

OFFICIAL REPORT OF PROCEEDINGS**Wednesday, 16th March 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
SIR DENYS TUDOR EMIL ROBERTS, KBE, QC, JP
THE HONOURABLE THE FINANCIAL SECRETARY (*Acting*)
MR DAVID GREGORY JEAFFRESON, JP
THE HONOURABLE THE ATTORNEY GENERAL
MR JOHN WILLIAM DIXON HOBLEY, CMG, QC, JP
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR DENIS CAMPBELL BRAY, CMG, CVO, 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 IAN ROBERT PRICE, CBE, TD, JP
COMMISSIONER FOR LABOUR
THE HONOURABLE ALAN JAMES SCOTT, JP
SECRETARY FOR THE CIVIL SERVICE
THE HONOURABLE GARTH CECIL THORNTON, QC
SOLICITOR GENERAL
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
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 HILTON CHEONG-LEEN, OBE, JP
THE HONOURABLE LI FOOK-WO, OBE, JP

THE HONOURABLE JOHN HENRY BREMRIDGE, OBE, JP
 DR THE HONOURABLE HARRY FANG SIN-YANG, OBE, JP
 THE HONOURABLE MRS KWAN KO SIU-WAH, 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 KENNETH WALLIS JOSEPH TOPLEY, CMG, JP
 DIRECTOR OF EDUCATION

IN ATTENDANCE

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

Papers

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

	<i>Subject</i>	<i>LN No</i>
Subsidiary Legislation:		
Dangerous Goods Ordinance.		
	Dangerous Goods (General) (Amendment) Regulations 1977	47
Road Traffic Ordinance.		
	Road Traffic (Construction and Use) (Amendment) Regulations 1977	48
Census Ordinance.		
	Census Order 1977	49
Public Health and Urban Services Ordinance.		
	Public Health and Urban Services (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No 2) Order 1977.....	50

Oral answers to questions**Legal aid—means test**

1. Miss KO asked:—

Sir, does Government consider it desirable to raise further the income criteria governing the means test for legal aid in both civil and criminal proceedings so as to make it more readily available?

THE CHIEF SECRETARY:—Sir, on 1 March, the Governor in Council decided that, subject to the provision of funds by Finance Committee and to the passing of the necessary Resolution under section 7 of the Legal Aid Ordinance, legal aid in civil proceedings should be available to those with a disposable income not exceeding \$1,000 a month (as compared with \$700 per month at present) and disposable capital of not exceeding \$10,000 (as compared with \$4,000 at present).

It is not intended to alter the income criteria for legal aid in criminal proceedings. These are already higher than those for civil proceedings, with an upper limit of \$1,500 a month for disposable income and \$10,000 for disposable capital.

MR CHEUNG:—Sir, for the benefit of us, for some of us who do not know, what does the Chief Secretary mean by "disposable income" and "disposable capital"?

CHIEF SECRETARY:—"Disposable income" is a figure which is reached after taking the full income of an applicant for legal aid and then deducting from it a number of factors, for example, rent, rates and something for each dependant member of the family. Similarly with "disposable capital", is a net figure which is reached by assessing the whole of the applicant's capital and then deducting from it a number of items, such as the amount of debts, part of his interest in a dwelling house, and the value of household furniture and effects.

Subvented organizations

2. REV JOYCE BENNETT asked:—

Sir, (a) what measure of control does Government exercise over the management of subvented organizations in the social service field; and

[REV JOYCE BENNETT] **Oral answers**

- (b) does Government consider such control adequate to ensure that the subventions allocated are used to provide satisfactory standards of service?

SECRETARY FOR SOCIAL SERVICES:—Sir, the measures of control vary with the basis of subvention; that is, whether the subvention is on a deficiency grant or discretionary grant basis.

All aided schools under the codes of aid together with four medical institutions are subvented on a deficiency grant basis. Expenditure of schools is effectively controlled through codes of aid which are approved by the Finance Committee of this Council but management of these schools are left to School Councils. In the case of deficiency grant hospitals, management including financial control is exercised by the executive committee or an equivalent body of the hospital on which Government representatives sit as *ex officio* members. The budgets for these hospitals are approved by their executive committees and they have to be adhered to unless authority to vary expenditure is given by the committee.

Other hospitals and all social welfare organizations are assisted on a discretionary grant basis. Government exercises little control directly or indirectly over the management of these organizations. However, any significant surplus in one year is taken into account when the subsequent year's subvention is considered.

In the case of the Universities and the Polytechnic, the amount of grant allocated is decided on the recommendation of the Universities and Polytechnic Grants Committee. Once the universities and the Polytechnic receive their grant, it is primarily their responsibility to control expenditure, subject to guidance from the Universities and Polytechnic Grants Committee on standards. The Universities and Polytechnic Grants Committee also receives regular reports from them and may warn them that it may take into account any unjustifiable deviation from their previously submitted plans and estimates when making its recommendations for the next block-grant period.

Another avenue of control is that the subvention rules governing subvented organizations in the social services field will be augmented, if existing arrangements are not adequate, to enable the Director of Audit to have access to the records and accounts of the organizations.

Government considers that the controls which I have just described are reasonably adequate. However the second part of Miss BENNETT'S

question relates to satisfactory standards of service. Here I must confess that I have some difficulty, because irrespective of the standards achieved there is always room for improvement. However, I feel I can say that in general the taxpayer is getting good value in return for the subventions to social services agencies.

