



DAILY INFORMATION BULLETIN

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Transcript of the Governor's media session

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The following is the transcript of the Governor, the Rt Hon Christopher Patten's media session after officiating at the 1995 Chiang Technology Achievement Awards Presentation Ceremony this (Wednesday) evening:

Reporter: Welcome back.

Governor: It's nice to be back. It took slightly longer than we've intended.

Question: Was it a good experience in Manila?

Governor: The two and a half days I spent in the Philippines were extremely interesting and I think helped to underline the value of our relationship with the Philippines. We know that there are many personal ties between us. All those Filipinos who work in Hong Kong and help to make our family life more stable and help our economy as well, and all those others who work for Cathay Pacific and in other ways in the community. I know that businessmen and political leaders in the Philippines are very grateful for the very substantial investment made by Hong Kong in the Philippines. I went to Subic Bay where there is a good deal of Hong Kong investment, and overall we are now the second largest investor in the Philippines. I was particularly grateful for the kind and gracious way in which I was received by the President and his colleagues. I was glad of the opportunity to raise the concern that people in Hong Kong have about the case of Mr Au and Mr Wong and I'll be keeping in touch with their case personally. I was obviously particularly pleased that after the accident which closed much of Manila Airport, the President and his colleagues made much strenuous efforts to ensure that I could get back to Hong Kong not least to attend this function this evening.

Question: Mr Patten, was there an element of disbelief on your part when you're in your jet this morning..... you realised that, once again, you weren't going to leave the Philippines?

Governor: These things happen. I've flown in small planes before and have one or two difficulties. We weren't quite sure where we were going to touch down, whether we were going to Subic Bay which we've been to yesterday, or whether we were going back to Manila Airport itself. But I think the people who were most surprised were our hosts when we returned. I said that I wanted to come back again. They weren't expecting to see me quite so soon. They were then very, very helpful in getting a new plane and I guess for all of us it was a reminder of the importance of not leaving the airport too fast after you've seen the friends or relations off. But it was all done with obviously the main premium on safety as should always be the case.

Question: By the way, any good news to Mr Wong and Mr Au's family?

Governor: We will obviously be getting in touch with them to let them know about the precise details of the conversation that I had with the President and I know that we all want to let them know about my Deputy Private Secretary, Kim Salkeld's visit to them in prison. I was pleased that we were able to tell them personally about the latest stage of play as we saw it. I very much hope, because this is the objective, I very much hope that the result of my carefully thought through intervention is that it will actually speed up their case. I repeat what I have said before that we are not seeking to interference in the judicial process in the Philippines. We just want that judicial process to be speeded up as much as possible. Just as the Philippine Government feels strongly about the position of its own citizens when they are abroad. So I have to say we feel strongly about the position and welfare of our citizens abroad.

Question: Governor, Times newspaper on the subject of detention. Wei Jingsheng received 14 years sentence today. This is Christmas. What do you think the effect of this is ... Hong Kong and whether you have thoughts... Mr Wei?

Governor: There's been very deep concern in Hong Kong and around the world on behalf, I'm sure, of countless millions of people about Mr Wei's case and that concern will have been made even more profound by what happened today. The British Government I know during Mr Qian Qichen's visit to London made its concern about Mr Wei clear. The British Government strongly supported the initiative taken by the European Union on December 7 about Mr Wei's case. I am sure that Britain will be talking to partners in the European Union about what further can be done. You asked about Christmas and about people's personal reactions to this. I guess that Mr Wei will be in many people's thoughts and prayers this Christmas and he'll certainly be in mine.

Question: Do you think that it will affect the confidence of Hong Kong people after 1997?

Governor: I hope that leaders in China consider the impact on people in Hong Kong. We've just had a discussion, a debate, not prompted by Hong Kong, prompted by officials in China and by some who purport to advise China. We've just had a debate about the protection of civil liberties in Hong Kong. It was an indication of the importance which people attach to their civil liberties, their values, their freedoms in Hong Kong. I invite Chinese leaders to think what people in Hong Kong think about those matters tonight.

End

Technological upgrading in industry vital

* * * * *

Hong Kong has demonstrated the value of technological upgrading in industry, the Governor, the Rt Hon Christopher Patten, said today (Wednesday).

"Despite much higher labour costs than in adjacent countries, we still employ 400,000 people in manufacturing industry, contributing \$222 billion last year to our economy through exports," Mr Patten said.

Speaking at the 1995 Chiang Technology Achievement Awards presentation ceremony and opening of the Third International Conference on Manufacturing Technology, the Governor said that was a vital contribution.

"It is one that is made through the initiative and leadership of industrialists and technologists, not the direction of Government," he said.

The Governor said the role of the Government was to provide good soil in which industrial and technological sectors could flourish.

It included good education; infrastructure development; a good business environment; support for the Hong Kong Productivity Council, Industrial Technology Centre, New Technology Training Scheme and applied research and development; encouraging contacts between Hong Kong and other scientists; and civic freedoms that encourage innovation and initiative.

He added that there had been no better demonstration of the value of private initiative than the establishment of the Chiang Industrial Charity Foundation, with its commitment to the development of human resources and technological understanding throughout Hong Kong, mainland China and Taiwan.

Mr Patten also said since better tools and techniques were indispensable to the sustenance of the community, it was imperative to improve levels of understanding and skills in the use of technology.

He said the Government was doing that through improvements at all levels in the education system.

These are the reduction in pupil:teacher ratios in primary and secondary schools, doubling of the numbers of computers in schools last year, expansion of opportunities for tertiary education and putting of resources into research.

End

Support for use of Chinese in courts

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Commenting on the recent first High Court trial conducted in the Chinese language, a spokesman for the Legal Department today (Wednesday) expressed support for the historic attempt and noted that the department would continue to contribute to the wider use of Chinese in the courts.

"For some years, the department has been anticipating an increase in the use of Chinese and, to meet this challenge, the Law Draftsman, with advice from the Bilingual Laws Advisory Committee, has been preparing an English-Chinese Glossary of Legal Terms.

"This Glossary is a compilation of terms and expressions appearing in the authentic Chinese-language text of the Laws of Hong Kong. As such, it bears authority and represents the fruit of intensive labours on the part of the executive as well as the legislative branches of the Government," he said.

The first volume of this Chinese-language legal glossary was published by the Legal Department in March this year with a second volume due out next spring.

The spokesman pointed out that with increasing court hearings conducted in the Chinese language, there would be increasing citation of relevant statutory provisions in the authentic Chinese-language text.

"This process will underscore and reinforce the authenticity of the Chinese terms and expressions and give a judicial stamp of approval to them, thereby rendering them, eventually, a universally accepted standard," he said.

End

Actions to tackle juvenile crime announced

* * * * *

The Government today (Wednesday) announced a comprehensive action plan to tackle the problem of juvenile crime, involving efforts from the Police, the Education Department and the Social Welfare Department.

Speaking at a press conference, a Principal Assistant Secretary for Security, Mr Jack Chan, said the plan of action had taken into account recommendations made in a research into the social causes of juvenile crime in Hong Kong commissioned by the Fight Crime Committee (FCC). The findings of the research were announced in May this year.

The action plan consists of seven new initiatives and a series of on-going programmes being conducted to tackle the problem of juvenile crime.

"One of the new initiatives is for the Police to submit half-yearly reports to the FCC and the District Fight Crime Committees (DFCCs) on the Police Superintendents' Discretion Scheme from next year.

"This will enable the FCC and the DFCCs to monitor the cautioning practices under the scheme, which gives Police officers of the rank of Superintendent or above the discretion not to prosecute people under the age of 18 who have committed minor offences," Mr Chan said.

"The \$1.3 million Fight Crime Publicity Campaign for 1995-96 is also focused on the fight against youth crime," he said.

In order to improve existing rehabilitation programmes for young offenders provided by the Social Welfare and the Correctional Services Departments, Mr Chan said the Standing Committee on Young Offenders (SCOYO) would commission a research to assess their effectiveness and to identify areas for improvements.

"It is hoped that the study would be completed by March 1997," he said.

"The SCOYO will also commission a smaller scale research, probably on the topic of 'youth gangs and runaway youths'."

