



# DAILY INFORMATION BULLETIN

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WEDNESDAY, FEBRUARY 6, 1985

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SIR PHILIP STRESSES UK PLEDGE ON BN(O) PASSPORTS  
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THE BRITISH GOVERNMENT HAD UNDERTAKEN PUBLICLY AND REPEATEDLY THAT IT WOULD MAKE EVERY EFFORT TO EXPLAIN THE ARRANGEMENTS REGARDING THE ISSUE AND USE OF BRITISH NATIONAL (OVERSEAS) PASSPORTS TO THIRD COUNTRIES, THE CHIEF SECRETARY, SIR PHILIP HADDON-CAVE, SAID TODAY.

ROUNDING UP THE ADJOURNMENT DEBATE ON THE PROPOSED TITLE OF BRITISH NATIONAL (OVERSEAS), SIR PHILIP SAID HE HAD SENSED A GENERAL ACCEPTANCE BY MEMBERS OF THE LEGISLATIVE COUNCIL OF THE BN(O) TITLE, BUT NOTED THAT THIS SUPPORT AND ACCEPTANCE WAS NOT WHOLLY UNQUALIFIED.

HE THEN REPLIED TO VARIOUS POINTS OF CONCERN EXPRESSED BY UNOFFICIALS IN THE DEBATE AND STRESSED THAT THE NATIONALITY PROVISIONS INCLUDED IN THE HONG KONG BILL WERE IN THE FORM OF ENABLING PROVISIONS.

HE ASSURED MEMBERS THAT THE DRAFT ORDER-IN-COUNCIL WOULD BE PUBLICISED IN HONG KONG ONCE IT WAS INTRODUCED INTO PARLIAMENT, SO THAT THE PEOPLE OF HONG KONG COULD SEE THE DETAILED ARRANGEMENT THAT WOULD BE MADE AND GIVE THEIR VIEWS ON THEM IF THEY WISHED.

THE FOLLOWING IS THE TEXT OF SIR PHILIP'S SPEECH:

+I HAVE LISTENED WITH GREAT CARE AND INTEREST TO THIS DEBATE. I NOTE MR ANDREW SO'S EXPRESSION OF SUPPORT FOR THE BROAD PRINCIPLES OF THE NATIONALITY PROVISIONS IN THE HONG KONG BILL WHICH IS UNDER CONSIDERATION IN THE BRITISH PARLIAMENT. I UNDERSTAND THAT THIS REFLECTS THE GENERAL SUPPORT FROM UNOFFICIAL MEMBERS OF THE EXECUTIVE AND LEGISLATIVE COUNCILS.

+I ALSO SENSE A GENERAL ACCEPTANCE BY MEMBERS OF THIS COUNCIL OF THE TITLE 'BRITISH NATIONAL (OVERSEAS)' PROPOSED FOR THE NEW STATUS WHICH IS TO BE ACQUIRED BY BRITISH DEPENDENT TERRITORIES CITIZENS CONNECTED WITH HONG KONG AND THEN RETAINED BY THEM AFTER 1997, IN ACCORDANCE WITH THE UNITED KINGDOM MEMORANDUM ASSOCIATED WITH THE SINO-BRITISH JOINT DECLARATION.

+BUT I NOTE THAT THIS SUPPORT AND ACCEPTANCE IS NOT WHOLLY UNQUALIFIED. A CENTRAL THEME WHICH HAS EMERGED FROM THIS DEBATE IS THAT EVERYTHING POSSIBLE SHOULD BE DONE TO ENSURE THAT THE FUTURE BRITISH NATIONAL (OVERSEAS) PASSPORTS ARE ACCEPTED BY THE IMMIGRATION AUTHORITIES OF THIRD COUNTRIES, TO AN EXTENT WHICH WOULD PROVIDE THEIR HOLDERS WITH AT LEAST THE SAME DEGREE OF FREEDOM OF ENTRY AS THEY ENJOY AT PRESENT. IN THIS CONNECTION, MRS SELINA CHOW HAS EMPHASISED THE NEED FOR IT TO BE MADE ABSOLUTELY CLEAR IN BN(O) PASSPORTS THAT THEIR HOLDERS HAVE THE RIGHT OF ABODE IN HONG KONG.

/+I FULLY .....

+I FULLY APPRECIATE THE IMPORTANCE WHICH THE PEOPLE OF HONG KONG ATTACH TO THE FREEDOM OF TRAVEL, AND I KNOW THAT IT IS AN ESSENTIAL INGREDIENT FOR HONG KONG'S ECONOMIC PROSPERITY. I ALSO UNDERSTAND THAT, FOR ANY TRAVEL DOCUMENT TO BE ACCEPTABLE IN THIRD COUNTRIES, IT MUST STATE CLEARLY WHERE THE HOLDER HAS THE RIGHT OF ABODE, SO THAT HE CAN BE RETURNED THERE IF NECESSARY. NORMALLY THIS WOULD HAVE BEEN A VERY STRAIGHTFORWARD AFFAIR. BUT THE FUTURE BN(O) PASSPORT WILL BE A UNIQUE DOCUMENT. ON THE ONE HAND, IT WILL BE A BRITISH PASSPORT ISSUED BY THE BRITISH GOVERNMENT. ON THE OTHER HAND, BECAUSE HONG KONG WILL CEASE TO BE A BRITISH DEPENDENT TERRITORY AS FROM 1 JULY 1997, IT WILL NOT BE FOR THE BRITISH GOVERNMENT TO STATE WHO HAS THE RIGHT OF ABODE IN HONG KONG AFTER THAT DATE.

+BUT A SOLUTION (OR, AT LEAST, THE FRAMEWORK FOR A SOLUTION) ALREADY EXISTS IN SECTION XIV OF ANNEX I TO THE SINO-BRITISH JOINT DECLARATION. THIS CLEARLY STIPULATES (AND I QUOTE) -

'HOLDERS OF PERMANENT IDENTITY CARDS OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION MAY HAVE THIS FACT STATED IN THEIR TRAVEL DOCUMENTS AS EVIDENCE THAT THE HOLDERS HAVE THE RIGHT OF ABODE IN THE HONG KONG SPECIAL ADMINISTRATIVE REGION.'

THE BRITISH GOVERNMENT WILL BE DISCUSSING WITH THE CHINESE AUTHORITIES THE WORDING OF THE STATEMENT TO BE INCLUDED IN BRITISH NATIONAL (OVERSEAS) PASSPORTS. IN DOING SO, THE BRITISH GOVERNMENT'S AIM WILL BE TO ENSURE THAT AN INDIVIDUAL NEED MAKE USE ONLY OF HIS PASSPORT, WITHOUT HAVING TO PRODUCE HIS IDENTITY CARD AT THE SAME TIME, TO SATISFY IMMIGRATION OFFICIALS OF THIRD COUNTRIES THAT HE HAS THE RIGHT OF ABODE IN HONG KONG.

+AT THE SAME TIME, THE BRITISH GOVERNMENT HAVE UNDERTAKEN PUBLICLY AND REPEATEDLY THAT THEY WILL MAKE EVERY EFFORT TO EXPLAIN THE ARRANGEMENTS REGARDING THE ISSUE AND USE OF BN(O) PASSPORTS TO THIRD COUNTRIES. THIS WILL BE DONE AFTER THE ORDER-IN-COUNCIL ON NATIONALITY, WHICH IS FORESHADOWED IN THE HONG KONG BILL, HAS BEEN MADE AND BEFORE THE FIRST BN(O) PASSPORT IS ISSUED. AND THE AIM WILL BE TO ENSURE THAT FUTURE BN(O) PASSPORTS ARE TAKEN TO BE THE EQUIVALENT OF EXISTING BDTC PASSPORTS FOR THE PURPOSES OF VISA ABOLITION ARRANGEMENTS. GIVEN THAT THERE WILL BE A CLEAR INDICATION AS REGARDS RIGHT OF ABODE, THERE OUGHT TO BE NO REASON FOR THIRD COUNTRIES TO TREAT BN(O) PASSPORT HOLDERS DIFFERENTLY FROM EXISTING BDTC PASSPORT HOLDERS (WHO ARE, OF COURSE, THE SAME PEOPLE).

/+MRS CHOW .....

+MRS CHOW HAS COMMENTED ON THE TIMING OF THE INTRODUCTION OF THE BN(O) PASSPORT. NO DECISION HAS YET BEEN TAKEN ON THIS. THE ONLY REQUIREMENT IS THAT, UNDER THE TERMS OF THE UK MEMORANDUM ASSOCIATED WITH THE SINO-BRITISH JOINT DECLARATION, BN(O) PASSPORTS MUST BE ISSUED BY 30 JUNE 1997 EXCEPT FOR PRACTICAL REASONS, IN RESPECT OF CHILDREN BORN IN THE FIRST HALF OF 1997. BUT, SO LONG AS THE BN(O) PASSPORT IS UNDERSTOOD AND ACCEPTED IN THIRD COUNTRIES -- AND I HAVE REFERRED TO THE BRITISH GOVERNMENT'S COMMITMENT TO MAKE EVERY EFFORT TO SECURE THIS -- THERE WOULD SEEM TO BE ADVANTAGE IN INTRODUCING IT EARLIER RATHER THAN LATER TO THOSE WHO WISH TO USE IT. AT THE SAME TIME, GIVEN THAT BDTC STATUS WILL BE RETAINED UP TO 30 JUNE 1997, IT WILL OBVIOUSLY BE POSSIBLE FOR THOSE WHO WISH TO CONTINUE TO TRAVEL ON BDTC PASSPORTS UNTIL THAT DATE TO DO SO. DETAILED ARRANGEMENTS HAVE, HOWEVER, YET TO BE WORKED OUT.

+MRS CHOW HAS ALSO COMMENTED, AND SO TOO HAS MR CHEUNG YAN-LUNG, ON THE SYSTEM OF ENTRY CERTIFICATES FOR THE UNITED KINGDOM. I MUST EMPHASISE THAT ENTRY CERTIFICATES ARE NOT VISAS FOR THE SIMPLE REASON THAT A HOLDER OF A BRITISH DEPENDENT TERRITORIES CITIZEN PASSPORT DOES NOT REQUIRE SUCH AN AUTHORITY TO ENTER THE UNITED KINGDOM, EVEN THOUGH HE IS SUBJECT IMMIGRATION CONTROL. ENTRY CERTIFICATES FOR SINGLE OR MULTIPLE ENTRY ARE DESIGNED SOLELY TO FACILITATE IMMIGRATION CLEARANCE AT UNITED KINGDOM PORTS OF ENTRY, AND BDTC PASSPORT HOLDERS WHO CHOOSE NOT TO OBTAIN SUCH ENTRY CERTIFICATES ARE NOT THEREBY DEBARRED FROM ENTRY. IN OTHER WORDS, THEIR USE IS ENTIRELY OPTIONAL. AND THERE IS NO QUESTION OF BDTC PASSPORT-HOLDERS TRAVELLING TO THE UK BEING REQUIRED TO APPLY FOR THEM.

+WHILE STILL ON PASSPORTS AND ASSOCIATED ISSUES, PERHAPS I COULD COMMENT ON SEVERAL POINTS OF DETAIL WHICH MR CHEUNG HAS RAISED.

+THE FIRST CONCERNS THE VALIDITY OF BN(O) PASSPORTS. BRITISH PASSPORTS OF ALL KINDS ARE NORMALLY ISSUED WITH A VALIDITY OF TEN YEARS. I WOULD EXPECT THE SAME TO APPLY TO FUTURE BN(O) PASSPORTS.

+THE SECOND POINT OF DETAIL CONCERNS WHETHER THE RULES REGARDING REGISTRATION OVERSEAS OF BRITISH NATIONALS APPLY ALSO TO BN(O)S. I BELIEVE MR CHEUNG WAS REFERRING TO THE ADVISORY NOTE WHICH APPEARS ON THE INSIDE BACK COVER OF ALL BRITISH PASSPORTS WHICH READS (AND I QUOTE):

'BRITISH NATIONALS RESIDENT OVERSEAS WHO ARE ENTITLED TO THE PROTECTION OF THE UNITED KINGDOM AUTHORITIES SHOULD CONTACT THE NEAREST BRITISH HIGH COMMISSION, EMBASSY OR CONSULATE TO ENQUIRE ABOUT ANY ARRANGEMENTS FOR REGISTRATION OF THEIR NAMES AND ADDRESSES. FAILURE TO DO SO MAY IN AN EMERGENCY RESULT IN DIFFICULTY OR DELAY IN ACCORDING THEM ASSISTANCE AND PROTECTION.'

THIS ADVICE WILL APPLY TO BN(O)S WHEN THEY ARE IN THIRD COUNTRIES AND, EXCEPT FOR THOSE WHO ARE CHINESE NATIONALS, ALSO IN THE FUTURE HONG KONG SAR.

+FINALLY, MR CHEUNG ASKED WHETHER NOTE 7 IN CURRENT BDTCS PASSPORTS WILL APPLY TO BN(O) PASSPORT HOLDERS. THE NOTE IN QUESTION, WHICH MR CHEUNG HAS QUOTED, STATES THE BRITISH GOVERNMENT'S POSITION IN DEALING WITH BRITISH NATIONALS WHO ARE ALSO NATIONALS OF ANOTHER COUNTRY. THIS POSITION, WHICH IS CONSISTENT WITH ACCEPTED INTERNATIONAL PRACTICE, APPLIES TO ALL BRITISH NATIONALS, INCLUDING THOSE WHO BECOME BN(O)'S IN FUTURE. AS REGARDS THE OBLIGATIONS WHICH AN INDIVIDUAL OWES TO HIS COUNTRY, THIS IS A MATTER FOR EACH COUNTRY TO DECIDE AND STIPULATE. SUCH OBLIGATIONS WOULD NORMALLY INCLUDE RESPECT FOR THE COUNTRY'S CONSTITUTION OR ADHERENCE TO ITS LAWS, PAYMENT OF ITS TAXES, AND SO FORTH.

+I COME NOW TO THE POSITION OF THOSE WHOM MR CHEUNG AND MR CARL TONG HAVE DESCRIBED AS THE ETHNIC MINORITIES IN HONG KONG. I FULLY ENDORSE MR TONG'S OBSERVATION THAT HONG KONG HAS BEEN WELL SERVED BY ITS MINORITIES AND, IN SO MANY WAYS, HONG KONG'S SUCCESS HAS DERIVED FROM ITS COSMOPOLITAN DIMENSION.

