



DAILY INFORMATION BULLETIN

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Governor's speaks on the no.5 alarm fire in Kowloon

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The following is the transcript of what the Governor, the Rt Hon Christopher Patten, said today (Wednesday) after visiting the scene of the no 5 alarm fire in Kowloon:

Governor: I wanted to come here this evening to pay a particular tribute to our fire service and to our police who've done a magnificent job under extremely harrowing circumstances. This has obviously been an appalling fire which has been handled with very great bravery and very great competence by our fire services and by the police and ambulance service. I want to pay a particular tribute to our fire service officers who've behaved with the bravery and the competence which you'd expect of them. As you know, we are at present legislating to tighten up the regulations which we hope, we hope, will prevent disasters like this happening in the future. There are obviously needs to be investigations into exactly what has happened this evening and I don't want to say anything prematurely. I am now going to go to the hospital to see the medical staff there and to see some of the relatives of those who've been injured and to see some of those who've themselves been injured. But above all this evening I want to pay tribute to our very, very brave fire service officers, and to everybody who's been involved in dealing with this disaster.

End

Governor's media session after visiting hospital

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The following is the transcript of the media session of the Governor, the Rt Hon Christopher Patten, after visiting the fire victims in Queen Elizabeth Hospital today (Wednesday):

Governor: Can I just make one plea to you. I know you've got your job to do, and I know you want to take photographs and write down what has been happening. But there're a lot of sick people here and their needs and concerns are much more important than yours. I'll be very grateful if we could keep things as quiet as possible and as orderly as possible. Alright, is that a deal? As you wouldn't like to be in hospital and they didn't like to be in hospital, alright?

I've been to the scene of this evening's tragedy. And I want to come after that to the hospital, to the QE where most of the victims have been brought. Just over forty were brought here and thirty-four have been admitted to the hospital. And about twenty-six are at Kwang Wah. I wanted at the scene of the disaster to thank the Fire Services and the other emergency services for the extremely competent and brave and professional job which they have done. And here I wanted to thank all those who cope with this emergency for the equally good job that they have done. It is an awful thing when our emergency services need to be tested. It does seem that tonight our Fire Services, our Police, our Ambulance and our medical staff have behaved extremely well, with great professional skill and with enormous hard work and dedication. Obviously, as I said at the scene of the disaster, there will need to be investigations into what's happened. And I also said at the scene of the disaster that I very much hope that the legislation which were at present putting through the Legislation Council to improve the standard of safety against the hazards of fire will now be passed as rapidly as possible. It's been discussed quite properly, comprehensively in the Legislative Council, but obviously what's happened today underlines the importance of this tightening up on the safety regulations against fire.

I want once again to thank every one tonight, particularly those who risk their lives in order to save others for what they have done for the community and I want here at the QE hospital to thank all the medical staff. I've been to the QE hospital before and seen for example the intensive care unit when it's not been cope with a disaster but it was very impressive to see the staff tonight and to see every thing that they were doing. I spoke to a fireman who's been burnt and expressed to him on behalf of every one in Hong Kong our gratitude for what he's done today, to rescue his fellow men and women. I hope that after those remarks from me. You remember that while a free press is extremely important, while you've got your job to do in getting across Hong Kong the news which everybody in Hong Kong will want to know about. I hope you'll also remember that even more important job being done by the doctors and medical staff in saving lives and looking after those who have been injured. Thank you very much indeed.

End

JLG experts to meet on preparation of transitional Budget

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The Sino-British Joint Liaison Group will hold their fourteenth round of Expert Talks on November 21 and 22 in Hong Kong to discuss the preparation of Hong Kong's transitional Budget and related matters.

The British team will be led by Mr K C Kwong, Secretary for the Treasury of the Hong Kong Government. The Chinese team will be led by Mr Chen Zuo'er, Chinese Representative on the Sino-British Joint Liaison Group. They will be assisted by experts.

End

Monetary co-operation among east Asian countries : FS

* * * * *

The Financial Secretary, Mr. Donald Tsang, said today (Wednesday) that the region must work together for monetary co-operation so as to maintain currency stability, and to meet the challenge of volatility of capital flows.

Speaking at the World Economic Forum 1996 Europe/East Asia Economic Summit, Mr. Tsang said monetary co-operation was not an end in itself, but a means to the end of greater prosperity and stability in the Region.

He noted that Asia had high growth, high savings, strong fiscal discipline and over 40 per cent of the world's official reserves.

"Yet, in the wake of the Mexico crisis, we felt the ripples. The lesson we can draw is that no modern economy can totally shield itself from the vibrations of large external shocks," Mr. Tsang said.

He pointed out that with greater financial deregulation, innovation and globalisation in financial markets, capital flows had become increasingly rapid and volatile.

Mr. Tsang said how this volatility of capital flows could be dealt with was one of the policy challenges.

"If somehow we could make Asian financial intermediation more efficient, whereby we can apply greater Asian savings to finance Asian investments at lower risks, Asian economies would become far less reliant on fund flows from outside the region and thus less vulnerable to external shocks," he said.

Policy response in Hong Kong to the challenges came at the domestic and regional levels, according to Mr. Tsang.

"At the domestic level, Hong Kong is adhering to sound macro economic policies and tight fiscal discipline to produce robust economic fundamentals that would attract capital inflows and yet would not be over-dependent on them," he said.

"We are endeavouring to develop the local debt market and to install a resilient and efficient financial infrastructure." Mr Tsang added.

At the regional level, Mr Tsang said there was greater cross border co-operation in the management of currency market stability via the signing of US dollar bilateral repurchase agreements. Steps were also being taken to enhance the effective intermediation of savings and investments by improving the infrastructure of the regional capital markets.

"Hong Kong has signed with eight central banks and monetary authorities in the region and the matrix of bilateral repos among these authorities is rapidly being filled up," he said.

"These agreements send an important signal to the market - we mean business in maintaining exchange rate stability," he added.

In formulating a policy response to effective intermediation of savings and investments at the regional level, Mr Tsang said: "Hong Kong has put forward the concept of AsiaClear, a network to link domestic Central Securities Depositories in the region to facilitate cross-border investment in securities in the Asian time zone."

Projecting to the future, Mr. Tsang stressed that the Asian Monetary Network was more than a zero-sum game.

He said all participants were equal partners and that consensus among countries was the key to the way forward.

End

HK to grow as a regional broadcasting hub after handover

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Welcoming the decision by MGM Gold to set up the regional headquarters for its new movie channel in Hong Kong, the Secretary for Broadcasting, Culture and Sport, Mr Chau Tak-hay, expressed confidence that Hong Kong would continue to grow as a regional broadcasting hub after the handover.

Hong Kong had a first class infrastructure and facilities to broadcast throughout the Asia-Pacific region, he said, as well as some of the best talent in broadcasting and post-production in Asia. In addition, the Copyright Ordinance would soon be amended to protect all broadcast material, no matter where it originates.

Many broadcasters were also attracted by Hong Kong's proximity to China, said Mr Chau at the opening ceremony of Cable and Satellite Asia '96 conference today (Wednesday).

"Growing affluence and unsatisfied demand for television choice make China a mouthwatering market. Estimates suggest that there are already 40 million pay TV subscribers, with the number set to climb to over 200 million by the turn of the century.

"There is no doubt that entering the Chinese market is hard work but you can't afford to ignore one of the world's largest and fastest growing economies.

"And from next year, those of you based in Hong Kong won't need to hover on China's doorstep. You will have your foot in the door already," Mr Chau told delegates to the conference.

The Secretary noted that Hong Kong-based satellite and cable broadcasters, including Star TV, CNBC Asia and TNT/Cartoon Network, had been quick to launch new channels customized to local tastes, or stepped up dubbing and subtitling of their programmes in Chinese and other Asian languages during the past 12 months.

Mr Chau also told the conference that next year would see the launch of new Video on Demand programme services which would revolutionize the television industry.

He noted that there had been considerable debate about whether VOD was really television and that some had argued that it should be treated like a video rental store.

But Mr Chau pointed out that VOD subscribers who wished to see programmes would call them up with a remote control while sitting at home, just as they might order a pay-per-view movie.

"So there is no real reason to treat it any differently from any other television service. Which is precisely why we have decided to regulate it under the Television Ordinance," he added.

End

New royalty scale and licence fees for ATV and TVB

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The Governor in Council has approved proposals to slash the advertising royalties paid by the commercial television broadcasters.

"The advertising royalties paid by ATV and TVB will be reduced by a combined total of about \$65 million," a spokesman for the Broadcasting, Culture and Sport Branch said today (Wednesday).

Responding to concern expressed by legislators and commercial television broadcasters about the increasing competition for advertising revenue faced by ATV and TVB, the Government has agreed to introduce a new scale of advertising royalties, and to cut the top rate from 10 per cent to nine per cent.

It is intended that royalties will be reviewed as part of the 1998 review of the television environment.

"On the basis of advertising revenues in 1995/96, this would save ATV about \$45 million a year, while TVB, which will benefit from the cut in the top rate, would save about \$20 million," said the spokesman.

The new scale, introduced in the Television (Royalty and Licence Fees) (Amendment) Regulation 1996, is as follows:

Advertising Revenue	Rate
On the first \$200 million	0%
On the next \$100 million	1%
On the next \$100 million	3%
On the next \$100 million	5%
On the next \$100 million	7%
On the next \$100 million	9%
On the next \$100 million	11%
On the next \$100 million	13%
On the next \$100 million	15%
On the next \$100 million	17%
On the next \$100 million	19%
On the next \$100 million	21%
On amounts above \$1,300 million	23%

(Subject to a maximum royalty of nine per cent of advertising revenue.)

New full-cost licence fees were also introduced under the same regulation. Until now, ATV and TVB have paid nominal licence fees of \$1,000, with the cost of administering the licences being borne by taxpayers.

ATV and TVB will now be required to pay licence fees which reflect the costs incurred by the Television and Entertainment Licensing Authority (TELA) and the Office of the Telecommunications Authority (OFTA) in administering their licences, including monitoring television broadcasts, and ensuring compliance with licence conditions and codes of practice.

Both TELA and OFTA have streamlined their operating procedures in order to keep costs down, the spokesman said.

