



DAILY INFORMATION BULLETIN

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BEACONSFIELD HOUSE, HONG KONG. TEL.: 2842 8777

Wednesday, March 27, 1996

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Transcript of the Governor's media session in Wong Tai Sin

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Following is the transcript of the media session by the Governor, the Rt Hon Christopher Patten, after opening the Employment Service Centre for the Elderly in Wong Tai Sin this (Wednesday) morning:

Question: It's looking at a worse case scenario, isn't it Mr Patten? The officials will have to leave the Hong Kong Government service to serve in the post-1997 administration.

Governor: Everybody knows that one of the reasons for Hong Kong's success, one of the reasons for Hong Kong's stability and prosperity, is the quality of our civil service. Its integrity is unquestioned. I'm delighted that despite all the problems of the transition, its morale has remained high, and its political neutrality has been unquestioned, and the civil service is totally committed to the well-being of Hong Kong. Now we wish to do everything possible to protect those qualities and those attributes. And I think that anybody who has Hong Kong's well-being at heart will also want to protect those qualities. We've seen one or two unnamed sources commenting about the Hong Kong civil service. All that I would like to say is that the qualifications for senior officials in the Joint Declaration and the Basic Law are absolutely clear and nobody can change those qualifications. Equally clear is the quality of the civil service as I've described it. And I hope that everybody will make it abundantly plain in the coming weeks and months that they want to see a smooth and successful transition for all our excellent civil servants. That's certainly what we'll be working to do and working to avoid the civil service being dragged into the cockpit of controversy.

Question: If the position of the Chinese side remains unchanged, will dual loyalty be considered understanding that these officials are facing such a dilemma?

Governor: What's the position of the Chinese side? I see leaks which may or may not have to do with things that people said off the record at tea parties. I haven't seen all that much on the record. And I hope that if Chinese officials have things that they want to say to us about the civil service and its well-being, they'll have private and confidential discussions because they should recognise the importance of maintaining the integrity and the morale of the civil service. You can't toy with these things; you can't play with these things. They matter and matter fundamentally to the well-being of Hong Kong. So as far as we are concerned, we have every confidence in the civil service. The civil service works for Hong Kong. It works for Hong Kong before 1997, and it will work for Hong Kong's good and for Hong Kong's interests after 1997. And nobody should question that commitment to Hong Kong and to Hong Kong's well-being.

Question: It seems like it's what they're doing. They're toying with ...

Governor: I've answered your question very extensively and even if you put it in another way, you won't get a different answer. Okay, anything else? Thank you very much indeed.

End

Transcript of the Governor's media session after airport visit

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Following is the transcript of the media session by the Governor, the Rt Hon Christopher Patten, after visiting the Airport Command of the Customs and Excise Department this (Wednesday) afternoon:

Governor: As you know, since our Drugs Summit last March, I've undertaken a series of visits to see projects which are involved in preventive education, in the care and rehabilitation of drug abusers and to see our efforts to enforce the law and to prevent drugs coming into Hong Kong or indeed to prevent the traffic of drugs through Hong Kong. Our Customs and Excise Department has an absolutely key role of course in our fight against drugs and I've been interested to see some of their work today. They have to operate in one of the busiest airports in the world with of course the prospect of operating on an even larger scale when the new airport at Chek Lap Kok opens. And I'm pleased to see the efficient and comprehensive way in which they're doing their job. As you know, we're holding another drug summit in May, on the 23rd of May, when we will be reviewing the progress that we've made over the last year. And I'm sure we'll be looking at the possibility of new projects which can be funded from our beat drugs fund of \$350 million which was agreed by the Legislative Council earlier this month. I'd just like to mention one other thing, not because it makes us complacent, but because it shows that we are having some effect in our campaign. Yesterday ACAN released the latest figures on drug abusers and they showed that in the last quarter of last year, the figures particularly for young drug abusers had fallen quite sharply on the figures of a year before. Now many communities at the moment are seeing the figures moving in the other direction. So that is reasonably good news for Hong Kong, but I repeat, it is not news that should make us complacent. We had been seeing in previous years the figures edge steadily upwards. I hope that we've made a turn round in that situation but we're going to continue battling our way right across the board with the Customs and Excise as part of the cutting edge of our operation so we can keep the figures going down and I hope more dramatically down. But we will be reviewing all that on the 23rd of May at the next Drugs Summit.

Question: This morning you mentioned somebody said something in a tea party. But Mr Chen Ziying has stated very clearly that senior officials must affirm their support to the provisional legislature. So how does this specifically contradict the Government's position? Will the both sides sit together to work out an arrangement that is more flexible?

Governor: I answered that question quite extensively this morning and I think it would be tiresome for all of you if I was to repeat myself this afternoon. All I will say in addition to what I said this morning is that I'm sure that Hong Kong civil servants who are among the best in the world will be loyal to the Government before 1997 and loyal to the Government after 1997 and in that way will with their usual integrity, competence and high morale be serving the people of Hong Kong to the best of their ability.

Question: ... out of their jobs by asking them to do that?

Governor: No. You were there this morning and I'm sure you recall the clear, ringing and eloquent words that I used in answer to two of your questions, one of which was exactly the same as the predecessor.

Question: Governor, should we follow suit what Mr Major... issued a ban on beef produced in Britain? Should Hong Kong follow suit...?

Governor: As you know, we've been keeping the position under careful review. It's not perhaps an issue with quite the dimensions in Hong Kong as elsewhere. Only about two per cent of the beef which is consumed in Hong Kong comes from Britain. But we are in touch with the World Health Organisation and we'll be taking our lead from them and from their advice because we want to make sure that we don't take any risks and that we operate on the best possible medical advice. There is one other thing I would mention. I think that some traders are concerned that there may be a more general worry about beef because of the two per cent of British beef. What we've done is to advise the trade to distinguish for example on counters or on menus whether or not they're using British beef or other sorts of beef. I think that should give people the assurance that they want to need. But I think the people of Hong Kong know, given our record where there have been other public health concerns, that we have an outstandingly good competent and professional public health set of safeguards in Hong Kong and we intend whatever the circumstances to keep them in place because our primary concern has got to be the health of the people of Hong Kong.

Question: Can you guarantee that the two per cent beef can be safely consumed?

Governor: I can give exactly the same assurances that the scientists have given. But if you expect me to come between the consumer and sensible scientific advice, then you'd be asking me to do something which will be very unwise for the Governor to do.

Question: The DAB says the Health Department may be hesitant in issuing a ban ... for political reasons ...

Governor: I don't think that anybody could seriously suggest that politics would intervene in public health issues. They may as far as those politicians are concerned but they certainly don't as far as the Government is concerned.

Question: The Chinese side has suggested that some senior Government officials should leave the Government in order to assist the Chief Executive in setting up the provisional Government framework. What do you think about this idea?

Governor: Well, I said early that I didn't have anything to say in response to the questions about what may or may not have been said by senior Chinese officials. We have had no communication whatsoever to that effect from senior, middle ranking, junior or subterranean Chinese officials. And if Chinese officials have any proposals to put which might be damaging to the Government of Hong Kong now and in the future then I hope they'll put them, and we'll deal with them in the public and hear that and see that. There is just one point I would make which is I think perfectly obvious to Hong Kong and perfectly obvious to most other people in the world. Government isn't something you can turn on or turn off like an electric kettle. Government goes on. And if you do things to Government before 1997 which damage it or attempt to damage its authority, that has consequences after 1997. I repeat that we have a politically neutral civil service which will serve this Government with great loyalty and which will serve the SAR Government with great loyalty and anyone who doesn't understand that doesn't understand how Hong Kong works, doesn't understand how the civil service works, doesn't understand the nature of a free society under the rule of law. Thank you very much indeed.

End

JLG expert talks on the handover ceremony

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The following is issued on behalf of the Office of the British Senior Representative of the Joint Liaison Group:

The third meeting between experts of the Joint Liaison Group on the Hong Kong Handover Ceremony will take place in Hong Kong tomorrow (March 28).