+OF COURSE, MANY OF THOSE WHO ARE LIVING AND WORKING IN HONG KONG AND WHO ARE NOT CHINESE BY RACE ALREADY HAVE THE NATIONALITY OF THEIR COUNTRY OF ORIGIN AND, IN ANY CASE, THE POSITION OF THOSE WHO DO NOT HAVE BRITISH NATIONALITY IS NOT FOR THE BRITISH GOVERNMENT TO DETERMINE. SOME, HOWEVER, ARE HONG KONG BDTCS, AND HONG KONG DBTCS ALONE, AND IT IS UNDERSTOOD THAT THEY WILL NOT HAVE CHINESE NATIONALITY AUTOMATICALLY WHEN SOVEREIGNTY OVER HONG KONG IS RETURNED TO CHINA. THE POSITION OF THESE BDTCS IS THAT, IN THE SAME WAY AS ALL OTHER BDTCS WHO HAVE DERIVED THEIR STATUS FROM THEIR CONNECTION WITH HONG KONG, THEY WILL BE ELIGIBLE TO ACQUIRE THE STATUS OF BRITISH NATIONAL (OVERSEAS). THOSE OF THEM WHO FAIL TO DO SO, FOR EXAMPLE BY MISTAKE OR ACCIDENT, AND WHO AS A RESULT BECOME STATELESS, WILL ACQUIRE BRITISH OVERSEAS CITIZENSHIP. THE SECRETARY OF STATE, SIR GEOFFREY HOWE, HAS STATED CLEARLY IN PARLIAMENT THAT THE CHILDREN BORN AFTER 30 JUNE 1997 TO SUCH NON-CHINESE BN(O)'S OR BOCS WILL ACQUIRE BRITISH OVERSEAS CITIZENSHIP AUTOMATICALLY AT BIRTH IF THEY WOULD OTHERWISE BE STATELESS. THERE SHOULD, THEREFORE, BE NO QUESTION OF STATELESSNESS AMONG THOSE WHO ARE HONG KONG BDTCS ON 30 JUNE 1997, OR AMONG THE CHILDREN BORN TO THEM AFTER THAT DATE.

+I APPRECIATE, HOWEVER, THAT WHILST THE FIRST GENERATION BORN AFTER 30 JUNE 1997 TO FORMER HONG KONG BDTCS OF NON-CHINESE RACE WOULD THUS BE TAKEN CARE OF, THERE IS CONCERN ABOUT POTENTIAL STATELESSNESS AMONGST SUBSEQUENT GENERATIONS. IT IS A LONG STANDING VIEW OF THE BRITISH GOVERNMENT THAT IT IS NOT APPROPRIATE, AS A GENERAL PRINCIPLE, TO GRANT BRITISH NATIONALITY INDEFINITELY AND WITHOUT RESTRICTIONS TO THE DESCENDANTS OF BRITISH NATIONALS. HOWEVER, I WOULD NOT WISH TO GIVE THE IMPRESSION THAT THE CONCERN EXPRESSED ABOUT THIS MATTER IS NOT FULLY UNDERSTOOD. SO THE PROBLEMS OF SUBSEQUENT GENERATIONS AND POTENTIAL STATELESSNESS ARE BEING EXAMINED BY THE BRITISH GOVERNMENT IN CONSULTATION WITH OURSELVES.

/+IN CONCLUSION, .....

+IN CONCLUSION, SIR, LET ME MAKE ONE FURTHER POINT. THE NATIONALITY PROVISIONS INCLUDED IN THE HONG KONG BILL ARE IN THE FORM OF ENABLING PROVISIONS. DETAILED PROVISIONS WILL BE INCLUDED IN AN ORDER-IN-COUNCIL TO BE MADE AT A LATER STAGE. THE MINISTER OF STATE, MR RICHARD LUCE, HAS INDICATED THAT A DRAFT OF THIS ORDER-IN-COUNCIL WILL BE PRESENTED TO PARLIAMENT WITHIN A YEAR OF THE PASSAGE OF THE HONG KONG BILL AND THAT IT WILL BE FULLY DEBATED IN PARLIAMENT BEFORE IT BECOMES LAW. I CAN ASSURE HONOURABLE MEMBERS THAT THE DRAFT ORDER-IN-COUNCIL WILL BE PUBLICISED IN HONG KONG ONCE IT IS INTRODUCED INTO PARLIAMENT, SO THAT THE PEOPLE OF HONG KONG CAN SEE FOR THEMSELVES THE DETAILED ARRANGEMENTS THAT WILL BE MADE, AND GIVE THEIR VIEWS ON THEM IF THEY WISH.+

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'APPROPRIATE STATUS FOR BDTCS IMPORTANT'

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IT WAS OF UTMOST IMPORTANCE THAT BRITISH DEPENDENT TERRITORIES CITIZENS (BDTCS) WOULD RETAIN AN APPROPRIATE STATUS WHICH ENTITLED THEM TO CONTINUE TO USE PASSPORTS ISSUED BY THE BRITISH GOVERNMENT WITH EFFECT FROM JULY 1, 1997, THE HON ANDREW SO SAID IN THE LEGISLATIVE COUNCIL TODAY.

SPEAKING AT THE AJOURNMENT DEBATE ON THE PROPOSED TITLE OF BRITISH NATIONAL (OVERSEAS), MR SO SAID THE INTRODUCTION OF THE HONG KONG BILL AND THE DEBATE IN PARLIAMENT INDICATED THAT THE UNITED KINGDOM WAS EARNEST IN IMPLEMENTING THE AGREEMENT AND FULFILLING HER COMMITMENT IN THE MEMORANDUM SO THAT ALL THOSE PEOPLE OF HONG KONG WHO ON JULY 1, 1997 WOULD CEASE TO BE BDTCS WOULD BE ELIGIBLE TO RETAIN AN APPROPRIATE STATUS.

+THIS IS OF UTMOST IMPORTANCE AND CAN BE REGARDED AS THE TOUCHSTONE FOR ALL THE COMMITMENTS IN THE AGREEMENT,+ HE SAID.

+IT IS NOT ONLY A MATTER OF CONCERN FOR OVER THREE MILLION BDTCS IN HONG KONG, BUT ALSO SOMETHING ON WHICH ALL THE FIVE MILLION-ODD PEOPLE OF HONG KONG SHOULD FOCUS THEIR ATTENTION,+ HE ADDED.

UNFORTUNATELY, NOT TOO MANY PEOPLE HAD EXPRESSED CONCERN ABOUT THE ISSUE AND PUT FORWARD THEIR VIEWS. THEY INTENDED TO THINK THAT THE DUST HAD SETTLED AND BELIEVED IN THE THEORY OF FATE, HE SAID.

WHILE POSITION AND FAME MIGHT SOUND TRIVIAL, THE FREEDOM OF MOVEMENT WAS HIGHLY SIGNIFICANT.

WHEN THE 'NAME' WAS NOT RIGHT, 'MOVEMENT' WOULD NOT BE TOO SMOOTH.

/+ONE OF .....

+ONE OF THE REASONS WHY WE TREASURE BEING HONG KONG PEOPLE IS THAT WE CAN TRAVEL FREELY TO OTHER PARTS OF THE WORLD ON BUSINESS OR FOR STUDY,+ HE SAID.

+FOR IF THE PEOPLE OF HONG KONG ARE NOT GIVEN AN EFFECTIVE PASSPORT, BE IT ISSUED BY THE HONG KONG SAR GOVERNMENT, THE COMPETENT AUTHORITIES OF THE PEOPLE'S REPUBLIC OF CHINA OR THE AUTHORITIES IN THE UNITED KINGDOM, THEY WILL NOT BE ABLE TO FIGHT, THAT IS, TO FACE THE CHALLENGE BROUGHT BY THE AGREEMENT, WHICH IS TO MAINTAIN HONG KONG'S PROSPERITY AND STABILITY.

+ONLY WITH PROSPERITY CAN HONG KONG BE VALUABLE AND CAN THE TRAVEL DOCUMENTS HELD BY THE HONG KONG PEOPLE SERVE A PRACTICAL PURPOSE,+ HE SAID.

MR SO SAID HE REGRETTED THAT THERE WAS NO OFFICIAL CHINESE VERSION FOR THE PROPOSED TITLE.

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BN(O) PASSPORT: CLARIFICATION NEEDED

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IT WAS NOT THE NAME, BN(O), WHICH MATTERED BUT THE CONTENT AND EFFECTIVENESS OF THE PROPOSED PASSPORT, THE HON CHEUNG YAN-LUNG SAID IN THE LEGISLATIVE COUNCIL TODAY.

HONG KONG PEOPLE, HE SAID, WANTED TO KNOW HOW VALID THE BN(O) PASSPORT WOULD BE AS A TRAVEL DOCUMENT TO THIRD COUNTRIES. THEY ALSO WANTED TO KNOW +IN CONCRETE TERMS+ HOW BRITAIN WOULD ENSURE ITS RECOGNITION.

HONG KONG PEOPLE, HE BELIEVED, +CERTAINLY HAD GOOD REASON TO BE SKEPTICAL+.

+FOR EVEN NOW BDTC PASSPORT HOLDERS ARE ADVISED TO APPLY FOR ENTRY VISAS TO THE UK.

+HOW THEN CAN THIRD COUNTRIES POSSIBLY BE EXPECTED TO HONOUR THE BN(O), WHEN THE UK HERSELF IMPOSES CONDITIONAL TERMS OF ENTRY ON THOSE SHE CHOOSES TO NAME BRITISH DEPENDENT TERRITORIES CITIZENS WHO HAPPEN TO LIVE IN THE BRITISH TERRITORY OF HONG KONG?+ HE ASKED.

HE POINTED OUT THAT BDTC PASSPORTS, NEVERTHELESS, DID ENSURE THEIR HOLDERS +THE RIGHT OF ABODE IN HONG KONG+ AND THIS LINE APPEARED IN CURRENT PASSPORTS.

+BUT WE ARE GIVEN TO UNDERSTAND THE RIGHT OF ABODE MAY NOT BE STATED IN BN(O) PASSPORTS. IN THEORY, WOULD THIS NOT MAKE THE HOLDERS STATELESS?+ HE QUERIED.

MR CHEUNG ALSO RAISED THE POSSIBILITY OF THE HOLDER ENCOUNTERING DIFFICULTIES WITH IMMIGRATION OFFICERS, ESPECIALLY IN THIRD COUNTRIES, BECAUSE THERE WERE NO APPARENT ANSWERS TO THE POTENTIAL QUESTIONS OF REPATRIATION AND DEPORTATION.

/IT WAS .....

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IT WAS NECESSARY FOR THE JOINT LIAISON GROUP TO DEAL WITH THIS PARTICULAR PROBLEM AND +WORK OUT A SUITABLE BUT IRREVOCABLE ARRANGEMENT+ BEFORE THE FORMAT OF THE NEW BN(O) PASSPORT WAS SETTLED, HE SAID.

THIS IMMIGRATION DILEMMA, HE SAID, COULD AFFECT IN PARTICULAR ETHNIC MINORITIES IN HONG KONG WHO WERE NEITHER CHINESE NOR BRITISH, +BUT VICTIMS STILL OF THE BDTC - BN(O) SYNDROME.+

+IF NOT TO HONG KONG WHERE DO THEY BELONG AFTER GENERATIONS OF LIVING HERE?+ HE SAID.

MR CHEUNG LISTED +MANY GRAY AND WORRYING+ AREAS WHICH HE SAID THE APPROPRIATE AUTHORITIES HAD TO CLARIFY+ IN NO UNCERTAIN TERMS+:

- \* IT IS SAID THAT BN(O) PASSPORT HOLDERS WILL HAVE TO CARRY THEIR HONG KONG SAR IDENTITY CARDS AS PROOF OF THEIR RIGHT OF ABODE IN HONG KONG. BUT SINCE THE BN(O) WILL BE A UK-ISSUED DOCUMENT, AND THE HONG KONG IDENTITY CARD NOT SO, WHAT PROVISIONS WILL BE MADE TO ENSURE THAT THIRD COUNTRIES WILL ACCEPT THE IDENTITY CARD IN ITS OWN RIGHT AS PROOF POSITIVE? AND WHOSE RESPONSIBILITY WILL IT BE TO ENSURE THAT THE BN(O) PASSPORT AND THE SAR IDENTITY CARD WILL BE ACCEPTED IN THIRD COUNTRIES AS COMPLEMENTARY DOCUMENTS?
- \* BDTC PASSPORTS ARE VALID FOR TEN YEARS UNLESS OTHERWISE STATED. WHAT WILL BE THE VALIDITY OF THE BN(O) PASSPORT?
- \* WILL THE SAME RULES THAT APPLY NOW TO REGISTRATION OVERSEAS OF BRITISH NATIONALS APPLY ALSO TO BN(O)S?
- \* IN CURRENT BDTC PASSPORTS, NOTE 7 ON DUAL NATIONALITY STATES THAT +BRITISH NATIONALS WHO ARE ALSO NATIONALS OF ANOTHER COUNTRY CANNOT BE PROTECTED BY HER MAJESTY'S REPRESENTATIVES AGAINST THE AUTHORITIES OF THAT COUNTRY.+ THE NOTE FURTHER SPECIFIES +IF UNDER THE LAW OF THAT COUNTRY THEY ARE LIABLE FOR ANY OBLIGATIONS (SUCH AS MILITARY SERVICE), THE FACT THAT THEY ARE BRITISH NATIONALS DOES NOT EXEMPT THEM FROM IT.+ IN ADDITION TO MILITARY SERVICE, TO WHAT OTHER +OBLIGATIONS+ MIGHT THIS REFER, AND WILL NOTE 7 APPLY TO BN(O) PASSPORT HOLDERS?

MR CHEUNG SAID THE UK, WITH ITS CHRONIC UNEMPLOYMENT, STRIKES AND SHAKY ECONOMY, NEED NEVER FEAR AN INFLUX OF HONG KONG PEOPLE, FOR WHOM PROSPERITY AND STABILITY WERE A WAY OF LIFE.

+HOWEVER, IT IS WORTH REMEMBERING THAT MANY OF THE PEOPLE WHO NOW FIND THE UK DOOR UNCEREMONIOUSLY SLAMMED IN THEIR FACES ARE THE VERY SAME PEOPLE WHO TOOK PLEDGES OF LOYALTY ON NATURALISATION,+ HE SAID.

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'RIGHT OF ABODE SHOULD BE STATED'  
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THE BRITISH NATIONAL (OVERSEAS) PASSPORT SHOULD STATE CATEGORICALLY THAT THE HOLDER HAD THE RIGHT OF ABODE IN HONG KONG TO AVOID ANY MISUNDERSTANDING OR INCONVENIENCE, THE HON MRS SELINA CHOW SAID IN THE LEGISLATIVE COUNCIL TODAY.

+I AM AFRAID A SIMPLE NUMERICAL REFERENCE TO THE IDENTITY CARD OR AN ENDORSEMENT STATING ONLY THAT THE HOLDER ALSO HOLDS A PERMANENT HONG KONG IDENTITY CARD IN THE BN(O) PASSPORT MIGHT FAIL TO SATISFY SOME IMMIGRATION AUTHORITIES AS EVIDENCE THAT THE HOLDER HAS THE RIGHT OF ABODE IN HONG KONG,+ SHE SAID IN THE ADJOURNMENT DEBATE ON THE PROPOSED TITLE OF BRITISH NATIONAL (OVERSEAS).

+IF THIS COULD BE DONE, THEN I SEE NO OBJECTION TO EITHER THE TITLE OF BRITISH NATIONAL (OVERSEAS) OR THE USE OF THE NEW PASSPORTS BEARING THIS NEW TITLE BEFORE 1997, ALTHOUGH I STILL DO NOT SEE THE NECESSITY FOR SUCH A MOVE,+ SHE SAID.

REFERRING TO ARGUMENT THAT LEAD TIME WAS REQUIRED FOR ADMINISTRATIVE REASONS, MRS CHOW SAID THIS MIGHT EASILY BE COUNTERED, FOR EARLY ISSUANCE OF THE PASSPORTS COULD STILL TAKE PLACE WHILE THE VALID DATE COMMENCED ON JULY 1, 1997.

THE OTHER RATIONALE FOR ADVANCING THE VALID DATE WAS THAT THESE NEW DOCUMENTS COULD BE TESTED WELL BEFORE 1997, SHE SAID.