The other new initiatives include:

- * to set up a district-level School Resource File, jointly developed by the Education and the Social Welfare Departments, to provide information on alternative schooling opportunities and support services for youth under the guidance of social workers. The target date for the first set of these files is mid-1996;
- * to set up a permanent Curriculum Support Team for Schools in 1996-97, by the Education Department, to provide expert support to schools with a high proportion of academically low achievers;
- * to set up a Student Discipline Team in 1996-97, by the Education Department, to provide expert support and guidance to schools with serious discipline problems; and
- * to provide services for new immigrant children from China, by the Education Department, to cater to their specific needs in view of their higher risk of becoming delinquents due to difficulties in assimilation and lack of adequate guidance from schools and parents.

On the last initiative, Mr Chan pointed out that with the assistance of voluntary agencies, the Education Department had launched a new induction programme in April this year to help new immigrant children to adapt to life in Hong Kong.

"To meet the expected increase in demand for school places by the new arrivals, five more primary schools will be built by 1997-98," he said.

Apart from the new initiatives, existing education and social work services programmes would be boosted in order to provide better assistance and support to marginal youths, Mr Chan said.

"These include a further increase of 10 per cent of primary and secondary schools adopting the Whole School Approach to Guidance in 1996-97; the development of a more diverse curriculum for students; the setting up of two more practical schools and five more skills opportunity schools by 1998-99 for students with serious learning difficulties; and the setting up of 22 additional school social worker units in 1996-97.

"The Social Welfare Department, on the other hand, plans to set up two more outreaching social work teams per year for three consecutive years from 1996-97 onwards, in addition to the existing 30 teams operated by 13 non-government organisations," he said.

"While the Education Department will seek to step up home-school co-operation, the Social Welfare Department will strengthen its family services by creating an additional 92 family caseworker posts in 1995-96, as well as setting up three new family services centres in 1995-96 and five new Family Life Education worker units in 1996-97.

"By providing guidance and counselling services, this should help strengthen family support to help youth development," he added.

Meanwhile, the Social Welfare Department has been providing community-based programmes as alternatives to institutional and custodial penalties for young offenders.

"One of these is a pilot Community Support Service Scheme which started in 1994. Two experimental projects have been introduced under this scheme to help stimulate young people's interest in school or in work and to develop their social skills.

"This pilot scheme will be evaluated in October next year," Mr Chan said.

End

First JLG Expert Group meeting on handover ceremonies

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The Sino-British Joint Liaison Group will hold its first round of Experts Talks to discuss handover ceremonies on December 14 (Thursday) in Hong Kong.

The British team will be led by Mr Hugh Davies, British Senior Representative on the Sino-British Joint Liaison Group. The Chinese team will be led by Mr Zhao Jihua, Chinese Senior Representative on the Sino-British Joint Liaison Group.

End

Operation targets unlicensed guesthouses for local residents

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The Government is determined to put guesthouses which cater mainly for local residents under licensing control in order to ensure the safety of patrons by taking enforcement action against unlicensed premises, the acting Deputy Director of Home Affairs, Mr Tim Stephenson, said today (Wednesday).

Speaking at a press briefing at the conclusion of a two-day operation conducted by the Home Affairs Department against unlicensed guesthouses, Mr Stephenson said the operation marked the start of a full-scale drive aimed at unlicensed local person guesthouses with more than 10 rooms.

"Because of the amount of furnishings, the internal layout and lack of windows, these guesthouses are known to be hazardous. They have been given one full year to carry out safety improvements as advised by the Home Affairs Department and were required to be licensed by December 1, 1995.

"In the two-day operation conducted in Kowloon Tong, a total of 29 premises were inspected and 11 were found to be operating illegally. The seven persons managing the premises will be issued summonses charging them with operating a guesthouse without a licence under the Hotel and Guesthouse Accommodation Ordinance. Operators or controllers of the premises may also be summonsed," Mr Stephenson said.

He explained the three-fold purpose of the operation.

"First, it is imperative that operators understand that we will not allow them to jeopardise the safety of their customers by opening for business premises which do not comply with fire and building safety requirements.

"Many of the premises inspected were operating either having done none of the required work or, in a number of instances, whilst the work was still going on. In both cases, this poses a totally unacceptable risk to patrons," Mr Stephenson said.

"Secondly, we hope to drive home the message to operators of smaller local person guesthouses, who have until September 1996 to upgrade, that they should begin work without delay unless they wish to find themselves in a similar situation in nine months time.

"Lastly, we wish to warn the public of the dangers of frequenting these guesthouses and urge members of the public to help crack down on unlicensed guesthouses by reporting them to the Licensing Authority."

Reports can be made by telephoning 2881 7034 or 2881 7035.

Mr Stephenson advised operators who encountered difficulty in carrying out the improvements to cease operation and contact officers of the Licensing Authority, who would be pleased to give advice.

End

ICC to hold fourth plenary meeting

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The Infrastructure Co-ordinating Committee (ICC) will hold its fourth plenary meeting in Hong Kong on Saturday (December 16) at 9.30 am at 28 Kennedy Road.

The Hong Kong team will be led by the Secretary for Planning, Environment and Lands, Mr Bowen Leung, and the Chinese team by the Director, Hong Kong Economic Department, the Hong Kong and Macau Affairs Office of the Chinese State Council, Mr Zhang Liangdong.

The meeting will receive reports from the ICC panels and discuss the next stage of work of the main committee and its panels.

End

New roads for Tseung Kwan O New Town

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Works will soon start on the construction of new roads and subways in the northern part of Tseung Kwan O Town Centre.

A \$275 million contract for the works was signed today (Wednesday) by the Territory Development Department's Project Manager for the New Territories East Development Office, Mr John Bosco Yu, and a representative of the contractor, China State Construction Engineering Corporation.

The road works were part of the department's on-going development programme for the Tseung Kwan O New Town, said Mr Yu after the contract signing.

"The works comprise the construction of about 3.8 kilometres of roads, a 23-metre wide and 80-metre long road bridge, eight subways and associated engineering works.

"Construction will start this week for completion in 27 months," he said.

End

112 VMs depart on Orderly Repatriation flight

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A group of 112 Vietnamese migrants (VMs) returned by air to Hanoi, Vietnam today (Wednesday) on the 28th flight under the Orderly Repatriation Programme (ORP).

All but three of the returnees, comprising 52 men, 30 women, 13 boys and 17 girls, are from south and central Vietnam.

Most of the returnees were transferred from High Island Detention Centre to Victoria Prison on November 30. The majority of them arrived in Hong Kong in 1991, with the remaining in 1988, 1989 and 1990.

The group brought to 1,849 the total number repatriated on ORP flights since November 1991 and to 864 the number repatriated this year.

Commenting on the flight, the Refugee Co-ordinator, Mr Brian Bresnihan, said the total number repatriated through ORP in 1995 was double the highest number returned in any year since the programme was introduced.

"The non-refugees in our camps have no future in Hong Kong and we remain determined to repatriate them as soon as possible in accordance with the principles laid down in the Comprehensive Plan of Action," he said.

End

Monitors' Report submitted to CS

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The monitors appointed to observe the Orderly Repatriation Programme operation this (Wednesday) morning have submitted their report to the Chief Secretary.

The monitors were Mr Thomas Chan Siu-kam, a Justice of the Peace, and Mr Christopher Stokes from Medecins Sans Frontieres.

End

Three NT lots to let

* * * * *

The Lands Department is inviting tenders for the short-term tenancies of three pieces of government land in Kwai Chung and Yuen Long.

The first lot, located at the junction of Container Port Road and Kwai Tai Road, Kwai Chung, has an area of 3,190 square metres for use as a fee-paying public car park for parking of goods vehicles, container tractors and trailers only.

The tenancy is for three years, renewable quarterly.

The second and the third lots are both located at Ping Fuk Lane, Tong Yan San Tsuen, Yuen Long, having an area of 550 and 530 square metres respectively.

Both lots are intended to be used for repairing, lubricating and/or maintenance of vehicles. Tenancies for both will be for two years, renewable quarterly.

Closing date for submission of tenders for all three lots is noon on December 29.

Tender forms, tender notices and conditions may be obtained from the District Lands Office, Kwai Tsing, 10th floor, Tsuen Wan Station Multi-storey Carpark Building, 174-208 Castle Peak Road, Tsuen Wan; the District Lands Office, Yuen Long, ninth floor, Yuen Long Government Offices and Tai Kiu Market, 2 Kiu Lok Square, Yuen Long; the District Lands Office, Kowloon, 10th floor, Yau Ma Tei Car Park Building, 250 Shanghai Street, Kowloon; and the Lands Department, 14th floor, Murray Building, Garden Road.

