALLY THROUGH THE SECRETARY FOR ECONOMIC SERVICES TO THE GOVERNOR IN COUNCIL ON THOSE AMENDMENTS TO THE COMPANIES ORDINANCE THAT ARE UNDER CONSIDERATION FROM TIME TO TIME BY THE STANDING COMMITTEE.
- (C) TO ADVISE THE FINANCIAL SECRETARY ON AMENDMENTS REQUIRED TO THE SECURITIES ORDINANCE AND THE PROTECTION OF INVESTORS ORDINANCE WITH THE OBJECTIVE OF PROVIDING SUPPORT TO THE SECURITIES COMMISSION ON ITS ROLE OF ADMINISTERING THOSE ORDINANCES.

THE HONOURABLE MR JUSTICE CONS, A JUSTICE OF APPEAL HAS BEEN APPOINTED CHAIRMAN OF THE COMMITTEE AND THE FOLLOWING HAVE BEEN APPOINTED MEMBERS FOR A PERIOD OF ONE YEAR WITH EFFECT FROM FEBRUARY 1, 1984 TO JANUARY 31, 1985, BOTH DATES INCLUSIVE -

DR ANDREW CHUANG SIU-LEUNG

MR DENYS E. CONNOLLY, JP

MR KENNETH H. FANG

MR ANDREW K.N. LI

MR PETER J. PEARSON

MR R.S. SHELDON

MR C.L. WARREN-SMITH

MR MICHAEL W. WELLS

PROFESSOR P.G. WILLOUGHBY, JP

THE HON PETER C. WONG, OBE, JP

MR C.H. WONG, JP

MR FRANCIS CHARLES WRANGHAM

THE SECRETARY FOR ECONOMIC SERVICES OR HIS REPRESENTATIVE, THE REGISTRAR GENERAL AND THE COMMISSIONER FOR SECURITIES HAVE BEEN APPOINTED EX-OFFICIO MEMBERS.

NOTICE OF THE APPOINTMENT WILL BE PUBLISHED IN THE GOVERNMENT GAZETTE ON JANUARY 27.

WEDNESDAY, JANUARY 25, 1984

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RADIATION MONITORING SCHEME PLANNED
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A RADIATION MONITORING PROGRAMME WILL BE ESTABLISHED LATER THIS YEAR, SAID THE SECRETARY FOR ECONOMIC SERVICES, THE HON PIERS JACOBS, IN THE LEGISLATIVE COUNCIL TODAY.

MR JACOBS WAS REPLYING TO A QUESTION FROM THE HON ANDREW SO WHO ASKED WHAT ARRANGEMENTS THE GOVERNMENT HAD MADE TO MONITOR AND GUARD AGAINST POTENTIAL HEALTH HAZARDS ARISING FROM THE PROPOSED NUCLEAR POWER PLANT IN GUANGDONG.

+THE DIRECTOR OF THE ROYAL OBSERVATORY HAS MADE PROPOSALS FOR A RADIATION MONITORING PROGRAMME,+ SAID MR JACOBS. +THIS PROGRAMME IS DESIGNED IN THE FIRST INSTANCE TO ESTABLISH DATA ON EXISTING BACKGROUND RADIATING LEVELS IN HONG KONG. THE DATA WILL THEN SERVE AS A POINT OF REFERENCE AGAINST WHICH FUTURE CHANGES IN LEVELS OF RADIATION CAN BE MEASURED.

+IT IS INTENDED THAT THE PROGRAMME WILL COMMENCE LATER THIS YEAR. A REQUEST FOR FINANCIAL PROVISION AND THE NECESSARY STAFF IS CURRENTLY UNDER CONSIDERATION.+

MR JACOBS SAID THAT THE CHINESE AUTHORITIES HAD BEEN COOPERATIVE WITH REGARD TO RADIATION MONITORING.

ON GUARDING AGAINST POTENTIAL HEALTH HAZARDS, HE SAID THE SITE WAS OF PARAMOUNT IMPORTANCE, AND THE DAYA BAY SITE IS AT A SIGNIFICANTLY GREATER DISTANCE THAN THE DISTANCE SEPARATING MANY SIMILAR POWER STATIONS ELSEWHERE IN THE WORLD FROM POPULATION CENTRES.

FURTHER PROTECTION FOR HONG KONG'S POPULATION WILL BE FOUND IN THE SAFEGUARDS BUILT INTO THE STATION ITSELF, HE SAID. THE COMPANY CHOSEN FOR PRELIMINARY DESIGN HAS MUCH EXPERIENCE AND THERE IS NO REASON TO SUPPOSE THE STATION WILL BE BUILT OTHERWISE THAN TO THE HIGHEST SAFETY STANDARDS.

+HONG KONG INTERESTS WILL PLAY AN ACTIVE ROLE IN PLANNING AND DESIGN AND, AFTER CONTRACTS HAVE BEEN AWARDED TO SUPPLIERS, SAFETY MEASURES IMPLEMENTED IN RELATION TO SIMILAR REACTORS ELSEWHERE AND MEASURES APPROPRIATE IN RELATION TO DAYA BAY WILL BE STUDIED.+

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SPECIAL HOUSING QUOTA FOR ELDERLY GROUPS
* * * *

MANY OF THE SO-CALLED +CAGED MEN+ ARE ELDERLY SINGLE PERSONS LIVING IN PRIVATE BOARDING HOUSES AND THEY CAN GET PUBLIC HOUSING THROUGH VARIOUS PRIORITY SCHEMES IF THEY CHOOSE TO APPLY.

THIS WAS STATED TODAY BY THE SECRETARY FOR HOUSING, THE HON DONALD LIAO, IN REPLY TO A QUESTION BY DR THE HON HO KAM-FAI, IN THE LEGISLATIVE COUNCIL.

AMONG THESE PRIORITY SCHEMES, HE SAID, A SPECIAL QUOTA WAS ALLOCATED EACH YEAR FOR ELDERLY PERSONS APPLYING IN GROUPS OF THREE FOR PUBLIC HOUSING.

+THE ANNUAL QUOTA HAS BEEN INCREASED FROM 300 FLATS IN 1980 TO 800 IN 1983.

+MANY ELDERLY PERSONS HAVE ALSO OBTAINED PUBLIC HOUSING THROUGH THE COMPASSIONATE REHOUSING QUOTA, WHICH IS CURRENTLY SET AT 800 FLATS A YEAR.+

FURTHERMORE, MR LIAO SAID, HOSTEL ACCOMMODATION FOR THE ELDERLY HAD BEEN INCREASED VERY SUBSTANTIALLY OVER THE LAST THREE YEARS.

+SINCE 1980, ONE STANDARD HOSTEL WITH 150 PLACES HAS BEEN SET UP IN EVERY NEW LARGE ESTATE. THERE ARE NOW 26 HOSTELS IN PUBLIC HOUSING ESTATES RUN BY VOLUNTARY AGENCIES PROVIDING A TOTAL OF MORE THAN 3 000 PLACES FOR THE ELDERLY.

+A FURTHER 19 HOSTELS OF THIS KIND WITH A TOTAL OF 2 800 PLACES WILL BE PROVIDED OVER THE NEXT FIVE YEARS.+

MR LIAO SAID HOSTELS FOR THE ELDERLY WERE ALSO AVAILABLE IN TEMPORARY HOUSING AREAS.

+THERE ARE CURRENTLY SEVEN SUCH HOSTELS RUN BY HELPING HAND WITH A TOTAL CAPACITY OF 600 PLACES, WHILE TWO MORE WITH 200 ADDITIONAL PLACES WILL BE PROVIDED IN THA'S WITHIN THE NEXT YEAR OR SO.

+IN ADDITION TO HOUSING AUTHORITY'S CONTRIBUTION AS PART OF AN OVERALL PROGRAMME FOR THE CARE OF THE ELDERLY, THE GOVERNMENT LAST YEAR INTRODUCED A TRIAL SCHEME OF PURCHASING FLATS IN PRIVATE HOUSING DEVELOPMENTS FOR THE ELDERLY. OVER 100 FLATS HAVE BEEN PURCHASED TO PROVIDE SOME 600 PLACES.+

WEDNESDAY, JANUARY 25, 1984

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+WATER SUPPLY IN SQUATTER AREAS RELIABLE+
* * *

THE SUPPLY OF WATER FROM STANDPIPES IN SQUATTER AREAS IS GENERALLY AS RELIABLE AS CAN BE EXPECTED, THE SECRETARY FOR LANDS AND WORKS, MR NICKY CHAN, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR CHAN WAS ANSWERING QUESTIONS FROM THE HON CHAN YING-LUN, WHO POINTED OUT THAT WATER SUPPLY WAS A MAJOR CONCERN OF RESIDENTS IN SQUATTER AREAS, PARTICULARLY ON HILLY TERRAINS, AND ASKED WHETHER GOVERNMENT WAS AWARE OF THE UNRELIABILITY OF WATER SUPPLY FROM STANDPIPES, AND RESIDENTS' HARDSHIP IN OBTAINING FRESH WATER TO THE EXTENT THAT MANY HAD TO OBTAIN WATER FROM STREAMS.

HE ALSO ASKED WHETHER GOVERNMENT WOULD INFORM THE COUNCIL WHAT PLANS IT HAD TO ALLEVIATE RESIDENTS' HARDSHIP.

