



DAILY INFORMATION BULLETIN

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OBJECTIONS TO CLAUSE 4 OF OFFENCES BILL

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TWELVE UNOFFICIAL MEMBERS COMMENTED ON THE CONTROVERSIAL OFFENCES AGAINST THE PERSON (AMENDMENT) BILL WHEN IT RECEIVED ITS SECOND READING IN THE LEGISLATIVE COUNCIL TODAY.

FOUR OF THEM SPOKE IN SUPPORT OF THE BILL WHILE THE OTHERS WERE OPPOSED TO ITS VARIOUS PROVISIONS.

LEADING THE ATTACK WAS DR THE HON HARRY FANG WHO WAS THE CONVENER OF AN AD HOC GROUP OF UNOFFICIALS FORMED TO STUDY THE BILL.

THE GROUP HAD HELD A NUMBER OF MEETINGS WITH THE OFFICIAL SIDE AND MET WITH REPRESENTATIVES FROM VARIOUS INDIVIDUALS AND ORGANISATIONS ABOUT THE BILL.

IN HIS SPEECH DURING THE RESUMED DEBATE, DR FANG SAID IT SEEMED SOMEWHAT IRONIC THAT AT A TIME WHEN MANY COUNTRIES WERE CONCERNED THAT THEIR ABORTION LEGISLATION HAD GONE TOO FAR, HONG KONG WAS PROPOSING TO RELAX ITS ABORTION LAW.

HE POINTED OUT THAT HE SUPPORTED THE MAJORITY OF THE BILL'S PROVISIONS WHICH WERE CONCERNED WITH THE PROTECTION OF THE UNBORN CHILD, BUT WAS OPPOSED TO CLAUSE 4 WHICH +RELAXES TO AN ALARMING DEGREE THE CIRCUMSTANCES UNDER WHICH AN ABORTION MAY LEGALLY BE PERFORMED+.

+IT SPECIFIES THAT WOMEN DIAGNOSED AS BEING PREGNANT WITH AN ABNORMAL FOETUS= WOMEN UNDER 17 YEARS OF AGE AND ALLEGED VICTIMS OF RAPE, INCEST AND SEXUAL INTERCOURSE PROCURED BY DRUGS, FALSE PRETENCES OR THREAT ARE ENTITLED TO ABORTIONS,+ DR FANG SAID.

+BUT THROUGHOUT OUR DISCUSSIONS NO ONE HAS BEEN ABLE TO OFFER A CONVINCING EXPLANATION AS TO WHY SUCH ADDITIONAL MEASURES ARE NECESSARY.

+MOREOVER, THERE IS NO EVIDENCE SO FAR AS WE ARE AWARE TO INDICATE THAT SUCH VICTIMS ARE BEING DENIED ABORTIONS UNDER THE LAW AS IT STANDS.+

ON THE PROVISION WHICH ALLOWS WOMEN DIAGNOSED AS BEING PREGNANT WITH AN ABNORMAL FOETUS AN ABORTION, DR FANG OPINED THAT MEDICAL SCIENCE WAS NOT PRECISE AND IT WAS EXTREMELY DIFFICULT, AND IN SOME CASES IMPOSSIBLE, TO DIAGNOSE ACCURATELY THE DEGREE OF DEFORMITY.

+IN ADDITION,+ HE ADDED, +THERE IS ALSO A HIGH ERROR FACTOR ASSOCIATED WITH PRE-NATAL TESTING FOR FOETAL ABNORMALITIES AND IT IS ESTIMATED THAT FOR EVERY 100 BABIES ABORTED ON THE GROUNDS OF FOETAL ABNORMALITY, TEN HEALTHY BABIES ARE KILLED.

+INDEED IT WAS ON THESE GROUNDS, BASED ON EVIDENCE PRESENTED BY THE ROYAL COLLEGE OF OBSTETRICIANS AND GYNAECOLOGISTS OF THE UNITED KINGDOM, THE GOVERNMENT, LESS THAN THREE YEARS AGO, HALTED ITS PLANS TO MAKE AMMOCENTESIS (A FORM OF PRE-NATAL TESTING) AVAILABLE NATION-WIDE.+

/BEARING THIS

BEARING THIS IN MIND, DR FANG SAID THAT HE FAILED TO SEE HOW ANY TWO MEDICAL PRACTITIONERS, WHO WERE NOT EXPERTS IN THIS FIELD, WOULD BE ALLOWED TO FORM AN OPINION AS TO WHETHER THERE WAS A 'SUBSTANTIAL RISK' THAT THE CHILD IF BORN WOULD BE 'SERIOUSLY HANDICAPPED'.

HE SUGGESTED THAT EITHER THIS DECISION BE LEFT IN THE HANDS OF PERINATOLOGISTS WHO WERE SPECIALISTS IN THIS FIELD OR THE PROVISION BE AMENDED TO GIVE THE MEDICAL PROFESSION SOME GUIDELINES WITHIN WHICH TO OPERATE, BY DEFINING MORE CLEARLY WHAT WAS MEANT BY A SERIOUS HANDICAP.

DR FANG ALSO REVEALED THAT MEDICAL ADVANCES MADE IT POSSIBLE TO ADMINISTER DRUGS AND INJECTIONS, AS WELL AS CARRYING OUT INTERUTERINE TRANSFUSIONS AND EVEN SURGERY, ON A FOETUS.

+GIVEN THE PACE AT WHICH MEDICAL SCIENCE IS ADVANCING IT IS POSSIBLE THAT SOMETIME IN THE FUTURE, AND PERHAPS EVEN WITHIN OUR LIFE TIME, WE SHALL BE ABLE TO CORRECT SOME DEFORMITIES WHILST THE FOETUS IS STILL IN THE WOMB.

+IN THE LIGHT OF SUCH DEVELOPMENTS, THE PROPOSAL NOW BEFORE US TO ALLOW ABORTION ON THE GROUNDS OF SUSPECTED FOETAL ABNORMALITY IS BOTH UNTIMELY AND RETROGRADE.+

REGARDING THE PROVISION WHICH ALLOWS VICTIMS OF RAPE, INCEST AND SEXUAL INTERCOURSE PROCURED BY THREATS, DRUGS OR FALSE PRETENCES AN ABORTION, DR FANG NOTED THAT ALTHOUGH THE CRIMES ORDINANCE RECOGNISED THE VARYING DEGREES OF SEVERITY OF THESE OFFENCES, THE BILL DID NOT +SINCE IT ENTITLES A WOMAN WHO HAS BEEN THE VICTIM OF ANY OF THESE OFFENCES TO AN ABORTION+.

HE WAS PARTICULARLY CONCERNED ABOUT THE DANGERS OF ABUSE FOR THE PROVISION RELATING TO FALSE PRETENCES AND URGED THE GOVERNMENT TO CLARIFY WHAT CONSTITUTED A FALSE PRETENCE.

+BECAUSE OF MY RESERVATIONS AND HAVING REGARD TO THE DISTINCTION MADE IN THE CRIMES ORDINANCE BETWEEN THESE VARIOUS OFFENCES, I INTEND MOVING A COMMITTEE STAGE AMENDMENT TO DELETE THE PROVISION WHICH ALLOWS ALLEGED VICTIMS OF SEXUAL INTERCOURSE PROCURED BY DRUGS, THREATS OR FALSE PRETENCES AN ABORTION,+ HE SAID.

THE REV THE HON PATRICK MCGOVERN IN OPPOSING THE BILL SAID THE GOVERNMENT WAS DETERMINED, FOR SOME REASON BEYOND THE COMPREHENSION OF ANYBODY ELSE, TO EXTEND THE GROUNDS FOR LEGALISED ABORTION BEYOND THE MEDICAL GROUNDS ACCEPTED IN THE U.K.

+THOSE IN FAVOUR OF LIFE, AND RESPONSIBLE PROFESSIONAL CONDUCT AND THE PRESERVATION OF HUMAN VALUES DO NOT WANT THOSE GROUNDS EXTENDED,+ HE SAID.

HE ASKED FOR REASON AND NOT EMOTION IN THE DEBATE ON THE BILL AND STARTED BY PUTTING IT IN THE CONTEXT OF THE PRINCIPAL ORDINANCE.

THE OFFENCES AGAINST THE PERSON ORDINANCE, HE SAID, STARTS OFF WITH MURDER, GOES ON TO MANSLAUGHTER, ATTEMPTS TO MURDER, ASSAULTS, FORCEABLE DETENTION UP TO SECTIONS 46 AND 47 WHICH ARE THE SUBJECT OF THE BILL, AND ENDS WITH KEEPING OR MANUFACTURING EXPLOSIVE SUBSTANCES.

+THE BROAD PICTURE IS CLEAR IN THAT IT IS TOTALLY CONCERNED WITH PROTECTING PERSONS AGAINST OFFENCES OF VARIOUS SORTS. AND IT PROTECTS EVERY PERSON, MAN OR BOY, WOMAN OR FEMALE CHILD, INCLUDING IN 46 AND 47 THE PERSON OF THE CHILD AS YET UNBORN,+ FR MCGOVERN SAID.

HE STRESSED THAT THE BILL REFERS TO A WOMAN AND A CHILD THROUGHOUT: +SO, LET NO ONE DRAG IN THE WORD 'FOETUS' WITH ITS ANTI-LIFE IMPLICATION THAT A FOETUS BY SOME FREAK OF NATURE IS SOMEHOW OR OTHER NOT A CHILD, OR IS A POTENTIAL CHILD, OR IS A BLOB OF PLASM OR SOMETHING.+

+WE ARE VOTING ABOUT WHETHER THE CHILD SHOULD LIVE OR WHETHER ITS LIFE SHOULD BE TERMINATED ON NEW EXTENDED GROUNDS,+ HE SAID.

THESE GROUNDS -- AGE, RAPE, INCEST, THREATS, FALSE PRETENCES -- ARE ALL NON-MEDICAL AND WOULD NOT BECOME MEDICAL BY BEING PUT UNDER MEDICAL JUDGMENT. THEY WERE LEGALLY, MEDICALLY OR SOCIALLY UNSOUND, FR MCGOVERN SAID.

ON ABORTION FOR THE PREGNANT AT 16, FR MCGOVERN SAID THE MILDEST HE COULD MAKE IT WAS TO CALL IT BOTH SOCIAL AND LEGAL LUNACY.

+WE ARE NOT TALKING ABOUT RAPE OR OTHER CRIMES,+ HE SAID, +WE ARE TALKING ABOUT BEING UNDER 16 AND WILLING TO HAVE INTERCOURSE, PERHAPS EVEN INVITING IT AND THEREBY BECOMING PREGNANT.

+MY READING OF THE PROPOSAL IS THAT IT IS AN ADDED INVITATION FOR MINORS TO GET PREGNANT BECAUSE IT PROVIDES NEW AND SEPARATE GROUNDS BY WHICH MINORS JUST BY BEING MINORS CAN IN THEIR OWN RIGHT ASK FOR THE SO-CALLED EASY WAY OUT OF THEIR TROUBLES.

+LEGALLY IT IS AN INVITATION TO CONTEMPT OF THE LAW PROTECTING MINORS.+

SOCIALLY, HE ADDED, ONE WOULD NEED TO BE A BLIND ANGEL NOT TO SEE THE CONNECTION BETWEEN CONTRACEPTIVES WITH A KNOWN FAILURE RATE BEING READILY AVAILABLE TO TEENAGERS, THE INCREASING BREAKDOWN OF TRADITIONAL FAMILY VALUES, AND AN INCREASED RATE OF UNWANTED TEENAGE PREGNANCIES WITH ITS FUTURE INCREASED RATE OF ABORTIONS.

ON THE PROVISIONS FOR ABORTION ARISING OUT OF RAPE AND OFFENCES AGAINST THE CRIMES ORDINANCE, FR MCGOVERN SAID IT COULD MEAN THAT THE LAW WAS SAYING TO THE MEDICAL PRACTITIONER WHO WAS IN DOUBT THAT IT RESOLVED HIS DOUBT AND GAVE THE MEDICAL OPINION THAT IN ALL CASES OF DOUBT THE WOMAN WAS IN GREATER DANGER IF SHE ALLOWED THE CHILD TO COME TO TERM.

+IT COULD NOT MEAN THAT,+ HE SAID, +IF NOT IT MUST MEAN THAT THE LAW IS SAYING: 'YOU HAVE A DOUBT, IGNORE YOUR DOUBT AND YOUR MEDICAL KNOWLEDGE AND GO AHEAD, AND THE LAW WILL PROTECT YOU FROM THE CONSEQUENCES.'

+WHAT MEDICAL PRACTITIONER COULD ACCEPT SUCH A POSITION? AGAIN, THIS IS BAD MEDICINE AND THEREFORE BAD LAW.+

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THE WHOLE PROPOSITION, FR MCGOVERN SAID, ALSO IGNORES THE FACT THAT IN SUCH CRIMINAL CASES, THERE ARE TWO INNOCENT VICTIMS, THE GIRL, AND THE UNWANTED CHILD.

+BY ALL MEANS LET THE LAW INTENSIFY THE WAR AGAINST RAPE, BY ALL MEANS LET THE LAW BE AS SEVERE AS HUMANLY POSSIBLE AGAINST THE CONVICTED RAPIST. BUT THAT DOES NOT REQUIRE THE LAW TO CONDEMN THE INNOCENT AFTERMATH OF CRIME,+ HE SAID.

THE HON S.L. CHEN PROPOSED TO DELETE THE PROVISION WHICH ALLOWS WOMEN UNDER 16 YEARS OF AGE AN ABORTION.

HE SAID THIS WAS BECAUSE +NOT ONLY ARE THERE NO GROUNDS FOR SINGLING OUT WOMEN IN THIS AGE GROUP FOR EASY ABORTION BUT IT IS NOT RIGHT MORALLY.+

HIS SUBMISSION WAS BASED ON THREE OBSERVATIONS.

