

OFFICIAL REPORT OF PROCEEDINGS

Wednesday, 21st January 1976

The Council met at half past two o'clock

PRESENT

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR CRAWFORD MURRAY MacLEHOSE, KCMG, KCVO, MBE
THE HONOURABLE THE COLONIAL SECRETARY
SIR DENYS TUDOR EMIL ROBERTS, KBE, 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, CVO, 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, CMG, MBE, JP
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE LI FOOK-KOW, CMG, 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 DAVID WYLIE McDONALD, JP
DIRECTOR OF PUBLIC WORKS
THE HONOURABLE KENNETH WALLIS JOSEPH TOPLEY, CMG, JP
DIRECTOR OF EDUCATION
THE HONOURABLE IAN ROBERT PRICE, TD, JP
COMMISSIONER FOR LABOUR
DR THE HONOURABLE CHUNG SZE-YUEN, CBE, 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, OBE, 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, OBE, JP
DR THE HONOURABLE HARRY FANG SIN-YANG, OBE, JP
THE HONOURABLE MRS KWAN KO SIU-WAH, MBE, JP
THE HONOURABLE LO TAK-SHING, OBE, JP
THE HONOURABLE FRANCIS YUAN-HAO TIEN, OBE, JP
THE HONOURABLE ALEX WU SHU-CHIH, 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> |
|--|--------------|
| Subsidiary Legislation: | |
| Public Health and Urban Services Ordinance. | |
| Colonial Cemetery (Removal and Disposal of Human Remains) Order 1975 | 5 |
| Dutiable Commodities Ordinance. | |
| Dutiable Commodities (Sale of Liquor in Trains) (Exemption) Regulations 1976 | 18 |
| Urban Council Ordinance. | |
| Urban Council Elections (Registration of Electors) (Amendment) Regulations 1976 | 19 |
| Telecommunication Ordinance. | |
| Charges for Radiotelegrams Order 1976 | 20 |
| Library By-laws. | |
| Listening Library Fees Notice 1976 | 21 |

Oral answers to questions**Violent crime—inadequate sentences**

1. DR FANG asked:—

Sir, (a) will Government draw formally to the attention of the Chief Justice those portions of the official record of the proceedings of this Council on 6th November 1975 and 7th January 1976 which concern inadequate sentences for violent crimes?

- (b) will Government also refer to the Chief Justice copies of the many expressions of public concern over inadequate sentences which have been forwarded to Government, recorded in meetings or published in the press during the last year?

THE ATTORNEY GENERAL:—No, Sir. I do not consider that either course would be appropriate in the circumstances.

DR FANG:—Sir, may I know the reason why?

THE ATTORNEY GENERAL:—Because I do not think after the most careful reflection that the public interest would be served best at this juncture by taking the courses proposed in the question.

Sentences for violent crime—list of

2. MR BREMRIDGE asked:—

Sir, will Government table and supply to the press a list of sentences for violent crimes awarded by the Supreme Court and the District Courts for the period 1st October 1974 to 30th September 1975?

THE ATTORNEY GENERAL:—Sir, the list has been laid on the table today. Copies are available for the use of the press.

Mutual aid committees

3. MR LEE asked:—

Sir, what steps are Government taking to help mutual aid committees collect maintenance fees from occupiers of the buildings serviced by them in order to enable them to perform their functions more effectively?

SECRETARY FOR HOME AFFAIRS:—Sir, the Home Affairs Department has some 113 community organizers who were appointed specifically to assist MACs in their work. Helping MACs in the collection of maintenance fees—usually by persuasion and mediation—is a normal part of this assistance and helps to bring about a better understanding of the management problems between the MACs and the occupiers.

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The Small Claims Tribunal, when it is set up, will simplify the procedure for civil action to collect maintenance fees owed to an MAC, in that it will provide a new forum for the determination of certain classes of action. I must point out however that the Small Claims Tribunal will not in itself ensure that there will be no more problems over the collection of maintenance fees as it does not alter the fundamental law relating to contract and tort nor create any new rights to enable MACs to collect maintenance fees from tenants. In most cases there is now no legal liability for MAC members to pay fees so there is no case for the tribunal. Further consideration is being given to the best means to create a legal liability so that the tribunal can judge claims. The tribunal will probably be of more help to those multistorey management organizations which have formed themselves into owners corporations than to MACs.

Role of mutual aid committees

4. MR CHEONG-LEEN:—

(Asked in the Cantonese dialect. The following is the interpretation of what Mr CHEONG-LEEN asked)

Sir, will Government consider expanding the role of the mutual aid committees to enable them, in co-operation with the Discharged Prisoners Aid Society, to supervise and assist a selected number of young first offenders in their districts who have been released from prison with the object of discouraging such young offenders from again resorting to crime?

SECRETARY FOR HOME AFFAIRS:—Sir, this is a good idea and something the better mutual aid committees I know of could do well. A mutual aid committee is made up of a group of responsible citizens, resident in the same multi-storey building, who work together to solve common problems of cleanliness and security.

The suggestion is that the mutual aid committees should become involved in assisting and counselling discharged prisoners is well within their scope. Although they are not trained social workers there may be occasions when members of an MAC could assist and advise a young discharged prisoner living in the same building who is anxious to make a fresh start. Indeed, it is clearly in the MAC's own interest

to do so as they are so much concerned with personal security. But two points should be made. First, the initiative to seek assistance and advice should come from the ex-prisoner himself; he would have to make the first approach to the MAC and there should not be any element of compulsion. Second, what the MAC does should complement rather than replace the excellent work being done by the Discharged Prisoners Aid Society.

I should be happy to ensure that the Discharged Prisoners Aid Society is fully aware of the existence and the role of the mutual aid committees and that it appreciates that it may seek their assistance wherever this might be appropriate.

KCR—additional equipment

5. MR F. W. LI asked:—

Sir, (a) does the KCR need additional locomotives or other railway equipment in order to cope with increasing goods traffic from China?

(b) If so, when will these be purchased?

SECRETARY FOR THE ENVIRONMENT:—Yes, Sir. The Kowloon-Canton Railway does require additional locomotives and track capacity so as to carry the increasing volume of goods traffic from China. Action is now in hand to acquire them.

I am advised that on 7th January 1976 the Finance Committee of this Council approved the Government's proposal to purchase two new locomotives subject to the inclusion of provision in the 1976-77 Estimates if the budgetary situation so allows.

As regards track capacity, the double-tracking between Hung Hom and Sha Tin, the building of a marshalling yard at Lo Wu and the construction of goods sidings at Fo Tan are all proceeding and will be completed in 1977. Work on a goods siding at Ho Man Tin for the unloading of livestock will also start soon and is expected to be completed before the autumn of this year. The completion of these track works will greatly increase the railway's capacity for freight traffic.

