

OFFICIAL REPORT OF PROCEEDINGS

Wednesday, 13th November 1974

The Council met at half past two o'clock

PRESENT

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR CRAWFORD MURRAY MACLEHOSE, KCMG, MBE
THE HONOURABLE THE COLONIAL SECRETARY
MR DENYS TUDOR EMIL ROBERTS, CBE, QC, JP
THE HONOURABLE THE FINANCIAL SECRETARY
MR CHARLES PHILIP HADDON-CAVE, CMG, JP
THE HONOURABLE THE ATTORNEY GENERAL
MR JOHN WILLIAM DIXON HOBLEY, QC, JP
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR DENIS CAMPBELL BRAY, JP
THE HONOURABLE JAMES JEAVONS ROBSON, CBE, JP
SECRETARY FOR THE ENVIRONMENT
DR THE HONOURABLE GERALD HUGH CHOA, CBE, JP
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE IAN MACDONALD LIGHTBODY, CMG, JP
SECRETARY FOR HOUSING
THE HONOURABLE DAVID HAROLD JORDAN, MBE, JP
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE LI FOOK-KOW, JP
SECRETARY FOR SOCIAL SERVICES
THE HONOURABLE DAVID AKERS-JONES, JP
SECRETARY FOR THE NEW TERRITORIES
THE HONOURABLE LEWIS MERVYN DAVIES, CMG, OBE, JP
SECRETARY FOR SECURITY
THE HONOURABLE KENNETH WALLIS JOSEPH TOPLEY, JP
DIRECTOR OF EDUCATION
THE HONOURABLE IAN ROBERT PRICE, TD, JP
COMMISSIONER FOR LABOUR
THE HONOURABLE WILLIAM COLLINS BELL, JP
DIRECTOR OF PUBLIC WORKS (*Acting*)
DR THE HONOURABLE CHUNG SZE-YUEN, OBE, JP
THE HONOURABLE WILSON WANG TZE-SAM, OBE, JP
THE HONOURABLE LEE QUO-WEI, OBE, JP
THE HONOURABLE OSWALD VICTOR CHEUNG, OBE, QC, JP
THE HONOURABLE ROGERIO HYNDMAN LOBO, OBE, JP
THE HONOURABLE MRS CATHERINE JOYCE SYMONS, OBE, JP
THE HONOURABLE PETER GORDON WILLIAMS, JP
THE HONOURABLE JAMES WU MAN-HON, OBE, JP
THE HONOURABLE HILTON CHEONG-LEEN, OBE, JP
THE HONOURABLE LI FOOK-WO, OBE, JP
THE HONOURABLE JOHN HENRY BREMRIDGE, JP
THE HONOURABLE MRS KWAN KO SIU-WAH, MBE, JP
THE HONOURABLE LO TAK-SHING, JP
THE HONOURABLE FRANCIS YUAN-HAO TIEN, OBE, JP

ABSENT

DR THE HONOURABLE HARRY FANG SIN-YANG, OBE, JP

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL

MR KENNETH HARRY WHEELER

Papers

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

<i>Subject</i>	<i>LN No</i>
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Hong Kong Arts Centre Ordinance 1974.	
Hong Kong Arts Centre Ordinance 1974 (Commencement)	
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Births and Deaths Registration Ordinance.	
Births and Deaths Registration (Amendment of First	
and Second Schedules) (No 2) Order 1974	214
Births Registration (Special Registers) Ordinance.	
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of Fifth Schedule) (No 2) Order 1974	215
Deaths Registration (Special Registers) Ordinance.	
Deaths Registration (Special Registers) (Amendment	
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Import and Export Ordinance.	
Import and Export (General) Regulations.	
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of the Second Schedule) Order 1974	217
Pilotage Ordinance.	
Pilotage (Dues) (Amendment) (No 2) Order 1974	218
Protection of Women and Juveniles Ordinance.	
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Places of Public Entertainment Ordinance.	
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Merchant Shipping (-Load Lines) Act 1967 as extended to Hong Kong by the Merchant Shipping (Load Lines) (Hong Kong) Order 1970.	
Authorizations by the Governor	223-224
Merchant Shipping (Safety Convention) Act 1949 as extended to Hong Kong by the Merchant Shipping Safety Convention (Hong Kong) No 1 Order 1953.	
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Sessional Papers 1974-75:	
No 13—Thirteenth Annual Report by the Social Work Training Fund Trustee for the year ended 31st March 1974 (published on 13.11.74).	
No 14—Schedule of Supplementary Provisions approved by the Urban Council during the second quarter of 1974-75 (published on 13.11.74).	

Government business

Motions

Address of thanks to His Excellency the Governor

Resumption of debate on motion (30th/31st October 1974)

DR CHOA: —Sir, at the close of the last session of this Council I spoke at some considerable length on the further development of medical and health services in Hong Kong for the next ten years. Today, by way of stock-taking, I propose to review some health statistics for the past ten years from 1964 to 1973 and outline a plan for improving the administrative machinery of the department to meet

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the demand and challenge of the future. I wish also to take the opportunity to say something about the recommendations of a report on the nursing service which has been circulated to all interested parties and distributed to the press today. I will be brief in all instances.

The public may not be aware that there have been further significant improvements in the state of health of the population in Hong Kong in the last decade because achievements in the field of preventive medicine seldom make dramatic reading. I believe however it is worth recording. The infant mortality rate has fallen from 26.4 per 1,000 live births in 1964 to 16.8 in 1973. This is now at as low a level as that obtained in most technically advanced countries. The maternal mortality rate has declined from 0.38 per 1,000 total births in 1964 to 0.10 in 1973; this is lower than that in many developed countries. In 1964 there were 699 cases of diphtheria but there was only one case in 1973. There were only three cases of poliomyelitis in 1973 whereas the highest incidence in the past ten years was a total of 140 cases in 1965. The incidence of leprosy has declined to such a low level that it is now possible to close the Hay Ling Chau Leprosarium and the remaining number of about 60 patients will be transferred to the Lai Chi Kok Hospital at the beginning of next year. No local indigenous case of malaria has been reported since 1969 and Hong Kong has been free from cholera also since 1969. The notification rate of tuberculosis has fallen from 358 per 100,000 population in 1964 to 196 in 1973 whereas its mortality rate has decreased from 40.1 per 100,000 in 1964 to 27.7 in 1973. The crude death rate now stands at 5.1 per 1,000 population which must be considered as low. In fact, where previously communicable diseases were responsible for the greater number of deaths, the mortality pattern has now changed. The leading causes of death in 1973 were cancer, heart and hypertensive diseases, pneumonia, cerebrovascular diseases, accidents and tuberculosis, in that order. It may be recalled that tuberculosis held the first place for many years after the war and was still in the fifth in 1964. This pattern is now the same as that in the advanced countries although it emerged only in the last decade in Hong Kong. The resulting changes in the incidence of the common diseases in Hong Kong thus provide the background to the objectives of our Ten-Year Plan.

At the same time as we have seen such improvements in the general trend of health, the administration of the medical and health services has become so specialised that I consider it no longer practical

and adequate to maintain only two separate divisions, medical and health, in the headquarters of the department. Instead I think it is much more appropriate and efficient to set up various functional divisions each with a specific service to perform. This re-organization together with the regionalization plan which I previously disclosed, is essential for the effective execution of the tasks ahead. I have in mind a new Planning and Development Division to implement all the proposals and recommendations contained in the Ten-Year Plan. This division will be responsible for planning and organizing the participation of the Medical and Health Department in the implementation of the programme plan on rehabilitation services to which Your Excellency referred. It will also undertake further research into the requirements of geriatric and psychiatric beds and the redistribution of infectious diseases and tuberculosis beds. And here I should like to add that I have, through the good offices of the British Council, invited an eminent authority on chest diseases from the United Kingdom to visit Hong Kong early next year to advise us on how to re-organize the Chest Service in view of the improvement in the situation regarding tuberculosis. In the debate on the White Paper on the Problem of Dangerous Drugs in Hong Kong I mentioned that a Narcotics and Drug Administration Division had been set up. I am glad to report further that a full staff for this division will soon be assembled, and I am confident that it will be capable of organizing the expansion of the methadone maintenance programme besides accomplishing much research work. There will continue to be a Training Division which will contain the Health Education Unit proposed in the White Paper. For the information of the Council, may I mention that during the past ten years 227 doctors have been sent abroad for further study and 218 obtained higher qualifications either locally or abroad. More and more Royal Colleges are now holding primary or final examinations in Hong Kong. In some cases the expenses for holding such examinations are borne by Government and all those who pass are given a refund of the examination fees. Besides these divisions there will be others responsible for industrial and environmental health, family health services which include family planning and maternal and child health services, and epidemiology and statistics.

I would now like to turn to the Government Nursing Service. As honourable Members are aware, Government at long last managed to obtain early this year the services of an independent nursing adviser, Miss Margaret LAMB, to enquire into the theoretical and practical workload of student nurses in Government hospitals, the policy of training the nurses in the media of English, and the available facilities

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for study and recreation. She was also asked to review teaching methods used by Government Nurse Tutors. Miss LAMB conducted her survey from the end of May to early July and in the course of her stay she was afforded the opportunity of seeing conditions in both Government and non-Government training schools in order that she could compare and contrast the whole field of training. I am today distributing her report which has been translated into Chinese, to interested bodies for information and comment. It contains a number of recommendations, and I should like just to touch on some of the more important ones.

We are not surprised that Miss LAMB found much scope for improvement. I fully share the ideals on which her report is based and so too I am sure do the Nursing Board of Hong Kong and all who are concerned with the progressive and orderly development of nursing in Hong Kong. Indeed, a number of Miss LAMB's recommendations have confirmed lines of action on which we were already working within the department. These include proposals to strengthen nursing administration and plans to train tutors and clinical instructors in Hong Kong. Plans are also in hand to improve in-service communications and to introduce progressively training courses designed to foster better relations and understanding between staff, tutors and students. May I digress at this point to inform my honourable Friend Mr LOBO that the "Ladies in White" at the airport have been instructed to wear a smile in future.

On training itself, as Miss LAMB points out, the present ratio of 1 tutor to 70 students is unsatisfactory. We shall press on with our plans to train the additional tutors we need but I cannot promise that we can quickly achieve the ratio of 1 to 30 that she recommended.

Miss LAMB also considered that promotion in the nursing service should not be based mainly on seniority. In point of fact, it is not. Promotion follows the system which applies generally in the Civil Service. Under this, officers are considered in their order of seniority but substantive promotion is based on merit while experience and seniority are also taken into account. There are also other important recommendations such as the establishment of a firmer base for the use of English in training, the amendment and re-arrangement of the training course, the improvement of facilities for study and recreation and the introduction of greater flexibility in entrance qualifications. All these recommendations will require particularly careful consideration

and I would prefer now, before making any further statement, to await comments from interested bodies.

Sir, I beg to support the motion.

SECRETARY FOR SOCIAL SERVICES: —Sir, in your reference to the development of our social welfare services, this year has been termed a year for consolidating last year's introduction of many new schemes and projects in the context of the White Paper and the Five-Year Plan. Though we have not introduced many new ideas and concepts this year, we have made progress towards implementing this plan and it may be appropriate for me to review developments and achievements.

Before doing so, I would like to refer to the suggestion by my honourable Friends Dr S. Y. CHUNG and Mr Hilton CHEONG-LEEN that consideration be given to establishing a central provident fund.