REV JOYCE BENNETT:—Sir, could the Secretary for Social Services be a little more specific? What means are used to ensure that the patients in our hospitals are in fact getting good value?

SECRETARY FOR SOCIAL SERVICES:—In so far as hospitals are concerned, this would be up to the management boards of the hospital authorities. However, the maintenance of standards depends also on factors such as availability of funds, manpower resources, management skills, vocational aptitude as well as the pressure on the service.

MR PETER C. WONG:—Could I ask a supplementary? Sir, of the grants given to subvented organizations, may I ask what percentage is taken up by discretionary grants?

SECRETARY FOR SOCIAL SERVICES:—I am afraid I do not have the figure readily available, but I shall supply them to my Friend Mr WONG.

MR T. S. LO:—I wonder whether the Government could please clarify whether the existence control as described is intended to improve management of the organizations or merely to restrict expenditure?

SECRETARY FOR SOCIAL SERVICES:—Sir, as I said earlier, in respect of deficiency grant agencies the reason why Government impose a tight control is because the type of subvention does not itself encourage the organizations to look for other sources of income or perhaps even to economize, and therefore Government has to exercise a tight control to ensure that the taxpayer is getting good value for money.

Traffic congestion

3. MR Q. W. LEE asked:—

Sir, pending completion of the Aberdeen Tunnel, will Government take steps in the interim to reduce traffic congestion, particularly during peak hours and at weekends, at the roundabout at the junction of Tai Hang Road, Wong Nai Chung Gap Road and Stubbs Road?

Oral answers

DIRECTOR OF PUBLIC WORKS:—Sir, engineering works at this junction are now in hand to improve traffic flow. These works include further alterations to the traffic islands and the widening of the Tai Hang Road and Upper Stubbs Road approaches to the roundabout. The provision of traffic light controls to regulate movement may also be included. It is anticipated that the works will be completed in about five months' time.

I must point out however that these alterations will not solve the problem and will only allow for marginal improvement to overall throughput.

The provision of a flyover would not greatly improve the situation as the northbound lanes of Wong Nai Chung Gap Road and lower Stubbs Road are carrying close to maximum capacity at morning peak periods and vehicle movement would still be restricted. In fact the construction works for a flyover in roadways of such limited widths would create serious obstructions resulting in far greater congestion and could not therefore be considered until an alternative route has been provided.

Another route and the solution to the problem will be provided by the construction of the Aberdeen Tunnel which will become the major road link between the north and south shores of Hong Kong Island thus relieving the Wong Nai Chung Gap route. Construction works on the Tunnel will commence next month and will be completed in late 1980.

MR T. S. LO:—I wonder whether in the meantime Government might consider providing ferry services from the south of the island? (*laughter*)

DIRECTOR OF PUBLIC WORKS:—I don't think, Sir, that the question is strictly related to the original question. But we can certainly look into the suggestion.

Hill Fires

4. MR LEUNG asked:—

Sir, in view of the recent spate of hill fires, will Government consider:—

- (a) providing more barbecue pits in order to discourage indiscriminate lighting of barbecue fires; and
- (b) strengthening manpower to enforce existing legislation on the lighting of fires in the countryside?

DIRECTOR OF AGRICULTURE AND FISHERIES:—Yes, Sir, with regard to the first part of the question, there are already 1,380 barbecue pits provided for public use; of these 280 have been put in during the past two months and it is anticipated that a further 300 will be put in within the next six months.

With regard to the second part of the question, at present there are 90 full time patrol staff in AFD enforcing countryside protection legislation. In addition there are 147 staff authorized to carry out enforcement work ancillary to their other duties.

At times of high fire risk, patrol staff are assisted, at weekends and public holidays, by 40 CAS cadets. This is part of an on-going public relations exercise aimed at preventing fires in popular picnic areas.

As Government's countryside management services are extended additional posts are included. 32 additional such staff will become available prior to the next fire season.

MR LEUNG:—Sir, may I ask a supplementary question? Does Government have any plans to strengthen the legislation concerning the control of fires in the countryside?

DIRECTOR OF AGRICULTURE AND FISHERIES:—Yes, Sir, regulations are currently being drafted under the Country Parks Ordinance which, subject to approval by Executive Council, should materially strengthen powers to control fires within country parks and special areas, especially during periods of very high fire risk when it may be necessary to enforce total prohibition. Concurrently, consideration is also being given to further strengthening Cap 96 the Countryside and Forestry Ordinance which applies to areas outside country parks and special areas.

MR LEUNG:—Thank you.

Driving tests—waiting time

5. MR CHEUNG asked:—

Sir, will Government state:—

- (a) the present waiting times for road driving tests in Hong Kong and Kowloon;
- (b) whether these waiting periods are progressively lengthening;
- (c) if so, what steps will be taken to reduce the waiting times, say to a maximum of six months?

Oral answers

SECRETARY FOR THE ENVIRONMENT:—Sir, the waiting time for road driving tests varies according to the class of vehicle on which candidates are being tested. The longest wait is for private cars, being eight months in Hong Kong and ten months in Kowloon. These waiting periods fluctuate marginally from time to time, but they are not progressively lengthening. At present there are some 95,000 candidates waiting for tests, of whom 72,500 are for private cars. But in 1976 as many as 206,000 tests were conducted.

Last year, in an effort to shorten the waiting time, seven new driving examiners were recruited and three more vacancies have still to be filled. Yet such is the demand for tests that the waiting time has not been shortened. This is partly because the pass rate for private car road tests is as low as 28%. And this means that some 52% of all candidates tested are what we called repeaters. Given the driving conditions in Hong Kong it is not possible to lower the standard of the test and some say that it is too low already and should be raised.

