



# DAILY INFORMATION BULLETIN

ISSUED BY GOVERNMENT INFORMATION SERVICES  
BEACONSFIELD HOUSE, HONG KONG. TEL.: 842 8777

WEDNESDAY, JULY 15, 1992

<u>CONTENTS</u>	<u>PAGE NO.</u>
<u>LEGISLATIVE COUNCIL MEETING:</u>	
FS MAKES STATEMENT ON EXCHANGE FUND .....	1
TWO BILLS TO TACKLE ORGANISED AND SERIOUS CRIMES .....	4
BILLS TO TRANSFER REGISTRAR'S FUNCTIONS INTRODUCED .....	6
FORMATION OF OWNERS' CORPORATIONS TO BE SPEEDED UP .....	7
BILL TO REFINE INSURANCE COMPANIES ORDINANCE INTRODUCED .....	8
BUSINESS REGISTRATION OFFICE TO UPGRADE RECORD-KEEPING .....	9
COMPANIES (AMENDMENT) BILL 92 INTRODUCED .....	10
PAA REPORT TABLED .....	11
MORE MEASURES TO PROTECT EMPLOYEES AGAINST NOISE HAZARDS .....	12
FILMS, VIDEOTAPES AND LASER DISCS TO BE CLASSIFIED BY FILM CENSORSHIP AUTHORITY .....	14
PADS INFORMATION SHARED WITH LEGISLATORS .....	15
PUBLIC ASSISTANCE SCHEME TO BE REVIEWED .....	16
KCR - ONLY CORPORATISED DEPT IN PAST 10 YEARS .....	17
FLASHING NEON LIGHTS PROHIBITED FOR SAFETY REASONS .....	17
SUSTAINED EFFORTS TO FIGHT SMUGGLING .....	18
PROCEDURES DRAWN UP TO HANDLE AIRCRAFT CRASH .....	19
COMMITMENT ON LOCALISATION REAFFIRMED .....	20
LAND SALE PROCEEDS KEPT IN VIEW .....	21
PERSONAL RECORDS OF POLICE WELL PROTECTED .....	21
MEASURES TO MINIMISE ENVIRONMENT IMPACT OF RECLAMATION WORKS .....	22
CONTROL ON FUND-RAISING ACTIVITIES EXPLAINED .....	23
GOVT INTENDS TO REVIEW SUMMARY OFFENCES ORDINANCE .....	24
PRESENT SYSTEM OF PLACING DISABLED JOB SEEKERS EFFECTIVE .....	24

/PUBLIC ORDER .....

<u>CONTENTS</u>	<u>PAGE NO.</u>
PUBLIC ORDER ORDINANCE UNDER REVIEW .....	26
LIMITED STATISTICS ON JUMPING BAIL AVAILABLE .....	26
ATTORNEY GENERAL EXPLAINS BRIEFING-OUT CASE .....	27
AUTOMATIC POSTPONEMENT OF PUBLIC EXAMS NOT PRACTICAL .....	27
UPGC EXAMINES REVISED ACADEMIC PROPOSALS .....	28
CROWN LANDS RESUMPTION LAW TO BE REVIEWED .....	29
INFRASTRUCTURAL INVESTMENT A MUST: GOVERNOR .....	30
UNAUTHORISED BUILDING IN KWUN TONG TO BE CLOSED .....	31
HONG KONG GOVERNMENT EXCHANGE FUND MONEY MARKET OPERATIONS .....	32

WEDNESDAY, JULY 15, 1992

- 1 -

FS MAKES STATEMENT ON EXCHANGE FUND

\* \* \* \* \*

IN A STATEMENT TO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), THE FINANCIAL SECRETARY, MR HAMISH MACLEOD, ANNOUNCED HIS DECISION TO PUBLISH A BALANCE SHEET SHOWING THE ASSETS AND LIABILITIES OF THE EXCHANGE FUND.

THE BALANCE SHEET WILL SHOW THAT AT THE END OF 1991 THE EXCHANGE FUND STOOD AT HK\$236 BILLION. THE ACCUMULATED EARNINGS OF THE FUND STOOD AT HK\$99 BILLION.

MR MACLEOD SAID :

"WHEN PUT IN PERSPECTIVE, THESE FIGURES ARE VERY IMPRESSIVE INDEED. THE TOTAL FOREIGN CURRENCY ASSETS HELD BY THE FUND WERE EQUIVALENT TO US\$29 BILLION.

"HONG KONG'S FOREIGN CURRENCY HOLDINGS ARE THE 12TH HIGHEST IN THE WORLD EVEN THOUGH ON A GDP COMPARISON HONG KONG WOULD BE RANKED ONLY 34TH.

"AT US\$5,000, HONG KONG'S PER CAPITA FOREIGN CURRENCY HOLDINGS ARE FAR HIGHER THAN THE AVERAGE OF ONLY US\$740 FOR THE OECD MEMBER COUNTRIES."

MR MACLEOD EXPLAINED TO LEGCO MEMBERS THAT HE HAD DECIDED TO BREAK THE ESTABLISHED POLICY OF CONFIDENTIALITY ON THE EXCHANGE FUND BECAUSE CIRCUMSTANCES HAVE CHANGED.

"I BELIEVE THAT THE GOVERNMENT OWES THE COMMUNITY A DUTY OF FRANKNESS AND OPENNESS ON MAJOR ISSUES OF PUBLIC POLICY. THE CASE FOR CONFIDENTIALITY HAS FALLEN AWAY AS OUR MONETARY FRAMEWORK HAS BEEN DEVELOPED AND STRENGTHENED."

MR MACLEOD EXPLAINED THAT HE ALSO TOOK INTO ACCOUNT THE FACT THAT MOST MAJOR ECONOMIES PUBLISH SUCH INFORMATION AND THAT THE INTERNATIONAL MONETARY FUND HAS RECOMMENDED THAT HONG KONG FOLLOW THIS PRACTICE.

"PUBLICATION OF THE EXCHANGE FUND BALANCE SHEET WILL MAKE CLEAR THE STRENGTH OF HONG KONG'S FINANCIAL POSITION TO POTENTIAL LENDERS AND CREDIT RATING AGENCIES AND ENABLE THEM TO MAKE AN ACCURATE ASSESSMENT OF OUR CREDIT WORTHINESS."

TO MAKE COMPARISONS EASIER, MR MACLEOD SAID HE WOULD ALSO PUBLISH THE FIGURES FOR THE PERIOD 1986-90.

HE SAID HE WOULD PUBLISH A BALANCE SHEET FOR THE EXCHANGE FUND EVERY YEAR AT ABOUT THIS TIME.

- - - - -

/EXCHANGE FUND .....

## EXCHANGE FUND BALANCE SHEET

AS AT END OF YEAR

(HKD Million)

/NOTES ON . . . . .

	<u>Note</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>	<u>1991</u>
<b>ASSETS</b>							
Foreign Currency Assets	1	84,715	113,089	127,089	149,152	192,323	225,333
Hong Kong Dollar Assets		3,876	5,746	5,962	9,625	3,874	10,788
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
		88,591	118,835	133,051	158,777	196,197	236,121
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<b>LIABILITIES</b>							
Certificates of Indebtedness	2	20,531	26,831	31,731	37,191	40,791	46,410
Transfers of Fiscal Reserves	3	23,359	32,557	38,269	52,546	63,226	69,802
Coins in Circulation		1,441	1,470	1,890	2,012	2,003	2,299
Exchange Fund Bills		-	-	-	-	6,671	13,624
Other Liabilities	4	4,103	4,453	2,554	1,603	391	4,834
Balance of Banking System	5	-	-	860	978	480	500
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
		49,434	65,311	75,304	94,330	113,562	137,469
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<b>ACCUMULATED EARNINGS</b>		<u>39,157</u>	<u>53,524</u>	<u>57,747</u>	<u>64,447</u>	<u>82,635</u>	<u>98,652</u>

## NOTES ON THE ACCOUNTS

1. (a) **Investments**  
The fund is invested in interest bearing deposits with banks in Hong Kong and overseas and in a variety of financial instruments, including bonds, notes and treasury bills. Only instruments which have good marketability and which are issued by or guaranteed by governments with high credit standing are acquired.
  - (b) **Foreign currency assets distribution**  
A large proportion of the Fund's foreign currency assets are held in US dollars because this is the intervention currency and there is no exchange risk involved, given that the Hong Kong dollar is linked to the US dollar. Apart from the US dollar, the Fund also holds assets denominated in other major foreign currencies. They are the Canadian dollar, deutschemark, Japanese yen, pound sterling, Swiss franc, Dutch guilder, French franc and the ECU.
  - (c) **Location of assets**  
The assets are held in deposit, trustee and safe-keeping accounts with banks, central banks and custodial organisations situated in Hong Kong and other major financial centres.
  - (d) **Valuation of assets**  
Treasury bills and other short-term money market instruments are valued at cost. Bonds and notes are valued at mid-market prices as at the close of business on the last business day of each accounting period.
  - (e) **Translation of foreign currency assets**  
US dollar (USD) assets are translated into Hong Kong dollars (HKD) at an exchange rate of USD 1 = HKD 7.80. Assets in other foreign currencies are translated into Hong Kong dollars based on US dollar middle market cross rates in New York at the close of business on the last business day of the accounting period.
2. As backing for their bank note issues, the two note-issuing banks are required to hold non-interest bearing certificates of indebtedness issued by the Exchange Fund. Since 17 October 1983 these certificates have been issued to or redeemed from the two banks against payment in US dollars at a fixed rate of HKD7.80 = USD1.00.
  3. This is that proportion of the fiscal reserves which has been transferred from the General Revenue Account, Capital Investment Fund, Loan Fund and Capital Works Reserve Fund to the Exchange Fund on an interest earning basis.
  4. Other liabilities comprise expenses accrued at the year end, in the main interest due on fiscal reserve transfers, contingency reserves for bank rescue operations and any other borrowings.
  5. In accordance with the Accounting Arrangements introduced in July 1988, The Hongkong and Shanghai Banking Corporation Ltd., as the Management Bank of the Clearing House of the Hong Kong Association of Banks, is required to maintain a Clearing Account with the Exchange Fund. The balance in the Account, which represents the level of liquidity in the interbank market, can only be altered by the Fund. The Accounting Arrangements enable the Fund to maintain exchange rate stability more effectively by influencing the level of interbank liquidity through money market operations.

TWO BILLS TO TACKLE ORGANISED AND SERIOUS CRIMES

\* \* \* \* \*

TWO BILLS THAT SOUGHT TO IMPROVE THE GOVERNMENT'S ABILITY TO INVESTIGATE AND PROSECUTE ORGANISED AND SERIOUS CRIMES WERE INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE TWO BILLS WERE: THE ORGANISED AND SERIOUS CRIMES BILL AND THE CRIMINAL PROCEDURE (AMENDMENT) BILL 1992.

INTRODUCING THE FORMER BILL, THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, SAID THERE HAD FOR LONG BEEN GREAT CONCERN IN THE COMMUNITY ABOUT THE EXTENT OF ORGANISED CRIME IN HONG KONG.

ORGANISED CRIME ENCOMPASSED THE WHOLE SPECTRUM OF CRIMINAL ACTIVITY FROM TRAFFICKING IN NARCOTICS, ROBBERY, FRAUD, BLACKMAIL, LOANSHARKING AND VICE TO EXTORTION AND PROTECTION OF SHOPKEEPERS, HAWKERS AND PUBLIC LIGHT BUS DRIVERS.

"IT REPRESENTS A PARTICULARLY SERIOUS THREAT TO LAW AND STABILITY IN OUR SOCIETY," MR ASPREY SAID.

HE SAID THE OBJECTIVE IN TACKLING ORGANISED CRIME MUST BE TWOFOLD: TO ENABLE THE POLICE TO OBTAIN EVIDENCE AGAINST THOSE WHO ORGANISE, CO-ORDINATE OR CARRY OUT SUCH CRIMES; AND TO ENABLE ADEQUATE SANCTIONS, INCLUDING FINANCIAL PENALTIES, TO BE IMPOSED ON THOSE INVOLVED IN ORGANISED CRIME.

THE SECRETARY SAID THE POLICE HAD TO BE PROVIDED WITH MORE EFFECTIVE POWERS TO INVESTIGATE ORGANISED CRIME.

"WE THEREFORE PROPOSE THAT THE POLICE SHOULD, FOR THE PURPOSE OF INVESTIGATING ORGANISED CRIMES, BE ABLE TO APPLY TO THE HIGH COURT FOR POWERS TO REQUIRE A PERSON TO ANSWER QUESTIONS OR OTHERWISE FURNISH INFORMATION OR TO PRODUCE MATERIAL," HE SAID.

HE ADDED THAT IT WOULD BE AN OFFENCE TO FAIL TO COMPLY WITH SUCH AN ORDER OR TO PROVIDE FALSE INFORMATION.

THESE POWERS WILL BE SUBJECT TO A NUMBER OF SAFEGUARDS.

THEY CAN BE INVOKED ONLY FOR THE PURPOSE OF INVESTIGATING ORGANISED CRIME INVOLVING THE OFFENCES IN THE FIRST SCHEDULE OF THE BILL.

