



DAILY INFORMATION BULLETIN

WEDNESDAY, JUNE 15, 1977

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MORE FLEXIBILITY FOR PROPOSED
SEVEN DAYS PAID ANNUAL LEAVE
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THERE WILL BE GREATER FLEXIBILITY IN THE PROPOSED NEW LAW ON THE SEVEN DAYS PAID ANNUAL LEAVE FOR WORKERS, THE COMMISSIONER FOR LABOUR, THE HON. PETER WILLIAMS TOLD THE LEGISLATIVE COUNCIL DURING THE RESUMED DEBATE OF THE EMPLOYMENT (AMENDMENT) (NO. 3) BILL 1977 THIS AFTERNOON.

HE DISCLOSED THIS FOLLOWING SPEECHES OF SUPPORT FOR THE BILL BY SEVEN UNOFFICIALS MOST OF WHOM ALSO URGED FOR THE NEED OF PROVIDING MORE FLEXIBILITY IN TAKING THE LEAVE BY WORKERS.

MR. WILLIAMS SAID THAT SINCE THERE HAD BEEN SIGNIFICANT OBJECTION TO THE ARRANGMENTS AT PRESENT PROPOSED IN THE BILL HE WOULD BE MOVING AN AMENDMENT IN COMMITTEE TO PROVIDE FOR GREATER FLEXIBILITY.

HE SAID: +WHERE AN EMPLOYEE WISHES TO HAVE SEVEN CONSECUTIVE DAYS HOLIDAY, LEGISLATION WILL CLEARLY PROVIDE FOR THIS RIGHT. BUT IF HE WISHES TO SPLIT THE SEVEN DAYS, THE AMENDMENT WILL ENABLE HIM TO TAKE A MINIMUM OF FOUR CONSECUTIVE DAYS OFF DURING THE YEAR.

+THESE FOUR DAYS,+ MR. WILLIAMS SAID, +MUST EXCLUDE STATUTORY HOLIDAYS AND REST DAYS.

+THE BALANCE OF THREE DAYS CAN BE TAKEN CONSECUTIVELY OR SEPARATELY AT ANOTHER TIME DURING THE YEAR,+ HE ADDED.

MR. WILLIAMS EXPLAINED THAT THIS ARRANGEMENT, WHILE RETAINING THE EMPLOYEE'S ENTITLEMENT TO SEVEN DAYS CONSECUTIVE LEAVE A YEAR, ALLOWS, BY THE ALTERNATIVE OPTION OF FOUR DAYS CONSECUTIVE LEAVE WITH THE BALANCE BEING TAKEN SEPARATELY, FOR THAT GREATER FLEXIBILITY WHICH HE SAID MANY EMPLOYEES APPEARED TO VALUE NOW.

HE SAID: +ALL WILL OF COURSE BE ABLE, IN CONSULTATION WITH THEIR EMPLOYERS, TO LINK THE VARIOUS PORTIONS OF THEIR ANNUAL LEAVE WITH STATUTORY HOLIDAYS OR REST DAYS SO THAT THEY CAN HAVE A LONGER BREAK FROM WORK.

+I MUST EMPHASIZE,+ MR. WILLIAMS CONTINUED, +THAT IN ALLOWING FOR THIS OPTION OF FOUR CONSECUTIVE DAYS, IT REMAINS THE GOVERNMENT'S AIM TO LEGISLATE FOR SEVEN CONSECUTIVE DAYS PAID HOLIDAY FOR THOSE ELIGIBLE FOR ANNUAL LEAVE.+

SPEAKING ON BEHALF OF HIS UNOFFICIAL COLLEAGUES, THE HON. PETER C. WONG, WHO IS CONVENER OF AN AD HOC GROUP STUDYING THE BILL, SAID THE AMENDMENTS TO THE BILL SUGGESTED WERE ADVOCATED BY THE MAJORITY OF THE UNOFFICIALS.

/THEY FAVOURED,

THEY FAVOURED, AS AN INTERIM MEASURE, A COMPROMISE SOLUTION ALLOWING MORE FLEXIBILITY REGARDING THE MANNER BY WHICH THE ANNUAL LEAVE MAY BE TAKEN, ALTHOUGH A FEW WOULD LIKE TO SEE THE PROPOSED LEGISLATION PASSED INTO LAW WITHOUT DELAY.

THE PRINCIPLE OF THE BILL, HE SAID, WAS FULLY SUPPORTED BY ALL THE UNOFFICIALS. HE EMPHASIZED THAT THEY +FULLY SUBSCRIBE TO THE VIEW THAT EVENTUALLY THE FULL OBJECTIVES OF THE BILL WILL HAVE TO BE ACHIEVED.+

SIX OTHER UNOFFICIALS ALSO SPOKE ON THE BILL.

THE HON. ALEX WU SUGGESTED THAT ITS PROVISIONS COULD BE EXTENDED +TO ENABLE THE COMMISSIONER'S INSPECTORS TO CHECK WHETHER ANOTHER EMPLOYER IS DEFEATING THE OBJECT OF THE LEGISLATION BY EMPLOYING WORKERS DURING THEIR HOLIDAY PERIODS.+

+IT SEEMS TO ME THAT IF WE ARE DETERMINED TO ENSURE THAT WORKERS BENEFIT FROM A HOLIDAY WE MUST GO THE WHOLE DISTANCE,+ HE SAID.

HE POINTED OUT THE NECESSITY FOR CAREFULLY PLANNED, PREPARED AND EXECUTED RECREATIONAL PROGRAMMES.

+IF ADEQUATE RECREATIONAL FACILITIES, IN THE WIDEST SENSE OF THE TERM, EXISTED THEN THE PROBLEM OF ENFORCEMENT WOULD NOT ARISE. WORKERS WOULD WELCOME AN OPPORTUNITY TO REST FROM WORK BECAUSE THERE WOULD BE MANY AND VARIED OUTLETS AVAILABLE TO THEM,+ HE SAID.

THE HON. S.L. CHEN ALSO DREW ATTENTION TO THE NEED FOR ADEQUATE RECREATION FACILITIES AND FOR ENSURING THAT THE HOLIDAYS ARE GENUINELY SPENT.

HE PROPOSED THAT DURING AN INITIAL PERIOD OF FIVE YEARS, EMPLOYEES SHOULD BE GIVEN THE FREEDOM TO TAKE THEIR LEAVE CONSECUTIVELY OR OTHERWISE.

+DURING THIS PERIOD,+ HE SAID, +GOVERNMENT MUST TAKE STEPS TO DEVELOP, WITH PARTICIPATION OF PRIVATE BUSINESS SECTORS, IF NECESSARY, ADEQUATE RECREATIONAL AND REST FACILITIES WHICH WOULD BE NECESSARY TO SUPPORT THE FULL AND MEANINGFUL IMPLEMENTATION OF THE PROPOSED LEGISLATION.+

MR. CHEN SAID THE BILL DID NOT HAVE PROVISION WHICH WOULD PROHIBIT WORKERS TO TAKE UP GAINFUL EMPLOYMENT ON THE SEVEN CONSECUTIVE DAYS' HOLIDAY.

+I FULLY APPRECIATE THAT SUCH A PROVISION MIGHT BE DIFFICULT TO ENFORCE, BUT THIS SHOULD NOT BE A REASON FOR NOT HAVING THE PROVISION,+ HE SAID.

REV. THE HON. PATRICK MCGOVERN SAID THE GOVERNMENT, +HOWEVER BELATEDLY, HAS OVERCOME ITS OUTMODDED LAISSEZ-FAIRE ATTITUDE AND MADE IN THIS BILL A POSITIVE STEP FORWARD TO HELP WORKERS.+

HE EXHORTED WORKERS ON THEIR PART TO TAKE A PARALLEL STEP FORWARD AND OVERCOME THEIR FEARS AND OUTMODED ATTITUDES BY DETERMINING TO HELP THEMSELVES BY MAKING SURE THE NEW LAW IS FULLY IMPLEMENTED.

HE HOPED THAT A SIDE EFFECT WOULD BE MORE CONSULTATION BETWEEN EMPLOYERS AND EMPLOYEES, ALTHOUGH, HE SAID, HIS CHIEF FEAR WAS THAT THERE WAS A WEAKNESS IN THE BILL ON THIS ONE POINT.