So the fact is, Sir, that, even when the facilities for testing are expanded and improved, this only serves as an incentive for more and more candidates to come forward and that many, if not most, of them are not adequately prepared for the test. Although, therefore, every effort will be made to fill the existing vacancies for driving test examiners as soon as possible, I cannot hold out much hope of a great deal of improvement in the waiting time for private car tests.

MR CHEUNG:—Sir, what is the situation about tests for bus drivers, taxi drivers and lorry drivers?

SECRETARY FOR THE ENVIRONMENT:—Sir, the situation with these public service drivers is much better. In Kowloon, for instance, for bus drivers, the waiting time is less than 3 months; for lorry drivers, it is less than 4 months and for public light bus drivers, it is less than 3 months. So it is very much better than it is for private cars.

MR CHEONG-LEEN:—In order to reduce the incentive for more and more candidates to come forward for tests, will consideration be given to increasing the fees for testing?

SECRETARY FOR THE ENVIRONMENT:—Yes, Sir. Consideration can be given to that, but I think this is a fiscal measure which I would have to refer to my honourable Friend the Financial Secretary.

MR CHEUNG:—Perhaps the Secretary for the Environment will also ask the Financial Secretary: whether the additional revenue generated by the new examiners cover their salaries?

SECRETARY FOR THE ENVIRONMENT:—I am sure they do, Sir.

Doctors

6. MR LEUNG asked:—

Sir, (a) how many doctors have resigned from the Government Service during the past twelve months? and

(b) what are the reasons for their resignations?

DIRECTOR OF MEDICAL AND HEALTH SERVICES:—Sir, 87 doctors have resigned from Government Service in the past 12 months.

The reasons, as far as could be ascertained from their statements on resignation, are—leaving for private practice, emigration, transfer to the University or other hospitals and "personal" reasons.

MR LEUNG:—Sir, may I ask a supplementary question? Does Government consider the present salaries for medical officers sufficient to attract doctors and retain them in the Civil Service?

DIRECTOR OF MEDICAL AND HEALTH SERVICES:—Sir, in the field of medicine and in a large Department such as the Medical and Health Department with an establishment of more than 900 doctors, a certain amount of turn-over in staff must be expected and the 87 resignations is within normal limits for the last 5 years.

DR FANG:—Sir, may I ask a supplementary question, please? Of the 87 doctors resigned, may I know from the Director of Medical and Health Services whether they are experienced doctors or junior doctors?

DIRECTOR OF MEDICAL AND HEALTH SERVICES:—Sir, 6 of these are consultants, 6 senior medical officers and 75 are medical officers.

MR T. S. LO:—Sir, after taking into account recruits also in the past 12 months, what is the actual reduction in numbers?

DIRECTOR OF MEDICAL AND HEALTH SERVICES:—Sir, taking this period, there are no reduction.

MR T. S. LO:—Thank you.

Oral answers**MTR Construction Site**

7. MR WILLIAMS asked:—

Sir, are there any restrictions placed on the Mass Transit Railway by the Government on the signs they wish to erect at construction sites for the convenience and information of the public?

DIRECTOR OF PUBLIC WORKS:—Sir, the Mass Transit Railway Corporation must obtain written consent for the erection, on its sites, of any sign or advertisement other than signs illustrating or describing the works in progress or bearing the names, addresses and nature of business of contractors and sub-contractors.

To date all requests made by the Corporation for the erection or display of signs intended for the convenience or information of the public have been approved.

MR WILLIAMS:—Sir, is this liberty to erect signs illustrating or describing the works in progress of recent agreement?

DIRECTOR OF PUBLIC WORKS:—Yes, Sir. The removal of the requirement for consent on these particular signs illustrating the works is recent.

Drug supply in hospitals

8. MR PETER C. WONG asked:—

Sir, what steps are taken in Government hospitals and clinics to ensure that an adequate stock of drugs and medicines is maintained at all times so as to prevent the prescribing of less effective substitutes?

DIRECTOR OF MEDICAL AND HEALTH SERVICES:—Sir, first of all, I should like to clarify for my honourable Friend's information that the prescribing of medicines is at the discretion of the attending doctor who will prescribe the appropriate and effective medicine for his patient. In the circumstances, it is not that a less effective substitute is used but sometimes an alternative and effective medicine may be prescribed.

In the hospitals the control and usage of drugs is constantly being monitored by a special professional committee consisting of the Medical Superintendent of that hospital, the Unit Heads and the Senior Pharmacist whose function is to ensure that adequate and appropriate stocks of drugs are available for use.

In the clinics a standard formulary of the common drugs is used which again serves to ensure that an adequate supply of the appropriate drugs is maintained at all times.

MR PETER C. WONG:—Sir, is the Director of Medical and Health Services satisfied that an adequate and appropriate stock of drugs are available for use in Government hospitals and clinics at all times?

DIRECTOR OF MEDICAL AND HEALTH SERVICES:—Yes, Sir. In general, the present system is satisfactory. However, there is always room for improvement and to this end, an Organization and Method Survey is now in progress. This survey is expected to be completed later on in the year.

MR PETER C. WONG:—The Director has misunderstood my question. I was asking a supplementary question. Could I repeat the supplementary question again, Sir. Is the Director of Medical and Health Services satisfied that an adequate and appropriate stock of drugs is available for use in Government hospitals and clinics at all times?