Sir, such funds have been established by some countries as a means of providing retirement benefits to the contributor or his survivors. In most of these schemes both the employer and the employee are obliged to contribute to the fund. Their contributions with interest on them are paid in a lump sum to the employee when he reaches retirement age, or if he dies before retiring, to his dependents. Sometimes, benefits are payable to an employee who emigrates or becomes self-employed or permanently disabled.

While a number of the larger and better employers in Hong Kong already operate provident funds for their employees, there are strong arguments against Government administration of a compulsory central provident fund.

If the Government were to operate a central provident fund, to which both employers and employees would be obliged to contribute, it seems likely that many of them would object to such compulsion and regard the fund as a form of taxation, particularly if its assets were used locally for development purposes. Though these objections might be reduced if the cost of administration were met from public funds, it seems undesirable to use them for this purpose, at the expense of other social and community problems which have urgent claims on our limited resources. For example, I am sure honourable Members would agree that the expansion in public housing and the implementation of the White Papers on secondary education and medical services should have priority.

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The Social Welfare White Paper tabled in this Council in June 1973 stated that the Government retained an open mind as to whether or not contributory social insurance would ultimately meet Hong Kong's needs. It would therefore be appropriate for the Social Welfare Advisory Committee to devote its attention in due course to the possibility of establishing a central provident fund as being one form of contributory social insurance.

Meanwhile, we shall continue to encourage employers to set up their own provident fund schemes. For those employers with a small number of workers, a separate scheme might not be viable. However, schemes on the basis of individual industries might be formulated by the appropriate trade associations employers' organizations, and I intend to consult some of these bodies to see if satisfactory contributory provident fund schemes, not involving public money, can be devised.

Sir, among existing ways of providing social security for the community, public assistance has continued to meet the essential needs of the poorest members of the community while the disability and infirmity allowance scheme is meeting the special needs of two vulnerable groups of the community. At the end of October 1974 there were over 37,000 public assistance and 51,000 disability and infirmity allowance cases. In the first seven months of this financial year, payments made under the public assistance scheme amounted to nearly \$50 million, as against \$23 million for the same period last year. The disability and infirmity allowance scheme has in the same period paid out nearly \$32 million which is about three times the amount for the corresponding period last year. However, this increase is not unexpected since the disability and infirmity allowance scheme only came into operation in April last year and both schemes have had their rates increased three times by an aggregate of 62% since June 1973. The trend in public assistance cases still shows a rise, probably reflecting the present, and I hope temporary, difficult employment situation. However, there are indications that the disability and infirmity allowance scheme case load is beginning to level out.

The Criminal and Law Enforcement Injuries Compensation Scheme has been operating for nearly eighteen months. This is designed to compensate by *ex gratia* payment those victims of crimes of violence and those who are accidentally injured by law enforcement officers. Since the inception of this scheme to date nearly 1¼

million dollars has been paid out in compensation under the scheme. It is evident therefore that this scheme is already playing a valuable role in alleviating hardship caused by accidental injury during the commission of crimes of violence or to give greater compensation to those who have come forward to resist violent criminals and aid the police. I would like to record my appreciation to my honourable Friend Mr Oswald CHEUNG for his able chairmanship of Criminal Injuries and the Law Enforcement Injuries Compensation Boards which administer this scheme.

Sir, an important part of social work is the provision of family welfare services in their many forms such as family counselling, protection and residential care. In addition to carrying out statutory responsibilities in connection with such laws as the Protection of Women and Juveniles Ordinance and the Adoption Ordinance, the Social Welfare Department bears an ever increasing load of case work all of which requires patience and understanding on the part of officers of the department and the staff of the several voluntary agencies in this field. It does not produce overtly spectacular results but it does help a lot to alleviate hardship among the less fortunate.

I should now like to refer to the points raised by the honourable Miss Ko Siu-wah on the subject of school social work. I am pleased to note that school social work, which is an extension of the family welfare service, is attracting the interest of voluntary agencies and it appears perfectly logical that we should institute a system of coordination between teachers and welfare workers to identify and deal with the problems of particular children. Early action of this kind should prevent many children from "dropping out" at a later stage and becoming a problem for the community at large. I am pleased to say that seven voluntary agencies have now extended their activities into schools and I hope to see more development in this field in future.

It is often the case in Hong Kong that both parents have to go out to work in order to provide for their families' increasing needs and aspirations. Conscious of this, the Five-Year Plan's aim is to increase subvented places in day care centres by 1,000 each year. However, the last review of this plan indicates that certain refinements could well be adopted both to improve the geographical distribution of this service and to reach a more accurate figure of the ultimate demand for subvented places.

We are equally conscious that standards in day care centres must be maintained and improved. Legislation so designed will soon be introduced into this Council. At the same time, the monthly *per capita*

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subvention to day care centres operated by voluntary agencies has been kept under constant review. It was increased from \$40 to \$65 a month in November 1973 and to \$80 in April this year. Further increases are envisaged over the next three years.

Of equal importance is the care of those people who have reached the other end of their life span, the elderly. The Disability and Infirmity Allowance Scheme which I have already mentioned provides support for those over 75, but it is also necessary to provide more services for the increasing number of old people. In the last two months three homes for old people were completed and brought into operation. I am aware of the need in this field and shall ensure that steady progress will be made by adopting some of the recommendations of the report on "The Future Needs of the Elderly".

Sir, I turn now to the services for the community at large, neither the very young nor the very old but all those who seek to improve the quality of their lives by means of developing healthy recreational and cultural activities. The main thrust of community work during the past year has been through the introduction of the Community and Youth Officers Scheme, and since December 1973, twelve such officers have been appointed to cover each of the city districts as well as Tsuen Wan and Yuen Long and we aim soon to fill the remaining New Territories posts. These officers are responsible for the development of community and youth programmes for their district and they work closely with the City District Officer or the District Officer in the New Territories and more recently with the Recreational and Sports Officers being appointed, similarly on a district basis.

My honourable Friend, Miss Ko, has called for the strengthening of this Community and Youth Officers Scheme. I agree that this is desirable but as it is still in its formative stages it would appear more prudent to proceed cautiously especially in view of the competing and ever increasing claims for skilled trained social workers.

The need for adequate premises for community development has not been overlooked. During the past year, two estate welfare buildings and three community centres were completed.

I agree with my honourable Friend Miss Ko's point on the use of schools after hours for community purposes and the complementary use of neighbouring youth and community centres for extra curricular activities organized by teachers. I am happy to say that, in several

cases, through local arrangements or on an experimental basis with official support, such activities have been made possible. If this experiment proves to be successful, I foresee further development in this field.

In the sphere of rehabilitation, the Social Welfare Department run 18 centres and institutions providing social and vocational training for the handicapped and during the year a pre-vocational training centre for mentally retarded children in Lam Tin was opened. A place of refuge for the special care of certain mentally retarded children was also opened and over 1,400 physically and mentally disabled make use of these services every day.

There are also 43 voluntary agencies at work in this field and a rehabilitation week organized under the auspices of the Hong Kong Council of Social Service in March this year and a Blind Welfare Service in March this year and a Blind Welfare Service Exhibition organized by the Jaycees served to provide publicity and inspiration for these activities. This year the Hong Kong Society for the Blind was re-organized, considerably improving its rehabilitation and training potential.

The point made by my honourable Friend Dr Harry FANG concerning the employment of trained handicapped people is warmly welcomed and I recommend to all employers that they should play their part in providing work for those who have made an effort to go a long way towards overcoming their handicap. I am asking the Secretary for the Civil Service to look into the possibility of improving the proportion of handicapped people employed in the public service.

As Your Excellency has indicated work is under way in preparing a comprehensive programme plan for providing rehabilitation services for the disabled, whether such disability is physical or mental (or caused by the loss of sight or hearing). The work of this group has so far been centred on identifying what facilities already exist and assessing the number of people for whom rehabilitation services should be planned to provide a sound basis for the future. Our aim is to provide a co-ordinated and comprehensive approach to all these services. In devising our plans we shall have to look to the voluntary sector for a great deal of co-operation and advice towards making improvements in the rehabilitation of the handicapped. A more efficient service in rehabilitation will not only reduce the burden on our hospitals but will also allow more people to play a useful economic and social role in our community.

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The development of an effective social welfare service depends largely on the employment of qualified trained and dedicated workers. In Hong Kong, training for professional social workers at the degree level is available at the two universities while the Baptist College also runs a diploma course in social work, and as Your Excellency mentioned the Institute for Social Work Training has already completed its first year of operation. This institute caters for students who do not enter university but who wish to take up social work as a career.

No less important is the need for research and I am currently reviewing the means by which such research into social problems is organized and co-ordinated with a view to increasing its cost effectiveness and improving the practical content of such research so that we may better understand the needs of the community and how best the resources both in finance and manpower can be deployed. I was therefore pleased to hear the suggestion of my honourable Friend Miss Ko that the Government should initiate a scheme for finding out the relative efficacy of the various agencies working in social welfare with a view to increasing general efficiency and making better use of our resources. With the co-operation of the Hong Kong Council of Social Service a start has been made on an evaluation programme. The results of this examination should enable consideration to be given to the possibility of various organizations amalgamating or, perhaps, reorganizing themselves to bring about a more equitable geographic spread of service. Though I am conscious of the need to preserve the identity of organizations and the enthusiasm of those pioneers who introduce new projects into our social welfare activity, I am sure all will agree that, no matter how dedicated individuals may be, greater efficiency must be the ultimate aim. It would also be wrong for Government to continue to subvent services which are no longer justified, while depriving those organizations, which provide services to meet the community's current needs, of their fair share of our social welfare resources.

Sir, the procedure for reviewing the first Five-Year Plan is being refined and it is hoped that next year's plan will reflect more closely the relevant importance to be given to social welfare development in its various aspects and will give clearer indications of immediate and long term targets.

I turn now to the provision of capital for new projects. It is the practice for this to be financed from the Lotteries Fund, and from non-Government sources such as the Royal Hong Kong Jockey Club

and other donations, with the Government providing a high proportion of the recurrent expenditure. The Lotteries Fund plays an important part in providing capital for social welfare projects in the Five-Year Plan and supports experimental pioneer projects which have not proved themselves sufficiently for a subvention from the Government. Both the Financial Secretary and I agree with my honourable Friend Mr LOBO that we should constantly be looking for ways and means of finding additional revenue for the Lotteries Fund and the Lotteries Fund Committee is examining several possibilities. I would like to take this opportunity to congratulate the chairman and members of the committee for their initiative and hard work during the past year.

Sir, I mentioned in last year's debate that two important changes were being adopted in both capital grants and recurrent subventions to voluntary agencies; namely, the delegation to the Director of Social Welfare of the power, subject to certain exceptions, to make allocations from the Lotteries Fund and the introduction of a one-line-vote for social welfare subventions whereby the allocation of subventions to individual agencies became the responsibility of the Director of Social Welfare acting on the advice of the Social Welfare Advisory Committee. Both these arrangements have worked satisfactorily.

In addition to these important duties of channelling funds into the most urgent and worthwhile social welfare projects, the Social Welfare Committee provides a useful forum in which professional and lay members can discuss and consider the general direction of social welfare through the annual reviews of the Five-Year Plan. I hope that in the coming years this system of a one-line-vote for subventions together with the close co-ordination of the voluntary and public sector in reviewing the plan will bring about a greater degree of understanding and achieve the means for which we all strive in the field of social welfare, the improvement of the life of our community. I would, Sir, like to express my gratitude to all the voluntary agencies and the members of the Social Welfare Advisory Committee itself who have contributed their enthusiasm, experience and finance to promoting the welfare of our community.