The British side will be led by British Senior Representative, Mr Hugh Davies. The Chinese side will be led by Chinese Senior Representative, Mr Zhao Jihua. They will be assisted by experts from the two sides.

End

Governor visits Customs Airport Command

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The Governor, the Rt Hon Christopher Patten, this (Wednesday) afternoon visited the Customs Airport Command to see for himself the Customs anti-narcotics functions at the airport.

This is the eighth in a series of visits by the Governor to agencies/government departments contributing to the reduction of drug abuse following the holding of his anti-drugs summit in March last year.

Accompanied by the Commissioner of Customs and Excise, Mr Don Watson, Assistant Commissioner (Operations), Mr David Tong, and the Commissioner for Narcotics, Mr Raymond Wong, the Governor toured the Customs Hall, baggage reclaim carousel area, unclaimed baggage store, x-ray room and search room.

The Governor was briefed on anti-narcotics functions by Senior Superintendent (Customs Drug Investigation) Chow Kwong and saw a video show on the Customs drug interdiction efforts on air cargoes.

Last year, Customs officers seized about 39 kilograms of drugs which included heroin, herbal cannabis, cannabis resin and methamphetamine at the airport.

End

Hong Kong's port prepares for further growth

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The rapid development of southern China will generate a huge demand for port facilities in Hong Kong in the next 20 years. To handle the demand, Hong Kong will need to substantially expand its container terminal facilities.

This was the main theme in a paper delivered by the Secretary of Hong Kong's Port Development Board, Mr Tony Clark, at the Singaport '96 conference in Singapore today (Wednesday).

Mr Clark told delegates: "Our consultants' Port Cargo Forecasts suggest that in the next 10 years the demand in Hong Kong's port, already 12.6 million TEUs last year, will grow two and half times to 31 million TEUs a year.

"What that means is that by the year 2006, the demand on Hong Kong's port will be to handle one 20-foot container every second, 24 hours a day, 365 days a year.

"By 2011, 15 years from now, the demand will be 36 million TEUs a year; and by 2016 the demand will have grown to almost 40 million TEUs.

"Handling that demand will mean building a substantial and ongoing construction programme."

Mr Clark said that Hong Kong needed to build the facilities because there was no other port in the area that could handle the throughput.

He pointed out, however, that: "Hong Kong does have competition. We expect to lose substantial ocean transshipment trade to Kaohsiung and northern ports such as Kobe and Busan over the medium to long term.

"Sooner or later direct trade links will be established between Taiwan and the mainland and Hong Kong will lose this transshipment market. This is currently estimated at some one million TEUs a year.

"Although this transshipment market will be lost, Hong Kong is expected to gain in throughput overall because much of the direct trade in south China goods for Taiwan and many Taiwanese products sold in Guangdong, will be shipped through Hong Kong.

"The loss of some inter-ocean and the mainland-Taiwan transshipment will mean that Hong Kong becomes more and more focused on handling cargoes to and from southern China. It is handling these cargoes that will drive development of Hong Kong's port over our current planning period."

Turning to the wide-spread port development in the Pearl River Delta, Mr Clark said that some of these ports did not have natural deep water access and the dredging required to provide this would be costly.

Nearly all of them, with the obvious exception of Yantian, were being developed as feeder ports with Hong Kong as the hub.

Mr Clark said: "By the time Yantian is operating at anything near capacity, the demand on Hong Kong will be so great that we will welcome the relief that Yantian affords.

"The picture we see emerging is of Hong Kong developing more and more as a hub port for southern China, with feeder services to smaller ports in the Pearl River Delta.

"One result of this that we are already experiencing is a rapid growth in river trade. The Pearl River is a natural highway between Hong Kong and many of the manufacturing centres in southern China. Shipping containers by river brings not only economies of scale but also avoids roads and border crossing points that are becoming increasingly congested."

He told delegates that in 1995, river trade container throughput grew by some 40 per cent to 1.3 million TEUs. By 1998 demand was forecast to rise to 2.5 million TEUs and to 3.5 million by 2011.

He added: "To cope with that growth, we are planning our first dedicated River Trade Terminal or RTT at Tuen Mun. Just two days from now the Hong Kong Government will be announcing the successful bidder for the rights to build and operate the RTT. Like our container terminals, it will be built and operated by the private sector.

"The RTT will enable us to consolidate cargoes shipped down the Pearl River. It will mean fewer vessels using the already very busy Ma Wan Channel entrance to the port.

"It is unlikely to be the last such facility. The long-term strategic plan provides for another RTT to be built just to the north of Lantau Port. This is expected to be needed because within 20 years river trade cargo movement could total 11 million TEUs a year. That is equal to our total port throughput for 1994."

Mr Clark said that Hong Kong's port planning had always been geared to providing container terminal facilities to meet forecast demand. However, political difficulties had prevented work starting on CT9 as planned. He said: "Thankfully those difficulties appear to be becoming resolved; if we can start work later this year its first berth could become operational during 1998.

He told the conference that beyond CT9, detailed design work had already been completed on container terminals ten and 11, and feasibility studies on CT12 were likely to start later this year.

He explained: "We must keep building if we are to meet demand. Our overall port traffic is expected to increase at 5.4 per cent a year up to the year 2016. But, the proportion of that cargo that is containerised will grow from 55 per cent in 1994 to 60 per cent in 2016.

"Logic tells us that there is a limit to the number of container terminal facilities Hong Kong can build. We have not reached that limit yet, and will not within our current 20-year planning period.

"We must keep building to meet demand, not only for the sake of Hong Kong's economy, or that of southern China, but for the economy of the whole region."

End

Initial report on rights of the child made public

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The United Kingdom Government has submitted in February this year the initial report on Hong Kong under the United Nations Convention on the Rights of the Child (UNCRC) to the United Nations. The report was tabled in the Legislative Council today (Wednesday).

The report details the measures adopted by the Hong Kong Government that give effect to the rights recognised in the Convention up to September 7 last year, the first anniversary of the extension of the Convention to Hong Kong.

In drafting its contribution for the report, the Hong Kong Government sought the views of Legislative Councillors, non-governmental organisations and members of the public on the implementation of the UNCRC in Hong Kong. Due regard has been given in the report to the views submitted in response.

The United Kingdom Government has requested that the UN Committee on the Rights of the Child examine the report at its session in late September or early October this year.

The report, which will be published in bilingual booklet form in May, will be available for perusal in public libraries and District Offices.

Copies of the report (in English) and the text of the Convention (in Chinese and English) are available at the Marketing Office of the Government Information Services, 17th floor, Siu On Centre, 176-192 Lockhart Road, Wan Chai.

End

Judgment on deputy school head's sentence will be studied

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In response to media enquiries on the sentence passed at the Sha Tin Magistracy today (Wednesday) on the case involving the deputy head of a primary school, the Director of Education, Mrs Helen C P Lai Yu, said:

"We are asking for a copy of the court proceedings. We will carefully study the full judgment and the circumstances surrounding the case.

"Only then can we consider what action should be taken under the Education Ordinance. This is our normal practice.

"Meanwhile, we are aware that an appeal against the sentence can be lodged within 14 days."

End

BN(O) passports for citizens born between 1977 and 1981

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The final date for Hong Kong British Dependent Territories citizens (BDTCs) born between 1977 and 1981 to apply for British National (Overseas) (BN(O)) passports will be March 30, a government spokesman reminded the public today (Wednesday).

Hong Kong BDTCs (such as persons born, naturalised or registered in Hong Kong) must obtain a BN(O) passport if they wish to continue to travel on British passports beyond 1997.

As specified in the Second Schedule to the Hong Kong (British Nationality) Order 1986, applications for BN(O) passports must be submitted on or before the final dates relevant to their age groups.

Eligible applicants born between 1977 and 1981 must submit their applications on or before March 30.

Further publicity will be made in respect of BDTCs born in other years, for example, between 1982 and June 30, 1997, so that their parents or legal guardians may submit their applications by phases according to their age groups. They are of course free to submit their applications now.

