

OFFICIAL REPORT OF PROCEEDINGS**Wednesday, 22nd May 1974****The Council met at half past two o'clock**

[Mr President in the Chair]

PRESENT

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR CRAWFORD MURRAY MACLEHOSE, KCMG, MBE
THE HONOURABLE THE COLONIAL SECRETARY (*Acting*)
MR MICHAEL DENYS ARTHUR CLINTON, CMG, GM, JP
THE HONOURABLE THE FINANCIAL SECRETARY (*Acting*)
MR DAVID HAROLD JORDAN, MBE, JP
THE HONOURABLE THE ATTORNEY GENERAL
MR JOHN WILLIAM DIXON HOBLEY, QC, JP
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS (*Acting*)
MR LI FOOK-KOW, JP
THE HONOURABLE DAVID RICHARD WATSON ALEXANDER, CBE, JP
DIRECTOR OF URBAN SERVICES
THE HONOURABLE JAMES JEAVONS ROBSON, CBE, JP
SECRETARY FOR THE ENVIRONMENT
THE HONOURABLE JOHN CANNING, JP
DIRECTOR OF EDUCATION
DR THE HONOURABLE GERALD HUGH CHOA, CBE, JP
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE IAN MACDONALD LIGHTDODY, CMG, JP
SECRETARY FOR HOUSING
THE HONOURABLE LEWIS MERVYN DAVIES, CMG, OBE
SECRETARY FOR SECURITY
THE HONOURABLE DAVID WYLIE MCDONALD, JP
DIRECTOR OF PUBLIC WORKS
THE HONOURABLE JAMES DAVID MCGREGOR, ISO, JP
DIRECTOR OF COMMERCE AND INDUSTRY (*Acting*)
THE HONOURABLE PETER BARRY WILLIAMS, JP
SECRETARY FOR SOCIAL SERVICES (*Acting*)
THE HONOURABLE ILAN FRANCIS CLUNY MACPHERSON, JP
SECRETARY FOR THE NEW TERRITORIES (*Acting*)
THE HONOURABLE WOO PAK-CHUEN, CBE, JP
THE HONOURABLE SZETO WAL CBE, IP
THE HONOURABLE WILFRED WONG SIEN-BING, OBE, JP
THE HONOURABLE WILSON WANG TZE-SAM, OBE, JP
DR THE HONOURABLE CHUNG SZE-YUEN, OBE, JP
THE HONOURABLE ANN TSE-KAI, OBE, JP
THE HONOURABLE ROGERIO HYNDMAN LOBO, OBE, JP
THE HONOURABLE MRS CATHERINE JOYCE SYMONS, ODE, JP
THE HONOURABLE JAMES WU MANHON, JP
THE HONOURABLE HILTON CHEONG-LEEN, OBE, JP
THE HONOURABLE LI FOOK-WO, OBE, JP
THE HONOURABLE HUGH MOSS GERALD FORSGATE, OBE, JP
THE HONOURABLE KENNETH LO TAK-CHEUNG, JP

ABSENT

THE HONOURABLE OSWALD VICTOR CHEUNG, OBE, QC, JP

THE HONOURABLE PETER GORDON WILLIAMS, JP

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL

MR KENNETH HARRY WHEELER

Paper

The following papers were laid pursuant to Standing Order 14(2): —

<i>Subject</i>	<i>LN No</i>
Subsidiary Legislation:	
Dangerous Goods Ordinance.	
Dangerous Goods (General) (Amendment) Regulations 1974	95
Dangerous Goods Ordinance.	
Dangerous Goods (Shipping) (Amendment) Regulations 1974	96
Road Traffic Ordinance.	
Road Traffic (Construction and Use) (Amendment) Regulations 1974	97
Road Traffic Ordinance.	
Road Traffic (Parking and Waiting) (Amendment) Regulations 1974 ..	98
Road Traffic Ordinance.	
Road Traffic (Temporary Car Parks) (Amendment) Regulations 1974	99
Civil Aviation Act 1949.	
Hong Kong Civil Aviation (Investigation of Accidents) (Amendment) Regulations 1974	101