THE APPLICATION FOR THE USE OF THE POWERS MUST HAVE THE CONSENT OF THE ATTORNEY GENERAL. THE POWERS MUST BE AUTHORISED BY A HIGH COURT JUDGE AFTER BEING SATISFIED THAT IT IS IN THE PUBLIC INTEREST TO GRANT THE AUTHORITY.

THE SPECIAL INVESTIGATIVE POWERS WOULD BE AVAILABLE TO REQUEST PRODUCTION OF INFORMATION AND MATERIAL BY BANKS, THE INLAND REVENUE DEPARTMENT AND ANY BODIES OR PERSONS WHICH OPERATE UNDER A STATUTORY OR COMMON LAW OBLIGATION TO MAINTAIN CONFIDENTIALITY.

THE BILL ALSO PROVIDES THAT THE POLICE MAY APPLY TO THE HIGH COURT OR DISTRICT COURT FOR A WARRANT TO ENTER AND SEARCH PREMISES TO SEIZE EVIDENCE RELEVANT TO AN INVESTIGATION.

HE SAID THE SPECIAL INVESTIGATIVE POWERS PROPOSED IN RELATION TO ORGANISED CRIMES EXIST IN VARIOUS FORMS IN A NUMBER OF OTHER ORDINANCES, FOR EXAMPLE, THE SECURITIES AND FUTURES COMMISSION ORDINANCE AND THE COMPANIES ORDINANCE.

THE SECRETARY ALSO SAID THEY HAD ALSO SOUGHT TO ENABLE THE COURTS TO IMPOSE MORE STRINGENT PENALTIES, INCLUDING FINANCIAL PENALTIES, FOR THOSE CONVICTED OF ORGANISED AND SERIOUS CRIMES WHERE APPROPRIATE.

IT IS ALSO PROPOSED THAT WHERE A PERSON HAS BEEN CONVICTED IN THE HIGH COURT OR DISTRICT COURT OF AN OFFENCE IN SCHEDULES 1 OR 2 OF THE BILL, THE PROSECUTION WILL BE ENTITLED TO PROVIDE THE COURT WITH INFORMATION RELATING TO THE OFFENCE, ITS RELATIONSHIP TO ORGANISED CRIME, ITS IMPACT ON VICTIMS AND ITS FINANCIAL BENEFITS.

AFTER HAVING REGARD TO THE INFORMATION BROUGHT BEFORE THE COURT, IF THE COURT IS SATISFIED THAT IT WOULD BE APPROPRIATE TO IMPOSE A HEAVIER SENTENCE THAN WOULD OTHERWISE BE THE CASE, THEN IT MAY IMPOSE SUCH A SENTENCE, PROVIDED IT DOES NOT EXCEED THE STATUTORY MAXIMUM.

IT IS ALSO PROPOSED THAT WHERE A PERSON IS CONVICTED OF A SPECIFIED OFFENCE, THE COURT WILL BE EMPOWERED TO MAKE A CONFISCATION ORDER IN RESPECT OF ALL PROCEEDS OF CRIME RECEIVED BY THE PERSON IN CONNECTION WITH THE COMMISSION OF ANY OFFENCE.

IN ADDITION, A GENERAL MONEY LAUNDERING OFFENCE COVERING THE PROCEEDS OF ALL CRIMES IS PROPOSED.

"THESE PROPOSALS REPRESENT AN EXTENSION OF THE PROPOSALS IN THE WHITE BILL ON ORGANISED CRIME, IN THAT THEY WOULD NOT BE LIMITED TO THE PROCEEDS OF SPECIFIED OFFENCES RELATING TO ORGANISED CRIME.

"I BELIEVE THAT THE PROPOSALS I HAVE OUTLINED WILL GREATLY IMPROVE OUR ABILITY TO INVESTIGATE AND PROSECUTE THOSE RESPONSIBLE FOR ORGANISED AND SERIOUS CRIMES, AND TO DESTROY THE POWER, ESPECIALLY THE FINANCIAL POWER, OF ORGANISED CRIME SYNDICATES," HE SAID.

MEANWHILE, THE CRIMINAL PROCEDURE (AMENDMENT) BILL 1992 WOULD ABOLISH THE REQUIREMENT FOR A CORROBORATION WARNING IN RESPECT OF THE EVIDENCE OF ACCOMPLICES.

THE RESULT WILL BE THAT JUDGES WILL BE ABLE TO EXERCISE THEIR DISCRETION TO DEAL WITH THE CREDIBILITY OF ACCOMPLICE WITNESSES IN THE SAME MANNER AS THEY DEAL WITH CREDIBILITY GENERALLY.

DEBATES ON THE BILLS WERE ADJOURNED.

WEDNESDAY, JULY 15, 1992

- 6 -

BILLS TO TRANSFER REGISTRAR'S FUNCTIONS INTRODUCED

\* \* \* \* \*

TWO BILLS TO TRANSFER CERTAIN FUNCTIONS OF THE REGISTRAR OF COMPANIES IN RELATION TO PROSPECTUSES TO THE SECURITIES AND FUTURES COMMISSION (SFC) AND THE STOCK EXCHANGE OF HONG KONG LTD (SEHK) WERE INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE TWO BILLS ARE COMPANIES (AMENDMENT) (NO. 2) BILL AND SECURITIES AND FUTURES COMMISSION (AMENDMENT) (NO. 2) BILL.

UNDER THE CURRENT SYSTEM, THE REGISTRAR, THE SFC AND SEHK ALL HAVE VETTING RESPONSIBILITIES IN RESPECT OF PROSPECTUSES AND THERE IS CONSIDERABLE DUPLICATION AND OVERLAPPING OF THESE RESPONSIBILITIES.

IN LINE WITH THE RECOMMENDATIONS OF THE 1988 REPORT OF THE SECURITIES REVIEW COMMITTEE, THE ADMINISTRATION BELIEVED THAT THE EXISTING VETTING SYSTEM SHOULD BE RATIONALISED AND STREAMLINED SO THAT ONLY A SINGLE BODY VETS AND APPROVES THE DOCUMENTATION FOR A NEW ISSUE.

UNDER THE PROPOSED AMENDMENTS, THE ROLE OF THE REGISTRAR OF COMPANIES WOULD BE LIMITED TO THAT OF A REGISTRATION AUTHORITY ONLY.

HE WOULD CONTINUE TO BE RESPONSIBLE UNDER THE COMPANIES ORDINANCE FOR REGISTERING PROSPECTUSES BUT WOULD CEASE TO TAKE RESPONSIBILITY FOR VETTING THEM PRIOR TO REGISTRATION.

MEANWHILE, THE STATUTORY RESPONSIBILITY FOR AUTHORISING THE REGISTRATION OF PROSPECTUSES, INCLUDING THAT OF ENSURING THAT THEY COMPLIED WITH THE COMPANIES ORDINANCE, WOULD BE VESTED IN THE SFC.

FOR THOSE PROSPECTUSES WHERE THE SECURITIES ARE NOT LISTED, THE SFC WILL EXERCISE THE RESPONSIBILITY FOR AUTHORISING THEIR REGISTRATION.

INTRODUCING SECURITIES AND FUTURES COMMISSION (AMENDMENT) (NO. 2) BILL, THE SECRETARY FOR MONETARY AFFAIRS, MR DAVID NENDICK, SAID THE OPPORTUNITY WAS ALSO BEING TAKEN TO RECTIFY THE CONSTITUTIONS OF THE SECURITIES AND FUTURES APPEALS PANEL AND OF THE TRIBUNALS WHICH HEAR APPEALS BY EXCLUDING NON-EXECUTIVE DIRECTORS OF THE SFC FROM MEMBERSHIP.

"THIS IS TO ENSURE THAT ANY APPEAL WILL BE HEARD BY AN INDEPENDENT AND IMPARTIAL TRIBUNAL," MR NENDICK SAID.

A REVISION OF THE FINANCIAL RESOURCES RULES OF THE SFC IS ALSO PROPOSED, INTRODUCING A REQUIREMENT FOR REGISTERED PERSONS TO MAKE PERIODIC RETURNS CONCERNING THEIR CAPITAL ADEQUACY.

THE SECRETARY SAID THIS WAS TO ENABLE THE SFC TO MONITOR COMPLIANCE WITH THE CAPITAL ADEQUACY REQUIREMENTS.

DEBATES ON THE TWO BILLS WERE ADJOURNED.

- - - - 0 - - - -

/7 .....

## FORMATION OF OWNERS' CORPORATIONS TO BE SPEEDED UP

\* \* \* \* \*

THE GOVERNMENT ACCEPTS THE ARGUMENT CONTAINED IN MANY SUBMISSIONS THAT FLAT OWNERS SHOULD HAVE THE RIGHT TO INCORPORATE THEMSELVES, THE SECRETARY FOR HOME AFFAIRS, MR MICHAEL SUEN, TOLD THE LEGISLATIVE COUNCIL THIS (WEDNESDAY) AFTERNOON.

MOVING THE SECOND READING OF THE MULTI-STOREY BUILDINGS (OWNERS INCORPORATION) (AMENDMENT) BILL 1992, MR SUEN SAID THE BILL AIMED PRIMARILY TO FURTHER FACILITATE THE FORMATION OF OWNERS' CORPORATIONS AND TO REPEAL THOSE PROVISIONS IN THE EXISTING DEEDS OF MUTUAL COVENANT WHICH WERE CONSIDERED TO BE UNFAIR TO FLAT OWNERS.

IT WAS DESIGNED TO GIVE EFFECT TO PROPOSALS FORMULATED ON THE BASIS OF VIEWS EXPRESSED DURING PUBLIC CONSULTATION ON AN EARLIER VERSION OF THE AMENDMENT BILL WHICH WAS PUBLISHED AS A WHITE BILL AT THE END OF MAY LAST YEAR, HE SAID.

MR SUEN SAID ONE OF THE MOST CONTENTIOUS PROVISIONS OF THE EXISTING ORDINANCE WAS SECTION 2A WHICH PROVIDED THAT THE ORDINANCE DID NOT APPLY TO A BUILDING IN RESPECT OF WHICH A PERSON HAD UNDERTAKEN TO, OR AGREED WITH, THE GOVERNMENT TO MANAGE OR BE RESPONSIBLE FOR ITS MANAGEMENT.

CLAUSE 4 OF THE BILL, THEREFORE, REPEALS SECTION 2A OF THE ORDINANCE ACCORDINGLY, MR SUEN SAID.

"AND IN ORDER TO PUT THE MATTER BEYOND DOUBT, CLAUSE 27 OF THE BILL PROVIDES, INTER ALIA, THAT ANY ARRANGEMENTS WHEREBY FLAT OWNERS ARE PREVENTED FROM BEING REGISTERED AS AN OWNERS' CORPORATION SHALL BE VOID AND OF NO EFFECT," HE ADDED.

IN ORDER TO FACILITATE THE FORMATION OF OWNERS' CORPORATIONS, MR SUEN SAID CLAUSE 5 ENABLED THE SECRETARY FOR HOME AFFAIRS TO APPROVE APPLICATIONS FOR INCORPORATION BY THE OWNERS OF NOT LESS THAN 30 PER CENT OF THE SHARES IN THE BUILDING, INSTEAD OF THE 50 PER CENT AS AT PRESENT PROVIDED.

"THIS CHANGE WILL BE PARTICULARLY HELPFUL IN BUILDINGS WITH A LARGE NUMBER OF ABSENTEE LANDLORDS WHO DO NOT NORMALLY TAKE ANY INTEREST IN THE MANAGEMENT OF THEIR BUILDINGS."

AS TO THE PROBLEM OF UNFAIR DEEDS OF MUTUAL COVENANT, MR SUEN SAID SUCH DEEDS FREQUENTLY PROVIDED FOR PERPETUAL MANAGEMENT BY THE DEVELOPER HIMSELF OR BY A MANAGEMENT COMPANY ASSOCIATED WITH THE DEVELOPER.

IN SUCH CASES, THERE IS LITTLE THE FLAT OWNERS CAN DO TO RID THEMSELVES OF THE MANAGER, HE SAID.

HOWEVER, MR SUEN POINTED OUT THAT A NEW SEVENTH SCHEDULE WAS PROVIDED UNDER THE AMENDMENT BILL, SETTING OUT THE TERMS THAT WERE TO BE IMPLIEDLY INCORPORATED INTO EVERY DEED OF MUTUAL COVENANT.

"SUCH TERMS WILL PREVAIL OVER CORRESPONDING PROVISIONS IN EXISTING COVENANTS WHICH ARE INCONSISTENT WITH THEM," HE SAID.

MR SUEN SAID PARAGRAPH 7 OF THE NEW SEVENTH SCHEDULE WOULD PROVIDE A PROCEDURE WHEREBY THE FLAT OWNERS MIGHT TERMINATE THE APPOINTMENT OF A MANAGER EMPLOYED BY OR ASSOCIATED WITH THE DEVELOPER.

"BASICALLY, IT REQUIRES A RESOLUTION OF THE OWNERS OF NOT LESS THAN 50 PER CENT OF THE UNDIVIDED SHARES.

"THE DEVELOPER MAY THEN APPOINT A REPLACEMENT MANAGER WITH THE CONSENT OF THE FLAT OWNERS.

"SHOULD THEY FAIL TO REACH ANY AGREEMENT, THE FLAT OWNERS WOULD HAVE THE POWER TO APPOINT THEIR OWN MANAGER," MR SUEN SAID.