Oral answers**Investigation into convicted murderer**

6. MR JAMES WU asked:—

Sir, is an investigation being conducted into recent allegations that a person convicted of the offence of murder was in fact innocent of the offence?

THE ATTORNEY GENERAL:—Sir, I am looking into this matter, and there is nothing more that I can say at this point.

Public housing priority to residents of Tsing Yi

7. MR CHEUNG asked:—

Sir, (a) is any of the public housing being built on Tsing Yi Island being reserved on a priority basis for residents of the New Territories other than those resident in Tsing Yi, Tsuen Wan and Kwai Chung?

(b) If so, will Government consider according equal priority to residents of Tsing Yi?

SECRETARY FOR HOUSING:—Sir, the temporary special quota arrangements to which my honourable Friend refers apply only to public housing in the Sha Tin and Tuen Mun New Towns, where previously no public housing existed. This arrangement does not apply to new public housing in the Tsuen Wan layout area (which includes Tsing Yi) because public housing has been built in this area for at least ten years, and local residents seeking an allocation there can reasonably be dealt with through the Housing Authority's waiting list in the normal way. This exclusion was agreed by the Secretary for the New Territories and by the Heung Yee Kuk.

However, because of the availability of a number of new estates in the Kwai Chung area, demand for flats in the Tsing Yi Estate is not likely to be very brisk initially, and even comparatively recent entrants to the waiting list should have some prospect of being accommodated if they express a preference for that estate. The first blocks should be ready for allocation in the spring of 1977.

MR CHEUNG:—So residents of Tsing Yi, Tsuen Wan and Kwai Chung are excluded only from the new towns in Sha Tin and Tuen Mun as far as the temporary special quota is concerned?

SECRETARY FOR HOUSING:—That is correct, Sir.

MR CHEUNG:—In view of the fact that there seems to be some misunderstanding among the residents of Tsing Yi, would my Friend make sure that the position is made clear to them by circulation of the reply he has given to my question?

SECRETARY FOR HOUSING:—Yes, Sir, I will certainly arrange that. There was a press release on the subject in September last year, but we will follow it up and make sure that there is no doubt whatsoever.

Tsing Yi Bridge—use of by vehicles

8. MR CHEUNG asked:—

Sir, to facilitate movement of persons to and from Tsing Yi Island, particularly those resident there, will Government consider giving, at an early date, a general licence to taxis and 14-seater public light buses to use the Tsing Yi Bridge?

SECRETARY FOR THE ENVIRONMENT:—Sir, at present, the use of Tsing Yi Bridge is restricted to vehicles owned by permit holders who require access to premises on the island. This restriction has been necessary because of the limited capacity of the road network on Tsing Yi Island and because of the large numbers of contractors vehicles which must cross the bridge. However, in view of the improvements which have been made to the access roads leading to the bridge and to the road which joins the bridge to Tsing Yi New Town, the Commissioner for Transport intends very shortly to lift the general restriction on the use of the bridge.

Nevertheless, it will still be necessary to impose certain restrictions on the use of the road going north from the bridge to Tsing Yi Town itself but it is proposed to allow taxis and a limited numbers of public light buses and private cars belonging to residents, to have access to the town. It is considered that unrestricted access of public light buses to the island might lead to a choking of the road network and that this

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is not necessary because a KMB bus service already runs from Tsing Yi Town to Lai Chi Kok and the Hongkong and Yaumati Ferry Company provides ferry services to Tsuen Wan and Central.

Apart from the restrictions on PLBs, there will be no restrictions on vehicles using both the bridge and the road going south from the bridge, to the power station.

These arrangements are considered to be adequate for the present requirements of the island but when the first housing blocks are completed there it will be necessary to consider the need for a franchised bus service from the island to Tsuen Wan.

MR CHEUNG:—Sir, by very shortly, can I expect my Friend to say it will be before the end of the present financial year?

SECRETARY FOR THE ENVIRONMENT:—I would hope so, Sir. That is also my interpretation of shortly.

Lion Rock Tunnel—ventilation

9. DR FANG asked:—

Sir, will Government take steps to improve the ventilation in the Lion Rock Tunnel?

MR McDONALD:—Sir, monitoring devices operating at Lion Rock Tunnel indicate that under present usage visibility and carbon monoxide levels are well within accepted international limits, and so no improvement works to the ventilation system are being considered at this time.

It should be noted that the ventilation equipment is operated to suit prevailing traffic conditions and so the plant normally runs at between 20% and 85% of full power. There is therefore spare capacity to improve conditions whenever this is found to be necessary.

It should also be noted that the second tunnel is now under construction and is due for completion in December 1977. When both tunnels are in use each tube will operate on a one-way traffic system, and the introduction of this system will improve ventilation due to the piston effect created by the one-way vehicle movement.

Accidents involving motor cycles

10. MR LOBO asked:—

- Sir, (a) how many accidents involving motor cycles occurred last year; and
- (b) how many of the drivers involved did not possess a licence to drive or held only a provisional licence?

SECRETARY FOR THE ENVIRONMENT:—Sir, during 1975 motor cycles were involved in 2,271 accidents in which death or injury occurred. Those involved in the "damage-only" accidents are not included as there is no requirement for this type of accident to be reported to the police.

The type of licence held by a driver involved in an accident is only recorded on the investigation file and is not recorded on the traffic accident file. In order to collate the data it would be necessary to check 2,271 files relating to motor cycle accidents in 1975.

However, a sample check of accidents involving motor-cyclists in December 1975 has been carried out and of the 157 involved one was unlicensed, 33 held a provisional licence and 123 held a full licence.

The accident figures for December are lower than the monthly average for 1975, but it would be reasonable to assume that there is little monthly variation in the percentage of unlicensed motor cyclists or provisional licence holders.

MR WILLIAMS:—Sir, may I ask is there a limit to the time a motor cyclist can hold a provisional licence after he has been given an opportunity to take a test?

SECRETARY FOR THE ENVIRONMENT:—Sir, I believe there is, but I can't say for certain. I will make inquiries and inform the honourable Member.

MR CHEUNG:—Could Government start a campaign to teach motor cyclists the elementary rules of safety, such as not passing a vehicle on both sides at the same time (*laughter*)?

SECRETARY FOR THE ENVIRONMENT:—I am not quite sure of the question, Sir. I imagine a motor-cyclist dividing himself in two and

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going by the side of a vehicle. However, Sir, I think if we mounted a campaign, I'm sure it would be ignored. But I will certainly put this to the Commissioner for Transport and see if we can get something going.

