

**OFFICIAL REPORT OF PROCEEDINGS****Wednesday, 19th January 1977****The Council met at half past two o'clock****PRESENT**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)  
SIR CRAWFORD MURRAY MACLEHOSE, GBE, KCMG, KCVO  
THE HONOURABLE THE CHIEF SECRETARY (*Acting*)  
MR DENIS CAMPBELL BRAY, CMG, CVO, JP  
THE HONOURABLE THE FINANCIAL SECRETARY  
MR CHARLES PHILIP HADDON-CAVE, CMG, JP  
THE HONOURABLE THE ATTORNEY GENERAL  
MR JOHN WILLIAM DIXON HOBLEY, CMG, QC, JP  
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, CBE, TD, JP  
COMMISSIONER FOR LABOUR  
THE HONOURABLE DAVID GREGORY JEAFFRESON, JP  
SECRETARY FOR ECONOMIC SERVICES  
THE HONOURABLE ALAN JAMES SCOTT, JP  
SECRETARY FOR THE CIVIL SERVICE  
THE HONOURABLE EDWARD HEWITT NICHOLS, OBE, JP  
DIRECTOR OF AGRICULTURE AND FISHERIES  
THE HONOURABLE THOMAS LEE CHUN-YON, JP  
DIRECTOR OF SOCIAL WELFARE  
THE HONOURABLE DEREK JOHN CLAREMONT JONES, JP  
SECRETARY FOR THE ENVIRONMENT  
DR THE HONOURABLE THONG KAH-LEONG, JP  
DIRECTOR OF MEDICAL AND HEALTH SERVICES  
THE HONOURABLE DAVID RAYMOND BOY, JP  
SOLICITOR GENERAL (*Acting*)  
DR THE HONOURABLE CHUNG SZE-YUEN, CBE, JP  
THE HONOURABLE LEE QUO-WEI, CBE, JP  
THE HONOURABLE OSWALD VICTOR CHEUNG, CBE, QC, JP  
THE HONOURABLE ROGERIO HYNDMAN LOBO, OBE, JP  
THE HONOURABLE PETER GORDON WILLIAMS, OBE, JP  
THE HONOURABLE JAMES WU MAN-HON, OBE, JP

THE HONOURABLE LI FOOK-WO, OBE, JP  
 THE HONOURABLE JOHN HENRY BREMRIDGE, OBE, JP  
 THE HONOURABLE MRS KWAN KO SIU-WAH, OBE, JP  
 THE HONOURABLE LO TAK-SHING, OBE, JP  
 THE HONOURABLE FRANCIS YUAN-HAO TIEN, OBE, JP  
 THE HONOURABLE ALEX WU SHU-CHIH, OBE, JP  
 THE REV THE HONOURABLE JOYCE MARY BENNETT, JP  
 THE HONOURABLE CHEN SHOU-LUM, JP  
 THE HONOURABLE MISS LYDIA DUNN, JP  
 DR THE HONOURABLE HENRY HU HUNG-LICK, OBE, JP  
 THE HONOURABLE LEUNG TAT-SHING, JP  
 THE REV THE HONOURABLE PATRICK TERENCE MCGOVERN, SJ, JP  
 THE HONOURABLE PETER C. WONG, JP  
 THE HONOURABLE WONG LAM, JP

### ABSENT

THE HONOURABLE HILTON CHEONG-LEEN, OBE, JP  
 DR THE HONOURABLE HARRY FANG SIN-YANG, OBE, JP

### IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL  
 MRS LOLLY TSE CHIU YUEN-CHU

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### Papers

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

<i>Subject</i>	<i>LN No</i>
Subsidiary Legislation:—	
Motor Vehicles Insurance (Third Party Risks) Ordinance.	
Motor Vehicles Insurance (Third Party Risks) (Amendment) Regulations 1977 .....	1
Port Control (Cargo Working Areas) Ordinance.	
Port Control (Cargo Working Areas) (Amendment) Regulations 1977 .....	2
Port Control (Cargo Working Areas) Ordinance.	
Port Control (Excluded Water-front) Order 1977 .....	4

<i>Subject</i>	<i>LN No</i>
Port Control (Cargo Working Areas) Ordinance. Port Control (Public Cargo Working Area) Order 1977 .....	5
Port Control (Cargo Working Areas) Ordinance. Port Control (Public Water-front) Order 1977 .....	6
Road Traffic Ordinance. Road Traffic (Public Omnibus, Public Light Bus and Public Car) (Amendment) Regulations 1976 (Commencement) Notice 1977 .....	7
Immigration Ordinance. Immigration (Amendment) Regulations 1977 .....	8
Evidence Ordinance. Evidence (Authorized Persons) Order 1977 .....	9
Public Health and Urban Services Ordinance. Public Health and Urban Services (Public Pleasure Grounds) (Amendment of Fourth Schedule) Order 1977 .....	10
Supreme Court Ordinance. Rules of the Supreme Court (Amendment) Rules 1977	11
Hong Kong and Yaumati Ferry Company (Services) Ordinance. Hong Kong and Yaumati Ferry (Freight Charges) Notification 1977 .....	12
Public Health and Urban Services Ordinance. Hawker (Permitted Place) Declaration 1/1977 .....	13
Inland Revenue Ordinance. Inland Revenue Ordinance (Amendment of Fourth Schedule) Notice 1977 .....	15
Sessional Paper 1976-77: No 29—Urban Council Estimates of Revenue and Expenditure for the year ended 31st March 1978 (published on 19.1.77).	

**Oral answers to questions****Hansard—sale prices**

1. MR LO asked:—

Sir, does Government consider that the present sale prices for the Official Report of this Council's Proceedings are pitched to discourage or encourage the interest of members of the public in such Reports?

THE CHIEF SECRETARY:—Neither, Sir. The price is set to cover the cost of copies sold.

MR LO :—Sir, how many copies are sold?

THE CHIEF SECRETARY:—On the average, about five. (*laughter*)

MR LO —Sir, in that event, is the purpose at which the price is set successfully achieved?

THE CHIEF SECRETARY:—Yes, Sir. Fortunately, more than five copies are produced. Some fifty six copies are distributed free but the market is not required to bear the cost of those.

MR CHEUNG:—Has Government embarked on any promotional exercise in respect of this publication?

THE CHIEF SECRETARY:—Sir, statistical study of a market of this size presents certain difficulties and we have not yet got to grips with it.

DR CHUNG:—Sir, is Government aware of the principles of marketing which is that the higher the price one sets the less copies will be sold, as a result no copies will be sold?

THE CHIEF SECRETARY:—Sir, I think that the question of the sale price is unlikely to have an effect on this market and the real reason, of course, is that the proceedings of this Council are freely made available over the air, every word we say are broadcast in English and Chinese and through the media.

MR LO —Is this availability through the air and other media as accurate as the official proceedings and can take their place?

THE CHIEF SECRETARY:—Sir, the proceedings are broadcast live in the language used by the speaker and they are accurate.

**Public Works Department**

2. MISS DUNN asked:—

Sir, as no fewer than nineteen paragraphs of the Director of Audit's Annual Report on the Government's Accounts for 1975-76 are devoted to Heads of Expenditure relating to the Public Works Department, is Government satisfied that existing regulations and procedures are adequate to ensure the efficient expenditure of public funds?

THE FINANCIAL SECRETARY:—Sir, it is the Government's objective to ensure that public funds are used effectively and efficiently. Regulations and procedures designed to help in achieving this objective can never be perfectly drafted, let alone invariably obeyed. But I think we do learn from experience and I think we make improvements whenever we can. In this context, the report of the Director of Audit on the annual accounts is invaluable. He comments—and publicly—over a much wider range of subjects than does a commercial auditor and in recent years he has placed more and more emphasis on the value for money aspects.

With respect, Sir, to Miss DUNN, I do not think any inference can be drawn from the fact that the Director of Audit's Annual Report for 1975-76 devotes 19 paragraphs to Heads of Expenditure relating to the Public Works Department. After all there were 12 such Heads, out of a total of 69, accounting for over 28% of total expenditure in 1975-76. And, in fairness, there is another point to be made: not all of the decisions which attracted criticism in the relevant paragraphs of the Report were taken by the Director of Public Works himself or members of his staff.

MISS DUNN:—Sir, as the Financial Secretary has in effect said that Government draws the necessary lessons from its mistakes, could he explain what remedial action is in fact taken?

THE FINANCIAL SECRETARY:—Well, Sir, to begin with, the Finance Branch prepares reports on the Director of Audit's strictures and these are laid on the table under cover of Your Excellency's despatch to the Secretary of State. A check list is kept of remedial action to be taken by departments and the Secretariat. This check list is regularly updated, in fact every month. Questions are asked when progress on action to be taken is unsatisfactory. In those cases where it is possible that the same kind of mistake or mismanagement could recur existing regulations are examined and amended where necessary.

**Oral answers****Staggered Working Hours**

3. MR WONG LAM asked:—

Sir, will Government take steps to encourage the adoption of the staggered working hours system, both within and outside Government service, in order to alleviate the problems of traffic congestion and overcrowding of restaurants during peak hours and to enable people from all walks of life to make optimum use of leisure facilities especially during daylight hours?

THE CHIEF SECRETARY:—Sir, material is at present being assembled on this subject in order to seek the views of the Transport Advisory Committee. In principle the Government is prepared to consider any practical suggestions that emerge about the encouragement of staggering working hours, but it would of course stop short of coercion.

In the Civil Service there is a spread of normal working hours between 8.30 a.m. and 5.30 p.m. Shift work and overtime takes place outside these hours.

MR WONG LAM:—Sir, will Government encourage commercial organizations to stagger their working hours or publicize this idea?

THE CHIEF SECRETARY:—Sir, publicity would, I think, follow from the deliberations of the Transport Advisory Committee. Certainly, other commercial undertakings might feel able to spread their hours. But I doubt if there will be much latitude. We shall look at this again after we have heard the advice of the Transport Advisory Committee.