ATTRACTIVE AS THIS MIGHT SOUND, MRS CHOW SAID WE MUST NOT OVERLOOK THE FACT THAT THERE WOULD BE CHANGE OVER, HOWEVER SMOOTH IT MIGHT BE, FROM THE EXISTING HONG KONG GOVERNMENT TO THE FUTURE HONG KONG SAR GOVERNMENT.

+HENCE THE TEST BEFORE THE CHANGE OF GOVERNMENT WOULD ONLY BE MEANINGFUL IF THERE CAN BE A GUARANTEE THAT THE FUTURE SAR GOVERNMENT WILL HONOUR THE COMMITMENT MADE BY THE PRESENT GOVERNMENT TO ADMIT HOLDERS OF THE BN(O) PASSPORTS IF AND WHEN THEY ARE REFUSED ENTRY BY A THIRD COUNTRY, AND ARE CONSEQUENTLY REPATRIATED BACK TO HONG KONG, AND TO BEAR FULL COSTS OF SUCH REPATRIATION,+ SHE SAID.

SHE ADDED THAT IT WAS IMPORTANT THAT THE HOLDERS OF BN(O) PASSPORTS WERE INCLUDED IN ANY RECIPROCAL VISA AGREEMENT THAT THE HONG KONG SAR GOVERNMENT MIGHT CHOOSE TO ENTER INTO WITH OTHER STATES.

OTHERWISE THEY MIGHT BE LEFT OUT OF ARRANGEMENTS WHICH SHOULD BENEFIT ALL PERMANENT RESIDENTS OF THE HONG KONG SAR, SHE SAID.

MRS CHOW HOPED THE JOINT LIAISON GROUP WOULD HELP TO RESOLVE THIS POSSIBLE ANOMALY.

/EXPRESSING CONCERN .....

EXPRESSING CONCERN OVER THE FACT THAT THE PRESENT BRITISH PASSPORT HOLDERS WERE ALWAYS ADVISED TO OBTAIN A CERTIFICATE OF ENTRY TO ENTER THE UNITED KINGDOM, SHE PROPOSED THAT BDTCS AND FUTURE BN(O)S SHOULD NOT BE REQUIRED TO APPLY FOR SUCH A CERTIFICATE AND SHOULD AUTOMATICALLY ENJOY THE RIGHT OF ENTRY INTO THE UNITED KINGDOM.

+THEIR PERIOD OF STAY WOULD OF COURSE BE SUBJECT TO ENDORSEMENT BY IMMIGRATION AUTHORITIES AT THEIR POINT OF ENTRY,+ SHE SAID.

MRS CHOW ALSO CALLED ON ALL HONG KONG TRAVELLERS WHO ENCOUNTERED ANY PROBLEMS WITH IMMIGRATION AUTHORITIES OF ANY COUNTRY TO REPORT THEIR CASE TO THE IMMIGRATION DEPARTMENT OR TO UMELCO, SO THAT THE HONG KONG GOVERNMENT COULD MAKE REPRESENTATION BASED ON EVIDENCE TO THE RELEVANT AUTHORITIES TO PREVENT RECURRENCE OF SIMILAR EPISODES.

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#### ETHNIC MINORITIES' CONCERN RAISED

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THERE HAD TO BE A SATISFACTORY FORMULA TO RESOLVE THE POSSIBILITY OF STATELESSNESS FACING ETHNIC MINORITIES IN HONG KONG AFTER 1997, THE HON CARL TONG SAID TODAY.

SPEAKING ON THE PROPOSED TITLE OF BRITISH NATIONAL (OVERSEAS), MR TONG SAID ALL THAT COULD BE DONE SHOULD BE DONE TO HELP THE ETHNIC MINORITIES.

HE REFERRED TO SIR GEOFFREY HOWE'S SPEECH ON JANUARY 21, ON MOVING THE SECOND READING OF THE HONG KONG BILL IN THE HOUSE OF COMMONS AND SAID THERE HAD BEEN MUCH CONCERN ABOUT THE BRITISH GOVERNMENT'S ARRANGEMENTS TO RESOLVE +STATELESSNESS+ WHICH IN EFFECT GIVE THE BRITISH OVERSEAS CITIZEN (BOC) STATUS ONLY TO PERSONS BORN AFTER JULY 1, 1997 WHO ARE NON-ETHNIC CHINESE.

HE NOTED IN HONG KONG STRONG CONCERN HAD BEEN RAISED BY THE ETHNIC MINORITIES AND IN PARTICULAR, THE COUNCIL OF HONG KONG INDIAN ASSOCIATIONS, ON BEHALF OF ITS 6 000 ETHNIC INDIANS WHO WERE BDTCS, HAD SUBMITTED A PETITION TO THE GOVERNOR ON JANUARY 17.

MR TONG SAID THEIR MAIN POINTS OF CONCERN WERE:

- (1) BOC TRANSMISSIBILITY - BOC WAS NOT TRANSMISSIBLE BY DESCENT. THERE WERE NO ARRANGEMENTS TO PREVENT STATELESSNESS FOR CHILDREN OF BOCS.

/(2) BN(O) RIGHT .....

- (2) BN(O) RIGHT OF ABODE AND BN(O) CONSULAR PROTECTION - ETHNIC MINORITIES WHO WERE BDTCS WOULD CONTINUE TO HAVE A RIGHT OF ABODE IN HONG KONG AFTER 1997 AND ARE ELIGIBLE TO BECOME BN(O)S, BUT WOULD THEY ENJOY BRITISH CONSULAR PROTECTION WITHIN THE HONG KONG SAR AS THEY WERE NOT CHINESE NATIONALS?
- (3) BOC CONSULAR PROTECTION - ASSUMING THAT A BOC HAS NOT ACQUIRED CHINESE NATIONALITY, WHAT CONSULAR PROTECTION, IF ANY, IS HE ENTITLED TO IN THE HONG KONG SAR AFTER 1997.

MR TONG SAID IT APPEARED NON-CHINESE BN(O)S WOULD HAVE NO REAL NATIONAL STATUS IN HONG KONG, WHICH MIGHT BE THE ONLY TERRITORY IN WHICH THEY HAD A RIGHT OF ABODE.

THERE WAS A FURTHER QUESTION AS TO WHICH COUNTRY NON-CHINESE BN(O)S TRAVELLING ON THE BN(O) TRAVEL DOCUMENT SHOULD BE REPATRIATED IN THE EVENT THAT THEY HAD TO FACE REPATRIATION.

MR TONG SAID HONG KONG WAS WELL SERVED BY ITS MINORITIES, MANY OF WHOM HAD BEEN HERE FOR MORE THAN ONE GENERATION ALREADY.

+FOR THESE PEOPLE, WHATEVER THEIR NUMBER, THERE MUST BE A SATISFACTORY FORMULA TO RESOLVE STATELESSNESS.

+I BELIEVE THAT TRANSMISSIBILITY OF BOC STATUS SHOULD BE EXTENDED AND THE QUESTION OF CONSULAR RESPONSIBILITY MUST BE RESOLVED SATISFACTORILY AS SOON AS PRACTICABLE, + HE SAID.

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#### CONSULTATIONS HELD ON ELECTIONS

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MEETINGS HAD BEEN HELD WITH THE NINE FUNCTIONAL CONSTITUENCIES TO EXPLAIN THE MAIN FEATURES OF THE PROPOSED LEGISLATION AND THE PROCEDURES WHICH WOULD BE FOLLOWED IN CONDUCTING THE ELECTIONS TO THE LEGISLATIVE COUNCIL LATER THIS YEAR, AND TO SEEK THEIR COMMENTS, THE CHIEF SECRETARY, THE HON SIR PHILIP HADDON-CAVE SAID IN THE LEGISLATIVE COUNCIL TODAY.

FOLLOWING THE PUBLICATION OF THE WHITE PAPER ON THE FURTHER DEVELOPMENT OF REPRESENTATIVE GOVERNMENT IN HONG KONG ON NOVEMBER 21, 1984, SIR PHILIP SAID, THE DIRECTOR OF THE COUNCILS AND ADMINISTRATION BRANCH OF THE GOVERNMENT SECRETARIAT AND MEMBERS OF HIS STAFF HELD A SERIES OF INFORMAL MEETINGS WITH THE CHAIRMEN, PRESIDENTS AND SENIOR OFFICIALS OF THE VARIOUS REPRESENTATIVE ORGANISATIONS ON WHICH THE TWO TYPES OF FUNCTIONAL CONSTITUENCIES WOULD BE BASED.

/THOSE COMPRISING .....

THOSE COMPRISING CORPORATE BODIES INCLUDED THE HONG KONG GENERAL CHAMBER OF COMMERCE, THE CHINESE GENERAL CHAMBER OF COMMERCE, THE FEDERATION OF HONG KONG INDUSTRIES, THE CHINESE MANUFACTURERS ASSOCIATION, THE HONG KONG ASSOCIATION OF BANKS AND THE HONG KONG COUNCIL OF SOCIAL SERVICE.

THOSE COMPRISING MEMBERS OF CERTAIN PROFESSIONAL PURSUITS INCLUDED THE HONG KONG MEDICAL ASSOCIATION, THE HONG KONG BAR ASSOCIATION, THE LAW SOCIETY OF HONG KONG, THE HONG KONG INSTITUTION OF ENGINEERS, THE HONG KONG INSTITUTE OF ARCHITECTS, THE HONG KONG INSTITUTE OF SURVEYORS, THE HONG KONG INSTITUTE OF PLANNERS AND THE FIVE MAIN TERTIARY EDUCATIONAL INSTITUTIONS.

IN ADDITION, SIR PHILIP SAID A MEETING HAD BEEN HELD WITH REPRESENTATIVES OF THE HONG KONG SOCIAL WORKERS GENERAL UNION, AT THEIR REQUEST. A MEETING WITH THE EMPLOYEES REPRESENTATIVES ON THE LABOUR ADVISORY BOARD, INCLUDING THE REPRESENTATIVES ELECTED BY THE EMPLOYEES TRADE UNIONS, WOULD BE HELD TOMORROW (THURSDAY), ALSO AT THEIR REQUEST.

+I SHOULD MENTION IN PASSING THAT THE SECRETARY FOR DISTRICT ADMINISTRATION HELD A MEETING WITH REPRESENTATIVES OF THE HONG KONG INSTITUTION OF ENGINEERS, THE HONG KONG INSTITUTE OF ARCHITECTS, THE HONG KONG INSTITUTE OF SURVEYORS AND THE HONG KONG INSTITUTE OF PLANNERS, AT THEIR REQUEST, ON JANUARY 23= AND I MYSELF HELD A MEETING WITH THE CHAIRMEN OF THE HONG KONG GENERAL CHAMBER OF COMMERCE, THE FEDERATION OF HONG KONG INDUSTRIES, THE CHINESE MANUFACTURERS ASSOCIATION AND THE CHINESE GENERAL CHAMBER OF COMMERCE, AT THEIR REQUEST, ON JANUARY 24,+ HE SAID.

WHEN THE LEGISLATIVE COUNCIL (ELECTORAL PROVISIONS) BILL IS BROUGHT BEFORE THIS COUNCIL IN A FEW WEEKS TIME, SIR PHILIP SAID, HE WILL BE SEEKING TO REASSURE MEMBERS THAT THE VIEWS EXPRESSED DURING THESE MEETINGS, AND SUBSEQUENTLY IN CORRESPONDENCE AND THROUGH THE MEDIA, HAVE BEEN TAKEN INTO ACCOUNT TO THE EXTENT THAT IT HAS BEEN PROPER AND PRACTICABLE TO DO SO.

SIR PHILIP WAS REPLYING TO A QUESTION BY THE HON CHAN YING-LUN.

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PUBLIC MEETINGS +ONLY RIGHT+ -- SIR PHILIP  
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AS ANOTHER MAJOR STEP TOWARDS MORE OPEN GOVERNMENT, IT WAS ONLY RIGHT THAT REGULAR MEETINGS OF THE FINANCE COMMITTEE SHOULD BE HELD IN PUBLIC, THE CHIEF SECRETARY, THE HON SIR PHILIP HADDON-CAVE, SAID TODAY.

MOVING A RESOLUTION TO AMEND THE STANDING ORDERS OF THE LEGISLATIVE COUNCIL, SIR PHILIP SAID THE RESOLUTION, TO TAKE EFFECT ON MARCH 13, WOULD ENABLE THE FINANCE COMMITTEE TO CONDUCT ALL ITS MEETINGS IN PUBLIC, UNLESS THE CHAIRMAN ORDERED OTHERWISE IN ACCORDANCE WITH ANY DECISIONS OF THE COMMITTEE.

TRACING RECENT AMENDMENTS TO THE STANDING ORDERS, SIR PHILIP POINTED OUT THAT THEY HAD BEEN AMENDED IN 1983 TO PERMIT THE FINANCE COMMITTEE TO SIT IN PUBLIC TO EXAMINE THE DRAFT ANNUAL ESTIMATES BEFORE THE APPROPRIATION BILL WAS CONSIDERED IN COMMITTEE OF THE WHOLE LEGISLATIVE COUNCIL.

HE SAID FURTHER CHANGES HAD THEN BEEN MADE IN 1984, TO ENABLE THE PUBLIC ACCOUNTS COMMITTEE TO HOLD ITS HEARINGS IN PUBLIC.

+I AM SURE THAT MEMBERS WILL AGREE WITH ME THAT THOSE PUBLIC MEETINGS HELD LAST YEAR IN MARCH BY THE FINANCE COMMITTEE AND IN NOVEMBER BY THE PUBLIC ACCOUNTS COMMITTEE WERE WELL RECEIVED BY THE PUBLIC AT LARGE,+ HE SAID.

IT WAS THEREFORE ONLY RIGHT THAT REGULAR MEETINGS OF THE FINANCE COMMITTEE, AND NOT JUST THOSE MEETINGS AT WHICH THE DRAFT ANNUAL ESTIMATES WERE CONSIDERED, SHOULD BE HELD IN PUBLIC AS WELL, SIR PHILIP SAID.

+FOR CONFIDENTIAL ITEMS, THE COMMITTEE WILL STILL MEET IN PRIVATE AND THE RESOLUTION RECOGNISES THIS.

+THE OPPORTUNITY HAS ALSO BEEN TAKEN TO CORRECT A CROSS REFERENCE IN STANDING ORDER 60 WHICH CONCERNS THE APPOINTMENT OF A CLERK TO THE FINANCE COMMITTEE,+ HE SAID.

THE SENIOR UNOFFICIAL MEMBER, SIR ROGER LOBO ON BEHALF OF HIS UNOFFICIAL COLLEAGUES PLACED ON RECORD THEIR SUPPORT FOR THE AMENDMENTS TO THE STANDING ORDERS.

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WELFARE POLICY FOR ELDERLY SET OUT

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THE GOVERNMENT'S POLICY ON SERVICES FOR THE ELDERLY WAS TO PROMOTE THE WELL BEING OF PEOPLE OVER 60, PRIMARILY THROUGH CARE IN THE COMMUNITY, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, SAID TODAY.

DETAILED PLANS FOR THE IMPLEMENTATION OF THE POLICY WERE REVIEWED AND ROLLED FORWARD EACH YEAR, MR CHAMBERS SAID IN REPLY TO A QUESTION BY DR THE HON HENRIETTA IP IN THE LEGISLATIVE COUNCIL.