FIRST, HE SAID, IF RISK OF PREGNANCY WITH ITS CONSEQUENTIAL RESPONSIBILITIES MAY STILL BE REGARDED AS A SORT OF PSYCHOLOGICAL AND MORAL RESTRAINT TO DISCOURAGE IMPROPER SEX CONDUCT, THE PROPOSAL TO ALLOW WOMEN UNDER 16 ABORTION, VIRTUALLY ON DEMAND, IS TENTAMOUNT TO REMOVING ANY SUCH RESTRAINT AND COULD ENCOURAGE YOUNG PEOPLE TO PRACTISE SEX MORE FREELY AND INDISCRIMINATELY.

SECONDLY, ALTHOUGH AN ABORTION COULD ONLY BE CARRIED OUT WITH THE CONSENT OF THE PARENTS, PARENTAL CONSENT IN CASES OF THIS NATURE IS VERY SELDOM WITHHELD, PARTICULARLY WITH CHINESE PARENTS IF THEY THINK ABORTION IS THE LAST RESORT TO PROTECT THE NAME OF THE FAMILY AND THE YOUNG WOMAN WOULD IN FACT BE LEFT WITH THE DECISION ON WHETHER TO HAVE AN ABORTION OR NOT.

IF ONE IS INDEED CONCERNED THAT A YOUNG WOMAN OF THIS AGE IS NOT PHYSICALLY MATURE ENOUGH TO SHOULDER THE RESPONSIBILITIES OF PARENTHOOD, AND SHOULD THEREFORE BE PROTECTED, IT IS UNFAIR THEN TO IMPOSE UPON HER THE MENTAL BURDEN OF TAKING A DECISION WHICH MAY TERMINATE A VERY NATURAL HUMAN RELATIONSHIP BETWEEN HERSELF AND HER CHILD.

THIRDLY, FOR CASES WHERE THE PREGNANCY IS LIKELY TO INVOLVE A SERIOUS MENTAL OR PHYSICAL HEALTH RISK TO THE YOUNG MOTHER, THESE ARE ADEQUATELY COVERED BY THE EXISTING LEGISLATION.

UNDER EXISTING PROVISIONS, MOREOVER, A MEDICAL PRACTITIONER CAN TAKE INTO ACCOUNT THE REASONABLY FORESEEABLE ENVIRONMENT OF THE PREGNANT WOMAN BEFORE DECIDING WHETHER HE IS WILLING TO PERFORM AN ABORTION.

THE HON PETER C. WONG SAID IF WE MUST LIBERALIZE ABORTION, PERHAPS A MORE SENSIBLE SOLUTION WOULD BE TO ENLARGE THE EXISTING MEDICAL GROUNDS ON WHICH ABORTION IS PERMISSIBLE.

BUT HE POINTED OUT THAT WHAT CLAUSE 4 OF THE BILL PROPOSED WAS A RADICAL DEPARTURE FROM THE CONCEPT ON THE SUBJECT AS REFLECTED BY THE EXISTING LAW.

FOETUS, HE NOTED, IS DEFINED BY THE WEBSTER DICTIONARY AS A DEVELOPING HUMAN FROM ABOUT 12 WEEKS AFTER CONCEPTION TO BIRTH.

/+TO SAY

+TO SAY THAT A FOETUS OF LESS THAN 24 WEEKS IS LIFE WHICH IS EXPENDABLE IS TO ME PURE LEGAL FICTION.

+GOVERNMENT HAS NOT PUT FORWARD COGENT REASONS WHY THE LAW SHOULD BE CHANGED TO ALLOW THE DESTRUCTION OF DEVELOPING HUMAN LIFE IN THE MANNER PROPOSED.

+OBVIOUSLY, WE ARE TREADING ON VERY TENUOUS GROUNDS,+ MR WONG SAID.

HE POINTED OUT THAT ACCORDING TO MEDICAL OPINION, THE EXISTING LAW, BASED AS IT WAS ON MEDICAL GROUNDS, ALREADY SUBSTANTIALLY COVERED MOST OF THE NEW PROPOSALS.

+WHY THEN DO WE NEED TO INTRODUCE THESE CONTROVERSIAL AMENDMENTS?+ HE ASKED.

THE HON WONG LAM WARNED THAT THE PROPOSAL TO ALLOW ABORTION ON DEMAND FOR WOMEN UNDER 17 WITHOUT REQUIRING THEM TO GIVE ANY REASONS WAS TOO INDULGENT AND WOULD BRING ABOUT MORE DISADVANTAGES THAN ADVANTAGES.

IT NOT ONLY INDIRECTLY ENCOURAGES GIRLS UNDER 17 TO BE MORE CASUAL IN THEIR RELATIONSHIP WITH THE OPPOSITE SEX, BUT ALSO DISRUPTS THE CONCEPT OF ETHICS WHICH IS OF IMPORTANT CONCERN TO THE CHINESE.

+IT WOULD ALSO HAVE A BAD INFLUENCE ON SOCIAL MORALITY,+ HE SAID.

MR WONG BELIEVED THAT THE MAIN REASON FOR THE GOVERNMENT TO PUT UP SUCH A PROPOSAL WAS PROBABLY THE BELIEF THAT WOMEN UNDER 17 WERE NOT CAPABLE OF FULFILLING THE RESPONSIBILITIES OF A MOTHER.

+I TOTALLY DISAGREE WITH THIS VIEW,+ MR WONG STRESSED.

+JUDGING FROM CASES OF CHILD ABUSE AND PARENTAL NEGLIGENCE IN HONG KONG, THOSE WHO HAVE FAILED TO FULFIL MATERNAL RESPONSIBILITIES ARE NOT NECESSARILY WOMEN UNDER 17, MANY OF WHOM, I BELIEVE, HAVE SHOWN THEMSELVES TO BE FULLY CAPABLE OF SUCH DUTIES.

+BESIDES, EVEN IF YOUNG MOTHERS ARE UNABLE TO TAKE CARE OF THEIR CHILDREN, THE GOVERNMENT SHOULD TRY TO HELP THEM IN A POSITIVE WAY, E.G. BY ENCOURAGING THEIR RELATIVES, SAY THEIR GRANDPARENTS, TO HELP RAISE THEIR CHILDREN, AND NOT GO ABOUT THE ISSUE NEGATIVELY BY WAY OF THE SHORTCUT OF ABORTION.+

HE THOUGHT THIS PROPOSAL WAS CONTRADICTORY TO THE BASIC HUMANITARIAN SPIRIT OF THE BILL.

THE HON ANDREW SO SAID THAT HE OPPOSED CLAUSE 4 OF THE BILL ON THE GROUNDS THAT +IT CONNIVES AT AND ENCOURAGES OFFENCES AGAINST THE PERSON BY ALLOWING AN INNOCENT, HELPLESS CHILD TO BE HARMED AND DESTROYED BEFORE IT HAS AN EXISTENCE INDEPENDENT OF ITS MOTHER.+

+TO DESTROY AN UNBORN CHILD IS TO DESTROY LIFE, FOR EVEN SCIENTISTS CANNOT SAY THAT THERE IS ANY PERIOD BETWEEN CONCEPTION AND CHILD BIRTH WHEN THERE IS NO HUMAN LIFE,+ HE SAID.

+THE CHINESE HAVE LONG REGARDED A CHILD IN ITS FOETAL FORM AS A HUMAN LIFE AND, ACCORDING TO TRADITIONAL CHINESE PRACTICE, THE FOETAL STAGE COUNTS AS AGE, SO THAT A CHILD IS RECKONED AS ONE YEAR OLD IMMEDIATELY AFTER BIRTH.

+ON FILIAL PIETY, THE REFERENCE TO THE 'TEN-MONTH PREGNANCY PERIOD' IS COMMONLY ASSOCIATED WITH ONE'S GREAT INDEBTEDNESS TO ONE'S PARENTS, IN THE LEGENDARY 'LEUNG TIN LOY CASE' WHILE THE ALLUSION TO 'SEVEN CORPSES WITH EIGHT LIVES' IS ALSO ILLUSTRATIVE OF THIS CONVENTIONAL BELIEF AMONG THE CHINESE.+

MR SO NOTED OUT THAT ANY WOMAN WHO SOUGHT AN ABORTION MUST BE AN UNFORTUNATE PERSON FOR, AFTER ALL, WHO WANTED TO GET RID OF HER OWN FLESH AND BLOOD IF AN ALTERNATIVE WAS AVAILABLE.

+TO COME TO GRIPS WITH THE PROBLEM, THEREFORE, WE SHOULD GIVE OUR SYMPATHY AND CONCRETE SUPPORT, INSTEAD OF DEVISING WAYS AND MEANS TO DESTROY LIFE.

+RESPECT FOR LIFE SHOULD BE THE BASIS OF ALL EFFORTS OF A CIVILISED SOCIETY.

+AFTER ALL, IN THE FINAL ANALYSIS, I MUST ASK WHO IS TO DETERMINE WHO IS FIT TO SURVIVE AND WHO IS NOT?+ HE ASKED.

THE HON CHAN KAM-CHUEN PROPOSED THAT THE CLAUSE RELATING TO FOETUS ABNORMALITY BE AMENDED SO THAT AN ABORTION MIGHT ONLY BE PERFORMED WHERE THERE WAS A SUBSTANTIAL RISK THAT THE CHILD, IF BORN, WOULD BE SO SERIOUSLY HANDICAPPED AS TO BE UNABLE TO EXIST WITHOUT SUBSTANTIAL CARE OR ASSISTANCE FOR LIFE.

WHILE SUPPORTING THE BILL, HE EXPRESSED SERIOUS CONCERN OVER THE PROPOSAL WHICH ALLOWED AN ABORTION TO BE PERFORMED IF TWO REGISTERED MEDICAL PRACTITIONERS WERE OF THE OPINION, FORMED IN GOOD FAITH, THAT THERE WAS A SUBSTANTIAL RISK THAT THE CHILD, IF BORN, WOULD SUFFER FROM SUCH PHYSICAL OR MENTAL ABNORMALITY AS TO BE SERIOUSLY HANDICAPPED.

+MY CONCERN IS,+ HE SAID, +THAT NO MENTION IS MADE OF WHAT CONSTITUTES A SERIOUS HANDICAP.

+WOULD IT, FOR EXAMPLE, INCLUDE A CHILD BORN WITH A CLUB FOOT OR A DISLOCATED HIP?+

MR CHAN BELIEVED THAT A PREGNANT WOMAN WHO HAD JUST BEEN TOLD THERE WAS A SUBSTANTIAL RISK THAT HER CHILD, IF BORN, WOULD BE SERIOUSLY HANDICAPPED, WOULD BE UNDER SUCH SEVERE STRAIN AND SUFFERING FROM SUCH MENTAL ANGUISH THAT SHE WOULD BE LIKELY TO DECIDE IN FAVOUR OF AN ABORTION, NO MATTER HOW MINOR THE HANDICAP MIGHT BE.

+INDEED, AND WITHOUT DOUBT, MANY INDIVIDUALS WHO HAVE MADE A VALUABLE CONTRIBUTION TO SOCIETY WOULD NOT HAVE BEEN BORN HAD PROVISION EXISTED EARLIER FOR ABORTIONS ON DEMAND FOR THOSE SUSPECTED OF BEING PREGNANT WITH A MALFORMED FOETUS.

+BECAUSE OF THIS, I CONSIDER THE CLAUSE SHOULD SPECIFY MORE CLEARLY WHAT IS MEANT BY SERIOUS HANDICAP.+ HE SAID.

THE REV HON JOYCE M. BENNETT SAID SHE WAS IN FAVOUR OF CHILD PRESERVATION BUT OPPOSED TO CHILD DESTRUCTION AT ANY STAGE OF LIFE IN THE WOMB UNLESS THE REASONS FOR THIS DESTRUCTION WERE CLEARLY ON MEDICAL GROUNDS.

HOWEVER, SHE POINTED OUT, CLAUSE 4 OF THE BILL HAS BROUGHT THREE DIFFERENT OPPORTUNITIES FOR THE DOCTOR TO BE PERMITTED TO PERFORM AN ABORTION.

WHILE AGREEING THAT ABORTION SHOULD BE ACCEPTED WHEN THE LIFE OF THE MOTHER IS IN DANGER, MISS BENNETT THOUGHT THE ADDITION OF THE REFERENCE TO MENTAL HEALTH PROVIDED A COMPLICATION SINCE +OUR KNOWLEDGE OF MENTAL ILLNESS AND OUR ABILITY TO DEAL WITH IT IN HONG KONG IS FAR FROM ADEQUATE.+

+I FIND MYSELF THEREFORE IN THEORY ACKNOWLEDGING THE NECESSITY TO WIDEN PHYSICAL HEALTH TO INCLUDE MENTAL HEALTH, BUT IN PRACTICE WONDERING WHETHER WE HAVE THE NECESSARY COMPETENCE TO PUT THIS EFFECTIVELY INTO PRACTICE WITHOUT DEVELOPING A SITUATION WHERE ABORTION IS GIVEN ON DEMAND,+ SHE SAID.

REFERRING TO THE PROPOSAL WHICH ALLOWS AN ABORTION WHEN A SUBSTANTIAL RISK EXISTS THAT IF THE CHILD WERE BORN, IT WOULD SUFFER FROM SUCH PHYSICAL OR MENTAL ABNORMALITY AS TO BE SERIOUSLY HANDICAPPED, MISS BENNETT REMARKED: +I UNDERSTAND FROM MY FRIENDS IN THE MEDICAL PROFESSION AND FROM MY CONSIDERABLE READING OF THE LITERATURE ON THE SUBJECT IN PREPARATION FOR THIS DEBATE, THAT MEDICAL SCIENCE IS BECOMING INCREASINGLY ABLE TO DIAGNOSE THE CONDITION OF THE CHILD TO BE BORN.

+WE MAY NOT YET HAVE IN HONG KONG ENOUGH EQUIPMENT AND FACILITIES TO CARRY OUT THESE DIAGNOSIS ON A WIDESPREAD SCALE BUT SUCH DIAGNOSIS WILL BECOME INCREASINGLY AVAILABLE.