<i>Subject</i>	<i>LN No</i>
Dogs and Cats Ordinance.	
Approved Observation Kennels and Quarantine Stations	102
Summary Offences Ordinance.	
Summary Offences Ordinance (Exemption from Section 13) (No 2) Order 1974	103
Prisons Ordinance.	
Ma Hang Prison Order 1974	104
Drug Addiction Treatment Centres Ordinance.	
Ma Hang Addiction Treatment Centre (Cancellation) Order 1974	105
Training Centres Ordinance.	
Ma Hang Training Centre (Cancellation) Declaration 1974	106
Securities Ordinance 1974.	
Securities Ordinance 1974 (Commencement) (No 3) Notice 1974	107
Public Health and Urban Services Ordinance.	
Public Health and Urban Services Ordinance (Designation of Libraries) Order 1974	108
Public Health and Urban Services Ordinance.	
Public Health and Urban Services (Designation of Museums) Order 1974	109
Sessional Paper 1973-74:	
No 62—Annual Report by the Secretary for Home Affairs for the year 1972-73 (published on 22.5-74).	

Oral answers to questions

Rates—payment by public officers

1. MR F. W. LI asked: —
 - (a) Are rates payable by public officers residing in Government owned or leased premises?

[Mr LI] Oral answers

(b) If not, what is the justification for exempting them from payment of rates?

THE COLONIAL SECRETARY (ACTING): —Yes and no, Sir. Rates are payable in respect of residential premises leased by Government and occupied by public officers. In such cases, rates may or may not be included in the rent charged by the landlord.

Rates are however not payable in respect of residential premises owned by Government and occupied by public officers. Under section 36(2) of the Rating Ordinance, the Governor in Council has made the Rating (Miscellaneous Exemptions) Order 1973, which exempts from assessment to rates:

"A tenement owned or held by the Government or the Colonial Treasurer Incorporated (except as mortgagee) and occupied or to be occupied as a dwelling by a public officer by virtue of his employment."

It is Government policy to provide or assist in providing accommodation for those Government officers who are eligible for quarters on operational grounds or whose conditions of service so prescribe. Such officers pay rent at 7½% of salary if their salaries are \$1,792 per month or above, and at 5% if below that level; they do not pay rates in addition. The provision of quarters at these charges is part of overall conditions of service which are reviewed periodically, including investigation of the practice of employers and level of remuneration in the private sector.

It is considered unnecessary for Government in its function as an employer to pay rates to itself in its function as a revenue-collector.

New Territories Local Public Works Vote

2. On behalf of MR CHEUNG, MR WOO asked: —

In view of rising costs and the importance of these schemes to the people of the New Territories, will Government reconsider the decision to reduce the New Territories Local Public Works Vote to a sum smaller than that approved for last year?

THE FINANCIAL SECRETARY (ACTING): —Sir, the reason why financial provision for local public works in the New Territories in 1974-75

is lower than that provided in the 1973-74 Estimates is that provision for capital expenditure on cleansing facilities, which was formerly included in the ambit of the local public works vote, has now been included in a separate subhead. Since local public works don't cease to be local public works just because we put the financial provision under a different subhead, I would suggest to my honourable Friend that the true comparison is between the \$5.5 million provided in 1973-74 and the total of \$7.8 million provided in 1974-75. This is made up of \$4.8 million for local public works and \$3 million for cleansing facilities.

Just in case my honourable Friend who I am so sorry not to see here this afternoon was laying a trap for me, I was intending to admit that when Finance Committee accepted the commitment of \$25 million for cleansing facilities, they voted \$5 million within that commitment as supplementary provision for 1973-74. At that time, the budgetary situation was such that the Financial Secretary did not consider it necessary to reduce the provision of \$5.5 million for local public works, although provision for cleansing facilities ceased to be charged to it. So the total voted during 1973-74 for cleansing facilities and local public works was \$10.5 million. But we should treat this as a once-for-all bonus for local public works.