IN ADDITION TO THE SERVICES SPECIALLY PROVIDED FOR THEM, MR CHAMBERS SAID, ELDERLY PEOPLE ALSO BENEFITED FROM THE SOCIAL SECURITY SYSTEM, OF WHICH THEY FORMED THE MAJORITY OF THE BENEFICIARIES.

BY THE END OF 1985, MR CHAMBERS SAID, THERE WOULD BE 12 MULTI-SERVICE CENTRES FOR THE ELDERLY PROVIDING COMMUNITY SUPPORT SERVICES IN THE FORM OF HOME HELP, PERSONAL CARE AND LIMITED NURSING SERVICES, COUNSELLING, SOCIAL AND RECREATIONAL ACTIVITIES.

IT WAS INTENDED TO MEET THE FULL DEMAND FOR 24 CENTRES (ROUGHLY ONE CENTRE FOR EVERY 250 000 POPULATION) BY 1990.

PROVIDED THE NECESSARY RESOURCES COULD BE MADE AVAILABLE, THE TOTAL ESTIMATED REQUIREMENT OF 204 CENTRES BY 1995, PLANNED ON THE BASIS OF ONE FOR 30 000 OF THE GENERAL POPULATION, SHOULD BE MET.

FOR THOSE WHOSE PRIMARY NEED WAS DECENT ACCOMMODATION, A VARIETY OF ARRANGEMENTS EXISTED IN BOTH PUBLIC AND PRIVATE HOUSING. IN ADDITION, THERE WERE SOME 1 400 PLACES IN HOSTELS OPERATED BY WELFARE AGENCIES, WITH A FURTHER 2 000 PLACES PLANNED OVER THE NEXT 10 YEARS.

MR CHAMBERS SAID PLANS FOR THE PROVISION OF HOMES FOR THE AGED (INCLUDING HOSTELS WHICH PROVIDED MEALS) AND FOR CARE AND ATTENTION HOMES WERE BASED ON RATIO OF 10 PLACES PER 1 000 AND FOUR PLACES PER 1 000 OVER 60 RESPECTIVELY.

PLANS WERE PROVIDED FOR THE SHORTFALL IN BOTH THESE AREAS TO BE MET BY 1990, HE SAID.

AS FOR INFIRMARIES, PLANS WERE TO EXPAND THE PRESENT TOTAL OF 1 060 INFIRMARY BEDS THREEFOLD DURING THE NEXT 10 YEARS BASED ON THE PLANNING RATIO OF FIVE BEDS FOR EVERY 1 000 PEOPLE OVER 65.

IN ADDITION, THERE WOULD BE GERIATRIC WARDS IN ALL NEW GENERAL HOSPITALS, WHILE THE COMMUNITY NURSING SERVICE WHICH LARGELY BENEFITED ELDERLY PEOPLE WOULD EXPAND FROM 46 TO 61 CENTRES IN THE NEXT FIVE YEARS.

/ON GOVERNMENT'S .....

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ON GOVERNMENT'S POLICY TOWARDS THE SUBVENTION OF WELFARE AGENCIES PROVIDING SERVICES FOR THE ELDERLY, MR CHAMBERS SAID THE PRESENT POLICY WAS TO PROVIDE 100 PER CENT SUPPORT FOR SERVICES WHICH MET A FUNDAMENTAL NEED, INCLUDING RESIDENTIAL INSTITUTIONS, DAY CARE CENTRES AND HOME HELP.

FOR THOSE SERVICES WHICH WERE BASICALLY SOCIAL AND RECREATIONAL, INCLUDING SOCIAL CENTRES AND POOL BUS SERVICES, LESS THAN 100 PER CENT WAS PROVIDED AS IT IS INTENDED TO ENCOURAGE COMMUNITY PARTICIPATION AS WELL AS TO RETAIN THE VOLUNTARY CHARACTER OF THESE SERVICES, MR CHAMBERS SAID.

MOST HOSPITALS AND OTHER MEDICAL PROJECTS WERE SUBVENTED ON A DEFICIENCY GRANT BASIS, HE ADDED.

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#### SCHOOL PLACE DECREASE EXPLAINED

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THERE HAD BEEN A GENERAL REDUCTION IN THE NUMBER OF FORMS I TO V CLASSES IN PRIVATE SECONDARY SCHOOLS IN RECENT YEARS BECAUSE OF A DROP IN THE NUMBER OF CHILDREN IN THE 12-16 AGE GROUP AND AN INCREASE IN PUBLIC SECTOR PLACES, THE HON MICHAEL LEUNG, DIRECTOR OF EDUCATION SAID IN THE LEGISLATIVE COUNCIL TODAY.

REPLYING TO A QUESTION FROM THE HON CHAN YING-LUN, HE NOTED THAT THERE WAS AN ANNUAL AVERAGE DECREASE OF 3.7 PER CENT IN THE NUMBER OF CHILDREN IN THE 12-16 AGE GROUP BETWEEN 1980 AND 1984.

+DURING THE SAME PERIOD, THERE WAS A CONTINUOUS INCREASE IN THE SUPPLY OF PUBLIC SECTOR PLACES UPON THE COMPLETION OF 46 NEW GOVERNMENT AND AIDED SCHOOLS IN THE SECONDARY SCHOOLS BUILDING PROGRAMME,+ MR LEUNG SAID.

MR LEUNG SAID RECENTLY THERE HAD BEEN AN OVERALL REDUCTION IN THE TOTAL NUMBER OF CLASSES IN PRIVATE SECONDARY SCHOOLS BECAUSE IN 1982 AND 1983, 59 PRIVATE NON-PROFIT-MAKING SECONDARY SCHOOLS BECAME FULLY AIDED.

+EXCLUDING THESE 59 SCHOOLS, BETWEEN 1980 AND 1984, THE AVERAGE ANNUAL RATE OF REDUCTION IN THE NUMBER OF OPERATING CLASSES IN ALL PRIVATE SECONDARY SCHOOLS WERE 8.6 PER CENT IN FORMS I TO III AND 9.2 PER CENT IN FORMS IV TO V, ALTHOUGH IN FORMS VI TO VII THERE WAS AN AVERAGE ANNUAL INCREASE OF 3.8 PER CENT,+ HE SAID.

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MOST PARENTS HEED SCHOOLING ADVICE  
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ACTION HAD BEEN TAKEN BY THE EDUCATION DEPARTMENT AGAINST PARENTS WHO DID NOT SEND THEIR CHILDREN TO SCHOOL, THE DIRECTOR OF EDUCATION, THE HON MICHAEL LEUNG, SAID IN THE LEGISLATIVE COUNCIL TODAY.

IN REPLY TO A QUESTION FROM THE HON PAULINE NG, MR LEUNG POINTED OUT THAT SINCE THE INTRODUCTION OF NINE-YEAR COMPULSORY EDUCATION, MOST PARENTS HAD TAKEN THE DEPARTMENT'S ADVICE AND ONLY IN SIX CASES HAD IT BEEN NECESSARY TO ISSUE ATTENDANCE ORDERS.

EXPLAINING THE ENFORCEMENT PROCEDURES, MR LEUNG SAID STUDENT GUIDANCE OFFICERS WOULD FIRST TRY TO PERSUADE THE PARENTS CONCERNED TO SEND THEIR CHILDREN BACK TO SCHOOL.

+WHERE NECESSARY, CASES ARE REFERRED TO THE SOCIAL WELFARE DEPARTMENT OR THE SPECIAL EDUCATION SECTION OF MY DEPARTMENT FOR FURTHER ADVICE OR HELP,+ HE SAID, ADDING THAT DISTRICT EDUCATION OFFICERS WOULD ASSIST IN SEEKING SCHOOL PLACEMENT FOR THE CHILDREN CONCERNED.

IF THERE WERE NO GOOD REASONS FOR NON-ATTENDANCE AND IF REPEATED ADVICE FAILED, THE PARENTS CONCERNED WOULD BE WARNED VERBALLY AND THEN IN WRITING.

THE WRITTEN WARNING REQUIRED THE PARENTS TO SEND THE CHILD TO SCHOOL WITHIN 14 DAYS. FAILING THAT, AN ATTENDANCE ORDER WOULD BE SERVED UNDER SECTION 74 OF THE EDUCATION ORDINANCE, MR LEUNG SAID.

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AMENDMENTS TO MAKE TAX HOLDOVERS BILL MORE FLEXIBLE  
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AMENDMENTS INTRODUCED TO THE INLAND REVENUE (AMENDMENT) (NO. 2) BILL 1984 GAVE MORE FLEXIBILITY IN PERMITTING THE HOLDOVERS OF PAYMENT OF TAX, THE HON BILL BROWN SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

HE WAS SPEAKING IN SUPPORT OF THE BILL IN HIS CAPACITY AS THE CONVENER OF THE LEGCO UNOFFICIAL'S AD HOC GROUP.

MR BROWN POINTED OUT THAT THE COMMISSIONER HAD THE POWER TO PERMIT HOLDOVERS WITHOUT ANY CONDITIONS, AND THE STATISTICS SUPPORTED HIS CLAIM THAT HE READILY DID SO WHEN IT WAS IMMEDIATELY APPARENT THAT A TAXPAYER'S OBJECTION HAD MERIT.

/HE NOTED .....

HE NOTED THAT UNDER THE ADMINISTRATION'S PROPOSALS, THE COMMISSIONER WOULD CONTINUE TO HAVE THAT OPTION OR TO PERMIT HOLDOVERS BACKED BY THE PURCHASE OF TAX RESERVE CERTIFICATES AND THIS 'BLACK' OR 'WHITE' SITUATION WAS FELT BY THE AD HOC GROUP TO BE TOO INFLEXIBLE.

ELABORATING, MR BROWN SAID: +THE AGREED AMENDMENTS REVISE THE OPTIONS AND ADD FLEXIBILITY BY FIRSTLY GIVING THE COMMISSIONER THE OPTION TO ALLOW HOLDOVER WITHOUT THE PURCHASE OF TAX RESERVE CERTIFICATES WITH A PROVISION THAT IN THE EVENT OF AN UNSUCCESSFUL OBJECTION OR APPEAL THE TAXPAYER MUST PAY INTEREST ON THE AMOUNT INVOLVED.

+THE AGREED AMENDMENTS SECONDLY GIVE THE COMMISSIONER THE OPTION TO PERMIT THE TAXPAYER TO PROVIDE A BANK GUARANTEE IN LIEU OF TAX RESERVE CERTIFICATES PROVIDED THAT THE GUARANTEE COVERS THE AMOUNT OF TAX HELD OVER PLUS INTEREST UNTIL PAYMENT IS MADE IN THE EVENT THE OBJECTION OR APPEAL IS DISALLOWED.+

+TO AVOID ANY CONFUSION AS TO THE CIRCUMSTANCES IN WHICH THE COMMISSIONER WILL EXERCISE HIS DISCRETION TO MAKE AN UNCONDITIONAL HOLDOVER ORDER, WITH INTEREST PAYABLE IF THE OBJECTION OR APPEAL IS ULTIMATELY UNSUCCESSFUL, OR AN ORDER CONDITIONAL UPON THE PURCHASE OF TAX RESERVE CERTIFICATES OR THE PROVISION OF A BANK GUARANTEE, THE COMMISSIONER HAS UNDERTAKEN TO ISSUE AN AMENDED DEPARTMENTAL PRACTICE NOTE LAYING DOWN CLEAR POLICY GUIDELINES APPLICABLE TO EACH CASE,+ MR BROWN ADDED.

HE ALSO MADE IT QUITE CLEAR THAT UNOFFICIAL MEMBERS HAD NO QUARREL WITH THE OBJECT OF THE BILL.

+IT IS A FACT THAT SIGNIFICANT AMOUNTS OF TAX ARE HELD OVER.

+IT IS A FACT THAT THE VAST MAJORITY OF DEMANDS HELD OVER ARE EVENTUALLY DECIDED IN FAVOUR OF THE INLAND REVENUE DEPARTMENT -- MEMBERS WILL RECALL THAT THE PUBLIC ACCOUNTS COMMITTEE OF THIS COUNCIL RAISED THIS ISSUE DURING ITS PUBLIC HEARINGS LAST YEAR AND WAS INFORMED THAT OF SOME 20 000 OBJECTIONS LODGED IN ANY ONE YEAR ONLY 300 OR 400 WOULD EVENTUALLY BE DEALT WITH BY THE BOARD OF REVIEW,+ HE SAID.

HE ADDED THAT IT WAS ALSO A FACT THAT UNDER THE PRESENT SYSTEM THOSE WHO GAINED BY USING DEFERRAL DEVICES WERE MERELY PASSING PART OF THEIR BURDEN ONTO OTHER TAXPAYERS AND IN ALL EQUITY THIS MUST BE STOPPED.

+ALTHOUGH THE ARRANGEMENTS AS NOW AGREED WILL NOT PLEASE EVERYBODY, IT IS NECESSARY TO RECOGNISE THAT THE COMMISSIONER HAS THE POWER TO INSIST ON THE PAYMENT OF TAX WITHOUT ANY HOLDOVER.

+IN THE ABSENCE OF THE PROVISIONS OF THIS BILL THE ONLY ALTERNATIVE WOULD BE FOR THE COMMISSIONER TO ADOPT A FAR TOUGHER ATTITUDE TOWARDS THE HOLDOVER SYSTEM,+ MR BROWN SAID.

THE COMPROMISE NOW AGREED SEEMED TO STRIKE A FAIR BALANCE AND FOR THIS REASON HE SUPPORTED THE MOTION.

ALSO SPEAKING IN SUPPORT OF THE BILL, HON PETER POON SAID THE PROPOSED AMENDMENTS WERE +BOTH NECESSARY AND TIMELY+.

HE SAID THAT THE PROVISIONS OF THE BILL WOULD GREATLY STRENGTHEN THE COLLECTION OF TAX BY THE COMMISSIONER IN PRACTICE, THOUGH IN LAW HE ALREADY HAD ABSOLUTE DISCRETION NOT TO GRANT ANY HOLD OVER.

+THERE HAS, HOWEVER, BEEN SOME CONCERN EXPRESSED THAT IN SOME CASES WHERE THE TAXPAYER WINS THE OBJECTION, HE MAY ONLY GET COMPENSATION FROM THE INTEREST ON THE TAX RESERVE CERTIFICATE, PRESENTLY AT 5.52 PER CENT, BUT HIS COST OF RAISING FUNDS TO PURCHASE SUCH TAX RESERVE CERTIFICATE WILL PROBABLY BE DOUBLE THAT RATE.

+FURTHER, AT SUCH LOW INTEREST, THERE IS NO INCENTIVE FOR THE INLAND REVENUE DEPARTMENT TO EXPEDITE THE FINALISATION OF OBJECTIONS WHICH MAY DRAG ON FOR A LONG TIME TO THE DISADVANTAGE OF THE TAXPAYER, IN NOT GETTING HIS MONEY BACK EARLIER AND ONLY BEING COMPENSATED BY LOW INTEREST,+ MR POON SAID.

HE THEREFORE SUGGESTED THAT THE COMMISSIONER SHOULD CONTINUE TO EXERCISE HIS DISCRETION TO HOLD OVER TAX UNDER DISPUTE IF A TAXPAYER'S CASE HAD SUFFICIENT MERIT AND PROPER GUIDELINES BE GIVEN TO HIS STAFF IN THIS RESPECT.