+I SHALL THEREFORE SUPPORT AN AMENDMENT TO THIS PART OF CLAUSE 4 WHICH STATES THAT ABORTION SHALL ONLY BE PERMITTED WHEN 'THERE IS SUBSTANTIAL RISK THAT IF THE CHILD WERE BORN, IT WOULD SUFFER FROM SUCH PHYSICAL OR MENTAL ABNORMALITY AS TO BE SO SERIOUSLY HANDICAPPED THAT THE CHILD WOULD NOT BE ABLE TO EXIST WITHOUT SUBSTANTIAL CARE OR ASSISTANCE FOR LIFE'+.

ON THE PROPOSAL RELATING TO ABORTION ON DEMAND FOR ANY GIRL UNDER THE AGE OF 17, WHICH WAS SUBSEQUENTLY AMENDED TO 16, MISS BENNETT SAID SHE UNDERSTOOD THAT THIS CLAUSE WAS ADDED IN ON SOCIAL GROUNDS TO OFFER PROTECTION TO THOSE NOT MATURE ENOUGH TO SHOULDER THE RESPONSIBILITIES OF PARENTHOOD.

+IT APPEARS THAT THE ARGUMENT FOR ALLOWING ABORTION TO THE GIRL WHO HAS CONCEIVED UNDER 16 IS THAT AS SHE IS UNABLE TO BE A GOOD MOTHER, LET US DISPOSE OF THIS RESULT OF HER SEXUAL INTERCOURSE.

+HOWEVER DO NOT FORGET THAT THIS RESULT OF HER SEXUAL INTERCOURSE IS NOT JUST SOME UNWANTED TISSUE, IT IS A TINY LIFE THAT WILL GROW AND DEVELOP INTO A NEW-BORN BABY,+ SHE ADDED.

SHE SUGGESTED THAT A FAR GREATER STUDY WAS NEEDED OF THE EFFECT OF ABORTION ON DEMAND ON THE WHOLE MORAL CLIMATE OF THE COMMUNITY.

/SHE ALSO

SHE ALSO ASKED THE GOVERNMENT, IF THE BILL WAS PASSED, TO KEEP VERY CAREFUL STATISTICS OF THE NUMBER OF LEGAL ABORTIONS PERFORMED ON GIRLS OF UNDER 16, OF THE NUMBER OF PROSECUTIONS AND CONVICTIONS OF THE MEN INVOLVED AND OF THE NUMBER OF LIVE BIRTHS TO GIRLS WHO CONCEIVED UNDER THE AGE OF 16.

THESE STATISTICS WILL BE IMPORTANT IN A FEW YEARS TIME WHEN THIS LAW, IF PASSED, IS REVIEWED.

MISS BENNETT ALSO SAID THE PROVISION WHICH ALLOWS A VICTIM THREE MONTHS AFTER THE DATE OF AN OFFENCE TO REPORT TO THE POLICE +SEEMS TO ME TO MAKE A MOCKERY OF OUR SUPPORT TO THE POLICE IN THE EXECUTION OF THEIR DUTY.+

+THERE ARE NOW TO BE PROVISIONS TO ENSURE THAT NO ABORTION SHOULD NORMALLY TAKE PLACE 'OF A PREGNANCY WHICH IS OF MORE THAN 24 WEEKS DURATION', SO THAT THIS MENTION OF THREE MONTHS SEEMS TO ME TO SERVE NO USEFUL PURPOSE,+ SHE SAID.

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FOUR UNOFFICIALS SUPPORT BILL
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FOUR UNOFFICIAL MEMBERS SPOKE IN SUPPORT OF THE OFFENCES AGAINST THE PERSON (AMENDMENT) BILL DURING ITS RESUMED DEBATE IN THE LEGISLATIVE COUNCIL TODAY.

DR THE HON HO KAM-FAI SAID IT WOULD BE TOTALLY WRONG TO ASSUME THAT IN EVERY CASE WHERE THE WOMAN IS ELIGIBLE FOR AN ABORTION UNDER THE LAW, AN ABORTION IS ACTUALLY PERFORMED.

HE NOTED THAT THE SECRETARY FOR SOCIAL SERVICES WOULD MOVE A COMMITTEE STAGE AMENDMENT TO ALLOW WOMEN UNDER 16 YEARS OF AGE AND VICTIMS OF RAPE, INCEST AND SEXUAL INTERCOURSE PROCURED BY THREATS, DRUGS OR FALSE PRETENCES AN ABORTION, ONLY WHEN TWO DOCTORS ARE OF THE OPINION THAT THE CONTINUATION OF THE PREGNANCY INVOLVES GREATER PHYSICAL OR MENTAL HEALTH RISK TO THE MOTHER THAN IF THE PREGNANCY WERE TERMINATED.

+I WOULD LIKE TO STRESS THAT THE AGE OF THE WOMAN AND WHETHER OR NOT SHE IS A VICTIM OF CRIMINAL SEXUAL INTERCOURSE IS ONLY A CRITERION FOR ABORTION IN THOSE BORDER-LINE CASES WHERE THE TWO DOCTORS ARE IN DOUBT AS TO WHETHER AN ABORTION IS WARRANTED ON MEDICAL GROUNDS,+ HE SAID.

+IN OTHER WORDS, THERE IS NO QUESTION OF ABORTION ON DEMAND FOR THESE WOMEN.

+IN THE EVENT THAT TWO DOCTORS DO DECIDE THAT AN ABORTION IS NECESSARY, IT IS STILL UP TO THE MOTHER TO DECIDE WHETHER OR NOT SHE WISHES TO HAVE AN ABORTION.+

TURNING TO VICTIMS OF RAPE AND INCEST AND OTHER SEXUAL INTERCOURSE OFFENCES, DR HO FELT IT WAS ABSOLUTELY WRONG TO FORCE THESE VICTIMS INTO SUFFERING THE ADDITIONAL TRAUMA OF GOING THROUGH NINE MONTHS PREGNANCY AND GIVING BIRTH TO AN UNWANTED CHILD.

+I CONSIDER THAT SHE HAS ALREADY SUFFERED MORE THAN ENOUGH AND WE SHOULD DO EVERYTHING POSSIBLE TO ENSURE SHE SUFFERS NO FURTHER,+ HE SAID.

THE HON ALLEN LEE ALSO CONSIDERED THAT ONE SHOULD NOT ASSUME EVERY CASE STATED IN THE BILL AS IT OCCURRED WOULD RESULT IN AUTOMATIC ABORTION.

HE BELIEVED THE DECISION STILL LIES WITH THE PREGNANT WOMAN WHO CAN EITHER ACCEPT OR REJECT THE MEDICAL PRACTITIONER'S ADVICE TO TERMINATE HER PREGNANCY.

+IF A PREGNANT WOMAN DECIDED TO CARRY ON WITH HER PREGNANCY UNDER THE CONDITIONS OF THIS BILL, THEN IT IS SAFE TO ASSUME THAT SHE HAS ACCEPTED THE RESPONSIBILITY OF BEING A MOTHER AND SHE WILL PERFORM HER DUTIES AS A MOTHER TO THE BEST OF HER ABILITY,+ SAID MR LEE.

+ON THE OTHER HAND, I AM ABSOLUTELY CONVINCED THAT WE CANNOT ASK A SEX VICTIM, REGARDLESS OF RAPE OR INCEST, TO CARRY ON WITH HER PREGNANCY AND LET THE UNWANTED CHILD BE BORN AND LET HER GO THROUGH MORE THAN NINE MONTHS OF MENTAL AGONY AND TELL HER IF SHE IS UNWILLING THAT SOMEBODY WILL TAKE CARE OF THE BABY.

+I AM ALSO ABSOLUTELY CONVINCED THAT IF A PREGNANT WOMAN IS AWARE THAT HER CHILD WILL BE SERIOUSLY HANDICAPPED SHE MUST BE GIVEN THE OPPORTUNITY TO CHOOSE WHETHER SHE WANTS AN ABORTION.+

ON THE CONTROVERSIAL QUESTION ABOUT AGE 17, MR LEE NOTED THAT +THERE ARE THOSE WHO BELIEVE THAT WE ARE GIVING A LICENCE FOR THE UNDER-AGED GIRLS TO HAVE FUN AND THERE ARE THOSE WHO EVEN BELIEVE THAT IT IS AN ENCOURAGEMENT.+

+I THINK OTHERWISE,+ HE SAID.

+OUR COMMUNITY IS WELL AWARE OF THE FACT THAT HAVING SEXUAL RELATIONS WITH A GIRL WHO IS 16 YEARS OLD OR LESS IS UNLAWFUL, BUT UNFORTUNATELY IT HAPPENS AND WHEN A YOUNG GIRL BECOMES PREGNANT SHOULD SHE BE PUNISHED AND CONDEMNED FOR THE REST OF HER LIFE DUE TO HER MISTAKE?

+AND IN MANY INSTANCES IT MAY NOT BE HER OWN FAULT BECAUSE SHE MIGHT BE UNDER THE INFLUENCE OF DRUGS.

+AN OPTION OF LEGAL ABORTION MUST BE PROVIDED, THEREFORE I SUPPORT IT WITHOUT RESERVATION.+

HOWEVER, MR LEE NOTED THAT HE AND A NUMBER OF UNOFFICIAL MEMBERS WERE CONCERNED ABOUT THE ADEQUACY OF HOSPITAL FACILITIES AND WERE SEEKING AN ASSURANCE FROM THE MEDICAL AND HEALTH DEPARTMENT THAT IT WAS PREPARED WELL IN ADVANCE TO PROVIDE THE SERVICE +EVEN THOUGH THERE ARE NO STATISTICS TO INDICATE WHAT MIGHT BE THE INCREASE IN DEMAND.+

THE HON WILLIAM BROWN TOLD THE LEGISLATIVE COUNCIL THAT +WE ARE PREDOMINATELY A MALE LEGISLATURE DEBATING A MATTER WHICH IS PRIMARILY THE CONCERN OF WOMEN.+

/HE NOTED

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HE NOTED THAT ABORTION IS THE CONCERN OF THE WHOLE COMMUNITY WHEN BEING CONSIDERED FROM A THEORETICAL POINT OF VIEW. BUT WHEN IT COMES DOWN TO PRACTICALITIES IT IS THE WOMAN WHO REQUIRES AN ABORTION AND WHO HAS THE MOST IMMEDIATE CONCERN WITH THIS SUBJECT.

+AND WE MUST PROTECT HER RIGHTS TO HAVE HER WISHES RESPECTED BY PROPER MEDICAL ATTENTION RATHER THAN A BACK STREET ABORTIONIST,+ SAID MR BROWN.

+THE INTENTION OF THIS BILL TO BRING JUSTIFICATION FOR ABORTIONS INTO THE AREA OF MEDICAL JUDGEMENT, WITH ALL CONSIDERATIONS BEING WITHIN MEDICAL CRITERIA, IS A COMPROMISE WHICH STOPS SHORT OF ABORTION ON DEMAND.

+PERHAPS IT IS BEST TO LIMIT ANY CHANGE IN OUR LAW IN THIS WAY AT THIS TIME, AND IT DOES PROVIDE A PRACTICAL CONTRIBUTION TOWARDS A SOLUTION OF AN EXTREMELY DIFFICULT SOCIAL PROBLEM.+

MR BROWN CONSIDERED THE BILL PRIMARILY A MORAL ONE AND THE NEED FOR IT MUST BE SEEN AS A CONFESSION OF FAILURE TO DEAL WITH MANY OF THE MALADIES AFFLICTING OUR MODERN SOCIETY.

HE ARGUED THAT THE BILL DOES NOT FORCE DOCTORS TO ABORT NOR WOMEN TO HAVE ABORTIONS. HE BELIEVED ITS PROVISIONS ARE IN ACCORDANCE WITH ATTITUDES TOWARDS ABORTION HELD BY THE MAJORITY OF OUR POPULATION.

MR BROWN ALSO STATED THAT THE ABORTION LAW IN EUROPE HAS BECOME MORE LIBERAL WITH MANY COUNTRIES NOW PERMITTING ABORTION AT THE REQUEST OF THE MOTHER.

AND IN ASIA, HE BELIEVED, ABORTION IS NOT GENERALLY COVERED BY LEGISLATION, OTHER THAN IN CHINA AND JAPAN WHERE IT IS AVAILABLE MORE OR LESS ON DEMAND.

THE HON JOHN SWAINE, WHO ALSO SPOKE IN SUPPORT OF THE BILL, COMMENTED ON THE GOVERNMENT'S COMMITTEE STAGE AMENDMENTS TO THE PROVISIONS CONCERNING THE AGE OF THE PREGNANT GIRL AND VICTIMS OF INCEST, RAPE AND RELATED SEXUAL OFFENCES.

HE EXPLAINED THAT THE CASE FOR ABORTION IS NOW TO BE RE-VESTED IN THE DOCTORS FOR THEM TO DECIDE WHETHER TERMINATION OF PREGNANCY IS JUSTIFIED WHERE THE WOMAN IS UNDER-AGE OR IS THE VICTIM OF A SEXUAL OFFENCE.

+THE REVISED CLAUSE PROVIDES THAT, WHERE THE DOCTOR IS IN DOUBT, HE MAY PRESUME THAT THE CONTINUANCE OF THE PREGNANCY IN THOSE CIRCUMSTANCES WOULD INVOLVE RISK OF INJURY TO HER PHYSICAL AND MENTAL HEALTH GREATER THAN IF THE PREGNANCY WERE TERMINATED,+ MR SWAINE SAID.