In the circumstances, I don't think the provision for local public works needs to be reconsidered, at least not at this stage in the financial year.

MR WOO: —Sir, just one supplementary question. Does this \$4.8 million include the increase of cost which we estimated as about 25%?

THE FINANCIAL SECRETARY (ACTING): —I am afraid, Sir, I cannot say precisely how this \$4.8 million was arrived at. I will ascertain and inform my honourable Friend.

Administrative Officers—recruitment policy

3. MR WU asked: —

- (a) Can Government make a statement on its recruitment policy for Administrative Officers?
- (b) Are graduates of Hong Kong origin from non-Commonwealth universities or graduates in their late twenties/early thirties eligible?

Oral answers

THE COLONIAL SECRETARY (ACTING): —Sir, very briefly, the policy is to recruit some overseas and some local candidates each year; the main qualification for applicants from outside the public service is a good honours degree. The principal method of recruitment is by open competition usually held annually. Many serving officers apply and for them the degree qualifications may be waived. The upper age limit for such entrants has normally been 35 years, but in the most recent recruitment exercise earlier this year it was raised to 45 years as an experiment. For the first time, applications were also invited for appointment to the rank of Senior Administrative Officer.

In addition, as a result of the substantial expansion of the public service, which has had to keep pace with the growth in the economy, a small number of entrants with previous administrative experience are needed. These more mature officers are normally employed on agreement, and have usually had administrative service in other British administrations. This source is unfortunately gradually drying up.

The proportion of overseas to local recruits is regularly reviewed and the target for the next three years is very roughly 5 local to about 3 overseas entrants. Over the same period, and within the ratio stated, the aim is that about one third of the entrants should have some previous administrative experience.

Sir, these matters are regularly discussed with the Public Services Commission, and the target ratio I have given was set with the concurrence of the Commission.

The answer to the second part of the question is definitely yes; degrees from non-Commonwealth universities are accepted *if* they are of equivalent standard and I might add we already have some such officers.

MR WU: —Thank you.

Hire-purchase legislation

4. MR WOO asked: —

Will Government consider introducing hire-purchase legislation in the near future?

THE FINANCIAL SECRETARY (ACTING): —Sir, my honourable Friend asked in this Council on 19th August 1970* whether the Government was at that time contemplating legislation on hire-purchase agreements and the Attorney General replied at length saying that as no evidence had come to light to show that there were in this business malpractices and oppressive agreements from which the public needed protection, there was no plan to draft legislation at that time.

In the four years since then, no one has represented to the Government that the position has changed and I am not aware of any public expression of opinion that there is a need for legislation.

If the Government receives evidence at any time which shows that legislation appears to be needed, I can assure my honourable Friend that we will reconsider the question.

MR WOO: —Sir, as I said in 1970 that prevention is better than cure, I would ask my honourable Friend to reconsider the matter as it is legislation which is quite necessary in Hong Kong.

HIS EXCELLENCY THE PRESIDENT: —Is this a question or a statement?

MR WOO: —I ask my honourable Friend to reconsider the matter in the very near future.

THE FINANCIAL SECRETARY (ACTING): —Well, that's a request rather than a question, I would say, Sir. Since I am on my feet, I would say yes, we would consider it. But it is a little difficult to decide what sort of legislation one needs to deal with a problem which hasn't been brought to notice as a problem; and of course while prevention is better than cure, if we tried to prevent everything that might sometime in the future need curing, we'd have a very heavy legislative programme.

Desalting plant

5. DR CHUNG asked: —

- (a) In the light of the presently high price and feared shortage of fuel oil, has Government reconsidered the economy of the desalting plant under construction; and

* 1969-70 Hansard page 831.

[DR CHUNG] **Oral answers**

(b) has Government any plan for the additional supply of fuel oil for this purpose?