MR CHAN SAID GOVERNMENT WAS AWARE OF THE PROBLEMS THAT EXISTED, PARTICULARLY IN HIGH-UP AREAS WHERE THE WATER PRESSURE WAS BAD.

THE PRESSURE OF THE WATER IN THE TAP DEPENDED UPON THE WATER LEVEL IN THE RESERVOIR FEEDING IT, THE LENGTH AND SIZE OF THE PIPE AND THE QUANTITY OF WATER BEING DRAWN OFF.

THESE FACTORS WERE KNOWN WHEN STANDPIPES WERE INSTALLED, BUT TO TRY AND SATISFY RESIDENTS STANDPIPES HAD OCCASIONALLY BEEN PROVIDED UNDER MARGINAL CONDITIONS WHERE IT WAS CONSIDERED THAT LOW PRESSURE IN THE TAP WAS BETTER THAN HAVING NO WATER AT ALL.

CONDITIONS WERE NOT IMPROVED BY ILLEGAL TAPPING OF THE SUPPLY PIPE, WHICH IN EXTREME CASES COULD CUT OFF THE SUPPLY TO THE STANDPIPE ALTOGETHER.

THE WATER SUPPLIES DEPARTMENT REGULARLY INSPECTED ALL STANDPIPE INSTALLATIONS TO TRY AND STOP ILLEGAL TAPPING, BUT THIS NEVERTHELESS REMAINED AN ONGOING PROBLEM, HE SAID.

+APART FROM THIS QUESTION OF WEAK PRESSURE, I HAVE BEEN INFORMED BY THE DIRECTOR OF WATER SUPPLIES THAT THE SUPPLY OF WATER FROM STANDPIPES IN SQUATTER AREAS IS GENERALLY AS RELIABLE AS CAN BE EXPECTED,+ MR CHAN TOLD THE COUNCIL.

TAPS NEEDED TO BE REPAIRED OR REPLACED FROM TIME TO TIME, AND SUCH MAINTENANCE WAS CARRIED OUT AS A MATTER OF ROUTINE.

MR CHAN SAID THE WATER AUTHORITY WAS STILL COMMITTED TO A PROGRAMME OF INSTALLING STANDPIPES IN SQUATTER AREAS, IN ACCORDANCE WITH A POLICY LAID DOWN BY THE EXECUTIVE COUNCIL IN 1968.

IN ADDITION, THE WATER SUPPLIES DEPARTMENT WAS NEARING COMPLETION OF SCHEMES TO PROVIDE METERED WATER TO 15 SQUATTER AREAS, AND PROPOSALS FOR A FURTHER 15 HIGH-LEVEL AREAS WHICH WOULD REQUIRE LOCAL PUMPING STATIONS WERE IN THE PUBLIC WORKS PROGRAMME.

/+SUBJECT TO

+SUBJECT TO THE AVAILABILITY OF FUNDS, IT IS HOPED TO IMPLEMENT THESE PROPOSALS SHORTLY,+ MR CHAN SAID.

HE SAID AS WELL AS THE PROJECTS BEING CARRIED OUT BY THE WATER SUPPLIES DEPARTMENT THE HOUSING DEPARTMENT WAS ALSO CARRYING OUT A \$300 MILLION, FIVE-YEAR PROGRAMME OF SQUATTER AREA IMPROVEMENTS, WHICH INCLUDED THE PROVISIONING OF METERED WATER SUPPLIES TO INDIVIDUAL HOUSEHOLDS.

THREE PILOT PROJECTS IN NORTH POINT, SAU MAU PING AND KWUN TONG HAD BEEN SUCCESSFULLY COMPLETED, AND IN THE CURRENT YEAR'S PROGRAMME OF IMPROVEMENTS SIX MORE AREAS, HOUSING OVER 9 000 PEOPLE, WERE BEING DEALT WITH AT A COST OF ABOUT \$2 500 PER HEAD.

A FURTHER 18 AREAS WERE INCLUDED IN THE PROGRAMME FOR 1984-85 AT AN ESTIMATED COST OF \$55 MILLION AND THE HOUSING DEPARTMENT WAS ALREADY WORKING ON THE PLANS FOR THESE, HE SAID.

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ACTION TAKEN AGAINST ILLEGAL HAWKING, FOOD STALLS

LAST YEAR, OVER 73 000 ARRESTS FOR ILLEGAL HAWKING WERE MADE IN THE URBAN AREA AND OVER 7 000 IN THE NEW TERRITORIES, MOST OF WHICH RESULTED IN SUCCESSFUL PROSECUTION, THE SECRETARY FOR HEALTH AND WELFARE, THE HON HENRY CHING SAID TODAY.

AND PLANS HAVE BEEN MADE TO STRENGTHEN THE GENERAL DUTIES TEAM TO ENABLE ENFORCEMENT ACTION TO BE STEPPED UP, HE TOLD THE LEGISLATIVE COUNCIL, IN REPLY TO QUESTIONS BY THE HON WONG LAM.

DESPITE ENFORCEMENT ACTION, HOWEVER, THERE WERE STILL ABOUT 17 000 HABITUAL ILLEGAL HAWKERS IN THE URBAN AREA AND 2 000 IN THE NEW TERRITORIES, HE ADDED.

THERE WERE ABOUT 3 200 HAWKERS TRADING ILLEGALLY IN MONG KOK AND ABOUT 950 IN THE KWUN TONG TOWN CENTRE.

OPERATIONS WERE REGULARLY CARRIED OUT IN THESE DISTRICTS AND LAST MONTH, 527 ARRESTS FOR HAWKING WERE MADE IN THE KWUN TONG TOWN CENTRE, AND 896 IN MONG KOK, HE SAID.

THE GENERAL DUTIES TEAMS OF THE URBAN SERVICES DEPARTMENT, ASSISTED BY POLICE, CARRY OUT THESE ARREST OPERATIONS, HE SAID.

REPLYING TO THE QUESTION ABOUT ENVIRONMENTAL AND HYGIENE PROBLEMS CAUSED BY COOKED FOOD STALLS IN PRIVATE STREETS AND BACK LANES OF KWUN TONG, MR CHING SAID THAT CLEARANCE OF THESE UNDESIRABLE COOKED FOOD STALLS AND THEIR REPLACEMENT BY PROPERLY DESIGNED, PURPOSE-BUILT COOKED FOOD MARKETS WAS THE ONLY EFFECTIVE MEASURE THAT COULD BE TAKEN.

+THE URBAN COUNCIL HAS A PROGRAMME TO PROVIDE SUCH MARKETS IN KWUN TONG, AND THREE OF THEM WITH A TOTAL OF 93 STALLS WILL BE COMPLETED THIS YEAR,+ HE SAID.

/MR CHING

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MR CHING ALSO SAID HE WAS INFORMED THAT A MAJOR CLEARANCE OPERATION HAD BEEN CARRIED OUT LAST YEAR AND THERE WERE NOW NO ILLEGAL COOKED FOOD STALLS IN THE INDUSTRIAL AREAS OF KWUN TONG.

HOWEVER, A SMALL NUMBER OF ILLEGAL OPERATORS MIGHT OCCASIONALLY TRADE AT THE RISK OF BEING PROSECUTED, HE ADDED.

A SIMILAR CLEARANCE OPERATION HAD STARTED LAST MONTH IN THE NON-INDUSTRIAL AREAS OF KWUN TONG, WHERE THERE WERE 23 ILLEGAL COOKED FOOD STALLS, HE SAID.

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CONTRACTORS CAN BE SUSPENDED FOR CONTRACT BREACHES
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A CONTRACTOR WHO BREACHES THE TERMS OF A CONTRACT CAN BE SUSPENDED FROM TENDERING, THE SECRETARY FOR LANDS AND WORKS, MR NICKY CHAN, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR CHAN WAS REPLYING TO A QUESTION FROM THE HON ANDREW SO, CONCERNING CONTRACTORS WHO FAIL TO OBSERVE NOISE, SAFETY AND OTHER REGULATIONS AT PUBLIC CONSTRUCTION WORKS SITES.

MR CHAN SAID THE GENERAL CONDITIONS OF CONTRACT USED BY THE LANDS AND WORKS GROUP OF DEPARTMENTS REQUIRED THE CONTRACTOR TO COMPLY WITH ALL ENACTMENTS AND REGULATIONS AND TO CARRY OUT THE WORKS IN STRICT ACCORDANCE WITH THE CONTRACT.

+FAILURE TO OBSERVE REGULATIONS WOULD THEREFORE TECHNICALLY BE A BREACH OF CONTRACT.

+THE ONLY REMEDY UNDER THE TERMS OF THE CONTRACT IN RESPECT OF SUCH A BREACH, HOWEVER, IS RE-ENTRY, BUT UNLESS THE RECALCITRANCE OF A CONTRACTOR IN FAILING TO OBSERVE REGULATIONS HAD BEEN EXTREME, IT IS UNLIKELY THAT THE SEVERE, COSTLY AND TIME-CONSUMING REMEDY OF RE-ENTRY WOULD BE INVOKED, + HE SAID.

ADMINISTRATIVELY, HOWEVER, IT WAS POSSIBLE TO PENALISE AN OFFENDING CONTRACTOR BY SUSPENDING HIM FROM TENDERING, MR CHAN TOLD THE COUNCIL.