Persons who do not comply with the relevant cut-off dates will not be able to travel on British passports beyond 1997. An application made after the final date will only be accepted if the applicant can show that there are special circumstances which justify his late application.

A BN(O) Late Registration Appeals Advisory Committee has been established to advise the Governor on those late applications which have been rejected by the Immigration Department.

The spokesman emphasised that those who already had a BN(O) passport, either the conventional hard-cover type or the burgundy red machine readable type, need not apply again.

Applications for BN(O) passports may be submitted to the Immigration Department either by post or in person. Applicants may also deposit their applications into the drop-in boxes at the Immigration Headquarters or at any immigration branch offices throughout the territory.

Application forms are available at all immigration offices and district offices.

Hong Kong BDTCs living, working or studying abroad, are also required to observe the cut-off dates if they want to apply for a BN(O) passport. However, they are not required to return to Hong Kong for their applications.

They should submit their applications to the nearest British passport issuing office either by post or in person. The required overseas application forms can be obtained at those offices or the Hong Kong Immigration Department.

For more information, members of the public may telephone 2824 1177 (English) or 2824 1717 (Chinese).

End

Four lots of land to let

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The Lands Department is inviting tenders for the short-term tenancies of four pieces of Government land on Hong Kong Island and in the New Territories.

The first lot located in Tin Shui Wai Area 32, Yuen Long, has an area of 10,000 square metres. It is intended for use as a fee-paying public car park for the parking of vehicles excluding container vehicles but including container tractors without container trailers.

The tenancy is for one year, renewable quarterly.

Covering an area of 8,490 square metres, the second lot is located in Area 47B, Sha Tin. It is designated for storage of goods, plant and machinery, containers, vehicles and building materials belonging to the tenant only.

The tenancy is also for one year, renewable quarterly.

With an area of 15,500 square metres, the third lot is situated at Ma On Shan Road, Area 73, Ma On Shan, Sha Tin. It is intended for use as a fee-paying public car park.

The tenancy is for three years, renewable quarterly.

The fourth lot located in Sai Ning Street, Kennedy Town, has an area of 1,030 square metres. It is designated for use as a fee-paying public car park for the parking of goods vehicles, excluding container vehicles and container tractors and trailers.

The tenancy is for six months, renewable quarterly.

The closing date for submission of tenders for all lots is noon on April 12 (Friday).

Tender forms, Tender Notices and Conditions may be obtained from the Lands Department, 14th floor, Murray Building, Garden Road and the respective District Lands Offices of Yuen Long, Sha Tin and Hong Kong West.

Tender plans can also be inspected at these offices.

End

Hong Kong Monetary Authority money market operations

	<u>\$ million</u>	<u>Time (hours)</u>	<u>Cumulative change (\$million)</u>
Opening balance in the account	2,807	0930	-8
Closing balance in the account	2,729	1000	-8
Change attributable to :		1100	-8
Money market activity	-18	1200	-6
LAF today	-60	1500	-6
		1600	-18

LAF rate 4.00% bid/6.00% offer TWI 123.7 *+0.1* 27.3.96

Hong Kong Monetary Authority

EF bills		EF notes				
Terms	Yield	Term	Issue	Coupon	Price	Yield
1 week	5.07	2 years	2802	5.16	98.80	5.92
1 month	5.04	3 years	3901	5.57	98.71	6.16
3 months	5.12	5 years	5103	6.75	100.78	6.67
6 months	5.19	7 years	7302	6.02	95.50	6.96
12 months	5.48	5 years	M502	7.30	101.87	6.93

Total turnover of EF bills and notes - \$33,799 million

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End



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SUPPLEMENT

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/Modification of



LIBRARY INFORMATION SERVICE

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Staff cost proportion of medical doctors in HA

Following is a question by the Hon Howard Young and a written reply by the Secretary for Health and Welfare, Mrs Katherine Fok, in the Legislative Council today (Wednesday):

Question:

Will the Government inform this Council of:

- (a) the proportion of staff costs in respect of all medical doctors in the Hospital Authority (HA), including those remaining on civil service terms, to the total expenditure of the HA in the current and previous two financial years; and
- (b) the proportion of staff costs in respect of medical doctors in the general surgical departments of the hospitals under the management of the HA to the total financial provision allocated to these departments in the current and previous two financial years?

Reply:

The proportion of staff cost in respect of all medical doctors to the total expenditure of the Hospital Authority are 20.5% in 1993/94, 21.4% in 1994/95 and 21.9% in 1995/96. Although the Authority has decentralised financial planning and budgetary management, not all public hospitals have apportioned staff costs to the level of individual clinical departments or operating units. The requested information about medical staff cost in the general surgical departments of public hospitals compared with their total financial provision is thus not available.

End

Allowance to fishermen affected by reclamation

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

Question:

In recent years, dredging works undertaken in Hong Kong waters have caused substantial reductions in fish catches and this has affected the livelihood of local fishermen. In this connection, will the Government inform this Council:

- (a) how the criteria for granting ex-gratia payment to the affected fishermen are set;
- (b) whether those in the trade have been consulted widely before setting the criteria; if so, what are the details;
- (c) how the Government will handle those fishermen who are dissatisfied with the amount of ex-gratia payment granted to them; and
- (d) whether it will consider increasing the ex-gratia payment; if not, why not?

Reply:

Mr President,

- (a) The criteria currently used for calculating and granting ex-gratia allowances to fishermen affected by reclamation, dredging and dumping projects were approved by the Finance Committee of the Legislative Council in May 1993. The basis for calculating the amount of ex-gratia payment was the notional value of three years' catch in the affected area. The notional value of catch was determined by the Director of Agriculture and Fisheries based on the fishing port survey conducted in 1989-91 and the Fish Marketing Organisation (FMO)'s fish price index, which is updated annually. Those affected fishermen owning vessels of more than 15 metres in length were also eligible for ex-gratia payment;

- (b) the trade was not specifically consulted on the criteria mentioned in (a) above, but in proposing the criteria, the Administration had taken into consideration fishermen's concerns as expressed at the Fishermen Liaison Meetings held in August and November 1992. The Administration also explained the criteria to the Legislative Council Lands and Works Panel in April 1993. Members were generally supportive of the criteria. This said, we also consulted 40 fishermen associations by questionnaire from December 1993 to February 1994. The outcome of the consultation helped us to work out the detailed vetting criteria for processing claims from affected fishermen owning vessels of more than 15 metres in length;
- (c) fishermen who are dissatisfied with ex-gratia payments may appeal to an Appeal Board. The Appeal Board's role is to examine whether the amounts have been determined in accordance with the approved criteria, having regard to any new or additional information or evidence provided by the appellants or the relevant government departments; and
- (d) we have recently commissioned a consultancy study on fisheries resources and fishing operations in Hong Kong waters. The findings of the study will enable us to, among other things, review the existing basis for payment of ex-gratia allowances to the affected fishermen. Pending the completion of the study, we can only base the calculation of ex-gratia allowances payable to affected fishermen on the 1989-91 survey and FMO's fish price index.

End

Membership of government advisory committees

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Following is a question by Dr the Hon Cheung Bing-leung and a written reply by the Secretary for Home Affairs, Mr Michael Suen, in the Legislative Council today (Wednesday):

Question:

Will the Government inform this Council:

- (a) of the number of government advisory committees at the central level which are chaired by members of political parties (or political groups) and the proportion of the chairmanship of these advisory committees held by each political party (or political group);
- (b) of the number of members of these advisory committees who are affiliated with political parties (or political groups) and the proportion of the members of these advisory committees who are members of each political party (or political group); and
- (c) what is the current policy regarding the appointment of persons affiliated with political parties (or political groups) as members of these advisory committees; and whether there is any limit on the proportion of such members in the composition of these advisory committees?