FINALLY, MR POON SAID HE BELIEVED THE BILL WOULD GREATLY REDUCE THE NUMBER OF FRIVOLOUS OBJECTIONS, IMPROVE TAX COLLECTION AND GO SOME WAY TO ALLEVIATE THE ADMINISTRATIVE BURDEN AND BACKLOG OF OBJECTION CASES.

MOVING THE THIRD READING, THE FINANCIAL SECRETARY, SIR JOHN BREMIDGE, SAID THAT THE AMENDMENTS THAT HAD RESULTED FROM THE ENDEAVOURS OF THE UNOFFICIALS HAD, HE BELIEVED SERVED TO BROADEN AND STRENGTHEN IT.

THIS, HE SAID, WAS AN IMPORTANT PIECE OF LEGISLATION.

+IT IS DESIGNED TO DISCOURAGE THE GROWING PRACTICE OF ENTERING OBJECTIONS OR APPEALS SOLELY FOR THE PURPOSE OF DEFERRING PAYMENT OF TAX.

+THERE IS AT PRESENT NEARLY \$3 BILLION OF TAX HELD OVER MUCH OF WHICH SHOULD NEVER HAVE BEEN THE SUBJECT OF AN APPEAL IN THE FIRST PLACE.

+CLEARLY IT IS TIME TO BRING TO AN END OVER-GENEROUS TREATMENT ACCORDED TO APPELLANTS BY THE INLAND REVENUE DEPARTMENT.

+THE NEW LEGISLATION WILL ENABLE THE COMMISSIONER TO APPLY A MORE REALISTIC APPROACH IN DECIDING WHICH CASES MERIT HOLD OVER AND WHICH DO NOT,+ HE SAID.

SIR JOHN SAID THE NEW LAWS WOULD NOT PENALISE THE GENUINE APPELLANT SINCE, IF HE HAD A GOOD CASE AND WAS ULTIMATELY SUCCESSFUL, HE WOULD RECEIVE INTEREST ON ANY TAX RESERVE CERTIFICATES WHICH THE COMMISSIONER MIGHT HAVE REQUIRED HIM TO BUY AS SECURITY FOR THE TAX IN DISPUTE.

+BUT IF THE OBJECTION IS UNSUCCESSFUL, THE TAX RESERVE CERTIFICATES WILL BE USED TO DISCHARGE THE TAX LIABILITY WITHOUT PAYMENT OF INTEREST,+ HE SAID.

SIR JOHN CONGRATULATED MR BROWN AND HIS COLLEAGUES IN THE AD HOC GROUP ON THE OPEN-MINDED AND VERY KNOWLEDGEABLE WAY THEY APPROACHED THEIR TASK AND THE SATISFACTORY SOLUTION THAT HAD NOW BEEN REACHED.

+I AM SORRY THAT MRS FAN IS NOT IN AGREEMENT, BUT UNANIMITY IN THIS COMPLICATED PROFESSIONAL FIELD IS PERHAPS TOO MUCH TO EXPECT,+ HE SAID.

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CIVIL SERVANTS SIMILARLY LIABLE TO TAX  
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THERE WAS NO DIFFERENCE IN THE LIABILITY TO TAXATION OF CIVIL SERVANTS AND THE PUBLIC, THE FINANCIAL SECRETARY, THE HON SIR JOHN BREMIDGE, SAID IN THE LEGISLATIVE COUNCIL TODAY.

IN THE CASE OF HOUSING, ANY BENEFITS PROVIDED BY THE EMPLOYER WERE THUS SUBJECTED TO TAXATION IN THE SAME WAY, SIR JOHN SAID IN REPLY TO A QUESTION BY DR THE HON HENRIETTA IP.

BY VIRTUE OF PROVISIONS CONTAINED IN SECTION 9 OF THE INLAND REVENUE ORDINANCE, WHERE AN EMPLOYEE WAS PROVIDED WITH FREE QUARTERS, THE RENTAL VALUE OF SUCH AN ACCOMMODATION WAS ASSESSED AN EQUIVALENT TO 10 PER CENT OF HIS EMOLUMENTS, SIR JOHN SAID.

WHERE, HOWEVER, AN EMPLOYER PROVIDED A PLACE OF RESIDENCE FOR HIS EMPLOYEE BUT CHARGED THAT EMPLOYEE A RENT WHICH WAS LESS THAN THE RENTAL VALUE, THE DIFFERENCE BETWEEN THE RENTAL VALUE AND THE RENT SO CHARGED SHOULD BE INCOME OF THE EMPLOYEE, HE ADDED.

NATURALLY, WHEN AN EMPLOYEE RECEIVED A CASH HOUSING ALLOWANCE WHICH HE WAS FREE TO USE IN ANY MANNER HE THOUGHT FIT, SUCH A BENEFIT WOULD BE ASSESSED IN FULL AS PART OF THE EMPLOYEE'S TAXABLE EMOLUMENTS.

AS FOR PASSAGE ALLOWANCES, SIR JOHN SAID CIVIL SERVANTS WHO WERE ENTITLED TO PASSAGE BENEFITS WERE NOT GIVEN A CASH ALLOWANCE.

/INSTEAD, COSTS .....

INSTEAD, COSTS OF ALL LEAVE AND SCHOOL PASSAGES, UP TO THE APPROVED LIMIT, WERE PAID DIRECTLY BY THE GOVERNMENT TO EITHER THE AUTHORISED TRAVEL AGENTS OR AIRLINES WITH WHOM THE OFFICERS BOOKED THEIR PASSAGES.

SECTION 9 (1)(A) OF THE INLAND REVENUE ORDINANCE PROVIDED A STATUTORY EXEMPTION IN RESPECT OF ANY HOLIDAY WARRANT OR PASSAGE, PROVIDED THE VALUE OR ALLOWANCE FOR THE PURCHASE OF ANY SUCH HOLIDAY WARRANT OR PASSAGE WAS USED OR EXPENDED FOR THE PURPOSE OF TRAVEL.

+THIS STATUTORY EXEMPTION NATURALLY APPLIES EQUALLY TO PUBLIC AND PRIVATE SECTOR EMPLOYEES,+ SIR JOHN SAID.

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SUPPLEMENTARY PROVISION FOR THIRD QUARTER

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THE FINANCIAL SECRETARY, THE HON SIR JOHN BREMIDGE, TOLD THE LEGISLATIVE COUNCIL TODAY THAT THE SUPPLEMENTARY PROVISIONS FOR THE THIRD QUARTER OF THE FINANCIAL YEAR 1984-85 AMOUNTED TO \$441.3 MILLION.

SIR JOHN SAID THAT THIS SUM INCLUDED \$338.1 MILLION FOR A PAYMENT TO THE MASS TRANSIT FUND: \$248.1 MILLION TO ENABLE THE MASS TRANSIT RAILWAY CORPORATION TO PAY THE PREMIUM FOR THE PAK CHAI WAN DEPOT AND THE DEVELOPMENT RIGHTS ABOVE PLUS \$90 MILLION TO MEET ITS LIABILITY FOR RATES FOR OPERATIONAL AND WORKS AREAS IN 1985-86 AND 1986-87 BOTH BY WAY OF EQUITY ISSUE TO THE GOVERNMENT.

OTHER MAJOR PROVISIONS INCLUDED \$28.5 MILLION FOR A GRANT TO THE ARTS CENTRE TO ENABLE IT TO REPAY A BANK SYNDICATED LOAN AND A LOAN FROM THE GOVERNMENT WITH ACCUMULATED INTEREST; \$16 MILLION FOR THE BUILDING COST OF TWO NEW TECHNICAL INSTITUTES IN 1984-85; \$8.4 MILLION TO MEET INCREASED EXPENDITURE ON REFUNDS OF RENTS AND RATES TO KINDERGARTENS; \$6.6 MILLION TO MEET INCREASED EXPENDITURE FOR ENGAGING LAWYERS AND EXPERT WITNESSES IN CONNECTION WITH CONTRACTUAL DISPUTES AND CRIMINAL CASES; \$5.2 MILLION TO MEET ADDITIONAL EXPENDITURE ON MAINTENANCES AND REPAIRS OF GOVERNMENT BUILDINGS; AND \$4.8 MILLION FOR THE PURCHASE OF EQUIPMENT AND ASSOCIATED EXPENSES FOR THE STANDARDS AND CALIBRATION LABORATORY.

+THE TRANSFER TO THE MASS TRANSIT FUND FOR PAYMENT OF LAND PREMIUM IS TO BE OFFSET BY LAND REVENUE OF THE SAME AMOUNT AND THE GRANT TO THE HONG KONG ARTS CENTRE IS TO BE OFFSET BY A MATCHING TRANSFER TO GENERAL REVENUE FROM THE SPECIAL COIN SUSPENSE ACCOUNT,+ HE SAID.

+OTHER SUPPLEMENTARY PROVISIONS APPROVED HAVE BEEN OFFSET EITHER BY SAVINGS UNDER THE SAME OR OTHER HEADS OF EXPENDITURE OR BY DELETION OF FUNDS UNDER THE ADDITIONAL COMMITMENTS VOTES,+ SIR JOHN ADDED.

/IN THE .....

IN THE SAME PERIOD, SIR JOHN SAID, AN INCREASE OF \$7.5 MILLION IN THE GROSS PROVISION FOR PURCHASES OF CORRECTIONAL SERVICES INDUSTRIES MATERIALS HAD BEEN APPROVED TO MEET INCREASED EXPENDITURE DUE TO INCREASE IN THE NUMBER OF INMATES EMPLOYED, THE AVERAGE PRICE OF MATERIALS CONSUMED AND CONSIDERABLE EXPANSION OF THE INDUSTRIES.

NO INCREASE IN THE NET PROVISION WAS NECESSARY BECAUSE THE ADDITIONAL COSTS WOULD BE RECOVERED FROM CLIENT DEPARTMENTS AND ORGANISATIONS.

A NET INCREASE OF 1 326 POSTS, INCLUDING POSTS FOR THE HOUSING AUTHORITY AND THE URBAN COUNCIL, WAS ALSO APPROVED.

SIR JOHN NOTED THAT APPROVED COMMITMENTS HAD BEEN INCREASED BY \$209.8 MILLION AND NEW COMMITMENTS OF \$947.2 MILLION HAD BEEN APPROVED.

THE NEW COMMITMENTS AND INCREASES IN COMMITMENTS APPROVED SINCE APRIL 1, 1984 TOTALLED \$1 479 540 672 REPRESENTING A 48.6 PER CENT INCREASE OVER THE TOTAL COMMITMENT BALANCE OF \$3 044.9 MILLION IN THE 1984-85 ESTIMATES.

HE POINTED OUT THAT ITEMS IN THE SUMMARY HAD BEEN APPROVED EITHER BY THE FINANCE COMMITTEE OR UNDER DELEGATED AUTHORITY.

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#### SCHOOL BURGLARIES DECLINE \* \* \* \* \*

LAST YEAR THERE WERE 46 BURGLARIES IN SCHOOLS AND IN OTHER EDUCATIONAL INSTITUTIONS ON HONG KONG ISLAND, 136 IN KOWLOON AND 211 IN THE NEW TERRITORIES, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, SAID TODAY.

THE CORRESPONDING FIGURES IN 1983 WERE 66, 160 AND 166, MR JEAFFRESON SAID IN REPLY TO A QUESTION BY THE HON YEUNG PO-KWAN.

COMMENTING ON MEASURES TO MINIMISE THE RISK OF BURGLARIES, MR JEAFFRESON SAID THE POLICE CRIME PREVENTION BUREAU SURVEYED ALL NEW GOVERNMENT AND GOVERNMENT SUBVENTED SCHOOL PREMISES AT THE DESIGN AND CONSTRUCTION STAGE TO ENSURE THAT SUITABLE SECURITY FEATURES WERE INCORPORATED INTO THEM.

FOR EXISTING SCHOOLS, MR JEAFFRESON SAID, THE CRIME PREVENTION BUREAU PROVIDED GENERAL CRIME PREVENTION ADVICE FOR THE EDUCATION DEPARTMENT TO PASS ON TO SCHOOLS.

THE BUREAU ALSO VISITED SUCH SCHOOLS UPON REQUEST TO GIVE ADVICE, HE SAID.

THE SCHOOLS AND OTHER INSTITUTIONS TOOK SPECIAL MEASURES TO SECURE VALUABLE ITEMS OF EQUIPMENT, SUCH AS LOCKING AWAY TELEVISION SETS AND TAPE-RECORDERS AFTER SCHOOL AND DURING SCHOOL HOLIDAYS.

FOR COMPUTER ROOMS, SCHOOLS INSTALLED ANTI-BURGLAR BARS ON WINDOWS, REPLACED WOODEN DOORS WITH IRON ONES AND REINFORCED DOOR LOCKS.

FINALLY, MOST GOVERNMENT SCHOOLS HAD TWO QUARTERS FOR JUNIOR STAFF TO LIVE ON SITE. PART OF THE RESPONSIBILITY OF THIS STAFF WAS TO REPORT CRIMINAL ACTIVITY.

MR JEAFFRESON ALSO SAID THAT THE COMPUTER EQUIPMENT STOLEN RECENTLY FROM THE LEE WAI LEE TECHNICAL INSTITUTE WAS NOT INSURED.

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#### CLEARER DEFINITION SOUGHT FOR HOTEL MONEY CHANGERS

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A CLEARER DEFINITION OF MONEY CHANGING SERVICES PROVIDED BY HOTELS WAS NEEDED IN THE MONEY CHANGER (DISCLOSURE OF RATES, CHARGES AND COMMISSIONS) BILL 1985, THE HON ALLEN LEE SAID TODAY.

SPEAKING AT THE RESUMED DEBATE ON THE BILL IN THE LEGISLATIVE COUNCIL, HE SAID HE FULLY SUPPORTED THE BILL TO PROVIDE CONSUMER PROTECTION TO PERSONS WHO WENT TO MONEY CHANGERS TO EXCHANGE CURRENCIES, BUT FELT THAT CERTAIN REFINEMENTS WERE NEEDED.

REFERRING TO CLAUSE (2) WHICH EXEMPTS THE MONEY CHANGING SERVICES PROVIDED BY THE HOTELS FROM THE AMBIT OF THE BILL, HE SAID:

+WHILE APPRECIATING THE GOOD REASONS BEHIND THIS MOVE, IT WAS FELT THAT A CLEARER DEFINITION TO WHAT CONSTITUTES A SERVICE PROVIDED BY THE HOTEL MANAGEMENT SHOULD BE GIVEN,+ HE SAID.

MR LEE ADDED THAT THE ADMINISTRATION HAD ACCEPTED THIS POINT OF VIEW AS WELL AS THE PROPOSED AMENDMENTS TO ACHIEVE THIS EFFECT.

+IN THE COURSE OF OUR DELIBERATION, I WAS ALSO ASSURED BY THE SECRETARY FOR ECONOMIC SERVICES THAT IF A HOTEL CARRIES ON A FULL-RANGE MONEY CHANGING BUSINESS IN THAT IT PROVIDES FOR THE SALE AND PURCHASE OF FOREIGN CURRENCIES TO MEMBERS OF THE PUBLIC OTHER THAN ITS GUESTS, THAT HOTEL WOULD BE REQUIRED TO OBSERVE THE PROVISIONS IN THE BILL.

/+AND THE .....