Before I resume my seat, Sir, I would like to say that we have noted with interest the honourable T. S. Lo's proposal that there should be some research into traditional Chinese herbal medicine. We will examine his suggestion, though I would warn honourable Members that it is difficult to see that a high priority could be given to such expenditure as might be involved.

Sir, I have much pleasure in supporting the motion.

Motions

SECRETARY FOR HOUSING: —Sir, since I took stock of the housing situation in this Chamber a year ago we have gained a much clearer picture of what is possible rather than simply what is desirable in housing production. Acceptable housing must be supported by infrastructure and services, not just schools and police stations but by water, drainage and other services all of which take time and money, and require careful planning, and co-ordination with the housing programme.

The review of housing and New Town development time-tables which took place between July and September proved most valuable in matching construction works to the funds available and in producing a better appreciation of the problems that face the development teams; for it is by teamwork alone that can produce the ambitious results that we are aiming at. In this process we have aimed at maximizing housing output without racing too far ahead of the matching facilities, and the result has been a series of self-contained developments which provide flexibility according to the funds available.

I would like to correct an impression which seems to have gained wide currency, namely, that the brakes have been applied to public spending on capital works during the last six months. This is far from the case; when the need for financial reappraisal arose earlier this year we were committed to a number of large housing projects already—for example, the \$80 million contract for a new Housing Authority estate at Tuen Mun for 26,000 people. Since then work has proceeded at full speed on bringing other schemes to the contract stage, and last month the Authority let a \$91 million contract for an estate for 26,000 people on Tsing Yi Island. The housing programme is very much alive and kicking, and today contract work is proceeding on eleven estates to house up to 270,000 people; these estates will cost about \$900 million, the bulk of them will be finished in 1976 and all will be completed by 1978. Looking beyond that, design work on a further nine estates, for up to 150,000 people, has reached an advanced stage and contracts for a number of these estates will be let in the next few months; the bulk of these will be ready for occupation in 1978 and all will be completed by 1979. This intensive programme, Sir, requiring continuous consultation with other departments, has imposed a considerable strain on the Construction Branch of the Housing Department and I take this opportunity of recording my appreciation of their dedication and hard work, as well as of the substantial contribution being made by the Architectural Office of the Public Works Department.

Our primary job is to keep the building programme moving ahead as fast as we can, and if this can be done then many other problems will fall into place.

Faced with such a large-scale housing programme the Housing Authority has naturally taken steps to explore modern building methods. In most of the Hong Kong construction industry, traditional building methods are still used and they have served us well; but during the last building boom it was clear that shortages of skilled tradesmen can have a most serious effect on building timetables. We need to identify building methods which are economical in the use of scarce skills, speedy and cheap. For this reason, the Authority decided late last year to engage consultants to advise on building methods. They have attracted local and overseas interest to the Authority's programme, and have made contact with firms experienced in the use of improved traditional methods or of industrialized or system building where the bulk of the building is pre-fabricated and assembled on site. There have been detailed discussions with such firms on how best to adapt their techniques to the Authority's building designs, and in the process of course there has been some modification of these designs. These studies continue and we encourage the use of more modern methods when contracts are invited. However, for the time being, most contractors have spare capacity and are able to present competitive tenders without committing themselves to expensive industrialized systems; so the emphasis for the immediate future will be on the use of mechanized systems of construction rather than on system or industrialized building.

In your speech, Sir, you remarked on the need to continue to make use of temporary housing. In July the Finance Committee of this Council voted substantial funds to allow a new style of licensed area to be built, including part-built structures resistant to typhoons, and a proper electricity and water supply, and indeed the Telephone Company will install telephone cables in these areas; they are a great improvement on the old type of area which followed from the 1964 White Paper on Squatter Control, and I feel sure that those members of this Council who have visited the new areas will agree with me.

While our main efforts are concentrated on building new estates, a great deal has to be done to the Authority's existing estates to render them safe and to make life more pleasant for the 1,700,000 people living in them. Anything we can do to improve estate amenities and environment is well worth doing, and the planned improvements we have in mind include better lighting standards in the corridors and the public spaces around the blocks, and a 24-hour caretaker service.

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The Home Affairs Department's plans for helping tenants in public housing estates to organise themselves into block or other suitable groups, which can keep in touch with estates staff on estate management matters, should be a great help.

One of the difficulties facing a public housing programme is to decide how much to subsidize tenants by charging rentals lower than economic rentals or open-market rentals, and which income groups should enjoy public housing. There is no doubt that public housing rents have in the past been much lower than the average tenant could reasonably be expected to pay and much lower indeed than families in similar financial circumstances have to pay for private accommodation which is often inferior to public housing. Such low rents have increased the demand for public housing, and I believe that public housing rents should bear more relation to reality. In May this year, Sir, the Housing Authority decided that new tenants in new blocks in existing estates should pay a rent 50% higher than the former level; and at Ho Man Tin Estate (where the former rents were fixed quite recently) the increase for new tenants was 30%. Now over 3,000 families have accepted tenancies on this basis, including 300-odd families who chose to quit their old public housing accommodation at Shek Lei Estate; their previous rent there was about \$30 a month, and they were very pleased to move into their new flats at rents of up to \$140 a month.

Inevitably better public housing means higher building costs and these must be matched by higher rents. Sir, the Housing Authority recently announced a very modest rent increase for its tenants in the former Low Cost Housing and Resettlement Estates, which if I may give an example means as little as \$4 to \$9 a month extra for 77% of the resettlement estate tenants affected. We must recognize that we cannot fix public housing rents at a level that all, even the poorest, can afford; rather we should aim to have a reasonable rent level and take care of the minority group through public assistance payments or other special arrangements.

In these days of tight money it is more than ever necessary for large-scale programmes for services such as housing to be kept under review, and a housing programme plan has been started. Part of this process will be to up-date the present long-term public housing building programme which was announced in this Chamber in 1972, in the light of recent surveys of our conditions in housing in the public and private sectors. The planning team will take a close look at private

developers' probable contribution and seek out ways to encourage them. We should aim to give the public the maximum choice of housing and this requires an active private sector.

Sir, the high cost of building public housing for renting at reasonable rents, and the large numbers of families housed in poor conditions make it vital to make the best possible use of new flats, preferably without overcrowding. The Authority has a problem of matching families of all sizes to the flats available, and it prefers to allocate a flat which is on the large side to one which is too small. Indeed, bearing in mind the overcrowding in many estates today, particularly Group B, which is largely due to the lack of any margin for family expansion in the past, the Authority does try to achieve flexibility in its allocations. For this reason, housing with a capacity of, say, 10,000 persons at 35 square feet per head might initially house only 8,000 people. This problem is compounded by the trend towards larger minimum flat sizes—the old units of less than 200 square feet are uneconomic to build nowadays, when each flat has its own toilet, kitchen and verandah. Also, the Authority finds many small families amongst its clients and must accept either considerable under-utilization of new rooms, or invite people to share accommodation, neither alternative being attractive.

Our reaction to this problem is not to build the old type of small unit, but to find ways of re-using the thousands of small units already occupied in the older estates. In this way, we can solve two problems at once; we can allocate large new flats to overcrowded families in the older estates, and so release small units for small families who would otherwise have to be allocated a larger flat. This process has been applied successfully at Shek Lei Estate, where 230 small units have been made available and it is being extended to Lam Tin, Sau Mau Ping and Shek Pai Wan estates.

Basically, the only practical way to match room and family sizes is to make special arrangements for single persons and families of two people, possibly by the provision of hostels, or perhaps by paying cash compensation so that they can find their own accommodation in private flats. My honourable Friend Mr LOBO has proposed the provision of dormitories in new estates and his own committee in the Housing Authority will be invited to pursue this matter.

My honourable Friend Mr LOBO mentioned the provision of welfare buildings in new estates in the more remote areas. The scale of provision for such facilities in estates has been laid down, and the position is that a separate welfare building will be provided in estates

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of over 50,000 people, with a community hall and other facilities in smaller estates. He also referred to study rooms in estates; some of these are already provided as adjuncts to Urban Council libraries and are supervised by Urban Services Department staff. While the Authority could probably find space for further study rooms, the Urban Services Department could not provide staff to run them; perhaps this is a job which tenants' associations, mutual aid committees or otherwise, could take on. My honourable Friend can rest assured that this idea will be followed up.

Sir, the proposition that public housing tenants should be allowed to buy their flats by instalments could be popular as well as sociologically sound. This question was considered by the Housing Authority about a year ago, and it was felt then that, apart from the management and control problems inherent in the sale of units, the limited supply of public housing becoming available in the immediate future put the scheme out of court. My honourable Friends Dr S. Y. CHUNG and Mr CHEONG-LEEN underlined the benefits this could bring to the Authority's financial position but we must remember that the Authority caters for families earning less than \$1,400 per month (for larger families the maximum is \$2,000 per month). Now many of the families in these lower-income groups would find it difficult to afford the purchase payments.

One thing only is certain about this proposition, and that is that the strength of feeling of those who favour it is well matched by the equally strong convictions of those who are totally against it. Nonetheless, the time is probably ripe for the idea to be reconsidered by the Housing Authority and I will arrange for this to be done.

The difficulties of securing the redevelopment of slum properties have been mentioned during this debate, Sir, and I would like to describe the progress being made in this direction by the Housing Society. It will be recalled that for various practical reasons relating mainly to the difficulty of obtaining clean title to old lots in multiple ownership, and of assembling sufficient lots for a worthwhile development, private developers are often unable to redevelop some of the worst areas. Government has therefore given the Housing Society an undertaking to use its resumption powers where necessary to allow the Society to obtain slum properties and rebuild them. Government has agreed to provide the Society with loans of up to \$100 million to finance this project which will generate sufficient funds after five years or so to let the Society finance future projects by itself. The

Society has identified large numbers of pre-war urban domestic properties which are run-down, insanitary and overcrowded. 75% of these are on Hong Kong Island, mostly in the Western and Wan Chai Districts, and the Society has decided to start the scheme in these areas. It has already let its first contract for a block of almost 200 flats in Western District, to rehouse families from nearby "black-spots" which the Society intends to acquire for redevelopment. Other projects are at the preliminary study stage. This commendable initiative by the Housing Society is obviously destined to grow into a significant slum clearance operation.

The Society's projects will tie up about \$100 million of Government funds during the next few years. Any further effort in this direction, as my honourable Friend Mr CHEONG-LEEN has noted, would require the involvement of private enterprise financing the purchase of sites for clearance. This matter will be included in the subjects to be studied in the Housing Programme Plan, work on which has just started.

Sir, I beg to support the motion.

MR PRICE: —Sir, I am grateful to you, Sir, for your words welcoming me to this Council.

My honourable Friend Dr CHUNG made mention in this Council on 30th October that in the absence of wide-spread effective trade unionism, Government has a special responsibility to ensure that labour obtains a fair share of Hong Kong's success—and a special responsibility to seek continual improvements in working conditions and terms of employment. As Commissioner for Labour I am deeply conscious of my obligations and duties, and could not myself have described them in more appropriate terms. I am grateful to my honourable Friend for his remarks, which I interpret as broad agreement—at least in principle—with the objectives of the Labour Department. I look forward to receiving support, from my honourable Friend and his colleagues, for the items of legislation which I shall bring to this Council during the current session.