Reply:

The personal information of members of advisory boards and committees is provided by the concerned individuals on a voluntary basis. There is also no established definition of a political party or political group. Government therefore does not have comprehensive record of the political affiliations of members of advisory bodies. Based on information supplied, our answers to the questions are as follows:

- (a) there are at present six individuals with political affiliations who are chairmen of Government advisory boards and committees at the central level. A breakdown of their affiliations to each political party or political group as reported by the individuals is as follows:

<u>Political Parties/Groups</u>	<u>No of Individuals</u>
Democratic Alliance for the Betterment of Hong Kong	1
Democratic Party	1
Liberal Democratic Federation	2
Liberal Party	2

- (b) there are at present 21 individuals with political affiliations who are serving on Government advisory boards and committees at central level. A breakdown of their affiliations to each political party or political group as reported by the individuals is as follows:

<u>Political Parties/Groups</u>	<u>No of Individuals</u>
Association for Democracy and People's Livelihood	4
Democratic Alliance for the Betterment of Hong Kong	6
Democratic Party	4
Hong Kong Civic Association	1
Liberal Democratic Federation	2
Liberal Party	2
New Hong Kong Alliance	2

- (c) Appointments to advisory boards and committees are made on the basis of the merits of the individuals concerned taking account of their personal ability, expertise, experience, integrity, commitment to public service and their overall suitability for appointment. Our objective is to ensure that the best available persons capable of meeting the specific needs of the concerned advisory bodies are appointed.

End

Guidelines for organising outdoor school activities

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Following is a question by the Hon Choy Kan-pui and a written reply by the Secretary for Education and Manpower, Mr Joseph W P Wong, in the Legislative Council today (Wednesday):

Question:

A group of teachers and students from the Fung Yiu King Memorial Secondary School in Ma On Shan, Shatin were struck by encountered a hill fire when they went were hiking in the Pak Sin Leng Country Park, which resulted in over 10 casualties. In this connection, will the Government inform this Council:

- (a) whether the Education Department has a comprehensive set of guidelines for organising extra-curricular activities; if so, whether the guidelines contain safety and contingency measures; and
- (b) whether the Education Department will consider citing the acts of the teachers who sacrificed their lives to save the students in this incident as a role model example in its future promotion of civic education?

Reply:

Mr President,

- (a) The Education Department issues a school circular annually to all schools advising them on the general safety precautions including administrative procedures in organising outdoor activities to ensure the safety of students. The Education Department also issues information pamphlets containing specific guidelines on safety precautions and measures to cope with emergencies on subject related outdoor activities such as physical education, geography and biology.

Following the recent hill fire tragedy, the Education Department has set in train a review of guidelines to schools on outdoor extra-curricular activities. A working group is being formed to examine the matter comprehensively and to produce fuller guidelines with additional practical information to help school heads and teachers plan and conduct such activities. We aim to have these guidelines ready before the next school year.

- (b) This tragic incident has touched everyone in the community. The Education Department has taken and will continue to take every opportunity, on formal and informal occasions, to commend the two teachers who sacrificed their lives as well as those who demonstrated bravery in the hill fire. We have also erected the "Spring Breeze Pavilion" to commemorate the incident and to salute the teachers and students who helped one another selflessly in the hill fire. We hope that students will learn and benefit from their example to care for others and to face and deal with adversities in life with courage.

In addition, we are introducing a set of new Guidelines on Civic Education in schools in September 1996 which will highlight a set of core values and beliefs such as courage, mutuality, kindness, benevolence and contribution to betterment of mankind.

End

Illegal use of marked diesel oil by vehicles

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Following is a question by the Hon Mrs Miriam Lau Kin-yea and a written reply by the Secretary for the Treasury, Mr Kwong ki-chi, in the Legislative Council today (Wednesday):

Question:

Despite the transformation of local industries and the relocation of manufacturing processes to China in recent years, there has been an upsurge in the amount of imported industrial diesel oil (commonly known as "marked diesel oil") from 1.46 billion litres in 1990-91 to 3.54 billion litres in 1994-95. Moreover, there has been an increase in the number of diesel-fuelled vehicles but the amount of imported vehicle diesel oil has dropped from 760 million litres in 1990-91 to 720 million litres in 1994-95. In view of this, will the Government inform this Council:

- (a) of the reasons for the above phenomenon;
- (b) what is the situation regarding the illegal conversion of marked diesel oil to diesel oil for use by vehicles;

- (c) what is the sulphur content of marked diesel oil as compared with that of vehicle diesel oil, and to what extent the use of marked diesel oil has contributed to air pollution in the territory; and
- (d) whether the decrease in the amount of imported vehicle diesel oil is in any way related to the illegal use of marked diesel oil and the fact that container trucks and lorries have brought in diesel oil from China; whether it has assessed the amount of diesel oil imported in this manner and its impact on the quality of air in the territory; and whether it will consider adopting measures to reduce the amount of diesel oil brought in by container trucks and lorries from China?

Reply:

- (a) Industrial diesel oil (marked oil) is not imported directly into Hong Kong but is blended in Hong Kong by adding marker and colouring substances (for revenue protection reasons) to diesel oil. The amount of marked oil blended in Hong Kong rose from 1.44 billion litres in 1990-91 to 2.52 billion litres in 1994-95. The increase could be attributed to the following factors -
 - (i) there were a number of large-scale infrastructural projects which commenced during the period e.g. the Airport Core Programme projects. These resulted in an increase in the demand for marked oil; and
 - (ii) in 1992, Government granted full exemption of diesel fuel duty to franchised bus companies which have since been allowed to use marked oil for their buses. This has also increased the demand for marked oil.

Largely because of (ii) above, there has been a reduction in the amount of vehicle diesel oil used. This has not been offset sufficiently by the increase in the number of diesel-fuelled vehicles (mainly as a result of the increase in transportation business between Hong Kong and China) as drivers could fill their vehicles with vehicle diesel oil whilst in China.

- (b) The Customs & Excise Department has stepped up enforcement action to tackle the problem of illicit use of diesel oil. The amount of diesel oil thus seized (excluding seizure of smuggled vehicle diesel oil) increased from 65,000 litres in 1993-94 to 700,000 litres in 1994-95. For the first 11 months of 1995-96, the amount seized further increased to 1.2 million litres. We have earmarked funds in 1996-97 to set up two additional investigation and enforcement teams, comprising 13 officers, in the Department to further strengthen enforcement action in this area, and to tackle the smuggling of vehicle diesel oil from other places into Hong Kong.
- (c) The sulphur contents of marked oil and vehicle diesel oil are limited by law to not more than 0.5% and 0.2% respectively. In fact, the sulphur content of marked oil currently sold in Hong Kong is well below 0.5% (typically being 0.35% only), and some major oil suppliers adopt the 0.2% sulphur content standard for both types of diesel oil. As far as sulphur content is concerned, the impact of the illegal use of marked oil for vehicular purposes on air quality is not significant. This is borne out by the relatively low and stable ambient sulphur dioxide levels recorded by the Environmental Protection Department.
- (d) (i) We have explained the factors affecting the use of vehicle diesel oil in (a) above.
- (ii) We have not assessed the amount of vehicle diesel oil imported by drivers of cross-border vehicles from China. However, the types of vehicle diesel oil used in China and Hong Kong are similar in terms of sulphur content. There is no evidence to show that the use of such diesel oil from China by cross border vehicles is having a significant effect, as far as sulphur dioxide level is concerned, on the air quality of Hong Kong; and
- (iii) There is a limit to the amount of vehicle diesel oil which can be brought in from China by individual types of goods vehicles as stipulated in the Dutiable Commodities Regulations (Cap. 109 sub. leg.). The limits are set based on the cylinder capacity of the vehicles. We have no plan to lower the limits which would otherwise affect cross-border traffic operation. However, the Customs & Excise Department has stepped up its enforcement action against the smuggling of vehicle diesel oil into Hong Kong.