**Public Accounts Committee**

4. MR F. W. LI asked:—

Sir, has Government formed any definite plans yet to establish a Public Accounts Committee with the task of ensuring that the funds provided by this Council through the Appropriation Ordinance are spent in the way intended?

THE FINANCIAL SECRETARY:—No, Sir, no definite plans have yet been formulated, but considerable thought has been given to the possible terms of reference of a Public Accounts Committee and the

practice elsewhere has been researched during recent months by the Director of Audit.

I envisage that such a Committee would be a Committee of this Council, with the Director of Audit, the Deputy Financial Secretary, and the Director of Accounting Services in attendance. We have not yet worked out how such a Committee might fit into our existing constitutional arrangements, but the aim would be to complete the process of this Council's control over the use of public funds which begins with the passing of the Appropriation Ordinance. This would be done by, first, examining the accounts of the Government and possibly those of other organizations financed wholly or partly from public funds. And this will be done, secondly, by enquiring into matters raised by the Director of Audit in his reports to the Government on the accounts and, of course, these reports are laid before this Council. The Committee would then report its endeavours to this Council.

MR F. W. LI:—Sir, when does Government expect to formulate a definite plan on this particular subject?

THE FINANCIAL SECRETARY:—A recommendation will be put to Executive Council, Sir, if and when we have defined our ideas as to how a Public Accounts Committee might fit into existing constitutional arrangements.

### **Criminals—photographs of**

5. DR CHUNG asked:—

Sir, (a) will Government explain why criminals caught in the act or already sentenced are permitted to cover their faces when facing reporters and TV cameras, and

(b) does Government realize that by exposing the faces of these criminals to the public it will greatly enhance the deterrent element in the prevention of crime?

SOLICITOR GENERAL:—Sir, if a prisoner wishes to cover his face there is in reality little that can properly or practicably be done to prevent him from doing so. Any physical action on the part of the Police or Prisons Officers to restrain a prisoner's efforts to cover his face or in some other way to hide his face, would technically constitute an assault. It would also, if I may say so, Sir, be likely to constitute an ugly spectacle, and this is an aspect to which Prison Rule 20 is well directed. This rule provides that—

[SOLICITOR GENERAL] **Oral answers**

"When prisoners are being moved to or from prison, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult or curiosity."

As regards the second part of the question, Sir, whilst it is undoubtedly true that the certainty of detection and the public shame involved in arrest and prosecution are the greatest deterrents to crime, it is difficult to believe that the further exposure involved in preventing a criminal from covering his face would add significantly to the deterrent element.

DR CHUNG:—Sir, I am sorry for not making my question very clear to the Solicitor General. Will the answer from Government be different if my question be rephrased in a more concise manner as follows:— Will Government explain why criminals caught in the act or already sentenced are permitted to cover their heads with very well made paper hoods? Repeat "very well made paper hoods" when facing press and television cameras and where are these hoods coming from?

SOLICITOR GENERAL:—Sir, the Police use paper hoods to cover the faces of criminals where there is a need in the proper investigation of a case to preserve for the time being the identity of suspects. This is done with the suspect's consent. The reason for this is so as not to jeopardize the outcome of proper identification parades subsequently held. But other than in those circumstances, I am not aware that the Police provide hoods for criminals.

DR CHUNG:—Sir, my question did say "criminals caught in the act or already sentenced". Only a few days ago when a couple of criminals were caught in the act and they were allowed to cover their heads with very well made hoods. Sir, I wonder whether the Solicitor General can really understand my question in the beginning.

SOLICITOR GENERAL:—Sir, a prisoner caught in the act could be asked by the Police to cover his face because he may be a suspect in other cases where an identification parade could be necessary.

DR CHUNG:—Sir, how about the second part "already sentenced" while leaving out from the court into the prison car?

SOLICITOR GENERAL:—I can think of no reason why the Police would want to cover the head of a prisoner already sentenced.

DR CHUNG:—I will produce to my Friend some photographs in the press. I have another supplementary, Sir, will Government consider to change Rule 20 in the light of changed conditions in Hong Kong?

SOLICITOR GENERAL:—My answer to that is "yes", Sir. But I would not like my answer to be taken as indicating that after consideration a change will necessarily be made.

DR CHUNG:—Thank you.

MR LO —Sir, I would like to clarify, if I may. Is the Solicitor General saying that only in two general circumstances is the prisoner's face covered, namely, (i) where there is difficulty in establishing his identity, and (ii) at his own volition and on his own wishes.

SOLICITOR GENERAL:—Generally speaking, that is so, **Sir**.

### **Gas Poisoning**

6. MISS KO asked:—

Sir, what measures will Government take to reduce the danger of gas poisoning which has recently caused several deaths?

SECRETARY FOR THE ENVIRONMENT:—Sir, it is my understanding that deaths of the sort referred to by Miss Ko are not caused by gas poisoning as such, but by suffocation from lack of oxygen caused by poor ventilation, together with an accumulation of carbon monoxide due to faulty maintenance of the gas heating appliance. As this happens in the privacy of peoples' homes it is a difficult problem to combat. The Government is, however, examining the circumstances surrounding these deaths to see if anything can be done to reduce the chances of similar occurrences in the future.

Meanwhile, the best advice that can be given to the public is to make sure, at all times when gas heaters are turned on, that there is some form of ventilation in the room, such as a window or an open door or the fitting of a door loop; and also to ensure that all gas appliances are properly maintained.

**Oral answers****Air Pollution**

7. MR LOBO asked:—

Sir, how many prosecutions have been brought under regulation 106 of the Road Traffic (Construction and Use) Regulations during the past 12 months and under item 12 of the Schedule to the Fixed Penalty (Criminal Proceedings) Ordinance since 1.11.76?

THE ATTORNEY GENERAL:—Sir, 297 summonses in respect of alleged offences against regulation 106 were issued during 1976.

Since 1 November, when the Fixed Penalty (Criminal Proceedings) Ordinance came into force, 226 fixed penalty notices have been issued under section 3(1) of the ordinance.

**Air Pollution—Health Hazard**

8. MR LOBO asked:—

Sir, is Government satisfied that everything possible is being done under the law to reduce to a minimum the pollution and consequential health hazard caused by vehicles emitting excessive smoke?

SECRETARY FOR THE ENVIRONMENT:—Sir, given the present state of the law, the short answer is yes. Vehicles reported to be emitting excessive smoke are required to be presented for inspection and their owners are then called upon to rectify any mechanical faults. The owners are also liable to prosecution under the road traffic regulations. During the past year some 3,000 vehicles were reported and inspected for this cause, and the Attorney General has just answered a question about criminal proceedings during 1976.

The question of what constitutes excessive smoke has, however, hitherto been a matter of subjective judgment and this can cause difficulties in some cases. For this reason, the Government is now proposing to seek amendment to the regulations so as to lay down exact exhaust emission standards and to test these by means of smokemeters, which can be used on the spot. Both the Police and the Transport Department are being issued with these instruments and their use will make it much easier to enforce the regulations.

I should add that every vehicle called in for inspection, for whatever reason, is also checked for excessive smoke and, where necessary, remedial work is required to be done. Furthermore, all new vehicles imported into Hong Kong are now required by law to meet the high standards of exhaust emission which have been adopted in the European Economic Community.

Finally, with the assistance of the Advisory Committee on Environmental Pollution, the Government will very shortly be mounting a publicity campaign to persuade motorists to keep their vehicles properly maintained and thus to reduce exhaust smoke. The campaign will be accompanied by stepped up efforts rigorously to enforce the law against this nuisance.

MR LOBO:—Sir, may I know if the campaign will also include the large number of Government vehicles and, in particular, police motor cycles which have been seen to emit quite a lot of smoke?

SECRETARY FOR THE ENVIRONMENT:—Sir, I do admit that there are a number of two-stroke motor cycles which were bought by the Government a few years ago and largely used by the police, which no matter what efforts have been made in maintenance, do emit excessive smoke. However, these motor cycles are being replaced and there is financial provision for the replacement of half of them during this financial year and the other half in the course 1977-78.

MR LO —Meanwhile, Sir, Government continue to break the law (*laughter*). Is that true?

SECRETARY FOR THE ENVIRONMENT:—Sir, technically yes. But we are taking steps to avoid doing so in the future.

DR CHUNG:—Will Government ensure that these motor cycles will not be resold in Hong Kong and should be exported to other countries? (*laughter*)

SECRETARY FOR THE ENVIRONMENT:—Yes, Sir. (*laughter*)

### **Exports to France**

9. MR TIEN asked:—

Sir, what effect would the recent action by the French Government, in freeing some products from import restrictions, have on Hong Kong's exports to France?

**Oral answers**

DIRECTOR OF COMMERCE AND INDUSTRY:—Sir, the Government naturally welcomes this gesture by the French Government—the announcement of the liberalization of certain imports from Hong Kong.

The list covered four textile items and four non-textile items.

The non-textile items were batteries, torches, binoculars and cine cameras. Members will recall that these are the four items whose *de facto* liberalization was announced by the former Minister of Foreign Trade, M. Segard, on the conclusion of Sir Y. K. KAN's visit to Paris as Chairman of the Trade Development Council in September 1975. Though there has been no quantitative limit on the issue of import licences since then, the requirement for such licences may have inhibited the development of trade, and its elimination is welcome.

The liberalization now announced in respect of these items thus formalises and completes the action taken in September 1975.

There are four textile items—ribbons, shawls, scarves and such like, gloves and household linen.

Ribbons, and shawls and scarves of cotton, wool or man-made fibres were liberalized when the Hong Kong/EEC Textiles Agreement came into effect on 18 July 1975 so it appears that the new liberalization in practice affects these products only when they are made of other fabrics such as silk or linen.

Plastic coated, synthetic fibre and cotton gloves and household linen of cotton, wool or man-made fibres are all restricted under the HK/EEC Textiles Agreement—and this Agreement of course remains in force, so it would appear that the liberalization in practice affects only gloves and household linen of other fibres.