DIRECTOR OF MEDICAL AND HEALTH SERVICES:—Yes, Sir.

HIS EXCELLENCY THE PRESIDENT:—Do you wish to ask your second question?

MR PETER C. WONG:—Yes, Sir.

HIS EXCELLENCY THE PRESIDENT:—Has it not been answered?

MR PETER C. WONG:—In that case, I will leave it, Sir. (*laughter*)

Cycling

9. MR WONG LAM asked:—

Sir, will Government enforce traffic regulations against reckless cyclists both in urban areas and in the New Territories?

THE SOLICITOR GENERAL:—Sir, there is no doubt that reckless cyclists do constitute a danger to themselves and other people. The Traffic Police view is that the main problems exist in the New Territories and in particular in the Tai Po area extending to Plover Cove and Brides Pool. These are popular picnic spots during weekends and on public holidays and there are a number of cycle hire shops in the Tai Po area who do a thriving business hiring cycles mainly to young people on their way to an outing in the countryside. Unfortunately, there

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are several accident black spots along Ting Kok Road in the vicinity of steep inclines.

The Police have asked the Public Works Department to erect warning signs advising cyclists to dismount and walk when negotiating these hills. Action is in hand although the signs are not yet in place.

Further, subject to other commitments, the Police put out a squad of traffic policemen to advise and warn cyclists in this area of the danger to themselves and others of riding cycles recklessly. The Chief Staff Officer (Traffic) has confirmed that the Police will continue to do all they can to advise and warn cyclists who do not control their machines properly.

In some cases prosecution is appropriate and in 1976 there were 1,278 prosecutions of cyclists, 308 of which were for negligently riding a bicycle.

MR CHEUNG:—Sir, will the police consider prosecuting cyclists for such mundane but reckless offences: ignoring traffic lights, not giving way to pedestrians on zebra crossings, going down one-way streets and carrying excessive loads so that their bicycles wobble?

SOLICITOR GENERAL:—Sir, I have no doubt that the police have taken prosecution. Some of them were for offences which Mr CHEUNG has mentioned. In appropriate cases for these offences, there will be prosecutions.

DR CHUNG:—Sir, is Government aware that a major threat to motorists in the urban areas is those cyclists disobeying, as what my Friend just said, traffic lights and other things, and riding on the wrong side of the road? Will Government take more effective actions against these reckless cyclists?

SOLICITOR GENERAL:—Sir, the Government is aware of reckless behaviour of the sort which Dr CHUNG has mentioned and that it is a problem in urban areas as well as in the country side. Subject to other commitments, the police will do what they can in these areas.

HIS EXCELLENCY THE PRESIDENT:—Miss BENNETT, are you on your feet?

REV JOYCE BENNETT:—Sir, in the case of the prosecution of cyclists, could we be told if they are found guilty, are they fined and if so, the range of fines?

SOLICITOR GENERAL:—Sir, for the sort of offences with which we are concerned, it is likely that a fine will be imposed. As to the range of fines, I could not answer that without notice and it is not too easy to answer with notice because there are quite a number of different offences which could be involved: the crossing of a pedestrian crossing by a bicycle, going down a one-way street the wrong way, going through traffic lights. It is difficult to generalize but I may be able to provide some information for Miss BENNETT in this area.

MR PETER C. WONG:—Sir, may I ask that in view of the many hazards caused by cyclists, would Government consider introducing legislation to require a cyclist to pass a simple test and hold a licence? (*laughter*)

SOLICITOR GENERAL:—Sir, in my personal view that would not be a fruitful policy. (*laughter*) I shall be glad to pass my Friend's suggestion to the Commissioner for Transport for consideration.

Public Omnibus—Safety Standards

10. MISS DUNN asked:—

Sir, in view of the recent accident in which a public bus crashed into a grocery at Sek Kong causing six deaths, does Government consider it necessary to review the overall safety standards of operation of all public omnibus companies?

SECRETARY FOR THE ENVIRONMENT:—Sir, the Police enquiry into the causes of the serious bus accident at Sek Kong on 25th February is as yet not quite completed, as the final opinions of one or two technical experts are still awaited. I can say, however, that the bus concerned was a new one, specially purchased for Route 51, that is the route crossing Route TWSK. It was first licensed on 18th June 1976 and went into regular service on that route on 1st August 1976. Since then and until the accident it had a regular three weekly inspection and service, which included testing and adjusting the brakes if required. The last such test was held on 6th February 1977.

I do not think that this one accident, serious as it was, requires as drastic procedure as a complete review of the overall safety standards of operation of all public omnibus companies. All public omnibuses are inspected by the Transport Department before they enter service and at regular intervals thereafter. The companies are also required to satisfy the Commissioner for Transport that their maintenance

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facilities are adequate and he is so satisfied at the present time. Furthermore, the instructions given to drivers on methods of operation in the interests of safety are also known to the Transport Department and are discussed between the Department and the companies.

What I have done, Sir, pending the result of the enquiry into this accident, is to request the Commissioner for Transport to review the deployment of buses and the instructions given to drivers, on KMB Route 51 in particular, but also on all other hilly routes in Hong Kong as a whole, and to report back to me on his findings as early as possible.

MISS DUNN:—Sir, does the Transport Department inspect all buses after the initial inspection, and at what interval is this done?