Public housing tenants failing to surrender flat

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Following is a question by the Hon Henry Tang and a written reply by the Secretary for Housing, Mr Dominic Wong, in the Legislative Council today (Wednesday):

Question:

With regard to the problem of public housing tenants failing to surrender their flats after they have moved out, will the Government inform this Council:

- (a) of the number of tenants who have surrendered their flats to the Housing Department (HD) for reasons of emigration, as well as the number of flats recovered by the HD upon discovering that the tenants have emigrated but failed to surrender their flats, in the past three years;
- (b) how does the HD come to know that the tenants have emigrated;
- (c) whether tenants can transfer their tenancy to their relatives; if so, what are the criteria, and how many tenants have successfully transferred their tenancy to their relatives in the past three years; and
- (d) how many tenants have sublet their flats in breach of the tenancy agreement in the past three years, and what is the punishment normally imposed by the HD on such tenants?

Answer:

Mr President,

During the three years up to 29 February 1996, 335 flats were surrendered voluntarily by tenants before emigration, and another 109 flats were recovered from tenants who had emigrated but failed to surrender them.

The Housing Department regularly inspects tenants' flats to check on occupancy. Estate staff may also learn about a tenant's emigration from checking his rent payment, use of utility services, or through complaints from neighbours.

The Housing Authority's tenancy agreement specifies that public housing tenancies are non-transferable except with the permission of the Director of Housing. The Director will consider allowing transfer of tenancy where the principal tenant:

- (a) passes away; or
- (b) emigrates from Hong Kong, leaving part of his family behind; or
- (c) rents two public rental units as a result of large family size, and surrenders one of these units after receiving subsidised home ownership assistance, leaving some household members in the remaining public rental unit.

In any of the above cases, the new principal tenant must be an authorised member in the original tenancy agreement. The tenancy will normally be transferred to:

- (i) the tenant's spouse; or
- (ii) in the absence of a spouse, to a married child; or
- (iii) if all the children in the household are unmarried, to one of them who is over 18 years of age.

During the three years up to 29 February 1996, there have been 12,822 such cases of tenancy transfer.

Subletting is strictly prohibited in the tenancy agreement. During the three years up to 29 February 1996, 136 cases of subletting were discovered, resulting in action taken to recover the flats concerned. If the flats are found to be occupied by unregistered persons, action will be taken to terminate the tenancies.

End

Handling of incidents caused by soccer fans

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Following is a question by the Hon Chim Pui-chung and a written reply by the Secretary for Security, Mr Peter Lai, in the Legislative Council today (Wednesday):

Question:

Regarding the conflict amongst spectators, players and the management staff of a soccer club at the Hong Kong Stadium on 12 January 1996, will the Government inform this Council:

- (a) how the police handle incidents of soccer fans or spectators using foul language cursing or insulting the players or management staff of soccer clubs inside a stadium; and
- (b) how the police classify a complaint about such an incident lodged by the players or management staff of a soccer club where a third party has indicated willingness to give evidence?

Reply:

Mr President,

The answer to the two parts of the question is as follows:

- (a) Police officers are deployed to the stadium during sporting and cultural events to maintain law and order and to preserve public peace. The Police will decide whether an act is likely to cause a breach of the peace in the context of each incident and having regard to prevailing circumstances. Barracking of soccer players or management staff of soccer clubs by spectators is a common phenomenon throughout the world and is tolerated as long as it will not cause a breach of the peace. The Police will take appropriate action, such as cautioning the spectators concerned, when such barracking is likely to cause a breach of the peace.
- (b) Each complaint will be investigated and classified according to the circumstances of the case, including statements made by the involved parties and independent witnesses.

End

School curriculum research projects

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Following is a question by Dr the Hon Cheung Bing-leung and a written reply by the Secretary for Education and Manpower, Mr Joseph W P Wong, in the Legislative Council today (Wednesday):

Question:

The Education Commission Report No. 4 published in 1990 recommended that two projects about school curriculum should be undertaken to examine "the feasibility of introducing a Modular Curriculum at the junior secondary level" and "the feasibility of introducing a Mastery Learning programme" respectively. The recommendations were subsequently accepted by the Government and the relevant posts required to carry out the studies were created within the Curriculum Development Institute of the Education Department (ED). In this connection, will the Government inform this Council:

- (a) of the number, rank and date of the creation of such posts;
- (b) whether researches or experimentation relating to these two projects have been carried out by the ED since the creation of such posts; if so, when were they carried out and what were the objectives, contents and findings of such researches and experimentation;
- (c) whether the ED has compiled any reports on the researches and experimentation mentioned above; if so, whether the ED has published such reports;
- (d) whether the ED has reached any conclusion with regard to the feasibility and desirability of the two projects mentioned above; if not, when a conclusion will be reached, and what criteria will be taken into account in making the decision; and
- (e) what follow-up actions will be taken on these two projects in the next two years?

Reply: .

Mr President,

Modular Curriculum is a theory about reorganising a curriculum into smaller teaching and learning units called modules, to facilitate addition, deletion, integration or relocation in the curriculum to meet the needs of students. A curriculum module is intact in itself, with clear objectives, defined contents and specified teaching strategies and methods of assessment. There are core modules for all students, extended modules for the more able and remedial modules for the less able students. With the proliferation of knowledge in subjects, optional modules can be developed to supplement the core modules instead of creating new subjects.

Mastery Learning is a theory about teaching and learning that is closely tied to a set of instructional strategies. In a Mastery Learning Programme, the concepts and materials to be learned are defined and divided into sequential learning units, each with specified learning objectives and steps. These objectives are arranged in order of increasing complexity and difficulty. A diagnostic test is administered at the end of each unit to establish whether students have mastered the content or not, and to identify the areas in which they experienced difficulty. The aim is to ensure that all students will acquire the necessary foundation knowledge at each unit before moving on to the next units.

- (a) Two units, each with one Principal Curriculum Officer and one Senior Curriculum Officer, were established in October 1992 to conduct studies on Modular Curriculum and Mastery Learning respectively.
- (b) & (c) Details on researches and experiments conducted so far are summarised below.

Modular Curriculum

The Modular Curriculum Unit has developed and tried out a number of modules in selected schools at upper primary to junior secondary levels to enhance students' study skills and assist them in their learning. All the completed projects covering subject areas like Social Studies & Library, EPA and Physical Education have been well received by teachers. These modules have been made available to interested schools for use after successful trial runs. Other ongoing projects due for completion in August 1996 cover subject areas like Language, Humanities, Mathematics, Science, and two modules for special schools. The general feedback so far is very favourable. If the experiments are successful, these modules will also be made available to interested schools.

The Modular Curriculum Unit submitted two progress reports to the Curriculum Development Council in February 1993 and March 1994 respectively. It will make a further report in April 1996.

Mastery Learning

The Mastery Learning Unit conducted a pilot study in the 1992-93 and 1993-94 school years in Primary 3 Mathematics in 27 selected schools. The findings showed that Mastery Learning has improved the students' level of achievement in Mathematics. The findings of the pilot project were published at a curriculum conference in May 1995. In parallel, Mastery Learning materials on 15 Mathematics units have been developed and are available to primary schools interested in adopting the Mastery Learning approach. The experience of these schools will support research in this area.

In 1993-94, a research on the effect of Mastery Learning in Chinese Language was conducted at secondary level in two schools with academically less able students. The findings indicating students' improvement were presented to the Curriculum Development Council in March 1995.

An opinion survey on Mastery Learning was conducted in August 1995 among teachers in 18 primary schools. The survey findings which showed overwhelming support will be presented to the Curriculum Development Council in April 1996.

- (d) & (e) A number of research projects are planned for the next two years. The Modular Curriculum Unit will establish a core and extended curriculum for S1-5 Mathematics, revise the subject syllabuses for S1-3 Integrated Science, Computer Studies and Physical Education. The Mastery Learning Unit will develop more learning materials and conduct further studies on subject areas like Chinese and Science at junior secondary level. The Education Department expects to arrive at a conclusion on the feasibility and desirability of these two curriculum innovations upon the completion of the above work.