+THE NEW PROVISION MAY BE ANALYSED THUS: IF THE DOCTOR IS IN NO DOUBT THE TERMINATION IS MEDICALLY JUSTIFIED, HE MAY LAWFULLY PROCEED AND HAS NO NEED FOR THE STATUTORY PRESUMPTION= IF HE IS IN NO DOUBT THE TERMINATION IS MEDICALLY UNJUSTIFIED, HE MAY NOT LAWFULLY PROCEED AND THE STATUTORY PRESUMPTION DOES NOT AVAIL HIM= IT IS ONLY IF HE IS IN DOUBT THAT HE MAY HAVE RECOURSE TO THE STATUTORY PRESUMPTION.+

THE AGE REQUIREMENT HAS ALSO BEEN REVISED TO QUALIFY THE WOMAN IF SHE IS WITH CHILD BEFORE ATTAINING THE AGE OF 16, THEREBY AVOIDING CONFLICT WITH SECTION 14 OF THE MARRIAGE ORDINANCE, HE SAID.

UNDER THE ORDINANCE, A LAWFUL MARRIAGE MAY BE CONTRACTED BY A GIRL WHO IS OF, OR OVER, THE AGE OF 16 IF SHE HAS PARENTAL CONSENT.

REFERRING TO THE REPORTING PROVISION, MR SWAINE NOTED THAT IT HAD BEEN REPLACED BY +THE CREATION OF THE DOUBLE REQUIREMENT THAT, IN ORDER TO QUALIFY, THE WOMAN HAS BEEN VICTIM OF A SEXUAL OFFENCE AND HAS REPORTED TO THE POLICE WITHIN THREE MONTHS OF IT.+

+SHE CANNOT BRING HERSELF WITHIN THE PROTECTION OF THE CLAUSE SIMPLY BY MAKING A REPORT TO THE POLICE,+ HE SAID.

MR SWAINE SAID THE PROVISIONS, BEFORE AMENDMENTS, DID NOT HINGE ON THE FACT THAT WOMEN HAD BEEN THE VICTIM OF A SEXUAL OFFENCE, BUT THAT A REPORT HAD BEEN MADE TO THE POLICE.

+HOWEVER, THE DOCTOR MAY PROPERLY RELY ON THE REPORT. IT IS HIS BELIEF WHICH COUNTS, AND THE REVISED CLAUSE PRESUMES IN HIS FAVOUR, UNTIL THE CONTRARY IS PROVED, THAT HE DID BELIEVE THE WOMAN TO HAVE BEEN SUCH A VICTIM IF SHE MADE THE REQUISITE REPORT TO THE POLICE,+ SAID MR SWAINE.

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OFFENCES AGAINST THE PERSON BILL PASSED

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THE SECRETARY FOR SOCIAL SERVICES, THE HON ERIC HO SAID IN THE LEGISLATIVE COUNCIL TODAY THAT DESPITE THE CAMPAIGN MOUNTED BY THE OPPONENTS OF THE OFFENCES AGAINST THE PERSON (AMENDMENT) BILL, THEY HAD BEEN UNABLE TO GENERATE ANY PUBLIC SUPPORT.

THE BILL, WITH MR HO'S AMENDMENT, WAS PASSED. AMENDMENTS PROPOSED BY UNOFFICIAL MEMBERS WERE DEFEATED.

MR HO SAID: +I PERSONALLY FEEL THAT NOTWITHSTANDING THE COMMENDABLE CONVICTION AND RELIGIOUS ZEAL OF THESE PRESSURE GROUPS THEY COMPRISE A SMALL, THOUGH VOCAL, FRACTION OF OUR COMMUNITY, SO MUCH SO THAT THERE ARE PROBABLY MANY MORE IN OUR MIDST WHO MAY FEEL THAT THE BILL DOES NOT GO FAR ENOUGH,+ HE SAID.

HE QUOTED THE EXAMPLE OF ITALY, A CATHOLIC COUNTRY, WHERE VOLUNTARY ABORTIONS WERE PERMITTED WITHIN THE FIRST 90 DAYS OF PREGNANCY VIRTUALLY ON DEMAND.

+ECONOMIC, SOCIAL AND FAMILY CONDITIONS, CIRCUMSTANCES IN WHICH CONCEPTION OCCURRED, AND FORESEEN DEFORMITIES OR ABNORMALITIES IN THE UNBORN CHILD, AS WELL AS THE HEALTH CONSIDERATIONS OF THE PREGNANT WOMAN CAN BE TAKEN INTO ACCOUNT.

+WHY THEN NOT A SIMILAR CLAUSE TO COVER ECONOMIC AND SOCIAL CONDITIONS IN THE HONG KONG LAW?+ HE ASKED.

/HE THOUGHT

HE THOUGHT IT WAS FAIR TO SAY THAT APART FROM CLAUSE 4 AND THE TECHNICAL AMENDMENT TO CLAUSE 1, THE PROVISIONS OF THE BILL WERE GENERALLY ACCEPTABLE -- EXCEPT TO FR MCGOVERN.

HE SAID HE HAD NOT THOUGHT THAT THE MARGINAL CHANGE IN CLAUSE 4(B) IN NOT REQUIRING THE EXERCISE OF MEDICAL OPINION IN ABORTIONS INVOLVING VERY YOUNG GIRLS AND PREGNANCIES ARISING FROM INCEST AND RAPE WOULD BE OBJECTIONABLE TO THE PUBLIC, PARTICULARLY AS NO SUCH OBJECTIONS WERE RAISED BY THE BULK OF THEM.

HOWEVER HE WELCOMED DR FANG'S AD HOC GROUP AND MR SWAINE IN PINPOINTING THE DESIRABILITY OF MAINTAINING MEDICAL GROUNDS AS THE ONLY BASIS FOR PERMITTING A LEGAL ABORTION AND WOULD AMEND THIS PROVISION.

HE ADDED THAT IN THE CHARTER FOR THE 80'S PRESENTED BY REHABILITATION INTERNATIONAL AND THE UNITED NATIONS STATEMENTS PROCLAIMING 1981 AS THE INTERNATIONAL YEAR OF DISABLED PERSONS, HE COULD FIND NO SUGGESTION AGAINST ABORTION: MUCH LESS ABORTION OF ABNORMAL FOETUS.

REFERRING TO DR FANG'S STATEMENT THAT THERE WAS A HIGH ERROR FACTOR ASSOCIATED WITH PRE-NATAL TESTING FOR FOETAL ABNORMALITIES, MR HO SAID HE WAS ADVISED AND THIS WAS CONSISTENT WITH THE CONCLUSIONS IN AN ASSESSMENT OF THE HAZARDS OF AMNIOCENTESIS CONTAINED IN AN ISSUE OF THE BRITISH JOURNAL OF OBSTETRICS AND GYNAECOLOGY THAT THE BALANCE OF ADVANTAGE OF AMNIOCENTESIS DEPENDED CRITICALLY UPON THE MEDICAL INDICATION FOR THE PROCEDURE= AND IN HONG KONG THE INDICATIONS ARE SUCH THAT THE PROCEDURES WILL BE BENEFICIAL WHEN ALL FACTORS WERE CONSIDERED AND THAT THE ERROR FACTOR WOULD BE MINIMAL.

IN HIS OPINION, MR CHAN'S AMENDMENT WOULD MAKE THIS SUB-SECTION UNWORKABLE. IF ADOPTED, IT WILL CIRCUMSCRIBE AND NULLIFY THE DECISION OF INDIVIDUAL PARENTS.

ON POINTS RAISED BY MR WONG LAM AND MR S.L. CHEN, MR HO SAID HE DID NOT BELIEVE THE PROVISION IN THE BILL THEY REFERRED TO WOULD CAUSE IMMORALITY, BUT RATHER THAT GIVEN CERTAIN UNFORTUNATE CIRCUMSTANCES IT WOULD MINIMISE THE RISK OF FURTHER MISERY.

+HOWEVER, IF THE YOUNG WOMAN DESIRES TO HAVE HER BABY, AND CLEARLY UNDERSTANDS HER ACTIONS THEN I AM ASSURED THAT, AT LAW, EVEN AN OVER-ANXIOUS PARENT CANNOT REQUIRE HER TO HAVE AN ABORTION,+ HE SAID.

HE SAID IT WAS ILLOGICAL FOR DR FANG NOT TO OBJECT TO ABORTIONS BEING AVAILABLE IN CASES OF PREGNANCIES ARISING FROM INCEST OR VIOLENT RAPE, BUT AVAILABLE TO A VICTIM OF SEXUAL INTERCOURSE PROCURED BY DRUGS, THREATS OR FALSE PRETENCES.

UNDER COMMON LAW ALL THESE CASES CONSTITUTE RAPE, +AND HE DOES NOT SEEM TO BE CONCERNED THAT THESE VICTIMS OF RAPE SHOULD BE REQUIRED TO SUFFER THIS FURTHER PENALTY OF HAVING TO BEAR TO FULL TIME IN HER WOMB THIS CRUEL SEED.

+BUT I AM CERTAIN THAT THE OVERWHELMING MAJORITY OF OUR POPULATION DO NOT SHARE THIS VIEW,+ MR HO SAID.

/AS REGARDS

AS REGARDS DR FANG'S FEAR OF FALSE CLAIMS TO THE POLICE IN CASES OF VOLUNTARY INTERCOURSE RESULTING IN AN UNEXPECTED PREGNANCY, MR HO SAID THE POLICE DO INVESTIGATE SUCH REPORTS AND A FALSE REPORT IS A CRIMINAL OFFENCE IN ADDITION TO MAKING THE WOMAN GUILTY OF PROCURING HER OWN MISCARRIAGE.

COUNTERING MISS BENNETT'S PROPOSAL TO DELETE THE THREE MONTHS TIME LIMIT FOR MAKING REPORT TO THE POLICE, MR HO SAID THIS PERIOD WAS A REASONABLE INTERVAL FOR THE VICTIM TO RECOVER FROM THE INITIAL SHOCK. FURTHERMORE, IT WAS GENERALLY BELIEVED THAT SOME VICTIMS MAY NOT WISH TO DISCLOSE THEIR TRAUMATIC EXPERIENCE UNTIL AND UNLESS THEY ARE CONVINCED THEY ARE PREGNANT.

HE ASSURED HER THAT STATISTICS OF ABORTIONS PERFORMED UNDER EACH CLASS OF CIRCUMSTANCES PERMITTED BY THE LAW WERE AND WOULD CONTINUE TO BE KEPT.

TURNING TO THE ARGUMENTS OF MR ANDREW SO, MR HO POINTED OUT THAT MR SO HAD NOT SUGGESTED THAT TERMINATION OF AN UNWANTED PREGNANCY WAS A PUNISHABLE OFFENCE IN TRADITIONAL CHINESE LAW -- +LET THERE BE NO MISTAKE, HERBAL PREPARATIONS BELIEVED TO BE CAPABLE OF INDUCING ABORTION HAVE BEEN USED BY CHINESE WOMEN OVER THE AGES.+

FURTHERMORE, AS MISS BENNETT HAD REMARKED, MR HO SAID, PREDOMINANTLY ETHNIC CHINESE COMMUNITIES ELSEWHERE APPEAR TO HAVE MUCH MORE LIBERAL ABORTION LAWS THAN THE BILL.

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UNOFFICIALS ON DISTRICT ADMINISTRATION
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THE GOVERNMENT SHOULD ALLOW DISTRICT BOARDS TO REFER PROBLEMS TO THE CHIEF SECRETARY AND THE GOVERNOR WHERE NECESSARY.

THE CALL CAME FROM THE HON WONG LAM WHO BELIEVES THAT IF THE GOVERNMENT CAN BY DOING SO DEMONSTRATE THE SIGNIFICANCE IT ATTACHES TO THE RECOMMENDATIONS OF THE DISTRICT BOARDS, THE PUBLIC WILL GIVE MORE SUPPORT TO AND HAVE GREATER CONFIDENCE IN THE BOARDS.

MR WONG WAS SPEAKING AT THE OPENING OF DEBATE ON THE WHITE PAPER ON DISTRICT ADMINISTRATION IN HONG KONG IN THE LEGISLATIVE COUNCIL THIS AFTERNOON.

HE CONSIDERED REASONABLE THE ARRANGEMENT WHEREBY A DISTRICT BOARD, WHEN NOT SATISFIED WITH THE DISTRICT MANAGEMENT COMMITTEE'S RESPONSE TO ITS ADVICE, COULD BRING THE MATTER EITHER TO THE ATTENTION OF THE HEADS OF DEPARTMENTS CONCERNED, OR OF THE DIRECTOR OF HOME AFFAIRS, THE SECRETARY FOR HOME AFFAIRS OR THE SECRETARY FOR THE NEW TERRITORIES.

+HOWEVER, I THINK THAT IT COULD WELL BE THE CENTRAL GOVERNMENT, AND NOT NECESSARILY THE DISTRICT MANAGEMENT COMMITTEES, WHICH WOULD HOLD A DIFFERENT VIEW FROM THAT OF THE DISTRICT BOARDS,+ HE SAID.

+SO IT IS POSSIBLE THAT BECAUSE OF DIFFERENT VIEWPOINTS OR SENSE OF PRIORITIES, A DISTRICT BOARD AND CENTRAL GOVERNMENT MAY HOLD DIVERGENT VIEWS ON CERTAIN MATTERS.

+UNDER SUCH CIRCUMSTANCES, THE DISTRICT BOARD MAY THINK IT WOULD BE MORE APPROPRIATE TO BRING THE MATTER DIRECT TO THE ATTENTION OF THE CHIEF SECRETARY, WHO REPRESENTS THE CENTRAL GOVERNMENT, OR YOUR EXCELLANCY.+

TAKE FOR INSTANCE, MR WONG SAID, THE WAN CHAI DISTRICT BOARD MIGHT OBJECT TO REMOVING THE SOUTHERN PLAYGROUND FOR THE CONSTRUCTION OF A MTR STATION SINCE THE PLAYGROUND WAS REGARDED AS THE +LUNG+ OF THAT DENSELY POPULATED DISTRICT.