SECRETARY FOR THE ENVIRONMENT:—Sir, the object is to inspect all buses every 12 months. This is sometimes achieved, but sometimes there is some slippage and it goes a little over 12 months. But the object of the department, as far as possible, is to inspect all buses every 12 months. As I have just said, another check is the fact that the department maintain a regular check on the maintenance facilities provided by the two main bus companies. I must say that over the last few years, those facilities have considerably improved. They certainly have with KMB and in the case of CMB, once their new Chai Wan Depot is opened their facilities will be exceptionally good.

MISS DUNN:—Sir, are there any measures to ensure that drivers of public buses respect safe driving procedures?

SECRETARY FOR THE ENVIRONMENT:—Yes, Sir. I think anybody driving down the Garden Road will see a notice about half way down in red, which says "All CMB buses must stop here". (*laughter*) This is a safe driving procedure. At the top of Blue Pool Road, there is a notice in Chinese and I have had it translated for me and I believed it says something like "All CMB drivers change to a low gear at this point". Likewise, there are instructions on this particular Route Twsk; the KMB drivers had instruction as to what gear they were supposed to be in and also at certain points on the route they have to stop the bus. I can assure you, Sir, quite considerable instructions have been given to drivers.

MR T. S. LO:—I wonder how Government identifies a bus, by means of its coach work or by means of its engine number?

SECRETARY FOR THE ENVIRONMENT:—By means of its licence number, I would say, Sir.

MR T. S. LO:—Sir, I was asking in regard to its inspection. I do not suppose the Government inspect its licence to determine the safety features of a bus. How would you identify one?

SECRETARY FOR THE ENVIRONMENT:—I am sorry, I require a little more clarification of that question. How does the Government identify a bus, according to its engine number or according to its chassis? The Government identifies a bus because it has a license number and that licence number is given to the bus, and when the bus is brought in for inspection it is checked and written down according to that licence number. The same as my car would be.

MR CHEUNG:—Are those celebrated instructions on Garden Road, Blue Pool Road and Route Twsk always obeyed by the drivers at all hours of the day?

SECRETARY FOR THE ENVIRONMENT:—Sir, as I am not around to look, I am not certain (*laughter*).

Committee for Scientific Co-ordination

11. MR CHEONG-LEEN asked:—

Sir, will Government take steps to expand the scope of the Committee for Scientific Co-ordination into that of an Institute or Council of Science and Technology?

SECRETARY FOR THE ENVIRONMENT:—Sir, to help in answering this question I have laid on the table the terms of reference and membership of the Committee for Scientific Co-ordination. Honourable Members will see that the terms of reference of the Committee are broad and comprehensive and that it contains representatives from all the relevant Government departments, the two Universities and the Polytechnic. The Committee has been functioning well, under the able chairmanship of the Director of the Royal Observatory, and the Government has no plans at present for expanding its scope into an Institute or Council of Science and Technology.

The Committee, as at present constituted, fulfills the function of keeping a continuing check on the need in Hong Kong for scientific and technical knowledge and programmes and concentrating effort where it is most needed. We possess no heavy industries and cannot be at

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the forefront of scientific research. But in some fields, for example textile technology and typhoon studies, both of which are very relevant to Hong Kong, we are recognized as having a special knowledge. The Committee is also able to advise where help can be sought from overseas if any particular problem arises. Furthermore, as far as our industries are concerned, the Hong Kong Productivity Centre is available to give advice. Mr CHEONG-LEEN may be interested to know that, as a result of him asking this question, I have already discussed with the Chairman of the Scientific Co-ordination Committee the possibility of someone from the Productivity Centre being invited to join his Committee and he has agreed to pursue this.

Finally, Sir, the Chairman of the Committee has recently submitted a report to the Government giving a comprehensive account of the work of the Committee. This is now being printed and, when it is ready, I will arrange for it to be tabled in this Council for the information of honourable Members.

TERMS OF REFERENCE AND MEMBERSHIP

OF

THE COMMITTEE FOR SCIENTIFIC CO-ORDINATION

Terms of Reference:

- (a) To advise on any scientific problem which may be referred to the Committee by or on behalf of the Government, including advice on the respective priorities of research projects.
- (b) To recommend new scientific and technological programmes and policies.
- (c) To disseminate the results of scientific and technological research and bring to the attention of the appropriate authorities the desirability of the practical application of these results.
- (d) To promote co-operation in ensuring the most effective use for public purposes of existing scientific facilities.
- (e) In consultation with other interested authorities to advise on the conduct of surveys of scientific manpower, facilities and other resources.
- (f) To prepare and maintain a directory of scientific personnel and facilities which are available locally.

- (g) To advise on Hong Kong's participation in international scientific activities and to co-ordinate such participation in approved cases.
- (h) To co-opt specialists to serve on a temporary basis on *ad hoc* working groups formed to study special problems.

Membership:

Ex Officio

Director of Royal Observatory (Chairman)
Director of Agriculture and Fisheries
Government Chemist, Medical and Health Department
Senior Physicist, Medical and Health Department
Representative of Director of Education
Representative of Director of Public Works

Appointed in a personal capacity

4 members from the Chinese University of Hong Kong
4 members from the University of Hong Kong
1 member from the Hong Kong Polytechnic.

MR CHEONG-LEEN:—Will steps be taken to have the industrial sector represented on the existing Committee for Scientific Co-ordination?

SECRETARY FOR THE ENVIRONMENT:—Sir, as I have just said in reply to the question, I have invited the Chairman to consider whether someone from the Productivity Centre might be invited. I am willing to consider also someone from, say the Federation of Hong Kong Industries who I also know have testing centres and technologies. I am willing to consider that as well.