The textile items now liberalized were until the end of 1976 subject to French import quotas but these quotas were not fully used, and our world-wide exports of these items are quite small. It remains to be seen what use our exporters will make of these measures of liberalization.

Naturally we hope for some increase of trade, even though it may not be large.

**Recreational spots—security**

10. MR ALEX WU asked:—

Sir, what protection does Government provide to holiday makers against robberies in remote recreational spots?

SECRETARY FOR SECURITY:—Sir, the Police provide protection against robbery in recreational areas by the same means that protection is provided in other parts of Hong Kong. The most important means is by Police patrols on foot and in vehicles. Police dogs are also used. The frequency of such patrols depends on the degree of use of the area concerned and patrols are increased at weekends and on public holidays. We do need to be careful, though, not to dilute the Police presence in urban areas.

The Police are on the lookout to improve the effectiveness of their patrol presence in popular rural areas. For instance, a Rural Police Unit was formed recently for experimental purposes on Hong Kong Island. These officers patrol throughout the recreational areas on the Island and also in the New Territories, not limiting themselves to the areas easily accessible by road. In addition some helicopter surveillance is provided.

MR ALEX WU:—Sir, are increased patrols at week ends and public holidays to be sustained? And is there sufficient manpower to maintain the Rural Police Unit as a regular feature?

SECRETARY FOR SECURITY:—The answer to both questions is "Yes", Sir.

**9 years of primary and secondary education**

11. MR CHEN asked:—

Sir, will Government make a statement on the progress achieved up to now in providing 9 years of primary and secondary education for all children?

DIRECTOR OF EDUCATION:—Sir, in his Budget speech last February the Financial Secretary announced that there would be further increases in the number of Form I places in the public sector to enable all Primary 6 leavers in 1978 to proceed to secondary school. These children will then be able to follow a three-year secondary course. In other words the provision of nine years education for all will have been achieved.

[DIRECTOR OF EDUCATION] **Oral answers**

Sufficient secondary school places to meet this objective will be made available through the building of new schools, the operation of floating classes and extended day time-tables in Government and Aided schools, the conversion of a number of under-utilized Government primary schools into secondary schools and the buying of additional places in private schools. This programme has already been outlined in a paper submitted to Finance Committee in October, 1976. A feature of the paper was a fuller building programme than had been previously planned with the majority of the new schools to be built in the new developing centres of population.

The expansion of public sector places is proceeding satisfactorily. In September 1976, 6,800 additional Form I places were provided. This enabled the pull-through rate in the Secondary School Entrance Examination allocation to rise from 51% in 1975 to 65% in 1976.

It is now planned to provide a further 11,000 Form I places in the public sector in September 1977. Of these, 2,000 will be in existing and new Government and Aided schools, 3,000 in the secondary schools becoming available from the conversion of primary schools, 3,000 from floating classes and extended day operation in Government and Aided schools, and a further 3,000 bought places in private schools. This will mean that some 75% of those sitting the S.S.E.E. will be allocated a Form I place in 1977.

I am, therefore, able to assure Mr CHEN that the Government will attain the objective of making a 3-year secondary education available for all completing their primary education by 1978.

MR CHEN:—Sir, does it mean that the building programmes submitted in October 1976 would be able to provide all the junior secondary places by 1979?

DIRECTOR OF EDUCATION:—I take it that Mr CHEN meant 1978. The fuller programme enables us to phase out those places in private schools which are of a minimum acceptable standard.

REV JOYCE BENNETT:—Sir, when will aided schools be informed of whether or not they will be asked to float classes in September 1977 so that they may make adequate preparations for this expansion?

DIRECTOR OF EDUCATION:—Sir, I shall give Miss BENNETT a written answer on that question which is one of some technicality.

REV JOYCE BENNETT:—May I ask a second supplementary concerning what progress has been made in providing suitable textbooks for those children whose academic attainment would previously have excluded them from secondary schools? I am thinking especially of the 10% slow learners, and those who are almost in that category, so that they may indeed be able to follow the three-year secondary course to which you referred.

DIRECTOR OF EDUCATION:—Sir, the slow learners are basically taken care of under the rehabilitation programme which is entirely a separate matter. Our efforts in the area of textbooks are continuous. Over time, we are, I hope, beginning to build up a better repertoire of textbooks, but I am unable to guarantee at this moment that there will be a dramatic shift at one particular moment, so to speak, overnight. I think progress in textbooks must be by steps.

REV JOYCE BENNETT:—Sir, do I understand from that that the Education Department is no longer concerned with slow learners?

DIRECTOR OF EDUCATION:—No, Sir.

### Robberies

12. MR JAMES WU asked:—

Sir, (a) is it true that, as reported in the newspapers, 18 robberies were carried out against a chain of cakeshops within a period of 15 months, including 8 robberies of one particular cakeshop?

(b) if so, what steps have Government taken to prevent similar occurrence?

SECRETARY FOR SECURITY:—Sir, unhappily yes, Sir. To be precise within the last 15 months the 7 cakeshops operated by Maria Bakery Ltd were robbed on 22 occasions. One of the shops was robbed 6 times during this period.

To minimize the chances of further robberies in this chain of cakeshops the Prevention of Crime Officer concerned has interviewed various members of the Company's staff on security procedures. On site inspections have been made of some of the premises and the Police have also investigated the cases in considerable depth and are continuing to do so. Unfortunately, to date no arrests have been made.

**Oral answers**

MR JAMES WU:—Sir, does the increase from 18 to 22 cases include the 3 cases that occurred last Sunday or Monday after I have sent in the question?

SECRETARY FOR SECURITY:—Yes, Sir.

MR JAMES WU:—Sir, what system of accountability and performance evaluation exist in the Police Department to help detection and prevention of these robberies?

SECRETARY FOR SECURITY:—Sir, I would need notice of that question in the general term in which it is asked before I could reply completely. I can, however, assure the honourable Member that this particular incident has been the subject of prolonged investigation. So far, as I have said, unhappily without success.

DR CHUNG:—Sir, is Government aware that the last three robberies were made or occurred on last Saturday evening *i.e.* 15th January within a short span of time of 25 minutes? And does Government realize that such successive robberies directed to one particular cake shop has a very adverse effect on the confidence of the public on the work of the Police?

SECRETARY FOR SECURITY:—Yes, Sir.

MR LO —Sir, I am really quite confused by this. During the investigation by the Police, were there no detectives in the cake shop or thereabout when these subsequent robberies took place?

SECRETARY FOR SECURITY:—Sir, the method adopted has been for one to three persons to enter a cake shop during a crowded time, usually threatening the staff with a knife. They required the money in the till to be handed over and disappeared thereafter in the crowded pavements. So far, enquiries have not elicited the identity of these persons.

**Paid maternity leave**

13. MR LEUNG asked:—

Sir, has Government any plans to introduce paid maternity leave for married women under Part III of the Employment Ordinance?

COMMISSIONER FOR LABOUR:—Sir, the Government has no plans to amend Part III of the Employment Ordinance relating to maternity protection for female employees.

MR LEUNG might be interested to know that International Labour Convention No 103 on maternity protection states, among other things, that in no case shall the employer be individually liable for the cost of maternity benefits due to women employed by him. However, this convention has been ratified by only seventeen countries, of which none are in Asia.

Should the Government decide to consider in future the problems relating to maternity allowances, it will have to take careful account of what would be in the best interests of the people of Hong Kong as well as the practices in Asian countries and the provisions of the relevant International Labour Conventions.

### Posting Boxes

14. MR WILLIAMS asked:—

- Sir, (a) is Government aware of the acute shortage of pillar posting boxes in Hong Kong generally and particularly in the heart of the Central District since the removal of the GPO from Pedder Street?
- (b) if so, will Government consider installing more boxes for the convenience of the general public?

SECRETARY FOR ECONOMIC SERVICES:—Sir, the answer to the first part of Mr WILLIAM's first question is that there are 235 pillar boxes on Hong Kong Island, 185 in Kowloon and 139 in New Territories. I understand the Postmaster General has received no complaints in recent years that the number is inadequate.

The answer to the second part of the first question is that in the heart of Central District there are 13 pillar boxes in the area of 0.16 of a square mile bounded by Queen's Road Central to the south, the waterfront in the north, Murray Road in the east and Gilman Street to the west. In addition, 20 office buildings are provided with mail chutes to which the general public has access; and there are 3 post offices at which letters can be posted. 36 posting points in this small area doesn't seem to me to constitute an "acute shortage".

[SECRETARY FOR ECONOMIC SERVICES]      **Oral answers**

I am particularly puzzled by the third part of the first question. The GPO building has been little more than moved from one side of Connaught Road to the other. Even so, two days after the old GPO building was closed, the Postmaster General put a pillar box a few yards away from it, on the other side of Pedder Street.

So in respect of the second question, I don't really think I have a case to answer. Perhaps the problem is that the pillar boxes are not conspicuous enough, a point I shall ask the Postmaster General to consider.

MR CHEUNG:—Sir, if Government won't consider installing more boxes for the convenience of the general public, will they consider it for augmenting Government revenue by inducing people to post letters (*laughter*) rather than sending them by messengers?

SECRETARY FOR ECONOMIC SERVICES:—Sir, if it were established that there were an inadequate number of post boxes to meet the convenience of the general public, then more post boxes would be provided.

REV JOYCE BENNETT:—Sir, may I ask how often the post boxes are emptied because I understood the problem was they were so full that letters could be removed from them?

SECRETARY FOR ECONOMIC SERVICES:—Sir, that is a rather different issue. I would be pleased to reply to my honourable Friend in writing.

### **Child Care Centres**

15. MISS KO asked:—

Sir, will Government state how many applications for registration of Child Care Centres have been received and how many have been granted since the Child Care Centres Ordinance came into operation on 1.6.76?