End

Semi-private room pilot scheme in public hospitals

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

Question:

As the operation of private hospitals has been affected to a certain extent since the implementation of the semi-private rooms pilot scheme in some public hospitals, will the Government inform this Council:

- (a) what is the response to the pilot scheme since its implementation, and whether the Government will further extend the scheme to all public hospitals; and
- (b) whether it has assessed the impact of the scheme on private hospitals; if so, what are the findings; if not, whether it will conduct such an assessment?

Reply:

The semi-private bed pilot scheme currently operates a total of 65 beds in Ruttonjee, Tsan Yuk, Grantham and Pok Oi hospitals. The occupancy rate for the past twelve months has averaged about 70% and patient satisfaction has been high.

We will be conducting a comprehensive review of the pilot scheme towards the end of this year to determine what role semi-private beds have in the public hospital system. The review will include an assessment of the appropriate level of fees, the number of beds to be introduced and the location/type of hospitals where any future beds should be provided. It will also assess the impact of semi-private beds on private hospitals.

End

Sino-HK co-operation in law enforcement

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Following is a question by the Hon Ambrose Lau and written reply by the Secretary for Security, Mr Peter Lai, in the Legislative Council today (Wednesday):

Question:

With regard to the increasing co-operation between law enforcement officers in Hong Kong and their counterparts in China in combating cross-border crimes, will the Government inform this Council:

- (a) of the number of visits by local law enforcement officers to China to testify in court and their respective ranks in the past three years;
- (b) of the number of visits by Chinese law enforcement officers to the territory to testify in court and their respective ranks in the past three years; and
- (c) whether, given the different legal systems in force in China and Hong Kong, the two governments have jointly organised exchange visits or short-term training courses so as to enable the law enforcement officers of the two places to understand the structure and operation of each other's legal system; if so, what are the details (including such information as the rank of the participants and the number of activities held etc.); if not, whether consideration will be given to organising these activities with the Chinese Government on a joint basis?

Reply:

Mr President,

In general, we maintain close co-operation with the Chinese authorities in the fight against cross-border crimes. Under the Border Liaison Channel, our police, immigration and customs officers have almost daily contacts with their counterparts to exchange information on cross-border issues like illegal immigration and smuggling. In addition, the Royal Hong Kong Police maintains close liaison with the PRC Ministry of Public Security through the Interpol channel on cross border criminal matters. Two Chinese Liaison Officers have stationed in Hong Kong since February 1993. They act as a supplement to the Interpol liaison system and have been particularly helpful in police liaison with Chinese provinces other than Guangdong. The ICAC also maintains close co-operation with the Guangdong Provincial People's Procuratorate on anti-corruption matters.

The specific answer to the three parts of the question is as follows:

- (a) So far, no Hong Kong law enforcement officer has visited China to give evidence in PRC courts, since no such request was made by the Chinese authorities.
- (b) Similarly, no Chinese law enforcement officer has visited Hong Kong to testify in our courts, since (we understand) it is not the Chinese practice to allow PSB officers to testify in courts outside China.
- (c) There are a large number of exchange visits, liaison and review meetings, and training courses/seminars organised by both sides to enable the law enforcement officers of the two places to understand the structure and operation of each other's system. Participants in these activities include officers at all levels ranging from heads of department to rank and file officers. Statistics of such activities, excluding routine daily contacts through the Border Liaison Channel, for the Police, Customs & Excise Department, Immigration Department and Independent Commission Against Corruption in the past three years are set out below:

<u>Activities</u>	<u>No of Occasions</u>		
	<u>1993</u>	<u>1994</u>	<u>1995</u>
(i) Visits by Chinese law enforcement officers to Hong Kong including liaison and review meetings in Hong Kong	96	110	163
(ii) Visits by Hong Kong law enforcement officers to China including liaison and review meetings in China	95	110	117
(iii) Training courses/seminars in China	11	6	6
(iv) Training courses/seminars in Hong Kong	115	76	127

End

Modification of HYF services frequency

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

Question:

When this Council considered the application for fare increase of the Hongkong and Yaumati Ferry Company, Limited (HYF) in January this year, HYF indicated that if the application was not approved, HYF would reduce the frequency of some of its ferry routes. The application was eventually approved by this Council. However, it has been reported recently that HYF is planning to reduce by half the frequency of its three inner harbour ferry routes. In this connection, will the Government inform this Council:

- (a) whether it is aware of HYF's plan to reduce the frequency of these routes when submitting HYF's application for fare increase to this Council for consideration;
- (b) whether HYF's move to reduce the frequency of these routes constitutes a breach of the agreement reached with the Government when HYF was granted the franchise;
- (c) whether it will consult this Council when considering if HYF's application for a reduction in the frequency of these routes should be approved; if not, why not; and whether it will take appropriate measures to safeguard the interests of the public in the event of a reduction of the frequency of these routes; and
- (d) how it will ensure that similar situations will not recur in the future?

Reply:

Mr President,

- (a) As part of the company's ongoing programme to adjust services in response to changes in passenger demand and to optimise the use of resources, Hongkong & Yaumati Ferry Company Limited (HYF) submitted the following proposals to the Administration in October 1995:

- (i) to modify the frequency of the Jordan Road - Central ferry service from 10-15 minutes to 15-20 minutes;
- (ii) to adjust the operational hours of the North Point - Kowloon City, North Point - Hung Hom and Wan Chai - Hung Hom services from between 6 am and 10 pm to between 7 am and 8 pm.

The Administration was aware of these proposals at the time when HYF's fare increase application was being considered. Following consultation with the relevant District Boards, the proposal at (i) was implemented on 1 March 1996, while a decision on the proposal at (ii) has yet to be taken.

- (b) HYF is required to provide services in accordance with the schedules of services authorised by the Commissioner for Transport. Under the Ferry Services Ordinance HYF may seek to amend the frequency of its ferry services. The authority for any adjustment rests with the Commissioner for Transport.
- (c) & The Legislative Council is not consulted on operational matters
- (d) such as changes in ferry services timetables.

In assessing any service adjustment proposal from ferry franchisees, the Commissioner for Transport will take into account passenger demand and consult the District Boards concerned before taking a decision.

End

Waste management in environment protection

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

Question:

Will the Government inform this Council:

- (a) whether, in the interest of protecting the environment, it is Government's policy to ask the public to separate waste by different types prior to its collection; and
- (b) whether any measures have been put in place to facilitate the public to obtain information from the relevant Government Department regarding the disposal of certain poisonous substances and chemicals kept at home?

Reply:

Mr President,

- (a) It is Government policy to encourage the public to separate recyclable materials from non-recyclable waste. The Government's overall objective of waste management is to reduce waste at source, to promote reuse and recycling and to ensure that what remains is disposed of in an environmentally cost-effective manner; separation of waste will facilitate this objective. To this end, the Environmental Protection Department has introduced a hotline service (Tel No. 2755 2750) to advise the public on the setting up of waste collection schemes to recover recyclable materials such as waste paper and aluminium cans. A pamphlet containing details on how to organise a waste paper separation and collection scheme in residential buildings and office premises has also been printed for distribution to the public.

To further promote waste reduction, a consultancy study commissioned by the Environmental Protection Department has recently recommended a number of waste reduction initiatives, including separate collection schemes for recycleable materials. We will consult interested parties on these recommendations next month to enable us to formulate a waste reduction plan for Hong Kong for further consultation with the public later in the year.

- (b) Most poisonous substances and chemicals kept at home are used for household cleaning, insect and rodent control or used in consumable products such as paints and batteries. Empty containers of these chemicals and used batteries usually contain only a small quantity of residue and can be disposed of together with other household waste. In the rare circumstances where the public needs assistance for the disposal of a larger quantity of surplus or expired products containing poisonous substances or chemicals, they can contact the Environmental Protection Department for advice through its telephone enquiry service (Tel No. 2755 5462).

