

**OFFICIAL REPORT OF PROCEEDINGS****Wednesday, 1 August 1979****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 CHARLES PHILIP HADDON-CAVE, CMG, JP

THE HONOURABLE THE FINANCIAL SECRETARY (*Acting*)  
MR HENRY CHING, JP

THE HONOURABLE THE ATTORNEY GENERAL (*Acting*)  
MR FREDERICK THOMAS McHARDY JONES

THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS (*Acting*)  
MR JOHN CHARLES CREASEY WALDEN, JP

THE HONOURABLE DAVID HAROLD JORDAN, CMG, MBE, JP  
DIRECTOR OF TRADE, INDUSTRY AND CUSTOMS

THE HONOURABLE DAVID AKERS-JONES, CMG, JP  
SECRETARY FOR THE NEW TERRITORIES

THE HONOURABLE LEWIS MERVYN DAVIES, CMG, OBE, JP  
SECRETARY FOR SECURITY

THE HONOURABLE DAVID WYLIE McDONALD, CMG, JP  
DIRECTOR OF PUBLIC WORKS

THE HONOURABLE EDWARD HEWITT NICHOLS, OBE, JP  
DIRECTOR OF AGRICULTURE AND FISHERIES

THE HONOURABLE THOMAS LEE CHUN-YON, CBE, JP  
DIRECTOR OF SOCIAL WELFARE

THE HONOURABLE JOHN MARTIN ROWLANDS, JP  
SECRETARY FOR THE CIVIL SERVICE

THE HONOURABLE GERALD PAUL NAZARETH, OBE  
LAW DRAFTSMAN

THE HONOURABLE DONALD LIAO POON-HUAI, OBE, JP  
SECRETARY FOR HOUSING (*Acting*)

THE HONOURABLE GRAHAM BARNES, JP  
SECRETARY FOR THE ENVIRONMENT (*Acting*)

THE HONOURABLE COLVYN HUGH HAYE, JP  
DIRECTOR OF EDUCATION (*Acting*)

THE HONOURABLE JOHN WALTER CHAMBERS, JP  
SECRETARY FOR SOCIAL SERVICES (*Acting*)

THE HONOURABLE DAVID TZI-KI WONG, JP  
SECRETARY FOR ECONOMIC SERVICES (*Acting*)

DR THE HONOURABLE LAM SIM-FOOK, JP  
DIRECTOR OF MEDICAL AND HEALTH SERVICES (*Acting*)