+AS SUCH PROBLEM HAS A DIRECT BEARING ON THE GOVERNMENT'S OVERALL TRANSPORT AND LAND POLICIES, IT MAY BE NECESSARY TO REFER THIS MATTER TO HIGHEST AUTHORITY TO MAKE A FINAL DECISION ONCE IT BECOMES CLEAR THAT THE DISTRICT MANAGEMENT COMMITTEE IS NOT THE ADEQUATE AUTHORITY TO DEAL WITH THE PROBLEM,+ HE ADDED.

FOUR OTHER UNOFFICIAL MEMBERS ALSO GAVE THEIR COMMENTS ON THE WHITE PAPER.

THE HON CHARLES YEUNG CALLED FOR THE CREATION OF DEPUTY GOVERNORS TO MONITOR THE PROGRESS AND TO GUIDE THE DISTRICT ADMINISTRATION WITH APPROPRIATE RESPONSIVENESS.

HE SAID THE INHERENT WEAKNESS AND DANGER IN THE DISTRICT ADMINISTRATIVE SYSTEM SET OUT IN THE WHITE PAPER WERE FOUND IN THE MISSING LINKS IN THE CHAIN OF DIRECT AUTHORITY.

+THE PROPOSITION ENVISAGED IN THE WHITE PAPER WAS THAT WHEN LOCAL ASPIRATIONS WERE NOT MET, THE DISTRICT BOARD WILL LOOK TO THE SECRETARY FOR THE NEW TERRITORIES OR THE DIRECTOR OF HOME AFFAIRS TO CHAMPION THEIR CAUSE.

+THE QUESTION IS HOW AND HOW EFFECTIVE IF THOSE CHAMPIONS ARE NOT EQUIPPED WITH ARMOURS AND WEAPONS TO RUN THE GAUNTLET OF EQUAL AND INDEPENDENT OR HIGHER AUTHORITIES,+ HE ASKED.

MR YEUNG POINTED OUT THAT THE SPIRIT AND INTENDMENT OF THE DISTRICT ADMINISTRATIVE SYSTEM WAS THE CREATION OF +A MORE CONGENIAL POLITICAL ATMOSPHERE, A MORE HARMONIOUS SOCIAL SETTING AND A BETTER COMMUNITY+.

THE SUCCESS OF THE SYSTEM DEPENDED UPON THE CHARISMA AND DYNAMISM OF ITS SUPREME LEADER RADIATING THROUGH HIS SOCIO-POLITICAL DEPUTY GOVERNORS AND ENSHRINED BY THEIR ADROITNESS IN LOCAL POLITICS, KNOWLEDGE OF THE SOCIAL NORM AND AWARENESS OF COMMUNITY ASPIRATIONS, THEREBY THEY COULD GET THE RIGHT THINGS DONE AT THE RIGHT TIME AND IN THE RIGHT WAYS, HE ADDED.

+THESE ESSENTIAL SOCIO-POLITICAL QUALITIES CAN ONLY BE ACQUIRED BY ACCUMULATION THROUGH A LONG EXPOSURE TO LOCAL POLITICS, THROUGH ACCEPTANCE BY THE LOCAL SOCIETY AND THROUGH INVOLVEMENT IN LOCAL AFFAIRS, AS THEY WILL GENERATE CONFIDENCE, TRUST AND AFFECTION WHICH ARE THE BASE OF EFFECTIVE COMMUNICATION AND UNDERSTANDING BETWEEN THE GOVERNMENT AND THE GOVERNED.+

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WHILE AGREEING THAT THE GOVERNOR WOULD BE WELL-INFORMED ON IMPORTANT ISSUES OF TERRITORY-WIDE IMPLICATIONS, MR YEUNG NOTED MANY LOCAL ISSUES, THOUGH MINOR IN THE EYES OF SOME GOVERNMENT SECRETARIES AND DEPARTMENTS, WERE NONETHELESS VERY IMPORTANT AND URGENT TO A PARTICULAR DISTRICT OR COMMUNITY.

AND THE FAILURE TO ADDRESS GOVERNMENT EFFORT TO SUCH ISSUES TIMELY COULD HAVE PROFOUND POLITICAL AND SOCIAL REPERCUSSIONS.

+THESE LOCAL ISSUES BY THEIR VERY MINOR NATURE WILL NOT BE BROUGHT TO THE ATTENTION OF THE GOVERNOR UNLESS SOMEONE IS CHARGED WITH THE DUTY TO DO SO.

+IT IS, THEREFORE, A DEFINITE ADVANTAGE, IF NOT A MUST, TO HAVE DEPUTY GOVERNORS TO UNDERTAKE AND PERFORM THE ONEROUS AND TIME-CONSUMING SOCIO-POLITICAL FUNCTIONS SO AS TO BRING THE PEOPLE CLOSER TO THE GOVERNMENT.+

MR YEUNG SUGGESTED INITIALLY IT WAS BETTER TO HAVE TWO DEPUTY GOVERNORS -- ONE FOR THE URBAN AREA AND ONE FOR THE NEW TERRITORIES -- +SO THAT HE MAY CONCENTRATE ON PLANNING THE DEVELOPMENT, TO MONITOR THE PROGRESS AND TO GUIDE THE DISTRICT ADMINISTRATION WITH APPROPRIATE RESPONSIVENESS TO THE DICTATE OF THE CIRCUMSTANCES PECULIAR TO EACH TERRITORY THROUGH THE IMPORTANT BUT DIFFICULT FORMATIVE STAGE+.

HE POINTED OUT THAT THE CREATION OF SUCH SOCIO-POLITICAL DEPUTY GOVERNORS WOULD NOT UPSET THE USUAL PATTERN OF CENTRAL ADMINISTRATION AND IMPAIR THE USUAL PROCESS OF CHECKS AND BALANCES.

+THE SOCIO-POLITICAL DEPUTY GOVERNORS HAVE NO POWER PER SE AND THEY ARE AS POWERFUL AS THE GOVERNOR WOULD LIKE THEM TO BE AND THEY CAN ONLY DO WHAT THE GOVERNOR WOULD LIKE THEM TO DO ON HIS BEHALF AND NO MORE.

+THE USUAL PATTERN OF ADMINISTRATION IS, THEREFORE, NOT DISTURBED.

+THE ULTIMATE AUTHORITY OF PROVIDING CHECKS AND BALANCES TO THE ADMINISTRATION IS WITH THE GOVERNOR AND AS FAR AS THE ADMINISTRATION DIRECTLY AFFECTING LOCAL INHABITANTS IS CONCERNED, THE ASSISTANCE OF THE SOCIO-POLITICAL DEPUTY GOVERNORS WILL STRENGTHEN THE EFFECTIVENESS OF THE GOVERNOR IN THE FULL SPECTRUM OF CHECKS AND BALANCES IN THE ADMINISTRATION,+ HE SAID.

MR YEUNG THEN SPOKE ON THE MANNERISM OF THE OFFICIALS.

HE FELT THAT NO MATTER HOW PERFECT WAS THE SYSTEM AND HOW HIGH THE QUALITY OF THE ADMINISTRATORS, THE STANDARD OF THE END PRODUCT STILL DEPENDED UPON THE MANNER OF THE PERSONS RUNNING THE SYSTEM.

UNFORTUNATELY, GLARING EXAMPLES OF SUCH HUMAN WEAKNESS WERE FOUND THOUGH IN DIMINISHING SCALE WITHIN EVERY STRATUM OF OUR CIVIL SERVICE.

/+GOOD MANNER

+GOOD MANNER AND CIVILITY ARE, THEREFORE, THE POSTULATES FOR THE SELECTION OF LEADING POSTS AND FOR COMMUNITY-BASED APPOINTMENTS IN OUR GOVERNMENT AS THE IMAGE, WHICH THEY PROJECT, REFLECTS THE MENTALITY AND ATTITUDE OF THE GOVERNMENT,+ HE NOTED.

TURNING TO THE DISTRICT MANAGEMENT COMMITTEE, MR YEUNG SUGGESTED THAT IT SHOULD BE OPEN TO PARTICIPATION OF THE PEOPLE AT THE GRASS-ROOT LEVEL.

HE DISAGREED WITH THE SUGGESTION THAT AS MUCH OF THE WORK OF THE DISTRICT MANAGEMENT COMMITTEE INVOLVES DETAIL PLANNING, MONITORING AND CO-ORDINATION OF THE WORKS PROGRAMME AND PROJECTS, THE PRESENCE OF UNOFFICIALS WILL SERVE NO MEANINGFUL PURPOSE.

HE THOUGHT THE PARTICIPATION OF UNOFFICIALS IN THE DISTRICT MANAGEMENT COMMITTEE WOULD BRING PRESSURE ON DEPARTMENTAL REPRESENTATIVE TO BE MORE CO-OPERATIVE AND REASONABLE +FOR HE KNOWS THAT THE PROPOSED SCHEME MAY NOT REST AT THAT LEVEL AND HE MAY HAVE TO JUSTIFY HIS OBJECTION IN A HIGHER FORUM AND HIS VIEW MAY BE PUT TO ACID TEST BY OTHER EXPERTS.+

+FURTHERMORE+, MR YEUNG NOTED, +THE DISTRICT ADMINISTRATIVE SYSTEM IN ITS ENTIRETY IS THE BEST TRAINING GROUND FOR LOCAL GRASS-ROOTS LEADERS TO ACQUIRE THE SKILL AND KNOWLEDGE OF ADMINISTRATION.

+IS IT FAIR TO DENY LOCAL LEADERS IN THE MAKE THE OPPORTUNITY OF SUCH TRAINING AND IS IT IN THE BEST INTERESTS OF HONG KONG TO BE DEPRIVED OF TRAINED AND ADEPT LEADERS?+ HE QUERIED.

DR THE HON HO KAM-FAI THOUGHT THAT IN ADDITION TO IMPROVED DISTRICT ADMINISTRATION, THE PROPOSAL IN THE WHITE PAPER WOULD HAVE FAR-REACHING IMPLICATIONS ON CIVIC DEVELOPMENT.

IN THE FORESEEABLE FUTURE, HE SAID, AS OPPORTUNITIES ARE BEING CULTIVATED FOR GRASS-ROOTS INPUTS INTO THE DECISION-MAKING PROCESS AT THE DISTRICT LEVEL, MORE RESIDENTS WILL COME FORWARD TO TAKE AN ACTIVE INTEREST IN THE LOCAL MATTERS THAT HAVE A HEARING ON THEIR DAILY LIFE.

+WITH THE ESTABLISHMENT OF THE DISTRICT MANAGEMENT COMMITTEES AND THE DISTRICT BOARDS, LOCAL RESIDENTS WILL FEEL THAT THE DISTANCE BETWEEN THEM AND THE CENTRAL GOVERNMENT IS SHORTENED AND THEY WILL REALISE THAT THE CENTRAL GOVERNMENT IS MORE COMPREHENSIVE AND ACCESSIBLE ON THE ONE HAND, AND IS RECEPTIVE AND RESPONSIVE TO PUBLIC VIEWS AND REQUESTS ON THE OTHER,+ MR HO SAID.

+THEY WILL GRADUALLY COME TO BELIEVE THAT THEY ARE, TO A GREATER EXTENT THAN EVER BEFORE, THE ARCHITECTS OF THEIR ENVIRONMENT AND LIVES.+

IN THE MORE DISTANT FUTURE, THE RESIDENTS WOULD, OUT OF PRIDE, SENSE OF ACHIEVEMENTS AND INVOLVEMENT, DEVELOP AN IDENTIFICATION WITH, AND SUBSEQUENTLY A FEELING OF BELONGING TO, THE COMMUNITY IN WHICH THEY LIVE.

+THIS CIVIC SPIRIT WILL GIVE IMPETUS TO GREATER LOCAL INVOLVEMENT, LEADING TO THE DEVELOPMENT OF A MORE CLOSE-KNIT, MORE MUTUALLY CARING COMMUNITY,+ HE SAID.

AS THE DISTRICT BOARD IS THE KEY INSTRUMENT IN THIS SCHEME OF ADMINISTRATIVE REFORM, DR HO WELCOMED THE WHITE PAPER PROPOSALS TO INTRODUCE DIRECT ELECTIONS TO SEATS ON THE BOARDS BOTH IN THE URBAN AREA AND THE NEW TERRITORIES.

BUT HE POINTED OUT THAT A SCHEME TO INVOLVE THE PUBLIC, HOWEVER WELL CONCEIVED, WOULD NOT GENERATE THE EXPECTED RESULTS, IF IT DID NOT HAVE THE PEOPLE'S SUPPORT.

+WHETHER LOCAL LEADERS WILL COME OUT TO RUN FOR ELECTION WILL DEPEND ON THE SUCCESS OF THE DISTRICT MANAGEMENT COMMITTEE AND THE DISTRICT BOARD IN MEETING THEIR DISTRICT'S EXPRESSED NEEDS AND WISHES,+ HE SAID.

+THE DISTRICT MANAGEMENT COMMITTEE AND THE DISTRICT BOARDS CAN DISCHARGE THEIR FUNCTIONS EFFICIENTLY ONLY WHEN THERE IS ADEQUATE STAFF SUPPORT, BOTH IN TERMS OF QUALITY AND QUANTITY.+

DR HO NOTED THAT THE HOME AFFAIRS DEPARTMENT AND THE NEW TERRITORIES ADMINISTRATION WILL INEVITABLY NEED TO INCREASE THEIR EXECUTIVE AND ADMINISTRATIVE STAFF SIGNIFICANTLY TO COPE WITH AN INCREASED DEMAND FOR ACTIVITIES ARISING FROM THE IMPLEMENTATION OF THE WHITE PAPER.

OFFICERS OF SUFFICIENT EXPERIENCE AND SENIORITY WILL BE REQUIRED IN PROFESSIONAL DEPARTMENTS TO SERVE ON DISTRICT MANAGEMENT COMMITTEES SO THAT THEY CAN REACT PROMPTLY TO THE DECISIONS AND RECOMMENDATIONS OF DISTRICT BOARDS.