End

Fishing industry's contribution important to HK's economy

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Following is a question by Dr the Hon Law Cheung-kwok and a reply by the acting Secretary for Economic Services, Mr Leo Kwan, in the Legislative Council today (Wednesday):

Question:

Will the Government inform this Council:

- (a) of the contribution of the fishing industry to the territory's economy as a whole;
- (b) of the general development of the local fishing industry in recent years;
- (c) of its policy on the provision of subsidies to the industry; and
- (d) whether it has looked into the reasons why there is an absence of enterprise operating commercial fishing fleet on a large scale in the territory?

Reply:

- (a) The fishing industry makes an important contribution to Hong Kong's economy in maintaining a steady supply of fresh marine fish to local consumers. In 1995, it produced an estimated 195,000 tonnes of fisheries produce valued at \$2,150 million. Of this, about 123,000 tonnes were landed in Hong Kong, satisfying about 70% of local consumption of marine fish. A portion of the premium fish and processed products derived from the industry's catch are exported, earning some \$1,200 million in 1995. The industry employs some 15,000 local workers and contributes to providing employment in ancillary sectors servicing the fishing industry, such as fish wholesale and retail marketing, fishing vessel construction and repair, fuel and fishing gear supply, ice manufacturing, cold storage and other victualling services.

- (b) In recent years, Hong Kong's fishing fleet has become more modern, with the addition of vessels of improved design equipped with more powerful engines and more modern navigational aids, fish finding devices and mechanical gear. This has enabled local fishermen to extend their operations further afield in the region. Hong Kong's total capture fisheries production has been maintained at about 200,000 tonnes a year over the past five years. Some 90% of the catch is captured outside Hong Kong.

- (c) The Government's policy towards the fishing industry is to promote the development of the industry and the sustainable use of fisheries resources, with a view to maintaining a steady supply of fresh marine fish for local consumers. This policy is implemented through the provision of technical assistance and support services, such as fishing vessel design; loans and vocational training for fishermen to improve productivity and wholesale fish markets. The industry does not receive subsidies. As further contributions to the long term sustainable development of the fishing industry, the Government has commissioned a consultancy study on fisheries resources, is establishing marine parks and reserves and will soon begin deployment of artificial reefs. The Government also participates in regional forums and liaises with neighbouring countries with a view to promoting effective management of fisheries resources and control of destructive fishing practices.

- (d) Being affected by the weather and the uncertainty of consistently good catches, fishing is generally perceived to be a business with an unsteady income and therefore a relatively less attractive home for the capital of major investors than many of the other business opportunities available in Hong Kong. Individual Hong Kong fishermen have nonetheless become better entrepreneurs. Many have moved from operating small inshore vessels to large and sophisticated trawlers fishing in distant waters and operate their vessels in groups to achieve more productive returns.

End

Personal data law implementation

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

Question:

Since the Personal Data (Privacy) Ordinance will come into effect shortly, will the Government inform this Council:

- (a) how the Ordinance will be implemented by government departments;
- (b) what measures it will adopt before the Ordinance comes into effect to assist private and public organisations in observing the Ordinance; and
- (c) whether the existing land search procedure in the Land Registry will contravene the Ordinance; if so, what measures the relevant authorities will take to address this problem?

Reply:

Mr President:

- (a) Since 1988, data users in both the public and private sectors have been invited to comply with the Government issued Data Protection Principles and Guidelines. The Personal Data (Privacy) Ordinance (the Ordinance) is based on these data protection principles. Hence, Government departments should already be familiar with the basic requirements in this area. Following enactment of the Ordinance last year, all Policy Secretaries and Heads of Departments were asked to prepare for compliance with its provisions. Home Affairs Branch has been assisting departments and branches to do this through the provision of direct advice, briefings, a government-wide seminar for officers directly involved in the work concerned and the distribution of guidance materials details are given in part (b) below.

- (b) Home Affairs Branch is actively promoting awareness and understanding of the Ordinance among data users, in both the private and public sectors. In October 1995 a leaflet was produced introducing the key provisions of the Ordinance to data users. To date, some 60,000 copies of this leaflet have been distributed. A poster campaign promoting compliance with the data protection principles of the Ordinance was launched on 17 February 1996 and some 60,000 copies of the posters have been distributed up to the present time. A detailed guide for data users on the requirements of the Ordinance with respect to data subject access and correction has also recently been produced. Distribution of the guide began on 20 March 1996. Other such material will be produced as necessary to assist data users to comply with the Ordinance. Home Affairs Branch is also giving guidance on compliance with the Ordinance in response to specific enquiries from data users.
- (c) Principle 3 in Schedule 1 of the Ordinance requires that, unless the data subject has consented otherwise, personal data shall only be used for the purpose for which the data was collected or a directly related purpose. Clearly, one of the purposes for collecting the personal data in the Land Registry, like any other public register, is in order that members of the public may search through the data. Hence, having a land search procedure is not in itself a contravention of the Ordinance.

End

Dog keeping rules in public housing estates

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Following is a question by the Hon Li Wah-ming and a written reply by the Secretary for Housing, Mr Dominic Wong, in the Legislative Council today (Wednesday):

Question:

With regard to a recent unfortunate incident in which an infant girl was bitten to death by a dog in a public housing estate, will the Government inform this Council:

- (a) of the estimated number of public housing estate tenants who are in breach of the rule stipulated in the tenancy agreement forbidding the keeping of dogs;

- (b) of the number of public housing estate tenants who were issued warnings by the Housing Department or who had their tenancy agreements terminated in the past two years owing to a breach of the rule;
- (c) whether there are staff in the public housing estate offices of the Housing Department who are specifically assigned to enforce the rule; and
- (d) whether, in addition to the termination of the tenancy agreement of the offending tenants, the Housing Department will take other measures to strictly enforce the rule; if not, why not?

Answer:

Mr President,

As at February 1996, the Housing Department was handling about 200 households keeping dogs and took enforcement action in every case. Between April 1994 and February 1996, the Department issued warnings to about 2,630 households for breaking the rule. In two of these cases, the tenancies were terminated. Other tenants disposed of their dogs on the advice of the Department.

Enforcement action is taken by housing estate staff as part of their normal duties.

The Housing Department is tightening up enforcement action. With effect from April 1996, only one written warning will be served on an offending tenant requiring him to dispose of the dog within 14 days, failing which his tenancy will be terminated.

End

Prosecution for breach of "no-smoking" law

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Following is a question by Dr the Hon John Tse Wing-ling and a written reply by the Secretary for Health and Welfare, Mrs Katherine Fok, in the Legislative Council today (Wednesday):

Question:

According to existing legislation, public places such as public light buses, cinemas and lifts are designated as no-smoking areas. In this regard, will the Government inform this Council:

- (a) of the number of people who were charged with smoking in no-smoking areas, as well as the number of those who were prosecuted, in each of the past three years;
- (b) of the highest, lowest and average penalties imposed by the court for smoking in no-smoking areas in the past three years;
- (c) whether the Government will consider stepping up prosecution as well as imposing heavier penalties; and
- (d) what long-term measures does the Government have to protect the rights of non-smokers, in particular against the effect of passive smoking in offices?

Reply:

The primary responsibility for enforcement in designated no-smoking areas rests with the managers of these areas. The Administration prosecutes cases which are referred to it by managers. It would not be an effective use of public resources for Government staff to be responsible for front-line enforcement as well.

According to the information available to us, the number of people prosecuted for smoking in no smoking areas in 1993, 1994 and 1995 were 115, 2648 and 1809 respectively. The number of convictions were 49, 1832 and 1337 respectively. The minimum fines for the three years were \$50, \$10 and \$50 respectively, whereas the maximum fines were \$400, \$1,200 and \$1,000 respectively. On average, the fine imposed were in the region of \$400, \$430 and \$700 respectively. These figures do not include cases which occurred in land transport carriers other than MTR and KCR, as statistics regarding those other transport carriers, such as mini-buses, taxis, etc are not available.

The Smoking (Public Health) Ordinance prescribes a maximum fine of \$5,000 for smoking in a designated no-smoking area. This level is still considered appropriate.