Sir, I shall not expand on your detailed remarks about future labour legislation, except to say that consultations on the Labour Relations Bill are now well advanced. This bill provides for some statutory backing for the Labour Relations Service and aims to lay down procedures to be followed when ordinary conciliation fails to bring together the parties in a dispute. I should also mention that

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I hope to present to this Council soon a motion for the approval of the reduction in the maximum permissible overtime for women and young persons from the present limit of 300 hours, to 250 hours a year from 1st January 1975 and 200 hours a year from 1st January 1976.

Since 1967, 87 pieces of legislation of concern to the Labour Department and Mines Department have been brought to this Council and during the current session I hope to introduce about 12 more. It may not be generally known that almost all labour legislation is considered in detail by the Labour Advisory Board which, under my chairmanship, consists of eight members. Four represent employees, of whom two are elected by registered trade unions and two are appointed by you, Sir. There are, also, four representatives of employers—and the Command Secretary is an observer. I welcome this opportunity of paying tribute to the Board's hard work and invaluable advice. It is a credit to its members' pragmatism that they have nearly always reached a unanimous decision.

I now wish to say a few words about labour relations—an aspect of the Labour Department's work which tends to receive front-page headlines when a dispute breaks out, and two lines—if that—on an inside page when it has been settled. This is, of course, a fact of life but it does mean the whole image of Hong Kong's labour relations tends to be distorted in the public eye. In fact, the number of labour stoppages caused by industrial action in Hong Kong is one of the lowest in the world; and so far this year, a post-war low has been achieved. During the past ten months, there were seventy industrial disputes resulting in 16 stoppages of work with the loss of only 2,900 working-days—compared with 55,000 in the same period last year.

This year's very low figures are largely attributable to the realistic attitude adopted by Hong Kong's hard-working labour force in the present difficult world trading conditions. The overall good industrial relations situation has been achieved because of a remarkable degree of understanding between employers and employees who contribute so much to our economic progress. I must mention also the many hours of unsung work, often behind the scenes and late at night, by conciliation officers of the Labour Relations Service.

Hong Kong's critics, particularly those overseas, often point to what they regard as a lack of trade unionism and a lack of joint consultative machinery as evidence of a labour-management gap, working to the detriment of workers. I feel this criticism is wide of the

mark. Government does, of course, welcome the growth of responsible trade unions, and it is true that some large concerns may need formalized joint consultation. But it is often overlooked that nearly ninety *per cent* of Hong Kong's industrial undertakings employ fewer than 50 workers. In such small establishments contact between employer and workers takes place frequently—often daily. Therefore to achieve the best possible results, the Labour Relations Service directs its efforts towards promoting formal joint-consultative machinery in the larger, rather than smaller, undertakings, although the latter are equally welcome to seek its advice.

It is too early, Sir, to make a positive assessment of the full effects of the recently introduced legislation providing a legal basis for the payment of severance pay on redundancy to qualified workers. However, I am convinced that the introduction of this legislation was most timely and has, so far, helped to prevent serious disputes arising from redundancies and retrenchments.

I now turn to industrial training. My honourable Friend Mr TIEN raised the question of giving priority to the drafting of legislation for the two proposed contributory training schemes for the construction industry and clothing industry. I reassure my honourable Friend that the Government appreciates the need to make an early start on these matters, and is giving the drafting of legislation most serious and urgent consideration.

It would be opportune, Sir, for me, as Chairman of the Executive Committee of the Hong Kong Training Council, to mention the work of this new body which has been engaged in laying the groundwork for the achievement of its objectives. This has involved creating ten industry training boards and five committees dealing with training problems common to all or many industries. This complex—and this I fear is the right word—of committees is inevitable if the needs of individual industries are to be fully examined and ideas converted into practical training. These committees have been updating, or conducting, manpower surveys and studying the problems of training technologists, who were outside the scope of the old Industrial Training Advisory Committee. In the past, post-graduate practical training of technologists had to be obtained overseas, but suitable opportunities there are now diminishing and alternatives must be found. In addition, the Council is now beginning to study the training needs of the commercial and services sectors.

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The far-ranging activities of the Council's complex must be properly serviced, and this responsibility falls on the Labour Department's Industrial Training Division. However, efforts to recruit to the newly-created Industrial Training Officer cadre have not been very successful, although I am happy to report that the post of Senior Industrial Training Officer has recently been filled. This staff shortage has imposed a tremendous burden on present officers of the division, and only their resolution and enthusiasm have maintained the infrastructure of the Council.

Encouraging progress has been made in the apprenticeship field. Since mid-1970, some 180 employers have been assisted to set up modern apprenticeship schemes, and some 2,500 suitably qualified young men have been placed in these schemes by the Industrial Training Division—an excellent start in bringing order to what used to be a chaotic field.

I am grateful to my honourable Friend Mr TIEN, for also giving me an opportunity to say something about industrial safety and accident statistics, subjects on which I am sure we are in a large measure of agreement.

It is basic to any industrial safety programme that meaningful statistics are available, so that corrective action can be taken, and progress assessed. Therefore, some time ago, I created within the department a new unit to improve the collection, classification and analysis of accident statistics. As one result, I shall be proposing an amendment to the Factories and Industrial Undertakings Ordinance. This will emphasize the need for employers to react quickly in reporting accidents, and will reduce their paper work by simplifying reporting procedures which are currently different under this ordinance and the Workmen's Compensation Ordinance.

Quarterly and annual statistics of accidents, classified by cause, are published in the Hong Kong Monthly Digest of Statistics. For publicity purposes I also release, from time to time, statistics on particular industries. The new and improved analysis, to which I have referred, will indicate clearly the causes of accidents, and will thus help me to introduce legislation to deal more effectively with dangerous machinery, and to use the factory inspectorate to the best advantage.

My honourable colleague, the Secretary for Social Services, on this occasion last year made reference to a five-year programme for

the promotion of industrial safety. This has now been prepared in detail, and Government will soon be asked to give its approval in principle. I should make clear that this programme deals mainly with safety education in its broadest sense, because without understanding at all levels little progress can be made in this field. This is only one aspect of the drive to improve industrial safety: the other aspects—the longer term policies of safety legislation, and the development and training of the factory inspectorate—are currently being studied by a highly qualified Factory Inspector from the United Kingdom, acting as a labour adviser to me.

Encouraged by the success of our industrial safety exhibition at last year's fair of the CMA, my officers are now preparing for a special exhibition on construction safety in January, on the site of the World Trade Centre in Causeway Bay. This will be aimed at building contractors and their employees, and will emphasize the requirements of the new Construction Sites (Safety) Regulations. On this project I am receiving excellent co-operation and support from the Building Contractors' Association Limited and the Society of Builders.

Sir, turning to another important matter, I take this opportunity of reaffirming that the Labour Department pursues a persistent, continual and vigorous policy of enforcement of the law against the employment in industry of children under 14. Since 1969, fourteen special campaigns have been carried out, in addition to the regular programme of daily and nightly visits by the Labour Inspectorate.

Since last December three special campaigns have covered more than 14,000 factories (about half the number in Hong Kong), but revealed only 131 cases involving 161 children. As a result there have been 104 convictions—other cases are pending—and fines of over \$31,000 have been imposed. Two of these campaigns were conducted in term time, and it is significant that both discovered only half the number of cases brought to light by the other survey conducted during the school holidays. Vigilance will not be relaxed but these campaigns are now producing encouragingly low results in terms of children employed illegally. Here I should repeat that it has been and will remain, the policy of the Labour Department to prosecute every case discovered of illegal employment of children. Our task will be made easier when all children under 14 years have been issued with the new juvenile identity cards.

In the context of child labour it is particularly appropriate the White Paper on Secondary Education was tabled in this Council on 16th October. I see the proposals of my honourable colleague the

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Director of Education as being ultimately of great assistance in leading to the progressive control of the employment of *all* children under 14 and to its eventual eradication from all sectors of our economy.

Sir, I apologise for having dwelt so long on the problems of child labour, about which we receive much unfair criticism—criticism which is usually based on inaccurate information, or distortion of the facts. I hope that I have been able to set the record straight.

Sir, I beg to support the motion.

MR TOPLEY: —Sir, all over the world governments, it is said, are being pressed by their peoples to spend more on education than they can possibly afford. This is exceedingly true of Hong Kong, where the appetite for education appears insatiable.

Why is more education so universally demanded while at the same time, the mode in which it is administered is so ruthlessly criticized? An acute social critic has recently remarked that in modern society a certificate of secondary and sometimes tertiary education is seen as a kind of licence to participate in the important and satisfying aspects of community life. Without such a certificate there is no open door to the kind of life which increasingly everyone wants. It is further said that the cultural boundaries of a society are set by the distance which its educational certificates can travel, by the boundaries within which they are valid and accepted. This is a matter of some significance for Hong Kong and I shall come back to this. It further appears that because an education certificate is seen as a kind of passport or universal currency which one must carry about, that the major demand in many countries is for an extension of the kind of education which has led to personal success in the past and this is not always the kind of education which modern societies or their members need most of for the future.

Now to the Hong Kong White Paper on Secondary Education. It is abundantly clear that there is massive support in Hong Kong for further developments in education and approval for further resources to be devoted to it. But as I have indicated a new direction in Hong Kong's education system is also needed and the White Paper provides the framework and the guide-lines not only for expansion but also for the new practical direction which our education system needs. This has also been generally accepted, I believe. The criticisms of the White

Paper on the other hand appear as manifold and various but in truth, with some important exceptions, amount to a demand for more both in quantity and in quality. This demand is not matched by an equally vociferous demand for higher taxes to meet the expense of still more widely spread and still better education nor is it matched by a suggestion that the Hong Kong Government should allot some degree of posteriority to other services so that education enjoys a still greater degree of priority or that certain aspects of education can be given less attention. I believe it is important to see that the criticisms, that secondary education is not free, that there will not be subsidized places for all up to Form V, that teachers should be more highly trained and that selection examinations be abolished, that the White Paper does not mention the handicapped, that teacher/pupil ratios should be improved, are all demands for more, although the priority order in the public mind is not always simple to discern.

Perhaps the most clearly discernable critical theme is that the competition for place, which militates against true education, should be much moderated by the provision of subsidized or free school places at all levels with the consequence that examinations which are selective in intent can be dispensed with. It is at this point that the real burden of the main body of criticism falls.

Now a major theme of the White Paper is that the Government intends to advance in this direction but within its resources. The objective of providing three years' subsidized education for all makes it possible to do away with the Secondary School Entrance Examination but not before the places are actually provided. This is already a massive operation and correspondingly expensive and to be undertaken in hard times in the teeth of the financial wind. This operation will also create considerable inconvenience and hard work for headmasters and for sponsoring bodies. But this is what we can do and have every intention of doing, it would be foolhardy and a deception of the public to promise to undertake more at the present time.

But the White Paper is much more than this. It does genuinely point a new direction. It does this by calling for a new general curriculum in the first three years of secondary education. This provides an opportunity to think and act imaginatively about what we teach. It will also provide an opportunity for deepening moral education and education for citizenship. The White Paper also calls for a more practical approach in these three years. This is a most difficult and exciting task for which we must call on the skills and insights of many persons outside the Government service and even outside the educational

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world strictly considered. It is clear that this curriculum for which we intend to produce substantial draft proposals by March 1975 must be taught at different levels and depths in the great variety of Hong Kong schools. It will take time to establish not only because it calls for greater use of equipment and materials but because it calls for a new approach in teaching, for more problem solving, less memory work and more practical thinking. This cannot happen overnight. The fear has been expressed that this syllabus will be dominated by the new Junior Certificate of Education Examination and there is no doubt that examinations cast their shadows backwards, but I believe that these fears in the context of what we now propose to do, can be exaggerated. And I will have more to say on this theme shortly.