Full-cost licence fees will be phased in over a five-year period. In 1997, ATV and TVB will have to pay 20% of the assessed full cost, and in 1998, they would pay 40% of the assessed full cost, and so on until full-cost recovery is achieved in 2001. The new licence fees will amount to about \$1.8 million for each licensee for the year starting from 1 January 1997.

The new fees will be introduced with effect from 1 December, subject to approval of the regulation by the Legislative Council.

End

Government team to attend UN hearing

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Solicitor General, Mr Daniel R Fung QC, will lead an eight-member Hong Kong Government team, as part of the British delegation, to attend a hearing of the United Nations Committee on Economic, Social and Cultural Rights (UNCESCR) to be held in Geneva on November 26 and 27.

During the hearing, the UN Committee will examine the Third Periodic Report in respect of Hong Kong under Articles 2 to 16 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

The report, submitted under ICESCR, covers developments in Hong Kong on a wide range of social issues, including housing, social welfare, education, health and employment.

The Hong Kong team will assist the British delegation in answering any questions arising from the report by the Committee members.

The last report to the UNCESCR made by the British Government on behalf of Hong Kong was submitted in November 1994, regarding Articles 10 to 15 of the ICESCR.

Apart from Solicitor General, Mr Daniel R Fung, the Hong Kong team comprises Deputy Solicitor General, Mr Stephen Wong, Principal Assistant Secretary for Home Affairs, Mr Jeremy Croft, Principal Assistant Secretary Education and Manpower, Mr Tony Reynolds, Principal Assistant Secretary for Security, Mr John Sherwin, Principal Assistant Secretary for Health and Welfare, Ms Miranda Chiu, and Principal Assistant Secretary for Housing, Mr William Shiu.

End

October residential mortgage survey results released

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The growth of residential mortgage loans for the purchase of properties in Hong Kong grew rapidly in October, according to the results of the latest monthly survey conducted by the Hong Kong Monetary Authority (HKMA).

The latest figures show that the total amount of outstanding mortgage lending by the 33 institutions in the survey rose by 2% in October (1% in September) to \$313.9 billion. The growth rate is highest since June 1995 and is well above the monthly average of 1.4% over the last 12 months.

"The rapid growth in lending reflected the increased activity in both the primary and secondary residential property markets in September," said the Deputy Chief Executive of HKMA, Mr David Carse.

The annualised rate of growth in lending over the last three months increased to 14.7% from 12.8% in the three-month period to September. The 12-month average of outstanding loans showed an annualised growth rate of 17%, compared with 15.5% in September.

The amount of new loans approved but not yet drawn further increased by \$1.6 billion (15.7%) to \$11.5 billion in October.

"These figures, and the continued activity in the secondary residential property market in October, suggest that loans will continue to grow at a rapid rate in November," said Mr Carse.

The amount of residential mortgage loans associated with co-financing schemes accounted for 3.5% of total mortgage lending of the 33 surveyed institutions at end-October. Of the \$18.3 billion new loans approved during October, about 84.5% was accounted for by properties aged 15 years or below.

Lending for the purchase of properties in China increased by 1.8% to \$6 billion in October. Gross loans made in October increased both in number (to 348 from 214) and in amount (to \$216 million from \$133 million). New loans approved in October increased in number (to 319 from 316) but decreased in amount (to \$286 million from \$308 million).

End

Two tropical cyclone and monsoon signal stations cancelled

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The Royal Observatory announced today (Wednesday) that with immediate effect, day and night signals will no longer be displayed at the two tropical cyclone and strong monsoon warning signal stations at Stanley Police Station and Tai O Police Station.

Visual signals will continue to be displayed at the six signal stations at the following locations:

- Aberdeen Marine Office;
- Cheung Chau Meteorological Station;
- Lau Fau Shan Police Station;
- Sha Tau Kok Sewage Treatment Works (Sha Tau Kok Police Station);
- Shau Kei Wan Marine Office; and
- Tai Lam Small Boat Unit Headquarters.

Signal stations convey very little information. Also the signals may be obscured by high-rise buildings and during adverse weather conditions.

When tropical cyclone or strong monsoon warning signals are hoisted, information on the signal status, the weather and precautions to take are broadcast frequently by radio and television stations.

Residents in Hong Kong are therefore advised to listen to the radio or watch television for the latest information.

Additionally, the public can obtain such information by calling 2835 1473 of the Home Affairs Department's Public Enquiry Service Centre or the Royal Observatory's Dial-a-Weather Service on 187 8066 for recorded English weather service and on 187 8200 for recorded Cantonese weather service.

End

Call for a quality culture in education

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The Director of Education, Mrs Helen C P Lai Yu, calls for an evolution towards a quality culture within the education sector.

Speaking at the closing ceremony of the 18th Congress of Pan-Pacific Association of Private School Education today (Wednesday), Mrs Yu said: "It is only through close communication and partnership with all involved in education that our schools can provide students with an enjoyable and fruitful learning experience."

Collaboration among teachers, parents and students was crucial for quality education, she said.

The recently released consultation document of the Education Commission Report No 7 recommends the strengthening of this partnership.

"It reaffirms and underlines Government's declared mission in education: to develop young Hong Kong in-the-round, not just academically but fully, to become a community of well educated and motivated individuals committed to the betterment and development of Hong Kong," Mrs Yu said.

The report also promotes the concept of "adding value" in education, that is, the determination to improve performance.

"To improve, not just in academic achievements but equally in extra-curricular activities, in management and in general output in all aspects," Mrs Yu said.

Mrs Yu said the Education Department had allocated resources to enhance the quality of school education.

Measures including target oriented curriculum, School Improvement Programme and School Management Initiative aimed to strengthen the ability of schools to enhance the effectiveness of teaching, to keep abreast with technological advances and ultimately to improve the quality of education for students, she added.

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	2,168	0930	+729
Closing balance in the account	2,847	1000	+729
Change attributable to:		1100	+729
Money market activity	+719	1200	+719
LAF today	-40	1500	+719
		1600	+719

LAF rate 4.00% bid/6.00% offer TWI 124.3 *+0.0* 20.11.96

Hong Kong Monetary Authority

EF bills		EF notes/MTRC notes				
Terms	Yield	Term	Issue	Coupon	Price	Yield
1 week	4.90	2 years	2811	5.72	100.17	5.71
1 month	4.89	3 years	3910	6.28	100.79	6.07
3 months	4.89	5 years	5109	7.32	103.29	6.61
6 months	4.99	7 years	7308	7.24	102.42	6.90
12 months	5.23	10 years	1610	7.37	102.25	7.17
		5 years	M503	7.35	102.05	6.95

Total turnover of EF bills and notes - \$18,344 million

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End



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SUPPLEMENT

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/LRT traffic

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Garrison Law has to be acceptable to HK people

* * * * *

Following is the speech by the Secretary for Security, Mr Peter Lai, at the motion debate on Garrison Law in the Legislative Council today (Wednesday):

Mr President,

This is the second motion debate on the Garrison Law in four months. It reflects the degree of interest and concern on this subject within this Council and in the community more generally.

Such intense interest, following the announcement that the draft Garrison Law has been submitted to the Standing Committee of the National People's Congress for examination, is hardly surprising. The Garrison Law will be an important piece of legislation which sets out the framework for the operation of the People's Liberation Army (PLA) in the HKSAR from 1 July 1997. It governs the legal relationship between the people of Hong Kong, the HKSAR Government and the military. It determines how the commitment in Article 14 of the Basic Law, that "in addition to abiding by national laws, members of the garrison shall abide by the laws of the HKSAR", will be implemented in practice.

The Chinese Government have assured the community that the garrison to be stationed in Hong Kong SAR will be a high standard, law abiding model military force. But no one can entirely rule out the possibility that a soldier might break the law, or infringe upon the rights of a civilian in Hong Kong. As such, a series of difficult questions will need to be addressed: Who should handle or try the offender? How will the law ensure that justice can be done, and be seen to be done? How can we achieve a fine balance between the need to protect the rights of the soldier and those of the civilian? What arrangements will be acceptable to both the military and the community?

At present, a member of the British Forces in Hong Kong will normally be tried in Hong Kong courts if he commits a criminal offence under Hong Kong law. However, under the UK Forces (Jurisdiction of Colonial Courts) Order 1965, if the alleged offence is against another member of the garrison, or is against the property of the UK government or other garrison members, or arises out of and in the course of his duty, the case will be dealt with under military jurisdiction. The Commanding Officer of the British Forces may waive military jurisdiction and hand over a case to be dealt with by Hong Kong courts even where one of the exceptions above applies. He will normally do so if an offence resulted in a serious incident or injury to a civilian, or if there is a civilian accomplice.

Using a common example, a British soldier driving a military vehicle on duty and committing the offence of drink driving will be subject to the jurisdiction of the local courts, because it is inconceivable that he is acting under the instructions of his commanding officer to be drunk. Therefore, the offence does not "arise out of and in the course of his duty", and the case will be tried in Hong Kong courts.

These principles have been firmly in place in our legal system for more than 30 years and regarded as fair, sensible and workable. Their continued application after 1997 are consistent with Articles 14 and 18 of the Basic Law. We believe that under the draft Garrison Law and in so far as criminal cases are concerned, things done by military personnel" in the course of their duties" should be dealt with by courts-martial. It would help reassure the community if the Chinese Government can clarify this key phrase and to define it, in law and in practice, as narrowly as possible in the same way as at present.

As regards civil cases, members of the British Forces are subject to the jurisdiction of Hong Kong courts when acting in their private capacities. They are also liable for any acts or omissions in the course of their duties and can be sued locally. The British Garrison is vicariously liable for torts committed by military personnel in the course of their employment. Although the British Government is immune from suit in Hong Kong courts under the Crown Proceedings Ordinance (Cap. 300), in practice, civil claims against the military are normally dealt with by administrative settlement through the claims branch of the British Forces. If this fails, the claimant may pursue his case in the UK civilian courts, in accordance with the UK Crown Proceedings Act 1947.