THE EXISTING ESTABLISHMENT OF CHINESE LANGUAGE OFFICERS ALSO NEEDS TO BE STRENGTHENED CONSIDERABLY IN ORDER THAT DISTRICT BOARDS CAN BE PROVIDED WITH ADEQUATE TRANSLATION AND INTERPRETATION SERVICES.

IN ADDITION, SOME DEPARTMENTS SUCH AS THE HOUSING DEPARTMENT AND THE LABOUR DEPARTMENT HAVE NOT YET BEEN REGIONALISED TO THE EXTENT THAT THEIR DISTRICT STAFF CAN HAVE SUFFICIENT RESPONSIBILITY AND AUTHORITY TO SERVE EFFICIENTLY ON DISTRICT MANAGEMENT COMMITTEES.

+ALL THESE PROBLEMS NEED TO BE DEALT WITH URGENTLY AND WITH DETERMINATION BEFORE THE NEW DISTRICT ADMINISTRATION SCHEME CAN SUCCEED,+ DR HO SAID.

+I THEREFORE EARNESTLY CALL ON THE GOVERNMENT TO PAY SERIOUS AND URGENT ATTENTION TO THE ISSUE OF MANPOWER PLANNING AMID ITS PREPARATION IN LAUNCHING THE SCHEME.+

THE HON F.K. HU SUGGESTED THAT ELECTED MEMBERS OF DISTRICT BOARDS SHOULD BE GIVEN A REASONABLE ALLOWANCE.

A MEMBER OF A DISTRICT BOARD HAS TO SPEND CONSIDERABLE TIME IN ATTENDING MEETINGS, DISCUSSIONS, VISITS AND OTHER RELATED ACTIVITIES IN ORDER TO PLAY A USEFUL AND VALUABLE ROLE, HE SAID.

+BUT TIME SPENT WOULD MEAN FINANCIAL OR CAREER SACRIFICE ON THE PART OF THE MEMBER AS HE WOULD HAVE TO SPEND LESS TIME ON HIS CAREER OR EMPLOYMENT AND MIGHT FACE OBJECTION FROM HIS FAMILY OR EMPLOYER.

/+ THESE CONSIDERATIONS

+THESE CONSIDERATIONS COULD DISCOURAGE MANY SUITABLE POTENTIAL CANDIDATES, SPECIALLY AMONG THE YOUNGER GENERATION FROM COMING FORWARD AND THE FINAL CHOICE FROM THE LIST OF CANDIDATES MIGHT BE LIMITED.

+IN ORDER TO OVERCOME THIS POSSIBLE PROBLEM, I WOULD SUGGEST THAT A REASONABLE ALLOWANCE SHOULD BE MADE AVAILABLE TO THE ELECTED MEMBERS OF DISTRICT BOARDS SO THAT THEY WOULD NOT SUFFER FINANCIALLY BECAUSE OF THEIR CONTRIBUTION TO COMMUNITY INVOLVEMENT.+

MR HU THOUGHT THAT THIS ARRANGEMENT MIGHT ENCOURAGE MORE GOOD CANDIDATES TO COME FORWARD TO SEEK ELECTION.

ON THE REQUIREMENT OF FORMAL EDUCATION QUALIFICATION OF VOTERS, HE AGREED WITH THE WHITE PAPER THAT IT MIGHT RULE OUT OLDER PEOPLE WHO DO NOT POSSESS THEM.

HOWEVER, HE FELT THAT THIS REQUIREMENT FOR REGISTRATION AS VOTERS SHOULD BE CONSIDERED AGAIN IN 1988 WHEN MOST PEOPLE RESIDING AND EDUCATED IN HONG KONG WOULD HAVE RECEIVED THE MINIMUM NINE YEAR COMPULSORY EDUCATION UPON REACHING THE AGE OF 21.

THE HON ANDREW SO URGED THAT PRUDENCE AND VIGILANCE MUST BE EXERCISED IN SELECTING LEADERS FOR THE DISTRICT BOARDS -- BE IT BY ELECTION OR APPOINTMENT.

THIS IS BECAUSE DISTRICT ADMINISTRATION AFFECTS THE WELL-BEING OF LOCAL RESIDENTS, AS WELL AS PUBLIC FACILITIES AND SERVICES FOR THEM, HE SAID.

+PRUDENCE IN THIS RESPECT WILL ENSURE THE PROPER CONDUCT OF AFFAIRS AND AVOID ABUSES AS MUCH AS POSSIBLE.

+RESIDENTS OF ALL DISTRICTS MUST PLAY AN INTELLIGENT AND COURAGEOUS ROLE IF THEY WANT TO MAKE THE SCHEME A SUCCESS.+

MR SO SAID TO IMPLEMENT THE PROPOSALS IN THE WHITE PAPER WOULD INEVITABLY INVOLVE A TREMENDOUS OUTLAY OF BOTH MANPOWER AND MONEY.

ALTHOUGH MANPOWER HAS INDIRECTLY BEEN ACCOUNTED FOR IN THE WHITE PAPER, HE NOTED THAT THE GOVERNMENT HAS NOT DISCLOSED HOW MUCH MONEY IS REQUIRED TO CARRY OUT THE SCHEME.

+IF THE GOVERNMENT COULD PROJECT AND MAKE KNOWN ITS BUDGET FOR THE SCHEME, THE PEOPLE WOULD UNDERSTAND THIS TREMENDOUS VENTURE BETTER AND HAVE A STAKE IN IT IN MORE WAYS THAN ONE,+ HE SAID.

WHITE PAPER'S OBJECTIVES WILL BE ACHIEVED - SIR JACK

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THE HON THE CHIEF SECRETARY, SIR JACK CATER, TODAY TOLD THE LEGISLATIVE COUNCIL HE HAD NO DOUBT THAT, GIVEN THE SUPPORT AND ASSISTANCE OF THE COUNCIL AND IN PARTICULAR THE SUPPORT OF THE PEOPLE OF HONG KONG, THE OBJECTIVES OF THE WHITE PAPER ON DISTRICT ADMINISTRATION WOULD BE ACHIEVED.

HE REPEATED THAT THE GOVERNMENT WOULD DO ITS UTMOST TO ENSURE THAT THE DISTRICT BOARDS WERE SUCCESSFUL.

IN HIS SPEECH WINDING UP THE DEBATE ON THE WHITE PAPER, SIR JACK THANKED UNOFFICIAL MEMBERS, THE HON WONG LAM, THE HON CHARLES YEUNG, DR THE HON HO KAM-FAI, THE HON ANDREW SO AND THE HON F.K. HU FOR THEIR GENERAL SUPPORT FOR THE PROPOSALS IN THE WHITE PAPER.

IN THEIR SPEECHES MR WONG AND DR HO DREW ATTENTION TO THE POSSIBILITY OF DIVERGENT VIEWS BETWEEN DISTRICT BOARDS AND THE CENTRAL GOVERNMENT AND SUGGESTED THAT IN SUCH A SITUATION THE BOARDS SHOULD BE ABLE TO APPROACH THE GOVERNOR OR THE CHIEF SECRETARY DIRECT.

SIR JACK SAID IF A BOARD WAS NOT SATISFIED WITH THE PERFORMANCE OF THE DISTRICT MANAGEMENT COMMITTEE, THEY COULD APPROACH THE SECRETARY FOR HOME AFFAIRS OR THE SECRETARY FOR THE NEW TERRITORIES OR, IF THEY CONSIDERED IT MORE APPROPRIATE, THE DIRECTOR OF HOME AFFAIRS OR THE HEAD OF THE GOVERNMENT DEPARTMENT CONCERNED.

ADVICE FROM THE BOARDS CONCERNING GENERAL POLICY WHICH HAS TERRITORY-WIDE IMPLICATIONS WILL BE CONSIDERED BY THE SECRETARY FOR HOME AFFAIRS OR THE SECRETARY FOR THE NEW TERRITORIES AND, WHERE APPROPRIATE, TAKEN UP WITH THE POLICY SECRETARIES IN THE GOVERNMENT SECRETARIAT.

+ADDITIONALLY, I EXPECT THAT BOTH THE SECRETARY FOR HOME AFFAIRS AND THE SECRETARY FOR THE NEW TERRITORIES WILL BRING MATTERS OF SIGNIFICANCE TO YOUR ATTENTION, SIR, OR TO MINE,+ SIR JACK SAID.

+I CAN ASSURE MEMBERS THAT THE CHIEF SECRETARY WILL BE TAKING A CONTINUING AND SUBSTANTIAL INTEREST IN THE AFFAIRS OF THE DISTRICT BOARDS AND WILL MAKE CERTAIN THAT EVERYTHING POSSIBLE IS DONE TO ENSURE THE SUCCESS OF THESE PROPOSALS.+

HOWEVER, SIR JACK SAID THAT FOR GENERAL MATTERS IN THE DISTRICTS, IT WOULD BE FOR THE APPROPRIATE DISTRICT MANAGEMENT COMMITTEE TO DEAL WITH THAT ADVICE.

+I BELIEVE THAT SUCH A SYSTEM WILL ENSURE A FRUITFUL RELATIONSHIP BETWEEN THE BOARDS AND COMMITTEES AND THE ADMINISTRATION,+ HE SAID.

SIR JACK SAID IN THE CIRCUMSTANCES HE HAD OUTLINED THERE WAS NO NEED TO ATTEMPT TO LAY DOWN SPECIFIC AND RIGID RULES FOR DEALING WITH A SITUATION WHICH WOULD VERY SELDOM IF EVER ARISE.

+THE IMPORTANT POINT IS THAT THERE SHOULD BE FLEXIBLE ARRANGEMENTS FOR CONSIDERING THE ADVICE FROM THE DISTRICT BOARDS AND FOR ACTING UPON IT. ANY DIFFERENCE IN OPINION BETWEEN THE DISTRICT BOARDS AND CENTRAL GOVERNMENT IS UNLIKELY TO BE ONE OF INTEREST OR PRINCIPLE, BUT RATHER OF DEGREE OR PRIORITY.+

ON MR YEUNG'S IDEA OF INTRODUCING DEPUTY GOVERNORS FOR THE NEW TERRITORIES AND THE URBAN AREA, SIR JACK SAID IT WAS +INTRIGUING AND THOUGHT-PROVOKING.+

+NEVERTHELESS,+ HE SAID, +AS I HAVE SAID BEFORE, THE WHITE PAPER IS CONCERNED WITH THE DEVOLUTION OF GOVERNMENT ACTIVITIES TO THE DISTRICT LEVEL.

+WITH THAT THOUGHT FIRMLY IN MIND, MY FIRST REACTION IS THAT IF WE WERE TO PROCEED AS ENVISAGED BY MR YEUNG IT WOULD WELL MEAN THAT WE MIGHT FIND OURSELVES GOING INTO REVERSE FROM SINCERELY INTENDED DEVOLUTION TO A HIGH DEGREE OF CENTRALISATION.+

SIR JACK SAID HE APPRECIATED MR YEUNG'S WORRY AND IT WAS UP TO THE GOVERNMENT TO MAKE SURE THAT PROPOSALS IN THE WHITE PAPER DID WORK AND THAT HIS FEARS WERE NOT REALISED.

HE ASSURED MR YEUNG THAT HE AND THE GOVERNOR WOULD BE TAKING A DIRECT PERSONAL INTEREST IN DISTRICT ADMINISTRATION MATTERS.

ON MR YEUNG'S SUGGESTION TO INCLUDE UNOFFICIAL MEMBERS IN THE DISTRICT MANAGEMENT COMMITTEES, SIR JACK SAID THE KEY ORGANISATIONS ENVISAGED IN THE WHITE PAPER WERE THE DISTRICT BOARDS WHICH WOULD BE POWERFUL BODIES, DERIVING THEIR POWER THROUGH INFLUENCE AND ACCESS, AND THE RIGHT TO BE CONSULTED.

+IT MUST BE REMEMBERED THAT THE DISTRICT BOARDS WILL INCLUDE OFFICIAL MEMBERS FROM THE DISTRICT MANAGEMENT COMMITTEE AND ANY ISSUE WILL BE THOROUGHLY DEBATED IN THE BOARD BY BOTH OFFICIAL AND UNOFFICIAL MEMBERS,+ HE SAID.

+THE DISTRICT MANAGEMENT COMMITTEE IS THE EXECUTIVE ARM. IT IS THE DISTRICT BOARD'S TASK TO GIVE ADVICE, INCLUDING IF NECESSARY ADVICE ON IMPLEMENTATION LEAVING ACTUAL IMPLEMENTATION TO THE GOVERNMENT DEPARTMENTS CONCERNED.+

ON MEMBERSHIP OF THE DISTRICT BOARDS, SIR JACK SAID THE GOVERNMENT SHARED THE CONCERN OF MR SO AND MR HU THAT ONLY THE ABLEST PERSONS SHOULD BE ELECTED OR APPOINTED TO SERVE ON THE BOARDS.

+THE GOVERNMENT WILL SEEK TO ENSURE THAT THE QUALIFICATIONS AND DISQUALIFICATIONS FOR CANDIDATES, AS OUTLINED IN CHAPTER 5 OF THE WHITE PAPER, WILL BE EMBODIED IN THE LAW AND BE APPLICABLE TO BOTH ELECTED AND APPOINTED MEMBERS.+

SIR JACK SAID THE GOVERNMENT ALSO AGREED THAT SOME FORM OF PAYMENT BY WAY OF AN ALLOWANCE SHOULD BE MADE AVAILABLE TO DISTRICT BOARD MEMBERS TO ENSURE THAT THEY WOULD NOT BE OUT OF POCKET THROUGH ATTENDING MEETINGS.

ON STAFF REQUIREMENTS, HE ASSURED DR HO AND MR SO THAT THE GOVERNMENT WAS FULLY AWARE OF THE IMPORTANCE OF ADEQUATE STAFFING, BOTH IN QUALITY AND QUANTITY, IN ENSURING A SUCCESSFUL DISTRICT ADMINISTRATION SCHEME.