MR CHEUNG:—What if it is ignored, will the police take action?

SECRETARY FOR THE ENVIRONMENT:—Sir, the police do take action now for dangerous driving and they have taken action recently, as Members will know, on the "hell's drivers" type of motor cyclist who disturbs the peace.

Factories and Industrial Undertakings Regulations

11. Miss Ko asked:—

Sir, how many prosecutions were brought during 1973, 1974 and 1975 under regulation 4 of the Factories and Industrial Undertakings Regulations which prohibits the employment of any person under the age of 14 years in any industrial undertaking or dangerous trade?

MR PRICE:—Sir, the number of prosecutions brought under regulation 4 of the Factories and Industrial Undertakings Regulations in connection with the illegal employment of children under 14 was—

215 in 1973

321 in 1974

306 in 1975

The figure for 1975 refers to prosecutions completed during that year. In addition 44 prosecutions, arising in 1975, were pending hearing on 31st December 1975.

MISS KO:—Sir, may the Council be informed of the fines imposed?

MR PRICE:—In 1973, out of 215 cases, there were 202 convictions involving the imposition of fines totalling \$93,735. In 1974, out of 321 cases, there were 313 convictions involving the imposition of fines totalling \$90,470. In 1975, out of 306 cases, there were 298 convictions involving the imposition of fines totalling \$98,905.

MR TIEN:—Sir, may I know the number of children involved in each case?

MR PRICE:—In 1973, there were 286 children involved, in 1974, 412 and in 1975, 350.

MR LO:—Sir, I wonder whether the Commissioner is aware of any difficulties which employers have in deciding the age of employees when they first are employed because of the difficulty of checking juvenile identity cards?

MR PRICE:—I am aware, Sir, that there is a difficulty. But when the new identity card for juveniles has been universally introduced, this difficulty will cease.

MR LO:—But this difficulty exists today, is that correct?

MR PRICE:—Yes, Sir.

Cemeteries

12. MR CHEONG-LEEN:—

(Asked in the Cantonese dialect. The following is the interpretation of what Mr CHEONG-LEEN asked)

Sir, (a) has the Government considered opening public cemeteries on one or more of the nearby outlying islands?

(b) If so, what is the present position?

SECRETARY FOR THE ENVIRONMENT:—Yes, Sir, the idea of opening public cemeteries on nearby islands has been considered but not pursued because either the terrain was unsuitable or there were other more appropriate developments for such islands.

MR CHEONG-LEEN:—Sir, in view of the reply by my honourable Friend, would Government give consideration to opening a cemetery on Lantau Island if this has not been considered?

SECRETARY FOR THE ENVIRONMENT:—Sir, most certainly Government will give consideration to opening a cemetery on Lantau Island if this is necessary. But at the present moment we have, I think, in the

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cemeteries at Wo Hop Shek and Sandy Ridge, capacity to cope with the demand over the next ten years and there is quite a remarkable change taking place in the method of burial; more and more people are arranging for cremation. But certainly my honourable Friend's suggestion will be borne in mind.

MR CHEONG-LEEN:—Sir, in studying the aim for cemetery spaces in the New Territories, does Government also consider the question of the cost charge for cemetery space in view of the difference of cost in private cemeteries which seems to be very much above what is charged in public cemeteries?

SECRETARY FOR THE ENVIRONMENT:—Sir, the aim, as far as public cemeteries are concerned, is to keep the cost to a minimum.

Government business

Motion

FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE

MR PRICE moved the following motion:—

That the Factories and Industrial Undertakings (Amendment) Regulations 1976, made by the Commissioner for Labour on the 2nd January 1976, be approved.

He said:—Sir, I move the resolution standing in my name on the Order Paper for the approval of the Factories and Industrial Undertakings (Amendment) Regulations 1976. These regulations were made by me on 2nd January 1976 and have been submitted to the Governor in accordance with the provisions of section 7(3) of the Factories and Industrial Undertakings Ordinance.

The main purposes of the proposed amendments are to state more precisely the precautions required against fire in registrable workplaces, and to ensure better standards of cleanliness and tidiness. The opportunity is also taken to revoke regulation 32 and to amend regulation 33 by deleting sub-paragraphs (1)(a), (1)(b) and (1)(f) because these are now unnecessary in view of the requirements of section 6 of the Dangerous Goods Ordinance and regulations 182, 184, 185, 186 and 188 of the Building (Construction) Regulations 1975.

Because each regulation is adequately described in the explanatory note, I shall draw attention only to the more important amendments before this Council.

Amended regulation 26 is more precise in describing the fire resistant characteristics of doors leading out of registrable workplaces. The new requirements follow the provisions of regulation 182 of the Building (Construction) Regulations 1975.

With regard to what might be called general housekeeping, regulation 34 of the principal regulations is amended by the addition of a new provision for the repainting and varnishing of registrable workplaces. To prevent arguments as to when such decoration has been carried out, there is a new requirement for the keeping of appropriate records.

To reduce the risk of accidents caused by bad housekeeping, all proprietors are at present required, as a special precaution ordered under section 7(4) of the Factories and Industrial Undertakings Ordinance, to maintain walls and floors in good repair, keep floors even, non-slippery and generally free from hazards, and to keep gangways clear. They are also required to store and stack goods and materials in a proper manner. Because 40% of all industrial accidents are attributable to stepping on or striking against objects, falling objects, or handling goods or raw materials, I consider that new regulation 41 should be added to the principal regulations, and so state as part of the regulations the present requirements ordered as special precautions.

The principles of these regulations, which are merely of a tidying-up nature, have been unanimously approved by the Labour Advisory Board. The Director of Fire Services has been consulted and finds them desirable.

DR CHUNG:—Your Excellency, whilst I welcome the introduction of these amending regulations which, as described by my honourable Friend, are merely of a tidying-up nature, I would like to draw the attention of the Commissioner for Labour to two points.

The first point concerns regulation 34 which governs general housekeeping of workplace. In recent years, there has been fast increasing use of air-conditioning with efficient and effective air filtering in factories either due to the need of the manufacturing process or for improving the working conditions and labour productivity. These air-conditioned workplaces, particularly those for the assembly of

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electronic, optical and toy products, have little dust and dirt. To group this kind of air-conditioned operations with other non-air-conditioned ones would seem rather unfair. The very rigid requirement of limewashing all walls and ceilings at least once in every year for air-conditioned workplaces is, in my view, an unnecessary burden both in cost and especially disruption of work.