Tender plans can also be inspected at these offices.

End

New regional office for Water Supplies Department

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The Water Supplies Department's Mainland South East Regional Office will operate from its new office at 180 Po Kong Village Road, Diamond Hill, from December 15 (Friday).

The new office is accessible from the Wong Tai Sin or Choi Hung Mass transit Railway stations.

It is responsible for the daily operation and maintenance of the water supply systems and to provide technical services to consumers in Wong Tai Sin, Kwun Tong, Tseung Kwan O and Sai Kung.

All technical faults complaints such as water main burst and leaks or weak water supply pressure should continue to be directed to the Technical Complaint Centre and the Communications Controllers' Office at 128, Sai Yee Street, Mong Kok. The 24-hour hotline is 2396 0210 and the faxline is 2396 5731.

End

Hong Kong Monetary Authority money market operations

	\$ million	Time (hours)	Cumulative change (\$million)
	-----	-----	-----
Opening balance in the account	1,423	0930	+9
Closing balance in the account	1,489	1000	+9
Change attributable to :		1100	+9
Money market activity	-14	1200	+13
LAF today	+80	1500	+22
		1600	-14

LAF rate 4.25% bid/6.25% offer TWI 122.6 *+0.1* 13.12.95

Hong Kong Monetary Authority

EF bills		EF notes				
Terms	Yield	Term	Issue	Coupon	Price	Yield
1 week	5.86	2 years	2711	5.60	99.96	5.70
1 month	5.84	3 years	3810	6.15	100.77	5.94
3 months	5.67	5 years	5009	6.95	102.47	6.44
6 months	5.62	7 years	7211	6.82	100.54	6.83
12 months	5.60	5 years	M502	7.30	102.20	6.88

Total turnover of EF bills and notes - \$15,025 million

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End



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SUPPLEMENT

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Employees' Compensation Ordinance

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Following is the speech by the Secretary for Education and Manpower, Mr Joseph W P Wong, in moving the resolution of the Employees' Compensation Ordinance in the Legislative Council today (Wednesday):

Mr President,

I move the motion standing in my name on the Order Paper.

The purpose of this resolution is to revise the levels of compensation and certain compensation-related items under the Employees' Compensation Ordinance. The Ordinance provides for payment of compensation by employers to employees who are injured or killed as a result of employment-related accidents. Our policy since 1978 has been to review the levels of compensation every two years to take account of wage movements, inflation and other changes. The existing levels of compensation have been in force since 1 January 1994 and are now due for revision. We propose that the revised rates should take effect as from 1 January 1996.

We propose to increase the ceiling for monthly earnings from \$15,000 to \$18,000. This figure is the basis on which the maximum amounts of compensation for permanent total incapacity and for death are calculated under the Ordinance. We also propose to increase the minimum levels of compensation for death from \$219,000 to \$262,000, and for permanent total incapacity from \$248,000 to \$297,000. In addition, we propose that the maximum amount of compensation for the costs of required by another person be revised from \$297,000 to \$356,000. For late payment of compensation, we propose to increase the minimum amount of surcharge imposed upon expiry of the payment period from \$350 to \$420 and the minimum additional surcharge imposed three months after expiry of payment period from \$700 to \$840. Each of these six proposed revisions represents an increase of about 19.7% over the existing levels, which is in line with the increase in nominal wages during the past two years.

The ceilings on three other forms of compensation are to be adjusted to take account of inflation since their last revision in 1994. The proposed changes include increasing the maximum amount for burial expenses from \$12,000 to \$14,000, and increasing the maximum payments to be made by an employer towards the costs of supplying and fitting a prosthesis or a surgical appliance from \$24,000 and \$74,000 respectively to \$28,000 and \$86,000 respectively.

We also propose to raise the maximum daily rate of reimbursement of medical expenses from \$120 to \$160 to take account of the increase in fees charged by public hospitals and clinics since 1994.

Finally, we propose to revise the amount that is deemed to be the minimum earnings per month for the purpose of calculating compensation from \$2,250 to \$2,450. This proposed increase serves to keep the deemed minimum earnings of an injured employee broadly in line with the existing rate of payment to a singleton under the Comprehensive Social Security Assistance Scheme.

These proposals have been endorsed by the Labour Advisory Board and I recommend them to this Council for approval.

Mr President, I beg to move.

End

Pneumoconiosis (Compensation) Ordinance

Following is the speech by the Secretary for Education and Manpower, Mr Joseph W P Wong, in moving the resolution of the Pneumoconiosis (Compensation) Ordinance in the Legislative Council today (Wednesday):

Mr President,

I move the motion standing in my name on the Order Paper.

The purpose of this resolution is to revise the levels of compensation and certain compensation-related items under the Pneumoconiosis (Compensation) Ordinance. The Ordinance provides for payment of compensation for persons who were diagnosed after 1 January 1981 to be suffering from pneumoconiosis. We propose that the revised rates should take effect as from 1 January 1996.

We propose to raise the ceilings in respect of two items of compensation under the Ordinance to take account of inflation and wage movements since July 1993. First, we propose to increase the amount for calculating the monthly compensation for total incapacity, from \$2,100 to \$2,570. In this respect, it should be noted that under the Pneumoconiosis (Compensation) (Amendment) Bill which was introduced into this Council on 6.12.95 (i.e. last Wednesday), the amount of \$2,100 was proposed to be a made a separate compensation item for pain, suffering and loss of amenities which would be paid to all eligible pneumoconiotics regardless of their degree of incapacity. Therefore, if this proposed revision is approved, we will move a Committee Stage Amendment to the Bill to revise the amount to \$2,570. Secondly, we propose to increase the amount of compensation for care and attention from \$3,500 to \$4,050.

Separately, we also propose to revise the rates of funeral expenses and medical expenses payable under the Ordinance which have always been identical to those specified in the Employees' Compensation Ordinance. As the rates of such expenses under the Employees' Compensation Ordinance have just been raised by a resolution of this Council, I propose that the levels of these two items be similarly revised.

The proposals have been endorsed by the Labour Advisory Board and I recommend them to this Council for approval.

Mr President, I beg to move.

End

Stamp Duty Ordinance amendment

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Following is the speech by the Secretary for the Treasury, Mr K C Kwong, in moving a resolution on Stamp Duty Ordinance Amendment to section 29I(1) in the Legislative Council today (Wednesday):

Mr President,

I move the resolution standing in my name on the Order Paper.

I would like to first outline the background. In January 1992, Members approved amendments to the Stamp Duty Ordinance (Cap. 117). Among other things, these amendments required stamp duty to be paid on all agreements for sale of residential property. By contrast, stamp duty was previously only payable on the assignment of the property.

This measure was one of a series of action to curb speculation in residential property. It is a disincentive to those who speculate on property in the period between the conclusion of a sale agreement and the assignment. Apart from the additional stamp duty a speculator has to pay for each sale before assignment, the speculator also has a potential profits tax liability. The information on sale agreements provided to the Commissioner of Inland Revenue under the measure enables him to identify property transactions which may be liable to profits tax. This ensures that the speculators pay the fair share of their profits tax liability. The cost of speculation has therefore been significantly increased. Genuine home-buyers are not affected by this measure except insofar as they have to pay stamp duty slightly earlier.

Under the terms of the original amendments, the measure would have expired at midnight on 31 December 1993. The intention was to allow both the Administration and Members the opportunity to examine all relevant factors before deciding whether the measure should be extended. On 15 December 1993, Members approved a resolution to extend the measure for two years until 31 December 1995.

The residential property market today

The residential property market has gradually softened. The problem of speculation has now been largely contained. This is the combined effect of measures proposed by the Inter-departmental Task Force on Land Supply and Property Prices, mortgage lending policy of banks, changes in interest rates, as well as the increased cost of speculation as a result of the stamp duty measure. It is therefore important that the stamp duty measure be extended. Otherwise, it would send a wrong signal to the market that the Government no longer wished to curb speculation in residential property. There would also be a significant risk that speculation may be rekindled to the detriment of genuine home-buyers.