WITH REGARD TO BREACHES OF THE LEGISLATION ON CONSTRUCTION NOISE, ALL CONTRACTORS ON LANDS AND WORKS BRANCH APPROVED LISTS HAD BEEN WARNED THAT, IF THEY OR THEIR EMPLOYEES OR SUB-CONTRACTORS WERE CONVICTED OF AN OFFENCE MORE THAN ONCE IN 12 MONTHS ON PUBLIC WORKS OR PRIVATE SECTOR CONTRACTS, THEY WOULD BE SUSPENDED FROM TENDERING FOR A TERM TO BE DECIDED IN THE LIGHT OF THE CIRCUMSTANCES. PERSISTENT OFFENCES MIGHT MERIT MORE SEVERE SANCTIONS.

A CONTRACTOR'S PAST PERFORMANCE, INCLUDING ANY KNOWN OFFENCES OF THE TYPE MR CHAN HAD MENTIONED, WAS REFLECTED IN HIS RECORDS, WHICH WERE MAINTAINED BY THE LANDS AND WORKS BRANCH AND CONSULTED WHEN NEW CONTRACTS WERE BEING CONSIDERED.

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WEDNESDAY, JANUARY 25, 1984

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EMERGENCY CENTRE HOURS MAY BE EXTENDED
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THE GOVERNMENT IS CONSIDERING EXTENDING THE HOURS OF OPERATION OF THE ACCIDENT AND EMERGENCY SECTION OF THE CHAI WAN HEALTH CENTRE BY ABOUT THE MIDDLE OF THIS YEAR.

THIS WAS DISCLOSED BY DR THE HON K.L. THONG, DIRECTOR OF MEDICAL AND HEALTH SERVICES, IN HIS REPLY TO A QUESTION FROM DR THE HON HARRY FANG AT THE LEGISLATIVE COUNCIL MEETING TODAY (WEDNESDAY).

DR THONG TOLD THE COUNCIL THAT SUBJECT TO AVAILABILITY OF RESOURCES, HIS DEPARTMENT INTENDED TO EXTEND THE OPERATION HOURS FROM 9.30 PM TO MIDNIGHT.

AT PRESENT THE OPERATION HOUR OF THE ACCIDENT AND EMERGENCY SECTION IN THE HEALTH CENTRE, INTRODUCED IN APRIL 1983, IS FROM 8 AM TO 9.30 PM EVERY DAY.

+IT IS ENVISAGED THAT THE EXTENDED HOURS OF OPERATION WILL BE IMPLEMENTED BY ABOUT THE MIDDLE OF THIS YEAR,+ HE SAID.

IN REPLY TO THE SECOND PART OF DR FANG'S QUESTION REGARDING ADDITIONAL FACILITIES TO BE PROVIDED IN THE SECTION SO THAT IT CAN OPERATE AS A FULL FLEDGED ACCIDENT AND EMERGENCY UNIT, DR THONG SAID THAT IN ADDITION TO OTHER PROVISIONS, AN X-RAY UNIT WOULD BE ESTABLISHED BY APRIL THIS YEAR, THUS MAKING IT A PROPERLY EQUIPPED ACCIDENT AND EMERGENCY CENTRE SERVING THE EASTERN DISTRICT.

THE EXISTING FACILITIES AT THE SECTION INCLUDE PROVISIONS OF PHYSICAL ACCOMMODATION, DIAGNOSTIC AND RESUSCITATION EQUIPMENT AS WELL AS AN OPERATION THEATRE.

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DECENCY STANDARD - +A MATTER OF CONSCIENCE+
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THE MATTER CONCERNING THE SALE OF OBJECTIONABLE PUBLICATIONS MUST BE A SUBJECTIVE ONE REFLECTING PERSONAL JUDGEMENTS, THE ATTORNEY GENERAL, THE HON MICHAEL THOMAS, TOLD THE LEGISLATIVE COUNCIL TODAY.

MR THOMAS CITED A COURT OF APPEAL RULING IN 1977 WHICH ENDORSED THE VIEW THAT +THE MAGISTRATE MUST EXERCISE THE COMMUNITY'S CONSCIENCE AND TREAT HIMSELF AS REPRESENTING THE COMMUNITY'S FEELINGS IN THE MATTER.+

THE RULING ALSO STATED, +IF, WITH THESE FEELINGS IN MIND THE PUBLICATION APPEARS TO HIM TO BE OFFENSIVE, THEN HE SHOULD TREAT IT AS SUCH.+

/MR THOMAS

MR THOMAS WAS REPLYING TO THE HON PETER WONG WHO WANTED TO BE INFORMED ON THE CRITERIA IN DETERMINING WHAT WAS CONSIDERED AN ACCEPTABLE STANDARD OF DECENCY FOR PUBLICATIONS ON SALE AND HOW SUCH CRITERIA RECONCILED THE DIFFERENT RELIGIOUS AND CULTURAL STANDARDS IN THE MULTI-RACIAL CITY OF HONG KONG.

WHILE NOTING THAT IT WOULD BE IMPOSSIBLE TO SATISFY THE REQUIREMENTS OF EVERY INDIVIDUAL, HE SAID THAT THE JUDGES AND MAGISTRATES IN THESE CASES MUST MAKE THE EFFORT TO COME TO A CONCLUSION AS TO THE COMMUNITY'S FEELINGS AND TO REPRESENT THE COMMUNITY AS A WHOLE.

STRESSING THAT CONSISTENCY IN APPROACH WAS OF PARAMOUNT IMPORTANCE, MR THOMAS SAID, +THE EXPERT ADVICE OF A SMALL GROUP OF EXPERIENCED PROSECUTORS IN MY CHAMBERS IS SOUGHT AND IN THE EVENT OF A PROSECUTION, SUCH CASES ARE EITHER HEARD IN WESTERN OR SAN PO KONG MAGISTRACIES, AGAIN TO ENSURE THAT SO FAR AS POSSIBLE EXPERIENCED MAGISTRATES KNOWLEDGEABLE IN THESE MATTERS CAN CONSIDER THEM CONSISTENTLY.+

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DISCUSSIONS HELD ON ROAD PROJECT

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THE GOVERNMENT HAS RECEIVED TWO LETTERS SUGGESTING AMENDMENTS TO THE CHA KWO LING ROAD CONSTRUCTION SCHEME, THE SECRETARY FOR LANDS AND WORKS, MR NICKY CHAN, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR CHAN WAS REPLYING TO A QUESTION FROM THE HON WONG LAM, WHO ASKED FOR INFORMATION ON THE PRESENT POSITION REGARDING CONSTRUCTION OF THE ROAD.

HE SAID THE SCHEME TO CONSTRUCT THE REMAINING SECTION BETWEEN THE SHELL OIL DEPOT AND CHA KWO LING QUARRY WAS GAZETTED UNDER THE ROADS ORDINANCE IN JANUARY LAST YEAR.

+TWO LETTERS IN CONNECTION WITH THE PUBLISHED SCHEME WERE RECEIVED SUGGESTING AMENDMENTS TO MINIMISE THE EXTENT OF CLEARANCE REQUIRED, AS WELL AS REQUESTING ASSISTANCE FOR THOSE WHO HAVE TO BE CLEARED,+ HE SAID.

ARRANGEMENTS WERE STILL UNDER DISCUSSION THROUGH THE DISTRICT LANDS OFFICE AND KWUN TONG DISTRICT OFFICE, BUT PHASED CLEARANCE WAS EXPECTED TO COMMENCE IN JUNE OR JULY THIS YEAR TO ENABLE THE HIGHWAYS OFFICE TO START WORK ON SITE.

MR CHAN SAID THE PROJECT HAD ALREADY RECEIVED THE AGREEMENT OF THE PUBLIC WORKS SUB-COMMITTEE FOR IMPLEMENTATION IN THE 1984-85 FINANCIAL YEAR.

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RATING (AMENDMENT) BILL 1984 EXPLAINED
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THERE HAS BEEN A GREAT IMPROVEMENT IN PROPERTY VALUES OVER THE LAST SEVEN YEARS, AND THE PERCENTAGE RATE CHARGE APPLICABLE TO NEW RATEABLE VALUES WILL GENERALLY BE ADJUSTED DOWNWARDS, THE FINANCIAL SECRETARY, THE HON JOHN BREMRIDGE TOLD THE LEGISLATIVE COUNCIL TODAY.

THE NEW RATEABLE VALUES, WHICH WILL COME INTO EFFECT ON APRIL 1, 1984, MUST BE SIGNIFICANTLY HIGHER THAN THE VALUES IN THE CURRENT VALUATION LISTS WHICH DATE BACK TO 1977, SIR JOHN SAID.

HE POINTED OUT THAT THE BASE IN ITSELF DOES NOT DETERMINE WHAT THE RATEPAYER MUST PAY AS THE PAYMENT DEPENDS SOLELY ON THE PERCENTAGE RATE CHARGE OR POUNDAGE APPLIED TO THE VALUATION.

MOVING THE SECOND READING OF THE RATING (AMENDMENT) BILL 1984, SIR JOHN SAID THAT THERE WAS ALSO A NEED TO REVIEW AND REVISE OTHER ARRANGEMENTS WHEREBY ANY OVER SHARP IMPACT OF THE INCREASED RATEABLE VALUES MIGHT BE SOFTENED AND LIMITED.