THE HONOURABLE OSWARD VICTOR CHEUNG, CBE, QC, JP

THE HONOURABLE ROGERIO HYNDMAN LOBO, CBE, JP

THE HONOURABLE JAMES WU MAN-HON, OBE, JP

THE HONOURABLE HILTON CHEONG-LEEN, OBE, JP

THE HONOURABLE LI FOOK-WO, CBE, JP

THE HONOURABLE JOHN HENRY BREMRIDGE, OBE, JP

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

DR THE HONOURABLE HENRY HU HUNG-LICK, OBE, JP

THE HONOURABLE LEUNG TAT-SHING, OBE, JP

THE REV THE HONOURABLE PATRICK TERENCE McGOVERN, OBE, SJ, JP

THE HONOURABLE PETER C. WONG, OBE, JP

THE HONOURABLE WONG LAM, OBE, JP

DR THE HONOURABLE RAYSON LISUNG HUANG, CBE, JP

THE HONOURABLE CHARLES YEUNG SIU-CHO, JP

DR THE HONOURABLE HO KAM-FAI

THE HONOURABLE ALLEN LEE PENG-FEI

THE HONOURABLE ANDREW SO KWOK-WING

#### **ABSENT**

THE HONOURABLE JAMES NEIL HENDERSON, JP  
COMMISSIONER FOR LABOUR

THE REV THE HONOURABLE JOYCE MARY BENNETT, OBE, JP

THE HONOURABLE CHEN SHOU-LUM, OBE, JP

THE HONOURABLE DAVID KENNEDY NEWBIGGING, JP

#### **IN ATTENDANCE**

THE CLERK TO THE LEGISLATIVE COUNCIL  
MRS LORNA LEUNG TSUI LAI-MAN

## Papers

The following papers were laid pursuant to Standing Order No 14(2):—

<i>Subject</i>	<i>LN No</i>
<b>Subsidiary Legislation:</b>	
Hong Kong Royal Instructions 1917 to 1977.	
Standing Orders of the Legislative Council of Hong Kong. Ending of 1978-79 Session .....	181
Immigration Ordinance.	
Immigration (Places of Detention) (Amendment) (No 13) Order 1979.....	182
Public Health (Animals and Birds) Ordinance.	
Public Health (Animals and Birds) (Amendment) Regulations 1977 (Commencement) Notice 1979.....	183
Revised Edition of the Laws Ordinance 1965.	
Annual Revision 1978 .....	184
<b>Sessional Papers 1978-79:</b>	
No 57—J. E. Joseph Trust Fund Report for the period 1 April 1978 to 31 March 1979 (published on 1.8.79).	
No 58—Kadoorie Agricultural Aid Loan Fund Report for the year 1978-79 (published on 1.8.79).	
No 59—Annual Report of the Sir Robert Black Trust Fund for the year 1 April 1978 to 31 March 1979 (published on 1.8.79).	
No 60—Sir David Trench Fund for Recreation Trustee's Report 1978-79 (published on 1.8.79).	
No 61—Statement of Accounts of the Hawker Control Force Welfare Fund for the year ended 31 March 1979 (published on 1.8.79).	
No 62—Report of the UMELCO Police Group for the period 1 January 1978 to 31 December 1978 (published on 1.8.79).	
No 63—Annual Report of the School Medical Service Board for the year ended 31 March 1979 (published on 1.8.79).	

## Oral answers to questions

### Management of community halls

1 MR TIEN asked:—*Does Government intend to foster the spirit of public participation in New Towns by appointing a Community Hall Management Committee at Lei Muk Shue in Kwai Chung?*

SECRETARY FOR THE NEW TERRITORIES:—Yes, Sir, just such a Management Committee was appointed on 20 June this year.

MR TIEN:—*Sir, does Government intend to extend the scheme to other community halls and centres and appoint similar committees to manage indoor games halls and other major sports grounds?*

SECRETARY FOR THE NEW TERRITORIES:—Sir, we intend to review the operation of this Committee in about six months time and then the question of extending such a scheme to other community halls will be considered. As for extending it to games halls and other centres, that is quite another matter and we will certainly look at this possibility.

MR CHEUNG:—*Sir, does the Government provide funds for these Management Committees?*

SECRETARY FOR THE NEW TERRITORIES:—If their activities, Sir, came under the general scope of the funds which had been allocated to the District Advisory Board, then it should be possible for them to obtain access to District Advisory Board funds.

### Safety measures in construction sites

2 MR WONG LAM asked in Cantonese dialect:—

政府對建築地盤（安全）規例的執行是否感到滿意，若否，請問政府將會採取何種措施以確保地盤工作人員的安全？

(The following is the interpretation of what Mr WONG Lam asked).

*Is the Government satisfied with the enforcement of the Construction Sites (Safety) Regulations, and if not, what steps will Government take to ensure the safety of workers in construction sites?*

SECRETARY FOR THE SOCIAL SERVICES:—Sir, at present there are 18 factory inspectors engaged in the inspection of construction sites to ensure that building contractors are aware of and carry out their obligations under the Construction Sites (Safety) Regulations. On average three or four visits

are made to each site each year. Prosecutions are undertaken in appropriate cases.

The Labour Department also conducts frequent safety courses for people employed in the construction industry and several aspects of construction safety are covered in the Industrial Safety and Health Exhibition now taking place at the Hung Hom Station.

Despite these efforts the situation is not considered satisfactory and the Commissioner for Labour is planning to double the number of inspectors during the next three to four years so as to increase the frequency of inspections. Inspection and enforcement are however not the complete answer to this problem and it is essential that both building contractors and their employees should become more safety-conscious if the number of accidents is to be reduced.

MR WONG LAM asked in Cantonese dialect:—

閣下，剛才湛先生說單靠視察和執行規例，不可以完全解決問題的，請問政府認為有甚麼較好的辦法來減少嚴重意外的發生？

(The following is the interpretation of what Mr WONG Lam asked).

*Sir, Mr Chambers mentioned that inspection and enforcement are, however, not a complete answer, what action would the Government take to ensure that there will be less accidents happened?*

SECRETARY FOR SOCIAL SERVICES:—Sir, as I mentioned the Labour Department does conduct quite frequent safety courses for people in the industry to put across methods that should be adopted to ensure that as far as possible accidents are eliminated, and I would commend to Members the exhibition now taking place at the Kowloon Railway Station which contains a number of very interesting and instructive exhibits which also tend towards this end.