Extension to 31 December 1997

The motion before Members today seeks the extension of the measure by a further period of two years beyond 31 December 1995. I am grateful that the Legislative Council Sub-committee formed to study the motion supports the extension of the measure in principle though I understand that there are different views in respect of the period of extension, i.e. whether the measure should be extended for one year or two years.

It is clear that the measure is effective in containing speculation. It does not affect genuine home-buyers. It has been in place for nearly four years and is well established and accepted by the public. I therefore do not see any reason why we should deviate from our previous practice of extending the measure for two years which may otherwise give a wrong signal to the market in respect of this Council's determination in containing speculation. In fact, we have informed the sub-committee that it is also our plan to seek the views of Members later with a view to introducing an amendment to the Stamp Duty Ordinance to make the measure permanent. This will eliminate unnecessary speculation which may otherwise occur each time the expiry date of the measure approaches. The proposed two-year extension would allow Members sufficient time to study the permanent arrangement proposal. However, if the measure were to be extended for one year only and the amendment to the Stamp Duty Ordinance to make the measure permanent could not be processed in time, we might have to seek an extension again at the end of next year, thereby adding an unnecessary burden to the heavy agenda of this Council. I therefore strongly recommend to Members that the two-year extension should be supported.

Finally, I am also grateful to the Members of the Subcommittee for their views on how we should revise the stamp duty system in order to alleviate the financial burden of genuine home-buyers and to safeguard against abuse. I can assure Members that we will examine these views carefully before we submit the permanent arrangement proposal to this Council.

Mr President, I beg to move.

End

Teaching by mother tongue

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Following is a question by the Hon Ip Kwok-him and a reply by the Secretary for Education and Manpower, Mr Joseph Wong, in the Legislative Council today (Wednesday):

Question:

According to the findings of the research conducted by the Education Department, it is more appropriate for about 70% of Form One students to receive education their mother-tongue, but there are only less than 20% of all the secondary schools in the territory) which have adopted mother-tongue as the medium of teaching. In this connection, will the Government inform this Council :

- (a) whether it has promoted the importance of teaching by mother-tongue to parents of secondary school students; if so, what are the details; and what achievement it has made in this regard; and
- (b) what plans does the Government have to make more schools accept and adopt teaching by mother-tongue?

Reply:

Mr President,

(a) The Government's policy is to encourage secondary schools to adopt Chinese as the medium of instruction, to allow individual schools to exercise discretion in the choice of their medium of instruction where their students may learn effectively in either Chinese or English, and to strongly discourage the use of mixed-code in schools. This policy is based on the following considerations:

- (i) that teaching and learning are generally more effective through the mother tongue; and
- (ii) that while students can learn more effectively in the mother tongue, those who have the ability to learn effectively in English should be given the opportunity to do so if they wish.

Starting in 1994, parents of primary 6 students were provided with information on the language ability of their children, grouped according to their proficiency in Chinese and English. Schools have since been categorised into three groups as follows:

- (a) schools which should use Chinese as their medium of instruction;
- (b) schools which may use either Chinese or English as their medium of instruction; and
- (c) schools which may use Chinese or English for some classes and should use Chinese only for other classes as their medium of instruction.

At the same time, the Education Department has been promoting robustly the benefits of mother-tongue teaching by:

- (i) publicising the results of research studies undertaken in conjunction with Hong Kong University and Chinese University of Hong Kong between 1987 and 1994 on using mother tongue as the medium of instruction. These studies indicated that students generally learned and performed better with mother tongue as the medium of instruction, particularly in language-loaded subjects. Abstracts of these results have been distributed to all kindergartens, primary and secondary schools. Video tapes have also been produced. Starting from 1995, such information is also given, in the form of pamphlets, to all parents of Primary 6 students who will have to choose secondary schools for their children;
- (ii) producing posters for schools to display during parents' days;
- (iii) holding roving exhibitions on Government's medium of instruction policy and findings of the relevant research studies; and
- (iv) organising seminars on the effectiveness of mother-tongue teaching for secondary school heads.

As a result of these efforts, the number of schools adopting Chinese as the medium of instruction for all subjects except English has increased from 52 in 1994 to 69 this year. In fact, some 280 secondary schools or about 70% of all the secondary schools use Chinese as the medium of instruction to varying degrees. Of these, some 150 schools use Chinese for most of the school subjects.

(b) To encourage more schools to use Chinese as the medium of instruction in the coming years, the Education Department will continue to implement positive discrimination measures including the following:

- (i) providing additional teachers of English, movable partitions, wirefree induction loop systems as well as one-off library grant to enhance English teaching and learning;
- (ii) providing training courses to prepare teachers to teach in the medium of Chinese;
- (iii) providing incentives for publishers to produce good quality Chinese textbooks in various subjects - the Finance Committee of this Council has recently approved \$54M for implementing phase 4 of the incentive scheme; and
- (iv) providing glossaries of technical terms in both languages for major subjects.

In addition, the Education Department is currently conducting a 3-year longitudinal study starting from 1994 to gauge the effects of different modes of medium of instruction on the academic achievement and learning process of Secondary 1 to Secondary 3 students. In the light of these findings, we will formulate and issue to schools firm guidance in 1997 on the appropriate medium of instruction to be adopted starting from September 1998.

These efforts will be re-inforced by the following publicity activities to be launched by the Department in 1995/96, that is the current financial year:

- (i) organising eight seminars on benefits of mother-tongue teaching for primary school teachers who will pass the messages onto their pupils and parents;
- (ii) producing TV programmes and Announcements of Public Interest (API) on radio with the TV programmes targeted specially at parents;
- (iii) displaying posters at MTR stations;
- (iv) preparing and distributing new pamphlets to parents of Primary 4 to 6 students; and

- (v) publicising, through the mass media, successful examples of schools adopting mother-tongue-teaching, particularly the outstanding achievements of their students.

The total cost of these activities is estimated at \$2.6M.

End

Merits payments to Hospital Authority senior staff

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Following is a question by the Hon Chan Wing-chan and a reply by the Secretary for Health and Welfare, Mrs Katherine Fok, in the Legislative Council (Wednesday):

Question:

Will the Government inform this Council:

(a) whether merit payments are granted to senior executives of the Hospital Authority; if so, what are the criteria for granting such payments, which types of executives are eligible for receiving such payments, and what is the basis for determining the amount granted; and

(b) of the annual amount appropriated for such payments by the Hospital Authority over the past three years?

Reply:

Mr President,

The Chief Executive and Hospital Chief Executives are senior executives of the Hospital Authority whose remuneration contains a performance related element. Such payments are determined by assessment panels set up to evaluate the overall performance of individual executives in discharging their management duties and achieving agreed service targets.

In the case of Hospital Chief Executives, the assessment panel comprises members of the Hospital Authority Board as well as the respective Hospital Governing Committees, and the payment ranges from 0% to 15% of pay. In the case of the Chief Executive, the assessment panel comprises Hospital Authority Board members, and the payment ranges from 0% to 30% of pay.

The amount of performance related payments granted by the Hospital Authority in 1992-93, 1993-94 and 1994-95 were in the order of \$0.6 million, \$4 million and \$7 million respectively.

End

Assistance to Chief Executive (Designate)

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Following is a question by the Hon Lee Wing-tat and a reply by the Secretary for Constitutional Affairs, Mr Nicholas Ng, in the Legislative Council today (Wednesday):

Question:

As the Chief Executive (Designate) and Principal Officials (Designate) ("Team Designate") will be appointed in 1996, will the Government inform this Council:

(a) what is the composition of the "Team Designate" as the Government understands it;

(b) whether, in regard to providing assistance to the Special Administrative Region (SAR) Government (Designate) in its work during the transition, the Government will provide assistance to the Principal Officials (Designate), Executive Councillors (Designate) or the "Team Designate" as a whole in addition to providing assistance to the SAR Chief Executive (Designate);

(c) in what ways will such assistance be given; and

(d) whether the Government will urge the British Government to request the Chinese Government to state clearly that the secretariat consisting of a few hundred staff proposed to be set up by a member of the Preliminary Working Committee (PWC) to provide assistance to the Chief Executive (Designate) will not result in the existence of a "shadow government"; and whether the Government will request the British Government to clarify if the PWC's proposal contravenes section 4 of the Sino-British Joint Declaration?