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+AND THE SAME SHALL APPLY TO A MONEY CHANGER WHO HIRES A COUNTER OR SHOP SPACE IN THE HOTEL PREMISES,+ HE SAID.

HE BELIEVED THIS SHOULD HELP TO CLEAR SOME OF THE DOUBTS IN SOME SECTORS.

CLAUSE (5), HE POINTED OUT, STIPULATES THAT A MONEY CHANGER WHO FAILS TO DRAW THE ATTENTION OF HIS CLIENTS TO THE CONTENTS OF THE STATEMENT SPECIFYING THE NATURE OF ANY CHARGE OR COMMISSION WOULD GIVE HIS CLIENTS GROUND TO RESCIND THE TRANSACTIONS.

+AFTER CAREFUL CONSIDERATION, MY UNOFFICIAL COLLEAGUES AND I FELT THAT IT MIGHT GIVE RISE TO ENFORCEMENT DIFFICULTIES AND COULD OPEN TO ABUSE,+ HE SAID.

HE WAS PLEASED THAT AMENDMENTS TO THE ORIGINAL DRAFT OF THIS BILL TO REMEDY THIS PARTICULAR ISSUE HAD ALSO BEEN ACCEPTED BY THE ADMINISTRATION.

HE ALSO PROPOSED AN AMENDMENT TO REQUIRE THE STATEMENT TO BE PRINTED PROMINENTLY.

THANKING THE UNOFFICIALS FOR THEIR SUPPORT AND CAREFUL CONSIDERATION OF THIS BILL, THE SECRETARY FOR ECONOMIC SERVICES, THE HON PIERS JACOBS SAID IT WAS TO GIVE SOME PROTECTION TO CUSTOMERS OF MONEY CHANGERS, WITHOUT INTERFERING UNNECESSARILY WITH THE NORMAL BUSINESS PRACTICES ADOPTED IN THIS PARTICULAR TRADE.

+WE HOPE THAT WE HAVE STRUCK THE RIGHT BALANCE,+ HE SAID.

THE AMENDMENTS INTRODUCED BY MR LEE AT COMMITTEE STAGE WOULD UNDOUBTEDLY IMPROVE THE BILL, AND HE SUPPORTED THEM.

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APPEAL CHANNEL FOR TAXPAYERS URGED  
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GOVERNMENT SHOULD ESTABLISH A SYSTEM TO DEAL WITH APPEALS BY TAXPAYERS AGAINST DELAY IN FINALISING AN OBJECTION BY THE TAX AUTHORITY, THE HON MRS RITA FAN SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

SHE WAS SPEAKING AGAINST THE MOTION IN THE RESUMED DEBATE ON THE INLAND REVENUE (AMENDMENT)(NO. 2) BILL 1984.

+IN ALL FAIRNESS, THERE SHOULD BE A CHANNEL FOR APPEAL BY THE TAXPAYER WHEN THE LATTER HAS GOOD REASONS TO BELIEVE THAT THERE HAVE BEEN UNNECESSARY DELAY ON THE PART OF TAX AUTHORITY,+ SHE SAID.

/SHE BELIEVED .....

SHE BELIEVED ONLY WITH THE ESTABLISHMENT OF SUCH AN APPEAL ARRANGEMENT, THE GOVERNMENT COULD INSPIRE CONFIDENCE IN THE MINDS OF TAXPAYERS.

MRS FAN STATED HER THREE MAIN OBJECTIONS TO THE PROPOSED BILL.

+FIRSTLY, I FEEL THE TAXPAYER SHOULD ALWAYS BE GIVEN THE OPTION OF CHOOSING BETWEEN OFFERING A BANK GUARANTEE OR PURCHASING TAX RESERVE CERTIFICATES TO COVER HIS PAYMENT OF TAX WHEN THE COMMISSIONER CONSIDERS THAT THE TAXPAYER'S OBJECTION AGAINST A TAX ASSESSMENT HAS SUFFICIENT MERIT.

+EVEN WITH THIS OPTION, THIS MAY NOT BE OF HELP TO SMALL ORGANISATIONS OR INDIVIDUALS WHO MAY HAVE DIFFICULTIES IN ARRANGING FOR A BANK GUARANTEE,+ SHE SAID.

+SECONDLY, THE PROPOSED BILL SHOULD CATER FOR AN APPEAL PROCEDURE FOR THE TAXPAYER AGAINST DELAY IN FINALISING AN OBJECTION BY THE TAX AUTHORITY, WHICH AT PRESENT IS NOT INCLUDED.

+THIRDLY, THE EXISTING ORDINANCE ALREADY GIVES THE NECESSARY POWERS TO THE COMMISSIONER TO EXERCISE HIS DISCRETION.

+THE ADDITIONAL MEASURE CONTAINED IN THIS BILL SERVE LITTLE PURPOSE,+ SHE ADDED.

MRS FAN SAID SHE FULLY APPRECIATED THAT DUE TO THE WIDE RANGING POWER GIVEN TO THE COMMISSIONER OF INLAND REVENUE UNDER THE EXISTING LAW, HE HAD TO EXERCISE HIS POWER WITH CARE, SO AS NOT TO BE DRACONIAN.

THE PROPOSED BILL, HOWEVER, ENABLED THE COMMISSIONER TO REQUIRE THE TAXPAYER TO PURCHASE TAX RESERVE CERTIFICATES, IRRESPECTIVE OF THE MERIT OF THE TAXPAYER'S OBJECTION OR APPEAL.

ANOTHER POINT WHICH WAS OF GREAT CONCERN TO THE TAXPAYER WAS THE TIME TAKEN TO FINALISE AN OBJECTION AND MANY PUBLIC ORGANISATIONS HAD DRAWN UMEICO'S ATTENTION TO THIS FACT, SHE SAID.

SHE CONCEDED THAT THERE MIGHT BE VALID REASONS FOR THE LONG PERIOD NEEDED TO SETTLE A CASE BUT POINTED OUT THE CONSIDERABLE TIME TAKEN WAS NOT DUE TO UNNECESSARY DELAY CAUSED BY THE TAXPAYERS.

+BECAUSE IN SUCH EVENTS, THE COMMISSIONER OF INLAND REVENUE CAN EXERCISE HIS POWER PRESCRIBED BY SECTION 71 SUBSECTION (3) AND DEMAND IMMEDIATE PAYMENT FROM THE TAXPAYERS.

+WHAT RECOURSE IS THERE FOR THE TAXPAYER TO SPEED UP THE PROCESS OF REACHING A DECISION, ESPECIALLY WHEN THE TAXPAYER'S FUNDS ARE TIED UP IN THE TAX RESERVE CERTIFICATES, OR THE TAXPAYER IS PAYING THE BANK CHARGES FOR THE BANK GUARANTEE?+ SHE ASKED.

SHE SAID THAT THE TAX STRUCTURE HAD TO BE SIMPLE AND REASONABLE IF HONG KONG WAS TO BE REGARDED AS AN INTERNATIONAL FINANCIAL CENTRE.

+IT IS THEREFORE IMPORTANT THAT OUR TAX LAWS MUST BE FAIR AND EQUITABLE.

+I HAVE RESERVATIONS ON WHETHER THE PROPOSED BILL CAN MEET THIS CRITERIA.

+IN VIEW OF THIS, I OBJECT TO THE MOTION,+ SHE SAID.

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NO MORE PLANS FOR CONTROL  
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THERE WERE NO PLANS TO BRING MORE PUBLIC UTILITIES UNDER SCHEMES OF CONTROL, THE SECRETARY FOR ECONOMIC SERVICES, THE HON PIERS JACOBS, SAID IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

IN REPLY TO A QUESTION BY THE HON ANDREW SO, MR JACOBS SAID SCHEME OF CONTROL AGREEMENTS HAD BEEN ENTERED INTO WITH SEVEN COMPANIES AND THEIR ASSOCIATES IN RELATION TO PUBLIC UTILITY SERVICES.

THE COMPANIES INVOLVED HAD BEEN EARLIER NAMED IN THE LEGISLATIVE COUNCIL AND THE EFFECTIVE PERIODS OF THE SCHEMES OF CONTROL HAD BEEN SET OUT IN THE RELEVANT AGREEMENTS, HE SAID.

HOWEVER, A NUMBER OF PUBLIC UTILITIES - DEPENDING ALSO ON PRECISE DEFINITION - WERE NOT SUBJECT TO SCHEMES OF CONTROL, MR JACOBS SAID. THESE INCLUDED THE MASS TRANSIT RAILWAY, THE KOWLOON-CANTON RAILWAY, THE WATERWORKS, THE TWO FERRY COMPANIES, HONG KONG TRAMWAYS, THE PEAK TRAM AND THE NEW LANTAO BUS COMPANY.

IN RELATION TO THESE PUBLIC UTILITIES, MR JACOBS SAID, THERE WAS ADEQUATE CONTROL OVER FARES OR CHARGES EITHER THROUGH LEGISLATIVE PROVISION OR UNDER THE TERMS OF THE RELEVANT FRANCHISE.

+THE HONG KONG AND CHINA GAS COMPANY LTD DOES NOT OPERATE UNDER EITHER A SCHEME OF CONTROL OR FRANCHISE BECAUSE ITS SERVICES ARE NOT PROVIDED IN A MONOPOLY OR QUASI-MONOPOLY SITUATION,+ HE SAID.

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BILL TO REDRESS OMISSION  
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A BILL OFFERING TO CERTAIN STAFF OF THE FORMER PREVENTIVE SERVICE A RETROSPECTIVE OPTION OF CEASING TO CONTRIBUTE TO THE WIDOWS AND ORPHANS PENSION SCHEME WAS READ A SECOND TIME TODAY.

MOVING THE SECOND READING OF THE PENSIONS (SPECIAL PROVISIONS) (CUSTOMS OFFICERS) BILL 1985, THE CHIEF SECRETARY, SIR PHILIP HADDON-CAVE, SAID ITS AIM WAS TO REDRESS AN OMISSION IN 1977 WHEN THE DEPARTMENT WAS RE-STRUCTURED.

HE SAID AT THAT TIME A NUMBER OF OFFICERS WHO WERE CONTRIBUTORS TO THE SCHEME WERE REGARDED INTO THE NEW BASIC RECRUITMENT RANK OF CUSTOMS OFFICER.

AS 'RANK AND FILE' OFFICERS IN THE BASIC RECRUITMENT RANKS OF THE DISCIPLINED SERVICES WERE EXEMPTED FROM SUCH CONTRIBUTION, SIR PHILIP POINTED OUT, THESE REGARDED OFFICERS SHOULD THEN HAVE BEEN GIVEN AN OPTION TO STOP CONTRIBUTING TO THE SCHEME.

THIS WAS NOT DONE DUE TO AN OMISSION, HE SAID.

+SOME OF THESE OFFICERS SUBSEQUENTLY BECAME CONTRIBUTORS TO THE WIDOWS AND CHILDREN'S PENSIONS SCHEME, WHICH WAS INTRODUCED ON JANUARY 1, 1978, TO REPLACE THE WIDOWS AND ORPHANS PENSION SCHEME, + HE SAID.

FOR OFFICERS WHO ELECT TO TAKE THE RETROSPECTIVE OPTION, THE BILL WOULD PROVIDE FOR REFUNDS OF THEIR CONTRIBUTIONS MADE UNDER THE TWO SCHEMES.

DEBATE ON THE BILL WAS ADJOURNED.

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LAUNDRY-POLE DRYING 'REASONABLY SAFE'  
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THE LAUNDRY-POLES DRYING SYSTEM IN PUBLIC HOUSING ESTATES WAS REASONABLY SAFE, JUDGING FROM THE VERY SMALL NUMBER OF ACCIDENTS REPORTED, THE SECRETARY FOR HOUSING, THE HON DONALD LIAO, SAID TODAY.

REPLYING TO A QUESTION BY THE HON PAULINE NG IN THE LEGISLATIVE COUNCIL, HE SAID THERE HAD BEEN THREE REPORTED ACCIDENTS INVOLVING LAUNDRY-POLES IN ESTATES AMONG A TOTAL OF 500 000 FLATS.

+THE PRESENT FACILITIES ARE MUCH FAVOURED BY OCCUPANTS OF SMALL FLATS WHERE READY DRYING FACILITIES ARE INEVITABLY VERY LIMITED.

+THEY OFFER MINIMUM INCONVENIENCE TO USERS AND NEIGHBOURS AND MEET THE TENANTS' DESIRE TO AIR THEIR CLOTHES IN THE SUNLIGHT, AND SO REMAIN POPULAR.

+DRYING RACKS SUSPENDED FROM THE CEILING OF THE BALCONY ARE ALSO PROVIDED IN ESTATES, BUT THE TRADITIONAL METHOD OF A POLE IN THE SUNLIGHT IS PREFERRED.+

MR LIAO SAID THE HOUSING AUTHORITY WAS CONTINUING TO LOOK FOR IMPROVEMENTS AND ON A NUMBER OF NEW ESTATES, NEW METHODS FOR DRYING WERE BEING TRIED OUT.

OF THE THREE REPORTED ACCIDENTS, HE SAID TWO INVOLVED SLIGHT INJURIES BECAUSE OF FALLING OBJECTS. THE OTHER WAS THE FATAL CASE OF AN OLD LADY WHO HAD SLIPPED AND FALLEN OFF THE BALCONY WHILE STANDING ON A HIGH STOOL.

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RIVER POLLUTION CAUSED BY LACK OF FLUSHING FLOW  
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POLLUTION OF WATERCOURSES IN THE NEW TERRITORIES WAS EXACERBATED BY THE GENERAL LACK OF FLUSHING FLOW DURING MUCH OF THE YEAR, THE SECRETARY FOR HEALTH AND WELFARE, THE HON JOHN CHAMBERS, SAID TODAY.

MR CHAMBERS LISTED THREE MAJOR CAUSES OF POLLUTION OF THE WATERCOURSES IN THE NEW TERRITORIES, IN REPLY TO A QUESTION RAISED BY THE HON CHEUNG YAN-LUNG.

FIRSTLY AND MOST IMPORTANT WAS THE INDISCRIMINATE DISPOSAL OF FARM WASTE, MAINLY THE EXCRETA OF PIGS, CHICKENS AND DUCKS, AT A RATE OF ABOUT 2 000 TONNES A DAY BY DIRECT OR INDIRECT FLUSHING INTO NEARBY WATERCOURSES.

+THIS IS THE MAIN CAUSE OF THE NOXIOUS APPEARANCE AND SMELL OF MANY STREAMS IN THE NEW TERRITORIES,+ HE SAID.

SECONDLY, OUTSIDE NEW TOWN BOUNDARIES, WHERE THERE WERE GENERALLY NO COMMUNAL SEWAGE DISPOSAL FACILITIES, WASTES ARISING FROM THE HUMAN POPULATION IN SOME VILLAGES AND SQUATTER AREAS ADDED TO THE POLLUTION LOAD ON WATERCOURSES.

THIRDLY, MANY INDUSTRIAL ESTABLISHMENTS HAD RUDIMENTARY OR NON-EXISTENT WASTE TREATMENT FACILITIES, AND THUS CONTRIBUTED TO THE POLLUTION BY DISCHARGING THEIR EFFLUENTS MORE OR LESS DIRECTLY INTO THE ENVIRONMENT.

SPEAKING OF POLLUTION OF THE YUEN LONG NULLAH IN PARTICULAR, MR CHAMBERS SAID THE PROBLEMS WERE SIMILAR TO THE REST OF THE NEW TERRITORIES.