DR CHUNG:—Sir, the Secretary for the Environment said in his reply and I quote "We possess no heavy industries and cannot be at the forefront of scientific research". Does Government realize that the "forefront of scientific research" is not limited to heavy industries? For example, electronic industry is a very good case in point.

SECRETARY FOR THE ENVIRONMENT:—Sir, in saying that, I didn't really intend that one thing followed on the other. They were two separate things. First of all, heavy industries do require technological

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

knowledge, but I said "we cannot be at the forefront of scientific research" largely because we are a small community. We are still not, compared with some countries, a very rich community. So for instance, by "the forefront of scientific research" I mean, for instance, we can't have something like an accellerator shooting particles around a three mile track. That is what I mean by "the forefront of scientific research".

MR JAMES WU:—Sir, will Government consider increasing the number of members to this Council from the Hong Kong Polytechnic which has a very large number of scientific and technical experts?

SECRETARY FOR THE ENVIRONMENT:—Sir, I think that is a matter for Your Excellency rather than me. (*laughter*)

Government business

Motions

VOTE ON ACCOUNT

THE FINANCIAL SECRETARY moved the following motion:—

That—

- (a) a sum not exceeding \$3,020,743,000 may be expended in the manner expressed in the Schedule from the general revenue and funds of Hong Kong on account for or towards defraying the service of the financial year commencing on 1st April 1977 and ending on 31st March 1978;
- (b) where on or after 1st April 1977 the Financial Secretary directs that any revenue, whether received by way of fee, penalty or proceeds of sale or by way of an extra or unusual receipt, shall be applied as an appropriation-in-aid of any Head of Expenditure referred to in the Schedule, such revenue shall, without being paid into the general revenue, be applied, audited and dealt with accordingly, and so far as it is not so applied shall be paid into the general revenue.

SCHEDULE

<i>Head of Expenditure</i>		<i>Amount upon which Provision on Account is based</i>	<i>Amount of vote on Account</i>
		\$	\$
21.	His Excellency the Governor's Establishment.....	1,993,000	369,000
22.	Agriculture and Fisheries Department	61,380,000	28,890,000
23.	Audit Department	5,964,000	1,193,000
24.	Census and Statistics Department	12,281,000	2,457,000
25.	Civil Aviation Department	42,573,000	13,727,000
26.	Commerce and Industry Department	67,617,000	13,175,000
27.	Defence: Auxiliary Medical Service.....	2,868,000	561,000
28.	Defence: Civil Aid Services.....	5,118,000	1,100,000
29.	Defence: Miscellaneous Measures.....	346,758,000	77,413,000
30.	Defence: Royal Hong Kong Auxiliary Air Force.....	6,571,000	1,286,000
31.	Defence: Royal Hong Kong Regiment (The Volunteers)	5,129,000	1,019,000
32.	Education Department	254,122,000	56,684,000
33.	Fire Services Department.....	116,856,000	25,134,000
34.	Government Secretariat	64,352,000	12,844,000
35.	Government Secretariat: London Office	8,033,000	2,859,000
36.	Government Supplies Department	22,276,000	4,441,000
37.	Home Affairs Department.....	21,526,000	4,205,000
38.	Housing Department	112,695,000	27,646,000
39.	Immigration Department.....	48,992,000	9,968,000
40.	Independent Commission Against Corruption	48,373,000	9,361,000
41.	Information Services Department	16,883,000	3,357,000
42.	Inland Revenue Department.....	50,017,000	9,975,000
43.	Judiciary	32,164,000	6,466,000
44.	Kowloon-Canton Railway.....	36,301,000	9,658,000
45.	Labour Department	31,568,000	6,187,000
46.	Legal Department	12,063,000	2,409,000
47.	Legal Aid Department	11,346,000	2,294,000
48.	Marine Department	66,959,000	18,741,000
49.	Medical and Health Department	522,505,000	108,928,000
50.	Miscellaneous Services.....	487,992,000	121,211,000
51.	New Territories Administration	54,908,000	10,682,000
52.	Office of Unofficial Members of Executive and Legislative Councils.....	3,404,000	681,000
53.	Pensions.....	229,113,000	45,823,000
54.	Police: Royal Hong Kong Police Force	563,040,000	122,075,000
55.	Police: Royal Hong Kong Auxiliary Police Force	28,334,000	5,667,000
56.	Post Office	169,619,000	44,673,000