DIRECTOR OF SOCIAL WELFARE:—Sir, 138 centres have applied for registration under the Child Care Centres Ordinance. So far only two centres have been registered. By the end of this month, another five centres will have been registered. However, there are 76 centres which are making alterations to their premises in order to comply with the regulations and many of these centres are being assisted financially to

carry out these alterations. It is expected that by June this year, most if not all of the 212 centres now in operation will be able to comply with the requirements and be registered under the ordinance.

MISS KO:—Sir, what would be the major difficulties of these 76 centres in qualifying for their registration?

DIRECTOR OF SOCIAL WELFARE:—Sir, one major problem is to get the premises to comply with the requirements of the Fire Services Department and the Public Works Department. As I have said, many such centres are in the process of making necessary improvements. My department is liaising with the departments concerned to facilitate this process.

MISS BENNETT:—Sir, do some centres have problems in getting qualified staff?

DIRECTOR OF SOCIAL WELFARE:—Sir, some centres have this problem but the Child Care Centres Inspectorate of the Department is working closely with these centres to see in what way the qualification can be upgraded. In the meantime the Social Welfare Department is running in-service training courses for these people.

### **Cigarettes**

16. DR HU asked:—

Sir, has Government any plans to introduce legislation to prohibit the advertising of cigarettes and to make it mandatory for cigarette packets to carry a health hazard warning as in other parts of the world?

SECRETARY FOR SOCIAL SERVICES:—Sir, Government has carefully considered the research findings on several countries which impose restrictions on cigarette advertising and require health warning notices on cigarette packets. Though these findings differ in different countries, the general conclusion is that neither measure has any significant effect on cigarette consumption.

At the Third World Conference on Smoking and Health held in New York in June 1975, the majority of medical experts attending concluded that the health warnings on cigarette packets, the restrictions on advertising, the various anti-smoking campaigns and the steadily increasing tobacco tax in western countries seemed to have done little to inhibit smoking.

[SECRETARY FOR SOCIAL SERVICES] **Oral answers**

In the light of the experience gained elsewhere, Government has decided against any legislation to prohibit advertising of cigarettes or to require health warning notices on cigarette packets at the present time. However, Government recognizes the need to increase public awareness of smoking hazards and has accordingly decided to tackle the problem in three different ways. First, to educate the public, with particular reference to young people, as to the dangers of smoking. Second, to adopt persuasive measures to reduce smoking in public enclosed places and public transport. Third, to seek the co-operation of the cigarette industry in drawing up a voluntary code of advertising practice.

DR HU:—I just want to ask a supplementary, Sir. When will these three measures which are proposed by the Secretary for Social Services to be implemented?

SECRETARY FOR SOCIAL SERVICES:—They have already been implemented, Sir.

MR LO:—Sir, I can't resist in asking whether the prohibition in Standing Orders against smoking in this Council's proceedings part of Government's paternalistic measures to ascribe? (*laughter*)

MR CHEN:—Sir, since the tax has little or no effect on inhibiting smoking, would the Government consider increasing the tobacco tax to increase the revenue?

SECRETARY FOR SOCIAL SERVICES:—Sir, I think this is a question for the budget. (*laughter*)

### **Taxi Shortage**

17. MR PETER C. WONG:—

Sir, is Government aware that there is still an acute shortage of taxis at peak hours?

SECRETARY FOR THE ENVIRONMENT:—Yes, Sir. By definition there is a higher demand for all forms of public transport, including taxis, during peak hours. The problem is made worse in the evening peak by the unfortunate habit adopted by the taxi trade of changing shifts at about that time.

MR PETER C. WONG:—Sir, that being the case, would Government be prepared to persuade the taxi trade to change. What the Secretary for the Environment referred to as the "unfortunate habit of changing shifts at about that time"?

SECRETARY FOR THE ENVIRONMENT:—Sir, I understand that the Transport Department has been making considerable efforts to do this but unfortunately the trade which is rather fragmented has not responded so far.

### **Taxi Licences—Premium**

18. MR PETER C. WONG:—

Sir, is Government aware that the premium charged for transferring taxi licences has now reached \$180,000?

SECRETARY FOR THE ENVIRONMENT:—Sir, I assume that when Mr WONG refers to the premium charged he means the market price for the transfer of taxi licences. Although, when taxi licences are transferred, the contractual arrangements made between the parties concerned do not have to be reported, I understand that sums as high as \$180,000 have been involved in some cases.

MR PETER C. WONG:—Sir, would Government agree that the high premium paid for transferring taxi licences is something undesirable?

SECRETARY FOR THE ENVIRONMENT:—Yes, Sir.

MR CHEUNG:—Would Government reckon that the increase in the market price for the transfer of taxi licences is due to the lack of energetic measures to increase the number of taxi licences?

SECRETARY FOR THE ENVIRONMENT:—Sir, I have another question to answer on this. The Government is engaged at the moment on a campaign to increase taxi licences. So far 250 New Territories—taxi licences have been issued during the last year, steps are also being taken to convert the present 1300 public cars into taxis which will add about another 1/3 to the number of taxis. There are also other measures which I will be dealing with in the next question.

### **Taxi Licences—Increase in**

19. MR PETER C. WONG:—

Sir, would Government agree that it will be in the public interest to increase beyond 100 the number of taxi licences that it proposes to issue by tender from February 1977?

[SECRETARY FOR THE ENVIRONMENT] **Oral answers**

SECRETARY FOR THE ENVIRONMENT:—Sir, I think I should first point out that it is the Government's intention to call tenders for 100 additional taxi licences every month. If I am being asked whether it would be in the public interest to increase this monthly figure above 100, then the answer is no. All new taxis have to be inspected by the Transport Department before they can go on the road; and, thereafter, they are re-inspected every 12 months and their meters every six months. Given the demands now being placed on the Department's inspection facilities, it cannot at present handle more than 100 additional taxis per month.

MR CHEUNG:—Has Government any intention to ask for more resources for the hard pressed Transport Department?

SECRETARY FOR THE ENVIRONMENT:—Sir, more resources are being asked to set up three new vehicle inspection centres in addition to the existing three, but these resources cannot just be applied to taxis because there is now a serious shortage of inspection facilities for goods vehicles and for private cars in particular.

MR PETER C. WONG:—Sir, will the Secretary for the Environment be prepared to state at this stage where the new three centres will be situated?

SECRETARY FOR THE ENVIRONMENT:—Sir, I know that one of them will be on Hong Kong Island. One, I think will be in the Kowloon Bay region and I presume that the third will be in the New Territories but I will have to check on that and I will confirm it with my honourable Friend later.

MR LO:—Sir, would it also be true to say that it will be harder to control the taxi trade if the value of the taxi licences is rendered valueless. (*laughter*)

SECRETARY FOR THE ENVIRONMENT:—Yes, Sir. (*laughter*)

MR LO:—Thank you very much.

**Death of Mrs Pong Cheung Shing-ha**

20. MR T. S. LO asked:—

Sir, will Government give a full account to this Council relating (*a*) to the death of Mrs. PONG CHEUNG Shing-ha which occurred in Queen Mary Hospital in early July 1976 and

(b) to Government's actions taken thereafter, as soon as the matter is no longer subjudice?

THE ATTORNEY GENERAL:—Yes, Sir.

MR LO:—Sir, will that account be given as an answer to a question so that supplementary questions may, if necessary, be asked thereon?

THE ATTORNEY GENERAL:—Whether there is another question, Sir, would depend on Members of this Council. If they wish, I will tip them the wink when the time is ripe to ask the question.

MR LO:—No, no, there is a misunderstanding. I said will an account be given not as a statement from Government but as an answer to a question in Standing Orders, so as to permit supplementary questions.

THE ATTORNEY GENERAL:—Yes, Sir. I will give the same answer. Yes, Sir.

### **Government business**

#### **Motion**

#### **INTERPRETATION AND GENERAL CLAUSES ORDINANCE**

THE SECRETARY FOR THE CIVIL SERVICE moved the following motion:—

That—

1. The functions exercisable by the Accountant General by virtue of any Ordinance be transferred to the Director of Accounting Services; and
2. Any Ordinance (other than the Pensions Ordinance) which refers to "Accountant General" be amended by deleting "Accountant General" wherever occurring and substituting the following—

"Director of Accounting Services".

He said:—Sir, I move the motion standing in my name in the Order Paper. The purpose of this motion is to transfer to the Director of Accounting Services the statutory functions until now exercised by the Accountant General, as part of organizational changes, including the creation of the post of Secretary for Monetary Affairs and the abolition of the post of Accountant General. The Pensions Ordinance is excluded from the effect of the motion because it is necessary to preserve for the time being the pensionable status of the holder of the post of Accountant General.

*Question put and agreed to.*

**First reading of bills****CRIMES (AMENDMENT) BILL 1977****COMPANIES (AMENDMENT) BILL 1977****BANKRUPTCY (AMENDMENT) BILL 1977****WORKMEN'S COMPENSATION (AMENDMENT) BILL 1977****HONG KONG INDUSTRIAL ESTATES CORPORATION BILL 1977****Second reading of bills****CRIMES (AMENDMENT) BILL 1977**

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

He said:—It deals with offences against women and girls, with the provision of facilities for prostitution and with the arranging of prostitution. It deals also with criminal conduct between men; and with other offences of a sexual nature involving women and girls, most of which are of long standing.

The group of offences commonly described as offences against women and girls includes rape, the procurement of women and girls for sexual intercourse by threats, intimidation or fraud, having sexual intercourse with girls under prescribed ages, indecent assault and abduction for sexual purposes. In relation to these offences, the bill makes no real change in the substantive law and seeks only to present it in a modern form. It does, however, propose substantial increases in the maximum penalties which may be imposed on conviction for any of those offences, other than rape and intercourse with girls under 13—where the maximum penalty has always been life imprisonment.

The bill will also not make any change in the law relating to offences between men.

Its thrust is at the exploitation of women and girls for the purposes of prostitution. This sometimes involves forcible detention or intimidation. It sometimes involves a horrifying trading in women and girls. It is often associated with triad or gang activity, and like other forms of illegal activity it is inevitably associated with protection and corruption. It is in this area, Sir, that the existing law has marked shortcomings in today's circumstances.