MISS DUNN:—*Sir, how many prosecutions were there in the last 12 months and for what offenses were these prosecutions for?*

SECRETARY FOR SOCIAL SERVICES:—Sir, I have the figures here for January to June of this year, the first six months of this year. I beg your pardon, summonses in the first six months of this year. There were 271 cases which resulted in a total of \$244 390 in fines. These were for a variety of cases of infringements of the Construction Sites (Safety) Regulations. I do not have a breakdown but if Miss DUNN would like one I will arrange for this to be provided.

REV McGOVERN:—*Given the working hours of many workers in the manufacturing industry and construction, is Government satisfied that the time at*

*which the present exhibition is open is suitable for workers to visit the exhibition?*

SECRETARY FOR SOCIAL SERVICES:—I believe the exhibition is open over the week-ends and this should provide an opportunity for workers to attend.

MR PETER C. WONG:—*Would Government consider increasing the number of courses to instruct the building contractors and employees to be safety conscious?*

SECRETARY FOR SOCIAL SERVICES:—Yes, Sir, if there appears to be a need for this.

### **Geneva Conference on Vietnamese refugees**

3 MR CHEUNG asked:—*Sir, will Government make a statement on the outcome of the Geneva Conference on refugees from Indochina with particular regard to:*

- (a) *the number and timing of offers of resettlement for refugees in Hong Kong,*
- (b) *the likelihood of the flow of refugees from Vietnam by sea being halted permanently, and*
- (c) *the prospects of the financial burden presently being borne by Hong Kong being assumed by the UNHCR?*

SECRETARY FOR SECURITY:—Yes, Sir, in response to the proposal that the Prime Minister of the United Kingdom made to him, the United Nations Secretary General called an international meeting in Geneva on the 20 and 21 July. Sixty-five countries were represented. The Foreign and Commonwealth Secretary attended the meeting together with the Governor of Hong Kong. The United Nations High Commissioner for Refugees and Dr WALDHEIM summed up.

The Conference resulted in an immediate increase in offers of resettlement places from 125 000 to 260 000 and in new pledges of additional support for the UNHCR activities amounting to US\$190 million in cash and kind. The Vietnamese Government indicated that they would suspend for a time the export of boat people and will discuss measures for the safe and orderly departure of those of their citizens who wished to leave.

In the summing up by the Secretary General of the United Nations there was no specific reference to the allocation of resettlement places or of funds to individual territories.

Turning now to the three questions asked by Mr O. V. CHEUNG—the answers are as follows:

- (a) Since the Conference the number of overseas resettlement places for the region as a whole being offered by 26 countries has increased to up to 300 000. We are now engaged on a series of bilateral negotiations with resettlement countries and with the UNHCR over resettlement places. These will inevitably take a little bit of time to develop their full potential of places. Bearing in mind the various conditions applied to some of the offers I estimate that about 20 000 refugees will leave this current year. I hope that the rate thereafter will increase.
- (b) In summing up at the Conference Dr WALDHEIM announced that  
‘for a reasonable period of time it (that is to say the Government of Vietnam) will make every effort to stop illegal departures’.  
Most of the small boats on which refugees arrive from Vietnam take several weeks to reach Hong Kong. Boats are still arriving and it is too early to say whether the flow of refugees leaving Vietnam has actually ceased and certainly too soon to say whether it will do so permanently. There is however a marked reduction in arrivals. What we would wish to see is that conditions in Vietnam should be such that there is no pressure on people to leave, those who do wish to leave should be free to do so, in an orderly fashion, on transport that is safe, and to an assured destination.
- (c) The prospects of UNHCR assuming the financial burden being borne by Hong Kong are encouraging. This subject will be discussed with senior UNHCR officials in Hong Kong in the middle of this month. Meanwhile, Kai Tak North Camp has been handed over from Government control to UNHCR today. This increases the number under UNHCR direct responsibility to 32 000 or almost about half of the total number of refugees here. Also UNHCR camps are to be expanded at least to a capacity of 44 000. It is my aim that UNHCR should be pressed to take over full financial responsibility for all refugees in Hong Kong.

MR CHEUNG:—*Is one of the measures that the Government of Vietnam is prepared to discuss the establishment of an UNHCR processing centre in Vietnam itself?*

SECRETARY FOR SECURITY:—I understand this is so, but I am not aware that the discussions on this particular proposition are proceeding.

