



DAILY INFORMATION BULLETIN

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AG stresses importance of early CFA

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The establishment of the Court of Final Appeal (CFA) by July 1996 at the latest would enable the court to gain acceptance and to build up a track record of jurisprudence, the Attorney General, Mr Jeremy Mathews, said today (Monday).

Speaking at the opening of a meeting of the American Bar Association's International Labour Committee, Mr Mathews said the early setting up of the CFA would eliminate any uncertainty about what sort of a court would be set up after 1997.

"If the court is not established before 1997, there would be complete uncertainty as to what form the legislation would take, whether it would be based upon existing and familiar principles or not, and as to who the judges of the court would be," Mr Mathews said.

"Moreover, there would be a very damaging judicial vacuum, of at least a year, during which there would be no avenue of appeal from the Court of Appeal," he added.

Mr Mathews said there were also other reasons for the establishment of the CFA by July next year, one of which was the appointment of permanent judges and recruitment of support staff for the Court.

"There is also a need to form panels of non-permanent local and overseas judges. Although the Chief Justice has made initial contacts with various common law jurisdictions, any follow-up action prior to the enactment of the CFA Bill is likely to be futile," he said.

Mr Mathews said the other tasks to be performed before the court could begin operations included making the premises ready; amendments to the organisation and nomenclature of our court system; the preparation of rules of procedure for inclusion into subsidiary legislation; and drawing up practice directions relating to the CFA.

Many of these tasks would only be meaningful if the Government was sure that the Bill to provide for the establishment of the CFA would be enacted. The Government also needed to consult the legal profession on some of these tasks, he said.

The legislation therefore needed to be in place by July of this year, Mr Mathews stressed.

On the composition of the CFA, Mr Mathews said neither the Joint Declaration, nor the Basic Law conferred an unfettered discretion on the CFA to invite judges from other common law jurisdictions to sit on the court.

Instead they established a general principle that the CFA was to have a power to invite such judges to sit on the court, but left the precise scope of that power to be defined in the course of implementation of that general principle, he said.

The Attorney General said both the Joint Declaration and the Basic Law were in this case framework provisions which were intended to be fleshed out by more detailed legislative provisions. In particular they left the detailed composition and workings of the CFA to be defined at a later date.

"They do not specify, for example, the number of judges who are to sit in the CFA. It does not follow that all such matters are left to the unfettered discretion of the CFA itself. It is clearly contemplated that they will be the subject of further legislative provision," he said.

Mr Mathews said the fact that the general principle referred to the power to invite visiting "judges" (in the plural) did not mean that there must be a power to invite at least two judges to sit at any one sitting.

He said: "The provision in the Joint Declaration is to be interpreted as meaning that in the cases that it hears the court may invite overseas judges. The 4 plus 1 formula satisfies this meaning. Under that formula, the court can invite overseas judges (in the plural) to sit on the court, albeit not more than one for each case."

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Tax system to be kept simple

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The Government intends to keep its tax system simple, low and predictable, the acting Financial Secretary, Mr Donald Tsang, said today (Monday).

In a speech entitled "Hong Kong's Tax Regime: Helping Business to Prosper" to the British Chamber of Commerce, Mr Tsang said Hong Kong's tax system reflected the Government's economic philosophy.

"This simple philosophy has served us well, and I firmly intend to uphold it," he said.

On a simple tax system, Mr Tsang said the Government wanted to keep down the costs of collection and compliance.

"We introduced, from April 1, 1994, a system of composite tax return for individuals. This was designed to make life easier for the taxpayer as well to reduce the costs of assessment and collection in the Inland Revenue Department," he said.

He added that the Government generally avoided special tax concessions and incentives and did not use fiscal means to achieve social policy objectives.

Despite the low tax rates, Mr Tsang said profits and salaries tax had proved to be very strong and steady sources of revenue thanks to years of economic growth.

Over the past 10 years, their contribution to total revenue (including revenue from land transactions) had increased from 36 per cent to 40 per cent, Mr Tsang said.

"But we are not complacent. We must maintain the real value of the different sources of revenue. And we must ensure that we have as broad a revenue base as possible," he said.

Stressing that Hong Kong's tax regime was predictable, Mr Tsang said certainty was very important to business confidence.

"We will avoid radical change. And will clarify, where necessary, the operation of the law," he said.

End/Monday, April 3, 1995

Domestic helpers featured in HK Monthly Digest of Statistics

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A feature article entitled "Domestic helpers" is published in the March 1995 issue of the Hong Kong Monthly Digest of Statistics (HKMDS).