BUT MR SUEN ACKNOWLEDGED THAT THE GOVERNMENT DID RECOGNISE THAT IN SOME EXCEPTIONAL CIRCUMSTANCES, CERTAIN RESIDENTIAL DEVELOPMENTS MIGHT BEST BE MANAGED BY THE DEVELOPER OR HIS APPOINTED MANAGING AGENT.

FOR THIS REASON, THE NEW SECTION 34E(4) IN CLAUSE 27 PROPOSES THAT THE SECRETARY FOR HOME AFFAIRS MAY EXCLUDE THE APPLICATION OF PARAGRAPH 7 OF THE SEVENTH SCHEDULE TO ANY SPECIFIED BUILDING IN ACCORDANCE WITH PUBLISHED GUIDELINES.

AS THE INCLUSION OF NEW PROVISIONS ON UNFAIR DEEDS OF MUTUAL COVENANT WIDENED THE SCOPE OF THE EXISTING ORDINANCE, MR SUEN SAID IT WAS CONSIDERED NECESSARY FOR THE SHORT TITLE OF THE ORDINANCE TO BE CHANGED FROM "MULTI-STOREY BUILDINGS (OWNERS INCORPORATION) ORDINANCE" TO "BUILDING MANAGEMENT ORDINANCE".

DEBATE ON THE BILL WAS ADJOURNED.

- - - - 0 - - - -

BILL TO REFINE INSURANCE COMPANIES ORDINANCE INTRODUCED

\* \* \* \* \*

A BILL THAT SOUGHT TO REFINE EXISTING PROVISIONS OF THE INSURANCE COMPANIES ORDINANCE WAS INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE INSURANCE COMPANIES (AMENDMENT) (NO. 3) BILL 1992, THE SECRETARY FOR MONETARY AFFAIRS, MR DAVID NENDICK, SAID THERE WERE TWO AREAS OF REFINEMENT.

FIRST, TO DESIGNATE THE MANAGEMENT OF RETIREMENT SCHEMES AS A NEW CLASS OF LONG-TERM BUSINESS AND SECONDLY, TO FACILITATE THE REPORTING OF SUSPECTED FRAUD BY AUDITORS, ACCOUNTANTS AND ACTUARIES.

INSURERS UNDERTAKING LONG-TERM BUSINESS ARE REQUIRED UNDER THE INSURANCE COMPANIES ORDINANCE TO SET ASIDE A LONG-TERM FUND TO MEET THE LIABILITIES ARISING FROM SUCH BUSINESS.

"THIS ENSURES THAT ADEQUATE PROTECTION IS GIVEN TO THE POLICY HOLDERS," MR NENDICK SAID.

/IT IS .....

IT IS PROPOSED THAT THE ORDINANCE BE AMENDED SO AS TO DESIGNATE THE MANAGEMENT OF RETIREMENT SCHEMES AS A CLASS OF LONG-TERM BUSINESS.

IT IS ALSO PROPOSED THAT THE PRESCRIBED PERSONS (AUDITORS, ACCOUNTANTS AND ACTUARIES) SHOULD BE PROTECTED AGAINST POSSIBLE LIABILITY FOR BREACH OF THEIR DUTY OF CONFIDENTIALITY TO CLIENTS WHEN COMMUNICATING IN GOOD FAITH WITH THE INSURANCE AUTHORITY.

THE INSURERS WILL ALSO BE REQUIRED TO NOTIFY THE INSURANCE AUTHORITY OF ANY CHANGE OR PROSPECTIVE CHANGE OF AN AUDITOR OR ACTUARY, AS SUCH CHANGES MAY SIGNIFY POSSIBLE IRREGULARITIES IN THE OPERATION OF AN INSURER'S AFFAIRS.

IN ADDITION, THE INSURANCE AUTHORITY WILL BE EMPOWERED TO DISCLOSE INFORMATION RELATING TO A PRESCRIBED PERSON TO THE APPROPRIATE PROFESSIONAL ASSOCIATION FOR THE PURPOSE OF ANY DISCIPLINARY PROCEEDINGS.

DEBATE ON THE BILL WAS ADJOURNED.

- - - - 0 - - - -

BUSINESS REGISTRATION OFFICE TO UPGRADE RECORD-KEEPING  
\* \* \* \* \*

A BILL THAT AIMED TO FREE THE BUSINESS REGISTRATION OFFICE FROM THE REQUIREMENT TO KEEP PAPER-BASED RECORDS INDEFINITELY WAS INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING THE SECOND READING OF THE BUSINESS REGISTRATION (AMENDMENT) BILL 1992, THE SECRETARY FOR THE TREASURY, MR K.Y. YEUNG, SAID THE OFFICE WAS UPGRADING ITS EQUIPMENT AND CHANGING ITS PROCEDURES, WITH A VIEW TO SERVING THE BUSINESS COMMUNITY MORE EFFICIENTLY.

IN FUTURE THE OFFICE WILL KEEP ITS RECORDS BOTH ON MICROFILM AND ON A COMPUTER AND DELETE RECORDS OF BUSINESSES WHICH HAVE CEASED TO OPERATE FOR 10 YEARS OR MORE.

"THIS NEW STREAMLINED METHOD OF DATA STORAGE AND RETRIEVAL WILL RESULT NOT ONLY IN SIGNIFICANT STAFF SAVINGS BUT ALSO PROVIDE THE BUSINESS COMMUNITY WITH A MUCH MORE EFFICIENT SERVICE," HE SAID.

THE BILL ALSO INCLUDES MINOR AMENDMENTS TO PROVIDE FOR THE REGISTRATION OF A NEW BRANCH OF A BUSINESS AND TO REVISE THE LEVEL OF FINE FOR NON-COMPLIANCE WITH THE ORDINANCE FROM \$2,000 TO \$5,000.

DEBATE ON THE BILL WAS ADJOURNED.

- - - - 0 - - - -

COMPANIES (AMENDMENT) BILL 92 INTRODUCED

\* \* \* \* \*

A BILL INTRODUCED INTO THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY) WILL ENABLE THE REGISTRAR OF COMPANIES TO TAKE EFFECTIVE ENFORCEMENT ACTION AGAINST COMPANIES THAT PERSISTENTLY FAIL IN THEIR STATUTORY DUTY TO SUBMIT ANNUAL RETURNS.

THE COMPANIES (AMENDMENT) BILL 1992 ALSO SEEKS TO ENABLE COMPANIES THAT ARE NOT TRADING AND ARE INACTIVE TO TAKE ADVANTAGE OF A NEW "DORMANT" STATUS, WHEREBY THEY WILL BE EXEMPTED FROM COMPLIANCE WITH A NUMBER OF PROVISIONS OF THE COMPANIES ORDINANCE FOR THE PERIOD DURING WHICH THEY REMAIN DORMANT.

MOVING THE SECOND READING OF THE BILL, THE SECRETARY FOR MONETARY AFFAIRS, MR DAVID NENDICK, EXPLAINED THAT A RECENT SURVEY CONDUCTED BY THE REGISTRAR INDICATED THAT AS MANY AS 25 PER CENT OF REGISTERED COMPANIES DID NOT SUBMIT REGULAR ANNUAL RETURNS.

HE SAID ALTHOUGH THERE WERE ALREADY PROCEDURES WHICH MAY BE INITIATED BY THE REGISTRAR UNDER THE ORDINANCE FOR STRIKING COMPANIES OFF THE REGISTER, THESE PROCEDURES REQUIRED THE REGISTRAR TO EXERCISE HIS DISCRETION IN EACH INDIVIDUAL CASE.

THE BILL PROPOSED THAT THE REGISTRAR BE PROVIDED WITH A MORE EFFECTIVE MEANS OF DEALING WITH CASES OF DEFAULT BY INTRODUCING A SIMPLIFIED PROCEDURE FOR STRIKING COMPANIES OFF THE REGISTER WHERE THEY FAIL TO SUBMIT ANNUAL RETURNS FOR TWO CONSECUTIVE YEARS.

"STRIKING-OFF ACTION WILL NOT BE INITIATED UNTIL FAIR WARNING HAS BEEN GIVEN TO A COMPANY AND ITS DIRECTORS AND THE COMPANY HAS BEEN GIVEN THE OPPORTUNITY TO REMEDY THE SITUATION.

"IF A COMPANY CHOOSES TO IGNORE THESE WARNINGS, IT MAY BE STRUCK OFF AND DISSOLVED. ALL PROPERTY AND RIGHTS VESTED IN IT OR HELD ON TRUST FOR IT IMMEDIATELY BEFORE ITS DISSOLUTION WILL THEN BE DEEMED TO BE BONA VACANTIA AND TO BELONG TO THE CROWN," MR NENDICK SAID.

THE BILL ALSO PROVIDES FOR CREDITORS TO MAKE CLAIMS AGAINST BONA VACANTIA.

ALSO, IF UPON APPLICATION BY THE COMPANY OR ANY MEMBER OR CREDITOR OF IT, THE REGISTRAR IS SATISFIED THAT THERE ARE REASONABLE GROUNDS FOR A COMPANY TO BE RESTORED ONTO THE REGISTER, AND AN APPROPRIATE FEE IS PAID, THEN REINSTATEMENT MAY BE EFFECTED QUICKLY AND SIMPLY.

ON THE INTRODUCTION OF A NEW "DORMANT" STATUS FOR PRIVATE COMPANIES, MR NENDICK SAID AT PRESENT COMPANIES THAT WERE NOT UNDERTAKING ANY BUSINESS WERE NEVERTHELESS REQUIRED TO COMPLY WITH ALL THE REQUIREMENTS OF THE ORDINANCE.

"THIS INVOLVES THE COMMITMENT OF CONSIDERABLE TIME AND RESOURCES, BOTH BY THE COMPANIES CONCERNED AND BY THE REGISTRAR, TO WORK WHICH MAY SERVE LITTLE USEFUL PURPOSE," HE SAID.

UNDER THE PROPOSAL, A PRIVATE COMPANY MAY BY SPECIAL RESOLUTION AUTHORISE ITS DIRECTORS TO SUBMIT A STATUTORY DECLARATION DECLARING THE COMPANY TO BE "DORMANT".

THE BILL DEFINES A COMPANY AS DORMANT DURING ANY PERIOD IN WHICH NO SIGNIFICANT ACCOUNTING TRANSACTION OCCURS; THAT IS A TRANSACTION WHICH, UNDER SECTION 121 OF THE ORDINANCE, WOULD BE REQUIRED TO BE ENTERED INTO THE COMPANY'S BOOKS.

A COMPANY THAT IS REGARDED AS BEING DORMANT WOULD BE EXEMPTED FROM A NUMBER OF REQUIREMENTS OF THE ORDINANCE.

THESE RELATE MAINLY TO THE SUBMISSION OF DOCUMENTATION, INCLUDING ANNUAL RETURNS, MATTERS RELATING TO THE HOLDING OF MEETINGS AND REQUIREMENTS RELATING TO ACCOUNTS AND AUDITING.

MR NENDICK SAID COMPANIES THAT TOOK ADVANTAGE OF THIS NEW STATUS WOULD BE REQUIRED TO NOTIFY THE REGISTRAR IF AND WHEN THEY INTENDED TO ENTER INTO A SIGNIFICANT ACCOUNTING TRANSACTION.

THEY WILL THEN CEASE TO BE REGARDED AS DORMANT AND WILL BE REQUIRED TO COMPLY WITH ALL THE PROVISIONS OF THE COMPANIES ORDINANCE IN THE NORMAL WAY, HE ADDED.

ON SANCTIONS AGAINST ANY POSSIBLE ABUSE OF THIS PRIVILEGE, HE SAID THE BILL PROVIDED THAT THE DIRECTORS AND SHAREHOLDERS OF A COMPANY THAT ENTERED INTO A SIGNIFICANT ACCOUNTING TRANSACTION WITHOUT NOTIFYING THE REGISTRAR WOULD BE LIABLE FOR ANY DEBT OR LIABILITY OF THE COMPANY ARISING OUT OF THAT TRANSACTION.

HOWEVER, CERTAIN CATEGORIES OF COMPANIES WILL NOT BE ABLE TO AVAIL THEMSELVES OF DORMANT STATUS BECAUSE OF THE NEED IN THEIR CASE FOR A HIGHER DEGREE OF PUBLIC ACCOUNTABILITY.

THESE INCLUDE PUBLIC COMPANIES, AUTHORISED FINANCIAL INSTITUTIONS, AUTHORISED INSURERS, REGISTERED DEALERS, AND THEIR RESPECTIVE HOLDING COMPANIES.

DEBATE ON THE BILL WAS ADJOURNED.

- - - - 0 - - - -

PAA REPORT TABLED

\* \* \* \* \*

THE ANNUAL REPORT AND ACCOUNTS OF THE PROVISIONAL AIRPORT AUTHORITY (PAA) FOR THE YEAR ENDING MARCH 31, 1992 ARE TABLED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE FINANCIAL SECRETARY, THE HON HAMISH MACLEOD, SAID THE AUTHORITY HAD HAD AN EXTREMELY ACTIVE AND SUCCESSFUL YEAR WHICH HAD SEEN THE AIRPORT PLAN PROGRESS FROM CONCEPT TO DETAILED DESIGN AND, IN SOME CASES, TO IMPLEMENTATION ON SITE.