Using another example, if a British soldier driving a military lorry on duty crashed into a civilian vehicle because of his negligence, the Garrison will attempt to settle the case out of court. Failing that, the civilian may sue the soldier in Hong Kong courts. The military will back him up in the case, because the tort is committed in the course of the soldier's duties. If the civilian wants to sue the soldier's employer, i.e. the British Government, he will have to bring a civil action in the civilian courts in the UK.

The present arrangement under Cap. 300 can work because the common law system, in particular the law of tort and the law of contract, and the judicial system are substantially the same in Hong Kong and the UK. After 1997, where a member of the PLA commits a tortious act which arises out of and in the course of duty, it is important that he and the Garrison collectively should both be liable and be subject to the jurisdiction of Hong Kong courts. We believe that this approach is consistent with Articles 8, 14, 18 and 19 of the Basic Law. If the case is to be heard in the Supreme People's Court of the People's Republic of China, which operates under an entirely different legal and judicial system, it cannot be adjudicated in accordance with common law principles as at present.

Members want to know how the Garrison Law would be applied to Hong Kong. It would be for the Chinese side to explain how this is to be done in a manner consistent with the Basic Law. It is important to ensure that the Garrison Law can be firmly rooted in Hong Kong's legal and judicial systems and can be effectively applied locally.

Mr President, I am sure that Honourable Members have noticed that these points sound familiar. They are consistent with what we have said in this Council during the motion debate on 10 July and on other previous occasions. Naturally, Honourable Members could expect us to convey the same points to the Chinese side, including of course the point that the Garrison Law must be consistent with provisions in Article 14 of the Basic Law governing the PLA's exercised duties in areas other than the defence of the HKSAR. We will, of course, also seek to clarify other important points arising from the text of the Garrison Law which they handed over to us through the JLG channel. We have at the same time expressed our wish to continue the very useful informal contacts between experts of both sides on this urgent and important matter.

We are fully aware of the Chinese side's position that the Garrison Law is a matter within China's sovereignty. We have no intention to challenge their right to take final decisions on it. Nevertheless, the task of drafting the Garrison Law is both challenging and difficult. It has to bridge the gap between two entirely different legal and judicial systems. It has to firmly adhere to the principles of "one country, two systems", "a high degree of autonomy", and other commitments in the Joint Declaration and the Basic Law. More importantly, it has to be acceptable to the people of Hong Kong. For these reasons, we urge the Chinese side to listen to the views of Hong Kong people on this subject. On our part, we will be failing our responsibility if we do not offer our assistance to the Chinese side to complete this complicated job. Given their wide experience in Hong Kong's legal system, our experts have constructive views and ideas which can assist the Chinese side in arriving at a Garrison Law which helps to remove any worries that the public and foreign investors may have. We hope that the Chinese side can be as transparent as possible in their handling of the matter, and take into account the different views expressed in finalising the Garrison Law, so that at the end of the day Hong Kong will have a widely accepted and supported legislation.

Thank you, Mr President.

End

Fraud Bill introduced in LegCo

* * * * *

Following is the speech by the Attorney General, the Hon Jeremy Mathews, in moving the second reading of the Fraud Bill in the Legislative Council today (Wednesday):

Mr President,

I move that the Fraud Bill be read a second time.

The purpose of the Bill is to improve the existing law in respect of fraud-related crimes by creating a new statutory offence of fraud, and abolishing the existing common law offence of conspiracy to defraud, which will be replaced with a statutory conspiracy to commit the new offence of fraud.

The Bill follows recommendations contained in a report by the Law Reform Commission published in July this year, in which the Commission argued that the existing law was illogical and unsatisfactory.

It would probably come as a surprise to many to learn that there is at present in Hong Kong no general offence of fraud, either at common law or under any Ordinance. Instead what might loosely be described as fraudulent conduct is dealt with in a variety of ways.

- * Firstly, the Theft Ordinance creates a number of specific offences of fraud-related dishonesty, such as obtaining property by deception. But these offences, because they are drawn in very specific terms, are too restrictive and technical. Developments in modern technology have revealed serious weaknesses in these offences. For example, a recent judgement from England has shown that mortgage fraud involving the electronic transfer of money did not amount to obtaining by deception. That decision, from the highest English court, has caused much confusion and uncertainty;
- * Secondly, some fraudulent conduct can only be prosecuted by charging the offenders with the common law offence of conspiracy to defraud. But the trouble with this is that the essence of a conspiracy only applies to the actions of two or more persons. The actions of a single person fall outside the offence of conspiracy to defraud and are only criminal if one of specific fraud-related offences applies.

An additional problem is that the common law offence of conspiracy to defraud is so wide that it may cover almost every offence in the Theft Ordinance, and conduct which perhaps ought not to be criminal at all. The width of the offence has also been criticised insofar as it enables the prosecution to charge a person with conspiracy instead of with a substantive offence. This can materially affect the way the trial is conducted.

The Law Reform Commission noted in their report on the "Creation of a Substantive Offence of Fraud" that a number of jurisdictions, including Canada, Scotland and South Africa, have had a general offence of fraud for many years. Their experience is that it works well, and can readily be understood by laymen and lawyers alike. The Law Reform Commission report concluded that a general offence of fraud should be enacted in Hong Kong.

The Commission further recommended that once a general offence of fraud is created, any prosecution for conspiracy to defraud should be a prosecution for conspiracy to commit that general offence and the existing common law offence should be abolished.

Before the Law Reform Commission published its report, a consultation exercise was conducted. The overwhelming majority of those who responded to the Commission's consultation paper agreed with the recommendations. Following the publication of the Commission's report, the Bar Association and the Law Society have been consulted. Both support the recommendations.

The Administration also accepts the Law Reform Commission's recommendations. A new offence of fraud would remedy the deficiencies and shortcomings in the existing law, would correspond to what most people believe should be the law, would be a welcome addition in the fight against crime and would add to Hong Kong's reputation as an international financial centre.

Let me now turn to the Bill. Clause 2 creates the offence of fraud. The offence will be committed when a person by deceit induces another to act or to make an omission resulting either in prejudice, or a substantial risk of prejudice, to another, or benefit to the fraudster or another. The advantage of the new offence is that it would enable conduct to be properly charged as a substantive offence against an individual acting alone, without the necessity of involving another participant. The new offence would also avoid the artificiality of charging a person with conspiracy to defraud where the fraud has actually been committed and the fraudster has achieved his ends. The new offence would place fraudulent conduct within more precise bounds by tying it to deceit rather than dishonesty.

Clause 3 abolishes the common law offence of conspiracy to defraud.

Mr President, this Bill is short but important. By putting in place a general offence of fraud, and abolishing the common law offence of conspiracy to defraud, it will rid our law of many defects, technicalities and loopholes, and will enable us to deal more effectively with all types of fraud. I commend the Bill to the Council.

End

District Court (Amendment) Bill introduced into LegCo

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Following is a speech by the Attorney General, the Hon Jeremy Mathews, in moving the second reading of the District Court (Amendment) Bill 1996, in the Legislative Council today (Wednesday):

Mr President,

I move that the District Court (Amendment) Bill 1996 be read the second time. The Bill aims to encourage a greater flow of civil work directly into the District Court and to improve the District Court Ordinance in various respects.

First established in 1953, the District Court is the second tier of the court system in Hong Kong. At present, the District Court has a general jurisdiction to deal with claims in contract or tort where the amount claimed is, or is worth, not more than \$120,000. In relation to such matters as the administration of an estate or the execution of a trust, the District Court also has jurisdiction where the property is worth not more than \$120,000. Where the proceedings are for the recovery of land, or relate to the title to land, the rateable or annual value of the land must be not more than \$100,000 in order for the District Court to have jurisdiction.

These financial limits were set in July 1988. The accumulated inflation rate from 1 July 1988 to 30 June 1996, as measured by the Consumer Price Index (A), was 98.2%. Property prices and rental values have also increased significantly during this period. Many civil cases that would in the past have been within the jurisdictions of the District Court now fall outside the court's jurisdiction. The result is that there is increasing pressure on, and delay in, the High Court.

In October 1991, the Chief Justice appointed a Working Party under the chairmanship of the Hon Mr Justice Kempster to consider the terms of the District Court Ordinance, the District Court Civil Procedure (General) Rules and the District Court Civil Procedure (Forms) Rules and to recommend amendments. The Working Party submitted its report in June 1993 and the Chief Justice accepted its recommendations in August 1993.

After further consultation and consideration, the Administration has accepted the Working Party's recommendations. The implementation of these recommendations will entail extensive amendments to the District Court Ordinance. Some of the Working Party's recommended financial limits also have had to be revised further to take account of inflation and the increase in property prices and rental values since the Report was completed.

The Bill proposes to raise the various financial limits of the civil jurisdiction of the District Court to enable more civil cases dealing with claims in contract or tort to be heard in the District Court, and also to reflect inflation and the rise in property prices and rental values since these limits were fixed. These proposals include revising the general jurisdiction of the District Court in respect of contract and tort from \$120,000 to \$300,000; and in respect of the recovery of land or the title to land from a rateable value of \$100,000 to \$500,000. For claims in respect of personal injuries, the Bill proposes a financial ceiling of \$600,000.

The Bill also makes clear that the District Court has jurisdiction over applications made under section 6 of the Married Persons Status Ordinance. That section enables a married person to seek a determination by the court of any question between the married couple as to the title to or possession of property. The various amendments to the jurisdiction of the court are found in amendments contained in clauses 19 to 21.

The proposed increase in the District Court's jurisdiction may mean that some cases are started in that court which would more appropriately be dealt with in the High Court. It is therefore proposed that the District Court should have the power, either on its own motion or on the application of any party, to order the transfer to the High Court of all or part of the proceedings before it. This power is set out in the proposed new section 43, in clause 21. That clause also contains new sections providing for the transfer to the District Court of cases inappropriately commenced in the High Court and vice versa. A court that orders a transfer of proceedings in the situations I have described is empowered to make an order for costs both prior to the transfer and in respect of the transfer.

The increase in the jurisdictional limit of the District Court is also likely to result in additional judicial work being handled by the Registrar of the District Court. This is reflected in amendments to the Ordinance that recognize the Registrar's role in the court process. For example, the proposed new section 71A of the Ordinance, in clause 38, empowers the Registrar to apply to the Court for an order giving directions to a court bailiff in a difficult or doubtful case. And proposed new section 71B, in the same clause, provides protection to the Registrar for acts done by a bailiff in accordance with directions given by the Registrar or the Court.