The main changes, which are proposed are these:

Firstly, the existing law is directed at the traditional brothel, which is essentially a place habitually used for prostitution. The bill deals with what we have called "vice establishments". It abrogates the requirement for habitual user, and premises used on one occasion by two or more women for the purposes of prostitution will be a vice establishment. Vice establishments will also include premises which are not used for actual sexual intercourse. Thus, premises used for the arranging of prostitution which takes place elsewhere will be a vice establishment. And although under the existing law prostitution extends to the offering of a woman's body for lewd conduct not involving sexual intercourse, the proposed definition of vice establishment extends specifically to premises to which people resort for any lewd or indecent conduct with persons of the same or opposite sex. These, Sir, are major changes, notwithstanding that they will be accomplished by a definition.

Secondly, there is improved provision in relation to those who harbour, control, direct or influence women with a view to prostitution. This provision is aimed in part at those who run what are commonly called "call girl" operations. That expression may seem to have a somewhat sophisticated ring about it, but it covers operations of diverse kinds, some of which are run by those who have obtained mastery by intimidation or because of indebtedness or in some other way over young girls.

Thirdly, there is a direct attack on those who help in managing or controlling vice establishments. This will obviate reliance on the general law relating to aiding and abetting.

Fourthly, there are substantial increases in the maximum penalties for those who harbour or control women for the purposes of prostitution and for those who run or assist in the running of vice establishments. There is also an increased maximum penalty for those who live on the earnings of prostitution.

Sir, this bill has understandably aroused considerable public interest. It attempts to tackle problems which have been causing the community concern for some time. Prostitution itself has been described as the oldest trade in the world. For better or worse, there will always be prostitutes, or those who provide the same services by another name, and they will always have their customers. The bill does not affect prostitution as such or the customers. It is not concerned with morality. It is however a determined effort by the Government to provide means by which the trade in women and girls, which

[THE ATTORNEY GENERAL] **Crimes (Amendment) Bill—second reading**

causes so much public anger and concern, can be effectively tackled. Much cruelty and degradation is associated with the more horrifying side of this shameful trade. Those who are involved in it merit condign punishment. But anyone who earns a living from the prostitution of women is to be condemned.

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

*Question put and agreed to.*

**COMPANIES (AMENDMENT) BILL 1977**

THE COMMISSIONER FOR LABOUR moved the second reading of:— "A bill to amend the Companies Ordinance".

He said:—Sir, before dealing with the contents of this bill, I consider it advisable to restate the present position regarding priority of claims—in the event of the winding up of an insolvent company under the provisions of section 265 of the Companies Ordinance. The following payments are, subject to certain time limits, given priority over all other debts:—

- (a) all statutory debts owed to the Crown;
- (b) all wages and salary up to a maximum of \$6,000 of any clerk or servant for services rendered over 4 months;
- (c) all wages of any labourer or workman up to a maximum of \$6,000 for services rendered over 4 months; and
- (d) all severance payments up to a maximum of \$6,000 payable to an employee under the Employment Ordinance;
- (e) all non-statutory debts owed to the Crown.

The purpose of the Companies (Amendment) Bill 1977 is to amend section 265 of the principal ordinance in three ways—

- (i) Clause 2(a) proposes to include in the list of debts which have priority payments due under the Workmen's Compensation Ordinance. Such a provision is now contained in sub-sections (3), (4) and (5) of section 28 of the Workmen's Compensation Ordinance, but is considered more appropriate in the Companies Ordinance.
- (ii) Clause 2(a) also proposes to include in the list of debts which have priority, wages in lieu of notice payable under the Employment Ordinance. This change is suggested because

section 7 of the Employment Ordinance places a legal obligation on an employer to pay wages in lieu of notice to an employee on termination of a contract of employment without notice and not for cause. However in the event of the winding up of a company such wages in lieu of notice, though a statutory right, are presently ranked only as ordinary debts. In a number of cases, this has meant that a dismissed worker has been deprived of financial assistance in the form of wages in lieu of notice—and this is particularly unfair where the amount of wages, which ranked for priority, was small or where the employee did not qualify for severance pay under the Employment Ordinance. It is considered that to include wages in lieu of notice amongst priority claims in the event of insolvency, would greatly facilitate the solving of certain types of disputes, would take much of the heat out of some of them, and indeed might prevent some such disputes from arising. With regard to the limit of \$2,000 for any one creditor in respect of wages in lieu of notice, this figure has been decided upon because it is in line with section 4(2)(a) of the Employment Ordinance which states that that ordinance does not apply to a person employed otherwise than by way of manual labour whose wages exceed \$2,000 a month.

- (iii) Clauses 2(b) and 2(c) raise the limit of priority debts for salary, wages and severance pay to \$8,000 for any one creditor from the present level of \$6,000, which was so fixed when the figure in section 4(2)(a) of the Employment Ordinance was \$1,500 a month—\$6,000 being four months times \$1,500. The change to \$8,000 reflects the fact that in 1974 the figure in section 4(2)(a) of the Employment Ordinance was raised from \$1,500 to \$2,000 a month, in other words, 4 months times \$2,000 equals \$8,000—the proposed new figure.

Clause 2(d) contains amendments consequential upon clause 2(a), by giving to the debts referred in clause 2(a) the same benefits which apply to the present list of priority debts, except debts to the Crown other than statutory debts.

These amendments are of a minor nature and except for the inclusion of wages in lieu of notice in the list of priority debts, involve no change in principle.

*Motion made. That the debate on the second reading of the bill be adjourned*—THE COMMISSIONER FOR LABOUR.

*Question put and agreed to.*

**BANKRUPTCY (AMENDMENT) BILL 1977**

THE COMMISSIONER FOR LABOUR moved the second reading of:— "A bill to amend the Bankruptcy Ordinance".

He said:—Sir, the purpose of this bill is to amend, in the same manner as I have just explained in respect of the Companies (Amendment) Bill 1977, section 38 of the Bankruptcy Ordinance, dealing with the distribution of the property of a bankrupt.

In these circumstances, Sir, I see no need to add anything further.

*Motion made. That the debate on the second reading of the bill be adjourned*—THE COMMISSIONER FOR LABOUR.

*Question put and agreed to.*

**WORKMEN'S COMPENSATION (AMENDMENT) BILL 1977**

THE COMMISSIONER FOR LABOUR moved the second reading of:— "A bill to amend the Workmen's Compensation Ordinance."

He said:—Sir, with the enactment of the Companies (Amendment) Bill 1977 and the Bankruptcy (Amendment) Bill 1977, to which I have referred in my two previous speeches, sub-sections (3), (4) and (5) of section 28 of the Workmen's Compensation Ordinance— which provide for priority of payment for workmen's compensation claims in the event of the liquidation of a company or the bankruptcy of an employer—will be transferred to these two ordinances. Consequently, the Workmen's Compensation Ordinance is to be amended by repealing sub-sections (3), (4) and (5) of section 28.

*Motion made. That the debate on the second reading of the bill be adjourned*—THE COMMISSIONER FOR LABOUR.

*Question put and agreed to.*

**HONG KONG INDUSTRIAL ESTATES CORPORATION  
BILL 1977**

SECRETARY FOR ECONOMIC SERVICES moved the second reading of:— "A bill to establish a corporation for the construction and management of industrial estates in Hong Kong, to assume the functions, assets and liabilities of the Hong Kong Industrial Estates Provisional Authority and for connected purposes".

He said:—Sir, in April last year when moving the second reading of the Industrial Estates Provisional Authority Bill 1976, the Financial Secretary reminded this Council that the purpose of industrial estates was to broaden Hong Kong's industrial base by catering for those industries which could not operate in multi-storey buildings. I should add that this reminder was consistent with the general objective when the possibility of industrial estates was first considered, that is to provide for factories that use more sophisticated technology and more capital per worker and thus operate at higher levels of productivity, than those at present established in Hong Kong.

The Financial Secretary said a Provisional Authority was necessary to develop and to promote the estates, and to undertake certain specific tasks. But he added that ultimately this work would probably be undertaken by an autonomous Industrial Estates Corporation, particularly if it were decided to go further than stage one of the estate at Tai Po.

The Provisional Authority has carried forward the development of the estate at Tai Po to the point where the first sites are soon likely to be available. The Authority has established an Executive which has been promoting the estate and has started the initial processing of the first applications. The interest shown has been sufficient to prompt the Provisional Authority to consider the possibility of further estates.

So the time was in any case approaching when replacing the Provisional Authority by a Corporation would be appropriate. But it has been decided to put forward now the bill necessary to achieve this change, because the implications of the term "Provisional" appear to be a cause of some concern to applicants.

The bill follows closely the Ordinances by which the Government has set up other corporations, but with modifications to suit the nature of the work this particular Corporation will have to undertake. The details are summarized clearly in the Explanatory Memorandum. Perhaps the only point I should specifically draw to Members' attention is that if the bill becomes an ordinance, it will come into operation only on a date appointed by the Governor. So until this date has been published in the Gazette, the Provisional Authority continues in being. Nevertheless, the intention is to move over to a Corporation as soon as is practical.

*Motion made. That the debate on the second reading of the bill be adjourned—*  
SECRETARY FOR ECONOMIC SERVICES.

*Question put and agreed to.*

**GAMBLING BILL 1976****Resumption of debate on second reading (11th November 1976)***Question proposed.*

MR T. S. LO:—Sir, any enactment relating to gambling tends to be controversial and divisive because members of the public do have firmly held beliefs which are as sincere as they are irreconcilable. Some are vehemently opposed to permitting gambling in any form and others bristle and talk about individual freedom whenever controls are mentioned. However, in a sound government, a total absence of control is as untenable as total prohibition because the former would permit unacceptable exploitation by unscrupulous gambling syndicates and the latter would be impracticable. In general terms any law which cannot be enforced encourages disrespect for the rule of law. In particular a law against gambling which cannot be enforced encourages corruption in a most lucrative activity. Hence, modern legislation should be focused against organized exploitation of gambling and should be enforceable. The intention of the Gambling Bill 1976 is just this. Unofficial Members of Council have studied it and as Convener of the Ad Hoc group I should report that we are generally in accord with its principal aims.