/IN PARTICULAR .....

IN PARTICULAR:

- \* THE AIRPORT MASTER PLAN WAS COMPLETED IN JANUARY THIS YEAR;
- \* THE ORIGINAL SCOPE OF THE ADVANCE WORKS AT CHEK LAP KOK WAS COMPLETED AND THE SCOPE OF WORKS EXTENDED SO THAT ANY GAP BETWEEN THESE ADVANCE WORKS AND THE MAIN SITE PREPARATION WORKS IS KEPT AS SMALL AS POSSIBLE;
- \* THE CONTRACT FOR THE DETAILED DESIGN OF THE PASSENGER TERMINAL COMPLEX WAS AWARDED;
- \* TENDERS FOR THE MAIN SITE PREPARATION CONTRACT ARE BEING EVALUATED;
- \* PRE-QUALIFICATION HAS STARTED OF THOSE INTERESTED IN THE PRIVATE SECTOR IN DEVELOPING THE AIRCRAFT MAINTENANCE AND ENGINEERING AND AIR CARGO FACILITIES.

"ALL OF THIS HAS BEEN ACHIEVED BY A YOUNG BUT GROWING ORGANISATION WHICH HAD APPROXIMATELY 200 FULL-TIME STAFF BY THE END OF MARCH THIS YEAR," MR MACLEOD SAID.

HE SAID THIS REPORT SHOULD BE THE LAST ISSUED BY THIS PROVISIONAL BODY SINCE THE GOVERNMENT AIMED TO INTRODUCE THE AIRPORT AUTHORITY BILL INTO THE LEGCO IN THE NEXT LEGISLATIVE SESSION.

- - - - 0 - - - -

MORE MEASURES TO PROTECT EMPLOYEES AGAINST NOISE HAZARDS  
\* \* \* \* \*

A REGULATION THAT PROVIDES EMPLOYEES WITH MORE EFFECTIVE PROTECTION AGAINST NOISE HAZARDS IN INDUSTRIAL UNDERTAKINGS WAS APPROVED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MOVING A RESOLUTION ON THE FACTORIES AND INDUSTRIAL UNDERTAKINGS (NOISE AT WORK) REGULATION, THE SECRETARY FOR EDUCATION AND MANPOWER, MR JOHN CHAN, SAID IT REQUIRED INDUSTRIAL UNDERTAKING PROPRIETORS TO CONDUCT NOISE LEVEL ASSESSMENTS AND DEMARCATe AREAS AFFECTED BY EXCESSIVE NOISE AS EAR PROTECTION ZONES.

"WHERE DEMARCATION IS IMPRACTICABLE, FOR EXAMPLE ON A CONSTRUCTION SITE WHERE NOISY MACHINES ARE BEING MOVED AROUND QUITE FREQUENTLY, THE REGULATION REQUIRES PROPRIETORS TO LABEL THE NOISY MACHINES TO INDICATE THE DISTANCE WITHIN WHICH EAR PROTECTORS MUST BE WORN," MR CHAN SAID.

"DEMARCATION AND LABELLING WILL MAKE PROPRIETORS AND EMPLOYEES MORE CONSCIOUS OF THE NEED FOR PROTECTIVE MEASURES AND ALSO HELP THE LABOUR DEPARTMENT ENFORCE THE LAW."

THE NEW REGULATION DIVIDES NOISE HAZARDS INTO THREE DIFFERENT ACTION LEVELS IN LINE WITH SIMILAR CLASSIFICATIONS USED IN THE UK NOISE AT WORK REGULATIONS 1989.

IT ALSO SPELS OUT THE DUTIES OF PROPRIETORS AND EMPLOYEES AT THE RESPECTIVE ACTION LEVELS.

THE MAJOR REQUIREMENTS ARE THAT:

- \* AT THE FIRST ACTION LEVEL, A PROPRIETOR HAS TO PROVIDE A SUITABLE APPROVED EAR PROTECTOR TO AN EMPLOYEE UPON REQUEST, EXCEPT WHERE THE WEARING OF EAR PROTECTORS WOULD BE LIKELY TO CAUSE A RISK TO THE SAFETY OF THE EMPLOYEE OR TO ANY OTHER PERSON;
- \* AT THE SECOND ACTION LEVEL OR ABOVE, OR AT THE PEAK ACTION LEVEL, PROPRIETORS MUST PROVIDE AND EMPLOYEES MUST WEAR APPROVED EAR PROTECTORS, AND THE AREA IN ANY INDUSTRIAL UNDERTAKING THUS AFFECTED MUST BE DEMARCATED AS AN EAR PROTECTION ZONE; AND
- \* WHERE DEMARCATION IS IMPRACTICABLE, AS IN THE CASE OF A CONSTRUCTION SITE, ALL NOISY MACHINES MUST BE LABELLED. EMPLOYEES ATTENDING TO THESE NOISY MACHINES MUST WEAR EAR PROTECTORS.

MR CHAN SAID THE COMMISSIONER FOR LABOUR WAS EMPOWERED TO MAKE EXEMPTION WHERE, DESPITE ACTION BY A PROPRIETOR, IT HAD NOT BEEN PRACTICABLE FOR HIM TO COMPLY WITH THE REQUIREMENTS OF THE NEW REGULATION.

"CONTRAVENTION OF THE NEW REGULATION WILL INCUR A MAXIMUM PENALTY OF \$30,000 FOR EMPLOYERS AND \$10,000 FOR EMPLOYEES," HE SAID.

TO GIVE PROPRIETORS OF INDUSTRIAL UNDERTAKINGS AMPLE TIME FOR COMPLIANCE, THE NEW REGULATION COMES INTO OPERATION 12 MONTHS AFTER APPROVAL.

THE GOVERNMENT IS EMBARKING ON AN OVERALL REVIEW OF THE VARIOUS LEVELS OF PENALTY UNDER THE FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE TO SEE WHETHER THERE IS A NEED TO INCREASE THE PENALTY LEVELS.

THIS REVIEW IS SCHEDULED FOR COMPLETION BEFORE THE REGULATION IS BROUGHT INTO OPERATION IN A YEAR'S TIME.

ANOTHER REVIEW WILL ALSO BE UNDERTAKEN SIX MONTHS AFTER THE REGULATION HAS COME INTO OPERATION TO ASCERTAIN WHETHER THERE ARE ANY ENFORCEMENT AND PROSECUTION DIFFICULTIES WHICH MAY NEED TO BE TACKLED.

FILMS, VIDEOTAPES AND LASER DISCS TO  
BE CLASSIFIED BY FILM CENSORSHIP AUTHORITY

\* \* \* \* \*

THE ADMINISTRATION HAS ACCEPTED A PROPOSAL REQUIRING FILMS, VIDEOTAPES AND LASER DISCS BE CLASSIFIED BY THE FILM CENSORSHIP AUTHORITY UNDER THE FILM CENSORSHIP ORDINANCE IRRESPECTIVE OF THE CIRCUMSTANCES UNDER WHICH THEY ARE TO BE SHOWN.

THE PROPOSAL WAS MADE BY THE LEGCO AD HOC GROUP ON THE CONTROL OF OBSCENE AND INDECENT ARTICLES (AMENDMENT) BILL 1991.

SPEAKING AT THE RESUMED DEBATE ON THE BILL IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), THE SECRETARY FOR RECREATION AND CULTURE, MR JAMES SO, SAID BOTH THE AD HOC GROUP AND THE ADMINISTRATION AGREED THAT PERSONS UNDER 18 YEARS OF AGE SHOULD BE PROTECTED AND NOT BE ALLOWED ACCESS TO INDECENT OR OBSCENE FILMS, VIDEOTAPES AND LASER DISCS, WHICH WAS THE SPIRIT AND OBJECTIVE OF THE AMENDMENT BILL.

MR SO SAID THE AMENDMENT BILL ORIGINALLY PROPOSED THAT FILMS WHICH HAD BEEN APPROVED FOR EXHIBITION UNDER THE FILM CENSORSHIP ORDINANCE SHOULD BE SUBJECT TO THE PROVISIONS OF THE CONTROL OF OBSCENE AND INDECENT ARTICLES ORDINANCE IF THEY WERE PUBLISHED OTHER THAN BY WAY OF EXHIBITION IN CINEMAS.

"THIS MEANS THAT, AFTER AMENDMENT OF THE CONTROL OF OBSCENE AND INDECENT ARTICLES ORDINANCE, A FILM BEING PUBLISHED IN THE FORM OF VIDEOTAPE OR LASER DISC, ONCE CLASSIFIED BY THE OBSCENE ARTICLES TRIBUNAL AS INDECENT, CAN ONLY BE SOLD OR HIRED TO A PERSON OVER 18, AND A WARNING NOTICE TO THAT EFFECT MUST BE DISPLAYED ON THE ARTICLE IN QUESTION.

"A FILM CLASSIFIED AS OBSCENE WILL BE PROHIBITED FROM PUBLICATION IN WHATEVER FORM," MR SO SAID.

MR SO SAID HOWEVER, THE GROUP DID NOT TAKE ACCOUNT OF THE IMPORTANT DISTINCTION BETWEEN THE CIRCUMSTANCES OF VIEWING THE ARTICLE IN A CINEMA AND AT HOME, WHICH UNDERLINED THE MEANS PROPOSED BY THE ADMINISTRATION TO ACHIEVE THE OBJECTIVE OF THE AMENDMENT BILL.

AFTER WIDE-RANGING CONSULTATION, THE ADMINISTRATION CONSIDERED THAT THERE WERE MERITS IN THE GROUP'S PROPOSAL OF PLACING THE CLASSIFICATION OF SUCH ARTICLES UNDER ONE AUTHORITY, HE SAID.

"BESIDES ENSURING UNIFORMITY OF STANDARDS AND TREATMENT, THIS WILL ALSO AVOID CONFUSION AND DELAY TO THE INDUSTRY AND THE PUBLIC WILL HAVE A MUCH CLEARER IDEA OF THE CLASSIFICATION OF SUCH ARTICLES," HE SAID.

"ACCEPTING THAT THE RESPONSIBILITY TO CONTROL THE ACCESS OF SUCH ARTICLES IN THE HOME BY YOUNG PERSONS UNDER 18 SHOULD FALL ON PARENTS, THE ADMINISTRATION HAS AGREED TO PLACE THE CLASSIFICATION OF FILMS, VIDEOTAPES AND LASER DISCS UNDER THE FILM CENSORSHIP AUTHORITY.

"THIS WOULD MEAN THAT VIDEOTAPES AND LASER DISCS MADE FROM FILMS TO BE SHOWN IN CINEMAS WOULD BE CLASSIFIED BY THE FILM CENSORSHIP AUTHORITY TO THE SAME STANDARDS.

"A CATEGORY III FILM TURNED INTO A VIDEO WILL NOT BE ALLOWED TO BE SOLD OR HIRED TO THOSE UNDER 18, WHILST A CATEGORY II ONE WILL HAVE TO BEAR A WARNING NOTICE THAT IT IS NOT SUITABLE FOR CHILDREN.

"ONLY A CATEGORY I FILM TURNED INTO A VIDEO CAN BE FREELY AVAILABLE TO ALL," HE ADDED.

MR SO SAID IN ORDER TO IMPLEMENT THE NEW ARRANGEMENT, THE ADMINISTRATION WAS IN THE PROCESS OF DRAFTING AMENDMENTS TO THE FILM CENSORSHIP ORDINANCE AND WAS AIMING TO INTRODUCE THE AMENDING LEGISLATION TO THE LEGISLATIVE COUNCIL IN THE NEXT SESSION.

HE THEREFORE MOVED ANOTHER AMENDMENT TO THE BILL TO DELETE THE PART CONCERNING THE PUBLICATION OF VIDEOTAPES AND LASER DISCS MADE FROM FILMS ALREADY APPROVED FOR EXHIBITION BY THE FILM CENSORSHIP AUTHORITY.

THE SECOND PART OF THE BILL WHICH PROPOSED AN AMENDMENT TO THE WORDING OF THE WARNING NOTICE TO BE DISPLAYED ON INDECENT ARTICLES WAS UNANIMOUSLY SUPPORTED BY THE AD HOC GROUP AND WAS PASSED BY THE LEGISLATIVE COUNCIL.

- - - - 0 - - - -

PADS INFORMATION SHARED WITH LEGISLATORS

\* \* \* \* \*

IT HAS BEEN THE GOVERNMENT'S AIM DURING THE FORMATION OF FINANCING PLANS FOR THE AIRPORT CORE PROGRAMME TO SHARE WITH LEGISLATIVE COUNCILLORS ALL ESSENTIAL INFORMATION IT SHARES WITH THE CHINESE GOVERNMENT.

REPLYING TO A QUESTION BY THE HON MARTIN LEE IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), THE SECRETARY FOR THE TREASURY, MR K.Y. YEUNG, SAID:

"ACCORDINGLY, I CAN CONFIRM THAT ALL FINANCIAL AND TECHNICAL INFORMATION RELATING TO THE AIRPORT CORE PROGRAMME THAT HAS BEEN RELEASED TO THE CHINESE GOVERNMENT FOLLOWING THE ANNOUNCEMENT OF THE MEMORANDUM OF UNDERSTANDING ON JULY 4 LAST YEAR HAS ALSO BEEN RELEASED TO MEMBERS OF THIS COUNCIL."