MR LO:—*Sir, in view of the fact that no specific reference to the allocation of resettlement places has been made, has the Government, Hong Kong Government that is, made it sufficiently well-known that Hong Kong when compared to almost all countries in the world is the least able to absorb refugees notwithstanding our present low rate of unemployment, because of the fact that our population density is extremely high, the fact that the extent of the flow of refugees from China is beyond our capability to regulate, the fact that we have limited natural resources and finally the fact that the*

*various Government social programmes for our present residents—they have been waiting patiently for these programmes to mature for very many years?*

SECRETARY FOR SECURITY:—Yes, Sir. Before the Conference took place there were the most strenuous diplomatic approaches to the countries which participated at the Conference, by the British Government in London and by British posts overseas setting out the problems of Hong Kong in the general terms that Mr LO has spoken. At the time of the Conference these points were repeated and since the Conference, in the bilateral discussions which are going on, they have been repeated again. It is certainly our intention to continue to ensure that the position of Hong Kong both as to overcrowding and as to the problems that refugees create for its own social services is made known, loud and clear, to the rest of the world.

MISS DUNN:—*Sir, what exactly is the status of refugees in UNHCR camps?*

SECRETARY FOR SECURITY:—Sir, the UNHCR's charter requires them to protect refugees and they have provided protection. The status of those in the camps is that they are financed and maintained by UNHCR who have found it convenient to use voluntary agencies as their management agent. The refugees in the UNHCR camps are free to work and to leave and go about Hong Kong in the ordinary way.

MISS DUNN:—*Sir, are refugees in the UNHCR camps guaranteed resettlement elsewhere?*

SECRETARY FOR SECURITY:—UNHCR, Sir, has guaranteed to use their best endeavours to resettle persons who are here and so far this guarantee has been borne out in practice by all those who were here until 1978 being resettled overseas, and this is their intention regarding those who are here now.

MR CHEONG-LEEN:—*Sir, has the UNHCR in Hong Kong given an indication how soon they will be able to take over management of all the camps holding Vietnamese refugees and has it at the same time indicated when the UNHCR will be able to accept full financial responsibility. I realize it is something about which the Secretary for Security is pressing but has any indication been given as to how soon?*

SECRETARY FOR SECURITY:—No, Sir, there has not been an assurance given as to the date by which UNHCR would take over all the existing camps or how soon they would take over the management and maintenance responsibilities of those who are still in Government camps. These are two matters which are high on the agenda for discussion when the senior representatives come to Hong Kong in about ten days time.

### Employment of Vietnamese refugees

4 DR HO asked:—*Sir, what steps are being taken by the Government to inform Vietnamese refugee workers of the provisions of local labour legislation so that they can better look after themselves and their families after ceasing to receive direct Government aid?*

SECRETARY FOR SOCIAL SERVICES:—Sir, since Vietnamese refugees began to seek employment in substantial numbers camp managements have been briefed by the Labour Department and provided with copies of pamphlets on labour legislation. Guidance on labour matters is also being provided by several voluntary agencies, as part of their familiarization programmes within the Vietnamese refugee camps.

In addition, the Chinese-speaking Vietnamese workers who make up the great majority of those who have obtained employment have access to the regular Labour Department publicity programmes through press, radio and television.

DR HO:—*Sir, so far has the Labour Department received any reports of unfair pay, or complaints concerning working conditions from these refugee workers?*

SECRETARY FOR SOCIAL SERVICES:—Sir, I understood from the Commissioner yesterday that he has so far received no such complaints.

### Public housing for immigrants

5 MR CHEONG-LEEN asked:—*Sir, will the Government consider introducing measures to prevent legal and illegal immigrants being accommodated in public housing at least until they have resided in Hong Kong for 7 years or more?*

SECRETARY FOR HOUSING:—Sir, under current policy the majority of persons entering new permanent public housing have at least seven years residence in Hong Kong, entering as they do through the waiting list, through clearance of squatter structures surveyed in 1964 or on the redevelopment of old resettlement estates, most of which are over twenty years old. There are, however, ways in which new arrivals can gain entry to public housing, and, over the past six months the Housing Authority has become increasingly aware that this is occurring in a few instances. As a result the Housing Department is already considering means by which these ‘queue jumpers’ may be held back, so that they do not secure permanent public housing in advance of families of longer residence in Hong Kong. I am sure all Members will agree that this is a matter for general concern but more particularly for

those whose patience is already being sorely tested by the long wait between application and allocation.