In February 1971 there was a debate in this Council on this regulation 34. In that debate, the then Commissioner for Labour said, and I quote:

"I think that it is now appropriate, bearing in mind the development of Hong Kong industry, to introduce comparable discretionary powers into regulation 34. I undertake to re-examine this regulation along these lines and to include any changes deemed appropriate in the next batch of amendments to the Factories and Industrial Undertakings Regulations."

When my honourable Friend considered the amendment to regulation 34, Sir, I would have thought that he would introduce comparable discretionary powers into this particular regulation as undertaken by his predecessor. It was therefore naturally rather disappointing to see that such undertaking has not been honoured.

The other point relates to regulation 33 and in particular sub-paragraph (c) of paragraph (1). The new regulations specify that the letters and characters on illuminated notices on each exit should be exactly seven inches high. In some instances, due to the height and size of the exit, such letters and characters should preferably be made larger than seven inches. Accordingly, I propose that this sub-paragraph be amended by inserting the words "not less than" between the words "characters" and "7".

Subject to these comments and amendment, Sir, I support the motion before Council.

MR PRICE:—Sir, I am grateful to my honourable Friend Dr CHUNG for his support for these regulations.

My honourable Friend says that I have not honoured an undertaking given by one of my predecessors. But that undertaking was to examine regulation 34 and to include any changes deemed appropriate in some future amendments to the Factories and Industrial Under-takings

Regulations. I have honoured that undertaking by examining regulation 34 and by introducing into that regulation changes which I deem appropriate. Perhaps, however, I should specifically state that in revising this regulation I did consider the question of registrable workplaces in which air-conditioning is installed. However, I decided that there was no strong case for writing into these regulations general provisions exempting such workplaces from the requirements of regulation 34.

In reaching that decision I took into account the following points:

Regulations such as these should be couched in general terms applicable to the majority of workplaces.

I have not received one single complaint that the present regulation 34 is restrictive or operates unfairly. The revised regulation 34 with its provisions for painting instead of white-washing is considerably less restrictive than the original.

The fact that a workplace is air-conditioned does not mean that the air-conditioning is always in use. Indeed, I am informed that due to the high cost of electricity many workplaces, except those which require controlled temperature and humidity for their processes, do not use air-conditioning in the winter months.

Many air-conditioning plants with crude filters merely draw in air, cool and circulate it, but do not effectively clean it.

From these points I think it is clear that the installation of air-conditioning does not in itself ensure that the working environment will necessarily be kept clean to such an extent that the provisions of regulation 34 become inapplicable.

However, I shall give sympathetic consideration to any representation made to me that regulation 34 is operating, or being applied, harshly against a particular workplace. Where the facts convince me that there could be injustice, I shall be prepared to exercise my powers under section 7(4) of the Factories and Industrial Undertakings Ordinance to exempt that workplace from the requirements of regulation 34. Thus, there will be a considerable degree of flexibility in the application of that regulation.

I support the amendment proposed by my honourable Friend by way of clarification to regulation 33(1)(c), although I understand that from a legal point of view such an amendment is not really necessary.

DR CHUNG:—May I seek a point of clarification? Does it mean the motion as amended, Sir?

Motion

HIS EXCELLENCY THE PRESIDENT:—Yes.

DR CHUNG:—Thank you, Sir.

Question put and agreed to.

First reading of bills**PLANT (IMPORTATION AND PEST CONTROL) BILL 1976
FACTORIES AND INDUSTRIAL UNDERTAKINGS (AMENDMENT) BILL 1976**

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

Second reading of bills**PLANT (IMPORTATION AND PEST CONTROL) BILL 1976**

THE FINANCIAL SECRETARY moved the second reading of:—"A bill to provide for the control of the importation of plants, plant pests and soil, for the prevention of the spread of plant pests and for matters incidental to and connected therewith."

He said:—Sir, the purposes of this bill are two-fold: first, to establish a statutory mechanism for controlling the importation of plants and soil which can carry plant diseases and to prevent the spread of such diseases and pests in Hong Kong; and, secondly, to give legislative effect to the Plant Protection Agreement for South-East Asia and Pacific Region, which has been drawn up under the auspices of the United Nations Food and Agriculture Organization, and with which Hong Kong is committed to comply.

Control will be maintained partly through a licensing system for the importation of certain specified plants, which must be covered by import licences and phytosanitary certificates. Fees will be payable to cover the cost of these certificates and for the treatment of inflected plants in quarantine. As a further means of control, the bill empowers staff authorized by the Director of Agriculture to search, seize and detain plants suspected to be diseased, and to destroy plants or soil which cannot be successfully treated, after due notice has been given

to the owner. It also makes provision for imported plants to be grown, propagated or treated in a quarantine area. If the bill is passed, the Governor in Council has agreed in principle to make an order which will empower the Preventive Service to police the provisions of the ordinance.

Briefly, that covers what the bill is designed to do, but honourable Members will no doubt wish to know also what the bill is designed not to do. I mentioned that certain specified plants would require licences and phytosanitary certificates before importation, but there will be no restriction on the importation of cut flowers, fruit and vegetables for consumption; grains, seeds and spices for human and animal consumption or for industrial use; timber; dried tobacco and manufactured articles incorporating dried leaves; and plants produced in and imported from China. In addition, plants and soil in transit will be permitted provided that they are suitably packed so as to prevent the escape of plant pests.

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

Question put and agreed to.

FACTORIES AND INDUSTRIAL UNDERTAKINGS (AMENDMENT) BILL 1976

SECRETARY FOR THE ENVIRONMENT moved the second reading of:— "A bill to amend the Factories and Industrial Undertakings Ordinance."

He said:—Sir, the Factories and Industrial Undertakings (Amendment) Bill 1976 serves an environmental aim in relation to the use, or rather the misuse, of non-industrial buildings for industrial purposes. Its effect can only be explained in the context of the broad environmental strategy of which it is a part. This is why I am in charge of the bill rather than my honourable Friend and colleague, the Commissioner for Labour.

In the past, the economic facts of life in Hong Kong have dictated acceptance of industrial activity in non-industrial buildings on a wide-spread scale and the occupants have tolerated, for far too many years, the adverse effects of this situation on their living conditions.

But a flat-dweller should be able to hope for better living conditions these days. He should not be subjected to factories operating next-

[SECRETARY FOR THE ENVIRONMENT] **Factories and Industrial Undertakings
(Amendment) Bill—second reading**

door or on the floor above, sometimes day and night, with all the nuisance and potential hazards this involves. Many families are now unwilling to put up with this kind of discomfort and at the present time this is quite right because reasonably cheap flatted factory accommodation is now in more plentiful supply than reasonably priced residential flats.