HE SAID THE SAME INFORMATION WAS ALSO SHARED WITH THE AIRPORT CONSULTATIVE COMMITTEE.

THE CHINESE AND BRITISH SIDES OF THE AIRPORT COMMITTEE HAD SUPPORTED THIS PRACTICE, HE ADDED.

- - - - 0 - - - -

PUBLIC ASSISTANCE SCHEME TO BE REVIEWED  
\* \* \* \* \*

THE PUBLIC ASSISTANCE SCHEME HAS EVOLVED FROM A SCHEME WHICH PROVIDED FOR BASIC SUSTENANCE TO ONE WHICH IS CAPABLE OF MEETING THE BASIC AND SPECIAL NEEDS OF RECIPIENTS, THE SECRETARY FOR HEALTH AND WELFARE, MRS ELIZABETH WONG, SAID.

SHE SAID THE SCHEME HAD BEEN DEVELOPED AND REFINED SIGNIFICANTLY OVER THE YEARS, AND WAS SO DESIGNED THAT INDIVIDUAL COMPONENTS COULD BE REVIEWED AND NEW COMPONENTS INTRODUCED.

"INDEED, IN THE CONTEXT OF THE WHITE PAPER ON SOCIAL WELFARE INTO THE 1990S AND BEYOND, IT WAS RE-EXAMINED AS RECENTLY AS LAST YEAR, FOLLOWED BY AN IMMEDIATE INTRODUCTION OF THE CHILD SUPPLEMENT FOR PUBLIC ASSISTANCE RECIPIENTS," MRS WONG SAID.

"WE BELIEVE THAT THE PUBLIC ASSISTANCE SCHEME SHOULD BE LOOKED AT AGAIN IN RELATION TO THE FORTHCOMING REVIEW OF THE POLICY ON CARE FOR THE ELDERLY AND IN THE CONTEXT ALSO OF ANY PROPOSAL EMERGING FROM GOVERNMENT'S STUDY ON COMPULSORY RETIREMENT PROTECTION SCHEMES."

MRS WONG WAS REPLYING TO A QUESTION BY THE HON GILBERT LEUNG AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SHE TOLD THE COUNCILLORS THAT PUBLIC ASSISTANCE CLIENTS HAD PROGRESSIVELY BEEN GETTING HIGHER ALLOWANCES OVER THE YEARS, IN ADDITION TO ADJUSTMENT FOR INFLATION, TO ENABLE THEM TO BENEFIT FROM SOCIAL AND ECONOMIC CHANGES IN HONG KONG.

AT PRESENT A SINGLE ELDERLY PERSON AGED 60 AND ABOVE WOULD GET A MAXIMUM MONTHLY CASH ASSISTANCE OF \$3,680 WHEN THE MEDIAN HOUSEHOLD INCOME FOR A SINGLE ELDERLY PERSON IS \$5,340 A MONTH.

THE SAME PERSON IN 1976 WOULD HAVE GOT A MAXIMUM CASH ASSISTANCE OF \$390 WHEN THE THEN MEDIAN MONTHLY HOUSEHOLD INCOME FOR A SINGLE ELDERLY PERSON WAS \$710.

THE COMPONENTS OF THE SCHEME INCLUDE A BASIC RATE, A RENT ALLOWANCE, A LONG-TERM SUPPLEMENT, AN OLD AGE SUPPLEMENT, A DISABILITY SUPPLEMENT AND OTHER SPECIAL SUPPLEMENTS AND GRANTS AS WELL AS REIMBURSEMENT FOR DENTURES, SPECTACLES AND WALKING AIDS.

ADDITIONALLY, ALL MEDICAL CARE IN PUBLIC HOSPITALS AND CLINICS ARE FREE.

MRS WONG SAID OF THE ESTIMATED 766,000 PEOPLE AGED 60 OR OVER IN HONG KONG, 74,000 WERE SINGLE PERSONS LIVING ALONE.

OF THESE 74,000 PERSONS, 33,000 ARE ON PUBLIC ASSISTANCE AND ANOTHER 12,000 ARE IN RESIDENTIAL HOMES OR INFIRMARIES.

KCR - ONLY CORPORATISED DEPT IN PAST 10 YEARS

\* \* \* \* \*

THE ONLY GOVERNMENT DEPARTMENT THAT HAS BEEN CORPORATISED DURING THE PAST 10 YEARS IS THE KOWLOON-CANTON RAILWAY (KCR).

THIS WAS STATED BY THE SECRETARY FOR THE TREASURY, MR K.Y. YEUNG, IN A WRITTEN REPLY TO A QUESTION BY DR THE HON HUANG CHEN-YA IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR YEUNG SAID A RECENT REVIEW OF KCR SHOWED THAT THE CORPORATION HAD COPEDED EFFECTIVELY WITH AN AVERAGE ANNUAL GROWTH RATE OF 14 PER CENT IN THE NUMBER OF PASSENGERS SINCE 1984.

IT HAS ALSO BEEN ABLE TO CONTAIN FARE INCREASES DURING THIS PERIOD TO BELOW THE INFLATION RATE.

"THE OVERALL OPERATING PERFORMANCE OF THE CORPORATION HAS ALSO IMPROVED STEADILY," HE SAID.

THE KCR WAS CORPORATISED IN 1982.

THE SECRETARY NOTED THAT NO GOVERNMENT DEPARTMENT OR PUBLIC SERVICE HAD BEEN PRIVATISED DURING THIS PERIOD, ALTHOUGH SOME PUBLIC SERVICES HAD BEEN LET OUT BY CONTRACT TO THE PRIVATE SECTOR.

"SOME EXAMPLES OF CONTRACTING OUT ARE GOVERNMENT CAR PARKS (1984), THE GOVERNMENT ABATTOIR AT KENNEDY TOWN (1990) AND THE ABERDEEN TUNNEL (1991)," HE ADDED.

- - - - 0 - - - -

FLASHING NEON LIGHTS PROHIBITED FOR SAFETY REASONS

\* \* \* \* \*

THE EXISTENCE OF ANY POWERFUL FLASHING LIGHTS IN THE SAME VICINITY, OTHER THAN THE AIRPORT-RELATED FLASHING BEACONS AND LIGHTS, COULD CAUSE CONFUSION TO PILOTS APPROACHING THE AIRPORT AND THUS ADVERSELY AFFECT THE SAFETY OF AIRCRAFT.

THIS WAS STATED BY THE ACTING SECRETARY FOR ECONOMIC SERVICES, MR ROBERT WILSON, WHEN REPLYING TO A QUESTION BY THE HON HOWARD YOUNG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

FLASHING LIGHTS OVER A CERTAIN INTENSITY ARE SPECIFICALLY PROHIBITED IN ACCORDANCE WITH THE PROVISIONS OF THE HONG KONG AIRPORT (CONTROL OF OBSTRUCTIONS) ORDINANCE.

SIMILARLY, THE SHIPPING AND PORT CONTROL ORDINANCE PROVIDES THAT THE DIRECTOR OF MARINE MAY DIRECT THE REMOVAL OF A LIGHT OR ILLUMINATED SIGN, WHETHER FLASHING OR NOT, IF SUCH LIGHT OR SIGN OBSCURES, RESTRICTS OR INTERFERES WITH ANY NAVIGATIONAL LIGHTS OR MIGHT ADVERSELY AFFECT SAFE NAVIGATION.

/HE SAID .....

HE SAID IF THE CIRCUMSTANCES JUSTIFYING THE NEED FOR THESE PROVISIONS WERE TO CHANGE SIGNIFICANTLY, THEN THE LAW IN THIS RESPECT WOULD BE REVIEWED.

"FOR EXAMPLE, THE CLOSURE OF KAI TAK UPON THE OPENING OF THE NEW AIRPORT AT CHEK LAP KOK WOULD, NO DOUBT, PROMPT SUCH A REVIEW," MR WILSON SAID.

- - - - 0 - - - -

SUSTAINED EFFORTS TO FIGHT SMUGGLING  
\* \* \* \* \*

THE ANTI-SMUGGLING TASK FORCE WILL CONTINUE TO EXPLORE NEW OPERATIONAL INITIATIVES AGAINST THE SMUGGLERS WHILE ADDITIONAL LEGISLATIVE MEASURES ARE UNDER CONSIDERATION TO KEEP UP THE MOMENTUM OF EFFORTS TO TACKLE THE PROBLEM.

THIS WAS STATED BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, WHEN REPLYING TO A QUESTION BY THE HON MRS SELINA CHOW IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE SAID THE OPERATIONAL INITIATIVES INCLUDED THE RECENT DESTRUCTION OF A LOADING RAMP USED BY SMUGGLERS NEAR SAI KUNG AND THE SETTING UP OF A BOOM IN TOLO HARBOUR.

THE LEGISLATIVE MEASURES UNDER CONSIDERATION INCLUDE MAKING MAJOR SMUGGLING OFFENCES INDICTABLE IN ADDITION TO BEING SUMMARY OFFENCES AND INCREASING THE PENALTIES FOR THE OPERATORS OF UNLICENSED SAMPANS WHO OFTEN ACT AS LOOKOUT BOATS IN SMUGGLING.

ALSO, THE GOVERNMENT IS CONSIDERING THE POSSIBILITY OF ADDITIONAL CONTROL ON "CHUNG-FEIS", THE MEDIUM-SIZED SPEEDBOATS NORMALLY POWERED BY TWO 300 HP ENGINES, HE ADDED.

"WE SHALL ALSO MAINTAIN CLOSE LIAISON WITH CHINA. SUSTAINED ACTION AGAINST THE SMUGGLERS BOTH IN HONG KONG AND IN CHINA IS LIKELY TO BE THE MOST EFFECTIVE MEANS OF CURTAILING SMUGGLING," MR ASPREY SAID.

NOTING THAT THERE HAS BEEN A CONSIDERABLE DROP IN SMUGGLING ACTIVITIES BETWEEN HONG KONG AND CHINA IN RECENT MONTHS, MR ASPREY SAID OVER 1,400 SPEEDBOAT SIGHTINGS WERE RECORDED A MONTH AT THE PEAK OF SMUGGLING ACTIVITIES IN FEBRUARY AND MARCH LAST YEAR.

THIS COMPARES WITH AN AVERAGE OF ABOUT 130 SIGHTINGS IN EACH OF THE PAST TWO MONTHS, HE SAID.

SINCE IT WAS SET UP IN FEBRUARY 1991, THE ANTI-SMUGGLING TASK FORCE HAS ACHIEVED THE ARREST OF 176 PERSONS, AND THE SEIZURE OF 100 VESSELS AND GOODS WORTH \$42.3 MILLION.

- - - - 0 - - - -

PROCEDURES DRAWN UP TO HANDLE AIRCRAFT CRASH

\* \* \* \* \*

PROCEDURES HAVE BEEN DRAWN UP TO ENSURE THAT ADEQUATE EMERGENCY FACILITIES WILL BE PROVIDED TO DEAL WITH AN AIRCRAFT CRASH ANYWHERE IN HONG KONG.

THIS WAS STATED BY THE ACTING SECRETARY FOR ECONOMIC SERVICES, MR ROBERT WILSON, WHEN REPLYING TO A QUESTION BY PROF THE HON FELICE LIEH MAK IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR WILSON SAID THE PROCEDURES TOGETHER WITH THE DETAILS OF HOW AND WHERE EQUIPMENT AND FACILITIES COULD BE REQUISITIONED AND DEPLOYED DURING SUCH AN EMERGENCY SITUATION WERE CONTAINED IN A COMPREHENSIVE CONTINGENCY PLAN.

THE SECRETARY SAID THE CONTINGENCY PLAN HAD RECENTLY BEEN REVIEWED AND A REVISED VERSION WAS ISSUED IN MARCH THIS YEAR.

"THE PLAN SETS OUT THE FUNCTIONS AND RESPONSIBILITIES OF GOVERNMENT DEPARTMENTS AND OTHER BODIES WHICH MAY BE REQUIRED TO DEAL WITH SUCH AN EMERGENCY; THESE ARE, PRIMARILY, THE MEDICAL SERVICES, THE FIRE SERVICES AND THE POLICE," HE SAID.

MR WILSON SAID IT ALSO INCLUDED A DETAILED LIST OF THE RESOURCES AVAILABLE.

THESE INCLUDED LAND TRANSPORT AND RECOVERY VEHICLES, AIR AND MARINE TRANSPORT, DIVERS AND DIVING EQUIPMENT, LIFTING AND CUTTING EQUIPMENT, FLOODLIGHTING, BEDDING AND STRETCHERS AND SO ON.

"EXERCISES ARE HELD PERIODICALLY TO ENSURE ALL ARE FAMILIAR WITH THEIR ROLES AND THE PROCEDURES CONCERNED," HE ADDED.

HE SAID DURING THE PAST THREE YEARS, THERE WAS ONE "NEAR MISS" INCIDENT INVOLVING TWO HELICOPTERS NOT IN THE IMMEDIATE VICINITY OF THE AIRPORT.

STATISTICS IN RELATION TO MISSED APPROACHES ARE THAT IN 1989 THERE WERE 192; IN 1990, 175; AND IN 1991, 213.