MEETING THIS NEED IS THE MAIN PURPOSE OF THE BILL, WHICH DESCRIBES THE APPROPRIATE MECHANISMS AND PROPOSES THAT THE LIMITS SHOULD BE DETERMINED BY RESOLUTION OF THE LEGISLATIVE COUNCIL, HE ADDED.

WHEN THE CURRENT VALUATION LISTS CAME INTO EFFECT IN 1977, THE GOVERNMENT INTRODUCED A RATES RELIEF SCHEME WHICH LIMITED THE INCREASE IN RATE PAYMENTS TO MAXIMUM OF 33-1/3 PER CENT OF THAT PAYABLE THE YEAR BEFORE.

THIS SCHEME WAS APPLICABLE TO ALL TENEMENTS FOR TWO YEARS AND CONTINUED TO APPLY TO RENT-CONTROLLED TENEMENTS UNDER PART 1 OF THE LANDLORD AND TENANT (CONSOLIDATION) ORDINANCE.

SIR JOHN SAID THAT THE BILL PROPOSES TO EXTEND THE RELIEF SCHEME FOR ALL TENEMENTS WITH EFFECT FROM APRIL 1.

IT ALSO PROVIDES THAT THE RATE RELIEF PERCENTAGE POINT TO BE APPLIED WILL BE DETERMINED SUBSEQUENTLY BY RESOLUTION OF THE COUNCIL, SO THAT IT WILL NOT NECESSARILY BE 33-1/3 PER CENT IN FUTURE.

AS CONCESSIONS, THE ORDINANCE PRESENTLY PROVIDES THAT THE GENERAL PERCENTAGE RATE CHARGE MAY BE REDUCED BY TWO PERCENTAGE POINTS FOR TENEMENTS WITH NO SUPPLY OF POTABLE WATER AND BY ONE PERCENTAGE POINT FOR THOSE SUPPLIED WITH UNFILTERED WATER ONLY.

+GIVEN THAT I HOPE TO PROPOSE DOWNWARD ADJUSTMENTS OF THE PERCENTAGE RATE CHARGE FOR 1984-85, THE CONCESSIONS AS PROVIDED IN THEIR PRESENT FORM WOULD THEN HAVE TOO GREAT AN EFFECT.

+CLAUSE 5 OF THE BILL THEREFORE PROVIDES THAT THE CONCESSIONS, WHILE REMAINING AVAILABLE, WILL IN FUTURE BE EFFECTED BY APPLYING PERCENTAGE REDUCTIONS TO THE TOTAL RATES PAYABLE,+ SIR JOHN SAID.

THESE REDUCTIONS, HE ADDED, WILL ALSO BE DETERMINED BY RESOLUTION OF THE COUNCIL.

CLAUSE 7 OF THE BILL PROVIDES THAT TENEMENTS HAVING AN ESTIMATED RATEABLE VALUE BELOW A LEVEL DETERMINED BY RESOLUTION OF THE COUNCIL MAY BE EXEMPT FROM ASSESSMENT TO RATES ALTOGETHER.

NOTING THAT THE EXISTING MINIMUM RATEABLE VALUE IS \$200, SIR JOHN SAID IT IS SENSIBLE THAT THE FIGURE SHOULD BE REVISED UPWARDS WITH EFFECT FROM APRIL 1.

TENANTS OF DOMESTIC UNITS IN HOUSING AUTHORITY ESTATES REPRESENT OVER 40 PER CENT OF THE TOTAL POPULATION OF HONG KONG.

SIR JOHN POINTED OUT THAT THEY DO NOT PAY RATES DIRECT AND WILL NOT BE AFFECTED IMMEDIATELY BY THE GENERAL REVALUATION.

HE EXPLAINED THAT THEIR RENTS, WHICH INCLUDE AN ELEMENT FOR RATES, ARE ONLY REVIEWED EVERY TWO YEARS, AND THESE REVIEWS TAKEN INTO ACCOUNT THE TENANTS' INCOME LEVEL.

DEBATE ON THE BILL WAS ADJOURNED TO FEBRUARY 15.

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CONVENIENT WAYS OF HANDLING MINOR OFFENCES PROPOSED

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THE MAGISTRATES (AMENDMENT) BILL 1984 PROVIDES A CONVENIENT WAY OF DEALING WITH THE VAST NUMBER OF MINOR OFFENCES IN WHICH IN PRACTICE DEFENDANTS WANT TO HAVE THE MATTER DISPOSED OF WITH THE LEAST PERSONAL INCONVENIENCE, THE ATTORNEY GENERAL, THE HON MICHAEL THOMAS, SAID IN THE LEGISLATIVE COUNCIL TODAY.

AT THE SAME TIME THE BILL PRESERVES THE DEFENDANTS' RIGHT TO BE HEARD, MR THOMAS POINTED OUT, IN MOVING THE SECOND READING OF THE BILL.

+IT IS HOPED THAT ABOUT THREE-QUARTERS OF THE ONE MILLION CASES PRESENTLY DEALT WITH EACH YEAR BY WAY OF SUMMONS WILL BE DISPOSED OF UNDER THE PROPOSED PROCEDURES WITH CONSEQUENT SAVING OF TIME AND EXPENSES TO DEFENDANTS, PROSECUTING OFFICERS AND TO THE COURTS AS WELL,+ HE SAID.

MR THOMAS POINTED OUT THAT THE NEED TO ACHIEVE THESE SAVINGS BY THE MEASURES PROPOSED HAD BEEN RECOGNISED BY THE LEGAL PROFESSION WHO HAD BEEN CONSULTED AND HAD EXPRESSED SUPPORT IN PRINCIPLE.

HE RECALLED THAT IN 1981, THE CHIEF JUSTICE SET UP A WORKING PARTY WITH REPRESENTATION FROM THE JUDICIARY, THE ATTORNEY GENERAL'S CHAMBERS, THE POLICE AND THE TRANSPORT DEPARTMENT, TO CONSIDER THE POSSIBILITY OF INTRODUCING SUITABLE PROCEDURES FOR DEALING WITH MINOR OFFENCES.

THE PROCEDURES RECOMMENDED BY THE WORKING PARTY ARE NOW SET OUT IN THE BILL.

FOR THE PURPOSE OF THE PROCEDURES PROPOSED, MINOR OFFENCES ARE DEFINED AS THOSE WHERE THE MAXIMUM PENALTY IS A FINE OF \$10 000 AND IMPRISONMENT FOR SIX MONTHS, WHETHER OR NOT ORDERS RELATING TO COMPENSATION OR LICENCE DISQUALIFICATION MAY ALSO BE IMPOSED.

+IN SUCH CASES, A DEFENDANT WILL GENERALLY SPEAKING NOT BE ISSUED WITH A SUMMONS TO APPEAR IN COURT AS IS PRESENTLY THE CASE.

+INSTEAD A NOTICE OF PROSECUTION WILL BE FILED IN A MAGISTRATES COURT BY THE PROSECUTING OFFICER SETTING OUT DETAILS OF THE OFFENCE, THE MAXIMUM PENALTY WHICH COULD BE IMPOSED OR THE ORDERS WHICH COULD BE MADE ON CONVICTION, AND A STATEMENT OF ANY PREVIOUS CONVICTIONS THAT MAY BE TAKEN INTO ACCOUNT.

+THIS NOTICE WILL THEN BE SERVED BY POST UPON THE DEFENDANT,+ MR THOMAS EXPLAINED.

IF THE DEFENDANT WISHES TO BE HEARD, HE MUST INFORM THE COURT WITHIN A SPECIFIED TIME AND STATE WHETHER HE INTENDS TO PLEAD GUILTY OR NOT.

IN THIS CASE, A SUMMONS WILL BE ISSUED AND THE PROCEEDINGS WILL CONTINUE IN THE ORDINARY WAY IN THE PRESENCE OF THE PARTIES.

DEBATE ON THE BILL WAS ADJOURNED TO FEBRUARY 15.

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STAMP THEMES CHOSEN FOR HK RELEVANCE
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THE GOVERNMENT'S POLICY ON COMMEMORATIVE POSTAGE STAMPS IS TO ENSURE THAT THE THEMES CHOSEN ARE RELEVANT TO HONG KONG, THE HON PIERS JACOBS, SECRETARY FOR ECONOMIC SERVICES, EXPLAINED TODAY.

THE POLICY IS ALSO TO MAINTAIN A HIGH STANDARD FOR BOTH THE DESIGN AND THE PRINTING OF THESE ISSUES, AND TO RELATE THE DENOMINATIONS USED TO POSTAL NEEDS RATHER THAN TO SEEK TO MAXIMISE REVENUE FOR ITS OWN SAKE, HE SAID.

+I BELIEVE THAT THIS POLICY HAS RESULTED IN HONG KONG DESERVEDLY EARNING THE ESTEEM, SUPPORT AND LONG-TERM INTEREST OF SERIOUS PHILATELISTS,+ HE ADDED.

REPLYING TO QUESTIONS BY THE HON BILL BROWN IN THE LEGISLATIVE COUNCIL, HE SAID COMMEMORATIVE POSTAGE STAMPS HAVE PROVED TO BE POPULAR WITH COLLECTORS BOTH LOCALLY AND OVERSEAS.