HE NOTED THAT IN HIS EFFORTS TO FIND OUT WHAT WORKERS REALLY WANTED IN THE LINE OF PAID LEAVE, ONE DESIRE EMERGED VERY CLEARLY: +BLUE-COLLAR WORKERS WANT EQUALITY WITH WHITE-COLLAR WORKERS. THEY WANT ALL PUBLIC HOLIDAYS TO BE INDUSTRIAL OR STATUTORY HOLIDAYS ALSO.+

A LOT OF THE MONEY SPENT ON PRE-VOCATIONAL, VOCATIONAL AND TECHNICAL EDUCATION WOULD BE WASTED, +UNLESS WORKING CONDITIONS IN INDUSTRY AND THE SOCIAL STATUS OF INDUSTRIAL WORKERS ARE RAISED TO A LEVEL AT LEAST AS HIGH AS THAT OF WHITE COLLAR WORKERS,+ REV. MCGOVERN SAID.

HE URGED THAT THE EXPERIMENTAL PERIOD OF SOME OF THE MEASURES IN THE BILL BE USED TO WATCH VERY CAREFULLY AND GUARD AGAINST ANY ATTEMPT TO ABUSE ITS FLEXIBILITY.

THE HON. WONG LAM SPOKE UP FOR HAVING THE ANNUAL LEAVE SPLIT INTO ONE PART OF FOUR CONSECUTIVE DAYS AND ANOTHER PART TO BE TAKEN IN SEPARATE PERIODS, WITH THE EMPLOYEE HAVING THE RIGHT, IF HE WANTS, TO ASK FOR AN UNBROKEN SEVEN DAYS LEAVE WITHOUT GIVING REASONS.

+THIS WOULD LESSEN THE ADVERSE EFFECT THIS TYPE OF LONG LEAVE WOULD HAVE ON SMALL MANUFACTURERS, AND WOULD ALSO HELP TO EASE TRAFFIC CONGESTION AND THE PROBLEM OF CHOOSING A PLACE TO SPEND ONE'S LEAVE,+ HE SAID.

HE EXPLAINED THAT TO THE SMALLER MANUFACTURERS, THE SEVEN DAYS CONSECUTIVE LEAVE WOULD NOT SIMPLY BE A TWO PER CENT INCREASE IN THE ANNUAL WAGE BILL, BECAUSE THE WHOLE PRODUCTION LINE MIGHT BE AFFECTED BY THE ABSENCE OF THE USUALLY SMALL NUMBER OF SKILLED WORKERS.

HE DID NOT AGREE WITH THE SUGGESTION FOR PAY IN LIEU OF LEAVE, WHICH +APART FROM BEING AT VARIANCE WITH THE SPIRIT OF THIS LEGISLATION, COULD EASILY LEAD TO VARIOUS TYPES OF MALPRACTICES.+

HE PROPOSED THAT THE LEGISLATION SHOULD BE REVIEWED AFTER IMPLEMENTATION FOR TWO YEARS TO DECIDE WHETHER IT IS NECESSARY TO MAKE THE SEVEN CONSECUTIVE DAYS MANDATORY.

THE HON. LEUNG TAT-SHING STRESSED, HOWEVER, THAT THERE HAD TO BE RIGIDITY IN THE LEGISLATION AS A SAFEGUARD FOR THE WORKERS AGAINST EXPLOITATION.

NP +TO ALLOW THE EMPLOYERS A TOTAL AND FINAL SAY OVER ANY OPTION, AS SOME HAVE SUGGESTED, WILL RESULT IN A GREAT NUMBER OF EMPLOYEES, WHO ARE TRADITIONALLY PASSIVE IN THE FACE OF AUTHORITY, BEING TAKEN ADVANTAGE OF.

+OTHER EMPLOYEES MIGHT BE RELUCTANT TO MAKE A STAND FOR FEAR OF REPRISALS, WHILE STILL OTHERS WOULD SUFFER LOSS OF DIGNITY AND PRIDE AT THE HANDS OF UNSCRUPULOUS EMPLOYERS IN ORDER TO GAIN WHAT IS RIGHFULLY THEIRS. A NUMBER COULD BE EASILY LURED INTO MONETARY SETTLEMENTS, TOTALLY DEFEATING THE AIMS OF OUR SOCIAL OBJECTIVES,+ HE SAID.

MR. LEUNG NOTED THAT IT WAS A FACT VERIFIED BY EXPERIENCED PERSONNEL MANAGERS AND PSYCHOLOGISTS ALIKE THAT THE ANNUAL LEAVE WOULD ENABLE WORKERS +TO RECUPERATE MENTALLY AND PHYSICALLY FROM THE STRAINS OF LABOUR IN THE PREVIOUS 12 MONTHS, RETURNING TO THEIR PLACES OF WORK WITH RENEWED EFFICIENCY AND PRODUCTIVITY IN THEIR JOBS.+

THE BILL WOULD ALSO REMOVE ONE OF THE UNFORTUNATE DISTINCTIONS WHICH NOW EXISTED BETWEEN BLUE-COLLAR AND WHITE-COLLAR EMPLOYEES AND ENCOURAGE MORE YOUNG PEOPLE TO JOIN INDUSTRY, HE ADDED.

THE HON. JAMES WU SAID THE PRINCIPLE OF SEVEN DAYS' PAID LEAVE WAS UNANIMOUSLY ACCEPTED IN CONSULTATIONS AMONG INDUSTRIAL ASSOCIATIONS, BETWEEN MANAGEMENT AND WORKERS AND IN SURVEYS OF WORKERS' OPINION BY TWO STATUTORY BODIES. BOTH EMPLOYERS AND WORKERS, HE ADDED, WOULD LIKE TO SEE THE LEAVE ARRANGEMENT FLEXIBLE.

ONE OF THE SUBSEQUENT SUGGESTIONS TO THE GOVERNMENT OF FOUR JOINT ASSOCIATIONS REPRESENTING INDUSTRY, TRADE, AND EMPLOYERS, HE POINTED OUT, WAS FOR THE EMPLOYEE TO HAVE THE OPTION OF TAKING THE LEAVE CONSECUTIVELY OR, IF HE SO WISHED, NON-CONSECUTIVELY AT AGREED TIMES ON NEGOTIATION WITH HIS EMPLOYER, OR WORK FOR ADDITIONAL PAY.

FROM INDUSTRY'S POINT OF VIEW, MR. WU NOTED, IT WAS GENERALLY FELT THAT THE EXTRA COST OF 2.3 PER CENT IN WAGES COULD BE TOLERATED BUT THE DIFFICULTY IN ARRANGING FOR SEVEN CONSECUTIVE DAYS' LEAVE COULD NOT BE OVERCOME WITHOUT STOPPING PRODUCTION AND LOSING ORDERS TO THE EXTENT OF HUNDREDS OF MILLION OF DOLLARS A YEAR.

+INDUSTRIALISTS DREW ATTENTION TO THE FACT THAT WITHOUT A SUBSTANTIAL HOME MARKET, HONG KONG FACTORIES USUALLY CANNOT MAKE STANDARD BRAND GOODS OR MODELS FOR STOCK DURING SLACK PERIODS, BUT MUST CATER AT ALL TIMES TO ORDERS FOR SPECIAL DESIGNS AND PATTERNS OF THEIR EXPORT-CUSTOMERS,+ HE SAID.

/ANSWERING

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ANSWERING VARIOUS POINTS BROUGHT OUT BY THE UNOFFICIALS, THE COMMISSIONER FOR LABOUR, MR. WILLIAMS POINTED OUT THAT ANOTHER REASON FOR MAKING THE AMENDMENT TO PROVIDE AN OPTION OF FOUR CONSECUTIVE DAYS HOLIDAY WAS RELATED TO A COMMENT MADE BY MR. S.L. CHEN.

HE SAID: +THERE IS GOOD REASON TO BELIEVE THAT, GENERALLY, OUR RECREATIONAL FACILITIES WILL BE ABLE TO COPE WITH THE CONSEQUENCES OF THIS INCREASED ANNUAL LEAVE -- AND INDEED WILL ENCOURAGE A WIDER SPREAD OF USAGE WHICH IS CURRENTLY TENDING TO BE CONFINED TO SUNDAYS AND PUBLIC HOLIDAYS.

+HOWEVER, A NUMBER OF INFORMED PERSONS HAVE RESPONDED TO THE PUBLICATION OF THE BILL BY WARNING THAT SIGNIFICANT STRAINS WILL BE IMPOSED ON RECREATIONAL AND ASSOCIATED SERVICES. WE WILL ALSO BE WATCHING THIS CAREFULLY DURING 1978,+ HE SAID.