With this surplus of flatted factory accommodation, therefore, it is felt appropriate that Government should now make a start on a staged programme of action against certain industrial undertakings in non-industrial buildings.

The first stage of the programme will involve an attack on three fronts by law and lease enforcement agencies in the urban areas and in the New Territories. The first action to be taken will be to remove dangerous and obnoxious industrial undertakings from existing non-industrial buildings. In this respect, the Director of Fire Services and the Commissioner for Labour estimate that between 200 and 350 existing dangerous or obnoxious industrial undertakings will be affected. Nevertheless, unless the risk to public health and safety is intolerable, reasonable notice will be given to operators to enable them to move their undertakings to more suitable premises.

At the same time, action will be taken to prevent new industrial undertakings, except specific service trades, gaining a foothold in new non-industrial buildings. Generally speaking, a new non-industrial building will be a building in respect of which an occupation permit under the Buildings Ordinance is issued on or after 1st March 1976. In certain new town areas controls, similar to those which it is now proposed should be applied territory-wide, have been in effect for some time and these controls will, of course, continue.

Finally, whenever possible during the first stage of the programme, action will also be taken to clear industrial undertakings in purely residential buildings, that is, buildings restricted under the Crown lease conditions to residential use.

If, however, industrial undertakings in existing non-industrial buildings are neither dangerous nor obnoxious, they will not be a target for action during the first stage. Future action against them will depend on whether there are reasonable means by which the individual undertaking can continue to operate. The owners of such undertakings

should not, however, assume that they are under indefinite reprieve. Nor should they assume that the line of action the Government intends to take will protect them from such legal remedies as owners and residents of the building may wish to pursue.

As I have already indicated, implementation of the first stage of the programme of action will begin in earnest on 1st March 1976. Detailed rules and definitions will be applied by all Government departments involved in the programme and these have been drawn up and arrangements to publicise this information are now being made.

Sir, the purpose of the Factories and Industrial Undertakings (Amendment) Bill 1976 will, I hope, have already become clear from what I have said so far. Briefly its purpose is to prohibit the Commissioner for Labour from registering under section 9 of the Factories and Industrial Undertakings Ordinance (Chapter 59) any work place in new non-industrial buildings, that is, non-industrial buildings for which an occupation permit is issued on or after 1st March 1976, other than work places for the service trades specified in the new Fourth Schedule of the bill.

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

Question put and agreed to.

COMPANIES (AMENDMENT) BILL 1976

Resumption of debate on second reading (7th January 1976)

Question proposed.

Question put and agreed to.

Bill read the second time.

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

WILD ANIMALS PROTECTION BILL 1976

Resumption of debate on second reading (7th January 1976)

Question proposed.

Question put and agreed to.

Bill read the second time.

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

APPRENTICESHIP BILL 1975

Resumption of debate on second reading (7th January 1976)

Question proposed.

DR CHUNG:—Your Excellency, as early as in April 1969, I spoke at an adjournment debate in this Council with a view to urging the Government to expedite apprenticeship legislation for more and better facilities for craftsman training in Hong Kong. I am therefore very pleased to see, after a lapse of almost seven years, the introduction of this Apprenticeship Bill 1976 into this Council.

I have been saying all these years both inside and outside this Council that as human resource is the only resource we have in Hong Kong, it is essential for the Government to accord a very high priority to develop Hong Kong's manpower at all levels. In recent years, the Government has done much to expand the quantity and improve the quality of education and in particular technical education. However, little has been done to increase training opportunities and upgrade training facilities for the much needed craftsmen. This Apprenticeship Bill, I believe, is to fill this gap.

As I see it, Sir, one of the main objectives of this Apprenticeship Bill should be to provide minimum standards for apprentice training and to minimize exploitation of apprentices by unscrupulous employers. Any apprentice engaged in any craft trade employed by any employer should be under the protection of this bill.

I note from the speech of my honourable Friend, the Commissioner for Labour, two weeks ago when moving the second reading of this bill that although the bill in the first instance would apply only to certain designated craft trades, it would eventually cover all craft trades. I also note, Sir, that the first batch of recommended craft trades would be selected on the basis of the degree of skills involved, their numbers and importance to industry and with regard to the availability of related technical education facilities. This is fine from the industrial point of

view, but it appears that the Government will ignore, for a long time to come, those apprentices engaged in minor craft trades. If there is any exploitation of apprentices it is most likely to be in these minor craft trades. I therefore would like to bring this social aspect to the attention of Government and particularly to my honourable Friend, the Commissioner for Labour.

At the last sitting, my honourable Friend said that the Hong Kong Training Council at its meeting on the 13th January 1976 would decide which trades to recommend in the first instance for designation by the Governor under clause 45. I think, Sir, that people in industry would like to know from the Commissioner for Labour what were the decisions of the Training Council at that particular meeting.

Sir, I also have some reservation on clause 6(2)(b) which states, in brief, that the Commissioner for Labour may exempt an employer from the provisions of this bill, if the employer is unable to give any young person adequate training in the designated craft trade. Sir, I think it would be wrong in principle to exempt any employer from his legal obligations simply because he is unable to meet the minimum training standards required by the bill. In my opinion, a more appropriate or indeed the logical step for Government to take would be not to permit any employer who could not provide minimum training standards, or to organize training, to employ any apprentice at all.

As I understand, Sir, this particular section is included with the intention of giving exemption to those small factories which cannot fulfil the minimum training standards or organized training. I hope my honourable Friend, the Commissioner for Labour, can see his way to consider deletion of this exemption clause or at least to give assurance not to exercise his power to permit such employers to provide substandard training for apprentices.

With these comments, Sir, I support the bill before Council.

MR JAMES WU:—Sir, having been involved with the work of the Apprenticeship Sub-Committee of ITAC since its beginning some 10 years ago, I am naturally very glad to see the Apprenticeship Bill, one of the objectives of the sub-committee, going through the Council.

There had been a saying in Chinese for more than a thousand years to the effect that: "No mediocre craftsman came from the door of a great master 大匠之門無拙工." Likewise, in highly industrialized countries in the modern world, there always exist very good training and

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respect for the craftsman. The legendary Coventry Boy of England whose statue I had pleasure to see lately, and the very good apprentice system in Germany are very good examples. Further, I was informed that in Coventry, a boy who completed his apprenticeship wins the Freedom of the City.

In the short but remarkable history of industrialization in Hong Kong, I have often said that due share of the credit must be given to the many pioneers who might have started as apprentices, then moving up to craftsmen, foremen, sub-contractors and eventually factory owners. I can find numerous examples in the midst of our industrialists today, and I do not believe that this is unique in Hong Kong.