AS REGARDS AIRCRAFT WHICH EXPERIENCED SOME FORM OF ENGINE TROUBLE APPROACHING OR DURING LANDING AT KAI TAK OVER THE PAST THREE YEARS, THE STATISTICS WERE 14 IN 1989, 22 IN 1990 AND 18 IN 1991.

RECORDS RELEVANT TO AIRCRAFT EXPERIENCING ENGINE TROUBLE ON TAKE-OFF FROM KAI TAK RELATED ONLY TO THOSE AIRCRAFT WHICH WERE OBLIGED TO TURN BACK TO KAI TAK AS A RESULT; STATISTICS SHOWED 18 IN 1989, 16 IN 1990 AND 17 IN 1991.

MR WILSON SAID THESE STATISTICS NEEDED TO BE SEEN IN THE CONTEXT OF THE FACT THAT OVER THE THREE-YEAR PERIOD THE TOTAL NUMBER OF ANNUAL AIRCRAFT MOVEMENTS GREW FROM ABOUT 94,000 TO 110,000.

COMMITMENT ON LOCALISATION REAFFIRMED

\* \* \* \* \*

THE GOVERNMENT IS FULLY COMMITTED TO IMPLEMENTING THE POLICY ON LOCALISATION, THE SECRETARY FOR THE CIVIL SERVICE, MR BARRIE WIGGHAM, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE SAID PREFERENCE WAS GIVEN TO QUALIFIED AND SUITABLE LOCAL CANDIDATES ON RECRUITMENT, AND APPOINTMENTS ON OVERSEAS TERMS WERE MADE ONLY WHEN SUITABLE LOCAL CANDIDATES WERE NOT AVAILABLE IN SUFFICIENT NUMBERS.

IN A WRITTEN REPLY TO A QUESTION BY DR THE HON LEONG CHE-HUNG, MR WIGGHAM POINTED OUT THAT ALL APPOINTMENTS WERE SUBJECT TO THE ADVICE OF THE PUBLIC SERVICE COMMISSION, WHICH ENSURED THAT THE CLAIMS OF LOCAL CANDIDATES RECEIVED FULL CONSIDERATION.

"SINCE MARCH 28, 1985, OVERSEAS OFFICERS HAVE BEEN APPOINTED ON AGREEMENT TERMS ONLY," HE SAID.

"RENEWAL OF AGREEMENT IS SUBJECT TO, INTER ALIA, OPERATIONAL NEED, WHETHER A SUITABLE LOCAL REPLACEMENT IS AVAILABLE, AND WHETHER ANY PROMOTION BLOCKAGE WOULD BE CAUSED TO LOCAL OFFICERS.

"THESE CRITERIA ARE CLEARLY LAID DOWN IN CIVIL SERVICE REGULATIONS.

"THE ADVICE OF THE PUBLIC SERVICE COMMISSION IS SOUGHT ON EACH AND EVERY CASE."

ON THE QUESTION OF EMPLOYMENT OF ENGINEERS, MR WIGGHAM SAID THAT OUT OF THE 226 OFFICERS IN THE CHIEF/SENIOR RANKS SERVING IN SIX GOVERNMENT DEPARTMENTS, 46 ARE ON OVERSEAS AGREEMENT TERMS.

AS REGARDS THE GEOTECHNICAL ENGINEER GRADE, OF THE 42 OFFICERS SERVING IN THE CIVIL ENGINEERING DEPARTMENT AND ARCHITECTURAL SERVICES DEPARTMENT IN THE CHIEF/SENIOR RANKS, 13 ARE ON OVERSEAS AGREEMENT TERMS.

MR WIGGHAM SAID THESE OFFICERS WERE APPOINTED BECAUSE OF PROVEN DIFFICULTIES IN RECRUITING SUITABLE QUALIFIED LOCAL CANDIDATES.

"IN VIEW OF THE INADEQUATE SUPPLY OF LOCAL CANDIDATES AND AN INCREASE IN WASTAGE, AT PRESENT OVERSEAS OFFICERS' AGREEMENTS ARE BEING RENEWED IN ORDER TO RETAIN THE NECESSARY EXPERTISE AND EXPERIENCE, AND THUS PROVIDE A SATISFACTORY STANDARD OF SERVICE TO THE PUBLIC," MR WIGGHAM SAID.

"NEVERTHELESS, WE ARE ADHERING TO THE CRITERIA LAID DOWN IN THE CIVIL SERVICE REGULATIONS IN EXAMINING THE NEED FOR RENEWAL OF CONTRACTS ON A CASE-BY-CASE BASIS," HE ADDED.

- - - - 0 - - - -

LAND SALE PROCEEDS KEPT IN VIEW

\* \* \* \*

THE GOVERNMENT WILL CONTINUE TO MONITOR THE LAND SALE PROGRAMME AND WILL, IN THE NORMAL COURSE, PREPARE REVISED REVENUE ESTIMATES IN THE LIGHT OF ACTUAL LAND SALE PROCEEDS.

THIS WAS STATED BY THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, IN A WRITTEN REPLY TO A QUESTION BY THE HON GILBERT LEUNG IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

LAND SALES FOR THE FIRST TWO MONTHS OF THE FINANCIAL YEAR 1992-93 GENERATED \$1,866.65 MILLION, WHICH AMOUNTED TO OVER 20 PER CENT OF THE ESTIMATED REVENUE (\$8,630 MILLION) FROM THIS SOURCE.

MR EASON SAID LAND SALE PROCEEDS FOR ONLY THE FIRST TWO MONTHS OF THE FINANCIAL YEAR WAS UNLIKELY TO BE AN ACCURATE GUIDE TO THE FULL YEAR TOTAL.

THIS WAS BECAUSE THE TIMING FOR LAND SALES WAS NOT SPREAD EVENLY THROUGHOUT THE YEAR AND THE PREMIA RECEIVED FOR DIFFERENT SITES VARIED CONSIDERABLY, HE EXPLAINED.

"IT WOULD THEREFORE BE PREMATURE TO JUDGE WHETHER OUR REVENUE ESTIMATE IS TOO 'CONSERVATIVE,' HE ADDED.

REVENUES FROM LAND SALES FOR THE YEARS 1989-90, 1990-91 AND 1991-92 WERE \$8,524 MILLION, \$4,351 MILLION AND \$13,925 MILLION RESPECTIVELY.

THESE COMPARED WITH THE ORIGINAL ESTIMATES OF \$7,941 MILLION, \$5,820 MILLION AND \$4,070 MILLION RESPECTIVELY.

THE REVENUE REALISED IN 1991-92 FROM THE SALE OF THE ADDITIONAL 5.9 HECTARES OF LAND GRANTED BY THE SINO-BRITISH LAND COMMISSION WAS \$2,499.2 MILLION.

- - - - 0 - - - -

PERSONAL RECORDS OF POLICE WELL PROTECTED

\* \* \* \* \*

THE ADMINISTRATION BELIEVES THE PRACTICE OF PASSING INFORMATION CONCERNING POLICE OFFICERS TO THE INDEPENDENT COMMISSION AGAINST CORRUPTION (ICAC) FOR SPECIFIC INVESTIGATIONS IS NOT INCONSISTENT WITH THE BILL OF RIGHTS ORDINANCE.

THIS WAS STATED BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, IN A WRITTEN REPLY TO A QUESTION BY THE HON JAMES TO IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

/MR ASPREY .....

MR ASPREY SAID THERE WERE NO ARRANGEMENTS FOR THE POLICE TO REGULARLY FURNISH THE ICAC WITH THE PERSONAL PARTICULARS AND PHOTOGRAPHS OF ALL POLICE OFFICERS, ADDING THAT THE INFORMATION WAS GIVEN ONLY WHERE IT WAS REQUIRED FOR SPECIFIC INVESTIGATIONS.

"THERE IS A TIGHT SECURITY SYSTEM WITHIN THE ICAC TO PROTECT SUCH RECORDS FROM ANY POSSIBLE MISUSE OR ABUSE.

"SUCH RECORDS ARE REGULARLY SCREENED TO REMOVE UNWANTED AND IRRELEVANT MATERIAL FROM THEM," HE SAID.

- - - - 0 - - - -

MEASURES TO MINIMISE ENVIRONMENT IMPACT OF RECLAMATION WORKS  
\* \* \* \* \*

A FOCUSED ENVIRONMENTAL IMPACT ASSESSMENT IS CURRENTLY BEING CARRIED OUT TO EXAMINE THE POSSIBLE NEED FOR FURTHER MEASURES TO MINIMISE ENVIRONMENTAL IMPACT DURING AND AFTER CONSTRUCTION OF THE CENTRAL RECLAMATION PHASE I WORKS.

THIS WAS STATED BY THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, IN A WRITTEN REPLY TO A QUESTION BY DR THE HON SAMUEL WONG PING-WAI IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR EASON SAID THE ASSESSMENT WOULD BE COMPLETED IN AUGUST THIS YEAR AND SUBMITTED TO THE ENVIRONMENTAL POLLUTION ADVISORY COMMITTEE.

THE CENTRAL AND WAN CHAI RECLAMATION PHASE I CONTRACT WAS SCHEDULED TO START IN NOVEMBER THIS YEAR.

MITIGATION MEASURES TO BE UNDERTAKEN TO MINIMISE THE ENVIRONMENTAL IMPACT ON WATER WOULD INCLUDE:

- \* WORK ON A NEW SEWER TO SUPPLEMENT THE EXISTING SEWER IN JUBILEE STREET WILL START IN AUGUST 1992;
- \* THE CONNAUGHT ROAD CENTRAL TRUNK SEWER WILL BE DESILTED TO INCREASE CAPACITY;
- \* MANHOLE INSPECTIONS, AIMED AT IDENTIFYING SEWERAGE AND DRAINAGE CONNEXIONS WHICH NEED TO BE RE-DIRECTED, WILL BE CONDUCTED; AND
- \* STORMWATER OUTFALLS, WHICH CARRY CONSIDERABLE POLLUTION AS WELL AS MUCH OF THE COOLING WATER DISCHARGED FROM NEARBY COMMERCIAL BUILDINGS, WILL BE EXTENDED TO DISCHARGE OUTSIDE THE RECLAMATION AREA.

THE SECRETARY STATED THAT SPECIFICATIONS FOR WATER POLLUTION CONTROL HAD BEEN INCLUDED IN THE CONTRACT.

/"THESE SPECIFICATIONS .....

"THESE SPECIFICATIONS INCLUDE EQUIPMENT TYPES FOR DREDGING AND DISPOSING OF MUD, WATER QUALITY MONITORING AND MAXIMUM POLLUTANT LEVELS.

"SHOULD THESE SPECIFICATIONS BE BREACHED, THE CONTRACTOR WILL BE DIRECTED TO UNDERTAKE REMEDIAL MEASURES," HE SAID.

REGARDING AIR QUALITY, THE CONTRACT SPECIFICATIONS PROVIDED FOR CONTROLS ON DUST FROM CONSTRUCTION ACTIVITIES.

THESE INCLUDED RESTRICTIONS ON THE STORAGE OF CEMENT AND THE PROHIBITION OF CONCRETE BATCHING AND ROCK CRUSHING IN THE MAIN WORKS AREA.

"THE REQUIREMENT ON THE CONTRACTOR TO USE MARINE SAND AS RECLAMATION MATERIAL AND MARINE BASED RECLAMATION EQUIPMENT WILL ALSO MINIMISE THE NUMBER OF CONSTRUCTION VEHICLES PASSING THROUGH CENTRAL DISTRICT," HE SAID.

- - - - 0 - - - -

CONTROL ON FUND-RAISING ACTIVITIES EXPLAINED

\* \* \* \* \*

THERE IS NO LEGISLATION TO REGULATE FUND-RAISING ACTIVITIES FOR CHARITABLE PURPOSES IN THE MASS MEDIA OR TO STIPULATE A LIMIT ON EXPENSES INCURRED FOR SUCH ACTIVITIES, THE SECRETARY FOR HEALTH AND WELFARE, MRS ELIZABETH WONG, SAID.

IN A WRITTEN REPLY TO A QUESTION BY THE HON MRS PEGGY LAM AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY), MRS WONG SAID FUND-RAISING EVENTS SUCH AS SPECTACULARS AND EXTRAVAGANZAS WERE GENERALLY KNOWN TO BE STAGED AT CONSIDERABLE PRODUCTION COST MET FROM PROCEEDS RAISED.

"THERE IS NO EVIDENCE OF ABUSE, FRAUD OR DISHONESTY BY FUND RAISERS," SHE SAID.

"NEVERTHELESS, THERE MAY BE A CASE FOR REQUIRING FUND-RAISERS TO KEEP AND PUBLISH PROPER ACCOUNTS, TO HAVE THE ACCOUNTS AUDITED, TO LODGE COPIES WITH GOVERNMENT AND TO MAKE COPIES AVAILABLE FOR INSPECTION BY THE PUBLIC."

AT PRESENT, FUND-RAISING ACTIVITIES FOR CHARITABLE PURPOSES IN PUBLIC PLACES ARE GOVERNED BY THE SUMMARY OFFENCES ORDINANCE.

UNDER THE ORDINANCE, THE DIRECTOR OF SOCIAL WELFARE IS AUTHORISED TO ISSUE PERMITS TO ORGANISATIONS ORGANISING FUND-RAISING ACTIVITIES SUCH AS FLAG DAYS.