REPLYING TO REFERENCES MADE BY MR. ALEX WU AND OTHER UNOFFICIAL MEMBERS THAT MEASURES SHOULD BE INCLUDED IN THE LEGISLATION TO ENSURE THAT WORKERS GRANTED THEIR ANNUAL LEAVE ARE NOT EMPLOYED BY ANOTHER FACTORY, THE COMMISSIONER SAID: +I THINK THIS POTENTIAL ABUSE OF THE NEW ARRANGEMENTS MUST BE LEFT OUT OF THE LEGISLATION.

+SECTION 41G OF THE BILL DESCRIBES THE NEW RECORDS TO BE KEPT BY EMPLOYERS. I WOULD NOT WISH TO ADD TO THESE UNLESS THE BENEFITS TO BE GAINED ARE MANIFEST,+ HE SAID.

MR. WILLIAMS SAID HE WILL BE MOVING IN COMMITTEE ANOTHER AMENDMENT WHICH WILL AFFECT THE PROPOSED SECTION 41A(2) OF THE BILL UNDER WHICH EMPLOYERS MUST GIVE A MINIMUM OF ONE MONTH'S NOTICE IN WRITING TO EMPLOYEES OF THE TIME APPOINTED FOR THEIR LEAVE EXCEPT WHERE A SHORTER PERIOD OF NOTICE IS MUTUALLY AGREED.

HE SAID THAT IT HAD BEEN PERSUASIVELY ARGUED THAT A MONTH'S WRITTEN NOTICE COULD RESULT IN GREAT DIFFICULTY WHEN A FACTORY RECEIVED OVERSEAS ORDERS AT SHORT NOTICE AND HIS AMENDMENT WILL REDUCE THIS PERIOD TO TWO WEEKS THUS PROVIDING FOR GREATER FLEXIBILITY.

HE ADDED THAT HE WOULD LIKE TO REVIEW THIS AFTER A PERIOD OF TIME TO ENSURE THAT IT IS WORKING SATISFACTORILY.

MR. WILLIAMS THEN REPORTED THAT THOSE WHO HAD EARLIER PRESSED FOR AN AMENDMENT TO THE LEGISLATION TO ALLOW FOR PAY-IN-LIEU APPEAR NOW TO HAVE ABANDONED THEIR POSITION ADDING THAT SUCH AN OPTION WOULD DEFEAT THE MAIN OBJECT OF THE BILL.

MR. WILLIAMS ALSO SAID THAT WITH THE NEW HOLIDAYS STARTING NEXT YEAR THE LABOUR DEPARTMENT WILL BE ISSUING A SIMPLE PAMPHLET GIVING DETAILS OF ALL THE HOLIDAYS THAT ARE NOW PROVIDED BY LABOUR LEGISLATION TO ASSIST EMPLOYERS AND EMPLOYEES ALIKE.

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SLOPES REMEDIAL WORKS

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THERE IS NO LONGER ANY DANGER OF MUD AVALANCHES AT THE HOUSING ESTATE SLOPES BEING RECONSTRUCTED UNDER THE CRASH REMEDIAL PROGRAMME, THE DIRECTOR OF PUBLIC WORKS, MR. DAVID MCDONALD, TOLD THE LEGISLATIVE COUNCIL TODAY.

+WORK ON THE SLOPES HAS NOW REACHED A STAGE WHERE THERE IS NO LONGER ANY POSSIBILITY OF A MUD AVALANCHE SUCH AS THAT WHICH OCCURRED AT SAU MAU PING LAST YEAR,+ HE SAID.

MR. MCDONALD WAS SPEAKING IN REPLY TO A QUESTION FROM THE HON. JAMES WU WHO ASKED ABOUT THE WORKS BEING UNDERTAKEN TO MAKE THE SLOPES SAFE, FOLLOWING THE SAU MAU PING LANDSLIDE REPORT.

THE REPORT, PUBLISHED IN FEBRUARY THIS YEAR, REVEALED THAT MUD AVALANCHES AROSE BECAUSE OF RAIN INFILTRATION INTO LOOSELY COMPACTED SOIL= AND RECOMMENDED STRINGENT NEW STANDARDS OF SOIL COMPACTION.

THE CRASH REMEDIAL PROGRAMME, COSTING ABOUT \$35 MILLION, WAS LAUNCHED IMMEDIATELY AFTER THE CHINESE NEW YEAR AND BASICALLY INVOLVED EXCAVATING THE TOP LAYER OF EACH SLOPE TO A DEPTH OF AT LEAST THREE METRES, AND THEN RECOMPACTING IT IN SOLID HORIZONTAL LAYERS TO THE STRICT NEW STANDARDS LAID DOWN IN THE REPORT.

MR. MCDONALD TOLD THE COUNCIL THAT ALTOGETHER 17 FILL SLOPES IN PUBLIC HOUSING AREAS WERE BEING RECONSTRUCTED, INCLUDING 11 WHICH MIGHT HAVE AFFECTED TENANTS.

+WORKS ON 12 OF THE SLOPES ARE ALREADY SUBSTANTIALLY COMPLETE, BUT SOME FILLING AND FINISHING WORK IS OUTSTANDING ON THE OTHER FIVE SITES,+ HE SAID.

+IN THESE FIVE INSTANCES, IT IS POSSIBLE THAT IN CONDITIONS OF HEAVY RAINFALL THERE COULD BE SOME SURFACE EROSION AND THAT SILT-LADEN WATER COULD COLLECT AT THE FOOT OF THE SLOPES.

+HOWEVER, I MUST STRESS THAT SUCH A DISCHARGE FROM THE SLOPES WOULD CONSTITUTE A NUISANCE -- BUT NOT A DANGER,+ MR. MCDONALD SAID.

AND STEPS HAD ALREADY BEEN TAKEN TO SEE THAT THIS WATER DID NOT GET INTO BUILDINGS AND INCONVENIENCE TENANTS, HE ADDED.

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CONSUMER COUNCIL BILL RECEIVES SUPPORT
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TWO UNOFFICIAL MEMBERS TODAY SUPPORTED THE CONSUMER COUNCIL BILL 1977 DURING THE RESUMED DEBATE IN THE LEGISLATIVE COUNCIL.

THE BILL SEEKS TO INCORPORATE THE CONSUMER COUNCIL AND TO GIVE IT A PERMANENT LEGAL STATUS. AS SUCH, THE CONSUMER COUNCIL CAN BE SUED AS A LEGAL ENTITY, WHILE ITS MEMBERS AND STAFF OR ITS COMMITTEES WILL BE PROTECTED FROM PERSONAL LIABILITY FOR ALL ACTS LEGITIMATELY DONE ON BEHALF OF THE CONSUMER WATCHDOG BODY.

DR. THE HON. HENRY HU, CONVENER OF AN AD HOC GROUP OF UNOFFICIALS STUDYING THE BILL, SUGGESTED THAT THE WORD +CONSIDERING+ IN THE BILL SHOULD BE CHANGED TO +EXAMINING+ SO THAT IT WILL ENABLE THE CONSUMER COUNCIL TO PERFORM ITS FUNCTIONS AS AT PRESENT.

+MOREOVER, 'EXAMINING' WOULD BE A MORE APPROPRIATE WORD THAN 'INVESTIGATING' WHICH HAS EMOTIVE CONNOTATIONS, AS THE COUNCIL'S FUNCTION IS TO EXAMINE CONSUMER COMPLAINTS AND NOT TO LOOK INTO THE BUSINESS OF THE COMPANIES OF PARTIES CONCERNED,+ HE SAID.

IN CARRYING OUT ITS TASKS, THE COUNCIL ON THE ONE HAND HAD TO STRIKE A SENSIBLE BALANCE BETWEEN CONSUMER PROTECTION AND ENCROACHMENT OF BUSINESS INTERESTS, AND ON THE OTHER HAND, MUST NOT BE UNDULY FETTERED BY RIGID TERMS OF REFERENCE, HE ADDED.

THE HON. HILTON CHEONG-LEEN ALSO SUPPORTED THE BILL AND THE VIEWS OF DR. HU. BUT, HE ADDED THAT +TO CONFER ON THE COUNCIL AT THIS STAGE PATENTLY STRONG POWERS TO INVESTIGATE AND TO OBTAIN ANY INFORMATION IN THE COURSE OF INVESTIGATION WOULD BE TANTAMOUNT TO DAMAGING OR UNDULY DISTURBING THE SPIRIT OF FREE ENTERPRISE IN HONG KONG, BOTH IN PRINCIPLE AND IN PRACTICE.+

THE ACTING FINANCIAL SECRETARY, MR. DAVID JORDAN, WELCOMED THE SUPPORT FOR THIS BILL BY DR. HU AND MR. CHEONG-LEEN AND ADDED THAT THE AMENDMENT SUGGESTED WOULD BE MOVED DURING THE COMMITTEE STAGE OF THE BILL ON JUNE 29.