It is also considered appropriate to bring the powers of the District Court into line with those of the High Court in two respects. First, the proposed new section 48B, contained in clause 22, gives a District Judge the same powers as a judge of the High Court to punish a person for disobeying a court judgment or order, or a breach of undertaking. Secondly, new sections contained in clause 22 introduce procedures for disclosure in respect of proceedings for personal injuries, and proceedings arising out of the death of a person. These procedures will enable a person who is, or is likely to be, bringing such proceedings to apply to the court for an order requiring another person to produce to the applicant's legal or other professional adviser documents that are relevant to the claim.

Clauses 13, 14 and 15 provide for heavier penalties for various offences by officers of the court who abuse their authority, and clauses 16 and 17 provide for heavier penalties for persons who wrongfully retake goods seized by the court, or who assault officers of the court. Most of the existing penalties were set in 1962.

Mr President, this Bill represents a further reform to the administration of justice in Hong Kong and I commend it to this Council for early passage into law.

End

Submarine Telegraph Bill 1996

* * * * *

Following is the speech by the Secretary for Economic Services, Mr Stephen Ip, in moving the second reading of the Submarine Telegraph Bill 1996 in the Legislative Council today (Wednesday):

Mr President,

I move that the Submarine Telegraph Bill 1996 be read a second time.

The purpose of this Bill is to localise the UK Submarine Telegraph Act 1885 which currently forms part of the law of Hong Kong. The Act and the Convention for the Protection of Submarine Cables on which the Act is based are still relevant to Hong Kong today. The main purpose is to protect submarine cables which are an essential part of our modern telecommunications infrastructure.

The Bill basically replicates the provisions of the UK Act but with modifications to conform to Hong Kong's legislative style, with updated penalties and with omissions where there are already comparable provisions or where the Act's provisions are archaic.

The Bill will continue the protection given by the Act to submarine cables landed in the territories of Contracting Parties to the Convention for the Protection of Submarine Cables. This includes submarine cables landed in Hong Kong and this will continue to be the case after 30 June 1997. The Bill provides that persons who deliberately break or damage such a cable are liable unless they come within the scope of certain defences. Where any offence under the Bill is committed by means of a vessel, the master of a vessel is deemed to be in charge of and navigating it unless some other person can be shown to have been so.

Clause 3 establishes that the Convention will continue to have the force of law.

Clause 4 makes it an offence for persons to damage submarine cables landed in the territory of Contracting Parties to the Convention (including Hong Kong). Certain defences, such as showing that the action which led to the damaging of the submarine cable was necessary to avoid injury, loss of life or of a vessel, are provided under clause 5.

Mr President, with these words I commend the Bill to this Council.

End

Hong Kong Institute of Education (Amendment) Bill 1996

* * * * *

Following is a speech by the Secretary for Education and Manpower, Mr Joseph W P Wong, in moving Committee Stage Amendment to the Hong Kong Institute of Education (Amendment) Bill 1996 in the Legislative Council today (Wednesday):

Mr President,

I move that clause 10 of the Hong Kong Institute of Education (HKIED) (Amendment) Bill 1996 be amended as set out in the paper which has been circulated to Members. Clause 10 proposes to repeal the whole of section 22(3) in the Ordinance so as to relieve the HKIED of the requirement for gazetting its rules.

We have subsequently received legal advice that repealing section 22(3) of the Ordinance altogether may give rise to a legal argument that the intention is to turn the rules made by the HKIED Council into subsidiary legislation for the purpose of section 34 of the Interpretation and General Clauses Ordinance. This is because subsection 22(3) expressly specifies that rules made under that section shall not be treated as subsidiary legislation.

To avoid possible doubts and to reflect the intention of the Administration accurately, we therefore propose that, instead of repealing the whole of section 22(3) of the Ordinance, it should be amended by substituting the words "shall be published in the Gazette but" with "shall be published, for information, in such manner as the Council thinks fit and". The new proposed amendment has the added advantage of enabling the HKIED Council to determine how the rules are to be published.

The proposed Committee Stage Amendment to clause 10 of the Bill has been agreed by the House Committee of this Council.

Mr President, I beg to move.

End

Measures to prevent VM arrival

* * * * *

Following are a question by the Hon Selina Chow Liang Shuk-ye and a reply by the Secretary for Security, Mr Peter Lai, at the Legislative Council today (Wednesday):

Question:

It is reported that there has been a significant increase in the number of Vietnamese migrants (VMs) arriving in the territory in recent months. Will the Government inform this Council:

- (a) of the up-to-date figure of VMs who have arrived in the territory since January this year and how this figure compares to those in the previous two years; and
- (b) what measures have been put in place to prevent VMs from arriving in the territory?

Reply:

Mr President,

As at 15 November 1996, 967 Vietnamese migrants have arrived in Hong Kong this year. The four months of July - October have seen the highest number of arrivals, averaging 178 VMs per month. Since then, the arrival rate has slackened: in the first half of this month, the number of arrivals went down to 24. The number of Vietnamese migrants arriving in HK in 1994 and 1995 were 363 and 460 respectively.

We have raised the problem of new arrivals with the Vietnamese Government. We have requested them to take steps to prevent departures from Vietnam, and asked them to accelerate the clearance of new arrivals for repatriation, as we believe that speedy repatriation would deter more Vietnamese from coming. During the Secretary of State's visit to Hanoi from 31 October - 2 November, the Vietnamese Government gave him a clear and helpful response to the question of new arrivals. Since then, the Vietnamese Government have cleared 131 Vietnamese migrants for return.

We have also sought the assistance of the Chinese Government in stopping the coast-hopping activities of Vietnamese migrants along the coast of southern China before arriving in Hong Kong.

Most of the new arrivals have come to Hong Kong for economic reasons, e.g. to seek illegal employment. The quashing of a syndicate producing forged Vietnamese refugee cards in August, and the stepped up identity card checks by the Police at certain locations should help discourage this.

End

Efforts to curb spouse-battering explained

* * * * *

Following is a question by the Hon Lee Cheuk-yan and a reply by the Secretary for Health and Welfare, Mrs Katherine Fok, in the Legislative Council today (Wednesday):

Question:

It is reported that there are more than 200 spouse-battering cases each year in the territory. Will the Government inform this Council whether:

- (a) details of the education and publicity work on the prevention of spouse battering over the past two years; and whether it has allocated funds to the Working Group on Battered Spouses to carry out such work; if so, of the amount of allocation and the breakdown of the allocation by expenditure items;
- (b) it will consider setting up half-way houses for battered wives who are unable to return to their former dwelling places and unable to find suitable accommodation, having regard to the fact that such women can only stay in temporary shelters for women for up to a period of three months;

- (c) it will consider increasing the penalties on spouse battering offences so as to enhance the deterrent effect; and
- (d) it will, in the longer term, consider the inclusion of the concept of sex equality in the textbooks of primary and secondary schools, so as to foster a harmonious relationship between the sexes in the community, thereby preventing spouse-battering cases occurring?

Reply:

- (a) The Working Group on Battered Spouses convened by the Social Welfare Department (SWD) in April 1995 comprises representatives from seven Government departments - Health, Education, Housing, Information Services, Legal Aid, Legal and the Police. Representatives from the Hospital Authority, the Hong Kong Council of Social Services and non-governmental organisations (NGOs) running two of the refuges - Harmony House and Serene Court - are also members. A representative from the Health and Welfare Branch is in regular attendance.

The Working Group assumes essentially a steering and co-ordinating role and does not therefore require specific funding for the activities concerned.

Public education work aimed at reducing the incidence of spouse battering is a focal point of the Working Group. Such public education work had in fact started well before April 1995. In particular, an extensive publicity campaign was launched in 1994 to mark the International Year of the Family which emphasised the importance of harmonious matrimonial relationships.

The Working Group has further developed this preventive education approach by adopting a theme of "marriage enrichment" for all its family life education programmes between 1995 and 1997. \$124 million had been allocated for family life education programmes during 1994/95 and 1996/97, the bulk of which will be used by Government and Non-Governmental Organisations (NGOs) to conduct programmes to promote the awareness of the problem, encourage victims to seek assistance and publicize services available for them.

During the period from October 1995 to September 1996, a number of public education programmes, attended by more than 6,000 participants, were organized by the SWD. In the meantime, a wide range of activities, totalling over 300, are being organised by the SWD and the NGOs to educate married couples on how to manage marital stress and handle conflicts. 45 more of such programmes will be run before April next year.

Apart from ensuring that the activities organised by the SWD and various NGOs complement one another in terms of timing, content and target participation, the Working Group takes the lead in instigating training programmes for professionals, such as social workers, police officers, clinical psychologists, doctors, lawyers etc., and publicity through the mass media. A seminar was held in March this year with the view to fostering a better understanding of the problem amongst the professionals in various disciplines and their greater co-operation in handling such cases : it was well attended by over 350 professionals.

Publicity efforts will be stepped up. In this connection, the Working Group intends to introduce television and radio announcements, posters and leaflets early next year to give yet wider coverage to the problems associated with battered spouses. The SWD has set aside \$500,000 for this purpose.

- (b) At present, three refuge centres are operated by the SWD and subvented NGOs; one of these was newly opened this year. Together they provide temporary accommodation of up to three months for up to 120 battered women and their children. Experience indicates that the victims of domestic violence normally stay in these refuge centres for about 3 weeks. When circumstances so require, they can always stay in the refuge centres for a longer period.

Social workers try as far as possible to reconcile victims with their spouses. In the case of irreconcilable relationships, the SWD will assist those victims with longer term housing needs through the compassionate rehousing programme. The victims can apply for a conditional tenancy in a public housing estate under this programme if they need e.g. to live apart from their abusers while going through divorce proceedings. Between 1993/94 and 1995/96, victims involved in 635 cases were rehoused under this conditional tenancy arrangement. This system is working well and there seems to be no need, therefore, to set up half-way houses for this purpose.