The Administration has been progressively increasing the number of no-smoking areas. These now include all forms of public transport, cinemas, theatres, concert halls and places of public entertainment. Restaurants are not required to set aside a no-smoking area, but must display a sign informing customers whether or not such an area exists.

Where the wholesale designation of premises as statutory no-smoking areas is considered not practicable for the time being, the managers of such premises are encouraged to set aside such areas administratively (ie without statutory power to enforce). The Smoking (Public Health) (Amendment) Bill 1996, which will be introduced into the Legislative Council shortly, will expand on this by giving the managers of restaurants, banks and retail premises the power to designate and enforce their own statutory no-smoking areas. The designation of such areas will therefore depend on managers being persuaded to do so by their patrons. Managers who designate no-smoking areas in this way are then more likely to diligently enforce smoking prohibitions than if controls had been unwillingly imposed on them.

As regards passive smoking, Government and a number of other Hong Kong employers last year signed the Smoke-free Workplace Charter drawn up by the Hong Kong Council on Smoking and Health. Starting from 1 April 1996, all Government workplaces, including both office and non-office environments, will become smoke-free. We hope that this will set an example for other employers to follow.

End

Implementation of good drugs manufacturing practice

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Following is a question by the Hon Emily Lau and a written reply by the Secretary for Health and Welfare, Mrs Katherine Fok, in the Legislative Council today (Wednesday):

Question:

In line with what is done in the World Health Organisation and the neighbouring countries, the Pharmacy and Poisons Board now requires local drugs manufacturers to implement by stages the Good Manufacturing Practice (GMP). In this connection, will the Government inform this Council:

- (a) how it will monitor the implementation of the GMP by local drugs manufacturers;
- (b) of the present standards adopted by the relevant government departments in the manufacture of drugs, and whether the Department of Health and the Hospital Authority have any plan to adopt the GMP; and
- (c) whether the Central Pharmaceuticals Manufactory, which will be completed shortly in Chai Wan, will be equipped with the necessary facilities and apparatus for implementing the GMP; and what other measures have been taken by the Government to complement the implementation of the GMP?

Reply:

- (a) Implementation of GMP by local drug manufacturers will be monitored by the Forensic Pharmacy Division of the Department of Health. "Hong Kong Good Manufacturing Practices Guidelines for Pharmaceutical Products 1995" and an "Implementation Programme of Good Manufacturing Practices in Hong Kong" were issued to all local pharmaceutical manufacturers in December 1995, providing details of the stages of implementation of GMP as stipulated by the Pharmacy & Poisons Board. Briefing sessions have been organised for the industry and the implementation of GMP has been imposed as one of the conditions for renewal of licence. Authorised pharmacist inspectors will make regular inspections of manufacturers to ensure that the requirements are complied with.
- (b) The manufacture of pharmaceutical products by the Department of Health conforms with the requirements, including GMP, stipulated by the Pharmacy & Poisons Board. The pharmacies of HA hospitals are mainly involved in compounding and mixing of pharmaceuticals, and sterile preparations are mostly purchased in bulk. Requirements as stipulated in the Pharmacy and Poisons Regulations and the standards in the British Pharmacopoeia are strictly adhered to.
- (c) The Central Pharmaceutical Manufactory in Chai Wan has been designed and is being constructed and equipped with the necessary facilities for implementing GMP. To facilitate such implementation, training, including overseas attachments, has been provided to staff on the principles and practice of GMP.

End

Complaints on overloading of passenger ferries

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

Question:

Will the Government inform this Council:

- (a) of the number of complaints received by the Government about overloading of passenger ferries plying between China and Hong Kong over the past three years;
- (b) whether there have been any passenger ferry companies prosecuted by the Government arising from such complaints; if so, will the Government provide a list showing the dates of such prosecutions, the names of the companies prosecuted and the penalties imposed; if not, why not; and
- (c) what measures will the Government adopt to prevent the overloading of passenger ferries plying between China and Hong Kong?

Reply:

Mr President,

- (a) We have received four complaints since January 1993.
- (b) Following a complaint received on 20 July 1993, the offending master of a ferry operated by China Merchant Development Co. Ltd. was prosecuted for carrying six passengers in excess of its permitted capacity of 100. He was fined \$4000.

Following another complaint received on 4 February 1996, the master of a ferry operated by Chu Kong Shipping Co. Ltd. has been charged for carrying 21 passengers in excess of its permitted capacity of 354. Court proceedings are continuing.

Both these complaints were lodged by passengers on board by mobile telephone while the ferries were on their way to Hong Kong. As regards the two other complaints lodged, there was insufficient evidence to pursue them.

- (c) The Marine Department conduct surprise checks on a random basis on ferries departing for and arriving from China. For example, in February 1996, staff of the Department carried out 18 surprise checks but found no case of overloading. Such spot checks will continue.

The Director of Marine has also issued a letter on 14 February 1996 to all shipping companies operating ferry services between Hong Kong and China asking them to remind their masters that it is an offence to exceed the certified capacity of the vessel.

End

Prohibition of pornographic data on Internet

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Following is a question by the Hon Cheung Hon-chung and a written reply by the Secretary for Recreation and Culture, Mr T H Chau, in the Legislative Council today (Wednesday):

Question:

It was reported that on 1 February this year, the United States Congress passed an amendment to the Telecommunication Act prohibiting the communication of pornographic and objectionable information through the Internet. The amendment prescribes that offenders are liable to a fine of US\$250,000 and imprisonment for two years. In this connection, will the Government inform this Council whether:

- (a) there is any plan to amend or introduce legislation to prohibit the communication of pornographic and objectionable information through the Internet in the territory and to impose penalty on offenders; if so, what are the details; if not, why not; and
- (b) a mechanism will be established to monitor computer networks in the territory in order to trace the sources of pornographic and objectionable information; if so, what are the details; if not, why not?

Reply:

Mr President,

The Government is studying the feasibility of possible measures which may be taken to regulate obscene and indecent materials on the Internet. It has not yet reached any conclusions, including whether or not monitoring should be introduced.

End

Policy on interactive multimedia services

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Following is a question by the Hon Miriam Lau and a written reply by the Replied by the Secretary for Recreation and Culture, Mr T H Chau, in the Legislative Council today (Wednesday):

Question:

It was learnt that Hongkong Telecom revealed early last year that it was planning to launch video-on-demand services in July this year (this has now been postponed to mid-1997). However, it was not until February this year that the Government released the consultation paper on video-on-demand programmes as well as other multimedia services, which included a proposal on how to regulate such services. In this connection, will the Government inform this Council:

- (a) why the proposed regulatory measures were made known to investors at such a late stage, and whether the delay was due to the Government's lack of a comprehensive policy on interactive multimedia services; and
- (b) whether it will, in the long run, draw a distinction between television programmes and other on-line screen-based multimedia services, so that a fair and comprehensive package of regulatory measures can be formulated for various multimedia services?

Reply:

- (a) Although Hong Kong Telecom announced plans for a range of interactive multimedia services early last year, it did not complete trials until September. It would not have been sensible to develop a comprehensive policy on interactive multimedia services before examining the results of the trials, given that such services were not widely available elsewhere. It became clear from the trials that some multimedia services, notably video on demand, cross the traditional boundary between broadcasting and telecommunications and we therefore needed to consider the policy and practical implications of different regulatory approaches before publishing proposals for comment.
- (b) As indicated in our consultation paper on 'Regulation of Video on Demand', we do intend to draw a distinction between those services which comprise television-type programmes, which will be regulated under the Television Ordinance under a new category of VOD programme service licence, and all other services, which would be treated as forms of electronic publishing, subject only to relevant Hong Kong laws, such as those dealing with libel and obscene and indecent material. We do not propose to formulate any specific regulatory measures for interactive multimedia services which do not comprise television-type programming. We plan to introduce legislation to regulate VOD programme services towards the end of the current legislative session, or early in the next.

End