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EXTENSION OF NOISE BAN

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A BILL WHICH SEEKS TO EXTEND THE HOURS OF BAN ON CONSTRUCTION NOISE AND THE NOISE FROM RECORD SHOPS RECEIVED ITS SECOND READING AT THE LEGISLATIVE COUNCIL TODAY.

MOVING THE SUMMARY OFFENCES (AMENDMENT) (NO. 2) BILL 1977, THE SECRETARY FOR THE ENVIRONMENT, THE HON. DEREK JONES SAID ONE CLAUSE OF THE BILL WAS AIMED AT CONTROLLING THE NOISE CREATED BY PROPRIETORS OF RECORD SHOPS AND HAWKERS, WHO PLAYED RECORDS AND CASSETTE TAPES AT AN UNREASONABLY HIGH VOLUME FOR THE PURPOSE OF ATTRACTING CUSTOMERS, AND THUS DISTURBED PUBLIC TRANQUILITY.

MR. JONES SAID ANOTHER CLAUSE OF THE BILL DEALT WITH CONSTRUCTION NOISE. HE SAID THE ADVISORY COMMITTEE ON ENVIRONMENTAL POLLUTION CONSIDERED THAT THE EXISTING PROVISIONS ON LIMITING THIS NOISE WHICH ONLY APPLIED TO PILING WORK, WHICH WAS BANNED BETWEEN THE HOURS OF 8 P.M. AND 6 A.M. AND ON PUBLIC HOLIDAYS, WERE NOT SUFFICIENT TO DEAL WITH THE PROBLEM.

HE SAID THE COMMITTEE HAD RECOMMENDED THAT THE RESTRICTIONS ON PILING SHOULD BE EXTENDED TO COVER THE USE OF ALL OTHER NOISY CONSTRUCTION EQUIPMENT AND THAT THE RESTRICTED HOURS BE PROLONGED FROM 7 P.M. TO 7 A.M. AND ON PUBLIC HOLIDAYS.

ONE CLAUSE OF THE BILL ALSO SOUGHT TO PLACE A BAN ON THE USE OF ALL POWERED MECHANICAL EQUIPMENT FOR THE PURPOSES OF CARRYING OUT ANY WORK BETWEEN THE HOURS OF 7 P.M. AND 7 A.M. AND ON PUBLIC HOLIDAYS, MR. JONES SAID.

THE SECRETARY NOTED THAT EXCEPTIONS TO THE GENERAL BAN, HOWEVER, WERE PROVIDED. +FIRST, IT PROVIDES THAT A SINGLE ITEM OF POWERED MECHANICAL EQUIPMENT CAN BE USED IN DOMESTIC PREMISES PROVIDED THAT THE EQUIPMENT IS OF A SIMPLE HAND-HELD TYPE.

+AND SECONDLY, PROVISION IS MADE FOR THE USE OF CONSTRUCTION EQUIPMENT IN EMERGENCIES IN ORDER TO PREVENT INJURIES TO PERSONS OR DAMAGE TO PROPERTY,+ HE SAID.

MR. JONES SAID THE BILL ALSO PROVIDED THAT THE NEW CONTROLS OVER THE USE OF POWERED MECHANICAL EQUIPMENT SHOULD COME INTO OPERATION ON JULY 1, 1979, TWO YEARS AFTER ENACTMENT.

+THIS DELAY SHOULD ALLOW THE CONSTRUCTION INDUSTRY ADEQUATE TIME TO COMPLETE MOST EXISTING CONTRACTS BEFORE THE MORE STRINGENT RESTRICTIONS ARE BROUGHT INTO FORCE,+ HE SAID.

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SAFETY INTERESTS OF EMPLOYEES DURING TROPICAL STORMS

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A LABOUR DEPARTMENT SPOKESMAN TODAY ADVISED EMPLOYERS TO ACT WITH COMMON SENSE WITH REGARD TO THE SAFETY INTERESTS OF THEIR EMPLOYEES DURING OR ON THE APPROACH OF A TROPICAL STORM, ALTHOUGH THE LAW DOES NOT LAY DOWN ANY PARTICULAR PROCEDURES TO FOLLOW ON SUCH OCCASIONS.

+TO AVOID CONFUSION,+ HE SAID, +EMPLOYERS SHOULD REACH AN AGREEMENT WITH THEIR EMPLOYEES ON THE RULES FOR WORK, AND THE RELEASE FROM WORK, DURING OR ON THE APPROACH OF A TROPICAL STORM.+

+SUCH AN AGREEMENT SHOULD INCLUDE THE METHOD OF CALCULATING WAGES TO BE PAID UNDER VARIOUS CIRCUMSTANCES,+ HE ADDED.

THE SPOKESMAN WAS COMMENTING ON THE EXPERIENCE OF PREVIOUS YEARS WHEN THE LABOUR DEPARTMENT RECEIVED MANY ENQUIRIES DURING THE TYPHOON SEASON FROM EMPLOYERS AND EMPLOYEES SEEKING ADVICE ON THE SUBJECT.

+BASICALLY,+ THE SPOKESMAN SAID, +IT IS A MATTER OF DECISION BETWEEN EACH EMPLOYER AND HIS EMPLOYEES, TAKING INTO ACCOUNT THE NATURE OF EMPLOYMENT AND THE INDIVIDUAL EMPLOYEE'S PLACE OF RESIDENCE, AVAILABILITY OF TRANSPORT AND OTHER FACTORS.

+CONFUSION OR EVEN DISPUTES CAN ARISE IF THERE IS A LACK OF PRIOR UNDERSTANDING BETWEEN EMPLOYERS AND EMPLOYEES AS TO WHAT TO DO WHEN A STORM IS COMING,+ HE SAID.

THE SPOKESMAN ADVISED THAT THE IMPORTANT THING TO CONSIDER ON SUCH OCCASIONS IS THE EMPLOYEES' SAFETY BOTH AT THE PLACE OF WORK AND DURING THE JOURNEY TO AND FROM HOME.

+FOR EXAMPLE, FIRMS SHOULD SEND THEIR EMPLOYEES HOME WHEN WARNING SIGNAL NUMBER EIGHT OR HIGHER IS HOISTED, OR WHEN SUSPENSION OF PUBLIC TRANSPORT SERVICES IS IMMINENT.

+OF COURSE, EMPLOYEES WHO ARE REQUIRED TO PERFORM ESSENTIAL AND EMERGENCY DUTIES DURING A TROPICAL STORM WOULD BE EXCEPTIONS,+ HE ADDED.

THE SPOKESMAN POINTED OUT THAT EMPLOYERS COULD ALWAYS APPROACH THE LABOUR RELATIONS SERVICE OF THE LABOUR DEPARTMENT FOR APPROPRIATE ADVICE WHEN DRAFTING OR PREPARING THEIR AGREEMENTS CONCERNING ARRANGEMENTS.

THE SERVICE OPERATES IN THE FOLLOWING SIX BRANCH OFFICES OF THE DEPARTMENT:

* HONG KONG

/HONG KONG

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HONG KONG REGIONAL OFFICE,
NEW RODNEY BLOCK,
QUEENSWAY,
HONG KONG

TEL: 5-282523 EXT. 60

* KOWLOON EAST AND WEST

SAN PO KONG GOVERNMENT OFFICES,
PRINCE EDWARD ROAD,
SAN PO KONG,
KOWLOON

TEL: (KOWLOON EAST) 3-205638
(KOWLOON WEST) 3-201652

* KWUN TONG

KWUN TONG DISTRICT BRANCH OFFICE BUILDING,
TUNG YAN STREET,
2ND FLOOR,
KWUN TONG,
KOWLOON

TEL: 3-898520

* TSUEN WAN

CHARTERED BANK BUILDING,
3RD FLOOR,
TSUEN WAN,
NEW TERRITORIES

TEL: 12-422096

* YUEN LONG

ROOM 109,
YUEN LONG DISTRICT OFFICE,
YUEN LONG,
NEW TERRITORIES

TEL: 12-760261 EXT. 82

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MORE HOLIDAY CAMPS AND GAZETTED BEACHES FOR THE N.T.
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THE GOVERNMENT IS TO PROVIDE THREE MORE HOLIDAY CAMPS AND GAZETTE ANOTHER 12 PUBLIC BEACHES IN THE NEW TERRITORIES WITHIN FIVE YEARS.