- (c) Cases of spouse battering are dealt with under the Offences Against the Person Ordinance. This Ordinance provides for offences of violence including murder and manslaughter, as well as wounding with intent to do grievous bodily harm, wounding or inflicting grievous bodily harm, assault occasioning actual bodily harm and common assault. Depending on the gravity of the offence, penalties may include a fine and various periods of imprisonment, and, in very serious cases, life imprisonment. These penalties are kept regularly under review and are considered adequate. It is a matter, of course, for the Courts to decide on the penalty appropriate in individual cases.
- (d) Equality between the sexes and respect for each other's needs in the family are already covered in relevant textbooks since they constitute core elements of the existing syllabus under General Studies at primary school and under Social Studies and Liberal Studies at secondary school level. Separately, the Education Department has also suggested, in its guidelines on sex and civic education to schools, the inclusion of the equality of the sexes as a topic for discussion in activities such as class-teacher periods, school assemblies and guidance and counselling sessions.

End

Standard of concrete for public housing

* * * * *

Following is a question by the Hon Chan Wing-chan and an oral reply by the Secretary for Housing, Mr Dominic Wong, in the Legislative Council today (Wednesday):

Question:

Regarding the strength of concrete in existing public housing blocks, is the Government aware of:

- (a) the standard of concrete strength in public housing blocks, and whether such standard complies with the international safety standard;
- (b) the extent of the difference between the actual concrete strength of blocks built with sub-standard concrete and the standard concrete strength, the reasons for such a difference, and the remedial measures taken by the Government in respect of these blocks;

- (c) the number of housing blocks built with sub-standard concrete and the proportion of such blocks to the total number of public housing blocks; the names of those housing estates having this problem, and the dates of completion of these housing estates; and
- (d) the number of contractors involved in building housing blocks which are found to be of sub-standard concrete strength, the number and names of these contractors who are still taking part in the public housing building programme, and the reasons why their continued participation is permitted by the authority concerned?

Answer:

Mr President,

Before 1980, the standard of concrete for public housing blocks was 20 MPa (Megapascal), which was then the common international standard. Since 1980, the standard has been progressively raised to 30-35 MPa, again in compliance with common international standards.

Normally, a building is designed to a much stronger strength than it actually needs to take the loading upon it. This strength reserve is added at the design stage to cater for uncertain situations, such as variations in workmanship and future usage. Non-compliance with the design specifications does not necessarily imply danger for the building. Causes of non-compliance of strength include mainly the varying standards of workmanship and material. In order to make a realistic assessment of the structural safety of an existing building, it is necessary to look at the actual load carrying capacity of various parts of the building.

During the period from 1981 to 1985, the Housing Department investigated the structural safety of all public housing blocks built before 1981. Concrete samples were taken from 836 blocks for testing. All the blocks were found to be structurally safe. 411 of them were found to have average concrete strength which did not fully comply with the originally designed specifications. Of these, 201 have already been demolished under the Housing Authority's Comprehensive Redevelopment Programme. The remaining 210 blocks (information just tabled - Annex 1) represent 17% of the existing stock of public rental housing. Of these, 76 do not require strengthening work. Work on strengthening 125 was completed by mid-1996, and one more block will be completed in the near future. We are conducting a detailed appraisal of the remaining 8 blocks to see whether strengthening work is required.

Twenty-five contractors were involved in the construction of the 411 above-mentioned blocks. Three (Annex 2) are still on the Housing Authority's approved list of contractors for new works as they fulfill the criteria set by the Housing Authority. As a general practice, the Housing Authority closely monitors the performance of contractors, and will remove from the list any contractor who fails to perform satisfactorily.

List of the 210 sub-standard public housing blocks with average concrete strength less than the designed strength (as at 31.10.96)

	Estate	Block Name	Handover Date
1	Chai Wan 1*	9	1965 - 66
2	Chai Wan 1*	13	1965 - 66
3	Chai Wan 1	14	1965 - 66
4	Chai Wan 1	15	1965 - 66
5	Cheung Sha Wan	1	1963 - 64
6	Cheung Sha Wan*	2	1963 - 64
7	Cheung Sha Wan*	3	1963 - 64
8	Cheung Sha Wan	4	1963 - 64
9	Cheung Sha Wan*	5	1963 - 64
10	Cheung Sha Wan	6	1963 - 64
11	Cheung Sha Wan*	8	1963 - 64
12	Cheung Sha Wan	9	1963 - 64
13	Cheung Sha Wan	10	1963 - 64
14	Cheung Sha Wan*	11	1963 - 64
15	Cheung Sha Wan*	12	1963 - 64
16	Cheung Sha Wan	14	1963 - 64
17	Choi Hung	CHI MEI	1962 - 64
18	Choi Hung	KAM WAN	1962 - 64
19	Fuk Loi	WING NING	1963
20	Hing Wah 2*	FUNG HING	1976
21	Ho Man Tin	1	1972 - 75
22	Ho Man Tin	2	1972 - 75
23	Ho Man Tin	3	1972 - 75
24	Ho Man Tin	4	1972 - 75
25	Ho Man Tin	6	1972 - 75
26	Ho Man Tin	8	1972 - 75
27	Hung Hom*	1	1956
28	Hung Hom*	2	1956
29	Kwai Chung 1*	21	1964
30	Kwai Chung 1	22	1964
31	Kwai Chung 1*	24	1964
32	Kwai Chung 1*	25	1964
33	Kwai Chung 1*	26	1964
34	Kwai Chung 1	27	1964
35	Kwai Chung 1*	35	1964
36	Kwai Chung 2	12	1964 - 65
37	Kwai Chung 2*	13	1964 - 65
38	Kwai Chung 2*	14	1964 - 65
39	Kwai Chung 2	15	1964 - 65
40	Kwai Chung 2*	18	1964 - 65
41	Kwai Fong	3	1972 - 73
42	Kwai Fong*	6	1972 - 73
43	Kwai Shing East	12	1972
44	Kwai Shing West	1	1976 - 77
45	Kwai Shing West	6	1976 - 77

	Estate	Block Name	Handover Date
46	Lai King	1 FUNG KING	1975 - 76
47	Lai King*	2 WO KING	1975 - 76
48	Lai King	4 MING KING	1975 - 76
49	Lam Tin 1*	2	1967
50	Lam Tin 1*	3	1967
51	Lam Tin 1*	4	1967
52	Lam Tin 3*	7	1967 - 70
53	Lam Tin 3*	8	1967 - 70
54	Lam Tin 3*	10	1967 - 70
55	Lam Tin 3	15	1967 - 70
56	Lei Muk Shue	9	1971 - 72
57	Lei Muk Shue*	10	1971 - 72
58	Lei Muk Shue	11	1971 - 72
59	Lei Muk Shue	12	1971 - 72
60	Lei Yue Mun Road	1	1962 - 63
61	Lei Yue Mun Road	2	1962 - 63
62	Lei Yue Mun Road	3	1962 - 63
63	Lei Yue Mun Road*	4	1962 - 63
64	Lei Yue Mun Road	5	1962 - 63
65	Lei Yue Mun Road	6	1962 - 63
66	Lek Yuen	FOOK HOI	1976
67	Lek Yuen	FU YU	1976
68	Lek Yuen	WING SHUI	1976
69	Lower Ngau Tau Kok 1*	3	1967 - 68
70	Lower Ngau Tau Kok 1	4	1967 - 68
71	Lower Ngau Tau Kok 1	5	1967 - 68
72	Lower Ngau Tau Kok 1*	6	1967 - 68
73	Lower Ngau Tau Kok 1*	7	1967 - 68
74	Lower Ngau Tau Kok 2*	9	1969
75	Lower Ngau Tau Kok 2*	10	1969
76	Lower Ngau Tau Kok 2*	11	1969
77	Lower Ngau Tau Kok 2*	12	1969
78	Ma Tau Wai	HIBISCUS	1962
79	Ma Tau Wai	MAGNOLIA	1962
80	Ma Tau Wai	ROSE	1962
81	Mei Tung	MEI TUNG	1974
82	North Point	WEST COURT	1957
83	Pak Tin*	4	1969
84	Pak Tin	5	1969
85	Pak Tin*	6	1969
86	Sai Wan	CENTRE TERRACE	1958 - 59
87	Sai Wan	EAST TERRACE	1958 - 59
88	Sai Wan*	SOUTH TERRACE	1958 - 59
89	San Fat	1	1971
90	San Fat	2	1971
91	San Fat	3	1971
92	San Fat	4	1971

	Estate	Block Name	Handover Date
93	Sau Mau Ping 1	19	1968 - 69
94	Sau Mau Ping 1	20	1968 - 69
95	Sau Mau Ping 1	28	1968 - 69
96	Sau Mau Ping 1	29	1968 - 69
97	Sau Mau Ping 1	31	1968 - 69
98	Sau Mau Ping 2	21	1971
99	Sau Mau Ping 2	22	1971
100	Sau Mau Ping 2	23	1971
101	Sau Mau Ping 2	24	1971
102	Sau Mau Ping 2	25	1971
103	Sau Mau Ping 3	35	1967 - 68
104	Sau Mau Ping 3	37	1967 - 68
105	Sau Mau Ping 3	38	1967 - 68
106	Sau Mau Ping 3	39	1967 - 68
107	Sau Mau Ping 3	40	1967 - 68
108	Sau Mau Ping 3	41	1967 - 68
109	Shatin Pass	1	1967 - 68
110	Shatin Pass	2	1967 - 68
111	Shek Kip Mei*	3	1954 - 79
112	Shek Kip Mei*	15	1954 - 79
113	Shek Kip Mei*	16	1954 - 79
114	Shek Kip Mei	17	1954 - 79
115	Shek Kip Mei	22	1954 - 79
116	Shek Kip Mei*	27	1954 - 79
117	Shek Kip Mei*	28	1954 - 79
118	Shek Kip Mei*	29	1954 - 79
119	Shek Kip Mei*	30	1954 - 79
120	Shek Kip Mei*	34	1954 - 79
121	Shek Kip Mei*	36	1954 - 79
122	Shek Kip Mei*	37	1954 - 79
123	Shek Kip Mei*	38	1954 - 79
124	Shek Lei 1	1	1968
125	Shek Lei 1	2	1968
126	Shek Lei 1	3	1968
127	Shek Lei 2*	8	1966 - 71
128	Shek Lei 2*	9	1966 - 71
129	Shek Lei 2*	10	1966 - 71
130	Shek Lei 2*	11	1966 - 71
131	Shek Lei 2	12	1966 - 71
132	Shek Lei 2	16	1966 - 71
133	Shek Pai Wan	1	1966 - 68
134	Shek Pai Wan	3	1966 - 68
135	Shek Pai Wan*	4	1966 - 68
136	Shek Pai Wan*	5	1966 - 68
137	Shek Pai Wan	6	1966 - 68
138	Shek Pai Wan*	7	1966 - 68
139	Shek Yam	4	1968