**MR CHEONG-LEEN:**—*Sir, what kind of immigrants have been queue jumpers, and in which way is it proposed that queue jumping can be effectively stopped?*

**SECRETARY FOR HOUSING:**—Sir, some arrivals find accommodation with their relatives. Others make shift for themselves in older tenement floors or in squatter areas, and as a result of development clearance, natural disaster, or the demolition of dangerous buildings some find their way into permanent public housing, or temporary public housing. Clearly Government cannot leave them homeless. However, the shortage of temporary housing and the pressures of development often require turnover of temporary housing, with the result that some of these persons will also gain entry to permanent public housing. This must be a cause for concern and as I said, we are looking into means of holding back this queue jumping.

### **Summer work for students**

6 MR SO asked in Cantonese dialect:—

請問政府會否指導學生，幫助他們認識暑期工作的意義和選擇適當的工作，並使他們能夠從工作中獲益？

(The following is the interpretation of what Mr SO asked).

*Sir, will Government provide guidance to students in helping them to understand the meaning of summer work and to select suitable employment so that they can benefit through such experience?*

**SECRETARY FOR SOCIAL SERVICES:**—Sir, the Youth Employment Advisory Service offers advice to secondary school students on how to choose a career and on employment opportunities in Hong Kong, and this includes the factors to be considered in selecting a summer job. This is done throughout the year by means of school talks, posters, careers newsletters and the enquiry service provided by the Youth Employment Advisory Service.

At the same time, the Labour Department's Local Employment Service carefully matches students seeking summer jobs with available vacancies. Before they are referred to employers for selection interviews, the students are briefed on conditions of employment and job details. They are advised not to accept jobs that require machine handling or to work in dangerous trades. Advice on industrial safety and Workman's Compensation is also given by means of special press releases, posters and television programmes aimed at students taking up vacation work.

MR SO asked in Cantonese dialect:—

閣下，政府會否考慮加強現有青年就業輔導服務，特別是使學生能夠有較多機會認識勞工條例及有關這方面的知識？

(The following is the interpretation of what Mr SO asked).

*Sir, will Government consider strengthening the present Youth Employment Advisory Service so that students can understand more industrial safety laws and compensation rules?*

SECRETARY FOR SOCIAL SERVICES:—Sir, the Youth Employment Advisory Service is aimed mainly at advising young people on the suitable types of work that they should endeavour to obtain, rather than to deal with matters such as workmen's compensation and industrial safety which are the responsibility of other sections of the Labour Department, but I am sure that the Commissioner is continually aware of the need to strengthen and improve all his services to meet the demand and the need.

### **Protective measures against industrial noise**

7 MR CHEONG-LEEN asked:—*Sir, is Government satisfied with the effectiveness of the measures it is taking to ensure that persons working continuously under noisy conditions wear protective devices to prevent permanent damage to their hearing?*

SECRETARY FOR SOCIAL SERVICES:—Sir, the problem of industrial noise is a complex one and its control is extremely difficult. The Commissioner for Labour has recently carried out a survey of noise in factories and he is now implementing a programme of advice and education. Factory inspectors discuss noise problems with managements during their inspections of noisy trades and give advice and assistance whenever possible. It is however not easy to persuade workers to use protective equipment.

There is still a great deal of room for improvement in this field, and an Industrial Noise Consultant from the United Nations Industrial Development Organization has recently spent three months in Hong Kong studying the situation with a view to making recommendations on what further measures need to be taken. His report is expected shortly and the Commissioner for Labour should then be able to work out a practical and realistic approach to this problem in the light of the consultant's advice.

MR CHEONG-LEEN:—*Sir, do the factory inspectors speak directly to the workers as well to persuade them to use protective equipment?*

SECRETARY FOR SOCIAL SERVICES:—I am sure, Sir, that although the factory inspectors primarily deal with the management on their visits, they also do

meet and talk to workers and endeavour to encourage them to use the necessary protective equipment.

MR PETER C. WONG:—*Sir, has Government any statistics on the number of cases where workers' hearing has been impaired through working under noisy conditions?*

SECRETARY FOR SOCIAL SERVICES:—Sir, I believe it is often, almost always, very difficult to establish exactly what has been the cause of deafness in any particular patient, and I am not aware of any such statistics being available. But I will make enquiries and if they can be obtained I will pass them to Mr WONG.

(THE FOLLOWING WRITTEN REPLY WAS PROVIDED SUBSEQUENTLY)

I have made enquiries and am told that, as I expected, no such statistics are available in Hong Kong.