However, there are a number of specific provisions which we think ought to be amended and I should like to refer to them.

Firstly, the stringent provisions aimed at landlords. We think it entirely unjust and unreasonable for landlords to have to use their costly civil remedies to fight against illegal gambling syndicates. This might be practical if all landlords in Hong Kong were multi-million dollar companies strong enough to do battle against these highly organized gangs. But they are not. Accordingly, we have urged the Attorney General to amend the bill and I understand he has agreed to do this so that a landlord would only be liable if he knowingly permits or suffers his premises to be used as a gambling establishment or rents it out for the purpose. Moreover, the burden of proof in these cases should remain with the Crown.

Secondly, as a result of our discussions with him, the Attorney General has agreed that the definition of private dwelling in the bill is too narrow. This will be changed to include all private premises.

Thirdly, the shift of the burden of proof to the accused will now only apply to offences under clauses 5, 7, 9 and 10.

Fourthly, I understand that the Attorney General will make clear that betting on a rare event favoured by some Members of this Council, such as the English Derby, with a bookmaker outside Hong Kong or Macau would be legal.

Fifthly, the definition of the word "bet" is too wide and as it does not add anything to the bill it will be deleted.

These, together with a few minor and consequential amendments, will I trust be published shortly so that members of the public will be able to look at them and comment on them before the committee stage.

Members will note that the bill has left untouched, to some extent, the problem of illegal bookmakers flourishing on Macau's greyhound racing. It is true that the various stringent provisions aimed at book-makers include those involved with greyhounds. However, whether these provisions alone will suffice, only time will tell and I would urge Government to keep a close watch on the situation and consider taking steps to improve it if it becomes necessary.

Sir, two years ago in this Council I asked the Government to accept that the Gambling Ordinance as it exists to-day which came into being in 1891 did not work and would never work and urged the Government to adopt a more practical and less doctrinaire approach, to use ingenuity and common sense to devise practical legal machinery to protect our people from the worst effects of their gambling instincts. Consequently I am frankly delighted that it has made a genuine attempt to do this. If the police play their part effectively I think the Bill has a good chance of success.

Before I resume my seat however I hope it would not be taken as presumptuous of me to congratulate the Attorney General for having guided the bill through firmly but with a genuine regard to our constitutional process of consultation, a regard less clearly displayed by others in recent times. (*laughter*) Sir, I support the bill.

MR CHEUNG:—I need to speak on only two aspects of this bill. First, if it is passed, there would still be, I fear, a lacuna in our laws. As Mr Lo says dog racing flourishes in Macao, and it commands sufficient attention in Hong Kong to induce our newspapers, Chinese and English, to devote many columns to the runners, their form and prospects. Yet there are no legitimate channels through which wagers can be laid on the dogs.

I suspect that a fair sized industry exists to accept illegal bets on dogs and I would also suspect that the industry receives corrupt protection. It is in my opinion an unhealthy state of affairs.

[MR CHEUNG] **Gambling Bill — resumption of debate on second reading**  
**(11.11.76)**

After this bill has been passed, I would urge Government to examine this whole problem in depth, and in the process Government may wish to consult those with knowledge and experience of these matters. This suggestion I am glad to say has the support of all my Unofficial colleagues.

The second aspect of this bill I would wish to deal with, whilst it is right to curb illegal and commercial exploitation of gambling, I would suggest there is no need to deal with evils that do not exist. There are amongst us who do make sporting wagers on events outside Hong Kong and Macao. I have annual bets with the Financial Secretary as to how much he has under-estimated his income, how much he has overestimated his expenditure. It makes life interesting to pit your judgment against somebody else's on a future event, a challenge and an opportunity, a risk of both loss and gain, and I should be sorry to see this prohibited. That, however, is only a matter of dotting the i's and crossing the t's, and can be dealt with in Committee.

MR WILLIAMS:—Sir, in rising to support this bill I must declare my interest as Chairman of the Stewards of the Royal Hong Kong Jockey Club. And both as the Racing Authority and as Government's operator of legal betting on horse racing, the Jockey Club has special reasons to be very interested in the passage of this bill into law.

Of course on this occasion I speak as a Member of this Council but with my knowledge of the operations of the Jockey Club, I believe I am able to offer some information which will contribute to this Debate.

Returning to the interest of the Jockey Club and indeed of the betting public, this first rests with racing control. The manner in which the Jockey Club administers racing is relevant to this Debate because it is horse-racing at Happy Valley which is the basis for much, though by no means all, of the gambling with which this legislation is concerned.

It is of paramount importance that racing itself should be clean and above suspicion. In particular it must be entirely free from any influence which derives from the interest which illegal bookmakers are bound to have in the outcome of a race.

And it has been the experience of every country in the world where horse-racing is enjoyed that uncontrolled bookmaking is liable to fall

under the control of criminal elements, and in most cases under the control of criminal syndicates linked with other forms of crime.

With skilled professional racing officials; with the most stringent security precautions by which horses are watched by television day and night; with one of the best racing laboratories in the world; with a most sophisticated camera patrol system, and with strong discipline throughout the organization, the standard of control of racing in Hong Kong is, in the eyes of the many experienced racing men visiting Hong Kong from overseas, of the highest order by any standards.

But with the vast sums at stake, the criminals will continually endeavour to probe these defences and inevitably from time to time they will succeed. If the public is to be completely assured of fair play, the illegal bookmakers must be eliminated and this bill will, I am confident, go a long way to achieve this.

The responsibility which has been laid on the Jockey Club to provide a competitive alternative to illegal and uncontrolled gambling is not easy to discharge. The Club has been required to divert gambling not to promote it and it has to do so at some disadvantage to its illegal competitors who can offer discounts and other convenience. They can also offer credit which it would be improper for the custodian of stakes to do and would be an undesirable encouragement of betting.

On the other hand, the Jockey Club has enjoyed the advantage of complete integrity as stake holders and I do not think this has been questioned.

It is making the utmost endeavour to counter the illegal book-maker by developing a network of off course betting centres; an improving telephone betting service and many other measures.

No small effort has gone into the planning of the off course betting system. I am afraid that to some extent its openness has worked against it. There has been a deliberate policy to make the centres bright and clean, so that they can be well policed and will not become a hangout for undesirable elements. By that very policy, I suppose, attention has been drawn to legal operations and away from the crooks who skulk in corners and staircases to the extent that many wellmeaning people may have lost sight, or may never even have been aware of the evil which must be combatted.

Also, no small amount of money has gone into this effort in the last three years. Up to September last year the Jockey Club has had to spend some \$60 million in the provision of the controlled alternative

[MR WILLIAMS]      **Gambling Bill — resumption of debate on second reading  
(11.11.76)**

to illegal bookmaking. In fact, since off-course betting started in 1973, the Club has spent on off-course betting Centres \$159 million in capital and running costs which has yielded \$242 million to general revenue in betting duty and \$63 million to the Club as a contribution towards the overheads of racing administration and charities. That is in the last three years, 80% of the returns on off-course betting has accrued to the general revenue of Government. To sustain this service and to make sure that there will be no drift back to illegal operators will require a further considerable capital outlay over the next few years.

It is a matter of significance that the Club has met this public responsibility without public subsidy and until now without the support of effective legislation to compete against illegal operators. This is by no means the situation in other countries where public funds and rigorous legislation have had to be provided to eliminate the operation of gambling for private gain.

Besides this large capital outlay it takes time to design systems and obtain and install the highly sophisticated equipment necessary to give the public a first class betting service which will compete fully with the illegal bookmaker. But the Jockey Club is making good progress and I am confident that it will not be long before the vast majority will have no need, inclination nor wish to use an illegal channel in order to bet. But we must not be complacent. The extent of illegal gambling on horse racing in Hong Kong has, of course, never been accurately known but estimates have been made that it was equal to or even double the amount legally wagered. It certainly has been a vast sum and this trade, which is so lucrative without overheads and taxation, will not be readily abandoned by the type of people involved in it.

The accumulation of the thousands that bet does not tell the whole story. A substantial part of the turnover comes from a small group of rich people who bet in very large sums.

To illustrate this I can mention that some 40% of the total Jockey Club turnover is bet on the course. Of this on course total, 70% comes from the six or seven thousand racegoers in the Members' Enclosure. Only 30% comes from the public enclosures where the average attendance is around 25,000. Put another way Members of the Jockey Club and their guests constitute about two or three percent of the betting public both on and off the course and yet are responsible for 30% of all wagering. From my observation and knowledge, in the Members' Enclosure the majority bet in modest sums and there is no doubt at

all that a substantial amount of the total is wagered by a tiny group of very big gamblers. This is also reflected in the telephone betting where 5% of the accounts make up 20% of the amount bet by telephone.

It might be worth mentioning that whereas the Government has obtained its full tax on all bets, the expense of operating off course betting has been higher than on the course and the return to the Club, and in due course to the Community through charitable donations and community projects, has been greater from the course than it has been from the betting centres.

Clearly therefore illegal bookmakers can still flourish by confining their target to a small group of very big punters, largely attracted by the discounts offered. With a small number of people it is not difficult to devise secret methods of operating which will be hard to detect. The very heavy penalties proposed in this bill on both the illegal bookmaker and the illegal bettor are most welcome and will be a great deterrent. Some of the big punters are men of position as well as wealth and I do not think they will welcome a period within incarceration, prickly open, whatever their local privilege happen to be.

I would like to support the general views on gambling expressed by my friend Mr T. S. Lo. I respect those who take the extreme view that gambling should be eliminated altogether but I do not happen to share this view nor do I think it realistic.