	Estate	Block Name	Handover Date
140	So Uk*	AZELEA	1960 - 63
141	So Uk	BEGONIA	1960 - 63
142	So Uk	CAMELIA	1960 - 63
143	So Uk	GLADIOLUS	1960 - 63
144	So Uk	LARKSPUR	1960 - 63
145	So Uk	LILAC	1960 - 63
146	So Uk	LOTUS	1960 - 63
147	So Uk*	MARIGOLD	1960 - 63
148	So Uk*	ORCHID	1960 - 63
149	So Uk	PEONY	1960 - 63
150	So Uk	WILLOW	1960 - 63
151	Tai Hang Tung*	TUNG FU	1956
152	Tai Hang Tung*	TUNG WAN	1956
153	Tai Hang Tung*	TUNG WING	1956
154	Tai Hang Tung*	TUNG WO	1956
155	Tung Tau I	22	1965 - 66
156	Tung Tau I	23	1965 - 66
157	Un Chau Street	4	1969
158	Un Chau Street	5	1969
159	Un Chau Street	6	1969
160	Un Chau Street	7	1969
161	Upper Ngau Tau Kok	2	1967 - 68
162	Upper Ngau Tau Kok	3	1967 - 68
163	Valley Road	1	1964 - 65
164	Valley Road*	2	1964 - 65
165	Valley Road	3	1964 - 65
166	Valley Road*	4	1964 - 65
167	Valley Road*	5	1964 - 65
168	Valley Road	6	1964 - 65
169	Valley Road*	7	1964 - 65
170	Valley Road	8	1964 - 65
171	Valley Road*	9	1964 - 65
172	Valley Road*	10	1964 - 65
173	Valley Road*	11	1964 - 65
174	Valley Road*	12	1964 - 65
175	Valley Road*	14	1964 - 65
176	Valley Road*	15	1964 - 65
177	Valley Road*	17	1964 - 65
178	Wah Fu	WAH CHEUNG	1968 - 70
179	Wah Fu	WAH CHUN	1968 - 70
180	Wah Fu	WAH HING	1968 - 70
181	Wah Fu	WAH KEE	1968 - 70
182	Wah Fu	WAH KWONG	1968 - 70
183	Wah Fu	WAH LOK	1968 - 70

	Estate	Block Name	Handover Date
184	Wo Lok	CHEUNG ON	1962 - 63
185	Wo Lok	FU ON	1962 - 63
186	Wo Lok	HING ON	1962 - 63
187	Wo Lok	KIN ON	1962 - 63
188	Wo Lok	MAN ON	1962 - 63
189	Wo Lok	PING ON	1962 - 63
190	Wo Lok	TAI ON	1962 - 63
191	Wo Lok	YEE ON	1962 - 63
192	Wong Chuk Hang*	1	1968 - 73
193	Wong Chuk Hang	2	1968 - 73
194	Wong Chuk Hang	5	1968 - 73
195	Wong Chuk Hang	7	1968 - 73
196	Wong Chuk Hang	8	1968 - 73
197	Wong Chuk Hang	10	1968 - 73
198	Yau Tong*	1	1964 - 65
199	Yau Tong	2	1964 - 65
200	Yau Tong*	3	1964 - 65
201	Yau Tong	8	1964 - 65
202	Yau Tong	11	1964 - 65
203	Yau Tong*	12	1964 - 65
204	Yau Tong*	14	1964 - 65
205	Yau Tong	15	1964 - 65
206	Yau Tong	16	1964 - 65
207	Yuen Long*	1	1966 - 67
208	Yuen Long*	3	1966 - 67
209	Yuen Long*	4	1966 - 67
210	Yuen Long*	5	1966 - 67
	Total	210	

* Strengthening work has not been done on these 84 blocks. 76 of them do not require strengthening work. We are conducting a detailed appraisal of the remaining 8 blocks to see whether strengthening work is required.

**Contractors involved in building housing blocks
with sub-standard concrete strength before 1981**

1. Hing Lee Construction Co Ltd
2. Wan Hin & Co Ltd
3. Wing Hong Contractors Ltd

End

Overhead traffic signs in Hong Kong

* * * * *

Following is a question by the Hon Choy Kan-pui and replied by the Secretary for Transport, Mr Gordon Siu, in the Legislative Council today (Wednesday):

Question:

At present, directional traffic signs (such as those indicating right turn, left turn and straight ahead ... etc.) are painted on the road surface and mostly in positions at a short distance from traffic lights and road junctions. Will the Government inform this Council whether, in order to enable motorists to have sufficient time to see these signs and to change lanes at an appropriate distance from traffic lights, it will consider:

- (a) adopting the practice in other countries (e.g. the United States) of displaying such signs in overhead positions; and
- (b) erecting such signs on roads at a further distance, say 20 to 30 metres, from traffic lights and road junctions?

Reply:

Mr President,

In Hong Kong, overhead signs are already used in expressways and major trunk roads to guide motorists to the appropriate lane. Their use in congested urban areas poses difficulties because such signs, particularly those over the nearside lane, would be obscured or distracted by large advertisement signs. However, where suitable sites can be found, road-side signs are erected in addition to directional signs on the road surface.

As regards directional arrows painted on the road surface, in order to give motorists as much advance notification as possible before road junctions, normally two directional arrows are painted in each lane. On roads with a speed limit of 50 km/h, the first directional arrow is located 15m from the stopline, and the second, 45m from the stopline. For difficult locations where there are queues of stationary traffic at traffic lights, a third directional arrow is provided, at 90m from the stopline.

For high-speed roads, larger directional arrows are painted at 25, 75 and 150 metres from the stopline.

End

LRT traffic accidents

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Following is a question by Dr the Hon Samuel Wong and replied by the Secretary for Transport, Mr Gordon Siu, in the Legislative Council today (Wednesday):

Question:

Is the Government aware of:

- (a) the total number of traffic accidents involving Light Rail Transit (LRT) trains, and the number of persons who have sustained serious injuries or died as a result of such accidents, since the commencement of the LRT service in 1988;
- (b) the total estimated cost of the losses arising from damage caused to locomotives and carriages of LRT trains in the above traffic accidents; and
- (c) whether the Government and the Kowloon-Canton Railway Corporation have taken steps to prevent the occurrence of accidents at level crossings, and whether consideration has been given to reducing the number of such crossings?

Reply:

Mr President,

Since the Light Rail Transit (LRT) system commenced operation in September 1988, there have been 187 accidents involving Light Rail Vehicles (LRV). These accidents resulted in 376 casualties, including passengers of other vehicles. All together 23 persons were killed, 84 persons were seriously injured and 269 persons sustained slight injuries.

A total of \$3 million has been spent on repairs and maintenance arising from these accidents. In July 1994, a container lorry collided with a LRV, resulting in substantial damage to the LRV. Subsequently the LRV had to be written off at its original cost of \$7.5 million. Part of the expenses incurred have been recovered from insurance or damages claimed from the other parties involved in the accidents.

The Administration has been making a conscious effort in conjunction with the KCRC to promote road safety at LRT junctions. A working group, comprising representatives from the KCRC, Transport Department, the Police, Territorial Development Department, and the Hong Kong Railway Inspectorate, meets once every three months to consider issues concerning vehicular and pedestrian safety at LRT junctions. So far, they have introduced over 200 safety improvement measures at 87 locations. Moreover, since October 1994, one of my Deputies has convened an Inter-departmental Committee to co-ordinate efforts to improve safety at LRT junctions and to enhance publicity and public education. After all these efforts, the numbers of such accidents have shown a downward trend.

Since June this year, we have installed Red Light Cameras at 13 junctions in the LRT area to discourage drivers from jumping lights and to collect evidence for the prosecution of offenders. The Police have given high priority to taking enforcement action at LRT junctions against drivers who disobey traffic light signals.

In 1997, Transport Department will undertake a traffic study in the Yuen Long and Tuen Mun districts. This study will, inter alia, look into the safe and efficient operation of the LRT, particularly at road junctions and will examine the need for, and explore the feasibility of, grade separating some of the busier junctions, taking into account land, environmental and other constraints.

End

Provision of NT medical services closely monitored

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

Question:

In view of the continuing growth in population in the West New Territories district in recent years, does the Government know whether the medical services currently provided by Tuen Mun Hospital and Pok Oi Hospital are able to meet the demand for such services in the district over the next ten years; if not, what measures does the Hospital Authority have to tackle the problem?

Reply:

We are monitoring closely the impact of projected population growth on the provision of medical services in the New Territories West region, particularly in Yuen Long and Tin Shui Wai where new residential developments are concentrated.

The Hospital Authority has established a mechanism to assess regularly the projected supply of and demand for public hospital beds in Hong Kong. A major review will be conducted after each population census and by-census, while a minor review will take place in between. The last major review was completed in 1992, leading to the construction of North District Hospital and Tsueng Kwan O Hospital, and the next exercise will be carried out once results of the 1995 by-census is known.

The opening of North District Hospital with 618 new beds in early 1998 will serve not only to strengthen the quality and scope of medical services for residents in this region, but also to improve the networking between Tuen Mun Hospital, Fanling Hospital and Pok Oi Hospital. In the longer term, we are working with the Hospital Authority on a proposal to redevelop Pok Oi Hospital with expanded facilities to meet the needs of the growing population.

Although the number of hospital beds can be regarded as a useful indicator, the optimal mode of service delivery is influenced by other factors such as demographic structure, disease pattern and development of medical technology. Prevalent use of day surgery and ambulatory care, for instance, has reduced the need for hospital admission in the interest of patient comfort, and led to a decreasing trend of hospital beds in many developed countries.