PERMIT-HOLDERS CAN DEDUCT FROM THE GROSS PROCEEDS EXPENSES NECESSARY FOR THE ARRANGEMENT OF THE FUND-RAISING ACTIVITY.

"IN THIS CONNECTION, THERE IS AN ADMINISTRATIVE PROVISION IN THE CASE OF FLAG DAYS TO SET THE UPPER LIMIT FOR SUCH DEDUCTION AT 10 PER CENT OF TOTAL PROCEEDS," MRS WONG SAID.

"PERMIT-HOLDERS ARE ALSO REQUIRED TO SUBMIT AN AUDITOR'S REPORT WITHIN THREE MONTHS AFTER THE EVENT."

- - - - 0 - - - -

GOVT INTENDS TO REVIEW SUMMARY OFFENCES ORDINANCE

\* \* \* \* \*

THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, SAID THE GOVERNMENT WAS INTENDING TO REVIEW THE PROVISIONS OF THE SUMMARY OFFENCES ORDINANCE AS A WHOLE.

"SOME OF THE PROVISIONS ARE OUTDATED AND IN NEED OF CHANGE. BUT THIS REVIEW WILL TAKE SOME TIME, AND WE HAVE NOT YET REACHED ANY CONCLUSIONS," HE SAID.

MR ASPREY GAVE A WRITTEN REPLY TO A QUESTION RAISED BY THE HON JAMES TO ON SECTION 8 (D) OF THE ORDINANCE IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE SECTION, ENACTED IN 1932, STATES THAT IT IS AN OFFENCE FOR A PERSON TO ASSEMBLE TOGETHER WITH OTHER PERSONS IN THE NIGHT-TIME WITHOUT LAWFUL EXCUSE; OR SEEING ANY SUCH ILLEGAL ASSEMBLAGE, OR KNOWING OR HAVING REASON TO SUSPECT THAT SUCH ASSEMBLAGE HAS TAKEN PLACE OR IS ABOUT TO TAKE PLACE, NOT TO GIVE IMMEDIATE NOTICE THEREOF TO THE NEAREST POLICE STATION OR TO A POLICE OFFICER.

MR ASPREY SAID THERE MIGHT HAVE BEEN ARRESTS AND PROSECUTIONS UNDER THE SECTION IN THE PAST, BUT HE BELIEVED THERE HAD NOT BEEN ANY IN RECENT YEARS.

- - - - 0 - - - -

PRESENT SYSTEM OF PLACING DISABLED JOB SEEKERS EFFECTIVE

\* \* \* \* \*

MENTALLY HANDICAPPED PERSONS APPLYING FOR APPOINTMENT TO THE CIVIL SERVICE HAVE TO COMPLY WITH THE STIPULATED ENTRY REQUIREMENTS AS WITH OTHER CANDIDATES, THE SECRETARY FOR EDUCATION AND MANPOWER, MR JOHN CHAN, SAID TODAY (WEDNESDAY).

IF THEY ARE FOUND SUITABLE FOR APPOINTMENT, THEY ARE GIVEN AN APPROPRIATE DEGREE OF PREFERENCE FOR APPOINTMENT OVER OTHER CANDIDATES, HE ADDED.

"THE GOVERNMENT'S POLICY ON THE EMPLOYMENT OF MILDLY MENTALLY HANDICAPPED PERSONS IS IN LINE WITH ITS GENERAL POLICY ON EMPLOYMENT OF DISABLED PERSONS IN THE CIVIL SERVICE, WHICH IS TO PLACE THE DISABLED IN APPROPRIATE JOBS WITHIN THE CIVIL SERVICE WHEREVER POSSIBLE," SAID MR CHAN IN A WRITTEN REPLY TO A QUESTION BY THE HON LAU CHIN-SHEK IN THE LEGISLATIVE COUNCIL.

HE NOTED THAT THE GOVERNMENT WAS ALWAYS AWARE OF THE AVAILABILITY OF DISABLED PERSONS AS A SOURCE OF LABOUR SUPPLY.

THE LABOUR DEPARTMENT PROVIDES A FREE SELECTIVE PLACEMENT SERVICE TO MILDLY MENTALLY HANDICAPPED PERSONS AND REFERS SUITABLE JOB SEEKERS TO THE RELEVANT GOVERNMENT DEPARTMENTS FOR JOB INTERVIEWS.

STAFF OF THE SELECTIVE PLACEMENT DIVISION ALSO VISIT EMPLOYERS REGULARLY TO ADVISE THEM OF THE EMPLOYABILITY OF MILDLY MENTALLY HANDICAPPED PERSONS AND TO MAKE USE OF ITS SERVICE TO EMPLOY SUCH PERSONS TO FILL THEIR VACANCIES.

IN ADDITION, IT ORGANISES A NUMBER OF PROMOTIONAL ACTIVITIES EVERY YEAR TO ENHANCE THE EMPLOYMENT OPPORTUNITIES OF DISABLED PERSONS.

CITING STATISTICS, MR CHAN SAID THERE WERE 315 MILDLY AND MODERATELY MENTALLY HANDICAPPED PERSONS REGISTERED WITH THE SELECTIVE PLACEMENT DIVISION IN 1989, 342 IN 1990 AND 336 IN 1991.

DURING THE SAME THREE-YEAR PERIOD, THE NUMBER OF REFERRALS FOR JOB INTERVIEWS WERE 421, 345 AND 279 RESPECTIVELY, WHILE THE NUMBER OF SUCH PERSONS PLACED IN EMPLOYMENT WERE 227 IN 1989, 206 IN 1990 AND 175 IN 1991.

MR CHAN SAID: "SINCE THE ESTABLISHMENT OF THE SELECTIVE PLACEMENT DIVISION IN 1980, THE OPERATION, POLICY AND EFFECTIVENESS OF THE SERVICE HAVE BEEN PUT UNDER REGULAR REVIEW.

"IT HAS BEEN FOUND THAT THE PRESENT SYSTEM OF PLACING DISABLED JOB SEEKERS INTO OPEN EMPLOYMENT IS FAIRLY COMPREHENSIVE AND EFFECTIVE."

HE ADDED THAT A NUMBER OF OPTIONS FOR PROMOTING THE OPEN EMPLOYMENT OF DISABLED PERSONS, INCLUDING THE MILDLY MENTALLY HANDICAPPED, HAVE BEEN SUGGESTED IN THE GREEN PAPER ON REHABILITATION.

"THE LABOUR DEPARTMENT WILL HAVE REGARD TO THESE OPTIONS IN ITS NEXT REGULAR REVIEW," HE SAID.

WEDNESDAY, JULY 15, 1992

- 26 -

PUBLIC ORDER ORDINANCE UNDER REVIEW

\* \* \* \* \*

THE PROVISIONS OF THE BILL OF RIGHTS ORDINANCE WILL BE TAKEN INTO ACCOUNT IN THE CURRENT REVIEW OF THE PUBLIC ORDER ORDINANCE.

THIS WAS STATED BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, IN A WRITTEN REPLY TO A QUESTION BY THE HON ERIC LI IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR LI ASKED WHETHER CERTAIN REQUIREMENTS OF THE PUBLIC ORDER ORDINANCE CONFLICTED WITH THE PROVISION IN THE BILL OF RIGHTS ORDINANCE WHICH SAFEGUARDED RESIDENTS' RIGHT OF PEACEFUL ASSEMBLY.

MR ASPREY SAID THE GOVERNMENT HAD NOT YET COME TO ANY CONCLUSIONS.

"WHETHER A PARTICULAR PROVISION IN A LAW CONTRAVENES THE BILL OF RIGHTS ORDINANCE IS ULTIMATELY A MATTER FOR THE COURTS TO DETERMINE," HE SAID.

- - - - 0 - - - -

LIMITED STATISTICS ON JUMPING BAIL AVAILABLE

\* \* \* \* \*

IT IS NOT POSSIBLE TO REACH ANY FIRM CONCLUSIONS AS TO WHAT EFFECT, IF ANY, THE BILL OF RIGHTS HAS ON THE GRANTING OF BAIL OR ON THE NUMBER OF PERSONS JUMPING BAIL FROM THE LIMITED STATISTICS AVAILABLE.

THIS WAS STATED BY THE SECRETARY FOR SECURITY, MR ALISTAIR ASPREY, IN A WRITTEN REPLY TO A QUESTION RAISED BY DR THE HON CONRAD LAM IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THE BILL OF RIGHTS ORDINANCE WAS ENACTED ON JUNE 8 LAST YEAR.

ARTICLE 5(3) OF THE ORDINANCE ENSHRINES IN LEGISLATIVE FORM WHAT HAS ALWAYS BEEN THE GENERAL PRINCIPLE IN GRANTING BAIL, THAT IS THAT SINCE ACCUSED PERSONS ARE TO BE PRESUMED INNOCENT UNTIL PROVED GUILTY, THEY SHOULD BE RELEASED PENDING TRIAL, SUBJECT TO APPROPRIATE CONDITIONS, UNLESS THERE ARE VALID REASONS FOR NOT DOING SO.

MR ASPREY ADDED THAT THE GOVERNMENT DID NOT HAVE READILY AVAILABLE STATISTICS ON THE NUMBER OF DEFENDANTS WHO HAVE JUMPED BAIL AT DIFFERENT STAGES OF THE PROSECUTION PROCESS IN EACH OF THE PAST FIVE YEARS.

"SUCH STATISTICS COULD ONLY BE PRODUCED THROUGH A VERY LABORIOUS AND TIME-CONSUMING RETRIEVAL OF INDIVIDUAL CASE RECORDS," HE SAID

- - - - 0 - - - -

ATTORNEY GENERAL EXPLAINS BRIEFING-OUT CASE

\* \* \* \* \*

THE ATTORNEY GENERAL, THE HON JEREMY MATHEWS, TODAY EXPLAINED THE REASONS FOR INSTRUCTING LAWYERS IN PRIVATE PRACTICE TO CONDUCT THE PROSECUTION IN A RECENT HIGH COURT CRIMINAL CASE.

IN A WRITTEN REPLY TO A QUESTION BY DR THE HON LEONG CHE-HUNG IN THE LEGISLATIVE COUNCIL, MR MATHEWS SAID THE PRINCIPAL CROWN WITNESS IN THAT CASE WAS A FORMER SENIOR OFFICER OF THE DEPARTMENT WHILE A NUMBER OF OTHER CROWN WITNESSES WERE OFFICERS OF THE DEPARTMENT WHO HAD IN THE PAST WORKED UNDER THE PRINCIPAL WITNESS.

IN THE CIRCUMSTANCES THE INDEPENDENCE AND IMPARTIALITY OF THE PROSECUTION COULD HAVE BEEN PUT IN DOUBT IF IT HAD BEEN HANDLED BY COUNSEL OF THE LEGAL DEPARTMENT, HE SAID.

"IT WAS THEREFORE NECESSARY TO INSTRUCT LAWYERS IN PRIVATE PRACTICE TO CONDUCT THE PROSECUTION," MR MATHEWS SAID.

THE TOTAL COST ENTAILED IN BRIEFING OUT THE PROSECUTION OF THIS CASE, WHICH LASTED 161 HEARING DAYS, WAS \$22.9 MILLION.

- - - - 0 - - - -

AUTOMATIC POSTPONEMENT OF PUBLIC EXAMS NOT PRACTICAL

\* \* \* \* \*

THE SCHEDULING OF EXAMINATIONS IS VERY CAREFULLY ORCHESTRATED TO ENSURE ABSOLUTE FAIRNESS AND PREVENT CHEATING, THE SECRETARY FOR EDUCATION AND MANPOWER, MR JOHN CHAN, SAID.

ANY POSTPONEMENT IS UNDESIRABLE AND EVERY EFFORT IS MADE TO AVOID IT, HE ADDED.

"THIS IS PARTICULARLY IMPORTANT FOR OVERSEAS EXAMINATIONS SINCE THEIR SCHEDULING IS CO-ORDINATED WITH THE TIMING OF THE SAME EXAMINATION IN OTHER PARTS OF THE WORLD SO AS TO PREVENT CHEATING BY, FOR EXAMPLE, PASSING QUESTIONS AND ANSWERS TO CANDIDATES IN OTHER COUNTRIES BY TELEPHONE OR FACSIMILE," SAID MR CHAN IN A WRITTEN REPLY TO A QUESTION BY THE HON HENRY TANG AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HONG KONG PUBLIC EXAMINATIONS ARE RUN BY THE HONG KONG EXAMINATIONS AUTHORITY (HKEA), EITHER IN ITS OWN RIGHT OR ON BEHALF OF OVERSEAS EXAMINATIONS BODIES.

IT IS NOT PRACTICAL OR FEASIBLE FOR THE HKEA TO POSTPONE EXAMINATIONS AUTOMATICALLY UPON THE ISSUE OF A RED RAINSTORM WARNING BY THE ROYAL OBSERVATORY.

"RELEVANT GOVERNMENT DEPARTMENTS/PUBLIC AUTHORITIES MUST ASSESS OTHER IMPORTANT FACTORS SUCH AS TRAFFIC CONDITIONS, TRANSPORT AVAILABILITY AND TIMING OF THE ROYAL OBSERVATORY'S ANNOUNCEMENT BEFORE DECIDING WHAT ACTION TO TAKE," MR CHAN SAID.