Employment of domestic helpers becomes popular in Hong Kong. Households requiring domestic service may employ live-in, full-time and part-time domestic helpers depending on their own requirements.

This feature article presents the characteristics of live-in domestic helpers employed in late 1993.

Analysis was made on the age, sex, marital status, educational attainment and monthly salary of live-in domestic helpers.

Characteristics of households employing them such as monthly household income and household size were also included.

The March 1995 issue of the HKMDS is on sale at \$50 a copy.

Purchase can be made at the Government Publications Centre, Ground Floor, Low Block, Queensway Government Offices, 66 Queensway, Hong Kong.

The publication is also available on sale at the Publication Section of the Census and Statistics Department, 19th Floor, Wanchai Tower, 12 Harbour Road, Wan Chai, Hong Kong.

Regular subscription can also be arranged with the Publication Sales Section of the Information Services Department on tel 2598 8194.

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Requirement for trained teachers in kindergartens

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The Education Department announces today (Monday) that with effect from this September, at least 40 per cent of the teaching staff in each session of a kindergarten will be required to have completed training recognised by the department.

A department spokesman said the new requirement was to promote the development of high quality kindergarten education.

The spokesman said the training included Qualified Assistant Kindergarten Teacher Training Course or the Qualified Kindergarten Teacher Training Course or an equivalent training course.

As announced in the 1994 Policy Address, the Government has embarked on the initiative requiring each kindergarten to have at least 40 per cent of their teachers having completed basic training by September 1995.

The following are courses recognised by the department:

- * Two-year Part-time Day Release In-service Course of Training for Kindergarten Teachers
- * 16-week Part-time Day Release In-service Course of Training for Kindergarten Principals
- * Part-time Day Release In-service Qualified Assistant Kindergarten Teacher Training Course
- * Part-time Evening In-service Qualified Assistant Kindergarten Teacher Training Course

The spokesman reminded supervisors of all kindergartens to observe the new requirement in the employment of teachers and to encourage serving teachers to receive the appropriate training if they did not have the qualifications.

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Campaign against mosquito breeding

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With the approach of the summer season, the Health Education Unit of the Department of Health will launch a campaign in April against mosquito breeding.

During the month, the unit's 24-hour hotline 2723 0013 will carry a two-minute message in Cantonese on mosquito prevention.

"After listening to the taped message, callers may leave their questions with the answering machine and staff to the unit will call back," a spokesman for the department said.

Entitled "Remove stagnant water to eliminate mosquito breeding", the campaign is sponsored by the Urban and Regional Councils.

It aims at reminding building contractors and households to take preventive measures to reduce mosquito nuisance and prevent mosquito-borne diseases such as malaria and Japanese Encephalitis.

"To prevent mosquito infestation, it is important to eliminate all stagnant water which is the potential breeding ground for mosquitoes," the spokesman said.

"Contractors should inspect their construction sites regularly to ensure that there are no abandoned containers and empty tins holding water.

"They should pump and drain stagnant water in holes, trenches and hollow spaces and fill them up with soil.

"Spray a thin layer of diesel oil on the water surface if draining of stagnant water is impossible," he said.

The spokesman advised households to cover tightly all water containers, storage tanks and wells and leave no water in flower pot trays.

"Keep all drains free from choking," he said: "It is an offence under the Public Health and Municipal Services Ordinance to allow the accumulation of water liable to mosquito breeding. The maximum fine for the offence is \$10,000."

In 1994, a total of 471 prosecutions were made.

During the campaign period, exhibition boards will be put on public display at the unit's resource centre on the eighth floor of the Urban Council Fa Yuen Street Complex in Mong Kok.

"The centre also provides preview and loan service of educational materials like tapes and video tapes.

"A variety of printed material such as posters, leaflets and stickers may also be obtained free from the centre," the spokesman added.

Meanwhile, the department will be sending advisory letters, and educational leaflets and posters to owners incorporations, mutual aid committees, management offices of large private housing estates and building contractors to enlist support.

Members of the public seeking advice or help in mosquito prevention may also contact the respective District Environmental Hygiene Offices of the Urban Services or Regional Services Departments.

Opening of the Sha Tin Transfer Station

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Sha Tin Transfer Station, the first refuse transfer station built in the New Territories, is officially opened today (Monday).