Reply:

It is not for the Hong Kong Government to define for the Chinese side what the term "Team Designate" stands for. The only occasion that this term had been explained to us was in the context of discussions on the Court of Final Appeal. On that occasion the Chinese side told us that the "Team Designate" would be led by the Chief Executive (Designate) and would include the Principal Officials (Designate) and others qualified to take part in the establishment of the Court of Final Appeal.

It is obviously in Hong Kong's interest to ensure that the transition will be as smooth as possible. It is, therefore, essential that we render assistance to the Chief Executive (Designate). In the Governor's Policy Address, we have already undertaken to do so. The details and the form of such assistance will need to be discussed with the Chinese side.

Under the Joint Declaration, the administration of Hong Kong before 1997 will remain a British responsibility. We have made it clear that we will maintain effective administration of the territory and will not accept any parallel or shadow government. We have noted from recent press reports that the Chinese side have affirmed their support for this principle and that there should not be an alternative centre of power before 30 June 1997.

End

Property transactions

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Following is a question by the Hon Eric Li and a reply by the acting Secretary for Housing, Mr Fung Tung, in the Legislative Council today (Wednesday):

Question:

Since June 1994, the Government has implemented administrative measures to regulate property transactions and to curb property prices in order to enable families in need of a home to have the opportunity to purchase for the first time at relatively reasonable prices. In this connection, will the Government inform this Council:

(a) of the number of new residential flats completed between June 1994 and October this year;

(b) what is the number of flats for which transactions have been concluded during the above-mentioned period; whether there is information to show how many of the transactions are in respect of flats purchased by first-time home-buyers; and what is the average vacancy rate during the period; and

(c) whether the number of first-time home-buyers and the number of new residential flats referred to in the above-mentioned period have shown an increase when compared with the corresponding figures in each of the 3 years immediately before the implementation of the measures to regulate property transactions; if not, what are the reasons?

Answer:

Mr President,

Since the introduction of the anti-speculation measures in June last year,

a) the number of new residential flats completed up to October 1995 is 76,107 units, including all private and public housing flats;

b) the number of transactions concluded during the same period is 128,738. We have no records showing the number of transactions involving first-time home-buyers. The vacancy rate for private domestic flats, which is compiled on an annual basis, was 4.7% in 1994;

c) the number of new residential flats completed has increased by 4%, 8% and 23% when compared with those in the past three years respectively immediately before the introduction of the new measures.

End

Broadcasting Bill

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Following is a question by the Hon Andrew Cheng Kar-foo and a reply by the Secretary for Recreation and Culture, Mr T H Chau, in the Legislative Council today (Wednesday):

Question:

The Government indicated to this Council on 2 November 1995 that it would seek the views of interested parties and consult the Chinese side on the Broadcasting Bill (the Bill). In this connection, will the Government inform this Council:

(a) how it will go about seeking such views; whether it will conduct public consultations on major issues arising from the Bill, such as the restrictions on "cross media ownership" and the regulation of "interactive multimedia services"; and

(b) what progress has been made to date in its consultation with the Chinese side on the Bill; and what are the specific details on the consultation ?

Reply:

Mr President,

As drafting of the Bill is still underway, we have not yet decided precisely how the consultation should be conducted, and neither have we initiated consultations with the Chinese side. However, I can say that it is our intention that all interested parties will have an opportunity to comment on all matters in the Bill, and that all comments received will be considered carefully before the Bill is finalised for enactment.

End

Political Adviser's Office

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Following is a question by the Hon Emily Lau and a written reply by the Chief Secretary, the Hon Anson Chan, in the Legislative Council today (Wednesday):

Question :

It is learnt that three new posts have been created in the Office of the Political Adviser. In this connection, will the Government inform this Council of:

- (a) the reasons for the creation of these new posts;
- (b) the salary scale and area of responsibilities of each of the posts; and
- (c) from which departments the officials presently holding these posts were transferred and what posts did they hold in the departments concerned?

Reply:

Mr President

The Political Adviser's Office has recently been reorganised, on a trial basis, to bring together those functions of the Hong Kong Government which derive directly from UK sovereignty and which will cease in June 1997 when the office will be wound up. This has involved the transfer of certain responsibilities and loan of posts from other Secretariat Branches. The answers to the specific questions are as follows -

(a) No new posts have been created on the establishment of the Political Adviser's Office. However as a result of the reorganisation there are now three additional officers designated as Deputy Political Advisers. Two of these posts are on loan from other Secretariat Branches: the third is an officer filling an existing post which has been retitled;

(b) All these officers are filling existing AOSGC posts at the D2 level. The Deputy Political Adviser (Security) post deals with certain security issues related to UK sovereignty. The Deputy Political Adviser (Personnel) post deals with HMOCS and other sovereignty related Civil Service transitional matters and the Deputy Political Adviser (General) post is responsible for contributing to the China advice function and supporting the Political Adviser as a member of the Joint Liaison Group;

(c) The Deputy Political Adviser (Security) is filling the post of Principal Assistant Secretary (Security) currently on loan from Security Branch. The Deputy Political Adviser (Personnel) is holding the post of Principal Assistant Secretary (Civil Service) Development on loan from Civil Service Branch. The third post, Deputy Political Adviser (General) is an existing AOSGC directorate post in the Political Adviser's Office which has been retitled.

End

Education for school-age children from China

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Following is a question by the Hon Edward Ho Sing-tin and a written reply by the Secretary for Education and Manpower, Mr Joseph Wong, in the Legislative Council today (Wednesday):

Question:

Since the middle of this year, the number of Chinese immigrants arriving daily in the territory for permanent residence has increased from 105 to 150 and many of these immigrants are school-age children. In this connection, will the Government inform this Council:

(a) whether, in the light of the increasing number of children (aged 6 to 12) from mainland China settling in the territory, the Education Department (ED) has made any assessment and co-ordination of their educational needs at various levels of schooling in the next 5 to 10 years; if so, what are the details of the assessment and co-ordination plan; if not, why not; and

(b) whether the ED has set up any task force to provide assistance and counselling to such children and their parents to cope with the difficulties the children may encounter in their studies?

Reply:

Mr President,

(a) To meet the demand for primary school places from an increasing number of Chinese immigrant children who are aged between 6 and 12 over the next few years, we are committed to building five additional primary schools for completion in 1997-98. In the interim, we are making use of the existing vacancies in primary and secondary schools resultant from an overall decline in our school population to accommodate these children. We shall conduct a review of the longer term requirements for school places at different levels, including secondary schools, as well as the various support services in 1996.

(b) There is close co-ordination among various sections in the Education Department in the provision of services to immigrant children and their parents. These services include school placement, tailor-made induction programme, remedial teaching, and guidance and counselling service.

On guidance and counselling, student guidance officers/student guidance teachers are stationed in primary schools to assist in:

(i) promoting pupils' positive behaviour, strengthening their motivation towards learning and enhancing their self-esteem;

(ii) training on study or social skills so as to enable the pupils to cope with their learning, adjustment or behavioural problems; and (iii) providing individual guidance to help them deal with more complicated adjustment, social or family problems.

Regarding parents, the Education Department has provided subvention to 14 non-government organisations in the 1995/96 school year to run short adaptation courses for adult immigrants. The course contents include the technique to help them cope with the difficulties their children encounter in studies.

The Home Affairs Department has been tasked to monitor and assess the services provided for new arrivals from China to ease the process of integration, to identify groups who are specially at risk, and to recommend the most suitable approach for responding to the practical problems as they emerge.

End

Standards of roads in the New Territories

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Following is a question by the Hon Choy Kan-pui and a written reply by the Secretary for Transport, Mr Haider Barma, in the Legislative Council today (Wednesday):

Question:

At present, there are still a number of roads in the New Territories which were constructed by the Government many years ago and which have all the time been managed by the Government. These roads, which include Fan Kam Road, the Yuen Long Section of Lam Kam Road and Kam Tin Road, can no longer meet the current standards for highways nor can they cater for the needs of the rapid developments in the New Territories. In view of this, will the Government inform this Council :

(a) of the total number of such roads in the New Territories at present, together with their names and locations; and

(b) whether the Government has formulated a timetable for the reconstruction of these roads to meet the current road standards so as to ensure the safety of road users; if so, what are the respective dates for the commencement and completion of the reconstruction work; if not, why not?

Reply:

Mr President,

The road network in the New Territories has developed over the past 50 years. At the time individual roads were constructed they all fully met the then prevailing standards. Higher standards have evolved over the years resulting in better and more modern roads. However, this does not mean that the other roads are either unsafe or of an unacceptable standard.