[THE FINANCIAL SECRETARY] **Motions**

<i>Head of Expenditure</i>		<i>Amount upon which Provision on Account is based</i>	<i>Amount of vote on Account</i>
		\$	\$
57.	Printing Department	26,513,000	4,934,000
58.	Prisons Department	114,138,000	23,548,000
59.	Public Debt.....	51,627,000	5,564,000
60.	Public Services Commission	600,000	112,000
61.	Public Works Department: Headquarters.....	10,883,000	2,579,000
62.	Public Works Department: Building Development.....	144,399,000	28,904,000
63.	Public Works Department: Engineering Development.....	308,680,000	62,590,000
64.	Public Works Department: Lands and Survey.....	45,930,000	9,088,000
65.	Public Works Department: New Territories Development	6,673,000	1,335,000
66.	Public Works Department: Water Supplies	233,857,000	48,032,000
67.	Public Works Non-Recurrent: Headquarters.....	90,131,000	83,792,000
68.	Public Works Non-Recurrent: Buildings	226,831,000	226,371,000
69.	Public Works Non-Recurrent: Engineering.....	369,237,000	367,506,000
70.	Public Works Non-Recurrent: New Towns and Public Housing (other than Housing Authority).....	630,961,000	630,515,000
71.	Public Works Non-Recurrent: Waterworks	146,988,000	146,237,000
72.	Radio Television Hong Kong	24,151,000	5,290,000
73.	Rating and Valuation Department.....	15,689,000	3,103,000
74.	Registrar General's Department.....	17,018,000	3,404,000
75.	Registry of Trade Unions	759,000	152,000
76.	Royal Observatory.....	10,341,000	1,928,000
77.	Social Welfare Department.....	346,687,000	69,459,000
78.	Subventions: Education.....	995,744,000	226,588,000
79.	Subventions: Medical.....	231,407,000	72,978,000
80.	Subventions: Miscellaneous	88,692,000	21,986,000
81.	Subventions: Social Welfare.....	68,000,000	17,000,000
82.	Transport Department.....	20,195,000	5,599,000
83.	Treasury.....	17,122,000	3,156,000
84.	Universities and Polytechnic	351,857,000	115,932,000
85.	Urban Services Department.....	78,374,000	19,902,000
	Total	<u>8,245,177,000</u>	<u>3,020,743,000</u>

He said:—Sir, I rise to move the motion standing in my name in the Order Paper.

This year, as in the last two years, the debate on the Second Reading of the Appropriation Bill is to be extended into April and May to allow honourable Members more time to examine the Draft Estimates for 1977-78. The enactment of the Appropriation Ordinance will therefore not take place until early May. This motion, therefore, seeks funds on account to enable the Government to carry on existing services between the start of the financial year on 1st April 1977 and the issue of the General Warrant following the enactment of the Appropriation Ordinance. The funds on account sought under each head have been determined in accordance with rules which have been agreed by the Finance Committee of this Council.

Expenditure will be regulated in accordance with the heads and subheads shown in the Draft Estimates 1977-78. A Vote on Account Warrant will be issued to the Director of Accounting Services authorizing him to make payments up to the amount specified in this motion, and will limit the expenditure in accordance with the agreed rules. The provision under the Vote on Account will be subsumed upon the enactment of the Appropriation Ordinance, and the General Warrant issued after the enactment of the Appropriation Ordinance will replace the Vote on Account Warrant and be effective from 1st April.

An appropriations-in-aid system was introduced in 1976-77. Under this system certain receipts, consisting of fees and charges, will be appropriated-in-aid and used to offset expenditure instead of being credited to General Revenue. The motion also seeks the authority of this Council to enable me to direct that such receipts should be applied in this way during the period covered by the vote on account.

Question put and agreed to.

MASS TRANSIT RAILWAY CORPORATION ORDINANCE

THE FINANCIAL SECRETARY moved the following motion:—

Under section 12(1) of the Mass Transit Railway Corporation Ordinance that the Schedule to the Resolution of the Legislative Council published as Legal Notice No 242 of 1975 in the *Gazette* on the 31st October 1975 as amended from time to time be further amended—

[THE FINANCIAL SECRETARY] **Motions**

- (a) in item 13 by deleting "Kyowa Limited" and substituting the following—
"Kyowa Finance (Hong Kong) Limited", and
- (b) by adding the following new item—
"21. Hong Kong dollar loan facility arranged by Schrodgers and Chartered Limited and Asia Pacific Capital Corporation Limited. 600 million Hong Kong dollars and such amounts as may become payable in respect of interest."

He said:—Sir, this motion seeks to amend the Schedule to the Mass Transit Railway Corporation Ordinance in two respects.

The first is to rectify an anomaly that has come to light regarding the name of one of the lending institutions. In this case, the guarantee given should have been in respect of a loan to be arranged through the Kyowa Finance (Hong Kong) Limited, the local subsidiary, rather than through Kyowa Bank Limited in Japan which is the parent company.

The second amendment seeks to increase the amount guaranteed by the Government by HK\$600 million. This is to enable the Corporation to take advantage of the more favourable terms currently available in Hong Kong by refinancing part of its current liabilities, including various loans obtained in foreign currencies thus reducing the exposure of the Corporation to exchange risks.

I should like to take this opportunity to say that the Corporation has been able to negotiate at similarly advantageous terms, a medium-term facility for \$650 million, without a Government guarantee. This is the first occasion that the Corporation has been able to obtain medium-term financing without the requirement of a Government guarantee.

Thus on the successful completion of arrangements for these two facilities, the Corporation will be in a position to reduce the overall amount already guaranteed by the Government by the equivalent of HK\$1,250 million.

Question put and agreed to.

First reading of bills**LIMITED PARTNERSHIP (AMENDMENT) BILL 1977****MONEY-LENDERS (AMENDMENT) BILL 1977****LANDS TRIBUNAL (AMENDMENT) BILL 1977****Second reading of bills****LIMITED PARTNERSHIP (AMENDMENT) BILL 1977**

THE SECRETARY FOR ECONOMIC SERVICES moved the second reading of:—"A bill to amend the Limited Partnerships Ordinance."

He said:—Sir, the purpose of the bill is to revise the charges payable under the Limited Partnership Ordinance to bring them into line with comparable charges under the Companies Ordinance. Also to be consistent with the Companies Ordinance, the bill seeks to change the nature of the charges from stamp duty to fees. The new fees payable are included in a Schedule to the Bill.