The \$200-million station is part of the Government's long-term waste management strategy under which three strategic landfills and a network of transfer stations are planned to meet Hong Kong's waste disposal needs in the next 15 to 20 years.

Situated near the Shek Mun Quarry and with a design capacity of handling 1,000 tonnes of refuse per day, the transfer station provides a cost effective transfer system for waste arisings in Sha Tin, Tai Po and North districts.

Wastes collected in these areas and delivered to the transfer station will be compacted and containerised before being transported to the West New Territories landfill for disposal.

Speaking at the opening ceremony, Sha Tin District Board Chairman, Mr Choy Kan-pui, said this method of bulk transportation of waste would greatly reduce environmental nuisances.

He noted that the transfer station would be operated to very high environmental standards whereby all air and effluent emissions from the facility would be properly treated before discharge.

The modern facilities at the station include an exhaust ventilation system, a wastewater treatment plant, a computerised weighbridge system, a vehicle wash system and three live floor/compactor systems for handling refuse.

The project has been developed under a "design, built and operate" contract agreement under which the contractor, the Swire BFI Waste Services Ltd., is responsible for all aspects of the facility over a 15-year operating period.

The Sha Tin Transfer Station is the third refuse transfer station commissioned by the Environmental Protection Department. The first one was commissioned in Kowloon Bay in 1990 serving the East Kowloon area while the second one, Island East Transfer Station, was commissioned in 1992 serving the Hong Kong Island.

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VMs transfer to facilitate camp closure

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Vietnamese migrants (VMs) living in Section 8 of Whitehead Detention Centre will soon be transferred to High Island Detention Centre (North) to enable the closure of this section of Whitehead, a Government spokesman announced today (Monday).

The spokesman explained that the Government constantly reviewed its camp closure programme to ensure the most cost-effective use of limited resources and that with this transfer, the Government would be able to consolidate the VM population in fewer camps.

"The 1,100 VMs in Section 8 will be counselled to cooperate with the camp management and will be transferred when they come forward. Independent monitors will observe the counselling," the spokesman added.

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Tai Lam Country Park extension

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The Tai Lam Country Park in northwest New Territories has been extended by 40 hectares following approval by the Governor-in-Council of the replacement map for the country park.

A spokesman for the Agriculture and Fisheries Department (AFD) said the extension included four hectares of woodland at Ma On Kong and another 38 hectares of rehabilitated borrow area at Tai Tong.

He said the extension at Ma On Kong would make up for the loss of two hectares of country park land needed to be excised from the park to enable the construction of the Route 3 project.

The spokesman pointed out that the excised area had been revised from 1.8 hectares to two hectares following slight modification of the road alignment in response to an objection raised. But he stressed that this would not have major environmental implications since the area affected was mainly grassland with sparse shrubs and few trees.

The extension at Tai Tong will help meet the recreational needs in the area which is formerly a borrow area. Successful afforestation works have been carried out and various facilities including barbecue sites, picnic sites, nature education trail, tree walk, viewing points and other ancillary facilities have now been provided.

An order designating the area shown in the approved map to be Tai Lam Country Park will be published in the Gazette on Friday (April 7). The new map will be available for inspection at the Land Registry and for sale at AFD from April 7, 1995.

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Water storage figure

Storage in Hong Kong's reservoirs at 9 am today (Monday) stood at 67.0 per cent of capacity or 392.369 million cubic metres.

This time last year the reservoirs contained 393.038 million cubic metres of water, representing 67.1 per cent of capacity.

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Hong Kong Monetary Authority money market operations

	<u>\$ million</u>	<u>Time (hours)</u>	<u>Cumulative change (\$million)</u>
Opening balance in the account	2,146	0930	+459
Closing balance in the account	2,148	1000	+459
Change attributable to :		1100	+579
Money market activity	+468	1200	+579
LAF today	-466	1500	+468
		1600	+468

LAF rate 4.25% bid/6.25% offer TWI 119.6 *+0.1* 3.4.95

Hong Kong Monetary Authority

EF bills		EF notes/Hong Kong Government bonds				
Terms	Yield	Term	Issue	Coupon	Price	Yield
1 week	4.97	14 months	2605	6.35	100.23	6.22
1 month	5.16	23 months	2702	7.50	101.54	6.72
3 months	5.43	28 months	3707	6.95	100.34	6.90
6 months	5.71	34 months	3801	8.00	102.50	7.12
12 months	6.14	60 months	5003	7.75	100.72	7.72

Total turnover of bills and bonds - \$35,677 million

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