/SIR JACK

SIR JACK ALSO SAID THAT SIGNIFICANT FUNDS WOULD BE MADE AVAILABLE TO THE DISTRICTS TO BE SPENT ON SMALL SCALE PROJECTS AS ADVISED BY THE BOARDS, ALTHOUGH IT WAS DIFFICULT TO COMPUTE THE AMOUNT AT THIS STAGE.

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GOVERNMENT APPROVES 11 SURVEYS
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ELEVEN CENSUS AND STATISTICS ORDERS ENABLING THE CENSUS AND STATISTICS DEPARTMENT TO COLLECT FULL STATISTICAL INFORMATION FOR VARIOUS PURPOSES THIS YEAR WERE TABLED IN THE LEGISLATIVE COUNCIL TODAY.

IN A STATEMENT TO THE COUNCIL, THE SECRETARY FOR ECONOMIC SERVICES, THE HON DAVID JEAFFRESON SAID THE ORDERS COULD BE DIVIDED INTO THREE CATEGORIES: THE FIRST (EIGHT ORDERS) AUTHORISES SURVEYS ON ECONOMIC ACTIVITY BY SECTOR= THE SECOND (ONE ORDER) FOR COLLECTING STATISTICS ON THE LABOUR SECTOR, AND THE THIRD (TWO ORDERS) AUTHORISES A CENSUS OF THE POPULATION.

THE EIGHT ORDERS IN THE FIRST CATEGORY COMPRISE:

- * TWO BENCHMARK SURVEYS - OF FINANCIAL INSTITUTIONS IN 1980= AND OF STORAGE, COMMUNICATION, FINANCING, INSURANCE AND BUSINESS SERVICES FOR 1980=
- * FOUR ANNUAL FOLLOW-UP SURVEYS - OF IMPORTS AND EXPORTS OF SERVICES= INDUSTRIAL PRODUCTION= WHOLESALE AND RETAIL TRADES, AND RESTAURANTS AND HOTELS= AND OF TRANSPORT ESTABLISHMENTS FOR 1980=
- * TWO +MORE FREQUENT THAN ANNUAL SURVEYS+ - A SERIES OF QUARTERLY SURVEYS OF INDUSTRIAL PRODUCTION, AND A SERIES OF MONTHLY SURVEYS OF RETAIL SALES.

IN THE SECOND CATEGORY, WHICH CONCERNS THE LABOUR SECTOR, THERE WILL BE A SURVEY OF EMPLOYMENT, VACANCIES AND PAYROLL FOR 1981-82.

THE TWO ORDERS IN THE THIRD CATEGORY, ARE FOR THE 1981 DECENNIAL CENSUS OF THE LAND AND MARINE POPULATIONS.

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GUARANTEE FOR MTRC LOAN
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THE LEGISLATIVE COUNCIL TODAY GAVE ITS APPROVAL FOR THE GOVERNMENT TO GRANT A GUARANTEE TO THE MASS TRANSIT RAILWAY CORPORATION TO COVER THE REPAYMENT OF A \$245 MILLION LOAN.

THE SUMS BORROWED UNDER THIS GUARANTEE WILL BE FINANCED UNDER A UK EXPORT CREDIT AND USED TO TAKE UP AN OPTION TO PURCHASE 70 ADDITIONAL RAILCARS FOR THE MTR TSUEN WAN EXTENSION.

THIS BRINGS GOVERNMENT'S TOTAL GUARANTEE COMMITMENT IN RESPECT OF THE PRINCIPAL OF LOANS AVAILABLE TO THE MTR CORPORATION TO \$8 530 MILLION.

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CHANCE FOR PAK PAI OPERATORS
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EXISTING AND BONA FIDE PAK PAI OPERATORS WOULD BE GIVEN AN OPPORTUNITY TO LEGALISE THEIR OPERATIONS UNDER THE PROPOSED ROAD TRAFFIC (AMENDMENT) BILL 1981, THE SECRETARY FOR THE ENVIRONMENT THE HON DEREK JONES, SAID IN THE LEGISLATIVE COUNCIL TODAY.

AND HE ADVISED ALL PAK PAI OPERATORS TO AVAIL THEMSELVES OF THIS OPPORTUNITY BECAUSE, THEREAFTER, ALL ILLEGAL CARRYING WITHOUT A CONTRACT HIRE CAR PERMIT AND ALL PLYING AND SOLICITING FOR HIRE OR REWARDS BY VEHICLES OTHER THAN TAXIS WILL BE SUBJECT TO STIFFER LEGAL SANCTIONS, SUCH AS THE IMPOUNDING OF VEHICLES AND THE SUSPENSION OF VEHICLE LICENCES, IN ADDITION TO EXISTING PENALTIES.

IN MOVING THE SECOND READING OF THE BILL, MR JONES SAID THE PURPOSE OF THE BILL WAS TO AUGMENT AND CLARIFY THE PROVISIONS FOR THE ISSUE OF CONTRACT HIRE CAR PERMITS WHICH WERE INCLUDED IN THE AMENDMENTS TO THE ROAD TRAFFIC ORDINANCE ENACTED IN JUNE 1977.

+THE BILL, BY SPELLING OUT THE PROPOSED ARRANGEMENTS FOR THE ISSUE OF PERMITS, SEEKS TO PROVIDE SAFEGUARDS FOR THE CONTRACT HIRE CAR SCHEME WHEN IT IS BROUGHT FULLY INTO EFFECT TO ENSURE THAT THIS ORIGINAL PURPOSE IS MAINTAINED,+ HE SAID.

THE BILL MAKES PROVISION FOR THE GOVERNOR-IN-COUNCIL TO MAKE REGULATIONS WHEREBY THE COMMISSIONER FOR TRANSPORT MAY ISSUE, REFUSE TO ISSUE, OR CANCEL HIRE CAR PERMITS, AND TO SET LIMITS ON THE NUMBER OF PERMITS TO BE ISSUED FOR ANY TYPE OF HIRE CAR SERVICE.

+UNDER THE NEW DRAFT REGULATIONS IT IS INTENDED THAT DIFFERENT PERMITS WILL BE ISSUED FOR DIFFERENT TYPES OF SERVICE, NAMELY HOTEL HIRE CARS, TOUR HIRE CARS, AIRPORT HIRE CARS, SCHOOL HIRE CARS AND PRIVATE HIRE CARS,+ MR JONES SAID.

+THE MAJORITY WILL BE IN THE TWO LATTER CATEGORIES WHICH HAVE HITHERTO BEEN LARGELY SERVED BY PAK PAI OPERATORS.+

/THE PROPOSED

THE PROPOSED NEW CONDITIONS UNDER WHICH CONTRACT HIRE CARS WILL OPERATE WILL DETER THEM FROM PLYING FOR HIRE AS ILLEGAL TAXIS, BY PROVIDING THAT THEY SHOULD ONLY OPERATE FROM A DESIGNATED ADDRESS AND ACCEPT HIRINGS ONLY ON PRIOR BOOKING.

THE BILL WILL ALSO GIVE THE COMMISSIONER FOR TRANSPORT DISCRETION TO GIVE PRIORITY TO ANY APPLICANT, TO LIMIT THE NUMBER OF PERMITS WHICH MAY BE ISSUED TO ANY ONE APPLICANT AND TO DETERMINE APPLICATIONS BY LOTS.

+THE PURPOSE OF THIS IS TO LIMIT THE NUMBER OF PERMITS TO BE ISSUED SO AS TO PREVENT LARGE FLEETS OF NEW CONTRACT HIRE CARS APPEARING ON THE ROADS,+ MR JONES SAID.

TO ENSURE THE PROPER ADMINISTRATION OF THE SCHEME AND TO REGULATE THE POWERS OF THE COMMISSIONER FOR TRANSPORT, THE BILL MAKES PROVISION FOR THE SETTING UP OF TRANSPORT TRIBUNALS TO REVIEW DECISIONS OF THE COMMISSIONER.

THE PROVISIONS OF THE BILL, IF ENACTED, AND ITS TWIN APPROACH OF LEGAL CONTRACT HIRE CAR PERMITS AND SANCTIONS AGAINST ILLEGAL OPERATIONS WOULD ALSO SERVE TO FILL A GAP IN VEHICLE INSURANCE COVERAGE, HE SAID.

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FIRE HAZARD FINES MAY INCREASE

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AMENDING LEGISLATION WILL SOON BE SUBMITTED TO THE EXECUTIVE COUNCIL PROPOSING SUBSTANTIAL INCREASES IN FINES FOR FIRE HAZARDS IN BUILDINGS, THE SECRETARY FOR SECURITY, THE HON LEWIS DAVIES SAID THIS AFTERNOON.

REPLYING TO A QUESTION BY THE HON ANDREW SO ON THE RECENT NORTH POINT WIG FACTORY FIRE, MR DAVIES SAID IT WAS UNFORTUNATELY IMPOSSIBLE TO ENSURE THAT SIMILAR INCIDENTS DO NOT OCCUR, GIVEN THE FALLIBILITY OF HUMAN NATURE, BUT STRENUOUS EFFORTS WERE BEING MADE TO MINIMISE THE RISK.

THESE EFFORTS INCLUDE:

- * SCRUTINY OF ALL BUILDING PLANS BY THE FIRE SERVICES DEPARTMENT PRIOR TO THEIR APPROVAL, TO ENSURE THAT PROPER FIRE SERVICES INSTALLATIONS AND EQUIPMENT ARE INCORPORATED=
- * REGULAR INSPECTIONS BY THE FIRE SERVICES AND LABOUR DEPARTMENTS OF ALL FACTORIES AND INDUSTRIAL BUILDINGS AND OFFERING OF ADVICE TO ENSURE COMPLIANCE WITH FIRE REGULATIONS= AND
- * MAJOR CAMPAIGNS MOUNTED REGULARLY BY THE GOVERNMENT INFORMATION SERVICES WHICH COMPRISE THE PUBLICATION OF LEAFLETS AND POSTERS AND PRODUCTION OF TV COMMERCIALS.

AS TO THE FIRE IN THE WIG FACTORY ON JANUARY 20, MR DAVIES SAID IT WAS STILL UNDER INVESTIGATION SO NO STATEMENT AS TO ITS CAUSE COULD BE MADE AT THIS STAGE. THE INVESTIGATION IS EXPECTED TO BE COMPLETED BY EARLY NEXT WEEK.

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GOVERNMENT INTERVENES ON OIL SHORTAGE
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THE GOVERNMENT'S POLICY WHEN THERE ARE PROSPECTS OF INTERNATIONAL ENERGY SHORTAGES, IS TO INTERVENE TO ENSURE THAT STEPS CAN REASONABLY BE TAKEN TO GUARD HONG KONG AGAINST SUCH SHORTAGES.

+THEN WHEN THERE ARE SHORTAGES, THE GOVERNMENT INTERVENES TO ENSURE THAT THE SUPPLIES WE DO HAVE ARE USED IN SUCH A WAY THAT THE ECONOMY AND BASIC EVERYDAY LIVING ARE AFFECTED AS LITTLE AS POSSIBLE,+ SAID THE SECRETARY FOR ECONOMIC SERVICES, THE HON DAVID JEAFFRESON.

IN REPLY TO A QUESTION BY THE HON PETER C. WONG AT THE LEGISLATIVE COUNCIL TODAY, MR JEAFFRESON SAID THAT THE GOVERNMENT'S POLICIES ON ENERGY WERE BASED ON DOMESTIC RATHER THAN INTERNATIONAL CONSIDERATIONS, AS HONG KONG WAS NOT A SUPPLIER OF SOURCES OF ENERGY AND WAS NOT A SIGNIFICANT CONSUMER BY WORLD STANDARDS.

THE POLICIES ARE ALSO INFLUENCED BY THE FACT THAT ALL SOURCES OF ENERGY IN HONG KONG WERE IN THE HANDS OF THE PRIVATE SECTOR, HE ADDED.

+IN THESE CIRCUMSTANCES, THE GOVERNMENT'S POLICY APPLICABLE WHEN THERE ARE NO INTERNATIONAL PROBLEMS OVER SUPPLIES, IS TO KEEP A WATCH ON THE COMPANIES CONCERNED TO SEE THAT IMPORTERS OF SOURCES OF ENERGY ARE SATISFYING HONG KONG'S NEEDS,+ HE SAID.

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F.S. AWARE OF TAX COMMENT
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THE HON THE FINANCIAL SECRETARY, SIR PHILIP HADDON-CAVE TOLD THE LEGISLATIVE COUNCIL TODAY THAT HE WAS AWARE OF PUBLIC COMMENT RELATING TO PERSONAL ALLOWANCES FOR SALARIES TAX.

SIR PHILIP, IN REPLY TO A QUESTION BY THE HON OSWALD CHEUNG SAID HE MONITORED THE MEDIA, LETTERS AND PERSONAL COMMENTS ON THE ISSUE.

+NOT THAT PUBLIC CONCERN, NO MATTER HOW WIDESPREAD IT MAY BE OR MAY NOT BE, CAN ONLY BE DETERMINANT OF PUBLIC POLICY= THE PUBLIC INTEREST MUST BE CONSIDERED AS WELL,+ SAID SIR PHILIP.

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SAGA OF OLD WOMAN AIRED IN LEGCO

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AFTER AN UNSUCCESSFUL ATTEMPT TO TRACE THE FAMILY OF AN OLD WOMAN WHO WAS FOUND WANDERING IN APLIU STREET ON JANUARY 23, THE POLICE REFERRED THE WOMAN TO THE SOCIAL WELFARE DEPARTMENT'S DISTRICT OFFICE IN SHAM SHUI PO FOR ASSISTANCE ON THE SAME DAY.

THIS WAS STATED BY THE DIRECTOR OF SOCIAL WELFARE, THE HON SELWYN ALLEYNE, IN REPLY TO QUESTIONS BY DR THE HON HO KAM-FAI IN THE LEGISLATIVE COUNCIL TODAY.