You may be interested to know that in Britain 'occupational deafness' was added to the list of prescribed industrial diseases as recently as 1975. To qualify a claimant must show that he has worked for at least 20 years in one of a very small number of particularly noisy occupations. This gives some idea of the difficulty of establishing the cause of deafness in any particular case.

## Statement

### **UMELCO Police Group Report for 1 January to 31 December 1978**

SECRETARY FOR SECURITY:—Amongst the papers laid on the table this afternoon is the second report of the UMELCO Police Group.

The Group was established in September 1977 to monitor and review the handling by the Police of complaints from the public, to review statistics of the types of conduct by Police Officers which lead to complaints, to identify faults in Police procedures which might lead to complaints, and to make recommendations to the Commissioner of Police and the Governor when appropriate.

The Group's first report, covering the period 1 September 1977 to 30 April 1978, was tabled last year on 16 August. Since then, the UMELCO Group has found it more convenient to work to the calendar year, and the report now before Members therefore includes some information contained in the previous report.

I would like again to pay tribute to the detailed and exhaustive work performed by the Group and to its methodical and very thorough examination of these cases which have been brought before it.

At the outset, the work of the Complaints against the Police Office, or CAPO as it has become known, was affected by a backlog of complaints, insufficient staff and inadequate accommodation. Since then, high priority has been given to the development and staffing of the Office because, as the Group observes in its report, the credibility of CAPO and the thorough examination of complaints are vitally important to the public and the Police Force alike. I am pleased that the Group has found that there has been a marked improvement in the handling of complaints during the course of the year and that the backlog has been reduced.

Of the 1 465 complaints into which investigations were completed, 230 were found to be substantiated or partially substantiated. Positive action, ranging from dismissal to advice on the handling of incidents, to amendment of Police procedures, was taken in 192 cases. In the remaining cases it was decided after full consideration of the circumstances no further action was called for. This is evidence of the effectiveness of both the Police Group and CAPO.

In addition to studying the reports of completed investigations, the Group also introduced in March 1978 (with the concurrence of the Commissioner of Police) a system of spot checks. Investigation files and related documents are passed to a UMELOCO team for examination. Up to the end of the year, 165 cases had been the subject of checks.

It is the aim of CAPO to investigate all complaints against the Force in a fair and just manner. I very much agree with the UMELOCO Group's view that a Police Officer should not be deterred from doing his duty for fear that an unwarranted complaint may place his job or his future in jeopardy. Very often criticism of Police conduct is a law-breaker's only line of defence, and it is important that Police Officers be fully exonerated when the facts indicate that a complaint is unsubstantiated.

The Group's broad view is that satisfactory progress has been made during 1978. I believe the public's and the Police Force's confidence in CAPO and in the Group, if I may say so, is growing, I look forward to this steady improvement being maintained in future.

## Government Business

### Motions

#### 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 31 October 1975 amended from time to time be further amended by adding as item 29 the following—

‘29. Export credits to finance a contract placed in France.

142 million Hong Kong Dollars and such amounts as may become payable in respect of interest and other charges including deferred interest, provided that the liability of the Government under the Guarantee in respect of deferred interest shall be limited to 4.5 million Hong Kong Dollars.’

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

Section 12 of the Mass Transit Railway Corporation Ordinance requires the authority of this Council for the Financial Secretary, on behalf of the Government, to grant guarantees in respect of the repayment of loans and other indebtedness incurred by the Corporation.

The motion I am introducing today seeks authority for a Government guarantee for export credits to finance a contract for the extension of the railway to Tsuen Wan.

The contract in question has been placed in France, and it covers all the works necessary for the construction of the Corporation’s railway depot at Tsuen Wan.

The contract has been awarded in Hong Kong Dollars to exclude any exchange risk to the Corporation and the finance associated with the contract, for which the Government guarantee is required, is \$142 million, covering about 30% of the actual contract price. The terms of finance include a fixed interest rate of 7¾% per annum and a guarantee additionally covers any deferred interest payment up to a limit of \$4½ million. If Members make this resolution, the Government’s total guarantee commitment in respect of the Mass Transit Railway Corporation will stand at \$8,903 million.

Sir, I beg to move.