Medium of Instruction

I now turn to a more general criticism that falls outside the general demand for more resources. Some voices have been raised to suggest that the educational authorities should use direct compulsion to bring about a situation of uniform practice throughout schools in Hong Kong. To adopt in fact an approach which the French describe as "dirigiste". There is no exact equivalent in English to my knowledge (*laughter*). I do not believe that in a field as rich, complex and important to the individual and to society as education, this is a posture which this Government should lightly adopt. I illustrate this with the example of the language of instruction. In adopting the policy of leaving this important decision to the schools themselves, the Government has taken account of advice from all quarters and I am convinced that this is the only sensible course. It is clear as has been stated both in the Green and in the White Paper that there are strong educational arguments for Chinese as the language of instruction but to force all schools to use Chinese exclusively is another matter. Many schools have their own traditions which they would give up with the greatest reluctance and it cannot be said that they do not have the interests of their pupils at heart. There are also the wishes of the parents to consider. The Government has not forced teaching in English upon the schools but has responded to parental demand expressed through the sponsors of new schools. Nevertheless, under the White Paper arrangements I am sure that there will be more use of Chinese in the schools for teaching general subjects and that this is right. It is the schools themselves which understand best the needs and situation of their pupils. It will be for the Education Department to monitor development to ensure that an adequate balance results. And for this I am sure that we shall

require to devote more resources to improving the teaching of both Chinese and of English. Education policy agrees with and supports the view that the standard of Chinese should be raised. There are as I have said, many advantages in adopting the mother tongue as the medium of instruction but the standards of English must not be lowered or sacrificed. Flexibility is essential if we are to achieve these goals. And standards of teaching might well suffer considerably if a categorical directive were imposed. Hong Kong must look both inward and outward. Not only do we need an internal lingua franca which Chinese provides, while at the same time opening a door to the cultural heritage of China but also students need to be equipped with an international language with which to look and speak outward. If we become too turned in on our own affairs we shall not be able to earn our way with the outside world. It has been pointed out to me that to take only the tourist and travel industry in its many parts, the airlines, the hotels, the shops, communication worldwide is largely in English. And for those who seek professional qualifications a high standard of English is needed. Moreover Hong Kong's own certificates of education have won recognition in many countries. That recognition must not be endangered. And for those who wish to understand world economic, social and political developments, a very strong reading knowledge of English is required in order to have access to the constant flow of new books and articles on these topics, which will not be translated into other languages without a significant time lag.

The Government fully recognises and endorses that Chinese has a vital part to play as the mother language of the overwhelming majority of our population, and to this end maximum effort will be made to improve the standard of Chinese teaching. I must point out, however, that it will be hard for all to achieve excellence in both languages. I speak from hard experience as one who has struggled painfully to achieve even a moderate competence in Chinese, and it will be for pupils themselves as they advance through their school years, guided by their parents and by their schools, to decide where and how their linguistic efforts are to be made. The arrangements we are proposing should give maximum scope and opportunities for these decisions to be made in a sensible way.

Junior Certificate of Education

Of all the recommendations of the White Paper, Sir, nothing has attracted more criticism and concern than the proposal to introduce a Junior Certificate of Education at the end of the Form III courses. I therefore very much welcome honourable Members' advice on this

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particularly thorny topic. It is argued that Government intends to abolish the Secondary School Entrance Examination because it is educationally unsound to have a selective examination at the Primary 6 level and because of its harmful effect on teaching. But now it is proposed to introduce an examination at the end of Form III for selection as well as school-leaving certificate purposes. Anxiety has been expressed that this might prove damaging to the whole junior secondary course and pose added strain on pupils. Not each and every child will have the wish or ability to complete Form V. However we recognize that many parents of children aspire to this goal and we therefore provide for 40% of assisted places. We should ensure that we select the 40% who are best able to benefit from subsidized education at Form IV to Form V. In practice contributions from the private sector will provide an alternative route to enable many more pupils who wish to take the five year course to do so. And the fact is that the JCE—Junior Certificate of Education—is not to be introduced until 1982. Time on this occasion is on our side; there may well be changes in the educational scene and the needs of pupils. Certainly our ultimate aim should be abolition if we can have promotion from Form III to Form V to the full extent that is needed and desired. But we are a very long way from this ideal state of affairs. But we shall need selection at Form III for many years. This is a fact which must be faced. The question then becomes how we select. The principals of secondary schools must be able to rely on selection procedures which are fair and, even more important, are seen to be fair by the public. Honourable Members have made many useful points—cumulative records; attainment, aptitude and ability tests; teachers' assessments; assessments of the practical work done by pupils as is done in the Certificate of Secondary Education in the UK—all these are valuable suggestions, but as matters stand a public examination must be an element, possibly a major element, in the selection procedure if this process is to be orderly and above all seen to be fair. But certainly we will try our best not to erect a terrifying and capricious hurdle at this point in the educational process. The Certificate of Education Examination has been established as the result of popular demand down the years. Hence, I can assure honourable Members that before we implement a new system of public examinations much deliberation and consultation will take place. The ideas of educators, of laymen interested in education, and grass roots public opinion will be thoroughly sounded and considered.

Selection when SSEE is abolished

My honourable Friend Mr Wilson WANG has mentioned one important aspect of the problems facing us when the Secondary School Entrance Examination is abolished in 1979. This examination at present performs two functions. It selects pupils for subsidized secondary education and it allocates the successful pupils to appropriate schools in accordance with their academic attainment and then their parents' wishes: the more esteemed schools get the better quality pupils. With the welcome abolition of this examination other arrangements will have to be made to select and allocate. My preliminary view is that primary and secondary schools must be linked together, probably on a zonal basis, and that each zone should have its allocating team of primary and secondary school representatives. It would include officers of my department. I entirely agree that we must firmly encourage secondary schools to accept pupils of all levels of ability. If certain schools insist on taking only the better quality pupils, other schools will justifiably want to do the same and a basic aim of the White Paper will be frustrated. I am now setting up a working party which will include the widest range of educational opinion. Its task will be to recommend a selection and allocation system that is seen to be fair. The public will have to be assured that malpractice or favouritism can play no part in these procedures.

Special Education

Although specific mention of education for handicapped children has not been made in the White Paper, I must emphasize that the targets set for Education in the White Paper are also accepted for children needing special education. However, as it will take longer to achieve these aims in the special education field, every effort will now be made to accelerate the Second Five-Year Development Plan for Special Education which is now in its third year and to develop it to include as much expansion in the secondary sector as is feasible. My honourable Friend Dr FANG has said that for the 120,000 handicapped children there are places for less than 5,000. In fact there are 8,500 places when special classes are counted in, which they certainly should be. It is also appropriate to mention that the figure of 120,000 accepted by the department is a notional one. It is arrived at by assuming that 10% of the school age population have some form of handicap, the preponderance being slow learners. In fact, the majority of these children are in school already receiving a form of primary education not really appropriate to their present level of development. What is ideally required is the provision of special classes for all slow learners.

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This will take time. In the meantime I intend that there should be fresh arrangements in the ordinary primary school classes to modify the syllabus to better meet the needs of those pupils with learning difficulties. But special education is a different and a difficult question. Even with the most generous possible allocation of resources it will not be possible to dispose of this problem completely within a brief period. Nevertheless, we have made a substantial beginning and I am convinced we are working along the right lines. What is more, our achievement and our standards of work compare favourably with the work done in many neighbouring countries.

English-speaking Schools

I appreciate the concern that my honourable Friend Mr WILLIAMS has expressed in respect of the provision of English school places. I further agree with him that any lack of such places is likely to lead to a number of difficulties, particularly in recruiting overseas personnel required for the various proposed developments in Hong Kong. However, I can assure him that the present position is not due to a lack of foresight or planning but to a need to use available financial resources to the utmost against an erratic demand.

My honourable Friend will be pleased to learn that in order to meet the present demand, I intend to use spare accommodation in existing buildings as follows. At the primary level, Eastern Hospital Road School on Hong Kong Island and Tai Hang Tung School in Yau Yat Chuen in Kowloon, the former on a temporary basis until a new school can be built at Stubbs Road and the latter on a permanent basis. In addition, I intend to continue to use the existing Quarry Bay and Kennedy Road Schools until they can be reprovisioned as one school on a site on the southern part of the Island. As regards the Stubbs Road site, it is now intended that a new school to be run by the English Schools Foundation should be built on this site. I regret to state, however, that the Stubbs Road project has failed to compete in the Public Works Sub-committee of the Finance Committee of this Council with other priority projects and cannot therefore be proceeded with at present due to the lack of funds. At the secondary level, it will be entirely possible to use the premises of the former Military Hospital in Bowen Road as an annex to Island School on Hong Kong Island and necessary alterations can be put in hand straight away. A degree of flotation can also be introduced in King George V School in Kowloon. Both of these measures will be temporary until a new

secondary school can be built on a site available in Cornwall Street, Kowloon. No funds are available for this project at present, and I will try to introduce an item into the public works programme; but here again, it must compete as with the Stubbs Road project with other projects which may in the event be considered more vital by members of the Public Works Sub-committee. Thus for the time being, by present calculations until 1978, adequate places can be made available in English-speaking schools at both the primary and secondary levels. In the long term, we face a new situation in which the case for new schools is generally agreed but in which the shortage of funds in relation to the strength of other competing items of capital expenditure make the situation much more difficult. I have begun discussions with the English Schools Foundation and the Joint Council of Parent-Teachers Associations as how best to meet this situation, taking advantage of the breathing space provided by the temporary arrangements which I have described.

Curriculum Development

In answer to my honourable Friend Mrs SYMONS, the curriculum being prepared by the Curriculum Development Committee, which is widely representative of the local educational community, is based on the principle adopted by the committee that "all students should have completed a course designed to enable them to take their place as good citizens of Hong Kong ready to face the demands and responsibilities of employment as well as to live a satisfying and rewarding personal and family life". At the same time, because it is recognized that many students will be proceeding to Form V, the course must also lay firm foundations for further study of the normal academic, practical and cultural subjects.

There will be children entering the three-year course in September 1975. It is planned to have new suggested syllabuses ready for this date and consultation outside the Curriculum Development Committee before this deadline will be as extensive as we can make it.

Prevocationals

I welcome, Sir, the opportunity given by this occasion to clear up some misconceptions that have arisen in the minds of the public about Government's attitude to prevocational schools and Government's conception of their role. You, Sir, have already made Government's attitude very clear in your speech and I would like to re-emphasize the points you made.

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The change in emphasis from that of the Green Paper to that of the White Paper does not mean that Government has lost faith in the prevocational schools, that prevocational schools and the sponsors who are dedicated to the idea of the prevocational have in some way lost the seal of Government's approval on their work. What it does mean is that Government following the tenor of advice given feels that the emphasis should lie in a 9-year general course for our children, that it is too early to divide children into disparate educational categories at the Primary 6 level and that the increasingly complex demands, technical, commercial or professional, of the eighties will demand a 9-year basic course of general education which includes a substantial technical/practical element. Having said this, I must make clear that existing and planned prevocationals will continue and will expand up to the target of some 10,000 places. This means their number will be trebled and they will expand further, if, as I very much hope, they adopt the extended day mode of operation and maximize the use of their accommodation. When the target is reached, we can certainly review their role on the lines suggested by my honourable Friend Dr CHUNG and in consultation with the views of the sponsors. I would only add that I consider a degree of variety in the educational structure and the types of schools provided to be most desirable and entirely to the good. Prevocationals will continue to exist in their own right and with parity of esteem and importance with other schools.