It was true that there had been exploitation and hardship, a lot of sweat and tears, but those who came out well had endured and hardened their will with the conviction that a good skill acquired would point the way to success and better days ahead. It would be fair to say that in the main, the majority had not been disappointed, given the industry perseverance and entrepreneurship of our people.

From the community's point of view, it has long been recognized that to reduce unemployment (with its attendant evils) and to increase the output and productivity of our industries, we must make sure that our workers get adequate training to earn their way in the job market. My honourable Friend, the Commissioner for Labour, has explained somewhat apologetically the long delay of the bill; however I believe that in general the reasons given are valid and the reception of his explanation has been sympathetic. For in spite of the delay, Hong Kong has not been inactive in craft and even technician training, and it is for this reason that our industries have been able to grow and expand. Because of sheer need, traditional as well as voluntarily registered apprenticeships co-exist and today some 20,000 youths serve apprenticeship at the craft and technician level in Hong Kong industry.

It must also be noted that because of better education, higher standard of living, and above all greater demand for labour, our youths today generally have higher aspirations and would rightly not entertain the kind of exploitations and deprivations that are fortunately fast becoming matters of the past. Indeed, I believe that one of the aims of the bill is to curb unjustifiable expectations on the part of the apprentice who, because of demand and poaching, elects to terminate unilaterally, the apprenticeship, thus becoming a "half-baked potato" contributing to the lowering of standard of workmanship and skill.

Sir, declaring my interest as former Vice-Chairman of the Training Council and having participated in the formulation of the bill, I would like to give my support to the proposed legislation with minor amendments as honourable Members may or have suggested. I believe that the bill will give guidance and protection to all parties concerned, with the flexibility that should ensure the voluntary support of industrialists, and the provision of opportunities for our young people to learn under improved conditions, productive trades and skills upon which the prosperity and future of Hong Kong lie.

MR TIEN:—Sir, I rise in support of the Apprenticeship Bill 1975 introduced earlier by my honourable Friend, the Commissioner for Labour.

For all who have contributed to the formulation of the bill, either in the Hong Kong Training Council or in the Industrial Training Advisory Committee before it, this must be a gratifying moment. For me personally, to have the honour of being the Chairman of the Training Council at the time when this industrially and socially important bill comes before this Council, this is indeed a memorable occasion.

In my speech in this Chamber in October 1975, I said that our livelihood as a community depends to a very great extent on the ability of our industries to remain competitive. For this reason, legislation which would assist to ensure that our increasingly sophisticated industries would have an adequate supply of highly-trained skilled manpower was not only desirable but essential. The absence of adverse comments on the bill from any major industrial associations since its publication on 14th November 1975 is an affirmation that both industry and the community generally regard this bill as timely and essential.

The sense of gratification I mentioned earlier, Sir, stems therefore from the knowledge that at last we are on the way to having the necessary legal framework on which to base the training of our skilled manpower.

However, having expressed support for the bill and emphasized its importance to industry and the young people who make their career in it, I want to take this opportunity to remind Government that the lofty aims of the bill, should it become law, will only be achieved if it is effectively administered. In March 1968, the then Commissioner for Labour said that "Legislation is meaningless if it is not enforceable". I, on behalf of the Hong Kong Training Council and in company with

[MR TIEN]

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the industrial community generally, most sincerely hope that this important piece of legislation will not become meaningless because inadequate manpower is provided to administer it.

Finally, Sir, there is just one point of detail in the bill about which a great deal of misgivings have been recently expressed. The industrial training boards have made strong representations to the Training Council requesting the latter to do all that is possible to raise the upper age limit to under 19 years of age in the definition of a "young person" in clause 2 of the bill before the bill becomes law on the grounds that firstly, setting the upper age limit at "under 17" could effectively defeat the purpose of the bill, that is, all that employers need to do to bypass the bill would be to employ only young people of 17 or over, and secondly, young people of under 17 may, as a result of the bill, find it difficult in the immediate future to obtain opportunities for training in designated trades.

The Training Council and I personally accept the recommendation of the training boards and I intend to move an appropriate amendment, at the committee stage, in my own personal capacity as well as on the Training Council's behalf, to the definition in clause 2 of a young person.

Sir, I support the motion before the Council.

MR PRICE:—Sir, I am grateful to my honourable Friends Dr CHUNG, Mr WU and Mr TIEN for their support for the Apprenticeship Bill.

In this Council on 7th January I mentioned that the Hong Kong Training Council would be meeting to decide which craft trades to recommend in the first instance for designation by Your Excellency under clause 45. In its deliberations on 13th January the Training Council was conscious of the need for this first group of craft trades to be equitably and logically chosen, digestible in size and commensurate with the staff available in the Labour Department to enforce the legislation. In other words, the Training Council, in slightly different terms, has taken account of the point made by my honourable Friend, Mr TIEN, of the need for this legislation to be adequately enforced.

The Training Council considered that it would be logical in the first instance to limit the first group of craft trades recommended for

designation to those which are common to more than one industry. Therefore, they have prepared a short list of such trades, taking into consideration the degree of skill and risks, the size and importance of the trade, and the availability of complementary technical education facilities.

Turning to the point made by my honourable Friend, Dr CHUNG, the Training Council decided that they would be in a position to make a firm recommendation regarding this first group of craft trades only when I am in a position to advise them on the number of additional posts which I hope to be able to obtain within the overall financial allocation for the Labour Department in the 1975-76 Estimates.

I assure my honourable Friend, Dr CHUNG, that in preparing this firm list of recommendations due consideration will be given to those trades in which it is known that apprentices are being exploited. I confirm that the Government has no intention of ignoring those craft trades in which exploitation is most likely. But everything cannot be tackled at once and a start must be made with a limited group, which may not, for practical reasons, include minor trades in which only few apprentices are employed.

I think that my honourable Friend, Dr CHUNG, is under some mis-apprehension regarding the intention behind clause 6(2)(b). It was not specifically drafted to provide a method whereby small factories could be exempted from the requirement to train apprentices. Rather it was felt desirable to include a general provision whereby an employer could be exempted from the legislation in circumstances in which there was good reason for his being unable to provide adequate training for an apprentice—the criterion is inability not unwillingness. Also, during the early days of this new legislation an inbuilt degree of flexibility is advantageous. In the light of practical experience it may well be that clause 6(2)(b) can be deleted at some later date.

Sir, I have already given an assurance in this Council that I shall consult the Hong Kong Training Council on the criteria for exemption on any of the grounds set out in clause 6(2). To that I add, as requested by my honourable Friend, another assurance to the effect that I shall not exercise my power under clause 6(2) to permit employers in small factories to provide sub-standard training for apprentices. Indeed, where sub-standard training is discovered I shall make use of clause 13 which empowers me to require an employer to provide adequate training for a designated apprentice within a specified period of time.