ACCORDING TO A 1979 SURVEY, THE YUEN LONG NULLAH RECEIVED THE BULK OF THE WASTES FROM ABOUT 76 000 PIGS, 532 000 CHICKENS AND 57 000 DUCKS, TOGETHER WITH THE WASTES FROM THE MAJORITY OF ABOUT 30 000 PEOPLE WHO LIVED IN OLD STYLE VILLAGE HOUSING AND TEMPORARY STRUCTURES IN THE AREA, MR CHAMBERS SAID.

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DENTAL COUNCIL TO PONDER ELIGIBILITY QUESTION  
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THE DENTAL COUNCIL WOULD BE LOOKING INTO SECTION 8 (1) (C) OF THE DENTISTS REGISTRATION ORDINANCE WHICH EXCLUDED CERTAIN PERSONS REGISTERED UNDER IT FROM APPOINTMENT TO THE DENTAL COUNCIL OF HONG KONG, THE DIRECTOR OF MEDICAL AND HEALTH SERVICES, DR THE HON K.L. THONG, SAID TODAY.

REPLYING TO A QUESTION BY DR THE HON HENRIETTA IP AS TO WHY PERSONS REGISTERED UNDER THE SECTION WERE NOT ELIGIBLE FOR APPOINTMENT TO THE COUNCIL, DR THONG SAID THAT THIS HAD BEEN THE POSITION SINCE THE COUNCIL WAS SET UP BY LAW IN AUGUST 1959.

+FURTHERMORE,+ HE SAID, +IT IS NOT POSSIBLE TO ESTABLISH THE REASON FOR THE ORIGINAL PROVISION AT THIS POINT IN TIME.+

HOWEVER, THE DENTAL COUNCIL WAS DUE TO EXAMINE THE LEGAL PROVISIONS FOR ITS COMPOSITION AT THE NEXT MEETING IN MARCH, AND THE MATTER RAISED WOULD BE CONSIDERED BY THE COUNCIL, DR THONG SAID.

DENTISTS REGISTERED UNDER THE SECTION WERE GRADUATES OF DENTAL SCHOOLS IN THE PHILIPPINES, CHINA, JAPAN, SOUTH ASIAN COUNTRIES, INDIA AND PAKISTAN.

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STATEMENT ON CMB MAINTENANCE EXPECTED  
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A FULL PUBLIC STATEMENT ON THE FINDINGS OF THE WORKING GROUP OF THE TRANSPORT ADVISORY COMMITTEE ON CHINA MOTOR BUS COMPANY MAINTENANCE WOULD BE MADE FOLLOWING THE DECISION OF THE GOVERNOR-IN-COUNCIL WITH TAC ADVICE, THE SECRETARY FOR TRANSPORT, THE HON ALAN SCOTT, SAID TODAY.

IN REPLY TO A QUESTION BY THE HON RITA FAN, HE SAID, HOWEVER, THAT IT WOULD BE FOR THE GOVERNOR-IN-COUNCIL TO DECIDE WHETHER THE STATEMENT SHOULD CONTAIN THE 132 FULL REPORT AND ITS 882 PAGE SUPPLEMENTARY VOLUMES.

MR SCOTT SAID THE WORKING GROUP HAD FORWARDED ITS REPORT TO THE CHAIRMAN OF THE TAC ON DECEMBER 27 LAST YEAR.

COPIES OF THE REPORT HAD THEN BEEN PRINTED AND SENT TO THE BUS COMPANY AND THE GOVERNMENT DEPARTMENTS CONCERNED IN MID-JANUARY, INVITING COMMENTS.

+THE TAC IS IN THE PROCESS OF EXAMINING THE REPORT AND COMMENTS,+ HE SAID.

+THE AIM IS TO HAVE THE SUBMISSION BEFORE THE EXECUTIVE COUNCIL, WITH THE TAC'S RECOMMENDATIONS, AROUND THE END OF MARCH OR IN EARLY APRIL,+ HE ADDED.

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12 000 VIETNAMESE REFUGEES IN HK  
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THERE WERE 11 832 VIETNAMESE REFUGEES IN HONG KONG AS AT DECEMBER 31, 1984, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, SAID TODAY.

ON THEIR POSITION REGARDING RESETTLEMENT, MR JEAFFRESON SAID THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES HAD SECURED FIRM ACCEPTANCE BY RESETTLEMENT COUNTRIES FOR ABOUT SIX PER CENT OF THEM.

ANOTHER 27 PER CENT WERE AWAITING A DECISION BY THE COUNTRY OR COUNTRIES TO WHICH THE UNHCR HAD SUBMITTED THEIR CASES FOR RESETTLEMENT; AND THE REMAINING 67 PER CENT, OR 7 957 REFUGEES, WERE EITHER CASES FOR WHICH THE UNHCR HAD NOT YET BEEN ABLE TO PUT FORWARD SUBMISSIONS OR WERE CASES WHERE THE UNHCR HAD MADE SUBMISSIONS WHICH HAD BEEN REJECTED BY AT LEAST ONE RESETTLEMENT COUNTRY, MR JEAFFRESON SAID IN REPLY TO QUESTION BY THE HON CHEN SHOU-LUM.

+THE UNHCR ESTIMATES THAT, OF THIS 67 PER CENT, ABOUT 5 250 HAVE BEEN REJECTED AT LEAST ONCE,+ HE SAID.

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24 590 OVERSEAS DOMESTICS  
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AT THE END OF 1984, THERE WERE 24 590 DOMESTIC HELPERS FROM OVERSEAS WHO HELD IMMIGRATION APPROVAL TO WORK IN HONG KONG, THE SECRETARY FOR SECURITY, THE HON DAVID JEAFFRESON, SAID TODAY.

AT THE END OF 1983, THERE WERE 26 314 AND AT THE END OF 1982, THERE WERE 21 517, MR JEAFFRESON SAID IN REPLY TO A QUESTION BY THE HON BILL BROWN IN THE LEGISLATIVE COUNCIL.

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THREE BILLS PASSED  
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THREE BILLS WERE PASSED IN THE LEGISLATIVE COUNCIL TODAY (WEDNESDAY).

THEY ARE: THE INLAND REVENUE (AMENDMENT)(NO. 2) BILL 1984, INSURANCE COMPANIES (AMENDMENT) BILL 1985 AND MONEY CHANGERS (DISCLOSURE OF RATES, CHARGES AND COMMISSIONS) BILL 1984.

TWO BILLS WERE READ A SECOND TIME AND DEBATE ON THEM WAS ADJOURNED.

THEY ARE: THE PENSIONS (SPECIAL PROVISIONS)(CUSTOMS OFFICERS) BILL 1985 AND INLAND REVENUE (AMENDMENT) BILL 1985.

THE MEETING WAS ADJOURNED TO FEBRUARY 27.

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HK BILL DEBATE FACILITY FOR PRESS

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A FACILITY HAS BEEN ARRANGED TO ENABLE MEDIA REPRESENTATIVES TO LISTEN TO THE DEBATE ON THE THIRD READING AND COMMITTEE STAGE OF THE HONG KONG BILL IN THE HOUSE OF COMMONS EARLY TOMORROW (THURSDAY) MORNING, HONG KONG TIME.

NO TIME HAS YET BEEN FIXED FOR THE START OF THE DEBATE, BUT IT IS EXPECTED TO BE AROUND 3 AM HONG KONG TIME TOMORROW. HOWEVER, THIS MAY BE DELAYED IF THE PRECEDING DEBATE HAS NOT ENDED BY THEN.

RADIO TELEVISION HONG KONG WILL PROVIDE A DIRECT +FEED+ TO THE PRESS CONFERENCE ROOM ON THE FIFTH FLOOR OF BEACONSFIELD HOUSE, GIS, FROM WHERE MEDIA REPRESENTATIVES WILL BE ABLE TO LISTEN TO THE DEBATE. THE +FEED+ WILL COVER THE DEBATE FROM BEGINNING TO END.

REPRESENTATIVES FROM THE ELECTRONIC MEDIA SHOULD NOTE THAT ALTHOUGH THEY CAN RECORD THE DEBATE FROM THE GIS PRESS CONFERENCE ROOM, THE RECORDING CAN NOT BE BROADCAST BECAUSE OF CONTRACTUAL OBLIGATIONS OF RTHK.

IT SHOULD ALSO BE NOTED THAT RECORDINGS AT THE GIS PRESS CONFERENCE ROOM CAN ONLY BE DONE BY HAND-HELD RECORDERS AND THERE WILL BE NO PLUG-IN FACILITIES.

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GOVERNOR TO OPEN SCHOOL IN MUI WO

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THE GOVERNOR, SIR EDWARD YOUDE, WILL OPEN THE NEW TERRITORIES HEUNG YEE KUK SOUTHERN DISTRICT SECONDARY SCHOOL IN MUI WO ON LANTAU ISLAND ON FRIDAY (FEBRUARY 8).

BEFORE THE SCHOOL OPENING, SIR EDWARD WILL FIRST TOUR CHUNG HAU TO LOOK AT DEVELOPMENTS.

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+HARD WORK IS THE KEY+

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"HARD WORK IS THE KEY," ADMITS HONG KONG'S TOP CHINESE POLICEMAN, MR LI KWAN-HA, IN EXPLAINING HIS RECENTLY-ANNOUNCED PROMOTION TO DEPUTY COMMISSIONER OF POLICE.

MR LI WILL SUCCEED MR RAYMON ANNING WHEN THE LATTER TAKES OVER AS COMMISSIONER OF POLICE ON THE RETIREMENT OF MR ROY HENRY, IN APRIL.

/IN AN .....

IN AN INTERVIEW IN THE LATEST EDITION OF THE POLICE FORCE NEWSPAPER OFF BEAT, MR LI GIVES READERS A GLIMPSE OF HIS LIFE, WHILE REMAINING TRUE TO HIS REPUTATION FOR MAINTAINING A LOW PROFILE.

"I AM JUST A SIMPLE POLICE OFFICER AND A CAREER MAN, SO I CAN DO NO MORE THAN MY BEST FOR MYSELF, FOR THE ORGANISATION AND ABOVE ALL FOR THE GOOD OF HONG KONG," HE SAID.

"MY AIM IN THE POLICE, AS ALWAYS, IS TO TRY TO MINIMISE CRIME -- IN PARTICULAR, VIOLENT AND SERIOUS CRIME.

"I KNOW I CAN'T ELIMINATE IT, BUT IT IS GOOD TO BE ABLE TO PREVENT CRIME FROM HAPPENING AND, IF IT HAS ALREADY OCCURRED, THEN TO DETECT THE WRONGDOERS AND BRING THEM TO JUSTICE."

MR LI ALSO GIVES THREE POINTS OF ADVICE FOR YOUNGER OFFICERS. IN ADDITION TO DEVELOPING POLICE OPERATIONAL AND MANAGERIAL SKILLS, THEY SHOULD MAINTAIN GOOD CONDUCT IN THEIR PROFESSIONAL AND PERSONAL LIVES.

"PROFESSIONAL CONDUCT MEANS MORE THAN DOING WHAT IS REQUIRED," HE SAID. "IT EXTENDS TO COVER THE HUMAN SIDE OF OUR DAY-TO-DAY ENDEAVOURS. THE HUMAN ELEMENT HAS TO BE CONSIDERED IN OUR PROFESSIONAL CONDUCT."

HE SAID FUTURE OBJECTIVES WOULD BE TO CONTINUE TO DO HIS BEST WITH THE AIM THAT HONG KONG WOULD CONTINUE TO BE A HAPPY PLACE IN WHICH TO LIVE AND WORK.

AS FOR HIS PRIVATE LIFE, MR LI DESCRIBES HIMSELF AS A FAMILY MAN. BORN IN CANTON, HE HAS SPENT MOST OF HIS LIFE IN HONG KONG, WHICH HE REGARDS AS HIS PERMANENT HOME.

HE LIVES QUIETLY WITH HIS WIFE, WHO WAS HIS CHILDHOOD SWEETHEART. THEY HAVE TWO DAUGHTERS AT SCHOOL IN ENGLAND.

"PEOPLE SAY I LIKE TO KEEP A LOW PROFILE, BUT WHAT DOES THAT MEAN?" HE ASKED. "I AM A QUIET PERSON AND WOULD PREFER TO SPEND LONGER TIME, IF POSSIBLE, WITH MY FAMILY. BUT I DO HAVE MANY FRIENDS IN THE POLICE. HOWEVER, THE WORK SCHEDULE IN MY PRESENT JOB IS SO HEAVY THAT WHATEVER TIME IS LEFT APART FROM SOCIALISING I SPEND WITH MY FAMILY.

"I LIKE WALKING, WHICH I DO QUITE A LOT OF, AND READING." HE ALSO TOOK A KEEN INTEREST IN ANTIQUE JADE -- AN INTEREST WHICH HE HAD DEVELOPED FOR OVER 15 YEARS -- AND KEPT A LIMITED COLLECTION. "I ALSO HAVE A VERY DEEP INTEREST IN READING CHINESE HISTORY," HE ADDED.

MR LI AND HIS WIFE ARE BOTH CHRISTIANS AND REGULAR CHURCH GOERS AT THE LING LIANG WORLD WIDE EVANGELISTIC MISSION.

ASKED TO COMMENT ON HIS FUTURE PLANS, MR LI SAID: "AS A CAREER POLICE OFFICER I WILL STAY AS LONG AS I CAN AND AS LONG AS I AM WANTED."

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DB MEETING TO DISCUSS DEVELOPMENT PLAN  
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AN EXTENSIVE DEVELOPMENT PLAN FOR YUEN LONG WILL BE DISCUSSED BY MEMBERS OF THE YUEN LONG DISTRICT BOARD AT THEIR MEETING TOMORROW (THURSDAY).

THE PLAN INCLUDES THE EXPANSION OF YUEN LONG TOWN, AND THE CONSTRUCTION OF A PUBLIC HOUSING ESTATE AND TERMINUS FOR THE LIGHT RAIL TRANSIT SYSTEM.

THE LRT TERMINUS WILL BE INCORPORATED INTO YUEN LONG TOWN TO ALLOW FOR FURTHER TRAFFIC DEVELOPMENTS.

BOARD MEMBERS WILL BE INVITED TO COMMENT ON THE EIGHT PROPOSED NAMES FOR THE LRT STATIONS.

ACCORDING TO THE PLAN, A SITE HAS BEEN EARMARKED FOR A PUBLIC HOUSING ESTATE TO THE EAST OF YUEN LONG TOWN WHICH WILL INCLUDE A DISTRICT GAMES COMPLEX.

POLLUTION IN THE YUEN LONG NULLAH WHICH HAS CAUSED CONCERN AMONG BOARD MEMBERS AND THE PUBLIC, WILL ALSO BE DISCUSSED AT THE MEETING.

REPRESENTATIVES OF THE GOVERNMENT DEPARTMENTS CONCERNED WILL ANSWER QUESTIONS RAISED BY TWO BOARD MEMBERS ON THE PROBLEMS OF OYSTER FARMING AT TUNG CHUNG AND ILLEGAL STRUCTURES IN YUEN LONG TOWN.

REPORTS FROM THE BOARD'S OF TRAFFIC AND TRANSPORT COMMITTEE, THE ENVIRONMENTAL IMPROVEMENT COMMITTEE AND THE YUEN LONG DISTRICT FIGHT CRIME COMMITTEE WILL ALSO BE TABLED.