End

Measures to improve fire and ambulance services in NT

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Following are a question by the Hon Zachary Wong Wai-yin and a written reply by the Secretary for Security, Mr Peter Lai, at the Legislative Council today (Wednesday):

Question:

At present, many villages located in the remote parts of the New Territories do not have direct access roads for fire engines and ambulances in the event of an emergency, and this has resulted in rescue efforts being delayed. In this connection, will the Government inform this Council:

- (a) of the number of cases in which rescue efforts have been delayed due to the above problem in each of the past three years;
- (b) of the difference between the time taken for fire engines and ambulances to reach the scene of accidents in the areas mentioned above and the arrival time in other areas; and
- (c) whether there are any short-term or long-term measures to reduce the difference in arrival times mentioned in the answer to (b) above, so that the lives and properties of residents in the villages located in the remote parts of New Territories can be better protected?

Reply:

Mr President,

- (a) The number of cases in the past three years where the Graded Response Time (GRT) for fire calls, and the target travelling time for emergency ambulance calls could not be met due to long distance travelling in the rural areas in the New Territories (NT) is as follows -

<u>Year</u>	<u>No. of fire calls where GRT could not be met</u>	<u>As % of total no. of fire calls</u>	<u>No. of emergency ambulance calls where target travelling time could not be met</u>	<u>As % of total no. of emergency ambulance calls</u>
1994	70#	6.28	314*	0.37
1995	125	5.77	253	0.21
1996 (up to Oct)	61	4.17	234	0.23

Data only available since September 1994

* Data only available since April 1994

- (b) The average time taken for the fire engines to respond to fire calls in the rural areas in the NT in the past three years exceeds the GRT by 6.9 minutes due to long distance travelling; whereas the average time to respond to fire calls in other built-up areas in the NT exceeds the GRT by 2 minutes due to the same reason. As regards the emergency ambulance service, we do not have such statistics readily available.

- (c) Measures adopted by the Fire Services Department to improve the fire and ambulance services in the NT include -

Fire Services

To better serve the rural areas in the NT, we plan to commission new fire stations in Tuen Mun and Sham Tseng within the next three years and to procure two additional Light Pumping Appliances in 1997/98 to enable land crews to gain access to remote areas where access by major fire appliances is difficult or impossible.

Ambulance Services

We plan to deploy six additional Ambulance Aid Motor Cycles (AAMC) in the NT to cover Tin Sum, Ma On Shan, Tai Po, Lei Muk Shue, Tin Shui Wai and Kwai Chung in the next two years. AAMC can respond to emergency cases at locations inaccessible by a standard town ambulance due to road configuration. A new ambulance depot at Sham Tseng will be completed in 1997/98. The department will then re-deploy the ambulance fleet with the new resources to the new ambulance depot to further improve the emergency ambulance cover in the NT by reducing the travelling time.

End

Radon concentrations in public places within international standards

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Following is a question by the Hon James To Kun-sun and a reply by the Secretary for Planning, Environment and Lands, Mr Bowen Leung, in the Legislative Council today (Wednesday):

Question:

According to the findings of a study by the City Polytechnic University to measure the levels of radon daughter (which is a potentially lung-cancer-causing radioactive substance) in Mass Transit Railway (MTR) stations in the territory, 23 out of the 31 underground MTR stations have levels of radon daughters exceeding the average level in the world. The study has also found that workers engaged in overnight maintenance work on MTR tracks are exposed to a level of radiation one-sixth higher than the level to which ordinary people are exposed. In view of this, will the Government inform this Council whether:

- (a) it will consider introducing statutory control on radon levels in public places; and
- (b) it is aware of any steps taken by the Mass Transit Railway Corporation to re-assess the quality of air in MTR stations in the light of the findings of the study; if so, what measures the Corporation will adopt to improve the air quality in MTR stations?

Reply:

Mr President,

- (a) May I first of all say that it is the view of the MTRC that the findings of the City Polytechnic University study referred to by the Hon Member are open to dispute, for example, the measurements for health assessment were taken from only one station at day time and considerable extrapolation and assumptions were made to apply them to night workers. Indeed, the MTRC has sufficient misgivings about the report that it would publish a rebuttal shortly in the Journal of Radiological Protection. For the Administration's part, we do not consider it necessary to introduce statutory control on radon levels in public places at this point in time. Surveys on radon levels conducted by the Environmental Protection Department in 1993 and by the Labour Department in 1995 indicated that radon concentrations in public places including MTR stations are within well established international standards and will not have adverse health impacts on the public and MTRC maintenance workers. Nevertheless, we have distributed publicity pamphlets, and will continue to educate the public, on measures to prevent radon pollution.
- (b) The MTRC follows the Labour Department and the Environmental Protection Department's regulations and guidelines on the protection of the health and safety of its staff. A survey undertaken by the Labour Department in 1995 indicated that the radon exposure for MTRC maintenance workers was about 0.01 to 0.022 Working Level, which is very low against the recommended Working Level of 0.05 adopted by the International Commission of Radiological Protection. There is therefore no need to take action to reduce radon levels in the railway premises although MTRC will continue to regularly review the situation.

End

Vehicle emission standards reviewed regularly

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

Question:

Regarding the air pollution problem in the territory, will the Government inform this Council whether it will:

- (a) review the vehicle emission standards which have been in use for over ten years;
- (b) take steps to tighten the enforcement of the vehicle emission standards; if so, what the details are; and
- (c) consider hiving off the Environment Protection Department from the Planning, Environment and Lands Branch and upgrading the Department to a separate policy branch so as to give the new set-up greater independence and flexibility in the redeployment of its resources towards tackling the air pollution problem, particularly in the control of emissions from motor vehicles?

Reply:

Mr President,

- (a) The assertion in part (a) of the question is not true. On the contrary, the emission standards for new vehicles are reviewed regularly and have been progressively tightened in tandem with the latest international standards and technological advancement. The standard for petrol vehicles was last tightened in 1991, which required new vehicles registered after 1992 to use unleaded petrol and be fitted with a catalytic converter. The standard for diesel vehicles was also upgraded in 1995 in line with the Euro I standard. The more stringent Euro II standard, which was adopted in Europe in October 1996, will be implemented on large diesel vehicles in April 1997. We are now reviewing the standard for small diesel vehicles. In addition, in-use vehicles on the road are required to meet a smoke emission standard of 60 Hartridge Smoke Unit (HSU) to ensure that they are maintained to a satisfactory condition. Since 1995, vehicles manufactured in or after 1990 are required to meet a more stringent test standard of 50 HSU.

- (b) Under the Road Traffic (Registration and Licensing of Vehicles) Regulations, vehicles unable to comply with the specified emission standards will not be registered. On the other hand, in-use commercial vehicles, and private cars over six years old, have to attend annual inspections during which they have to pass an emissions test before they can have their licences renewed by the Transport Department. Moreover, emission of excessive smoke is an offence under the Road Traffic (Construction and Maintenance of Vehicles) Regulation, which is enforced by the Environmental Protection Department and the Police. We are now working on measures to further strengthen the emission inspections and to increase the penalties on repeated offenders.
- (c) We do not support transforming the Environmental Protection Department into a separate policy branch. Like other government departments, the Environmental Protection Department already enjoys a large degree of autonomy and flexibility in deploying resources to meet its priorities and to ensure effective and efficient implementation of environmental protection policies. Given that the prevention and abatement of pollution requires concerted efforts in planning and land controls, there is a clear need to ensure that environmental protection work is integrated with planning and land administration procedures, and that environmental control is co-ordinated with land and building control. The existing integrated set-up of the Planning, Environment and Lands Branch provides this essential linkage and collaboration at the policy level and it would not be cost effective to establish a dedicated branch for environmental protection.

End

Conditions of issue of HK permanent ID cards

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Following are a question by the Hon Henry Tang Ying-yen and a written reply by the Secretary for Security, Mr Peter Lai, at the Legislative Council today (Wednesday):

Question:

Will the Government inform this Council whether any person with less than seven years' residency in the territory was issued with a Hong Kong Permanent Identity Card in the past; if so, what the reasons for this were, and the number of cases in which Hong Kong Permanent Identity Cards were issued to such persons in each of the past 5 years?

Reply:

Mr President,

Hong Kong Permanent Identity Cards are issued to persons who have the right of abode in Hong Kong. The categories of persons who are Hong Kong permanent residents are defined in Schedule 1 to the Immigration Ordinance, Cap. 115.

Not all Hong Kong permanent residents have to have resided in Hong Kong for seven years to acquire the right of abode status: Hong Kong British Dependent Territories citizens (HKBDTCs) are Hong Kong permanent residents regardless of how long they have resided in Hong Kong. HKBDTCs who acquired this status through being born in Hong Kong or by descent, for example, have this status at birth. Thus they are issued with Hong Kong Permanent Identity Cards even if they have not resided in Hong Kong for seven years.

The number of Hong Kong Permanent Identity Cards issued in each of the past five years is as follows:-

1992	421,571
1993	458,979
1994	500,961
1995	503,702
1996 (January-October)	517,607

The Immigration Department does not keep a separate record of the number of Hong Kong Permanent Identity Cards issued to Hong Kong permanent residents who have resided in Hong Kong for less than seven years.

End

Speed limits for roads in Hong Kong

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Following is a question by the Hon Chan Wai-yip and a written reply by the Secretary for Transport, Mr Gordon Siu, in the Legislative Council today (Wednesday):

Question:

There are many types of vehicles and in great numbers, running on the limited number of roads in the territory. Furthermore, the capacity of many roads, particularly expressways, is not fully utilised because of the imposition of speed limits on such roads. For example, private cars are subject to a speed limit of 70 kilometres per hour when running along Tuen Mun Highway, and this has resulted in private cars not being able to make effective use of Tuen Mun Highway. In this connection, will the Government inform this council whether:

- (a) it will follow the practice in other places and impose different speed limits on different types of vehicles using expressways; and
- (b) it will carry out a pilot scheme to assess if the measure mentioned in (a) above will result in an improvement to the utilisation of the territory's expressways?