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Sir, in conclusion I support the amendment to be proposed by my honourable Friend, Mr TIEN, at the committee stage to raise to "under 19 years of age" the upper age limit in the definition of "young person" in clause 2. I, too, shall be introducing at the committee stage a few minor amendments mainly of a drafting nature.

Question put and agreed to.

Bill read the second time.

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

Committee stage of bills

Council went into Committee.

COMPANIES (AMENDMENT) BILL 1976

Clauses 1 to 4 were agreed to.

WILD ANIMALS PROTECTION BILL 1976

Clauses 1 to 23 and the First Schedule were agreed to.

Second Schedule

SECRETARY FOR THE ENVIRONMENT:—Sir, I move that the Second Schedule of the bill be amended as set out in the paper before honourable Members. The reason for this amendment is to correct certain classification details and spelling mistakes and to rectify an inadvertent omission from the bill.

Proposed amendments

Second That the Second Schedule be amended—
Schedule

(a) by deleting "Deer." and substituting the following—

"Reeves' Muntjac or Barking Deer.";

- (b) by inserting after the item "*Vulpes vulpes*—Common Red Fox." the following new item—
 "*Felis bengalensis*—Leopard Cat."; and
- (c) by deleting "Dolphins." and substituting the following—
 "Dolphins and porpoises.".

The amendments were agreed to.

Second Schedule, as amended, was agreed to.

Third to Eighth Schedules were agreed to.

Council then resumed.

Third reading of bills

THE ATTORNEY GENERAL reported that the

Companies (Amendment) Bill

had passed through Committee without amendment and that the

Wild Animals Protection Bill

had passed through Committee with amendment and moved the third reading of each of the bills.

Question put on each bill and agreed to.

Bills read the third time and passed.

Adjournment

Motion made and question proposed. That this Council do now adjourn— THE COLONIAL SECRETARY.

3.35 p.m.

Metrication

DR CHUNG:—Your Excellency, during the past hundred years there have been two major or basic systems of weights and measures in the world. They are the imperial and metric systems. Between them, the metric system is of recent origin and did not come into more common

[DR CHUNG] Metrication

use until the 19th century. Even then, the application was confined mostly to continental Europe.

The 20th century, however, has been a period of rapid growth of world usage of the metric system, to the extent that by 1967, 85% of the world's population were living in countries which made the metric system their primary system of weights and measures.

On March 14, 1968, in a speech made in this Council on metrication, I said, *inter alia*:

"At present, Australia, Canada, New Zealand and the USA are the only most important countries that have still not decided to make the change-over (to the metric system). But the movement in favour of the change is gathering momentum. I believe that we can no longer ignore this wind of change in the two major world systems, and suggest that Government promptly consider the establishment of a Standing Joint Committee on Metrication in Hong Kong with the terms of reference similar to those of the Committee in the United Kingdom."

Shortly after that speech was delivered, Australia, Canada and New Zealand decided to go metric.

As a result of this debate in 1968 and a subsequent question by Mr H. J. C. BROWNE in 1969, the Government appointed a Metrication Committee in May 1970. The terms of reference were, briefly, to consider the implications for Hong Kong of the increasing world-wide use of the metric system and to advise Government whether or not there was a need for the change to the metric system and, if so, on the timing, method and procedure for the change. The committee in turn set up eight specialized sub-committees which, taken together, covered practically all relevant sectors of the economy in Hong Kong.

Early in 1971, the Metrication Committee recommended, among other things, that Government should take a firm decision in principle and publicly declare its intent to go metric in the fields for which it is directly responsible, for example, education, public works, Government purchasing, and statutory requirements such as those connected with health and safety.

In announcing the acceptance of these recommendations by the honourable Colonial Secretary in May 1971, the Government made two qualifications. The first is that acceptance of the committee's recommendations

does not mean that Hong Kong is necessarily committed to metrication across the board, or to implement the change simultaneously in all sectors. Secondly, Government has no intention of seeking compulsory powers to enforce the exclusive use of metric units in the private sector. This is fair enough.

In its final report submitted in December 1971, the Metrication Committee further recommended the establishment of a Metrication Board with a full-time secretariat and financed by Government to guide, stimulate and co-ordinate the process of metrication in Hong Kong so as to facilitate a swift, smooth and efficient conversion. It was the view of the committee that once the decision to go metric was taken, the earlier the change-over was made, the lower would be the cost of change. A good case in point is the metrication of traffic signs. Regrettably, the Government has shelved the recommendation for four years and apparently is still not prepared to make a decision on it. During this period there has been a very substantial increase in cost. In the meantime, organizations in both the public and private sectors in Hong Kong are separately promoting metrication without overall planning or co-ordination, thus leading to duplication and wastage of money and effort. This situation in my view is very unsatisfactory.

It was said by my honourable Friend, Mr McDONALD, in November last year that because of recession it would not be the best or the most prudent time to encourage metrication in Hong Kong. However, I would mention that, Sir, the final report of the Metrication Committee was submitted in December 1971 and the economic recession did not begin to hit us until the end of 1974.

Sir, I believe that another main reason for the indecisive attitude of the Government was the hesitation of the USA in making up its mind on metrication. Despite the many extensive and positive studies as well as heavy pressures from both within and outside America, the proposal for metrication in the USA was turned down by the House of Representatives in 1972. During the past few years many people have often been wondering how much longer could the US Government isolate itself and ignore the world trend towards metrication.

At last, the American Administration realized the inevitable and reversed its 1972 decision. After passing the Metric Conversion Act in September last year by the House of Representatives, President Ford put the final touch by giving his assent to this Act on 23rd December 1975. Today, only five countries, totalling 39 million people have not expressed intention to metricate. In other words, one can say that 99

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percent of the world's 3,900 million population have gone or are going metric. With the increasing use of the International System of Units, generally known as SI units, the dream of world standardization on weights and measures will soon come true and a great deal of inefficiency and wastage resulting from the parallel use of two major systems can ultimately be eliminated. This is particularly true and beneficial to Hong Kong's export-oriented manufacturing industries.

With the US Government's decision to metricate, the last major obstacle to world metrication has gone. At the same time, the economy in Hong Kong is beginning to recover. In my view, Sir, it is now most timely for the Government to accept and implement the final recommendation of the Metrication Committee, with which I have been associated, so that Hong Kong can go ahead with full steam on metrication with minimum delay and maximum efficiency.