THE FINANCIAL SECRETARY (ACTING): —Sir, the Government is reconsidering not just the economics of the desalting plant but the economics of additional water supplies generally in the light of the price and supply situation with regard to fuel oil. For instance, when considering the possibility of gathering more water from natural sources we have in recent years not pursued any scheme where the cost of water would be greater than the cost of desalted water. Clearly we must now—indeed we have started to—reconsider such schemes up to a higher cut-off point since our earlier assumptions on the future cost of desalted water must be revised. But I should add that the additional yield from such schemes is unlikely to do more than meet the increase in demand for six months to a year.

So far as the supply of fuel oil for the desalter is concerned, the question of supply for the near future has been under negotiation for some time. I expect a recommendation to be made to the Central Tender Board soon.

In the long term the question of supply of fuel for Hong Kong's future energy requirements, of which the desalter is only a part, is under consideration. We must clearly reconsider the possibility of using other forms of energy in the light of the changed situation with regard to oil supplies and prices.

DR CHUNG: —Sir, can my honourable Friend inform this Council the cost of water, say on the basis of per thousand gallons or imperial gallons, from the desalting plant before and after the huge increase of oil prices?

THE FINANCIAL SECRETARY (ACTING): —We had calculated, Sir, on a price—or a cost rather—of approximately \$6 a thousand gallons. We are not able yet to calculate what the cost is likely to be when the desalter is in full operation because it won't be in full operation for another couple of years yet and there is an inevitable uncertainty at present as to what the price of fuel oil is likely to be then. But I think I should say we are taking it for granted that we shall have to assume a cost of double what we had in mind before—\$6 a thousand gallons—or even more.

Traffic Road Signs

6. DR CHUNG asked: —

- (a) Is Government aware that, despite publication in the *Government Gazette*, many motor vehicle drivers do not clearly comprehend the recently introduced traffic road signs and
- (b) will Government consider some publicity programmes such as printing small booklets for distribution to all drivers?

SECRETARY FOR HOME AFFAIRS (ACTING): —Sir, Government is aware that some of the road traffic signs published in the *Government Gazette* on 29th March this year may not be sufficiently clear. This matter was raised by certain individual Members of this Council during the month of April; since then, there have been discussions between the departments concerned. As a result of these discussions, revised Chinese versions have been agreed for a total of 13 signs. In these discussions every effort has been made to find the most appropriate terms to reflect the intention of the sign—as well as to limit the number of Chinese characters in them.

New signs bearing these agreed Chinese characters are now being produced. Pictures of the new signs are available for examination by honourable Members in the Councils Office.

Sir, in reply to the second part of the question, Government has given full consideration to the need for publicity on road traffic signs. A new Highway Code, which will be available to all drivers free of charge and will include descriptions of all the authorized traffic signs, will be published later this year. In the meantime, before a prescribed sign of a new type appears for the first time, Government will certainly arrange for appropriate publicity to bring it to drivers' attention.

Drowning case in Victoria Park Swimming Pool

7. MR WOO asked: —

Will Government state the circumstances of the death by drowning of a boy in the Victoria Park Swimming Pool on 12.5.74?

MR ALEXANDER: —Sir, at the time of the incident, 2.45 *p.m.*, Victoria Park Swimming Pool was very crowded. The second shift

[MR ALEXANDER] **Oral answers**

of lifeguards had already come on duty and of these, four (full complement) were on duty at the main pool, with two additional lifeguards on duty between the main pool (deep end) and the nearby children's pool.

The victim, a non-swimmer, was seen lying at the bottom of the main pool, in water about two metres deep, by the lifeguard on duty nearest to him who immediately went into the water and brought him out. He was unconscious and breathing with difficulty: his heart beat and pulse were very weak.

Before the victim was spotted, no cries for help were heard: nor were there signs that any person was in difficulties. The youth was taken to the pool's first aid post and mouth to mouth respiration was applied for about 15 minutes. During this period, no water came up—only food.