THE POLICY WAS ALSO TO ISSUE NO MORE THAN FIVE SETS AND, IN PRACTICE, NO MORE THAN FOUR A YEAR, WHEREAS HE UNDERSTOOD THAT THE BRITISH POST OFFICE NORMALLY PRODUCED UP TO EIGHT SPECIAL ISSUES ANNUALLY, HE SAID.

EXPERIENCE ELSEWHERE SUGGESTS THAT INCREASING THE NUMBER OF COMMEMORATIVE OR SPECIAL ISSUES CAN BE A SELF-DEFEATING EXERCISE, MR JACOBS SAID.

/+THE INCREASED

+THE INCREASED COST OF COLLECTING BORNE BY THE INDIVIDUAL AND THE POSSIBLE RESENTMENT FELT BY SOME PHILATELISTS, WHO ARE, OF COURSE, INTERESTED IN PRESERVING THE VALUE OF THEIR COLLECTIONS, CAN LEAD TO LESS SALES.

+SO, WE AIM TO OPTIMISE REVENUE IN THE LONGER TERM RATHER THAN ADOPTING A SHORT-TERM POLICY OF MAXIMISING PROFITS, WHICH IN THE END COULD BE COUNTER-PRODUCTIVE,+ HE EXPLAINED.

MR JACOBS ALSO SAID THAT THE POSTMASTER GENERAL FULLY RECOGNISED THE REVENUE POTENTIAL OF PHILATELIC SALES.

+ALTHOUGH, IN THE FINANCIAL YEAR ENDED MARCH 31, 1983, ALMOST 40 PER CENT OF THE POST OFFICE'S PROFIT CAME FROM THIS SOURCE, HE CONSIDERS THAT THERE IS UNDOUBTED SCOPE FOR IMPROVING THE MARKETING OF PHILATELIC PRODUCTS.

+ACCORDINGLY, HE IS ABOUT TO ENGAGE A FORMER MANAGER OF THE BRITISH POST OFFICE PHILATELIC BUREAU WITH A VIEW TO BOOSTING SALES EVEN FURTHER,+ HE SAID.

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BILL SERVES TWO PURPOSES

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THE PUBLIC FINANCE (AMENDMENT) BILL 1984 SERVES TWO PURPOSES, THE FINANCIAL SECRETARY, THE HON SIR JOHN BREMRIDGE, SAID IN MOVING THE SECOND READING OF THE BILL IN THE LEGISLATIVE COUNCIL TODAY.

THE FIRST PURPOSE IS TO ENABLE REFUNDS OR DRAWBACKS OF CERTAIN TYPES OF REVENUE TO BE MADE DIRECTLY FROM THE GENERAL REVENUE WITHOUT APPROPRIATION, IRRESPECTIVE OF THE YEAR OF COLLECTION.

THESE TYPES OF REVENUE ARE SPECIFIED IN ADMINISTRATIVE REGULATIONS ISSUED BY THE FINANCIAL SECRETARY.

AS EXAMPLES OF REFUNDS, SIR JOHN CITED IMPORT AND OTHER DUTIES COLLECTED BY THE COMMISSIONER OF CUSTOMS AND EXCISE AND TAX COLLECTED BY THE COMMISSIONER OF INLAND REVENUE.

SIR JOHN EXPLAINED THAT THIS WOULD AVOID ARTIFICIAL INFLATION OF EXPENDITURE FIGURES AND ACCORDS WITH PRACTICE IN PREVIOUS YEARS.

THE SECOND PURPOSE IS TO ENABLE A CONTROLLING OFFICER, RESPONSIBLE FOR EXPENDITURE FROM A HEAD OR SUBHEAD IN THE ESTIMATES, TO DELEGATE TO A SUBORDINATE OFFICER THE POWER TO SIGN ALLOCATION WARRANTS.

SIR JOHN SAID THAT DUE TO THE LARGE NUMBER OF ALLOCATION WARRANTS USED FOR RELATIVELY MINOR SERVICES, IT IS PROPOSED THAT THE CONTROLLING OFFICER SHOULD NOT BE REQUIRED TO SIGN PERSONALLY IN EVERY CASE.

DEBATE ON THE BILL WAS ADJOURNED TO FEBRUARY 15.

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MORE TRAINED MANPOWER AVAILABLE SOON
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THE VOCATIONAL TRAINING COUNCIL (VTC) IS UNDERTAKING SEVERAL PROJECTS WHICH WHEN COMPLETED IN A COUPLE OF YEARS WILL SUPPLY INDUSTRY AND COMMERCE WITH MUCH MORE OF THE TRAINED MANPOWER NEEDED BY HONG KONG, SAID THE HON DR. FRANCIS TIEN, CHAIRMAN OF THE COUNCIL, TODAY (WEDNESDAY).

TABLING THE FIRST ANNUAL REPORT OF THE VTC, DR TIEN SAID IN THE LEGISLATIVE COUNCIL THAT WITH THE RESOURCES MADE AVAILABLE BY GOVERNMENT, HE WAS CONFIDENT THAT THE COUNCIL WOULD BE ABLE TO BRING EXPEDITIOUSLY TO FRUITION ALL THE PROJECTS CURRENTLY IN HAND.

THESE PROJECTS INCLUDE THE CONSTRUCTION OF TWO TRAINING CENTRE COMPLEXES, THE EXPANSION OF TWO EXISTING TECHNICAL INSTITUTES AND THE PLANNING OF ANOTHER THREE TECHNICAL INSTITUTES.

+THE COMPLEXES, WHEN COMPLETED NEXT YEAR, WILL ACCOMMODATE NINE TRAINING CENTRES WITH A CAPACITY OF 9 000 FULL-TIME TRAINING PLACES AT ALL SKILL LEVELS,+ DR TIEN SAID.

HE SAID THAT WHEN TWO OF THE THREE NEW TECHNICAL INSTITUTES BECOME OPERATIONAL IN LATE 1985, THE PROJECTED STUDENT NUMBERS WILL INCREASE TO ABOUT 8 500 FULL-TIME, 23 000 PART-TIME DAY, AND 34 000 PART-TIME EVENING STUDENTS.

HE ALSO REPORTED THAT THE SEAMEN'S TRAINING TEMPORARY CENTRE AT LITTLE SAI WAN WOULD TAKE IN ITS FIRST BATCH OF TRAINEES NEXT MONTH.

THE TRAINING OFFERED IN THE CENTRE WOULD ENABLE SEAMEN TO MEET THE MANDATORY REQUIREMENTS OF THE INTERNATIONAL CONVENTION OF STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS.

THE CENTRE WILL HAVE A CAPACITY FOR TRAINING OF 1 920 SEAMEN A YEAR.

DR TIEN ALSO URGED EMPLOYERS TO SUPPORT THE ENGINEERING GRADUATES TRAINING SCHEME BY PROVIDING MORE TRAINING PLACES FOR FRESH ENGINEERING GRADUATES.

THE SCHEME INTRODUCED BY VTC LAST FEBRUARY IS TO ASSIST ENGINEERING GRADUATES OF THE UNIVERSITIES AND THE HONG KONG POLYTECHNIC IN OBTAINING PRACTICAL TRAINING NEEDED FOR ADVANCEMENT TO PROFESSIONAL STATUS.

MEANWHILE, A SPOKESMAN FOR VTC SAID THE DEPUTY TO THE GOVERNOR, SIR PHILIP HADDON-CAVE, WILL LAY THE FOUNDATION STONE OF THE KOWLOON BAY TRAINING CENTRE COMPLEX ON FRIDAY (JANUARY 27).

THE NINE-STORY COMPLEX WILL HOUSE THE FIVE TRAINING CENTRES FOR THE ELECTRONICS, HOTEL, MACHINE SHOP AND METAL WORKING, PLASTICS AND PRINTING INDUSTRIES.

MANAGERS OF THESE TRAINING CENTRES HAVE ALREADY BEEN APPOINTED AND RECRUITMENT EXERCISES HAVE ALREADY STARTED TO RECRUIT THE NECESSARY INSTRUCTING STAFF, THE SPOKESMAN SAID.

THERE ARE ALTOGETHER SOME 180 POSTS IN THE CENTRES AND VTC INVITES TECHNICAL PERSONNEL IN INDUSTRY WHO ARE INTERESTED IN PASSING ON THEIR SKILLS TO THE NEW ENTRANTS OF THEIR INDUSTRY TO APPLY FOR THESE POSTS, HE ADDED.

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BILL MAKES IT EASIER TO BE LICENTIATES
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THE MAIN PURPOSE OF THE MEDICAL REGISTRATION (AMENDMENT) BILL 1984 IS TO MAKE IT EASIER FOR DOCTORS HOLDING OVERSEAS MEDICAL QUALIFICATIONS TO BECOME LICENTIATES OF THE MEDICAL COUNCIL OF HONG KONG, AND THEREBY TO BE REGISTERED AS MEDICAL PRACTITIONERS, THE SECRETARY FOR HEALTH AND WELFARE, THE HON HENRY CHING SAID TODAY.

MOVING THE SECOND READING OF THE BILL IN THE LEGISLATIVE COUNCIL, HE EXPLAINED THAT DOCTORS HOLDING OVERSEAS MEDICAL QUALIFICATIONS, OTHER THAN UNITED KINGDOM, IRISH OR RECOGNISED COMMONWEALTH DIPLOMAS, MUST FIRST BECOME LICENTIATES BEFORE THEY CAN SEEK REGISTRATION AS MEDICAL PRACTITIONERS.