It is fully recognised that with the pace of development in the New Territories some existing roads may not be able to cope with increased levels of traffic. These roads need to be improved. The Lam Kam Road (Yuen Long Section) and Kam Tin Road fall into this category.

The improvements currently proposed cover:

(i) the widening of Kam Tin Road in two stages from the existing single carriageway to dual-2 carriageway. The first stage from Au Tau to Kam Tin will start in early 1998 and is scheduled for completion in early 2000. The second stage from Kam Tin to Lam Kam Road will start in 2002 and is scheduled for completion in 2005; and

(ii) the widening of Lam Kam Road from Kam Tin Road to Kadoorie Farm from the existing single carriageway to possible dual 2 carriageway. This is scheduled to start in 2002 for completion in 2005.

A re-construction and maintenance programme for Fan Kam Road, Kam Sheung Road, Yuen Long Section of Castle Peak Road and Route Twisk is also in hand and will be completed over the next 5 years. Improvement measures will include the provision of proper footpaths and drainage.

As regards minor roads, traffic management measures are implemented to maintain safe and efficient movement of traffic. For example, where necessary, speed limits are imposed or certain categories of vehicles are prohibited.

We shall continue to upgrade the road network to keep pace with traffic demand.

End

Answering of "999" calls

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Following is a question by the Hon Selina Chow Liang Suk-ye and a written reply by the Secretary for Security, Mr Peter Lai, in the Legislative Council today (Wednesday):

Question:

It was reported that a member of the public recently dialled "999" to report a bank robbery but only to receive the recorded reply "the line is busy". In view of this, will the Government inform this Council:

(a) of the average number of police communication personnel responsible for answering "999" calls and the average number of calls they have to handle per shift at present, and how do these figures compare with the corresponding figures in each of the past three years;

(b) of the total number of calls made to "999" to report crime which received the recorded reply "the line is busy" this year;

(c) of the average time currently taken for a call to "999" to be answered by the staff manning the number, and how does this figure compare with those of the past three years?

Reply:

Mr President,

The answers to the three parts of the question are as follows:

(a) There are eighteen Police Communications Officers and three Senior Police Communications Officers manning the "999" Consoles per shift in the three Police Regional Command and Control Centres in Hong Kong Island, Kowloon and New Territories. The number of staff deployed for such duties is the same for the past three year. In the first 10 months of this year, each shift handles an average of 445 calls. The average figures for 1992, 1993 and 1994 are 328, 338 and 401 respectively.

(b) The pre-recorded bilingual broadcast message was introduced in September 1994. Our computer system does not capture statistics on the number of calls answered by the message. However, the pre-recorded message invariably asks the caller not to hang-up in order that the call could be dealt with as soon as possible.

(c) While we do not have statistics on the average time taken to answer a "999" call in the past three years, the findings of a recent snap-shot survey conducted by the Police show that on average a "999" call is answered within six seconds. It is possible that a caller may need to wait longer than six seconds to get through when a major incident takes place. However, this does not affect the response time of the Police because such cases are often reported by more than one caller. For example, in the case referred to in the question, the Police received two other reports of the same case at the time of the bank robbery. It should be noted that the first police officer arrived at the scene six minutes from the receipt of the calls.

End

Matrimonial Causes (Amendment) Ordinance

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Following is a question by the Hon Miriam Lau and a written reply by the Secretary for Home Affairs, Mr Michael Suen, in the Legislative Council today (Wednesday):

Question:

The Matrimonial Causes (Amendment) Ordinance 1995 was passed by this Council on 17 May 1995 but it shall come into operation on a day to be appointed by the Secretary for Home Affairs by notice in the Gazette. Will the Government inform this Council of the reasons why, after a lapse of 6 months since its passage, the Ordinance has still not come into operation; and when it is expected that a notice will be published in the Gazette to bring the Ordinance into operation?

Reply:

Mr President:

I share the Honourable Member's wish for the Matrimonial Causes (Amendment) Ordinance (the Amendment Ordinance) to be brought into operation as soon as possible. However, before this can be done, it is necessary for the Matrimonial Causes Rules (the Rules) to be amended to bring court procedures in relation to matrimonial proceedings into line with its provisions. Amendments to the Rules are made by the Chief Justice. Home Affairs Branch has been co-ordinating the preparation of the necessary amendments to the Rules. The relevant professional bodies are currently being consulted on an advanced draft. We expect to be able to finalise the amendments to the Rules and submit them to the Chief Justice for consideration within the next few weeks.

The Amendment Ordinance will be brought into force at the same time the amendments to the Rules to be made by the Chief Justice come into effect.

End

Safety for glassware products

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Following is a question by the Hon Chan Kam-lam and a written reply by the Secretary for Trade and Industry, Miss Denise Yue, in the Legislative Council today (Wednesday):

Question:

Will the Government inform this Council:

(a) of the number of accidents involving industrial and household glassware products and installations in the past three years; and

(b) whether it will consider introducing regulations to stipulate the safety standards for glassware products and to require manufacturers to specify on their products the types of glass used and the level of durability measured in an impact-test?

Reply:

Mr President

(a) We do not have statistics on the number of accidents involving industrial and household glassware products and installations. Industrial accident statistics are analysed by cause and by industry. There is no breakdown by either the material or the equipment involved in industrial accidents. The Hospital Authority compiles patient statistics according to international classification of diseases. It does not have separate figures on the number of accidents involving use or installation of glassware products.

(b) The safety of glassware products for private use or consumption is already covered by the Consumer Goods Safety Ordinance, which came into force in October this year. This Ordinance imposes a statutory duty on manufacturers, importers and suppliers of consumer goods (including glassware products) to ensure that the goods they supply in Hong Kong are safe. Section 4 of the Ordinance further requires that consumer goods (including glassware products) supplied in Hong Kong must comply with a general safety requirement which includes, inter alia, the adoption of reasonable safety standards published by a standards institute. Any supplier who fails to comply with the requirement under the Ordinance commits an offence. The Commissioner of Customs and Excise will monitor the situation and take enforcement action as appropriate.

Accordingly, we do not see the need to introduce specific regulations to stipulate the safety standards for household glassware products and to require manufacturers to specify on their products the types of glass used and the level of durability measured in an impact-test.

End

Relocation of methadone clinic

* * * * *

Following is a question by the Hon Fred Li Wah-ming and a written reply by the Secretary for Security, Mr Peter Lai, in the Legislative Council today (Wednesday):

Question:

The ten-year redevelopment programme for Kwun Tong Town Centre proposed by the Land Development Corporation includes the relocation of the methadone clinic at the Town Centre to Tsui Ping Estate nearby. As methadone clinics often bring nuisance to the community in which they are located, will the Government inform this Council:

- (a) whether it will consult local community groups and residents in this regard; if so, what are the details; if not, why not;
- (b) whether the Government will make alternative arrangements to set up the methadone clinic further away from Tsui Ping Estate in view of the worsening drug abuse problem in that Estate; and
- (c) what long-term and interim measures the Government has adopted to tackle the drug abuse problem in the neighbourhood of Tsui Ping Estate?

Reply:

Mr President,

(a) The Kwun Tong Town Centre Redevelopment Scheme proposed by the Land Development Corporation (LDC) is still being considered by the Corporation and the Administration. If the Scheme is to be implemented, the Kwun Tong District Board, and other relevant local bodies where appropriate, will be consulted in advance on any proposal to relocate the methadone clinic.

(b) No decision has been made on whether and where the methadone clinic in Kwun Tong should be relocated. The Government is open-minded about the location of methadone clinics. An important consideration is the accessibility of the clinic, as the objective of the methadone programme is to offer a readily accessible out-patient service for those drug abusers who seek treatment but, for various reasons, would not be able to take part in residential treatment programmes.

(c) The drug abuse problem in the neighbourhood of Tsui Ping Estate is being tackled at source by stepped up law enforcement action, and preventive education and publicity.

Police enforcement action against drug activities in Tsui Ping Estate has been stepped up. This can be seen from the number of arrests for serious narcotics offences in Tsui Ping Estate, which has increased from 46 in 1994 to 80 in the first nine months of 1995. At the street level, enhanced enforcement actions are taken on a daily basis against drug sellers and users. Information and intelligence on drug activities, with particular emphasis against drug sellers, are collected, collated and acted upon by the Kwun Tong District Special Duties Squad to target known drug sellers.