EXPLAINING WHY THE WOMAN WAS REFUSED ADMISSION BY THE ABERDEEN REHABILITATION CENTRE, MR ALLEYNE SAID IT WAS BECAUSE SHE WAS UNABLE TO PRODUCE PROOF OF IDENTITY, WHICH WAS REQUIRED BY ALL GOVERNMENT DEPARTMENTS RENDERING PERSONAL SERVICES TO INDIVIDUALS.

+WHEN IT APPEARED THAT SHE WAS A HONG KONG RESIDENT, SHE WAS ACCEPTED FOR TEMPORARY CARE AND WAS ADMITTED TO THE CENTRE IN THE EVENING OF JANUARY 24,+ HE ADDED.

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FIVE BILLS PASSED

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THE OFFENCES AGAINST THE PERSON (AMENDMENT) BILL 1981 WAS PASSED TODAY IN THE LEGISLATIVE COUNCIL.

OTHER BILLS WHICH WERE PASSED AFTER THE THIRD READING WERE THE URBAN COUNCIL (AMENDMENT) BILL 1981, THE INLAND REVENUE (AMENDMENT) BILL 1981, THE SUMMARY OFFENCES (AMENDMENT) BILL 1981, AND THE MASS TRANSIT RAILWAY (LAND RESUMPTION AND RELATED PROVISIONS) (AMENDMENT) BILL 1981.

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FIRE VICTIMS MAY CLAIM 'FAT CHOY' RELIEF ON FRIDAY

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GENUINE VICTIMS OF THE PING YEUNG NEW VILLAGE FIRE ON MONDAY NIGHT WILL BE ABLE TO APPROACH THE CITY DISTRICT OFFICE, WONG TAI SIN FOR FAT CHOY FUND RELIEF ON FRIDAY.

THE GENUINE FIRE VICTIMS WILL BE CONFIRMED AFTER STAFF OF THE HOUSING DEPARTMENT CARRY OUT SITE INSPECTIONS TOMORROW (THURSDAY).

A SPOKESMAN FOR THE CITY DISTRICT OFFICE SAID THAT UP TO MID-DAY TODAY (WEDNESDAY) SOME 2 667 PEOPLE FROM 839 FAMILIES HAD REGISTERED AS FIRE VICTIMS WITH THE HOUSING DEPARTMENT.

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AND HE SAID THE OFFICE HAD OPENED ALL ITS EMERGENCY CENTRES FOR THOSE WHO WERE UNABLE TO MAKE ARRANGEMENTS FOR THEIR OWN ACCOMMODATION. HOWEVER, AS THIS HAD NOT BEEN SUFFICIENT, ADDITIONAL CENTRES HAVE BEEN OPENED UP BY KAIFONG ASSOCIATIONS, SCHOOLS AND FOUR WELFARE CENTRES IN KWUN TONG DISTRICT.

THE VICTIMS ARE BEING TEMPORARILY SHELTERED IN THE WONG TAI SIN COMMUNITY CENTRE, THE TSZ WAN SHAN (SOUTH) COMMUNITY CENTRE, THE TSZ WAN SHAN (EAST) COMMUNITY CENTRE, THE EAST KAI TAK GAMES HALL, THE TAI HOM VILLAGE KAIFONG ASSOCIATION, LAM TIN EAST WELFARE CENTRE, LAM TIN WEST WELFARE CENTRE, NGAU TAU KOK WELFARE CENTRE AND SAU MAU PING WELFARE CENTRE.

THE SPOKESMAN ADDED THAT THE DISTRICT OFFICE HAD RECEIVED MANY OFFERS OF HELP FROM VOLUNTARY ORGANISATIONS AND CHARITIES AND WHERE ASSISTANCE COULD BE GIVEN BY SUCH ORGANISATIONS, THE OFFICE WOULD MAKE THE NECESSARY ARRANGEMENTS.

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NATIONALITY BILL MPS SEEK LOCAL VIEWS

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TWO BRITISH MEMBERS OF PARLIAMENT WILL BE VISITING HONG KONG ON FEBRUARY 12 TO 16.

THEY ARE MR RAYMOND WHITNEY, OBE, (CONSERVATIVE) AND MR EDWARD LYONS, QC, (LABOUR).

ALTHOUGH THE VISIT HAS BEEN ARRANGED AS PART OF A CONTINUING SERIES OF FAMILIARISATION VISITS TO HONG KONG BY BRITISH MPS, MESSRS WHITNEY AND LYONS HAVE A PARTICULAR INTEREST IN THE BRITISH NATIONALITY BILL WHICH PASSED ITS SECOND READING IN THE HOUSE OF COMMONS ON JANUARY 27.

THE BILL IS NOW BEING CONSIDERED IN DETAIL BY A STANDING COMMITTEE OF THE HOUSE OF COMMONS. BOTH MESSRS WHITNEY AND LYONS ARE MEMBERS OF THAT COMMITTEE.

THE TWO MPS WILL TAKE THE OPPORTUNITY OF THEIR VISIT TO CALL ON THE GOVERNOR AND HOLD DISCUSSIONS WITH UNOFFICIAL MEMBERS OF THE EXECUTIVE AND LEGISLATIVE COUNCILS, MEMBERS OF THE PUBLIC AND GOVERNMENT OFFICIALS, IN ORDER TO HEAR HONG KONG'S VIEWS AND REPRESENTATIONS ON THE BILL.

THE MPS WILL ALSO BE BRIEFED ON DEVELOPMENTS IN HONG KONG'S TRADE AND INDUSTRY AND WILL VISIT VARIOUS PARTS OF HONG KONG.

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NOTE TO EDITORS:

MESSRS WHITNEY AND LYONS HAVE A VERY FULL PROGRAMME BUT IT IS HOPED TO ARRANGE A PRESS CONFERENCE TOWARDS THE END OF THEIR VISIT. DETAILS WILL BE NOTIFIED LATER.

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INDUSTRIAL SAFETY A JOINT EFFORT
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IF EMPLOYERS ARE PREPARED TO PAY THE SAME ATTENTION TO INDUSTRIAL SAFETY AS THEY ARE PAYING TO PRODUCTION AND SALES MANAGEMENT, THERE WOULD PROBABLY BE A SUBSTANTIAL REDUCTION IN OCCUPATIONAL ACCIDENTS.

THIS WAS STATED BY THE ASSISTANT COMMISSIONER FOR LABOUR, MR DAVID LIN, TODAY (WEDNESDAY) WHEN HE ADDRESSED A LUNCHEON MEETING OF THE LIONS CLUB OF VICTORIA.

+THE FACT THAT HONG KONG EXPORTS KEEP INCREASING INDIRECTLY REFLECTS THAT ITS QUALITY CONTROL IS OF VERY HIGH STANDARD. IT IS FAIR TO SAY, THEREFORE, THAT MANAGEMENT IF WILLING, OUGHT TO BE ABLE TO ADOPT A BETTER APPROACH TO SAFETY,+ HE ADDED.

MR LIN CONSIDERED THE NUMBER OF ACCIDENTS STILL VERY HIGH AND STRESSED THAT EVERY EFFORT MUST BE MADE TO REDUCE THEM.

FOR ITS PART, HE POINTED OUT, THE GOVERNMENT WILL PROGRESSIVELY ENACT NECESSARY LEGISLATION, INCREASE THE NUMBER OF FACTORY INSPECTORS TO 250 BY 1984, EXTEND EDUCATIONAL ACTIVITIES IN THE PROMOTION OF INDUSTRIAL SAFETY AND INCREASE PENALTIES PROVIDED UNDER THE FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE AND REGULATIONS MADE UNDER IT.

HOWEVER, THE REDUCTION OF INDUSTRIAL ACCIDENTS DID NOT MERELY DEPEND ON SAFETY LEGISLATION OR ITS STRICT ENFORCEMENT. THE ATTENTION AND INTEREST OF BOTH EMPLOYERS AND EMPLOYEES HAD TO BE AROUSED AND THEIR PRESENT ATTITUDES TOWARDS SAFETY IN THEIR WORKING ENVIRONMENT DRASTICALLY CHANGED.

+IN ORDER TO ACHIEVE A GOOD SAFETY RECORD, EVERY ONE FROM THE SENIOR MANAGEMENT DOWN TO MINOR STAFF MUST BE MADE FULLY AWARE OF THE NEED FOR INDUSTRIAL SAFETY AND THE SERIOUS CONSEQUENCE IF SAFETY PRACTICES ARE NOT STRICTLY ADHERED TO,+ HE NOTED.

MR LIN SAID ALREADY MANY ENLIGHTENED EMPLOYERS WERE FOCUSING THEIR ATTENTION ON THE IMPORTANCE OF HAVING A SAFE WORKING ENVIRONMENT.

HE BELIEVED THAT WITH REGULAR INSPECTION BY THE FACTORY INSPECTORATE TO GIVE ADVICE AND ASSISTANCE AND WITH EFFORTS BY MANAGEMENT AND WORKERS, THE NUMBER OF ACCIDENTS IN THE COMING YEAR COULD BE REDUCED.

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TRADE WITH IRAN

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A SPOKESMAN OF THE TRADE INDUSTRY AND CUSTOMS DEPARTMENT SAID TODAY (WEDNESDAY) THAT THE IMPORT AND EXPORT (GENERAL) (AMENDMENT) REGULATIONS 1981 HAVE NOW BEEN ENACTED, DELETING THE REFERENCE TO IRAN IN THE IMPORT AND EXPORT (GENERAL) REGULATIONS.

PRIOR TO THE ENACTMENT OF THE AMENDMENT REGULATIONS, ALL EXPORTS TO IRAN WERE SUBJECT TO LICENSING CONTROL IRRESPECTIVE OF THE PRODUCTS.

THE INTRODUCTION OF THE AMENDMENT REGULATIONS MEANS THAT THE EXPORT LICENSING REQUIREMENTS REGARDING TRADE WITH IRAN ARE NOW THE SAME AS THOSE APPLICABLE TO OTHER COUNTRIES, I.E. EXPORT LICENCES ARE REQUIRED ONLY IF THE GOODS ARE CAUGHT BY ONE OF THE SPECIFIC RESTRICTIONS OR PROHIBITIONS ON TRADE, THE SPOKESMAN ADDED.

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SNT ATTENDS HEUNG YEE KUK RECEPTION

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THE SECRETARY FOR THE NEW TERRITORIES, MR DAVID AKERS-JONES, TODAY (WEDNESDAY) PAID TRIBUTE TO THE EFFORTS OF HEUNG YEE KUK MEMBERS DURING THE PAST YEAR AND WISHED THEM EVERY SUCCESS IN THE YEAR OF THE COCKEREL.

MR AKERS-JONES WAS SPEAKING AT A SPRING FESTIVAL TEA RECEPTION AND LUNCH HOSTED BY THE KUK.

HE SAID THAT LAST YEAR SAW CLOSE CO-OPERATION BETWEEN THE KUK AND THE NEW TERRITORIES ADMINISTRATION.

REMARKABLE PROGRESS WAS MADE ON THE SMALL VILLAGE HOUSE POLICY IN WHICH THE NTA AND THE KUK REACHED AGREEMENT IN PRINCIPLE AND PROPOSALS HAD BEEN SUBMITTED TO THE GOVERNMENT FOR APPROVAL.

+THE PROPOSALS WILL BE IMPLEMENTED ONCE THEY ARE APPROVED,+ MR AKERS-JONES SAID.

HE SAID TOWN PLANNERS HAD AGREED TO DRAW UP BLUE PRINTS FOR 50 VILLAGES AND IT WAS HOPED THAT THE ENVIRONMENT IN THESE VILLAGES WOULD BE IMPROVED.

+ON THE OTHER HAND, CONSULTANTS ARE NOW STUDYING THE FEASIBILITY OF DEVELOPING THE NORTH WESTERN NEW TERRITORIES,+ MR AKERS-JONES SAID, AND +A STUDY ON THE NORTH EASTERN NEW TERRITORIES WILL ALSO BEGIN SHORTLY.+

AS FAR AS PRIVATE DEVELOPMENT PROJECTS WERE CONCERNED, GOVERNMENT WOULD GIVE THEM CONSIDERATION ON AN INDIVIDUAL BASIS, HE SAID.

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ON THE APPOINTMENT OF COMMITTEE MEMBERS BY GOVERNMENT, MORE IMPORTANCE WAS BEING GIVEN TO NEW TERRITORIES PEOPLE. MORE EXPERIENCED AND KNOWLEDGEABLE REPRESENTATIVES FROM THE NT WOULD BE APPOINTED IN FUTURE.

+I LOOK FORWARD TO CONTINUED CO-OPERATION AND MARKED PROGRESS IN THE COMING YEAR,+ MR AKERS-JONES CONCLUDED.

ABOUT 100 GUESTS ATTENDED THE RECEPTION, INCLUDING DEPUTY SECRETARY FOR THE NEW TERRITORIES, MR AUGUSTINE CHUI KAM, AND THE SENIOR STAFF OFFICER/DEVELOPMENT, DR RICHARD BUTLER.

LATER THIS EVENING, MR AKERS-JONES WILL HOST A YAN YAT PARTY FOR 150 GUESTS.

ALL EIGHT DISTRICTS OF THE NEW TERRITORIES WILL HOLD THEIR OWN RECEPTIONS OVER THE NEXT FEW DAYS WITH DISTRICT OFFICERS AS HOSTS.

ATTENDING THIS EVENING WILL BE MEMBERS OF THE HEUNG YEE KUK, OFFICIALS OF THE NEW TERRITORIES GENERAL CHAMBER OF COMMERCE, CHAIRMEN AND VICE-CHAIRMEN OF THE POK OI, YAN CHAI AND TUNG WAH GROUP OF HOSPITALS AND THE PO LEUNG KUK, YAN OI TONG DIRECTORS AND REPRESENTATIVES OF OTHER NEW TERRITORIES ORGANISATIONS.

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