"AS FOR PERSONS SITTING FOR PUBLIC EXAMINATIONS, THEY ARE USUALLY AT LEAST 16 YEARS OLD AND BETTER ABLE TO TAKE CARE OF THEMSELVES IN ADVERSE WEATHER CONDITIONS THAN YOUNGER STUDENTS, ESPECIALLY KINDERGARTEN AND PRIMARY SCHOOL CHILDREN.

"ONCE UNDER WAY, EVERY EFFORT MUST BE MADE TO BRING AN EXAMINATION TO ITS CONCLUSION FOR REASONS OF SECURITY AND FAIRNESS. RESCHEDULING THE EXAMINATION WOULD REQUIRE A COMPLETELY NEW SET OF EXAMINATION PAPERS TO BE PREPARED.

"AGAIN THIS IS PARTICULARLY DIFFICULT FOR OVERSEAS EXAMINATIONS," HE ADDED.

NEVERTHELESS, WHEN SUCH A WARNING IS ISSUED PRIOR TO 7 AM WHICH IS THE TIME WHEN QUESTION PAPERS ARE RELEASED BY THE HKEA FOR DISTRIBUTION TO EXAMINATION CENTRES ON THE MORNING OF AN EXAMINATION, THE HKEA WILL GIVE CAREFUL CONSIDERATION TO THE FEASIBILITY OF POSTPONING THE EXAMINATION, MR CHAN POINTED OUT.

SIMILARLY, CONSIDERATION WILL BE GIVEN TO POSTPONING AFTERNOON EXAMINATIONS WHEN SUFFICIENT WARNING IS GIVEN BY THE ROYAL OBSERVATORY.

DURING THE PAST FIVE YEARS, THERE WERE SEVEN OCCASIONS WHEN RAINFALL OVER 10 TELEMETERING RAINGAUGES IN HONG KONG REACHED OR EXCEEDED 50 MM WITHIN AN HOUR, AND ONLY ONE OCCASION WHEN IT REACHED OR EXCEEDED 100 MM WITHIN TWO HOURS.

NONE OF THESE EIGHT OCCASIONS OCCURRED WHEN TYPHOON SIGNAL NUMBER 8 OR ABOVE WAS HOISTED.

- - - - 0 - - - -

UPGC EXAMINES REVISED ACADEMIC PROPOSALS  
\* \* \* \* \*

THE GOVERNMENT'S DECISION TO REVISE THE PLANNING TARGET OF FIRST-YEAR, FIRST-DEGREE PLACES IN TERTIARY INSTITUTIONS FOR 1994-95 HAS NO EFFECT ON THE NUMBER OF FIRST-YEAR, FIRST-DEGREE NURSING PLACES IN THE 1991-92 ACADEMIC YEAR.

HOWEVER, THE HONG KONG POLYTECHNIC HAS INCORPORATED IN ITS REVISED ACADEMIC DEVELOPMENT PROPOSALS FOR 1992-95 TRIENNIAL SOME CHANGES TO THE INTAKES ORIGINALLY PLANNED FOR FIRST-DEGREE COURSES IN CERTAIN PROGRAMMES, INCLUDING A REDUCTION OF 10 PLACES IN THE FULL-TIME B.SC. COURSE IN NURSING IN 1992-93.

/THIS WAS .....

THIS WAS STATED BY THE SECRETARY FOR EDUCATION AND MANPOWER, MR JOHN CHAN, IN A WRITTEN REPLY TO A QUESTION BY THE HON MICHAEL HO MUN-KA AT THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

MR CHAN SAID THE REVISED ACADEMIC PROPOSALS PUT FORWARD BY THE HONG KONG POLYTECHNIC AND OTHER TERTIARY INSTITUTIONS WERE BEING EXAMINED BY THE UNIVERSITY AND POLYTECHNIC GRANTS COMMITTEE.

"ON NURSING COURSES, I HAVE ADVISED THE COMMITTEE THAT THE SECRETARY FOR HEALTH AND WELFARE AND I ARE FIRMLY OF THE OPINION THAT, IN THE LIGHT OF IMPROVEMENTS BEING INTRODUCED IN THE PUBLIC HEALTH AND HOSPITAL SERVICES, THERE SHOULD NOT BE ANY REDUCTION IN STUDENT INTAKE.

"I HAVE BEEN ASSURED THAT THE COMMITTEE WILL TAKE THIS INTO ACCOUNT WHEN CONSIDERING COURSE PROPOSALS IN NURSING," MR CHAN ADDED.

- - - - 0 - - - -

CROWN LANDS RESUMPTION LAW TO BE REVIEWED

\* \* \* \* \*

A REVIEW OF THE CROWN LANDS RESUMPTION ORDINANCE IS LIKELY TO BE UNDERTAKEN AFTER WORK ON THE TOWN PLANNING ORDINANCE HAS BEEN COMPLETED, THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS, MR TONY EASON, TOLD THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

"ANY SUCH REVIEW WILL TAKE ACCOUNT OF THE FACT THAT THE PRESENT MIXTURE OF STATUTORY AND EX-GRATIA ARRANGEMENTS FOR RESUMPTION COMPENSATION GENERALLY WORKS WELL, AS WITNESSED BY THE SMALL NUMBER OF CASES GOING BEFORE THE LANDS TRIBUNAL," HE SAID.

IN A WRITTEN REPLY TO A QUESTION BY THE HON LAU WONG-FAT, MR EASON SAID A REPORT OF THE SPECIAL COMMITTEE ON COMPENSATION AND BETTERMENT INCLUDED A RECOMMENDATION THAT THE CROWN LANDS RESUMPTION ORDINANCE SHOULD BE REVIEWED.

HE SAID THE GOVERNMENT AGREED THAT SOME PARTS OF THE ORDINANCE MIGHT NEED TO BE UPDATED.

THE REPORT HAS BEEN PRODUCED IN CONNECTION WITH THE CURRENT REVIEW OF THE TOWN PLANNING ORDINANCE.

THE CROWN LANDS RESUMPTION ORDINANCE, USED TO RESUME PRIVATE LAND FOR A PUBLIC PURPOSE, WAS INVOKED ON 56 OCCASIONS IN THE FINANCIAL YEARS 1989-90, 1990-91 AND 1991-92.

- - - - 0 - - - -

INFRASTRUCTURAL INVESTMENT A MUST: GOVERNOR

\* \* \* \* \*

HONG KONG HAS GOT TO INVEST IN ITS INFRASTRUCTURE SO THAT IT CAN GO ON BEING PROSPEROUS AND STABLE, THE GOVERNOR, THE RT HON CHRISTOPHER PATTEN, SAID TODAY (WEDNESDAY).

SPEAKING TO REPORTERS AFTER A FULL DAY SEEING VARIOUS PORT AND AIRPORT DEVELOPMENT PROJECTS, MR PATTEN NOTED THAT HONG KONG'S COMPETITORS IN ASIA WERE NOT STANDING STILL.

"WE GOT TO DO A GREAT DEAL OURSELVES TO MAKE SURE THAT HONG KONG IS CONFIRMED AS ONE OF THE ECONOMIC CAPITALS OF THE WORLD," HE SAID.

MR PATTEN SAID THE PORT FACILITIES WERE ONE OF THE MAJOR REASONS FOR THE SUCCESS OF THE HONG KONG ECONOMY.

"I'VE BEEN LOOKING AT ALL THE PROJECTS WHICH ARE ASSOCIATED WITH THE NEW AIRPORT TODAY. THE DEVELOPMENT OF THE PORT TERMINAL, THE AIRPORT ITSELF, THE LAND RECLAMATION AND THE NEW ROADS. THESE ARE A REALLY IMPORTANT DEVELOPMENT OF OUR INFRASTRUCTURE," HE ADDED.

"OBVIOUSLY THESE WILL BE AMONG THE MOST IMPORTANT PROJECTS WHICH I WILL BE FOLLOWING DURING MY FIVE YEARS AS GOVERNOR," MR PATTEN SAID.

IN REPLY TO A QUESTION ON THE FINANCING OF THE NEW AIRPORT, MR PATTEN SAID:

"I VERY MUCH HOPE THAT THE AIRPORT COMMITTEE WILL MOVE FORWARD THIS WEEK AND WILL IN DUE COURSE FIND SOLUTIONS TO THE PROBLEMS THAT HAVE ARISEN, BECAUSE IT'S IN EVERYONE'S INTEREST THAT WE SHOULD PRUDENTLY SOLVE THESE PROBLEMS AS QUICKLY AS WE CAN."

ASKED TO COMMENT ON THE ANNOUNCEMENT CONCERNING THE EXCHANGE FUND, MR PATTEN SAID MOST MEMBER COUNTRIES OF THE INTERNATIONAL MONETARY FUND DISCLOSED THEIR FIGURES.

"I THINK IT WAS SENSIBLE THEREFORE FOR US TO DISCLOSE OURS. WHAT THEY SHOW IS THE UNDERLYING STRENGTH OF THE ECONOMY.

"THEY SHOW US FAR BETTER PLACED THAN MOST OTHER COUNTRIES AND MUCH BETTER PLACED IN TERMS OF THE SECURITY THAT SUPPORTS OUR CURRENCY THAN, FOR EXAMPLE SOME OF THE RICHEST COUNTRIES AND LARGEST COUNTRIES IN THE WORLD.

"I THINK THEY'RE A SIGN OF HONG KONG'S CONTINUING STRENGTH AND INDICATION OF HOW DETERMINED WE ARE TO GO ON HANDLING OUR ECONOMIC AFFAIRS PRUDENTLY AND SENSIBLY FOR THE FORESEEABLE FUTURE.

"IT CONFIRMS FOR EVERYONE THAT HONG KONG IS A VERY STRONG, STABLE ECONOMY, AND WILL BECOME STRONGER AND EVEN MORE STABLE WITH SPLENDID ENTREPRENEURS LIKE THOSE I'VE MET TODAY AND WITH GOOD AND SENSIBLE MANAGEMENT OF OUR ECONOMY.

WEDNESDAY, JULY 15, 1992

- 31 -

EARLIER, ACCOMPANIED BY THE SECRETARY FOR ECONOMIC SERVICES, MRS ANSON CHAN, THE GOVERNOR HAD A FIRST-HAND LOOK AT THE PROGRESS MADE IN THE AIRPORT AND PORT DEVELOPMENTS.

MR PATTEN VISITED KAI TAK INTERNATIONAL AIRPORT THIS MORNING AND TOURED THE HONG KONG AIR CARGO TERMINALS LIMITED AND HONG KONG AIRCRAFT ENGINEERING COMPANY LIMITED.

HE ALSO FLEW BY HELICOPTER TO CHEK LAP KOK TO SEE THE PROGRESS OF WORK ON THE RECLAMATION OF THE NEW AIRPORT SITE.

MR PATTEN CONCLUDED HIS PROGRAMME WITH A VISIT TO THE HONG KONG INTERNATIONAL TERMINALS LIMITED AT KWAI CHUNG.

- - - - 0 - - - -

UNAUTHORISED BUILDING IN KWUN TONG TO BE CLOSED

\* \* \* \* \*

THE BUILDING AUTHORITY IS SEEKING TO CLOSE THE UNAUTHORISED BUILDING IN KWUN TONG SO THAT IT CAN BE DEMOLISHED WITHOUT DANGER TO THE OCCUPIERS AND THE PUBLIC.

THE UNAUTHORISED BUILDING IS SITUATED AT THE REAR YARD OF 41 HANG ON STREET.

NOTICE OF INTENTION TO APPLY FOR A CLOSURE ORDER UNDER THE BUILDINGS ORDINANCE FROM THE HONG KONG DISTRICT COURT ON AUGUST 26 WAS POSTED ON THE PREMISES TODAY (WEDNESDAY).

DEMOLITION WORKS ARE EXPECTED TO START AS SOON AS THE CLOSURE ORDER IS ISSUED.

- - - - 0 - - - -

WEDNESDAY, JULY 15, 1992

- 32 -

HONG KONG GOVERNMENT EXCHANGE FUND  
MONEY MARKET OPERATIONS

\* \* \* \* \*

\$ MILLION

OPENING BALANCE IN THE ACCOUNT	988
REVERSAL OF LAF	NIL
BALANCE AFTER REVERSL OF LAF	988
NET INJECTION/WITHDRAWAL TODAY	NIL
EFFECT OF LAF TODAY	+40
CLOSING BALANCE IN THE ACCOUNT	1,028

LAF RATE 2.00 BID/4.00 OFFER TWI 109.8 \*+0.1\* 15.7.1992

HONG KONG GOVERNMENT EXCHANGE FUND

EF BILLS

HONG KONG GOVERNMENT BONDS

TERMS	YIELD	TERM	ISSUE	COUPON	PRICE	YIELD
1 WEEK	1.82 PCT	24 MONTHS	2311	6.25	102.84	4.09
1 MONTH	1.95 PCT	21 MONTHS	2402	5.50	101.82	4.35
3 MONTHS	2.26 PCT	24 MONTHS	2405	5.50	101.72	4.56
6 MONTHS	2.75 PCT					
12 MONTHS	3.63 PCT					

TOTAL TURNOVER OF BILLS AND BONDS - 8,378 MN

CLOSED 15 JULY 1992

- - - - 0 - - - -