Reply:

Mr President,

When setting speed limits for roads in Hong Kong, the Administration has regard primarily to safety and takes into consideration a number of factors including :

- (a) the length of the route;
- (b) the topography and geometric design of the route;
- (c) the road surface characteristics;
- (d) the accident history; and
- (e) the speed generally adopted by vehicles using the route.

For most roads in the urban areas where pedestrian flow is heavy and junctions are closely spaced, a speed limit of 50 km/h applies. For trunk roads and expressways, a higher speed limit is allowed and it ranges from 70 km/h to 100 km/h depending on the topography, design etc. However, medium goods vehicles, heavy goods vehicles and buses are not allowed to travel in excess of 70 km/h on these roads.

As to the suggestion of increasing the speed limit to increase the capacity of roads, it should be noted that permitting higher vehicle speed would not necessarily increase road capacity as a longer distance between vehicles is required for safe braking. The speed limit for Tuen Mun Highway is set at 70 km/h for safety reasons having regard to the hilly terrain with extensive cuttings and fillings influencing the alignment and gradient of the road.

End

Transfer between public hospitals

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

Question:

Is the Government aware of:

- (a) the number of patients transferred from one public hospital to another as well as the number of such transfers in each of the past two years; and the reasons for such transfers; and
- (b) whether an electronic data transfer system has been adopted in public hospitals to facilitate the transfer of patients' data between hospitals in a prompt and reliable manner?

Reply:

Transfers between public hospitals are mainly caused by the need for patients to receive specialised medical treatment or make use of sophisticated equipment which cannot be provided in every hospital. Furthermore, introduction of service networking and hospital clustering has facilitated tertiary referrals as well as patient movements between acute and convalescent hospitals for the continuity of care. A total of 66,453 and 60,851 transfers were made during the 12-month period ending October 1995 and 1996 respectively. Since any one patient might be involved in more than one transfer, the corresponding number of patients were 63,319 and 58,101.

Although medical records are not yet fully computerised, we are capable of transferring electronically some basic information between hospitals, such as patient demographics, brief diagnostic data and medical history. Progressive development of information technology applications will soon enable more clinical information to be transferred electronically, both within each hospital and between different hospitals. While these developments are taking place, paper medical record is still currently the major medium of capturing patient information. Over the past few years, the Hospital Authority has been reforming its medical record management system to improve efficiency and reliability.

End

Placement fees paid by Filipino workers

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

Question:

It is learnt that some Filipino workers have paid exorbitant placement fees to certain recruiting agencies which supply foreign labour for the Airport Core Programme projects. In this connection, will the Government inform this Council whether any complaints have been received in this regard; if so, of the number of complaints which have been investigated and the number of prosecutions, if any, which have been instituted as a result of such investigations?

Reply:

Mr President,

The operation of employment agencies in Hong Kong is subject to the Employment Agency Regulations under the Employment Ordinance. The fees which these employment agencies may collect from job applicants are prescribed in Part II of the Second Schedule of the Regulations. These Regulations prohibit employment agencies in Hong Kong from charging job registrants any amount more than that prescribed under the Schedule. The Labour Department has the responsibility to monitor the operation of the local employment agencies in accordance with the Regulations.

The Labour Department has so far not received any complaints from imported Filipino workers on the new airport sites about being charged excessive placement fees by employment agencies in Hong Kong. It will continue its enforcement efforts to ensure that all employment agencies in Hong Kong comply with these Regulations.

At the same time, the Government has, through its liaison efforts, built up a close rapport with authorities of the labour exporting countries over the regulation of labour exportation activities. In the case of Filipino workers, the Labour Department has maintained regular contacts with the Philippines Consulate for this purpose. We will continue with such efforts to ensure that all imported workers are sufficiently aware of their rights and benefits, and that any problems can be resolved promptly through co-operation.

End

Provision of acute beds in public hospitals

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

Question:

Is the Government aware of:

- (a) the current provision of acute beds in public hospitals on Hong Kong Island; and

- (b) the provision of acute beds in each of the following hospitals upon becoming fully operational:
- (i) Prince of Wales Hospital;
 - (ii) Tai Po Nethersole Hospital;
 - (iii) North District Hospital;
 - (iv) Tseung Kwan O Hospital?

Reply:

The current provision of acute beds in public hospitals on Hong Kong Island is 4,239 as at 31 March 1996. The information requested for each of the four individual hospitals is as follows -

<u>Hospital</u>	<u>No of Acute Beds</u>
Prince of Wales Hospital	1,294
Tai Po Nethersole Hospital	642
North District Hospital	618
Tseung Kwan O Hospital	458

End

"Permanent vegetative state" in newborn babies rare

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

Question:

Regarding the occurrence of cases in public hospitals involving babies lapsing into a 'vegetative' state because of deficiency of oxygen in the brain during birth, does the Government know:

- (a) of the number of such cases which have occurred in public hospitals in the past three years and their causes; and whether these causes are related to the staffing establishment for obstetric services in public hospitals or the fact that a woman in labour is allowed to choose between natural delivery and delivery by caesarean section;

- (b) how the incidence of such cases in the territory compares with those in other countries; and
- (c) what measures have been put in place in public hospitals to prevent newborn babies lapsing into a 'vegetative' state?

Reply:

The term "persistent vegetative state" is often used to describe patients with sustained, complete loss of cognition whilst wake/sleep cycles and other automatic functions remain relatively intact. This condition can either follow acute, severe bilateral brain damage or develop at the final stage of progressive dementia.

Severe brain damage among newborn babies occurs most commonly as a result of birth asphyxia. Although statistics are not steadily available, it is extremely rare for "permanent vegetative state" to be caused by birth asphyxia and as far as we can ascertain, no such cases was reported by public hospitals in the past three years.

There is no recognised indicator for the comparison of "permanent vegetative state" as a result of birth asphyxia. The indicator most widely used internationally to compare the health status of newborn babies is the Infant Mortality Rate. At less than 5 per 1,000 live births in recent years, the Infant Mortality Rate in Hong Kong ranks among the best in the world.

All obstetric units in our public hospitals are managed by qualified professional staff, including midwives, to ensure quality patient care. Additional resources will be allocated by the Hospital Authority to individual units through the annual planning process, where necessary, to meet prevailing operational needs. The Authority is also refining its manpower indicators with a view to reflecting more accurately the casemix and patient acuity prevalent in different hospitals.

Unless fully justified on medical grounds, natural delivery is advocated for child birth in public hospitals. When caesarean section for the delivery is needed, advice will be given to the patient whose prior consent must be obtained.

Many conditions such as premature labour, multiple birth, prolapsed umbilical cord, severe maternal bleeding, maternal hypertension and toxemia may give rise to birth asphyxia. About 70% of these complicated pregnancies can be detected in advance and the risk minimised with good fetal monitoring as well as perinatal care. All public hospitals with obstetric units have established practices and procedures to prevent or reduce the occurrence of birth asphyxia.

End

Daily average turnover at Hong Kong Futures Exchange

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Following is a question by the Hon Chim Pui-chung and a written reply by the Secretary for Financial Services, Mr Rafael Hui, in the Legislative Council today (Wednesday):

Question:

Is the Government aware of:

- (a) the daily average turnover of stock futures since their introduction at the Hong Kong Futures Exchange (HKFE); and
- (b) if the turnover mentioned in the answer to (a) above is lower than expected, whether consideration will be given to asking the HKFE to cease stock futures trading?

Answer:

- (a) Since the introduction of stock futures contracts in the Hong Kong Futures Exchange (HKFE) in March 1995, the average daily turnover up to end October is 11.3 contracts.
- (b) The HKFE did not indicate the level of turnover it expected at the time of the launch of stock futures contracts. The HKFE is licensed under the Commodities Trading Ordinance and is subject to regulation by the Securities and Futures Commission. So long as the HKFE complies with the regulatory requirements, it is free to decide whether to continue or discontinue the trading of any products on the Exchange. So far, the HKFE has no plans to discontinue trading of stock futures contracts.

End

Wastewater samples from hotels

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

Question:

Regarding the collection of wastewater samples from hotels by the Environment Protection Department (EPD) for the purpose of obtaining information that is needed in determining the rate of trade effluent surcharge, will the Government inform this Council:

- (a) of the criteria adopted by the EPD for selecting the location of the wastewater outlet in hotel premises for taking wastewater samples; and
- (b) whether the Government will consider allowing hotels to connect different wastewater outlets to a single outlet so that a joint sample reading of the different categories of wastewater can be taken?

Reply:

Mr President,

I have to clarify at the outset that the Environmental Protection Department (EPD) collects wastewater samples from hotels for the purpose of enforcing the Water Pollution Control Ordinance (WPCO), and not for determining the Trade Effluent Surcharge (TES) which is handled by the Drainage Services Department. Samples taken by EPD are used to assess the instantaneous quality of the wastewater discharge and monitor compliance with the conditions of the discharge licence issued under the WPCO. The samples cannot be used by the Drainage Authority (DSD) for purposes related to the TES scheme because they may not conform to the requirements of the Technical Memorandum promulgated under the Sewage Services Ordinance, which requires composite samples collected over a longer period, whereas samples taken for enforcing the WPCO are grab samples.

- (a) The criteria adopted by the EPD in selecting the location of a sampling point for taking wastewater samples for enforcement of the WPCO are that the sample taken must be from the wastewater which is discharged to the sewers or waters; the location of such sampling point is set out in the discharge licence issued under section 14 of the WPCO. In determining the location of such sampling point, the Department will take into account practical requirements such as accessibility, convenience and minimal interference in the activities of the discharger. Section 29 of the WPCO provides that the licensee may appeal within 21 days of the issue of a licence if he is not satisfied with the sampling points identified in the licence.

- (b) While combining wastewater streams into one discharge is not prohibited for discharge to sewers or waters, dilution of the discharge to achieve compliance with licence conditions is prohibited by the Technical Memorandum under the WPCO. If dilution occurs due to combination of wastewater streams, the wastewater streams will be controlled separately under the Ordinance. If the premises produces a wide range of different types of wastewater, the decision to control the combined wastewater streams as a single discharge will be taken on a case by case basis taking into account the prohibition against dilution.

End