AND THEY HAVE TO PASS THE MEDICAL COUNCIL'S EXAMINATIONS AND COMPLETE A PERIOD OF ASSESSMENT TO THE COUNCIL'S SATISFACTION BEFORE BECOMING ELIGIBLE FOR A LICENCE.

+THESE ARRANGEMENTS WILL NOT BE CHANGED, BUT HAVING REGARD TO THE CONTINUING NEED FOR MORE MEDICAL PRACTITIONERS, THE REMOVAL OF UNNECESSARY CONDITIONS WHICH SERVE TO DISCOURAGE QUALIFIED DOCTORS FROM APPLYING FOR LICENCES WILL GENERALLY BE ACCEPTED AS BEING IN THE PUBLIC INTEREST,+ HE SAID.

THE BILL SEEKS TO MAKE IT EASIER FOR SUCH DOCTORS TO BECOME LICENTIATES BY REMOVING THE EXISTING REQUIREMENT FOR APPLICANTS TO HAVE RESIDED CONTINUOUSLY IN HONG KONG FOR AT LEAST 180 DAYS, OR TO POSSESS A RIGHT TO LAND IN HONG KONG, BEFORE THEY MAY TAKE PART IN THE EXAMINATIONS.

THE BILL ALSO EMPOWERS THE MEDICAL COUNCIL TO GRANT EXEMPTION FROM ANY OF THE OTHER REQUIREMENTS FOR BECOMING A LICENTIATE, SUBJECT TO SUCH CONDITIONS AS THE COUNCIL MAY THINK FIT, HE SAID.

/+IT WILL

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+IT WILL NOT NORMALLY BE THE INTENTION OF THE COUNCIL TO PROVIDE EXEMPTION FROM THOSE PARTS OF THE EXAMINATIONS WHICH ARE CONCERNED WITH BASIC MEDICAL KNOWLEDGE OR CLINICAL ACUMEN.

+REASONABLE PROFESSIONAL STANDARDS MUST BE MAINTAINED. EXEMPTION MAY, HOWEVER, BE GRANTED FROM THE ENGLISH LANGUAGE TEST WHERE A CANDIDATE IS ABLE IN OTHER WAYS TO DEMONSTRATE HIS PROFICIENCY IN THIS LANGUAGE, AND DEPENDING ON THE CANDIDATE'S EXAMINATION PERFORMANCE AND PREVIOUS WORKING EXPERIENCE EXEMPTION MAY BE GRANTED FROM THE WHOLE OR PART OF HIS EXTERNSHIP,+ MR CHING SAID.

THE BILL INCLUDES PROVISION FOR APPEALS IN THE EVENT OF A PERSON BEING AGGRIEVED BY A DECISION NOT TO GRANT AN EXEMPTION.

THE MEDICAL COUNCIL AND THE MEDICAL ASSOCIATIONS HAD BEEN CONSULTED ON THESE PROPOSALS, AND THERE WAS UNANIMOUS SUPPORT FOR THE PROPOSITION THAT NO PROPERLY QUALIFIED DOCTOR FROM A FOREIGN COUNTRY SHOULD BE DISCOURAGED FROM COMING TO HONG KONG TO PRACTICE. THE EXISTING EXAMINATION PROCEDURES AND THE FREQUENCY OF THE EXAMINATIONS WOULD ALSO BE CAREFULLY SCRUTINISED WITH A VIEW TO INITIATING MORE FLEXIBLE ARRANGEMENTS, HE SAID.

DEBATE ON THE BILL WAS ADJOURNED TO FEBRUARY 15.

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LEGCO PASSES TWO BILLS

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TWO BILLS, THE COMPANIES (AMENDMENT) BILL 1983 AND THE DANGEROUS DRUG (AMENDMENT) BILL 1984 WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE FOLLOWING FOUR BILLS WERE INTRODUCED AND READ A SECOND TIME AND DEBATE ON THEM WAS ADJOURNED TO FEBRUARY 15: THE PUBLIC FINANCE (AMENDMENT) BILL 1984, THE RATING (AMENDMENT) BILL 1984, THE MAGISTRATES (AMENDMENT) BILL 1984 AND THE MEDICAL REGISTRATION (AMENDMENT) BILL 1984.

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FS TO SWITCH ON FESTIVE LIGHTINGS

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COLOURFUL LIGHT BULBS ENCIRCLING A +GOD OF FORTUNE+ ON A BRIDGE OVER THE SHING MUN RIVER WILL BE SWITCHED ON BY THE FINANCIAL SECRETARY, SIR JOHN BREMRIDGE, AT A CEREMONY ON MONDAY (JANUARY 30) NIGHT.

AT THE CEREMONY, SIR JOHN AND THE SHA TIN DISTRICT OFFICER, MR DONALD TSANG, WILL ALSO DOT THE EYES OF TWO LIONS AND A DRAGON.

THE LIGHTING DISPLAY AT THE SHA TIN RURAL COMMITTEE ROAD BRIDGE IS PART OF THE FESTIVE DECORATIONS BEING PUT UP BY THE DISTRICT BOARD AND LOCAL ORGANISATIONS FOR THE LUNAR NEW YEAR.

A SIMILAR DISPLAY WAS PUT UP ON THE TWO BRIDGES OVER THE SHING MUN RIVER DURING CHRISTMAS.

THE DISTRICT BOARD AND LOCAL COMMUNITY CONTRIBUTED \$400 000 FOR DECORATING THE NEW TOWN ON THE TWO OCCASIONS.

FOLLOWING MONDAY'S CEREMONY, THE LIGHTS WILL BE ON UNTIL FEBRUARY 8 WHICH, ACCORDING TO THE LUNAR CALENDAR, IS +EVERYBODY'S BIRTHDAY+.

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EASTERN DB TO MEET TOMORROW

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EASTERN DISTRICT BOARD MEMBERS WILL BE BRIEFED ON THE OPERATION AND MANAGEMENT OF COUNTRY PARKS AT THEIR MEETING TOMORROW (THURSDAY) AFTERNOON.

A COUNTRY PARK PLANNING OFFICER OF THE AGRICULTURE AND FISHERIES DEPARTMENT, MR CHAN TAI-ON, WILL TALK ON +COUNTRY PARKS IN HONG KONG+ WITH SPECIAL REFERENCE TO THE ONE IN QUARRY BAY.

AT THE MEETING, MEMBERS WILL DISCUSS A PROPOSAL TO RESCHEDULE REFUSE COLLECTION TIME IN TAI KOO SHING.

THEY WILL ALSO REVIEW THE +MEET-THE-PUBLIC+ SCHEME IN THE DISTRICT.

OTHER ITEMS ON THE AGENDA WILL INCLUDE PROGRESS REPORTS OF THE MANAGEMENT AND COMMUNITY BUILDING COMMITTEES.

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NOTE TO EDITORS:

YOU ARE INVITED TO COVER THE EASTERN DISTRICT BOARD MEETING AT 2.30 PM TOMORROW (THURSDAY) IN THE CONFERENCE ROOM OF THE DISTRICT OFFICE ON THE FIRST FLOOR, 884-886 KING'S ROAD.

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SCHOOL CHILDREN LEARN ABOUT POLLUTION CONTROL

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NINE-YEAR-OLD STUDENTS WHO RECENTLY COMPLAINED ABOUT THE STATE OF THE RIVER INDUS VISITED THE ENVIRONMENTAL PROTECTION AGENCY, THIS WEEK.

THE CHILDREN, WHO ATTEND BEACON HILL SCHOOL, BECAME CONCERNED AT THE CONDITION OF THE RIVER AFTER SPENDING A WEEK CAMPING AT THE SUEN DOUGH CAMP.

THIS WEEK THE STUDENTS, ABOUT 100 IN ALL, VISITED THE EPA WHERE THEY WERE BRIEFED BY OFFICERS OF THE AGENCY WHO EXPLAINED HOW AND WHY RIVERS BECAME POLLUTED AND THE MEASURES THE GOVERNMENT COULD TAKE TO PREVENT, AND REMEDY, SUCH PROBLEMS.

THEY ALSO TOURED THE AGENCY'S LABORATORY AND SAW A DEMONSTRATION OF WATER-QUALITY SAMPLING.

THE STUDENTS HEARD THAT THE GOVERNMENT HAS BEEN PREPARING A PLAN FOR EACH OF THE FIVE PRIORITY RIVERS SELECTED INITIALLY - INCLUDING THE RIVER INDUS.

+A RIVER PLAN INCLUDES INFORMATION SUCH AS THE GENERAL CHARACTERISTICS OF THE CATCHMENT, EXISTING WATER COURSE CONDITIONS, USES OF THE RIVER WATER, CONSTRAINTS, WATER QUALITY OBJECTIVES AND RECOMMENDATIONS FOR ACTION REQUIRED,+ SAID AN EPA SPOKESMAN.

THERE ARE MANY WAYS THAT THE QUALITY OF A RIVER CAN BE IMPROVED, INCLUDING DIRECT CLEANSING BY CLEARING LITTER AND VEGETATION, THE DREDGING OF SLUDGE FROM THE RIVER BED, CONDUCT MAINTENANCE AND FLUSHING, AND THE CONTROL OF WASTE DISCHARGE, SEWAGE TREATMENT AND CHANNEL TRAINING.