Educational Television

My honourable Friend Mr CHEONG-LEEN asks for a paper to be prepared on the extension of educational television to the secondary and tertiary sectors of education within 18 months. The Government has already approved in principle the introduction of educational television into secondary schools. Detailed proposals respecting educational television for secondary schools have been formulated and are being studied in the Colonial Secretariat. Such a development will indeed be very valuable in the context of the new arrangements for secondary education.

Compulsory Powers and Drop-outs

The intention of the White Paper to provide 9 years of basic education for all will, as honourable Members have correctly pointed out, be put at risk if we do not take further determined steps to tackle the problem of dropping out. Furthermore there may well be a direct

link between the numbers dropping out, many of them over-age at the upper primary level, and juvenile delinquency. The use of compulsory powers is certainly relevant to the problem of dropping out but I would counsel at this stage against the introduction of further legislation on compulsory school attendance. Without a large number of attendance officers, it would be unenforceable. Furthermore, the statistics I have been able to gather indicate that the problem of dropping out is quantitatively small, only a very small percentage of the primary school enrolment in fact drop out. This is not to play down the serious implication for society of children not at school including those dropping out.

I consider there are a number of related measures which would help matters.

We certainly need more special classes for children who are slow-learners and these are being expanded in the current Second Five-Year Development Plan for Secondary Education. We need to improve the interest and relevance of the primary school courses and curricula to ensure that the less academic child does not become bored and discouraged by a record of failure and inability to keep up. A reduction in class size made possible by a drop in the primary school age groups, is also proving useful as is our pilot scheme which uses the activities approach as a learning method in Primary classes 1-3.

We must certainly develop and extend the present referral system for those dropping out, for over-age children, and the children with learning difficulties. This system is working well and my officers are already doing a great deal of placement work. Any development of the role to be played by school social workers mentioned by my honourable colleague the Secretary for Social Services will certainly be very helpful. For the few children who do drop out we need to expand the number of evening part-time education courses available to them. Retrieval is of vital importance at every stage of education. Experience has shown that we are succeeding pretty well in keeping track of children who drop out from school and I am very grateful for the co-operation of headmasters here. The few children who have never attended school pose a more difficult problem.

I am going to consult the Director of Information Services on the best way of mounting a short but intensive publicity campaign, stressing the importance of children of attending school and of completing the full primary course to parents. This will make clear to the public in general and to social workers in particular what they should do in cases of children dropping out or not attending school. It will also explain what assistance is available to remedy the situation.

[MR TOPLEY] Motions

When we have achieved the 9-year basic course, the problem of dropping out will emerge at the Forms I—III level, probably in a more intractable form. Furthermore, until the aim of having places available for 100% of the 12-14 age group is achieved, I cannot over-emphasize the importance of trying to fill the gap by some interim measures. The Council for Recreation and Sport will be able to help here as will the wide range of activities, including craft courses being organized by the Social Welfare Department. I myself am giving particular attention to assessing the need for evening classes.

Age 6 to 5

I now turn to the proposal by my honourable Friend Mr Wilson WANG that the age of entry to primary school should be reduced from 6 to 5. This could indeed be a desirable development from the educational point of view of the pupils and their parents. But it becomes fully desirable only in the context of still greater financial resources applied to education. While the resources applied to education are the same, the weight will be felt in the form of stronger demand for places in secondary and tertiary education. If pupils complete their junior secondary course or their 5th Form course at a younger age, they will be less inclined than at present to seek employment at those points in their lives and more inclined to continue their education. It would also mean that some children would complete three years of secondary education before their 14th birthday and before they were fully eligible for employment. I therefore welcome the suggestion but believe that this proposal should be further discussed when the targets in the White Paper have been achieved and the next stage of review has been reached.

Extra-curricular Activities

I consider the emphasis laid by my honourable Friend Miss Ko Siu-wah on extra-curricular activities is entirely justified. It is undeniable that the "extended day" arrangements may make for certain difficulties in the organisation of extra-curricular activities but in other ways the staggering of the times of dismissal of classes at the end of the session may be helpful. I am constantly encouraging schools to extend their activities in this field and many schools do a great deal in this direction; there is a wide range of clubs, youth groups and community service activities, and I am hoping to extend the Luen Yi Scheme in which one school, normally a secondary, "adopts" a smaller primary

school to support a wide range of community service activities. I also take Miss Ko's point that schools represent a valuable capital investment and should not lie empty after school hours except for children engaged in extra-curricular activities. A major priority is to extend the range of adult education activities which include evening classes and for this we need to have access to a very large number of secondary schools and in some cases to their specialist facilities. In addition, many sponsors use their schools for a wide range of activities including evening classes and I support this.

Training Lecturers in the Technical Field

My honourable Friend Mr James Wu's reference to the need for up-dating the training of lecturers in the technical field to ensure that they are in touch with modern techniques is important. The organization of such re-training locally is the responsibility at this stage of the Technical Teachers' College. Here I should like to express some degree of satisfaction at the speed with which this college was set up and with the excellent start it has made since the opening date only two months ago. In addition, we have, and have had for a number of years, a significant programme of overseas courses and attachments for officers in the technical field to ensure the up-dating of the basic knowledge of these officers. This is an important matter with modern technology moving at the rate it does.

I fully appreciate the need for the Technical Institutes keeping in the closest possible touch with industry and I will give every encouragement to my officers to do just this.

Quality

Here I consider it timely to bring up the question of quality. This is appropriate because the White Paper has been criticized for saying very little on this subject. This has given a misleading impression to the public that Government and the Education Department simply do not care enough about quality, that only quantity looms large in our plans. Nothing is further from the truth. Quality is a difficult and abstract concept. It is often defined in terms of basic educational philosophies. I prefer to take a more realistic position. In my view, quality is a good teacher, giving a good lesson to pupils who feel they are learning something worthwhile. The key must lie in the teacher and in the equipment and material available to him for teaching. Thus teacher training and re-training is the key to quality. The basic teacher training courses, the third year courses to extend the range of basic

[MR TOPLEY] **Motions**

training, the re-training and refresher courses long and short, overseas courses, all have a part to play, all are being looked at with a view to improvements. The fourth College of Education will be thought out and designed to meet the needs of training teachers to participate in a new educational world where new and more practical syllabuses will be taught. The Chinese and English Language Centres are in their infancy but are susceptible of great development. I am considering the development of teachers' centres based on Visual Education and Teaching Resource Centres. We have enough spare primary accommodation for this. In addition, secondary educational television should provide more stimulating material. We shall need to provide additional equipment and more material to encourage more practical work. The inspectorate, above all, has a vital role to play, so has the development of more appropriate and less academic syllabuses. There is no one panacea which will ensure quality. The problem has to be attacked from every quarter with determination and vigour. This is what we are doing.

The Last 10 Years and the Future

As you will be aware a previous White Paper on Education policy was approved by this assembly in 1965 and I would like to end my address today by drawing your attention to the tremendous amount of progress that has been achieved over the intervening years.

In the field of quantity the following figures express the degree of progress. In 1964 there were some 43,000 kindergarten pupils whereas this year there are 144,000. In 1964 there were 316,000 pupils in primary schools in the public sector, today there are 577,000 such pupils. At the secondary level the number enrolled in Government, grant and subsidized schools was 47,000. Today there are 180,000 enrolled in the public sector including bought places.

In the field of quality there has been a comparable advance as instanced by the introduction of educational television into schools at the primary level, the extension from one year to two year courses in the Colleges of Education and the introduction of three year courses in certain specialist fields; the setting up of teaching centres such as the English Language Teaching Centre, the Chinese Language Teaching Centre, the Cultural Crafts Centre and the Mathematics Teaching Centre; the building of a technical institute; the opening of a Technical Teachers' College; the introduction of the summer recreation programme and at Form V level the change from a group based examination to a subject based one which can be taken in either English or Chinese. In

respect of the curriculum such innovations as Modern Mathematics; a new practical approach in science, and greater emphasis on oral work in language teaching with the support of recorded material have all been vigorously developed and pursued. Teaching techniques moreover have improved markedly over the whole subject range. Physically there has been an improvement in the design of school buildings, furniture and equipment.

Finally, during this period the provision of an aided primary place for all was achieved and free schooling at this level was introduced; two development plans for special education were approved, a new teaching structure and increased financial assistance was accorded to schools in the aided sector and the former Technical College developed into a Polytechnic.

Now to the future. There is much still to be done as I well know. I am sure I can rely upon the support of honourable Members of this Council and indeed we shall need the support and encouragement of those concerned with, and concerned about, education in all sections of our society.

Sir, I have much pleasure in supporting the motion.

SECRETARY FOR THE NEW TERRITORIES: —Sir, my colleagues' speeches were full of facts, figures, statistics and meat. My remarks are general, but I hope no less important. A year ago I spoke for the first time in this Council as District Commissioner New Territories and ended by quoting Dr JOHNSON—"Change is not made without inconvenience, even from worse to better." The last year in the New Territories has seen many changes and, as Dr JOHNSON warned, with characteristic insight, we have had our share of inconvenience; however, to the discerning observer, we have made a real start on the process of moving from worse to better. This is not an idle statement, a visit to Sha Tin, Tsuen Wan or Tuen Mun will bear me out. There is no hiatus in the New Territories: we may, Sir, be stock taking but, we have not paused to do so. At Sha Tin the real sea is fast disappearing under a sea of soil as the vast reclamation necessary to build the new town goes on; at Tsuen Wan and Tsing Yi resumptions, clearances and site works continue for the next surge forward in development; at Tuen Mun work began on the largest single housing contract we have ever let.

For myself, and I am sure I speak for all the people in the west of the New Territories, to see work begin on the 10 miles of road

[SECRETARY FOR THE NEW TERRITORIES] **Motions**

between Tsuen Wan and Castle Peak is exciting and is the prelude to a dramatic change in the tempo of development in the western New Territories. The road will be complete in 30 months. At the end of the road, over a million square feet of land at Tuen Mun have already been sold for industry, and other land has been sold for private commercial and residential development. This land is being developed more slowly than I would like, but the road and the housing estate now under construction should serve to reassure the hesitant among the purchasers of land at Castle Peak. I am sure too that perspicacious industrialists will realize how worthwhile it is to invest at an early stage in the development of this new town, when land is relatively cheap, just as some years ago those who invested in the early stages of development of Kwun Tong, San Po Kong and Kwai Chung have been proved extremely fortunate. However, in an effort to sort out those who will develop their land with factories quickly and who have specific plans ready to do so, I intend that some of the industrial land at Tuen Mun should be sold by public tender rather than by public auction.

At the end of February this year, the bridge to Tsing Yi was opened. The bridge was built by a consortium of private interests and the approach roads on both the mainland and the island with public funds. The bridge provides the access the power station, oil storage depots and other large industrial undertakings need for their economic operation, but the Government investment of \$12 million in the approach roads has been more than amply justified, because it now enables the substantial areas of land formed by the developers of the container berths to be developed with public housing for 50,000 people. This is a good example of successful planning and of co-operation between the public and the private sector. Similarly the great reclamation of Sha Tin Cove by the Royal Hong Kong Jockey Club for the second race course will require the formation of 121 acres of land for housing development in the hills around Sha Tin. These schemes are pre-eminent examples of the way in which an amalgam of private interest and the public good can be achieved. I believe that Government must be as receptive as possible to these private initiatives provided the balance of public advantage is well maintained, and provided the necessary support of the Executive Council is forthcoming before a decision is taken in any of these major developments which may involve a shift from long-established policies.