IN REPLY TO A QUESTION BY UNOFFICIAL THE HON. HILTON CHEONG-LEEN, THE SECRETARY FOR THE NEW TERRITORIES, MR. DAVID AKERS-JONES, TOLD THE LEGISLATIVE COUNCIL TODAY THE HOLIDAY CAMPS WERE PLANNED FOR TSO KUNG TAM, TSUEN WAN, PAK TAM CHUNG, SAI KUNG ALONG WITH FURTHER DEVELOPMENT AT TAI MEI TUK, TAI PO.

+THIS IS NOT, BY ANY MEANS, ENOUGH AND THE QUESTION OF PROVIDING MORE -- BOTH BY PRIVATE AND PUBLIC EFFORT -- IS BEING ACTIVELY PURSUED,+ HE SAID.

MR. AKERS-JONES SAID THE NUMBER OF GAZETTED BEACHES IN THE NEW TERRITORIES WOULD BE INCREASED FROM 25 TO 28 THIS YEAR WHILE ANOTHER NINE WOULD BE GAZETTED OVER THE NEXT THREE TO FOUR YEARS.

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CONTROL OF PRIVATE MEDICAL AND CLINICAL
LABORATORIES UNDER STUDY
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THE GOVERNMENT IS ACTIVELY CONSIDERING TO INTRODUCE LEGISLATION TO PROVIDE FOR CONTROL OF PRIVATELY-OPERATED MEDICAL AND CLINICAL LABORATORIES AS WELL AS FOR THE APPROPRIATE QUALIFICATIONS OF STAFF EMPLOYED IN THEM.

THIS WAS DISCLOSED BY THE DIRECTOR OF MEDICAL AND HEALTH SERVICES, DR. THE HON. K.L. THONG AT THE LEGISLATIVE COUNCIL TODAY WHEN HE WAS REPLYING TO QUESTIONS RAISED BY THE HON. MISS KO SIU-WAH.

DR. THONG ADDED THAT THE NEW LEGISLATION SHOULD HOPEFULLY BE INTRODUCED INTO THE LEGISLATIVE COUNCIL EARLY NEXT YEAR.

HE SAID AT PRESENT, THERE WAS NO LEGISLATION GOVERNING THE CONTROL OF PRIVATELY OPERATED LABORATORIES, NOR WAS THERE ANY LEGISLATION LAYING DOWN THE QUALIFICATIONS FOR STAFF EMPLOYED IN THEM.

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WELFARE SERVICES FOR TEMPORARY HOUSING AREAS A SPECIAL CASE
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THE GOVERNMENT IS AWARE THAT THERE MAY BE A SPECIAL CASE FOR PROVIDING SOCIAL WELFARE SERVICES FOR TEMPORARY HOUSING AREAS, PREVIOUSLY KNOWN AS LICENSED AREAS, THE DIRECTOR OF SOCIAL WELFARE, THE HON. THOMAS LEE, TOLD THE LEGISLATIVE COUNCIL TODAY IN REPLY TO A QUESTION BY THE HON. HILTON CHEONG-LEEN.

+A WORKING PARTY HAS THEREFORE BEEN SET UP, COMPRISING REPRESENTATIVES OF THE SOCIAL WELFARE DEPARTMENT AND VOLUNTARY AGENCIES, FOR THE PURPOSE OF IDENTIFYING AREAS WITH SPECIAL NEED, CONSTANTLY REVIEWING THE NEED FOR SERVICES, AND RECOMMENDING PROJECTS TO BE INTRODUCED,+ MR. LEE SAID.

HE POINTED OUT THAT AS A RESULT THERE WERE AT PRESENT 14 COMMUNITY SERVICE PROJECTS RUN BY SIX VOLUNTARY AGENCIES IN NINE SUCH AREAS, INCLUDING KOWLOON BAY, THE LARGEST WITH A POPULATION OF ABOUT 10,000.

WITH THE EXCEPTION OF ONE AGENCY, HE SAID, ALL PROJECTS WERE FINANCED BY THE GOVERNMENT THROUGH SUBVENTION.

HE DISCLOSED THAT HIS DEPARTMENT WAS IN CONTACT WITH THE PUBLIC WORKS AND FIRE SERVICES DEPARTMENTS TO SEE IF ACCOMMODATION AVAILABLE IN THESE AREAS WOULD BE SUITABLE FOR RUNNING NURSERIES.

IN THE MEANTIME, HE SAID, THE VOLUNTARY AGENCIES WERE ENCOURAGING THE RESIDENTS, LIKE OTHERS, TO USE WHEREVER POSSIBLE FACILITIES AVAILABLE IN THE COMMUNITY, AND ASSISTING THEM TO SET UP SELF-HELP PROGRAMMES.

ONE OF THE LARGER AND NEWER TEMPORARY HOUSING AREAS WHICH HAD YET TO BE PROVIDED WITH COMMUNITY SERVICES WAS HA KWAI CHUNG WITH A POPULATION OF ABOUT 3,500, MR. LEE SAID.

+THE WORKING PARTY IS IN THE PROCESS OF INTERESTING A VOLUNTARY AGENCY TO ESTABLISH SOME WELFARE SERVICE PROJECT THERE WHICH WOULD PROVIDE WHAT IS MOST NEEDED BY THE RESIDENTS IN THE AREA,+ HE NOTED.

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APPLICATIONS FOR HOME OWNERSHIP SCHEME MAY START NEXT YEAR
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THE GOVERNMENT IS EXPECTED TO INVITE APPLICATIONS FOR FLATS BUILT UNDER PHASE I OF THE HOME OWNERSHIP SCHEME IN JANUARY NEXT YEAR, THE SECRETARY FOR HOUSING, THE HON. ALAN SCOTT SAID TODAY.

REPLYING TO QUESTIONS RAISED BY THE HON. LYDIA DUNN AT THE LEGISLATIVE COUNCIL, MR. SCOTT SAID THAT THAT WAS ABOUT ONE YEAR BEFORE THE FIRST FLATS WERE EXPECTED TO BE COMPLETED BY THE HOUSING AUTHORITY.

MR. SCOTT ADDED IT WAS EXPECTED THAT THE TERMS AND CONDITIONS OF SALE AND AVAILABLE MORTGAGE FACILITIES WOULD BE READY IN OCTOBER THIS YEAR.

MOTOR-CYCLES NOT ALLOWED TO PRODUCE EXCESSIVE NOISE
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THERE HAVE BEEN SIX PROSECUTIONS OF MOTOR-CYCLISTS SO FAR THIS YEAR FOR PRODUCING EXCESSIVE NOISE, THE ATTORNEY GENERAL, THE HON. JOHN HOBLEY, SAID IN LEGISLATIVE COUNCIL IN REPLY TO A QUESTION BY THE HON. WONG LAM TODAY.

HE ADDED THAT THE LAW RELATING TO NOISE CAUSED BY DEFECTIVE MOTOR-CYCLES WAS ALSO ENFORCED BY EXAMINATION OF THEM BY MOTOR VEHICLE INSPECTORS, FOLLOWED BY A REQUIREMENT THAT THEY BE REPAIRED WHEN DEFECTS WERE DISCOVERED.

DURING 1975, 1,446 MOTOR-CYCLES WERE SO EXAMINED IN RESPECT OF VARIOUS SUSPECTED DEFECTS, HE SAID, WHILE THE NUMBER OF EXAMINATIONS IN 1976 WAS 1,023.

+MANY OF THE MOTOR-CYCLES WHICH HAVE BEEN EXAMINED WERE FOUND TO HAVE DEFECTIVE SILENCERS,+ HE NOTED.

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POLLUTION CONTROL AND ENVIRONMENTAL IMPROVEMENT
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THE GOVERNMENT DOES NOT INTEND TO PRODUCE A GREEN PAPER ON POLLUTION CONTROL AND ENVIRONMENTAL IMPROVEMENT AT PRESENT, BUT DOES NOT RULE OUT THE POSSIBILITY THAT IT MAY BE DESIRABLE TO DO SO IN THE FUTURE.

SPEAKING IN REPLY TO A QUESTION BY THE HON. HILTON CHEONG-LEEN IN LEGISLATIVE COUNCIL TODAY, THE SECRETARY FOR THE ENVIRONMENT, THE HON. DEREK JONES SAID THE ADVISORY COMMITTEE ON ENVIRONMENTAL POLLUTION (EPCOM) HAD MADE A NUMBER OF STUDIES OF THE NEED FOR POLLUTION CONTROL AND ENVIRONMENTAL PROTECTION IN HONG KONG.