THE GOVERNMENT IS WELL AWARE OF THE PROBLEMS THAT EXIST WITH REGARD TO POLLUTED RIVERS, SAID THE SPOKESMAN, AND AT PRESENT SEVEN SPECIAL CLEANSING TEAMS, COMPRISING 50 WORKERS FROM THE NEW TERRITORIES SERVICES DEPARTMENT, ARE MOBILISED EACH DAY TO CLEAR LITTER AND VEGETATION FROM THREE MAIN RIVERS, INCLUDING THE INDUS, IN NORTH DISTRICT.

OTHER REMEDIAL MEASURES WILL BE CARRIED OUT IN A COST EFFECTIVE MANNER AS SOON AS RESOURCES ARE AVAILABLE.

THE STUDENTS WERE THANKED FOR THEIR INTEREST IN WATER POLLUTION AND SUPPORT FOR CLEANER RIVERS.

+IF RIVER WATER QUALITY IS OF A GOOD STANDARD WE ALL BENEFIT,+ SAID THE SPOKESMAN, +WHETHER BY USING IT FOR DRINKING, SWIMMING, IRRIGATION, CONVEYANCE OF CONTROLLED DOMESTIC OR INDUSTRIAL DISCHARGES, OR AS A GENERAL AMENITY.+

HE ALSO URGED THE PUBLIC TO CO-OPERATE WITH THE GOVERNMENT IN KEEPING THE TERRITORY'S RIVERS CLEAN.

DB MEMBERS TO VISIT FIRE SERVICES
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A DELEGATION FROM THE SHAM SHUI PO DISTRICT BOARD WILL VISIT FIRE SERVICES FACILITIES ON SATURDAY (JANUARY 28) MORNING.

THE DELEGATION WILL CALL AT THE CHEUNG SHA WAN FIRE STATION AND THE NEW CHEUNG SHA WAN AMBULANCE DEPOT BEFORE GOING TO THE FIRE SERVICES COMMUNICATION CENTRE AT CANTON ROAD, KOWLOON.

THE PARTY WILL BE BRIEFED ON THE WORK OF THE FIRE SERVICES BY KOWLOON DISTRICT (WEST) COMMANDER TAM YUK-FUN.

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NOTE TO EDITORS:

YOU ARE INVITED TO COVER THE EVENT. PRESS REPRESENTATIVES ARE REQUESTED TO BE AT CHEUNG SHA WAN FIRE STATION BEFORE 9.30 AM ON SATURDAY (JANUARY 28).

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UK SCHOLARSHIPS FOR HK STUDENTS
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HONG KONG STUDENTS WHO HAVE BEEN ACCEPTED BY ANY OF BRITAIN'S 95 ACADEMIC INSTITUTIONS FOR POST-GRADUATE STUDIES IN THE 1984-85 SCHOOL YEAR CAN NOW APPLY FOR SCHOLARSHIPS UNDER BRITAIN'S OVERSEAS RESEARCH STUDENTS AWARD SCHEME.

THE ACADEMIC INSTITUTIONS INCLUDE THE UNIVERSITIES IN THE UNITED KINGDOM, THE LONDON AND MANCHESTER BUSINESS SCHOOLS, THE ROYAL COLLEGE OF ART AND THE CRANFIELD INSTITUTE OF TECHNOLOGY.

THE OVERSEAS RESEARCH STUDENTS AWARD SCHEME WAS ESTABLISHED IN 1979 TO PROVIDE AWARDS FOR PARTIAL REMISSION OF TUITION FEES TO OVERSEAS POST-GRADUATE STUDENTS OF OUTSTANDING MERIT AND RESEARCH POTENTIAL.

THERE WILL BE 750 AWARDS IN 1984 AND EACH OF THEM WILL COVER THE DIFFERENCE BETWEEN THE TUITION FEE FOR A HOME POST-GRADUATE STUDENT AND THE +FULL-COST+ FEE CHARGEABLE TO AN OVERSEAS POST-GRADUATE STUDENT.

THE ONLY CRITERIA FOR THE AWARDS ARE OUTSTANDING MERIT AND RESEARCH POTENTIAL. OTHER FACTORS, SUCH AS MEANS, NATIONALITY, PROPOSED FIELD AND INSTITUTION OF STUDY, WILL NOT BE TAKEN INTO ACCOUNT.

/APPLICATIONS MUST

APPLICATIONS MUST BE MADE ON THE OFFICIAL FORM (ORS/1), COPIES OF WHICH CAN BE OBTAINED FROM THE REGISTRAR OR SECRETARY OF THE ACADEMIC INSTITUTION WHICH HAS ACCEPTED THE STUDENT.

ALL APPLICATIONS MUST BE SUBMITTED TO THE REGISTRAR OR SECRETARY ON OR BEFORE MAY 3, THIS YEAR. IF A SUCCESSFUL APPLICANT HAS APPLIED TO MORE THAN ONE ACADEMIC INSTITUTION, HE OR SHE IS FREE TO DECIDE FOR WHICH INSTITUTION THE AWARD WILL BE HELD.

SUBJECT TO THE SATISFACTORY PROGRESS OF THE AWARD HOLDER, AN AWARD WILL BE RENEWED FOR A SECOND AND THIRD YEAR, ACCORDING TO THE NORMAL LENGTH OF THE RESEARCH COURSE BEING UNDERTAKEN.

FURTHER INFORMATION ON THE 1984 AWARD SCHEME MAY BE OBTAINED FROM THE OVERSEAS STUDENTS AND SCHOLARSHIPS SECTION OF THE EDUCATION DEPARTMENT, 15/F, 77 LEIGHTON ROAD, HONG KONG (TEL. : 5-7903869).

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AUSTRALIAN TRAINING FOR TWO MUSICIANS

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TWO TALENTED YOUNG MUSICIANS LEFT HONG KONG TODAY (WEDNESDAY) TO GAIN FURTHER MUSICAL EXPERIENCE AND UNDERGO ORCHESTRAL TRAINING IN AUSTRALIA FOR TWO YEARS.

THEY ARE MR CHAN WING-KIN (24) AND MISS LILY KOH (20), BOTH GRADUATES OF THE HONG KONG CONSERVATORY OF MUSIC.

THE TWO HAVE BEEN SELECTED AT OPEN AUDITION BY THE MUSIC OFFICE OF THE RECREATION AND CULTURE DEPARTMENT AND OFFERED THE AUSTRALIAN BROADCASTING CORPORATION NATIONAL TRAINING ORCHESTRA (A.B.C. SINFONIA) SCHOLARSHIPS TO UNDERGO TRAINING WITH THE ORCHESTRA FROM JANUARY 1984 TO DECEMBER 1985.

MR CHAN AND MISS KOH, WHO ARE BOTH VIOLIN PLAYERS, WERE SEEN OFF AT KAI TAK AIRPORT TODAY BY THE MUSIC ADMINISTRATOR, MR CLIVE OXLEY.

MISS KOH IS THE LEADER OF THE HONG KONG YOUTH SYMPHONY ORCHESTRA (A); A MEMBER OF THE 1981 HONG KONG JING YING CHAMBER ORCHESTRA AND WAS SELECTED BY THE MUSIC OFFICE TO PARTICIPATE IN THE WORLD YOUTH SYMPHONY ORCHESTRA OF THE 1982 INTERLOCHEN NATIONAL MUSIC CAMP.

MR CHAN IS THE SECOND VIOLIN LEADER OF THE HONG KONG CONSERVATORY ORCHESTRA; MEMBER OF THE HONG KONG YOUTH SYMPHONY ORCHESTRA (A); THE POCO CHAMBER ORCHESTRA; THE HONG KONG CONSERVATORY STRING QUARTET; AND INSTRUCTOR'S SYMPHONY ORCHESTRA OF THE MUSIC OFFICE.

THE ABC SINFONIA, LOCATED AT LINDFIELD, SYDNEY, PROVIDES TRAINING AND ORCHESTRAL EXPERIENCE FOR INSTRUMENTALISTS AT GRADUATE OR NEAR GRADUATE LEVEL.

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WEDNESDAY, JANUARY 25, 1984

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TRADE SECRETARY VISITS SHA TIN
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THE VISITING JOINT PERMANENT SECRETARY OF THE BRITISH DEPARTMENT OF TRADE AND INDUSTRY, SIR BRIAN HAYES, THIS (WEDNESDAY) MORNING LOOKED AT DEVELOPMENTS IN SHA TIN.

SIR BRIAN FIRST HAD A PANORAMIC VIEW OF THE NEW TOWN FROM THE LION'S PAVILION WHERE HE WAS BRIEFED BY THE ASSISTANT DISTRICT OFFICER (DEVELOPMENT), MR PAUL TANG, AND THE SENIOR TOWN PLANNER (SHA TIN), MR S.M. LAU.

HE WAS PARTICULARLY INTERESTED IN DEVELOPMENTS AT THE TWO INDUSTRIAL ESTATES IN FO TAN AND TAI WAI AND LEARNED THAT MORE THAN 20 000 JOBS WERE BEING PROVIDED BY FACTORIES THERE.