The Police also contributes to anti-drug education by organising school visits and seminars with school headmasters and discipline masters, focussing on the prevention of drug abuse by students.

Extra efforts have been put in preventive educational and publicity measures to arouse awareness among Kwun Tong residents on the drug problem. Emphasis has been laid on enhancing parents' understanding on the prevention and early detection of their children's involvement in drugs. In 1995/96, a total of seven programmes involving 10,000 participants have been/will be implemented by the social welfare service units in the district. Existing counselling services of family services centres and probation offices in the district have also been strengthened to help young people with drug problems and their families.

The District Social Welfare Office (DSWO) in Kwun Tong has formed a Working Group on "District-wide publicity campaign in combating illicit use of drugs among young people in Kwun Tong District" in April 1995, to promote co-ordination and co-operation among government departments and local organisations to tackle the drug problem. A "Drug-Ambassador Scheme" is now being launched by the Working Group, with the aim of publicising widely anti-drug messages among young people through a signature campaign. So far over 7,000 participants from more than 30 local organisations have been enrolled. The Working Group also compiles leaflets on district beat-drug activities on a regular basis to encourage participation of local residents.

In the longer term, the DSWO in Kwun Tong will continue to take active part in the Kwun Tong District Fight Crime Committee to plan and co-ordinate anti-drug strategies at the district level. Group work units in the district, particularly the Group Work Unit of the Kwun Tong Community Centre (which is located in Tsui Ping Estate) will organise regular activities to educate young people to stay away from drugs. Services from the "Against Substance Abuse Scheme" provided by the team of specially trained social workers newly set up by the Social Welfare Department would also be tapped whenever necessary.

A paper on "Illicit use of drugs in Kwun Tong District" was discussed at the Kwun Tong District Fight Crime Committee meeting in May 1995 to co-ordinate district efforts in tackling the problem. Local Non-Government Organisations will be encouraged to organise anti-drug activities through various channels such as the Kwun Tong District Committee on Family Life Education, the Kwun Tong District Group and Community Work Service Co-ordinating Committee. Social workers of the Society for the Aid and Rehabilitation of Drug Abusers working in the methadone clinic in the district will continue to provide casework services to drug abusers to facilitate their social rehabilitation.

End

Air services between Hong Kong and Taiwan

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Following is a question by the Hon Law Cheung-kwok and a written reply by the Secretary for Economic Services, Mr Gordon Siu, in the Legislative Council today (Wednesday):

Question:

Will the Government inform this Council:

(a) whether, in order to be eligible to apply for a licence to operate air services between Hong Kong and Taiwan, the China National Aviation Corporation (CNAC) has made a formal application to become an airline whose principal operation is based in the territory; if so, what factors the Government will take into consideration in determining whether a licence will be granted to CNAC to operate the route; if not, whether it will consider inviting CNAC to make such an application; and

(b) what share of the market does the Cathay Pacific Airways (CPA) have in providing air services between Hong Kong and Taiwan, and whether CPA has adopted any policy which is not in the interest of the consumers?

Reply:

(a) The China National Aviation Corporation (Hong Kong) Ltd (CNAC(HK)) submitted an application for an Air Operator's Certificate (AOC) to the Civil Aviation Department (CAD) on 29 March 1995. Securing an AOC is a necessary pre-requisite to operate Hong Kong registered aircraft for the purpose of public transport. An AOC may be granted if the Governor is satisfied that the applicant is competent, having regard in particular to his previous conduct and experience, his equipment, organisation, staffing, maintenance and other arrangements to secure the safe operation of aircraft of the types specified in the certificate. CNAC(HK) has not yet submitted any documents in support of its application. CAD will give due consideration to the application when such documents are received.

An application for an AOC is the first of several steps which a company has to go through before it will be able to mount scheduled air services with Hong Kong registered aircraft. In addition, the company will also have to apply for registration of its aircraft, obtain a licence for a specific route from the Air Transport Licensing Authority and seek designation by the Government for the route concerned. It is not Government policy to invite any particular airline to make an application for any route; the airline concerned would have to apply and fulfil all the necessary requirements before it will be permitted to operate.

(b) At present, scheduled air services between Hong Kong and Taiwan are operated between Hong Kong and two cities in Taiwan, namely Taipei and Kaohsiung. On the Hong Kong ? Taipei route, Cathay Pacific Airway's (CPA's) market share was 51.1% in the twelve months up to August 1995. On the Hong Kong ? Kaohsiung route, CPA's market share was 53.8% in the same period.

On both of the routes between Hong Kong and Taiwan, there is a choice for consumers. On the Hong Kong ? Taipei route (which constitutes 82% of the total traffic between Hong Kong and Taiwan), six other airlines, apart from CPA, operate on the route. They are British Asia Airways, China Airlines, Japan Asia Airways, Singapore Airlines, Garuda Indonesia Airways, and Thai Airways International. On the Hong Kong ? Kaohsiung route where traffic is only about 18% of the total traffic between Hong Kong and Taiwan, China Airlines operate on the route in addition to CPA.

End

Applications for search warrants

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Following is a question by the Hon Chim Pui-chung and a written reply by the Chief Secretary, the Hon Anson Chan, in the Legislative Council today (Wednesday):

Question:

In regard to applications for search warrants by government departments, will the Government inform this Council:

(a) of the criteria on which the court's approval of an application for a search warrant filed by a government department is based and whether there is any system to keep this power in check; (b) whether the court or the department which files the application will be held responsible in the event that the application is subsequently proved to be at fault or ultra vires;

(c) of the time normally taken for obtaining a search warrant; and

(d) if members of the public have objections to the contents of an application for a search warrant, to which department should they go to in order to raise their objections prior to the grant of the search warrant?

Reply:

Mr President,

(a) In granting applications for search warrants, the court acts in accordance with the provisions in the relevant legislation under which the applications are made. The magistrate responsible will make sufficient enquiry to satisfy himself that there is reasonable cause to suspect that the items in respect of which the warrant is sought are on the premises to be searched. Such enquiry could include questioning the police officer requesting the search warrant under oath or affirmation or requiring the information in support of the warrant to be more precise.

The power to grant warrants is discretionary. Therefore, a magistrate is not required to accede to an application for a search warrant even where the statutory requirements have been met. This, together with the fact that a magistrate must refuse to grant a warrant if he is not satisfied that there is reasonable cause to suspect that the items in respect of which the warrant is sought are on the premises to be searched, serves to keep searches by government departments in check.

(b) Whether the court or the department which filed the application would be held responsible in the event that the application is subsequently proved to be at fault or ultra vires depends upon the circumstances in which the search warrant was issued. In general terms, a court could only be held responsible where it was established that it was acting maliciously and without reasonable and probable cause; and a government department could only be held responsible where it was established that it was acting maliciously.

(c) A department can normally obtain a search warrant from the court on the same day it files an application.

(d) An application for a search warrant is made ex parte, i.e. only the party making the application is present. To inform the owner of the premises to be searched of the application would defeat the purpose of the search.

End

Air fare for civil servants on overseas duty visits

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Following is a question by the Hon Cheung Man-kwong and a written reply by the Secretary for the Civil Service, Mr Michael Sze, in the Legislative Council today (Wednesday):

Question:

With regard to the purchase of air-tickets by the Government for civil servants on overseas duty visits and training, will the Government inform this Council:

- (a) of its policy on purchasing such air-tickets;
- (b) whether agreements have been made with any airlines for the purchase of air-tickets; if so, what are the details and why such agreements have been made;
- (c) of the expenditure involved in purchasing such air-tickets during the past two years, together with a breakdown of the number of civil servants involved and their destinations;
- (d) whether the Government has information to show that the adoption of its present policy on the purchase of such air-tickets, as compared with purchases made through travel agents or by other means, will result in a higher expenditure of public funds; if so, what are the reasons for continuing with the present policy; and

(e) whether consideration has been given to reviewing the present policy on the purchase of such air-tickets; if so, what are the details; if not, whether the Government will consider adopting other arrangements to purchase such air-tickets, such as placing orders with the airline charging the lowest fares or introducing other forms of competition?