ALSO, HE SAID, CONSULTANTS WERE ENGAGED IN DECEMBER 1974 TO ADVISE ON THE REQUIREMENTS FOR ENVIRONMENTAL CONTROLS, INCLUDING LEGISLATION= AND THEIR FINAL REPORT WAS TO BE EXPECTED NEXT MONTH.

HE ADDED THAT A HIGHLY QUALIFIED ENVIRONMENTAL PROTECTION ADVISER WOULD ARRIVE NEXT MONTH TO SET UP AN ENVIRONMENTAL PROTECTION UNIT RECOMMENDED BY THE CONSULTANTS, WHICH WOULD ADVISE HIM AND THE GOVERNMENT DEPARTMENTS CONCERNED ON ALL ASPECTS OF ENVIRONMENTAL PROTECTION.

+ALTHOUGH A FAIR AMOUNT OF PREPARATORY WORK HAS BEEN DONE, THE MEASURES NECESSARY TO COMBAT POLLUTION AND IMPROVE THE ENVIRONMENT ARE ONLY IN A FORMATIVE STAGE.

+WHEN THE CONSULTANTS' RECOMMENDATIONS HAVE BEEN STUDIED AND PROPOSALS FORMULATED, THERE WILL THEN BE EXTENSIVE CONSULTATIONS WITH INTERESTED PARTIES.

+THEREAFTER, THE GOVERNMENT WILL CONSIDER WHETHER IT WOULD BE HELPFUL TO ISSUE A GREEN PAPER BEFORE DETAILED LEGISLATIVE PROPOSALS ARE PUT TO THIS COUNCIL,+ MR. JONES SAID.

KINDERGARTEN POPULATION IS 161,000

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A KINDERGARTEN POPULATION OF 161,000 WAS RECORDED AT THE BEGINNING OF THE CURRENT ACADEMIC YEAR WHICH STARTED ON SEPTEMBER 1, 1976, THE DIRECTOR OF EDUCATION, THE HON. KENNETH TOPLEY, TOLD THE LEGISLATIVE COUNCIL TODAY.

OUT OF THIS KINDERGARTEN POPULATION, 139,000 WERE CHILDREN OF FOUR TO SIX, HE SAID IN REPLY TO A QUESTION BY REV. THE HON. JOYCE BENNETT ON THE NUMBER OF CHILDREN OF FOUR TO SIX ATTENDING PRE-SCHOOL KINDERGARTEN, PLAYGROUPS AND NURSERY CLASSES IN THE CURRENT ACADEMIC YEAR.

THE NUMBER OF CHILDREN OF TWO TO SIX ATTENDING PLAYGROUPS AND NURSERIES WAS 12,000 AT THE BEGINNING OF THIS MONTH, MR. TOPLEY SAID.

REFERRING TO ANOTHER QUESTION BY REV. BENNETT ON THE CLOSURE OF KINDERGARTENS, MR. TOPLEY SAID, 53 OF THEM WERE CLOSED IN 1975 AND 38 IN 1976. DURING THE FIRST QUARTER OF THIS YEAR, 13 KINDERGARTENS WERE CLOSED.

THE NUMBER OF PLAYGROUPS AND NURSERIES CLOSED IN 1975 AND 1976 IS NOT KNOWN BECAUSE THE CHILD CARE CENTRES ORDINANCE WAS NOT IMPLEMENTED UNTIL JUNE 1, 1976 AND OPERATORS OF SUCH GROUPS WERE GIVEN A YEAR TO REGISTER, MR. TOPLEY SAID.

HE ALSO NOTED THAT NO PLAYGROUPS KNOWN TO THE SOCIAL WELFARE DEPARTMENT WERE EXPECTED TO CLOSE THIS SUMMER BUT 38 NURSERIES KNOWN TO DEPARTMENT WOULD REQUIRE TO CLOSE.

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GOVERNMENT OWNS 10.1M SQ FT RESIDENTIAL ACCOMMODATION

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THE GOVERNMENT CURRENTLY OWNED ABOUT 10.1 MILLION SQ. FT. OF RESIDENTIAL ACCOMMODATION AND EXPECTED TO OWN ANOTHER 1,955,000 SQ. FT. WITHIN THE NEXT THREE YEARS, THE SECRETARY FOR THE CIVIL SERVICE, THE HON. JOSEPH HAMMOND, SAID TODAY IN THE LEGISLATIVE COUNCIL.

REPLYING TO QUESTIONS BY THE HON. LI FOOK-WO MR. HAMMOND SAID, THESE FIGURES INCLUDED RESIDENTIAL ACCOMMODATION FOR THE DISCIPLINED SERVICES, HOSPITAL STAFF AND ALL OTHERS OBLIGED BY THE NATURE OF THEIR WORK TO OCCUPY GOVERNMENT QUARTERS.

REFERRING TO LEASED RESIDENTIAL PREMISES, HE SAID THAT THE GOVERNMENT AT PRESENT RENTED AN AREA OF 1.5 MILLION SQ. FT. AND ESTIMATED TO RENT ANOTHER 1,335,000 SQ. FT. WITHIN THE NEXT THREE YEARS.

AT THE SAME TIME, HE POINTED OUT THAT THE GOVERNMENT CURRENTLY OWNED ABOUT 2.6 MILLION SQ. FT. OF OFFICE ACCOMMODATION AND LEASED 1.15 MILLION SQ. FT.

MR. HAMMOND EXPLAINED THAT WHILE NO NEW MAJOR GOVERNMENT OWNED OFFICE BUILDINGS WERE LIKELY TO BE COMPLETED DURING THE NEXT THREE YEARS, THE ESTIMATED OFFICE ACCOMMODATION TO BE LEASED DURING THE PERIOD TOTALLED 460,000 SQ. FT.

WEDNESDAY, JUNE 15, 1977

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LAND TRANSACTION REGISTRATIONS IN N.T. NOW MUCH FASTER
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THE NEW TERRITORIES ADMINISTRATION THIS YEAR HAS BEEN ABLE TO ALMOST HALVE THE TIME REQUIRED FOR THE REGISTRATION OF LAND TRANSACTIONS.

THE SECRETARY FOR THE NEW TERRITORIES, THE HON. DAVID AKERS-JONES, TOLD THE LEGISLATIVE COUNCIL TODAY THAT THE RECRUITMENT OF NEW STAFF APPROVED IN FEBRUARY THIS YEAR HAD REDUCED LAST YEAR'S AVERAGE REGISTRATION WAITING PERIOD OF 10 WEEKS TO SIX WEEKS.

HE SAID, IN REPLY TO A QUESTION BY THE HON. PETER C. WONG, THAT HE WAS NOW HAVING TALKS WITH THE REGISTRAR GENERAL TO SEE IF OTHER IMPROVEMENTS COULD BE INTRODUCED TO FURTHER REDUCE THE WAITING PERIOD.

MR. AKERS-JONES SAID HE WOULD ALSO HOLD DISCUSSIONS WITH THE LAW SOCIETY +TO SEE IF THERE IS ANYTHING MORE THAN CAN REASONABLY BE DONE.+

HE DESCRIBED THE FACILITIES FOR REGISTRATION OF DOCUMENTS IN THE VARIOUS REGISTRIES OF THE DISTRICT OFFICES OF THE NEW TERRITORIES AS ADEQUATE, AND THE SYSTEM EMPLOYED BY THE REGISTRIES TO BE GENERALLY ADEQUATE.

+I SHOULD PERHAPS EXPLAIN THAT THE SYSTEM IS NOT QUITE THE SAME AS THAT EMPLOYED IN THE VICTORIA LAND OFFICE BECAUSE CIRCUMSTANCES IN THE NEW TERRITORIES ARE MANIFESTLY DIFFERENT,+ HE SAID.

IN THE NEW TERRITORIES, LAND REGISTRY STAFF ARE CONCERNED WITH THE ASSESSMENT AND COLLECTION OF STAMP DUTY AND THEY HELP PREPARE DOCUMENTS FOR VILLAGERS. THEY ALSO POINT OUT ERRORS AND OMISSIONS IN DOCUMENTS SUBMITTED FOR REGISTRATION.

+IN ADDITION, MULTI-STOREY DEVELOPMENT HAS INCREASED THE NUMBER AND COMPLEXITY OF TRANSACTIONS, AND THIS HAS GIVEN RISE TO DELAYS,+ HE SAID.

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PHARMACY AND POISONS (AMENDMENT) BILL

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A BILL TO GREATLY FACILITATE THE GOVERNMENT'S CONTROL OF PHARMACEUTICAL PRODUCTS MANUFACTURED LOCALLY OR IMPORTED RECEIVED ITS SECOND READING AT THE LEGISLATIVE COUNCIL TODAY.