An ambulance, called at 2.55 *p.m.*, arrived within five minutes and left two minutes later for Tang Shiu Kin Hospital. Oxygen was applied on the journey, but the boy was certified dead after arrival.

It has not been possible so far to ascertain the exact circumstances surrounding this unfortunate and regrettable incident.

MR WOO: —Sir, it is indeed a very unfortunate and regrettable incident. May I ask my honourable Friend are there any precautions being taken not to allow non-swimmers to go into the swimming pool?

MR ALEXANDER: —We have not considered this, Sir. I should imagine that it would be quite difficult to identify who can swim and who cannot swim. In fact, this boy was accompanied by a friend and it was he who identified this victim as a non-swimmer.

MR WOO: —I am not quite satisfied with my honourable Friend's reply. I think steps should be taken to see that non-swimmers shouldn't go into the swimming pool and that steps should be taken to inquire whether any swimmer who wants to go into the swimming pool can swim or not?

MR ALEXANDER: —I shall certainly see what can be done, Sir.

Government building complex in Sham Shui Po

8. MR FORSGATE asked: —

What is the cause of delay in proceeding with the Government car park, library and building complex in Sham Shui Po?

SECRETARY FOR THE ENVIRONMENT: —Sir, the project in question is included in the current Public Works Programme as Sham Shui Po Market and, as such, was upgraded to Category B in the programme in August 1969. Since then it has gradually evolved into a multipurpose building.

While multi-purpose buildings provide considerable benefits of convenience and economy, their planning is most complicated, mainly because of the difficulties of reconciling the requirements of the different users.

I am afraid that in the case of this complex, progress has been thwarted by constant changes in user requirements which have made it impossible for planning to proceed beyond the drawing board stage. The schedule of accommodation is still not finalized, and development possibilities prepared for the Building Review Committee by the Architectural Office are therefore tentative. Consideration will be given to phasing construction so, if necessary, that the market could be built in advance of the remainder of the building. The project does not include a car park.

However, problems of clearing the site still remain to be solved before the site can be developed. The Wholesale Fresh Water Fish Market which at present occupies the site, will eventually be resited in the new Cheung Sha Wan Wholesale Market which will be completed by about 1978. In the meantime a site must be found for the temporary reprovisioning of these *laans*, and the Lands and Survey Department has this in hand.

Auxiliary Medical Service

9. MR WANG asked: —

- (a) What is the present strength of the Auxiliary Medical Service; and
- (b) does it provide adequate coverage for the new satellite towns in the New Territories and North Kowloon?

Oral answers

DR CHOA: —Sir, the present strength of the Auxiliary Medical Service is 5,947. Present coverage for new satellite towns in the New Territories and North Kowloon is considered to be adequate. However, in anticipation of further expansion, recruitment has been stepped up in the North Kowloon areas especially in Sau Mau Ping, Lam Tin, Yau Tong and Ngau Tau Kok, and in the New Territories' satellite towns such as Kwai Chung, Shek Lei, Tuen Mun and Sha Tin.

Secondary education

10. MR WANG asked: —

- (a) In view of the anxieties of the parents expressed in the local press on the prospects of secondary education for their children, will Government state what progress has been made since the green paper on this subject was laid on the table of this Council; and
- (b) when will the white paper be ready for debate in this Council?

MR CANNING: —Sir, in reply to the first part of my honourable Friend's question I should remind honourable Members that the green paper containing the Report of the Board of Education on the proposed expansion of secondary education in Hong Kong over the next decade was laid on the table of this Council on 31st October last year.

In the foreword, members of the public were invited to comment on the green paper proposals before the end of December but the time allowed for comment was subsequently extended by one month to the end of January 1974.

A very wide range of public comment was received and has been carefully analysed. It is fair to say that although many proposals were welcomed by the public, some of the more far reaching proposals, particularly those dealing with the future system of secondary education, received adverse comment.

The views expressed have been collated and carefully analysed, and the implications of adopting the lines recommended by the critics of the green paper proposals have been worked out. Naturally this has taken time.