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RAPPS ON THE LOOKOUT FOR PICKPOCKETS  
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WATCH OUT PICKPOCKETS -- RAPPS ARE ABOUT. WATCHING AND WAITING IN PLACES WHERE THEY KNOW PICKPOCKETS PREY ON UNSUSPECTING PASSERS-BY ARE THE MEN AND WOMEN OF THE HONG KONG ISLAND REGIONAL ANTI-PICKPOCKET SQUAD.

THE RAPPS -- MORE STEALTHY AND OBSERVANT THAN PICKPOCKETS THEMSELVES -- HAVE HELPED REDUCE PICKPOCKET REPORTS ON HONG KONG ISLAND BY 36 PER CENT SINCE 1982.

SO EXPERT HAS THE SQUAD BECOME IN IDENTIFYING AND ARRESTING PICKPOCKETS AND PRODUCING CONDEMNING EVIDENCE THAT IT HAS ACHIEVED A 95 PER CENT SUCCESS RATE IN COURT CONVICTIONS.

/IF SOMEONE .....

IF SOMEONE SUDDENLY DROPS COINS IN THE STREET, WAITS FOR BUSES WITHOUT TAKING A RIDE OR USES SIGN LANGUAGE LIKE A DEAF AND DUMB PERSON THEY COULD BE THE FIRST SIGNS THAT A VICTIM HAS BEEN SPOTTED AND A POCKET OR PURSE IS ABOUT TO BE PICKED.

WITH A HIDDEN SLIVER OF RAZOR BLADE THE PICKPOCKET MOVES CLOSER TO HIS VICTIM, READY TO SEIZE A MOMENT'S ADVANTAGE TO CUT OPEN A POCKET OR BAG.

IN FRONT OF DOZENS OF ON-LOOKERS HE SLASHES, DEFTLY STEALING MONEY, CREDIT CARDS AND VALUABLES.

WORKING IN GROUPS SOMETIMES AS MANY AS SEVEN STRONG THEY STRIKE, PASSING STOLEN PROPERTY FROM HAND TO HAND UNTIL THEY DISAPPEAR INTO THE PEOPLE PACKED STREETS OF CAUSEWAY BAY OR CENTRAL.

THE SLIGHTEST SUSPICION THAT THEY HAVE BEEN SEEN OR THAT POLICE ARE PRESENT AND THE GANGS DISPERSE AND MOVE TO ANOTHER PREARRANGED LOCATION.

BUT THEY KNOW THAT RAPPS ARE MAKING LIFE INCREASINGLY DIFFICULT FOR THEM.

EXPLAINED MR ERIC LEE, SENIOR STAFF OFFICER, CRIME, HONG KONG ISLAND: "WE HAVE NOW REACHED A STAGE IN OUR FIGHT AGAINST PICKPOCKETS THAT WE ARE ABLE TO PASS THE RESPONSIBILITY BACK TO THE DISTRICTS AS PART AND PARCEL OF THEIR WATCH AND WARD DUTIES."

IT WAS NOT THE SAME IN 1982, WHEN THERE WERE 1,063 PICKPOCKET REPORTS ON THE ISLAND. MOST OF THE VICTIMS WERE TOURISTS OR FOREIGNERS FROM JAPAN OR SOUTH EAST ASIA, PEOPLE CARRYING LARGE AMOUNTS OF CASH AND CREDIT CARDS.

SAID MR LEE: "AS A RESULT PICKPOCKETS CONVERGED ON WANCHAI, CENTRAL AND CAUSEWAY BAY. THE STREETS ARE CROWDED WITH PEOPLE AND TRAFFIC IN CENTRAL DURING LUNCH HOURS AND IN OTHER AREAS DURING THE NIGHT. WE WERE HIT BY A HIGH RATE OF PICKPOCKET REPORTS."

AS A RESULT IT WAS DECIDED EARLY IN 1983 TO ESTABLISH A UNIQUE SECTION SPECIALLY CHARTERED TO DEAL WITH PICKPOCKETS IN BOTH OPERATIONAL AND INTELLIGENCE FIELDS. THE RESULT WAS THE FORMATION OF RAPPS.

UNDER THE COMMAND OF CHIEF INSPECTOR STEVE CHANDLER THE SQUAD HAD 25 MEMBERS OF ALL RANKS FROM UNIFORM BRANCH AND CID. THE SQUAD WAS LATER REDUCED INTO TWO SMALLER TEAMS, COMMANDED NOW BY SENIOR INSPECTOR CHEUNG PUI-KUEN.

"WE SYSTEMATICALLY ANALYSED AND IDENTIFIED THE PICKPOCKETS," SAID MR LEE. "MOST OF THEM WERE IN ORGANISED GROUPS, ALTHOUGH THERE WERE SOME FREELANCES. WE ESTABLISHED THE BLACKSPOTS AND TIMINGS OF INCIDENTS AND STUDIED THE TACTICS OF THE CRIMINALS.

''NO SOONER HAD THE SQUAD BEEN FORMED THAN WE IDENTIFIED A NUMBER OF GANGS. THEY WERE HIGHLY MOBILE. SOME WERE LOCAL GROUPS, SOME WERE VIETNAMESE AND OTHERS WERE DEAF AND DUMB PEOPLE.''

A COMMON WAY TO FALL VICTIM TO A PICKPOCKET WOULD BE BY BEING JOSTLED BY ACCOMPLICES IN A CROWDED PLACE, SUCH AS A BUS QUEUE OR BY BEING STOPPED BY A DIVERSIONARY TACTIC SUCH AS A MAN IN THE STREET SUDDENLY DROPPING A HANDFUL OF COINS, FORCING PEOPLE BEHIND HIM TO STOP.

''IT ALL HAPPENS WITHOUT PEOPLE STANDING BY IN THE STREET KNOWING ANYTHING ABOUT IT. SOMETIMES THEY SEE IT HAPPEN AND DO NOTHING ABOUT IT. PUBLIC CO-OPERATION HAS BEEN A PROBLEM AT TIMES.

''WE MADE A VIDEOTAPE FOR TRAINING PURPOSES TO SHOW HOW EASY IT WAS TO MISS A PICKPOCKET AT WORK AND WE FILMED PEOPLE WITHOUT THEIR KNOWLEDGE, WITNESSING OUR STAGED ''INCIDENT'' WITHOUT RAISING A HUE AND CRY.''

IN ORDER TO ARREST COMPLETE GANGS AND NOT JUST THE PERSON WHO CARRIES OUT THE THEFT, THE RAPPS SET UP OBSERVATION AND PHOTOGRAPHIC POSTS TO IDENTIFY POSSIBLE CULPRITS.

RAPPS PERSONNEL, DRESSED LIKE ANY OTHER PASSER-BY, MINGLED WITH CROWDS AND SUSPECTS. ONE GANG SUCCESSFULLY IDENTIFIED AND NEUTRALISED CONTAINED 10 PEOPLE.

BY LAST YEAR THE NUMBER OF PICKPOCKET REPORTS ON HONG KONG ISLAND HAD DROPPED TO 686.

THE RAPPS EXPERIENCE IS NOW BEING PASSED ON FORCE WIDE TO OTHER FORMATIONS.

REGIONAL ATTACHMENTS ARE BEING MADE TO THE SQUAD BY ROTATION TO STUDY LESSONS IN INTELLIGENCE GATHERING AND OPERATIONS AT STREET LEVEL.

KOWLOON AND NEW TERRITORIES ARE ALSO TAKING ACTIVE ROLES IN COMBATTING TRENDS IN PICKPOCKET ACTIVITIES.

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FIREWORKS POSTERS SNAPPED UP  
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THE ATTRACTIVELY DESIGNED 1985 FIREWORKS POSTERS HAVE ONCE AGAIN PROVED TO BE VERY POPULAR AMONG LOCAL RESIDENTS.

IN LESS THAN TWO DAYS, ALL 14 500 COPIES AVAILABLE FOR FREE DISTRIBUTION AT THE URBAN COUNCIL PUBLICATIONS CENTRE HAVE BEEN SNAPPED UP.

/IN VIEW .....

IN VIEW OF THE OVERWHELMING RESPONSE, AN ADDITIONAL 10 000 COPIES HAVE BEEN PRINTED AND THESE ARE AVAILABLE ONLY FROM THE VARIOUS BRANCHES OF SUN HUNG KAI BANK.

THE POSTERS ARE PRODUCED IN CONNECTION WITH THE 1985 LUNAR NEW YEAR FIREWORKS DISPLAY WHICH IS SPONSORED BY THE SUN HUNG KAI GROUP IN ASSOCIATION WITH THE URBAN COUNCIL.

THE DISPLAY WILL BE HELD OVER VICTORIA HARBOUR ON FEBRUARY 21, THE SECOND DAY OF THE LUNAR NEW YEAR, STARTING FROM 8 P.M. IT WILL BE BROADCAST LIVE BY BOTH TELEVISION STATIONS.

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BLITZ ON FIRE HAZARDS IN FACTORY BUILDINGS  
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AN INSPECTION TO IDENTIFY AND ABATE FIRE HAZARDS AT FACTORY BUILDINGS WILL BE CARRIED OUT IN KWAI CHUNG TOMORROW (THURSDAY).

IT WILL BE CONDUCTED BY THE NEW TERRITORIES FIRE COMMAND AND THE FIRE PROTECTION BUREAU IN CONJUNCTION WITH THE NEW TERRITORIES SERVICES DEPARTMENT STARTING AT 10 AM.

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ART GALLERY IN TAI KOK TSUI PROPOSED  
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A PROPOSAL TO BUILD AN OPEN AIR ART GALLERY IN TAI KOK TSUI WILL BE DISCUSSED AT THE MONG KOK DISTRICT BOARD MEETING TOMORROW (THURSDAY) AFTERNOON.

IT WILL BE LOCATED AT AN ACCESS LANE BOUNDED BY SYCAMORE STREET AND BOUNDARY STREET.

TOTAL COST OF THE PROJECT IS \$240 000 WITH THE BOARD CONTRIBUTING \$150 000.

MEMBERS' VIEW WILL ALSO BE SOUGHT ON THE OPERATION OF PARKING METERS ON SUNDAYS AND PUBLIC HOLIDAYS IN THE DISTRICT AND THE OUTLINE ZONING PLAN OF YAU MA TEI AND MONG KOK.

MEMBERS WILL BE BRIEFED ON THE LATEST SITUATION IN RESITING MARKET AND HAWKER STALLS IN CONNECTION WITH THE CONSTRUCTION OF THE URBAN COUNCIL FA YUEN STREET COMPLEX.

OTHER ITEMS ON THE AGENDA INCLUDE A REVIEW OF THE WORK OF THE BOARD FOR 1984/85, APPLICATION FOR DB FUNDS, AND THE PROGRESS REPORTS OF VARIOUS COMMITTEES.

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WEDNESDAY, FEBRUARY 6, 1985

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SEMINAR TO PROMOTE CLOSER GROUP TIES

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RELATIONSHIP BETWEEN THE KWUN TONG DISTRICT BOARD AND THE 13 AREA COMMITTEES IN THE DISTRICT WILL BE DISCUSSED AT A SEMINAR ON FRIDAY (FEBRUARY 8) EVENING.

MORE THAN 150 DISTRICT BOARD AND AREA COMMITTEE MEMBERS WILL TAKE PART IN THE SEMINAR - THE FIRST OF ITS KIND TO BE HELD IN THE DISTRICT.

SUBJECTS FOR DISCUSSION INCLUDE THE ADEQUACY OF COMMUNICATION CHANNELS BETWEEN THE BOARD AND ACS, AND WAYS TO IMPROVE WORKING RELATIONS IN AREAS SUCH AS ENVIRONMENTAL IMPROVEMENT, TRAFFIC AND TRANSPORT.

THE SECRETARY FOR DISTRICT ADMINISTRATION, MR DAVID AKERS-JONES, AND THE DEPUTY REGIONAL SECRETARY FOR HONG KONG AND KOWLOON, MR ALBERT LAM, WILL ADDRESS THE SEMINAR WHICH WILL START AT 6.30 PM IN THE GOLDEN MILE HOLIDAY INN HOTEL, NATHAN ROAD.

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SEWAGE PUMPING STATION TO BE BUILT AT TSING YI

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A SEWAGE PUMPING STATION WILL BE BUILT ON TSING YI ISLAND FOLLOWING THE AWARD OF A CONTRACT BY THE TSUEN WAN NEW TOWN DEVELOPMENT OFFICE OF THE NEW TERRITORIES DEVELOPMENT DEPARTMENT.

BESIDES THE PUMPING STATION, THE \$7.6 MILLION CONTRACT INCLUDES CONSTRUCTION OF AN ELECTRICAL SUBSTATION, THE ASSOCIATED BUILDING SERVICES AND ELECTRICAL AND MECHANICAL WORKS TOGETHER WITH AN ACCESS ROAD.

THE NEARBY AREAS WILL BE LANDSCAPED TO BLEND WITH THE EXISTING GREEN HILLSIDES.

THE CONTRACT WENT TO MAEDA CONSTRUCTION COMPANY LIMITED.

WORK COMMENCED EARLIER THIS WEEK AND WILL TAKE ABOUT 14 MONTHS TO COMPLETE.

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SOCCER FIELD FOR TAI PO

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WORK ON BUILDING A SOCCER PITCH AT TAI PO STARTED EARLY THIS MONTH (FEBRUARY) FOLLOWING THE AWARD OF A \$4.9 MILLION CONTRACT BY THE ARCHITECTURAL OFFICE OF THE BUILDING DEVELOPMENT DEPARTMENT.

THE PITCH AT TAI PO ROAD NEAR WONG SHIU CHI MIDDLE SCHOOL, MEASURING 52 METRES BY 91 METRES, WILL HAVE ARTIFICIAL TURF AND FLOOD LIGHTING.

FACILITIES SUCH AS CHANGING ROOMS, TOILETS, STOREROOMS AND A LANDSCAPED AREA WILL ALSO BE INCLUDED.

WORK ON THE PROJECT IS EXPECTED TO BE COMPLETED BY SEPTEMBER.

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SHA TIN SITE FOR SHORT TERM TENANCY

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THE LANDS DEPARTMENT IS INVITING TENDERS FOR SHORT TERM TENANCY OF A 1 162-SQUARE-METRE SITE AT YUEN CHAU KOK ROAD, SHA TIN.

THE SITE IS FOR THE GROWING, STORAGE AND SALE OF POTTED PLANTS, FLOWERS AND ANCILLARY GARDEN PRODUCTS.

TENANCY IS FOR THREE YEARS AND IS RENEWABLE QUARTERLY AFTERWARDS.

TENDERS MUST BE SUBMITTED BY MARCH 1.

TENDER FORM, NOTICE AND CONDITIONS MAY BE OBTAINED FROM, AND PLAN IS AVAILABLE FOR INSPECTION AT:

- \* LANDS DEPARTMENT, SURVEY DIVISION, MURRAY BUILDING, 5TH FLOOR, GARDEN ROAD, HONG KONG;
- \* DISTRICT LANDS OFFICE, KOWLOON, YAU MA TEI CAR PARK BUILDING, 10TH FLOOR, 250 SHANGHAI STREET, KOWLOON; AND
- \* DISTRICT LANDS OFFICE, SHA TIN, 2 TUNG LO WAN HILL ROAD, SHA TIN, NEW TERRITORIES.

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