MOVING THE PHARMACY AND POISONS (AMENDMENT) BILL 1977, THE DIRECTOR OF MEDICAL AND HEALTH SERVICES, DR. THE HON. K.L. THONG SAID THE PRESENT DEFINITION OF 'PHARMACEUTICAL PRODUCTS' AND 'MEDICINE' WAS OUT OF DATE AND ITS MEANING DID NOT ADEQUATELY COVER MANY ITEMS SUCH AS VACCINES, DIAGNOSTICS AND HORMONE PREPARATIONS.

HE SAID FURTHERMORE, IT LEFT ROOM FOR ARGUMENT AS TO WHETHER CERTAIN SUBSTANCES WERE SUBJECT TO REGISTRATION. +THE PROPOSED DEFINITION WHICH IS IN ACCORDANCE WITH THE WORLD HEALTH ORGANISATION DEFINITION SHOULD BE MORE MEANINGFUL IN THE PHARMACEUTICAL SENSE,+ HE SAID.

DR. THONG SAID THIS WOULD BROADEN THE MEANING OF 'PHARMACEUTICAL PRODUCTS' AND 'MEDICINE' TO COVER A WIDER RANGE OF SUBSTANCES AND WOULD BRING HONG KONG UP TO DATE WITH THE INTERNATIONAL DEFINITION IN THIS FIELD.

+I SHOULD LIKE TO TAKE THIS OPPORTUNITY TO ALLAY DOUBTS FROM CERTAIN QUARTERS THAT THIS DEFINITION MAY BE MISINTERPRETED TO INCLUDE FOOD STUFFS SUCH AS RICE AND COFFEE AND SHOULD LIKE TO STATE CATEGORICALLY THAT IT IS NEITHER IN THE SPIRIT NOR IN THE INTENTION OF THE LAW THAT THIS SHOULD HAPPEN,+ HE ADDED.

THE DIRECTOR PROPOSED TO INTRODUCE THIS CLAUSE WITH IMMEDIATE EFFECT IF APPROVED BY THE LEGISLATIVE COUNCIL.

DR. THONG SAID THE SECOND MAIN PURPOSE OF THE BILL WAS TO MAKE PROVISION FOR THE ISSUE OF PRACTISING CERTIFICATES TO REGISTERED PHARMACISTS IN FUTURE BY THE PHARMACY AND POISONS BOARD.

AT PRESENT REGISTERED PHARMACISTS ARE REQUIRED BY SECTION 25 OF THE STAMP ORDINANCE TO OBTAIN THESE CERTIFICATES FROM THE COLLECTOR OF STAMP REVENUE.

DR. THONG SAID THE OBJECT OF THIS CHANGE WAS TO ENABLE MORE ACCURATE STATISTICS TO BE OBTAINED ON THE NUMBER OF REGISTERED PHARMACISTS ACTUALLY PRACTISING PHARMACY IN HONG KONG BY THE PHARMACY AND POISONS BOARD. +THE BILL PROVIDES THIS CHANGE TO TAKE EFFECT FROM JANUARY 1, 1978,+ HE ADDED.

THE BILL ALSO BROADENED THE POWER OF THE PHARMACY AND POISONS BOARD TO ORDER THE REMOVAL FROM THE REGISTER OF NAMES OF REGISTERED PHARMACISTS TO COVER THE CASE OF A REGISTERED PHARMACIST WHO PRACTISED PHARMACY IN HONG KONG FOR A PERIOD EXCEEDING SIX MONTHS WITHOUT HAVING OBTAINED AN ANNUAL PRACTISING CERTIFICATE OR WHO WAS NO LONGER PRACTISING PHARMACY LOCALLY, DR. THONG SAID.

HE ADDED THAT THE BILL ALSO CONTAINED SUPPORTING PROVISIONS UNDER WHICH A PHARMACIST WHO WAS REQUIRED TO OBTAIN A PRACTISING CERTIFICATE SHOULD NOT BE ENTITLED TO RECOVER ANY PROFESSIONAL FEES, COSTS OF REMUNERATION ON ANY CAUSE OF ACTION UNLESS HE WAS, AT THE RELEVANT TIME, THE HOLDER OF A VALID PRACTISING CERTIFICATE.

THE DEBATE ON THE BILL HAS BEEN ADJOURNED.

ADMINISTRATIVE INSTRUCTIONS TO BE ISSUED WITH ANTI-POLLUTION LAW
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THE GOVERNMENT HAS AGREED TO ISSUE APPROPRIATE ADMINISTRATIVE INSTRUCTIONS TO ENSURE THAT THE POWERS CONFERRED BY THE OIL POLLUTION (LAND USE AND REQUISITION) BILL 1977 ARE EXERCISED SENSIBLY AND CAUTIOUSLY AND THAT THE RIGHTS AND INTERESTS OF AFFECTED PERSONS ARE CAREFULLY GUARDED, THE HON. PETER C. WONG SAID TODAY.

THE BILL, WHICH AIMS TO PREVENT AND REMEDY POLLUTION OR DAMAGE CAUSED BY OIL SPILLAGE TO HONG KONG WATERS AND FORESHORES, HAS PASSED ITS THIRD READING IN THE LEGISLATIVE COUNCIL.

IT SOUGHT, MR. WONG POINTED OUT, TO PROVIDE VERY EXTENSIVE POWERS TO REQUISITION PRIVATE PROPERTY, TO ENTER LAND AND USE PRIVATE LAND.

DURING THE COMMITTEE STAGE, AN AMENDMENT WAS MADE TO PROVIDE THAT THESE POWERS WOULD NOT BE EXERCISED IN RELATION TO ANY PART OF A RESIDENTIAL BUILDING, UNLESS DIRECTIONS ARE GIVEN IN WRITING.

AS THE ORDINARY CITIZEN MIGHT NOT BE AWARE OF THE PROVISION FOR COMPENSATION PAYMENT AND THE TIME LIMIT OF THREE MONTHS TO APPLY FOR IT, THE GOVERNMENT HAS AGREED THAT ANY PERSON WHO MIGHT BE ENTITLED TO IT SHOULD BE INFORMED IN WRITING OF HIS RIGHTS, MR. WONG SAID.

IT HAS ALSO BEEN AGREED BY THE GOVERNMENT, HE ADDED, THAT ANY COMPETENT AUTHORITY UNDER THE BILL APART FROM THE DIRECTOR OF PUBLIC WORKS AND THE DIRECTOR OF MARINE, APPOINTED TO DEAL WITH OIL SPILLAGES, WOULD BE AT LEAST OF DEPUTY DIRECTOR RANK.

HE REGRETTED THAT THE GOVERNMENT HAD BEEN UNABLE TO AGREE THAT IN DEFAULT OF AGREEMENT, COMPENSATION SHOULD BE DETERMINED BY A BOARD OR TRIBUNAL. INSTEAD IT WAS TO BE BY CIVIL PROCEEDINGS INITIATED BY THE CLAIMANT.

+AS CIVIL PROCEEDINGS ARE USUALLY EXPENSIVE AND TIME-CONSUMING, A CLAIMANT MIGHT BE FORCED TO ACCEPT A LESS FAVOURABLE SETTLEMENT. THE RULES AND PROCEDURE OF A BOARD OR TRIBUNAL ARE LESS FORMAL AND THE CLAIMANT MAY NOT HAVE TO ENGAGE LEGAL REPRESENTATION,+ HE SAID.

MR. WONG NOTED THAT SUBJECT TO THESE REMARKS, HE WAS SATISFIED THAT THE POWERS SOUGHT WERE NECESSARY FOR THE AUTHORITIES TO COPE WITH A MAJOR OIL SPILLAGE AND THAT THE PROVISIONS TO SAFEGUARD THE RIGHTS OF PERSONS WHO MIGHT BE AFFECTED WERE ADEQUATE.

WEDNESDAY, JUNE 15, 1977

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TAI HANG ROAD CLEAN UP EXTENDED

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STAFF OF THE URBAN SERVICES DEPARTMENT TOOK AWAY ABOUT 12 TONS OF REFUSE ON THE FIRST TWO DAYS OF A MAJOR OPERATION TO CLEAN UP A SQUATTER AREA WHICH COVERS THE HILLSIDES ABOVE TAI HANG ROAD.

THE OPERATION BEGAN ON MONDAY AND WAS ORIGINALLY SCHEDULED TO LAST FIVE DAYS. HOWEVER, THE URBAN SERVICES OFFICER FOR WAN CHAI, MR. ROBERT IP PING-KIN, HAS SAID THE WORK WILL HAVE TO CONTINUE INTO NEXT WEEK BECAUSE OF THE EXTENSIVE BUILD-UP OF LITTER.