During June I intend to place a comprehensive policy paper before the Board of Education in order that the Board may re-assess their original proposals in the light of the comments received, and decide what further advice Members should now tender to His Excellency the Governor.

I can assure my honourable Friend that the preparation of my departmental submission to the Board of Education is going ahead with all possible despatch, but I am sure that he would agree that the problems are complex. We are dealing with matters which will closely concern the future educational prospects of our children, and it would be unwise to rush the consideration of such fundamental matters.

While secondary policy for the next decade is evolving through the process of further comment, and consultation with the Board of Education, I should add that the progress towards the implementation of the 1976 targets is proceeding satisfactorily.

Regarding the second point raised by my honourable Friend, the intention is that as soon as the Board of Education has considered the policy paper to which I have referred, and has made final recommendations to His Excellency, preparation of the white paper setting out the Government's proposed policy will not be long delayed. Provided that no unforeseen major problems emerge during the Board's reconsideration of the green paper and its aftermath, I hope that it will be possible to table a draft white paper for early debate, setting out the final evolution of those crucial policies. I can assure honourable Members that it is the Government's intention that this white paper should, if possible, be ready for debate before the end of this session.

Beaches—measures to improve

11. MR WONG asked: —

Will Government state what measures can be taken to improve all beaches in general and those popular ones such as Repulse Bay in particular:

- (a) as short-term measures, such as removing rocks during low tide;
- (b) as long-term measures, such as sanding to prevent accumulation of rocks, *etc.*?

Oral answers

MR ALEXANDER: —Sir, on the last occasion when I answered a similar question from my honourable Friend in 1972* (relating to Repulse Bay), I referred to it as a "hardy annual". I am grateful to Mr WONG for leaving this matter in abeyance for two years to give me a chance to correct the situation.

Unfortunately, this remains much as I last stated the position to be as, of course, this is something a little beyond the control or capabilities of the Urban Services Department being related in large part to "fung shui", that is wind and water or, in other words, typhoons and tides.

There are at present 37 gazetted beaches—12 in the urban area under the Urban Council and 25 in the New Territories under the Urban Services Department. Located as they are in different parts of Hong Kong, their physical and geological condition varies considerably. Some have a sandy bottom and are relatively free from rocks, while others are more stony and, in addition, may have hill-streams or nullahs entering the sea at or near them.

Experience has shown that there is considerable movement of sand and rocks at beaches. Typhoons frequently drive more rocks on to them and the accompanying heavy rainfall brings stormwater on to the beaches and foreshores, stripping them of sand. The same conditions apply to a lesser extent during seasonal strong winds and periods of heavy rain.

Departmental beach staff are required as part of their duties to clear away stones, loose rocks and debris, and, during winter months, it is the usual practice for them to carry out minor improvement works such as constructing new terraces from rocks taken from the beaches and providing safe access routes, free from rocks, into the water.

Much has been done in this way over the past 20 years, particularly at Repulse Bay (as my honourable Friend is aware), and my staff will continue to do all it can to make things better for beach-goers. However, as I have advised on previous occasions, much of the sea bed at Repulse Bay is covered with large rocks—the majority below the low water mark. As for smaller rocks and stones above the low water mark, the informed advice we have received is that their removal might lead to an unacceptable degree of sand erosion while, in any case, past experience has shown that fresh items are very quickly washed up in place of those laboriously removed.

* 1971-72 Hansard page 682.

It is, of course, expected that private development at the Lido end of the beach will greatly improve facilities for beach-goers while, in due course, the Urban Council, which is always most anxious to provide more and better facilities for all beach-goers, hopes to take in hand improvements at the Seaview end of the beach.

However, my staff generally will continue to do all they can to ensure that any inconvenience to swimmers from stones or rocks is reduced to the minimum—including the provision of access routes to the sea and the removal of small rocks and stones, particularly from the areas above the high water mark covered with loose stones and pebbles and protruding rocks. This, we consider is a more practical proposition than "sanding" which, in any case, is unlikely to prevent an accumulation of rocks.