Answer:

Mr President,

The answers to the questions raised are:

(a) Government has an agreement with British Airways (BA) and Cathay Pacific Airways (CPA) under which air-tickets (from any airlines) for civil servants on overseas duty visits have to be purchased through Jardine Airways (BA's general agent) or CPA. Air-tickets for civil servants on overseas training are not covered by the agreement, and can be purchased through any travel agent which accepts direct payment by the Treasury.

(b) The passage agreement with BA and CPA basically covers Government's duty and school passages, but Government may also make use of the contract fares for other passages to and from the United Kingdom. The main features of the agreement are:

(i) BA and CPA provide air-tickets at reduced fares on the Hong Kong - United Kingdom direct route (the UK route); and

(ii) air-tickets on non-UK routes (from any airlines) have to be purchased through Jardine Airways or CPA.

Government entered into an agreement with the two airlines because the service required by Government was and remains mainly passages on the Hong Kong - United Kingdom direct route - the bulk of which relate to school passages. Until 1994 only BA and CPA provided direct-route service to the United Kingdom. With the exception of Virgin Atlantic Airways (VAA) which started operating on the Hong Kong - United Kingdom direct route in 1994, the other airlines do not provide direct-flight service on this route and therefore are unable to participate. We are discussing with BA and CPA the possibility of including the service of VAA in the current agreement.

(c) The expenditure involved in purchasing air-tickets for civil servants' overseas duty visits and training in 1993/94 and 1994/95 is \$85.4 million, involving a total of 5,956 return passages. We have not kept specific records on the destinations of these passages.

(d) On the whole, we are getting a reasonable deal out of the agreement with BA and CPA as the Government is able to benefit from the reduced fares on the HK-UK direct flights with guaranteed bookings in both peak and off-peak seasons. The current arrangement for the purchase of air-tickets for civil servants' overseas duty visits and training, even if considered on its own, does not incur a much higher public expenditure, since the costs of published-fare air-tickets are roughly the same irrespective of from which agent they are bought. We are using published fares because the lower-fare air-tickets available in the market are very often special or promotional-fare tickets with usage restrictions attached, which would frequently not meet the operational requirements of these duty visits.

(e) With a view to achieving further savings, we are discussing with BA and CPA the possibility of including the service of VAA in the current agreement. We are also reviewing the scope of our being able to make use of the cheaper air fares available in the market for civil servants' overseas duty visits and training.

End

Fill material for proposed reclamation at Kowloon Bay

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Following is a question by the Hon Lau Hon-chuen and a written reply by the Secretary for Planning, Environment and Lands, Mr Bowen Leung, in the Legislative Council today (Wednesday):

Question:

Now that the Government is consulting the public on the feasibility of the Green Island Public Dump Scheme and that the removal of Hong Kong International Airport has been scheduled for 1998, will the Government inform this Council whether consideration will be given to transporting construction waste on Hong Kong Island by land or by sea to the waters off the Airport and Kowloon Bay for dumping as an interim measure, as such a move will prepare that area for the future reclamation work on the one hand and allow more time for the public to study the policies relating to the Green Island reclamation on the other?

Answer:

Mr President,

The Territory Development Department has commissioned a feasibility study on the proposed future development of Kowloon Bay and the current Hong Kong International Airport. The study will examine, among other things, the possible sources of fill material, including construction waste, suitable for the proposed reclamation at Kowloon Bay. Findings of the study will help Government in considering the viability of public dumping at Kowloon Bay and / or the Airport. The study is scheduled to be completed in mid 1997. No decision will be made before the Government has examined the findings thoroughly.

End

Oxygen content in air

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Following is a question by Dr the Hon Samuel Wong Ping-wai and a written reply by the Secretary for Planning, Environment and Lands, Mr Bowen Leung, in the Legislative Council today (Wednesday):

Question:

The proportion of oxygen in the air in some urban districts is sometimes found to be as low as 10%, although the normal oxygen content in the air is about 20%. In such circumstances, people will have to inhale more air, and hence more pollutants, than normal in order to get the oxygen required. In this connection, will the Government inform this Council whether:

(a) the Government will consider releasing the multiplication factor of pollution intake in each district due to lower oxygen content along with the pollution indices now published daily by the Environmental Protection Department; and

(b) if the answer to (a) above is in the negative, whether the Government will consider taking such factor into account in determining the pollution indices?

Reply:

Mr President

The Air Pollution Index is designed to reflect the quality of outdoor air, of which the oxygen content is constantly at the normal level of 20%. In the outdoor environment, the carbon dioxide level in Hong Kong is well below 0.5% and variations around this level of concentration will not affect the oxygen content of the air. The issue of low oxygen in outdoor air is only relevant to locations at altitudes above 10,000 feet: but this is not relevant to Hong Kong. It is therefore not necessary for the Air Pollution Index to take into account the oxygen content. Hence, the answers to both (a) and (b) are in the negative.

End

Predicted profits and performance of H shares companies

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Following is a question by Dr the Hon Huang Chen-ya and a written reply by the Secretary for Financial Services, Mr Rafael Hui, in the Legislative Council today (Wednesday):

Question:

Will the Government inform this Council whether:

(a) the Securities and Futures Commission (SFC) will make a comparison between the profits predicted in the prospectuses of H share companies and the performance of these companies as published after the first year;

(b) the SFC has carried out investigations into companies which have recorded marked discrepancies between the predicted and actual profits; if so, what are the findings; and

(c) there are statutory provisions requiring merchant banks to be responsible for the accuracy of the information contained in prospectuses; if so, what are the liabilities of the merchant banks in the event that the particulars in the prospectuses are found to be incorrect, and what penalties will be imposed on them; if not, whether the Government will require merchant banks to assume responsibility, so as to reduce the chance of investors being misled?

Answer:

(a)&(b) The Stock Exchange of Hong Kong (SEHK) is the front line regulator responsible for the supervision of listed companies and the administration of all related matters. The SFC oversees the SEHK but is not directly involved in such matters.

The SEHK reviews the performance of all newly listed companies, including H share companies, for the first accounting year after their listings, and compares that with the projected profits stated in the respective prospectus of the companies.

All listed companies are required to sign a Listing Agreement and to abide by the SEHK Listing Rules. Under the Listing Agreement, a listed company is obliged to notify shareholders promptly of the occurrence of any event which could cause the forecast assumptions to be materially different from those stated in the prospectus and to indicate the likely impact of such event on the projected profits. The Listing Agreement also requires a company in such circumstances to include an explanation for such material difference in its directors' report and accounts.

The SEHK monitors compliance with the Listing Rules and carries out inquiries where necessary. During the past three years, the SEHK has found two cases (one of which involves an H share company) where the actual results published in the directors' report and accounts differed materially from the projected profits stated in the relevant prospectus. In both cases, the company involved has issued a clarification statement to the public in accordance with the relevant Listing Rules.

(c) There are no statutory provisions which expressly impose special responsibilities on merchant banks for the accuracy of prospectuses. However, there are statutory provisions under which merchant banks could be exposed to criminal and civil liability in respect of untrue statements in prospectuses. Such liability is imposed on every person who has authorised the issue of the prospectus containing untrue statements. Coming within the wide class of persons who authorise the issue of the prospectus can be brokers, merchant banks, solicitors and others associated with the prospectus.

Civil liability is created by section 40 of the Companies Ordinance (the Ordinance) in respect of Hong Kong companies, and section 342E of the Ordinance in respect of companies incorporated outside Hong Kong. The liability is to persons who subscribe for securities on the faith of a prospectus and sustain loss or damage by reason of any untrue statement contained therein.

Criminal liability is created by section 40A of the Ordinance in respect of Hong Kong companies and section 342F of the Ordinance in respect of companies incorporated outside Hong Kong. If a prospectus contains a false statement, any person who authorised its issue will be guilty of an offence unless he can establish certain specific defences.

The penalty for breaching section 40A or section 342F of the Ordinance is a fine of \$500,000 or imprisonment for three years on indictment, and a fine of \$100,000 and imprisonment of 12 months on summary charge.

If a merchant bank acts as a sponsor in relation to a listing, it also has to comply with the Model Code for Sponsors of the Listing Rules. The Code requires that the sponsor should be closely involved in the preparation of the listing document and in ensuring that all material statements therein have been verified and that it complies with the Listing Rules and all relevant legislation. Failure by a sponsor to meet its obligations under the Listing Rules without reasonable excuse may render that person unacceptable to the SEHK for performing the role of a sponsor in the future.

End