THE MAIN PROBLEM ARISES FROM THE PRESENCE OF ABOUT 1,000 PIGS AMONG THE 300 HUTS OF THE SQUATTER AREA, LOCATED OPPOSITE WESLEY VILLAGE.

WASTE FROM THE 50 PIG STIES AND MANY OF THE HUTS GOES DIRECTLY INTO NULLAHS, WHICH HAVE DRIED UP BECAUSE OF THE RECENT LOW RAINFALL, AND THE SMELL HAS RESULTED IN COMPLAINTS FROM RESIDENTS OF NEARBY HIGH-RISE RESIDENTIAL BUILDINGS.

COMMENTING ON THE PROBLEM, MR. IP SAID: +COUPLED WITH THE WARM WEATHER, THE ACCUMULATION OF EXCRETA AND OTHER REFUSE HAS PROVIDED A BREEDING GROUND FOR FLIES AND OTHER VERMIN.+

MORE THAN 50 WORKERS OF THE U.S.D. WAN CHAI DISTRICT OFFICE HAVE BEEN INVOLVED IN THE OPERATION, IN WHICH ABOUT 7,000 GALLONS OF WATER HAS BEEN USED TO CLEAN UP SOME OF THE NULLAHS.

WITH THE SUPPORT OF THE TAI HANG AND SO KON POO AREA COMMITTEE, A SIMILAR OPERATION WAS CARRIED OUT LAST YEAR.

THIS RESULTED IN THE PROVISION OF REFUSE BINS AND TEMPORARY LATRINES WITH A DAILY COLLECTION SERVICE, AND A U.S.D. LABOURER WAS STATIONED IN THE AREA TO CLEAN THE NULLAHS.

IN ADDITION TO FOUR REFUSE COLLECTION VEHICLES AND STREET WASHERS, A BROADCASTING VAN IS AT THE SCENE TO REMIND THE 700 VILLAGERS OF THE NEED TO KEEP THEIR ENVIRONMENT FREE OF SANITARY NUISANCES.

THE DECISION TO EXTEND THE OPERATION BY TWO TO THREE DAYS WAS MADE AFTER THE STAFF FOUND THE HILLSIDES LITTERED WITH TIMBER AND METAL TINS USED TO CARRY PIG WASH TO THE STIES.

MR. IP SAID THE TINS POSE AN ADDITIONAL PROBLEM, AS THEY WILL BECOME BREEDING PLACES FOR MOSQUITOES THE NEXT TIME IT RAINS.

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WEDNESDAY, JUNE 15, 1977

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OFFICIAL OPENING OF THE LEI MUK SHUE COMMUNITY HALL
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THE SOCIAL WELFARE DEPARTMENT WILL OFFICIALLY OPEN ITS SECOND COMMUNITY HALL IN THE LEI MUK SHUE ESTATE ON FRIDAY (JUNE 17).

MISS KO SIU-WAH, UNOFFICIAL MEMBER OF THE LEGISLATIVE COUNCIL, WILL UNVEIL THE COMMEMORATIVE PLAQUE AT AN OPENING CEREMONY TO BE HELD AT 4 P.M.

THE LEI MUK SHUE COMMUNITY HALL IS ONE OF THE FIVE COMMUNITY HALLS COMPLETED RECENTLY UNDER A PROJECT AIMED AT PROMOTING COMMUNITY DEVELOPMENT.

THE PURPOSE OF SETTING UP COMMUNITY HALLS IS TO PROVIDE A PLACE IN AN ESTATE WHERE RESIDENTS CAN GATHER AND PARTICIPATE IN VARIOUS CULTURAL AND RECREATIONAL ACTIVITIES.

THE ONE IN LEK YUEN ESTATE WAS OFFICIALLY OPENED IN APRIL AND THE OTHER THREE IN THE LAI KING, HING WAH AND KWAI SHING ESTATES ARE EXPECTED TO BE OPENED SOON.

EACH OF THE COMMUNITY HALLS CONSISTS OF A MULTI-PURPOSE HALL WITH FACILITIES SUCH AS A STAGE, CHANGING ROOMS AND A CONFERENCE ROOM TOTALLING ABOUT 4,000 TO 5,000 SQ. FT. IN AREA.

YOUTH GROUPS, RELIGIOUS BODIES AND OTHER CIVIC ORGANISATIONS CAN MAKE USE OF THE FACILITIES IN THEIR ESTATES, FREE OF CHARGE, TO HOLD COMMUNITY ACTIVITIES SUCH AS SOCIAL GATHERINGS, THEATRICAL PERFORMANCES, INTEREST GROUPS AND EXHIBITIONS.

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NOTE TO EDITORS:

YOU ARE CORDIALLY INVITED TO COVER THE OPENING CEREMONY TO BE HELD AT THE LEI MUK SHUE COMMUNITY HALL IN KWAI CHUNG AT 4 P.M. ON FRIDAY (JUNE 17).

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PUBLIC LIGHT BUS RESTRICTIONS IN
SHAU KEI WAN AND CHAI WAN ROADS
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PUBLIC LIGHT BUS RESTRICTION BETWEEN 7 A.M. AND MID-NIGHT WILL BE IMPOSED ON THE SECTION OF CHAI WAN ROAD BETWEEN A KUNG NGAM ROAD AND SHAU KEI WAN ROAD ON FRIDAY (JUNE 17) WITH EFFECT FROM 10 A.M.

THE ROUTES WITHIN THE RESTRICTION ARE :-

- * FOR THE EASTBOUND CARRIAGEWAY, FROM ITS JUNCTION WITH SHAU KEI WAN ROAD TO ITS JUNCTION WITH A KUNG NGAM ROAD=
- * FOR THE WESTBOUND CARRIAGEWAY, FROM ITS JUNCTION WITH SHAU KEI WAN ROAD TO A POINT ABOUT 360 FEET TO THE EAST OF THIS JUNCTION.

AT THE SAME TIME, THE EXISTING PUBLIC LIGHT BUS RESTRICTION (7 A.M. TO MID-NIGHT) ON THE SECTION OF SHAU KEI WAN ROAD BETWEEN NAM ON LANE AND ALDRICH STREET WILL BE EXTENDED. FOR BOTH THE EASTBOUND AND THE WESTBOUND CARRIAGEWAYS, THE EXTENDED PUBLIC LIGHT BUS RESTRICTION WILL BE FROM HOUSE NO. 304 TO A POINT ABOUT 160 FEET TO THE EAST OF CHURCH STREET.

APPROPRIATE SIGNS WILL BE ERECTED TO INDICATE THE RESTRICTIONS.

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BILLS PASSED
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SEVEN BILLS PASSED THEIR COMMITTEE STAGE AND THIRD READING IN THE LEGISLATIVE COUNCIL THIS AFTERNOON.

THEY WERE THE MASS TRANSIT RAILWAY CORPORATION (AMENDMENT) BILL 1977, THE DRUG ADDICTION TREATMENT CENTRES (AMENDMENT) BILL 1977, THE POLICE FORCE (AMENDMENT) BILL 1977, THE PUBLIC HEALTH (ANIMALS AND BIRDS) (AMENDMENT) BILL 1977, THE OIL POLLUTION (LAND USE AND REQUISITION) BILL 1977, THE ROAD TRAFFIC (AMENDMENT) (NO. 2) BILL 1977, AND THE PREVENTIVE SERVICE (AMENDMENT) BILL 1977.

TEN BILLS WERE INTRODUCED FOR FIRST AND SECOND READING.

IN ADDITION TO THE EMPLOYMENT (AMENDMENT) (NO. 4) BILL 1977, THERE WERE THE IMMIGRATION (AMENDMENT) BILL 1977, THE SUMMARY OFFENCES (AMENDMENT) (NO. 2) BILL 1977, THE ADOPTION (AMENDMENT) BILL 1977, THE SUMMARY OFFENCES (AMENDMENT) (NO. 3) BILL 1977, THE DENTISTS REGISTRATION (AMENDMENT) BILL 1977, THE PHARMACY AND POISONS (AMENDMENT) BILL 1977, THE STAMP (AMENDMENT) (NO. 2) BILL 1977, THE ASIATIC EMIGRATION (REPEAL) BILL 1977, AND THE TRADE MARKS (AMENDMENT) BILL 1977.

THE CONSUMER COUNCIL BILL 1977 AND THE EMPLOYMENT (AMENDMENT) (NO. 3) BILL, ON WHICH DEBATE RESUMED TODAY, PASSED THEIR SECOND READING.

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