I should like to add, Sir, that this problem is not confined to Hong Kong and that, in other parts of the world where similar rocky or stony conditions exist, swimmers take the precaution of wearing specially designed lightweight rubber swimming footwear or even simple plimsolls—and, indeed, in the past, I have offered to provide my good friend, Mr WONG, with a pair of the latter (*laughter*).

MR WONG: —Sir, will the Director of Urban Services also assure me that he will pay for my rubber swimming footwear?

MR ALEXANDER: —If Mr WONG would let me have his size, I should be happy to do so Sir (*laughter*).

Crown Land in rural areas

12. On behalf Of MR CHEUNG, MR WOO asked: —

Will Government make additional funds available to tidy up and fence off the many tracts of Crown land in the rural areas which are susceptible to encroachment and of which many are now in a disgraceful state?

SECRETARY FOR THE NEW TERRITORIES (ACTING): —Sir, additional funds are not available at present for this purpose. My department will make the best possible use of the funds already voted and a contract has recently been let to deal with matters such as illegal dumping, the fencing off of large vacant sites pending development and other measures to protect the environment in the New Territories.

Oral answers

MR WOO: —Sir, as far as I can ascertain, my honourable Friend's department had asked for \$5 million for this project, but only \$1 million was allotted. May I ask my honourable Friend whether \$1 million is sufficient for this project, and if so, why his department asked for \$5 million?

SECRETARY FOR THE NEW TERRITORIES (ACTING): —Sir, there is much work to be done and the \$1 million now voted will enable a good start be made on it. I can only say that I have some hope that later in the financial year it may be possible to secure additional funds by way of supplementary provision, perhaps by identifying equivalent savings under another subhead.

MR CHEONG-LEEN: —Sir, is there much illegal squatting taking place on these vacant sites?

SECRETARY FOR THE NEW TERRITORIES (ACTING): —At present this is not a great problem in the more rural New Territories, but it is an ever present danger for any site cleared if it is not fenced off.

Indoor Stadium at Hung Hom

13. MR SZETO asked: —

Will Government inform this Council what progress has been made regarding the indoor stadium at Hung Hom?

MR McDONALD: —Sir, working drawings for the indoor stadium are in preparation. By the original programme, works on site would have commenced in February 1975, and would have been completed in December 1976. However, due to the current limitations on expenditure for the Public Works Programme and the very large existing commitment on projects, funds will not be available to allow adherence to the original time schedule.

An exercise is currently being carried out within Government with a view to making recommendations to the Public Works Sub-Committee of Finance Committee on the re-phasing of items in the programme. It may be that in these circumstances this particular project will not be accorded a very high priority when considered against the needs in housing, education, medical and health and other high priority fields.

MR SZETO: —Sir, would my honourable Friend not consider that this project is a facility in the fields of both education and health and that because it has been long awaited that it should have a high enough priority to justify early construction?

MR McDONALD: —Sir, I cannot anticipate the decision of the Public Works Sub-Committee. They will establish the priorities.

MR CHEONG-LEEN: —Sir, since it is mentioned in the reply that this is not allotted higher priority, what in the time scale would be the commencement of this particular project? Could an indication be given?

MR McDONALD: —No, Sir, I cannot at this time give any indication of the period of deferment involved.

Social Welfare Department branch office in Fanling

14. MR LOBO asked: —

What plans are there to open a branch office of the Social Welfare Department in Fanling to administer the public assistance scheme and other social welfare services?

SECRETARY FOR SOCIAL SERVICES (ACTING): —Sir, the Social Welfare Department already has a Probation Office and a Youth Centre and Hostel in Fanling but has no immediate plans to open a branch office as such. However, a new Social Security Field Unit will be established at Sheung Shui in July this year to administer the Public Assistance and the Disability and Infirmity Allowance Schemes. This new office will deal with persons residing in Fanling, Sheung Shui, Ta Kwu Ling, Sha Tau Kok and their surrounding areas.