In this connection I would conclude by a reference to that great Don and monument of learning the late Arthur Saintsbury. As a young man he won a bet off a friend and that friend promptly married Saintsbury's favourite girl. He took this as a warning and for the rest of his long life he neither bet nor married, (*laughter*) but curiously was one of the fiercest opponents of those who tried to abolish the temptation of gambling. His argument went like this:—

"As for temptation, did not Dr JOHNSON say, most truthfully, that 'where young ladies are, there is always temptation.'? And are we therefore to make female infanticide obligatory for the remarkably short time in which the world would continue to be inhabited? And the still shorter time in which it would be worth inhabiting?" (*laughter*)

Sir, I am in support.

MR JAMES WU:—The comments of Mr Lo, Mr CHEUNG and Mr WILLIAMS are no doubt of general interest to all.

[MR JAMES WU]      **Gambling Bill—resumption of debate on second reading  
(11.11.76)**

I support the provisions of the proposed bill to safeguard the gamblers from the illegal syndicates and bookmakers, and like Mr Lo, I am interested to know Government's views on the problem of illegal bookmakers flourishing on Macau's Greyhound Racing.

I personally do not like nor approve of gambling. I detest it for the motive of hoping for easy money to the detriment of desire to do productive work, and for the syndicates to rob the individual, particularly the poor with very little resources. He is sure to lose all he has with mathematical certainty if he stays at the game long enough, or if he is a habitual gambler. Besides as the Chinese saying goes there are nine cases of cheating out of every ten cases of gambling. The tenth case in Hong Kong would probably be the Royal Hong Kong Jockey Club. (*laughter*)

Nor are only poor men prone to gamble. The recent news report on the tragedy of a department store tycoon in London is a clear example and there are others as just mentioned by Mr WILLIAMS. For gambling is an illness, an addiction and definitely habit-forming. If those responsible fail in their task to counter gambling, the legalization of same, and the provisions for facilitating gamblers to place bets, certainly do not help this social illness that has caused, to some measure, once great industrialized nations to approach bankruptcy. Because of the inherent nature, there is little surprise that lower productivity occurs in countries where gambling, legal or otherwise, is tolerated and widespread. For, quite apart from the millions of dollars of stakes that are lost, the society begins to lose in man-hours of productive work when the gambler puts his mind to studying the tips and selecting his bets. In this respect, there is really no advantage in legalizing gambling, as is proven by the introduction of off-course betting centres to compete with the illegal syndicates. Even more harmful would be the introduction of fanciful prizes to entice gamblers.

Sir, whilst it may be naive of me to think that we are able to contain illegal gambling, we should gradually ease on the promotion of legal gambling and as soon as we have any measure of success in that direction. I am therefore concerned with the provisions of Clause 3 in Part II whereby a gambling place can be set up legally by patronizing a licensed restaurant and on the pretext of a social occasion, enabling some of the fastest games with big stakes to be carried out with legality. I have mentioned this point to the Attorney General in our Ad Hoc Group discussions, and I trust he may comment on this aspect.

DR HU:—Sir, in Hong Kong, gambling is always a controversial issue; people are generally very conscious about the subject. The present Gambling Bill which repeals the outdated Gambling Ordinance is the result of careful consideration and balancing of various views. It deserves general support.

It is obvious that the aim of the bill is to contain gambling within sensible limits and to minimize its evils. The bill takes the view that all gambling is illegal save those provided for in Sub-sections (2) to (8) of Section 3 of the bill.

The success of the bill depends largely on its implementation. At present, the Royal Hong Kong Jockey Club plays an important role in supporting certain provisions of the bill especially in eliminating illegal bookmaking or illegal off-course betting.

According to the bill, the Commissioner of Police is the licensing authority for legal gambling premises. I hope that the Commissioner will apply very strict criteria in granting such licences so that the scope of gambling will not be extended.

Sir, with these remarks, I support the bill.

THE ATTORNEY GENERAL:—Sir, I wish to reply briefly—and first to make two acknowledgments.

When I moved the Second Reading, I said that honourable Members would examine the bill carefully. They have done so and there has been a full exchange of views both on fundamentals and on detail. When it comes to be passed, the bill will be in better shape, for, despite our best endeavours, we did not get it quite right in some respects.

My second acknowledgment is to the Royal Hong Kong Jockey Club. Mr WILLIAMS, in a speech which is the more effective because of its restraint, has spoken in unmistakable terms of the contribution which the Club has made to the implementation of Government policy in relation to gambling by providing controlled facilities for betting as a counter to the widespread illegal betting operations. The Government acknowledges that contribution and the imaginative way in which it has been made. It is also confident that the Club will continue to meet the public responsibility accepted by Mr WILLIAMS as resting with it. He puts the position very accurately when he says that the Club's role is to divert gambling not to promote it, at the off-course betting centres.

[THE ATTORNEY GENERAL] **Gambling Bill—resumption of debate on second reading (11.11.76)**

Mr Lo could not resist his moment of satisfaction by reminding the Government that he told it so. I look forward to his next gaze into his crystal ball. He and Mr CHEUNG have rightly faced up to the problem of betting on Macau's dog racing and ask the Government to watch the situation closely with a view to review if necessary. We shall be doing so. As the honourable Members point out, the bill attacks equally all forms of gambling which are not specifically authorized by it. The Government will certainly wish to consider that further steps are necessary if the new law and the alternative lawful ways of betting which are now available do not solve the problem.

I confirm, Sir, that I shall be moving amendments in Committee in relation to the various matters to which reference has been made. I wish to mention only one in detail—that concerns the provision which would have enabled notice of the illegal use of premises to be served on a landlord, who would then have been guilty of an offence if the use was repeated within 12 months. I accept the arguments which have been advanced against this provision. It will be omitted. I am comforted in the loss of it by my view that it could at best be of only limited effect.

More effective, Sir, will be the provision which makes it a crime if a landlord or tenant knowingly permits or suffers illegal gambling to take place on his premises. There is one aspect of this provision about which I should say a few words, because I have been told that some landlords are worried about what they should do when they know that their premises are being used for illegal gambling. Their concern arises from the introduction of the offence of "suffering" an illegal use. Under the general law, "suffering" involves knowledge of an illegal use and a failure in the light of that knowledge voluntarily to take any reasonably available step to procure its discontinuance. There is no doubt that a report to a police station at a time when either police enquiries were not being made, or when the landlord was unaware of them, would be a defence. There are of course other ways in which a "suffering" might be terminated, but it is clear that landlords who know of an illegal use of their premises should make a report to the Police. I hope that they will do so—not only to acquit themselves of potential criminal liability but also as a contribution to the fight against crime.

I also readily confirm, Sir, that the Government does not intend that the bill should deprive Mr CHEUNG, and others of like mind, of their occasional "flutter" on the Derby or other such race. I also

recognize, Sir, Mr WU's concern that the opportunities which the bill provides for lawful social gambling may be abused particularly where the game played is a fast one and the stakes may be high. It is, however not really practicable to out-law particular games and in fact if the social occasion is a pretext it could be that the gambling will be unlawful. I think, Sir, we should wait and see if Mr WU's fears are well founded.

Sir, honourable Members have endorsed the Government's policy that there should be sufficient controlled opportunities to meet the needs of those who will gamble. They have given their support to a new and stringent law against unlawful gambling, which provides severe penalties. The ball will shortly pass to those who are responsible for its enforcement. They must deal vigorously with the unlawful gambling establishments, which, as I said before, are a major source of corruption and protection rackets.

*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).*

#### **POUNDS (AMENDMENT) BILL 1977**

##### **Resumption of debate on second reading (5th January 1977)**

*Question proposed.*

*Question put and agreed to.*

Bill read the second time.

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

##### **Committee stage of bills**

Council went into Committee.

#### **POUNDS (AMENDMENT) BILL 1977**

Clauses 1 to 6 were agreed to.

Council then resumed.

### **Third reading of bill**

THE ATTORNEY GENERAL reported that the

Pounds (Amendment) Bill 1977

had passed through Committee without amendment, and moved the third reading of the bill.

*Question put on the bill and agreed to.*

Bill read the third time and passed.

### **Adjournment**

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

4.10 p.m.

### **Further Development of Adult Education**

MISS KO:—Your Excellency, I would like to take this opportunity of stressing the importance of further developments in adult education. Each individual is of value not only to himself, but to the community as a whole, and adult education is a means by which that value is enhanced. In a broad sense any activity which widens a person's knowledge, enriches his life, or helps him to adapt to society, can be termed adult education or continuing education. It can be formal or informal:—formal adult education as provided in classes, or courses, some of which may lead to certificates or diplomas; informal adult education as provided in informal discussions, interest groups, clubs, and recreational activities.

In my view, adult education has at least the following contributions in Hong Kong: Firstly, adult education helps to better our society by educating the individuals to become more responsible citizens by developing in them a social consciousness, a concern for society, and a sense of responsibility towards it. This responsible citizenship is especially important in the area of community development, particularly in relation to housing estates. These estates pose special problems whose solution often requires the collective effort of all residents of the estate, and an understanding of their own obligations to the estate community.

Secondly, adult education can also help prevent violence and crime by fostering a healthy sense of values and also by providing meaningful pursuits for people to occupy themselves. "The Devil finds work for idle hands".

Thirdly, economic development of the community relies heavily on the quality and the level of education of the workers. Many adult education courses are specially designed for adults and young people who have not had adequate formal education. These courses will help to promote the level of general education. Moreover, adult education will help to equip men and women so that they are better able to obtain a means of livelihood. Although broadly speaking adult education includes vocational training, it is not equivalent to it. Opinions on this vary. Some authorities say that what makes a course of study vocational or not is the student's motive for taking it; if he takes it to qualify for a job it is vocational; otherwise it is not. However, new skills can be more quickly learned by any person with a lively and stimulated mind.

Fourthly, adult education enriches one's life by educating people to be better parents, by imparting knowledge on domestic hygiene, home management, family planning and child rearing techniques. A community of better parents who provide a better home life for their families, is much less likely to breed violence and crime.