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

Question put and agreed to.

MONEY-LENDERS (AMENDMENT) BILL 1977

THE SECRETARY FOR ECONOMIC SERVICES moved the second reading of:—"A bill to amend the Money-lenders Ordinance."

He said:—Sir, the bill brings up-to-date the fees payable under the Money-lenders Ordinance. These fees have not been changed since 1955. For the sake of clarity, the bill seeks to extract details of the fees from the body of the principal Ordinance and to place them in subsidiary legislation.

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

Question put and agreed to.

LANDS TRIBUNAL (AMENDMENT) BILL 1977

THE SOLICITOR GENERAL moved the second reading of:—"A bill to amend the Lands Tribunal Ordinance."

He said:—Sir, since the Lands Tribunal began to function in late 1976, it has become clear that the Tribunal needs to have a registrar and associated staff established by statute and exercising statutory powers.

Clause 3 of the bill adds three sections to the Lands Tribunal Ordinance to achieve this. In general terms, the effect will be for the registrar of the Lands Tribunal to exercise in relation to that Tribunal similar powers and duties to those exercised by the Registrar in the Supreme Court.

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

Question put and agreed to.

INTERPRETATION AND GENERAL CLAUSES (AMENDMENT)**BILL 1977****Resumption of debate on second reading (16th February 1977)**

Question proposed.

DR CHUNG:—Your Excellency, the Secretary for Home Affairs in moving the second reading of this bill on 16th February gave a brief but very clear outline of the history of the great controversy over the time system to be used in Hong Kong. I am asked by my Unofficial Colleagues, except Mr Hilton CHEONG-LEEN who will speak on his own later, to say a few words on what the Unofficials did during the controversy last year and on their present stand with regard to this bill.

In the light of the large volume of objections voiced through the mass media in June and July last year against the introduction of GMT+9 as the Hong Kong Time throughout the whole year the Unofficials agreed to the proposal of Government that since we had tried GMT+9 in the winter of 1973, we should have some experience of GMT+8 in the next summer before coming to a final conclusion. This would mean that between April and October 1977 we would retain the Hong Kong Standard Time, that is, GMT+8, instead of changing to summertime, that is, GMT+9.

There is also the following understanding between the Unofficials and the Government. As a result of this experience we would reassess public opinion and have an open debate and a free vote in this Council later this year to decide whether Hong Kong should have a fixed standard time throughout the whole year or should return to a dual time system. And if a fixed standard time system is preferred, should it be GMT+8, GMT+9 or GMT+8 $\frac{1}{2}$?

By declaring a free vote on this issue later this year, the Government is implying that it is taking a neutral stand and has no strong views on the matter. All Members of this Council, whether Official or Unofficial, will be free to speak and vote on the basis of their individual belief and judgment.

With these remarks, Sir, I am glad to say that all the Unofficial Members support this bill as an experiment on the understanding that a debate will take place later this year to decide on a permanent time system for Hong Kong.

MR CHEONG-LEEN: —When Government published in June 1976 the bill to standardise Hong Kong Time at GMT+9, public comment was so adverse that Government felt obliged to withdraw it.

The principal objection was that GMT+9 in winter would be most inconvenient to families whose children have to travel long distances to go to school on dark winter mornings.

Now, Government proposes to give a trial run to GMT+8 during the 1977 summer, and to continue on with GMT+8 during the 1977-78 winter months.

After the summer months are over, a firm decision could then be taken as to whether Hong Kong should adopt GMT+8 throughout the year from 1978 onwards, or revert back to the old dual time system of GMT+8 in winter and GMT+9 in summer.

I for one did not find it too difficult to live with the old dual time system. Certainly it seems more acceptable to the public than the GMT+8 $\frac{1}{2}$ suggestion. I am not saying however that I would find it impossible to live under any other time system.

All things considered, I do not have any strong grounds to object to this bill since it is only for a trial run and I am sure I can live through quite happily the 1977 summer months by rising leisurely one hour later every morning on GMT+8.

Interpretation and General Clauses (Amendment) Bill—resumption of debate on second reading (16.2.77)

MR CHEUNG:—Sir, may I modestly hope that at some time we will finally make up our minds and piously hope that this exercise on the free vote won't be repeated in a few years' time.

SECRETARY FOR HOME AFFAIRS:—I am grateful for honourable Members' support for the bill. If, at the end of the summer, (*laughter*) there should be clear support for GMT+8, of course no further debate will be necessary. I cannot help feeling however that Council will find it difficult to resist the necessity for a further debate on this fascinating subject. For even if the Government proposes no change, I expect an Unofficial Member will propose a motion and then a debate will ensue. I am sorry I shall miss it!

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).

TRADE UNIONS (AMENDMENT) BILL 1977

Resumption of debate on second reading (16th February 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.

INTERPRETATION AND GENERAL CLAUSES (AMENDMENT)

BILL 1977

Clauses 1 to 3 were agreed to.

TRADE UNIONS (AMENDMENT) BILL 1977

Clauses 1 to 7 were agreed to.

Council then resumed.

Third reading of bills

THE ATTORNEY GENERAL reported that the

Interpretation and General Clauses (Amendment) Bill 1977 and the

Trade Unions (Amendment) Bill 1977

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

Question put on each bill and agreed to.

Bills read the third time and passed.

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT:—In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on Wednesday the 30th of March.

Adjourned accordingly at thirty minutes past three o'clock.

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