But in all these great developments there has been inconvenience, disturbance, unpleasantness and some degree of regret. I think it is little realized by the public generally, or even by those in a better

position to know, that in the last year by the process of resumption in the public interest, nearly 8 million square feet of private land in the New Territories have been resumed. We are in the process, at this moment, of acquiring several million more square feet of land in order to provide yet more land for massive public housing projects, and this process will continue. It must be disturbing to owners whose ancestors have held these properties from time immemorial to surrender them now for the public good, and it is incumbent upon us to understand and to be sympathetic to the problems created for individual owners by this process. I will revert to this later on.

Unpleasantness is borne very patiently, and with very little complaint, by all those who have to live in the dust, dirt and noise of development in the new towns: we are very fortunate that this is so. Regret I think we must all feel to see the legendary rice fields at Sha Tin and other places, and the sea itself, disappear, and beautiful unspoiled scenery give way to the harsh realities of a modern industrial city. These are the inconveniences caused by the change from worse to better.

With regard to the acquisition of private land in the public interest, we have in the past year introduced a new method of compensating owners of land outside the new towns at a more realistic rate for the land they are giving up. But in 1961 Government devised a land exchange system to apply to the developing towns whereby the owner of agricultural land was granted an exchange of a smaller area of building land in return for the land he surrendered, while paying the difference in value between the two. The owner of agricultural land was thus able to receive a share in the increased value of his land arising from the development of the town. By and large this system has worked well. Out of the farm lands and villages of Tsuen Wan and Kwai Chung we have built in the course of 15 years, from a population of less than 50,000, a town of half a million. This has not been done anywhere else in the world. But the land exchange system depends upon the availability of suitable land for exchange and that is where the system at the moment is not functioning as well as I would like. This is because the demand for land for public housing is so great that there is insufficient land readily available within a reasonable time span to enable Government to grant land in exchange for land surrendered. This, and a number of other land problems are concerning my department at this moment and I mention them today by way of explanation to this Council and to a wider public so that there is a greater understanding of the frequent references in our daily newspapers to the vigorous dissatisfaction so frequently voiced about Government's

[SECRETARY FOR THE NEW TERRITORIES] **Motions**

land policies in the New Territories and the regular discussions which I hold with the Heung Yee Kuk. We have to find an equitable solution to these questions.

Earlier in this debate my honourable Friend Mr Q. W. LEE spoke about the development of the remainder of the New Territories outside the new towns. The development of the old market towns in the New Territories is not an alternative to the development of the new towns: the two should go along side by side. It is for this reason that we are just about to engage consultants to advise us on the engineering requirements to expand these market towns—as to levels, drainage and so forth. There have been town plans for Tai Po, Yuen Long and Sheung Shui for a great many years but we now need engineering information to be able to put forward specific proposals for their further development. This should not and, I hope, will not take long, for we can see, by the extraordinary development which has taken place in Tai Po and Yuen Long over the past few years, that the private developer is willing to invest in the development of these old market towns. When the basic information is obtained from these engineering studies a comparatively modest Government investment in a staged development of roads and drains at Tai Po, Yuen Long and Sheung Shui will be amply repaid, and will enable the private developer to make a further significant contribution to the fulfilment of our housing target in these existing centres of population.

Since I last spoke the post of District Commissioner has changed to that of Secretary. I have, only within the last week or two, had appointed to the New Territories Administration a senior officer necessary to enable me to take up the responsibility for co-ordinating the services in the new towns so as to ensure the growth of viable communities, and the correct deployment of, and priorities for, using our resources. Other staff have been working for some time to prepare a plan for the provision of services covering not only activities of Government departments but also to ensure that buses, electricity, telephones, opportunities for work and amusement are there at the right time.

Sir, almost all the great development projects for Hong Kong in the future lie in the New Territories. Some are already nearly complete, others are under construction, others are planned, others are talked about but are not yet specific. They all concern land: land for housing, land for industry, land for leisure, polluted land. Implementing these plans and solving these problems will require patience,

flexibility and compromise; above all we must ensure that our compensation policies for the disturbance of existing property holders are practical, fair and up-to-date. This is one of the essential ingredients to the smooth progress of these great designs.

Sir, I have pleasure in supporting the motion.

Motion made. That the debate on the motion be adjourned—THE ATTORNEY GENERAL.

Question put and agreed to.

4.30 p.m.

HIS EXCELLENCY THE PRESIDENT: —I think at this point Members might like a short break. Council will resume in fifteen minutes.

4.45 p.m.

HIS EXCELLENCY THE PRESIDENT: —Council will resume.

MEDICAL CLINICS ORDINANCE

DR CHOA moved the following motion: —

That the powers conferred on the Registrar of Clinics by section 8 of the Medical Clinics Ordinance shall cease to be exercisable on the 31st December 1977.

He said: —Sir, honourable Members will recall that on 18th August 1971, in pursuance to section 8(9) of the Medical Clinics Ordinance, a resolution was passed to enable the Director of Medical and Health Services as the Registrar of Clinics to exempt certain clinics from the requirement to be under the charge of a registered medical practitioner. This power of exemption will lapse on 31st December 1974 unless further extended.

The position of these clinics has been reviewed and is found not to have changed substantially. There are at present still 337 exempted clinics employing 300 unregistered medical practitioners compared to 351 exempted clinics employing 320 unregistered practitioners in 1971. These clinics are providing a useful service to many at reasonably low cost and their closure will not be in the public interest.

[DR CHOA] **Medical Clinics Ordinance**

It is proposed, therefore, that the power of exemption under section 8 of the ordinance be extended for a further period of 3 years from January 1st 1975.

Sir, I move the resolution standing in my name on the order paper.

Question put and agreed to.

First reading of bills

COMPANIES (AMENDMENT) (NO 4) BILL 1974

CROSS-HARBOUR TUNNEL (AMENDMENT) BILL 1974

**FIRE AND MARINE INSURANCE COMPANIES DEPOSIT
(AMENDMENT) BILL 1974**

LIFE INSURANCE COMPANIES (AMENDMENT) BILL 1974

SUPPLEMENTARY APPROPRIATION (1973-74) BILL 1974

MERCHANT SHIPPING (AMENDMENT) BILL 1974

CHARITIES (LAND ACQUISITION) (REPEAL) BILL 1974

CLEAN AIR (AMENDMENT) BILL 1974

LION ROCK TUNNEL (AMENDMENT) BILL 1974

**TEMPORARY RESTRICTION OF BUILDING DEVELOPMENT (POK
FU LAM AND MID-LEVELS) (AMENDMENT) (NO 2) BILL 1974**

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

Second reading of bills

COMPANIES (AMENDMENT) (NO 4) BILL 1974

THE FINANCIAL SECRETARY moved the second reading of: —"A bill to amend further the Companies Ordinance."

He said: —Sir, this short Companies (Amendment) (No 4) Bill seeks to amend only section 20 of the Companies Ordinance by improving the existing provisions that regulate the use of names by companies.

At the moment no company may be registered by a name which is identical with one by which a company in existence is already registered, or so nearly resembles an existing name as to be calculated to mislead or deceive.

Clause 2(a) of this bill adds a provision which similarly prohibits the use of the name of a company incorporated outside Hong Kong which has complied with the requisite part of the Companies Ordinance allowing companies incorporated outside Hong Kong to carry on business in Hong Kong. In addition, it seeks to prohibit the use of a name identical with that of a body corporate, incorporated or established under an ordinance. The reasons for these amendments are, I think, self-evident.

By clause 2(b) of the bill a further amendment is proposed. At present, the Companies Ordinance prohibits the registration of companies by certain names without the consent of the Governor. These are names which include the words "Royal", "Imperial", "Municipal", "Chartered", "Co-operative", "British", "Savings", "Trust", and "Trustee". It is now proposed to add the word "Kaifong" to this list. The power of the Governor to allow or refuse to allow the use of such names has been delegated to the Registrar General. He carefully examines each application to establish whether or not the use of one of these names would be misleading, if allowed, and exercises his discretion accordingly. As the use of the word "Kaifong" in a company name is open to very obvious abuse it is the Government's view that the ordinance should be amended to restrict its use.

Motion made. That the debate on the second reading of the bill be adjourned—THE FINANCIAL SECRETARY.

Question put and agreed to.

CROSS-HARBOUR TUNNEL (AMENDMENT) BILL 1974

THE FINANCIAL SECRETARY moved the second reading of:—"A bill to amend the Cross-Harbour Tunnel Ordinance."

He said: —Sir, the purpose of this bill is to amend section 62 of the principal ordinance to provide that where a by-law provides for the issue of a permit for any purpose, the by-law may also provide for a fee to be paid for the issue of such a permit. The particular fee the Cross Harbour Tunnel Company has in mind is one of \$50 for the issue of a permit for the use of the tunnel by extra large vehicles

[THE FINANCIAL SECRETARY] **Cross-Harbour Tunnel (Amendment) Bill—
second reading**

or for vehicles with extra large loads (for example, mobile cranes, bulldozers, machine carrying vehicles and so on). It is necessary to escort these vehicles with one or, sometimes, two tunnel patrol vehicles as their size or slow speed would be otherwise hazardous to other tunnel traffic or to the fabric of the tunnel. Frequently, however, such vehicles are routed through a closed tube during the period of maintenance with consequent interruption to the work in hand. As the issue of a permit entails administrative work and the provision of a special service, it is reasonable that the company should seek to recover the cost.

If the bill is enacted, Sir, the Cross Harbour Tunnel Company intends to amend their by-laws to provide for a fee of \$50 for the issue of a permit. When this by-law has been made by the company, it will be submitted to this Council for approval.

Motion made. That the debate on the second reading of the bill be adjourned—THE FINANCIAL SECRETARY.

Question put and agreed to.

**FIRE AND MARINE INSURANCE COMPANIES DEPOSIT
(AMENDMENT) BILL 1974**

THE FINANCIAL SECRETARY moved the second reading of:—"A bill to amend the Fire and Marine Insurance Companies Deposit Ordinance."

He said:—Sir, with your permission I propose to speak on both this bill and the Life Insurance Companies (Amendment) Bill 1974 as their provisions are identical. But on this occasion I move that the Fire and Marine Insurance Companies Deposit (Amendment) Bill 1974 be read the second time.

Each of the principal ordinances concerned has a section which specifies what deposits must be maintained by the respective insurance companies and the options are threefold:

first, fixed deposits in companies approved by the Registrar of Companies;

or

secondly, stocks, funds or securities, other than the security of a charge on land by way of legal mortgage or otherwise, authorized by the Trustee Act of 1925; or

thirdly, any Government securities of Hong Kong.

A question was recently raised whether securities issued by the Hong Kong Building and Loan Agency Limited, the payment of which is guaranteed by this Government but which are excluded from the provisions of the existing sections, could be made permissible investments and the opportunity was taken to review the question of such investments generally.