MORE JOB OPPORTUNITIES WOULD BE CREATED UPON THE COMPLETION OF ANOTHER TWO INDUSTRIAL SITES NEAR SIU LEK YUEN VALLEY.

ACCORDING TO MR TANG, PARTICULAR ATTENTION HAD BEEN PAID TO THE DESIGN AND LAYOUTS OF THE INDUSTRIAL ESTATES WHICH ARE LOCATED AWAY FROM THE RESIDENTIAL AREAS.

HE TOLD SIR BRIAN THAT OBNOXIOUS TRADES WERE NOT PERMITTED IN THE NEW TOWN, AND THAT THERE WERE STRICT POLLUTION CONTROLS ON INDUSTRIAL EFFLUENT.

SPECIALISED JOBS ARE ALSO AVAILABLE AT THE JOCKEY CLUB IN SHA TIN, THE CHINESE UNIVERSITY AND OTHER EDUCATIONAL INSTITUTIONS, AND THE KOWLOON-CANTON RAILWAY WORKSHOPS.

THE POPULATION OF SHA TIN IS EXPECTED TO GROW FROM ITS PRESENT 240 000 TO 610 000 IN THE EARLY 1990S.

SIR BRIAN ARRIVED IN HONG KONG ON JANUARY 22 AND WILL LEAVE TOMORROW (THURSDAY).

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ENDANGERED ANIMALS RETURN TO CHINA
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AN UNUSUAL CONSIGNMENT OF ANIMALS, ALL ENDANGERED SPECIES, WAS TRANSPORTED TODAY ACROSS THE BORDER AT MAN KAM TO TO CHINA, DESTINED FOR THE GUANGZHOU ZOO FOR BREEDING AND EDUCATIONAL PURPOSES.

THIS EVENT WAS THE CULMINATION OF NEGOTIATIONS BETWEEN THE DIRECTOR OF AGRICULTURE AND FISHERIES AND THE CHINESE OFFICE ADMINISTERING THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF PLANTS AND ANIMALS (CITES), WHEREBY THESE ANIMALS WHICH HAD COME INTO THE POSSESSION OF THE HONG KONG GOVERNMENT AS A RESULT OF ENFORCEMENT ACTION UNDER LOCAL LEGISLATION, WOULD BE SENT TO CHINA.

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THIS IS AN EXAMPLE OF THE CLOSE LIAISON NOW BEING DEVELOPED BETWEEN THE HONG KONG GOVERNMENT AND CHINA IN THE CONSERVATION OF INDIGENOUS WILD BIRDS AND ANIMALS SINCE CHINA BECAME A SIGNATORY OF CITES IN 1980.

THE ANIMALS INCLUDED A BROWN BEAR, SIX MONKEYS, THREE CAIMANS, ONE CRESTED SERPENT EAGLE, ONE PYTHON AND FOUR RADIATED TORTOISES.

MOST OF THESE ORIGINATED IN CHINA AND THUS WERE IN A SENSE +RETURNING HOME+ AFTER BEING ILLEGALLY IMPORTED INTO HONG KONG.

THE RADIATED TORTOISES ARE THE RAREST OF THESE ANIMALS, HOWEVER, SPECIMENS HAVE BEEN DONATED TO THE ZOOLOGICAL AND BOTANICAL GARDENS AND MAY BE SEEN THERE BY THE PUBLIC.

THE BROWN BEAR WAS THE LARGEST ANIMAL. IN BOTH CASES THE PERSONS RESPONSIBLE FOR THE ILLEGAL IMPORTATION AND POSSESSION OF THESE ANIMALS WERE FINED \$2 000.

A SPOKESMAN FOR THE AFD URGED ALL HONG KONG RESIDENTS VISITING NEIGHBOURING COUNTRIES TO REFRAIN FROM BUYING OR IMPORTING INTO HONG KONG ANY ANIMALS, ANIMAL PRODUCTS OR PLANTS OF PROTECTED OR ENDANGERED SPECIES.

HE WARNED THE PUBLIC THAT DISCOVERY OF SUCH ITEMS AT CUSTOMS CHECK POINTS WILL RESULT IN PROSECUTION AND FORFEITURE.

DURING THE LAST NINE MONTHS, 47 PEOPLE WERE PROSECUTED AND FINED FOR THIS TYPE OF OFFENCE INVOLVING THE ILLEGAL IMPORTATION OF SEA TURTLES, CROCODILES, PYTHON SKINS, PANGOLINS, OWLS, ELEPHANT TUSKS AND WILD AMERICAN GINSENG, TO A VALUE OF SOME \$300 000.

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TRAFFIC ARRANGEMENTS IN YAU MA TEI

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SPECIAL TRAFFIC ARRANGEMENTS WILL BE IN FORCE NEAR YAU MA TEI FRUIT MARKET FROM 2 PM ON FRIDAY (JANUARY 27) TO 2 PM ON WEDNESDAY (FEBRUARY 1).

THE ARRANGEMENTS ARE THAT:

- * THE SECTION OF NORTHBOUND RECLAMATION STREET BETWEEN THE UNNAMED ROAD SOUTH OF SHEK LUNG STREET AND WATERLOO ROAD, AND THE SECTION OF WESTBOUND WATERLOO ROAD BETWEEN RECLAMATION STREET AND FERRY STREET WILL BE REDUCED FROM THREE-LANE TO TWO-LANE TRAFFIC.
- * THE SECTION OF CANTON ROAD BETWEEN PUBLIC SQUARE STREET AND TUNG KUN STREET WILL BE REROUTED FROM TWO-WAY TO ONE-WAY NORTHBOUND.

/* CANTON ROAD

- * CANTON ROAD BETWEEN TUNG KUN STREET AND THE UNNAMED ROAD SOUTH OF SHEK LUNG STREET WILL BE REROUTED FROM TWO-WAY TO ONE-WAY SOUTHBOUND.
- * CHING PING STREET WILL BE REROUTED FROM TWO-WAY TO ONE-WAY SOUTHBOUND.
- * TUNG KUN STREET BETWEEN RECLAMATION STREET AND CANTON ROAD WILL BE REROUTED FROM TWO-WAY TO ONE-WAY EASTBOUND. THE LEFT-TURN FROM RECLAMATION STREET INTO TUNG KUN STREET WESTBOUND WILL BE PROHIBITED.
- * THE UNNAMED ROAD SOUTH OF SHEK LUNG STREET WILL BE REROUTED FROM TWO-WAY TO ONE-WAY WESTBOUND.
- * THE SECTION OF SHEK LUNG STREET BETWEEN RECLAMATION STREET AND SHANGHAI STREET WILL BE TEMPORARILY CLOSED TO VEHICULAR TRAFFIC AND CONVERTED INTO A PEDESTRIAN PRECINCT.
- * THE METERED PARKING SPACES IN CANTON ROAD BETWEEN PUBLIC SQUARE STREET AND THE UNNAMED ROAD SOUTH OF SHEK LUNG STREET WILL BE TEMPORARILY SUSPENDED.

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HO MAN TIN TRAFFIC CHANGE

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FROM 10 AM ON FRIDAY (JANUARY 27), TRAFFIC ON GOOD SHEPHERD STREET AT HO MAN TIN WILL BE RE-ROUTED FROM ONE-WAY SOUTHBOUND TO ONE-WAY NORTHBOUND.

RIGHT TURNS FROM CHUNG HAU STREET WESTBOUND INTO GOOD SHEPHERD STREET WILL NOT BE PERMITTED.

MOTORISTS ON CHUNG HAU STREET WESTBOUND, HEADING FOR GOOD SHEPHERD STREET ARE ADVISED TO PROCEED VIA CHUNG HAU STREET, CARMEL VILLAGE STREET, HAU MAN STREET, CHUNG HAU STREET AND GOOD SHEPHERD STREET.

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WEDNESDAY, JANUARY 25, 1984

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RESTRICTED ZONES IN TAI PO
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FROM 10 AM ON FRIDAY (JANUARY 27), THE FOLLOWING ROADS IN TAI PO WILL BE DESIGNATED URBAN CLEARWAY RESTRICTED ZONES FROM 7 AM TO MIDNIGHT DAILY:

- * THE SECTION OF ROAD D3 BETWEEN KWONG FUK ROAD AND TING KOK ROAD
- * THE SECTION OF ROAD D1 BETWEEN ROAD D3 AND TING KOK ROAD
- * THE SECTION OF ROAD D4 BETWEEN ON CHEE ROAD AND KWONG FUK ROAD.

WITHIN THESE RESTRICTED ZONES, DRIVERS OF ALL MOTOR VEHICLES OTHER THAN FRANCHISED BUSES WILL BE PROHIBITED FROM PICKING UP OR SETTING DOWN PASSENGERS, AND FROM LOADING OR UNLOADING GOODS.

FROM THE SAME DAY, THE FOLLOWING ROADS IN TAI PO WILL BE DESIGNATED PROHIBITED ZONES TO ALL PUBLIC LIGHT BUSES EXCEPT THOSE AUTHORISED IN WRITING BY THE TRANSPORT DEPARTMENT:

- * THE SECTION OF ROAD D3 BETWEEN TING KOK ROAD AND ROAD D1
- * THE SECTION OF ROAD D4 BETWEEN ON CHEE ROAD AND ROAD D1.

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