Sheung Shui was selected as the location for this new unit because, unlike Fanling, accommodation was readily available there at a reasonable rent and because the short distance between the two towns causes little or no inconvenience as to accessibility by the public.

Lease enforcement office

15. MR LO asked: —

Has any progress been made in setting up a lease enforcement office in a Government department?

Oral answers

SECRETARY FOR THE ENVIRONMENT: —Sir, it will be recalled that the establishment of a Lease Enforcement Unit in the Registrar General's Department was approved in September last. The staff required to man this unit are now being recruited, and the accommodation for it has been reserved in the West Wing of the Central Government Offices. It is hoped that the unit will become functional in the next few months, and an announcement will be made on the scope of the work that it will be undertaking as soon as the staff are in post.

Government business

First reading of bill

LABOUR TRIBUNAL (AMENDMENT) BILL 1974

Bill read the first time and ordered to be set down for second reading pursuant to Standing Order 41(3).

Second reading of bills

LABOUR TRIBUNAL (AMENDMENT) BILL 1974

THE ATTORNEY GENERAL moved the second reading of: —“A bill to amend the Labour Tribunal Ordinance.”

He said: —Sir, the Labour Tribunal Ordinance, which was enacted in March 1972, established a Tribunal having a simple and informal procedure for determining monetary claims arising from the relationship of employer and employee. It was considered though that the new Tribunal should be introduced on an experimental basis initially and the Ordinance is due to expire on 31st December next year.

The first presiding officer of the Tribunal began sitting on 1st March 1973 and the Tribunal proved to be an immediate success as honourable Members are well aware. 1,144 cases were dealt with in the first year—more than double that of the original estimate of 500 a year. It equals the annual figure of all wage cases handled by the District Court in previous years. The Tribunal has dealt with these cases quickly and in the simple, informal and inexpensive way which was envisaged. The time taken to determine a case is between two and three weeks, and to ensure that there is no falling away in the

speed with which cases are dealt with, it has already been necessary to appoint a second presiding officer with effect from February this year.

There is no doubt, Sir, that the Labour Tribunal has already established itself as a permanent part of the Judiciary and the main aim of this bill is to put the Tribunal on a permanent basis. Clause 11 seeks to repeal section 47 of the Labour Tribunal Ordinance, which at present limits the duration of the Ordinance.

The opportunity is being taken to propose certain other small amendments to the Ordinance, which experience has shown to be desirable. The effect of clauses 3 and 4 will be that an appeal against a decision of the Tribunal can be entertained only where leave to appeal is granted by the District Court. This will, it is hoped, ensure that swiftness of decision and informality are not frustrated by vexatious or groundless appeals. Clause 8 will enable a presiding officer to control effectively proceedings before him by giving him the power to punish contempts summarily.

Motion made. That the debate on the second reading of the bill be adjourned—THE ATTORNEY GENERAL.

Question put and agreed to.

PUBLIC SERVICES COMMISSION (AMENDMENT) BILL 1974

Resumption of debate on second reading (8th May 1974)

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

NURSES REGISTRATION (AMENDMENT) BILL 1974

Resumption of debate on second reading (8th May 1974)

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

Committee stage of bills

Council went into Committee.

PUBLIC SERVICES COMMISSION (AMENDMENT) BILL L974

Clauses 1 to 8 were agreed to.

NURSES REGISTRATION (AMENDMENT) BILL 1974

Clauses 1 to 4 were agreed to.

Council then resumed.

Third reading of bills

THE ATTORNEY GENERAL reported that the

Public Services Commission (Amendment) Bill 1974 and the

Nurses Registration (Amendment) Bill 1974

had passed through Committee without amendment and moved the third reading of each of the bills.

Question put on each bill and agreed to.

Bills read the third time and passed.

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT: —In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on Wednesday the 5th of June.

Adjourned accordingly at ten minutes past three o'clock.