MR JAMES WU:—Your Excellency in May 1970, Government set up the Metrication Committee with my senior colleague Dr the honourable S. Y. CHUNG as Chairman. The committee submitted its fourth and final report in December 1971, recommending among other measures, that Government should take immediate steps to set up a Metrication Board with a full-time Metrication Secretariat for the careful planning and co-ordination for metrication to be carried out smoothly, efficiently and with minimum cost and inconvenience.

On 19th November 1975, I asked a question in this Council regarding the progress of metrication and my honourable Friend the Director of Public Works gave a 4-page reply, in which he advised on the progress made towards metrication, particularly in his department, but expressed Government's reluctance to expedite because of the economic climate and financial stringency.

On 9th January 1976, at the opening of the Metrication Exhibition jointly sponsored by the Federation of Hong Kong Industries and the Hong Kong Polytechnic, Dr CHUNG and I spoke urging Government to proceed forthwith with the recommendations of the Metrication Committee, financial stringency notwithstanding. It was pointed out that with China having gone metric for several decades and the United States House of Representatives passing the Metric Conversion Act in September and President Ford giving his assent on the 23rd December 1975, more than 99% of Hong Kong's buyers and suppliers have gone or are going metric. Indeed, there would be so much to be gained, and

a lot that could be saved if the conversion was to be carried out soonest possible, with of course careful planning, organization and co-ordination which would be best achieved by a Metrication Board with a full-time Secretariat, as was recommended.

That Dr CHUNG should have initiated this adjournment debate so soon and for me to give him support, should demonstrate, I hope, the urgency and increased vigour with which we in the industrial and commercial sector would like to see metrication promoted for the benefit of all.

As to the statement by my honourable Friend the Director of Public Works, I would draw attention to the following passage from the First Report of the British Metrication Board—Going Metric: The First 5 Years 1965-69 (Her Majesty's Stationary Office 1970):

"The decision to change to the metric system involves not simply the question of weighing the costs against the benefits and deciding that the latter exceeded the former (although that was the conclusion both of industry and Government). The more significant question is whether the nation truly had an option to stay imperial without suffering serious disadvantages and incurring substantial costs simply as a consequence of resisting change. The answer is clear. The cost of staying imperial in a world which, in this respect, would have left us far behind, are potentially vast, increasing and persisting: British industry would be less efficient; a competitive edge would be lost; and there would be repercussions on the standard of living."

Sir, I submit that what applies in the United Kingdom applies in Hong Kong in this particular circumstance.

Sir, as I have said in the Metrication Exhibition, we should take the opportunity of going metric to effect rationalization of the size and quality ranges of our products, thereby eliminating the superfluous varieties and unwanted types, and in the process lengthen production runs, cut down the amount of work in progress and inventories, simplify the system and reduce unit costs generally. Whilst there would have to be some initial expenses for the change, these would be far outweighed by subsequent benefits, and would be lowest if done early and at a time of reduced economic activity to beat unavoidable inflation. I agreed that the speed we could proceed with metrication was to some extent dictated by the demand in our markets but with the United States of America now decided to go full steam ahead, the last reservation should have been removed.

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It has been estimated that the Americans would take three to five years from now to complete the change. In a survey by the Federation of Hong Kong Industries, Hong Kong manufacturers, many of whom have been using parallel systems, said that it would take from one to three years for a complete change. If the usual pace in Government is any guidance, perhaps it is not too much to ask my honourable Friend the Financial Secretary to appropriate the meagre sum of less than one million dollars in the forthcoming budget so that at the very least the Metrication Board and the Secretariat could be set up and get on with this job of such importance to our commerce, industry and daily life.

3.50 p.m.

MR McDONALD:—Sir, over the years my honourable Friends Dr CHUNG and Mr WU have urged the case for metrication with considerable persuasion and Dr CHUNG led the Metrication Committee with great skill and authority. More recently, they again put the case for metrication very convincingly at the opening of the Metrication Exhibition sponsored by the Hong Kong Polytechnic and the Federation of Hong Kong Industries.

My honourable Friends have referred to the last occasion on which metrication was discussed in this Council when, in reply to a question from Mr WU, I outlined the work already carried out by the Government in this field and indicated the way we intended to proceed. I pointed out that in the Public Works Department the programme for metrication was being adhered to and the target dates being met. The Royal Observatory and the Polytechnic are using metric measurement exclusively and the system has been introduced extensively in the curricula of schools throughout Hong Kong. In addition, the Transport Department now uses the metric system in all legislation. The draft Motor Vehicle Construction and Use Regulations, for example, which are at present being prepared, will use metric terms alongside imperial measurements. The department has also prepared plans for changing road signs to metric. Finally, I announced that legislation to provide for further moves towards metrication had been drafted and would be introduced as soon as a number of organizational matters had been settled.

This legislation will take the form of a short bill which will seek to empower Your Excellency, by order published in the *Gazette*, to provide for the use of metric units, either alongside or in place of imperial

units, as well as to empower the use of the equivalent metric units in all existing legislation in which imperial or Chinese units have been laid down.

Honourable Members will be pleased to know that the organizational matters to which I referred are now largely settled and we hope to be able to introduce this legislation very shortly. However, as my honourable Friend Dr CHUNG has recognized, it remains the policy of the Government that there should be no compulsion on the private sector to adopt metric measurements although steps will naturally be taken to encourage their use.

One of the principal recommendations of the Metrication Committee was the establishment of a Metrication Board, supported by a full time secretariat. At this point I must say frankly that the Government does have some reservations as to whether this is the most suitable way of organizing further moves towards metrication. Our present view, although it has yet to be finally settled and clearly we must consult those outside Government who have an interest, is that a non-statutory advisory body should be set up with the task of guiding and facilitating the adoption of the International System of Units throughout all sectors of the community. Clearly it will take a little time before the composition and terms of reference of this body can be settled. In the meantime, a metrication officer is to be appointed to the Economic Services Branch of the Colonial Secretariat who will be responsible through the Secretary for Economic Services for the introduction of metrication throughout Government and for advising the private sector on metrication matters generally. It is the Government's intention that the Metrication Officer with a small staff will form the nucleus of the team which will service and support the non-statutory body to which I have referred.

Sir, for various reasons Government has not been able to press ahead as quickly as had been hoped when the Metrication Committee submitted its final report, but I trust that I have said sufficient today to show that a considerable amount has already been done in areas under direct Government control and that the Government is resolved to move ahead in encouraging the wider adoption of metrication in the community as a whole.

Question put and agreed to.

Next sitting

HIS EXCELLENCY THE PRESIDENT:—In accordance with Standing Orders, I now adjourn the Council until 2.30 p.m. on Wednesday the 11th of February.

Adjourned accordingly at five minutes to four o'clock.