*Question put and agreed to.*

## PENSIONS (INCREASE) ORDINANCE

THE SECRETARY FOR THE CIVIL SERVICE moved the following motion:—That the Second Schedule to the Pensions (Increase) Ordinance be amended with effect from 1 October 1979

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- (a) in Part I by adding the following—  
‘12. The adjusted pension under paragraph 11 may be further increased by 8 *per cent.*;’
- (b) in Part II by adding the following—  
‘11. The adjusted pension under paragraph 10 may be further increased by 8 *per cent.*;’
- (c) in Part III by adding the following—  
‘11. The adjusted pension under paragraph 10 may be further increased by 8 *per cent.*;’
- (d) in Part IV by adding the following—  
‘10. The adjusted pension under paragraph 9 may be further increased by 8 *per cent.*;’
- (e) in Part V by adding the following—  
‘9. The adjusted pension under paragraph 8 may be further increased by 8 *per cent.*;’
- (f) in Part VI by adding the following—  
‘8. The adjusted pension under paragraph 7 may be further increased by 8 *per cent.*;’
- (g) in Part VII by adding the following—  
‘7. The adjusted pension under paragraph 6 may be further increased by 8 *per cent.*;’
- (h) in Part VIII by adding the following—  
‘6. The adjusted pension under paragraph 5 may be further increased by 8 *per cent.*;’
- (i) in Part IX by adding the following—  
‘4. The adjusted pension under paragraph 3 may be further increased by 8 *per cent.*;’
- (j) in Part X by adding the following—  
‘3. The adjusted pension under paragraph 2 may be further increased by 8 *per cent.*;’
- (k) in Part XI by adding the following—  
‘2. The adjusted pension under paragraph 1 may be further increased by 8 *per cent.*;’
- (l) by adding the following—

## ‘PART XII

*Applicable to a basic pension based on a salary in force from the 1 July 1978 to the 30 June 1979 inclusive*

- 1. The basic pension may be increased by 8 *per cent.*.

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

It is the Government’s established policy to maintain the original purchasing power of civil service pensions, including pensions payable under the

Widows and Orphans Pension Scheme and the Widows' and Children's Pensions Scheme, by making periodic adjustments so as to reflect changes in the cost of living.

During the review period from 1 July 1978 to 30 June 1979, the Moving Annual Average of the Consumer Price Index (A) rose by 9.7 points, or 8.04%. In the light of this movement, it is proposed that pensions, including pension increases already approved, of eligible pensioners in payment on 1 July 1979 should be increased by 8% with effect from 1 October 1979.

The cost of the increase is estimated to be \$6.75 million for the remainder of the current financial year and \$13.5 million in a full year.

Sir, I beg to move.

*Question put and agreed to.*

### **WIDOWS AND ORPHANS PENSION (INCREASE) ORDINANCE**

THE SECRETARY FOR THE CIVIL SERVICE moved the following motion:—That the Schedule to the Widows and Orphans Pension (Increase) Ordinance be amended by adding the following—

- ‘26. The pension calculated on the total contributions up to 30 June 1978 inclusive plus the total increases in pension up to 30 September 1979 may be increased by 8 *per cent* with effect from 1 October 1979.
- 27. The pension calculated on contributions from 1 July 1978 to 30 June 1979 inclusive may be increased by 8 *per cent* with effect from 1 July 1979.’.

He said:—Sir, my speech on the first motion standing in my name on the Order Paper covers also the subject of the second motion standing in my name. I therefore beg to move.

*Question put and agreed to.*

### **MASS TRANSIT RAILWAY CORPORATION ORDINANCE**

THE SECRETARY FOR THE ENVIRONMENT moved the following motion:—That the Mass Transit Railway By-laws 1979, made by the Mass Transit Railway Corporation on 26 July 1979, be approved.

He said:—Sir, I move that the Mass Transit Railway By-laws 1979, made by the Mass Transit Railway Corporation on 26 July 1979, be approved by this Council.

Under section 25 of the Mass Transit Railway Corporation Ordinance (Chapter 270) the Mass Transit Railway Corporation may make by-laws for the following purposes:

*Firstly;* prescribing the terms and conditions relating to the use of its railway services;

*Secondly;* controlling and regulating the conduct of members of the public on railway premises, including such matters as fares and advertising; and

*Finally;* protecting the property of the Corporation on railway premises.