Fifthly, adult education provides new ideas and knowledge on new things. We are now in an age of knowledge explosion. The 20th century is full of change and the only way to cope with change is to update ourselves constantly. Adult education helps to develop the individual's ability to adjust to change and to cope with new situations and problems.

Lastly, adult education means the better use of leisure by teaching people the art of living, improving their creativity, and by promoting and improving human relationships.

The Education Department has made considerable progress in adult education since the introduction of general adult education classes 20 years ago. Now in a more formal setting, there are the Evening School of Higher Chinese Studies, teachers' courses, English courses, secondary and middle school courses, general courses, practical courses, young people's courses, all available for out-of-school adolescents and adults aged 18 and above. In education and recreation centres for adults, over 200 types of activities are provided in an informal atmosphere. In addition, there are many voluntary agencies who are either heavily

[Miss Ko]     **Further Development of Adult Education**

engaged in, or expanding their adult education programmes, both formal and informal, to meet the needs of the community. At present these programmes run by voluntary organizations attract more than 70,000 participants. The general public has become more alert to the importance of adult education, and it is interesting to note that while the majority of students come from the lower social strata, more and more white-collar workers are taking advantage of such programmes.

Some organizations are indirectly involved in the work of adult education. For example, the Consumer Council educates us to be better consumers, and the ICAC to fight corruption. They both, together with the mass media, play a vital role in affecting our attitudes, our opinions, our hopes and our aspirations.

If we accept that the continuing personal development of the individual and the promotion of social consciousness, community stability and economic well-being are important, then further development in adult or continuing education should be given priority.

To further promote adult education I suggest consideration be given to the following recommendations:—

1. A well-defined policy for adult education should be developed.
2. There should be a systematic development plan for the finding of adult education programmes. In particular, consideration should be given to:—
  - (a) The provision of financial and other support necessary for voluntary bodies to help promote adult education.
  - (b) Increasing the present low remuneration paid to the teaching staff of the Education Department's Adult Education Section. In view of the inconvenience and problems of safety at night, many find the evening teaching jobs insufficiently remunerative at only \$250 to \$600 per month. The extra-mural departments of the two universities and the Polytechnic offer much higher rates, and consequently there is a drain of government teachers to these and other similar establishments. Permanent measures to ensure the appropriate level of pay are necessary.
3. A policy should be formulated for the use of existing school buildings for adult education. Many classes are held in

government schools, but these are rare in new estates where most of the potential students live. The hiring of grant-aided and subsidized school buildings depends on the goodwill and co-operation of the school authorities. It is hoped that they can be encouraged to be more forthcoming in providing such facilities so that school buildings will be more efficiently and meaningfully used in the evening.

4. Teaching materials should be improved. Textbooks and other teaching aids available at present are intended for children of school age only. It is unrealistic to expect lecturers who teach on odd evenings to devise their own teaching equipment. There is also a need to continually up-date other teaching materials.
5. More professional and supporting staff are needed. In the Education Department's Adult Education Section there are only eight professional staff for planning, developing, organizing and supervising the courses which total 700 classes for 50,000 adults. No staff member is specially assigned for research, for example into teaching methods or materials. There is a need to recruit more professional staff. In-service or further training of some of the existing staff is necessary now and in the future.
6. There should be more co-ordination and co-operation between the existing voluntary bodies, government departments, educational organizations and the mass media in order to make full use of the resources available and to avoid duplication.

MR JAMES WU:—Sir, it is my pleasure to speak in support of Miss KO in this debate on the Further Development of Adult Education. Having been involved with industry and the Polytechnic, I would like to comment in particular on the aspects of technical and vocational education that she mentioned.

I believe that Government now truly recognizes the importance of technical and further education in the advancement of the vocational competence of our people that is so vital to our economic well-being. Such education is becoming an important component of Hong Kong's resources that makes for a skilled and adaptable labour force, personal work satisfaction, technological development and economic growth. Many men and women in the labour force however have no formal educational qualification at the trade, technician or other vocational level. Most people in our labour force who become qualified as skilled

**[MR JAMES WU] Further Development of Adult Education**

workers, other than at the professional level, do so the hard way. They do not have anything approaching equality of access to vocational education with those preparing for a livelihood by full-time attendance at a University, the Polytechnic or a Technical Institute.

The demand for education throughout life can be expected to grow, not simply because of changes in technology and social advancement but also because people will become increasingly aware of the practical advantages that it gives them in respect of employment and livelihood. Recurrent opportunities for technical and further education should be available to people of all ages regardless of minimum formal educational entry requirements or of current employment status.

People who seek or gain qualifications do so mainly to enhance their job prospects. They assume that course content is vocationally relevant, at least up to date technologically and socially, and perhaps even ahead of general practice in industry, commerce, and community services.

Industry and the community have similar expectations in this respect. They assume that vocationally oriented courses are being designed in terms of industry's job requirements, and for the growing but specific job requirements of the various branches of community service.

In my view, a greater number of individuals than now would seek to make themselves more effective economically or socially, if the problems of access to adult education could be alleviated. A recent survey by the Polytechnic shows that 60% of secondary school leavers working took part-time studies to further their careers, and 51.7% of this group resorted to typing and language courses on failing to enrol in academic evening schools.

The Universities, the Polytechnic and Technical Institutes are accepted places of adult learning. I hold the view that these institutions should explore and implement further opportunities for adults to return to the educational stream as they wish by a variety of flexible courses such as:—

- (a) Part-time courses, conducted mainly in the evenings.
- (b) Correspondence courses.
- (c) Day-time classes for persons released by their employers to attend one day a week.

- (d) Full-time block training for workers released by employers to attend courses for short periods.
- (e) "Sandwich" arrangements providing complementary theoretical and practical training for trainees.
- (f) Full-time courses for students from a wide range of age groups on a credit system for external degrees or diplomas, as provided in the U.S.A. and elsewhere.

For many workers, the only scheme available is that of attendance at courses conducted mainly in the evenings and it is to this particular aspect of adult education that I would now like to turn. The magnitude of the task can be indicated by reference to just one institution involved in this area of activity. This year the Polytechnic has already enrolled over 12,500 evening students with a distribution of over 5,000 in engineering, over 2,000 in applied science and over 5,000 in commercial subjects, operated through 8 centres in Kowloon and 5 in Hong Kong. These figures are expected to rise to a total evening student population of around 20,000 by the end of this decade.

The courses offered include Accountancy, Business & Management Studies, Design, Building and Surveying, Civil & Structural Engineering, Electrical Engineering, Electronic Engineering, Mechanical & Marine Engineering, Applied Science, Mathematical Studies, Nautical Studies, Production & Industrial Engineering and Textiles. They range from craft courses for dental mechanics to courses for technicians and higher technicians/technologists and endorsement courses leading to awards from professional institutions. In addition to participation on these evening courses by full-time staff, about 600 part-time visiting lecturers are employed.

The Polytechnic also offers a great variety of short courses intended to assist those employed in industry and commerce to acquire, refresh or update their knowledge in certain aspects of their work or profession, but some courses also aim at assisting students in their preparation for specific subjects in professional examinations.

I submit that much effort will be required in both the short term and medium term in the spheres of co-ordination and planning in order to have a widespread impact on the development of this very necessary provision of adult education for the good of the community of Hong Kong.

4.25 p.m.

### **Further Development of Adult Education**

DIRECTOR OF EDUCATION:—Sir, I am grateful to Mr James WU and Miss Ko for their valuable contributions to this debate and for the thought which they have given to this important subject. The field of adult education has great potential and their views and suggestions have been carefully noted.

I would like to draw attention here to certain characteristics of adult education which distinguish it from other fields of education.

I stress first the part-time and largely voluntary nature of student participation. Adults attend courses because they want to. If courses do not attract them they do not register. If courses do not please them they stop coming. Thus market considerations are very important in adult education. We must please the consumer.

Second, adult education relies largely on better use of existing resources. This is factually true if not true by logical necessity. Some teachers are prepared to do more in their spare time and some buildings are not used to capacity throughout the day or throughout the year. Not to use these valuable resources but to base adult education chiefly on fresh resources in staff and accommodation would be much more expensive and could be described as wasteful. The marshalling and deployment of these existing resources are, however, subject to constraints. Again the voluntary principle is much in evidence. There is no compulsion on teachers to teach additional courses in their spare time and those responsible for school buildings for instance must be persuaded to release accommodation for adult classes. Market considerations are again important and both teachers and owners of premises must be offered a deal sufficiently attractive to encourage their willing co-operation.

Third, as Miss KO and Mr WU point out, adult education can serve many social and economic aims. The very variety and multiplicity of these aims can easily provoke a certain untidiness in adult education as it develops on the ground. This lack of shapeliness can be made worse by the need to please the customer, which I have described, and by the need to use the resources on tap in the manner and to the extent that they are prepared to be tapped in relation to the degree of encouragement currently offered.

Miss KO has called for a well defined policy on adult education and her point is well taken. A well defined policy implies well-defined priorities and I have tried to show that the field of adult education is such that clear priorities are not simple to set and are harder to hold to.

I hope that the Green Paper on the development of senior secondary and tertiary education, which was mentioned by Your Excellency in your address to this Council, will provide firm guide lines for future development.

My initial view is that for the medium term I shall need to strengthen the base for the development of adult education in that section of the Education Department not just to conduct our own operations in the field more effectively but also in order to provide a source of advice and assistance to other agencies.

There is some immediate potential for better co-ordination particularly for the public sector of adult education and I hope to be able to take an early initiative in this field.

The aim must be to achieve a well-defined policy but I believe a certain gradualism is inevitable because we must take account of what is already being done on the ground and which we will not wish to sweep away but rather to mould to long term aims.

We should certainly aim to achieve coherence in our objectives and activities and avoid drift but we must not forget that the consumer will stay sovereign in this field and that there must therefore be always a strong element of inbuilt flexibility.

*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 2nd of February 1977.

*Adjourned accordingly at half past four o'clock.*