The United Kingdom Trustee Investments Act of 1961 greatly extended the range of investments in which a trustee may invest trust funds and the relevant provisions of that Act have been adopted substantially in our own Trustee Ordinance. A trustee in Hong Kong may, for instance, invest trust funds in securities issued by the Hong Kong Building and Loan Agency Limited, and these two bills provide that the insurance companies concerned may, in the future, maintain deposits in fifteen out of the twenty investments specified in the Schedule to the Trustee Ordinance. Three out of the five exclusions are foreign investments and two are Hong Kong investments. Three of the five are securities in the form of charges on land, which have never been acceptable for such deposit purposes, and the other two are considered unsuitable by the Registrar General as not being easily realizable.

The practical effect of these two bills, as far as Hong Kong investments are concerned, is that the insurance companies concerned will be able to maintain deposits in securities issued by the Hong Kong Building and Loan Agency Limited.

Motion made. That the debate on the second reading of the bill be adjourned—THE FINANCIAL SECRETARY.

Question put and agreed to.

LIFE INSURANCE COMPANIES (AMENDMENT) BILL 1974

THE FINANCIAL SECRETARY moved the second reading of:—"A bill to amend the Life Insurance Companies Ordinance."

He said:—Sir, I have just explained the purport of this bill, and I therefore move that the debate on this motion be now adjourned.

Life Insurance Companies (Amendment) Bill—second reading

Motion made. That the debate on the second reading of the bill be adjourned—THE FINANCIAL SECRETARY.

Question put and agreed to.

SUPPLEMENTARY APPROPRIATION (1973-74) BILL 1974

THE FINANCIAL SECRETARY moved the second reading of: —"A bill to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March 1974."

He said: —Sir, this bill seeks simply to give final legislative authority to the supplementary expenditure authorized by various resolutions of this Council, and is the last stage in disposing of expenditure incurred during the financial year 1973-74.

The original estimates were given legislative form in the Appropriation Ordinance 1973, which authorized a specific sum under each Head of Expenditure. It is necessary now to legislate further in respect of those Heads of Expenditure where the net effect of supplementary provision and of underspending has resulted in an excess over the original sum authorized against those particular Heads in the Appropriation Ordinance 1973. The total net supplementary expenditure requiring this further legislative authority is just over \$833 million under 46 Heads. I have conscientiously explained the main purpose of the supplementary provision when presenting the quarterly schedules. But I would like to remind honourable Members that by far the largest single item accounting for the net increase of \$833 million is the \$300 million required as part of the equity contribution to the Mass Transit Railway Corporation. The net supplementary expenditure is partially offset by net savings of \$73 million under other Heads.

Motion made. That the debate on the second reading of the bill be adjourned—THE FINANCIAL SECRETARY.

Question put and agreed to.

MERCHANT SHIPPING (AMENDMENT) BILL 1974

THE ATTORNEY GENERAL moved the second reading of: —"A bill to amend the Merchant Shipping Ordinance."

He said: —Sir, in a line of decidedly undistinguished Government measures this afternoon to be enlivened, I hope, by the Unofficial Member's bill to follow, I move the second reading of the Merchant Shipping (Amendment) Bill 1974.

Sir, it has two purposes. Firstly, Sir, it will transfer from the Governor in Council to the Director of Marine the authority to make rules relating to standards of competency for masters and other officers of ships, including trawlers and local ferries, launches and small craft.

Hong Kong's requirements in respect of masters and officers of the mercantile marine must keep in line with the current United Kingdom requirements so as to ensure Commonwealth-wide acceptance of local certificates. Changes in the United Kingdom requirements occur at frequent and irregular intervals and unfortunately advance warning of changes is not normally given to the Director of Marine. The existing provision that changes in the Hong Kong requirements may be made only by the Governor in Council has meant that it is rarely possible for us to change our requirements contemporaneously with a change in the United Kingdom. A transfer to the Director of Marine of the power to make rules in these respects should enable action to be taken more swiftly, but it is at the same time considered that the Governor in Council need no longer be concerned with these matters which are essentially of detail.

Secondly, Sir, the bill increases the penalties for offences under the Merchant Shipping Ordinance. The increases are substantial. This is because most of the penalties have not been reviewed since 1953 when the ordinance came into force and because many of them were then set on the low side. Honourable Members will also notice that the increases are not always consistent with each other. Intending, Sir, no disrespect to our predecessors in this Council, I am bound to say that this is because the penalties seem originally to have been fixed somewhat haphazardly. Honourable Members may like to know that the Governor in Council will be asked in due course to review the penalties for offences under the related subsidiary legislation.

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

Question put and agreed to.

CHARITIES (LAND ACQUISITION) (REPEAL) BILL 1974

SECRETARY FOR THE ENVIRONMENT moved the second reading of:—"A bill to repeal the Charities (Land Acquisition) Ordinance and to make consequential amendments to other ordinances."

He said:—Sir, under the Charities (Land Acquisition) Ordinance, charitable bodies are prohibited from acquiring land other than under licence granted by the Governor. The ordinance, which came into force on 19th July 1958, was enacted (and I quote from the Objects and Reasons of the original bill):

"to prevent the accumulation of excessive areas of land in the hands of charitable bodies and thereby to ensure that the best use and development be made of such land as is available in the Colony".

It was argued, at the time of enactment, that because of the tendency of charitable bodies, by virtue of perpetual succession, to retain land indefinitely and not to develop it fully, Government stands to lose estate duty, stamp duty on conveyances, and rates. The feeling now, however, is that economic circumstances in Hong Kong normally dictate the fullest possible development of land whether or not it is owned by a charitable body.

The record shows that since the ordinance came into force, only one out of over 750 applications has been refused for reasons strictly connected with its provisions and only another twelve have been refused for other reasons. In the past sixteen years almost 14 million square feet of land and over 400 undivided shares in multi-storey buildings have been acquired by charitable bodies under licence under the ordinance.

The ordinance appears therefore to be achieving little but it does occupy the time of valuable professional staff, chiefly in the Registrar General's Department and, to a lesser extent, in the Buildings Ordinance Office and the Fire Services Department. It also places on charitable bodies a tedious obligation as well as a burden in the form of fees for solicitors' services.

I am therefore convinced that to repeal the ordinance would be not merely a charitable act but also a highly practical one in that it would eliminate unnecessary controls and free Government staff and perhaps solicitors in the private field for more useful work.

Motion made. That the debate on the second reading of the bill be adjourned—SECRETARY FOR THE ENVIRONMENT.

Question put and agreed to.

CLEAN AIR (AMENDMENT) BILL 1974

SECRETARY FOR THE ENVIRONMENT moved the second reading of: —"A bill to amend the Clean Air Ordinance."

He said: —Sir, regulation 12(2) of the Clean Air (Furnaces, Ovens and Chimneys) (Installation and Alteration) Regulations 1972 enables a magistrate's court to make an order:

- (a) prohibiting a defendant from operating the furnace, oven, chimney, or flue involved in the contravention of the regulations from such date as may be specified in the order; or
- (b) requiring him, within such period as may be specified in the order, to dismantle or remove the furnace, oven, chimney, or flue; or
- (c) requiring him to submit to the competent authority, within 28 days after the making of the order, such plans and specifications as would have been required under the regulations if the contravention had not taken place.

However, it is doubtful if this regulation 12(2) is valid under the Clean Air Ordinance (Chapter 311). The Clean Air (Amendment) Bill 1974 is, therefore, intended to amend section 15 of that ordinance so as to remove this doubt. The amendment will give the Governor in Council power to make regulations which will authorize a magistrate's court to make orders of the type covered by regulation 12(2) of the Clean Air (Furnaces, Ovens and Chimneys) (Installation and Alteration) Regulations 1972.

Motion made. That the debate on the second reading of the bill be adjourned—SECRETARY FOR THE ENVIRONMENT.

Question put and agreed to.

LION ROCK TUNNEL (AMENDMENT) BILL 1974

SECRETARY FOR THE ENVIRONMENT moved the second reading of: —"A bill to amend the Lion Rock Tunnel Ordinance."

[SECRETARY FOR THE ENVIRONMENT] **Lion Rock Tunnel (Amendment) Bill—
second reading**

He said: —Sir, the main object of the bill now before Council is to introduce into the Lion Rock Tunnel Ordinance, provisions similar to those in section 29 of the Road Traffic Ordinance. Under these provisions, when a driver of a vehicle is suspected of having committed an offence against either the Road Traffic or Lion Rock Tunnel Ordinance, police officers or other authorized officers will be able to demand from any person (including the owner of the vehicle and the person suspected of being the driver at the time of the offence) the name, address and driving licence number of the person who was driving the vehicle at the time the alleged offence took place. The demand must, however, be made within three months after the date of the alleged offence and failure to furnish the required information will, itself, be an offence punishable on conviction with a fine of \$2,000 and imprisonment for six months, unless the accused can show he did not know, and could not with reasonable diligence have ascertained, the particulars required.

The bill also provides that, in any summary proceedings, a statement signed by the person accused of an offence against the Lion Rock Tunnel Ordinance and stating he was the driver of the vehicle at the time of an offence, shall be admitted as *prima facie* evidence that the accused was the driver of the vehicle at the time of the offence.

Motion made. That the debate on the second reading of the bill be adjourned—SECRETARY FOR THE ENVIRONMENT.

Question put and agreed to.

**TEMPORARY RESTRICTION OF BUILDING DEVELOPMENT
(POK FU LAM AND MID-LEVELS) (AMENDMENT) (NO 2)
BILL 1974**

MR BELL moved the second reading of: —“A bill to amend the Temporary Restriction of Building Development (Pok Fu Lam and Mid-levels) Ordinance.”

He said: —Sir, honourable Members will recall that, in July of this year, during the course of the passage of the resolution which extended the operation of the Temporary Restriction of Building Development (Pok Fu Lam and Mid-levels) Ordinance to 31st July 1975 I gave an assurance to this Council that the restrictions in respect of the Pok Fu

Lam area would be lifted by the end of the year. I would remind honourable Members that I added to this assurance the statement that the extent of redevelopment to be allowed would be limited to that permitted under existing lease conditions and within present planning controls.

The bill now before honourable Members seeks to implement the assurance I gave in July. Notwithstanding the recently noted decrease in the total numbers of vehicles registered it is apparent that further development, accompanied as inevitably will be the case, by the provision of car parking facilities and bringing in its train the need for service vehicles of all kinds, may increase congestion. I must therefore repeat the warning I gave in July that if traffic conditions deteriorate to the extent of excessive delays and as a consequence limiting the mobility of essential services, it may be necessary to introduce severe traffic control measures and if all else fails to reconsider ways of limiting the amount of traffic.

Motion made. That the debate on the second reading of the bill be adjourned—MR BELL.

Question put and agreed to.

Unofficial Member's bill

First reading of bill

HELENA MAY INSTITUTE FOR WOMEN (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 bill

HELENA MAY INSTITUTE FOR WOMEN (AMENDMENT) BILL 1974

MR BREMRIDGE moved the second reading of: —"A bill to amend the Helena May Institute for Women Ordinance."

He said: —Sir, both you and my colleagues will be delighted to hear that I intend to be mercifully brief; indeed, rushing in where angels fear to tread.

[MR BREMRIDGE] **Helena May Institute for Women (Amendment)
Bill—second reading**

The explanatory memorandum is, I submit with relief, truly explanatory. The present name and constitution of the Helena May reflect the events of history and the needs of a previous era. I believe that the changes proposed are a matter of common sense.

Motion made. That the debate on the second reading of the bill be adjourned—MR BREMRIDGE.

Question put and agreed to.

Suspension of sitting

HIS EXCELLENCY THE PRESIDENT: —In accordance with Standing Orders I now suspend the Council until 2.30 p.m. tomorrow.

Suspended accordingly at a quarter past five o'clock.