The By-laws give effect to these purposes. Part II prohibits trespass and damage to railway premises, persons throwing objects on railway premises and the improper use of emergency equipment. Part III concerns such matters as fares, tickets, excess fares and conditions of travel. Part IV regulates the conduct of passengers whilst on railway premises and prohibits smoking, spitting and the playing of radios. Similar controls are also found in Part V which prohibits soliciting for handling luggage, hawking, loitering and illegal bill posting. Part VI concerns the removal, detention and the sale of vehicles, I don't mean trains, (*laughter*) parked illegally on railway premises and regulates the driving of vehicles on these premises. Part VII prohibits the carriage of fire arms and ammunition by any person, other than a member of Her Majesty's forces or a Police Officer on duty, and the unauthorized possession of dangerous goods. Part VIII lays down procedures for dealing with lost property. Finally, Part IX empowers the Corporation's officials to remove and detain offenders against the by-laws before handing them over to the Police. The penalties for contravening certain By-laws are set out in the schedule to them. These range from fines of a minimum of \$100 in the case of vehicle drivers not complying with signs to a maximum of \$5 000 for the unauthorized possession of fire arms and ammunition.

Sir, these provisions are standard and necessary. They do not exclude prosecution under other legislation, where appropriate. They must be in force for the opening of the Modified Initial System in October.

Sir, I beg to move.

*Question put and agreed to.*

## TELEPHONE ORDINANCE

THE SECRETARY FOR ECONOMIC SERVICES moved the following motion:—That the Schedule to the Telephone Ordinance be amended by adding at the end thereof the following—

**'PART VII****RADIO PAGING CHARGES**

<i>Item</i>	<i>Particulars of Charge</i>	<i>Amount of Charge</i>
1.	For registration.	\$100.
2.	For service.	\$40 per month.
3.	For covering the receiving station licence fee paid by the Company.	The fee specified for a receiving station licence in item 20 of the First Schedule to the Telecommunication Regulations (Cap. 106).
4.	For group calling facility, per group.	\$40 per month.
5.	For purchase of pager.	The sale price as agreed from time to time between the Postmaster General and the Company.'.

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

Section 26 of the Telephone Ordinance enables the Telephone Company to levy charges for its services not exceeding those specified in the Schedule to the Ordinance. The Schedule may be amended by resolution of this Council. The motion proposes the addition of five items to the Schedule, to provide for the various elements in a radio paging service which the Company proposes to introduce next month.

The service will enable a subscriber to be 'paged' by means of a call passed over the normal telephone network to a radio transmitter, which will send out a signal to activate the subscriber's pager. A group calling facility will also be available, whereby up to 99 pagers can be activated in rapid sequence upon dialling a single paging number.

The paging service is a logical extension of the use of the public telephone network and will mark a further step forward in the development of internal telecommunications services in Hong Kong.

Sir, I beg to move.

*Question put and agreed to.*

**First reading of bill****IMMIGRATION (AMENDMENT) (NO 3) BILL 1979**

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

**Second reading of bills****IMMIGRATION (AMENDMENT) (NO 3) BILL 1979**

THE SECRETARY FOR SECURITY moved the second reading of:—‘A bill to amend the Immigration Ordinance’.

He said:—Hong Kong has always been a place to which persons in the region aspire to travel—some of them illegally. So long as illegal immigration was on an individual basis the provisions of the Immigration Ordinance were adequate, but when, as recently, it is on a large scale syndicated basis we need to look again at the provisions of the Ordinance and this Bill is the result.

It seeks to reinforce the Government’s continuing drive against trafficking in unlawful immigration, specifically, by providing more effective sanctions to counter the very high profits that can be made. It does not represent any change in Government policy. For these reasons it is proposed that this Bill should pass through all stages today, the last meeting of the session.

Because of this and because some of the provisions are unusual it is also proposed that they remain in force only until the 31 December 1980 unless the Legislative Council otherwise determines.

Members may wish me to go into some detail in presenting the Bill.

In order to deal more effectively with those who traffic in people entering Hong Kong new section 37B will enable any class or description of persons, other than persons who have a *right* to land in Hong Kong to be declared by Your Excellency in Council to be unauthorized entrants. Thereafter other new provisions will take effect. For example new section 37C will make the owner, agent, captain and crew of a ship which brings in unauthorized entrants, and any person who participates in making arrangements for the voyage of the ship, liable to a fine of up to \$5 million and to imprisonment for life. New section 37D provides that any person who arranges, offers to arrange or does any act preparatory to arranging, the passage to Hong Kong of an unauthorized entrant, is liable to similar penalties. These are severe provisions and therefore certain defences are provided in the two sections. In general if not precise terms, if the person charged does not know or

suspect and could not with reasonable diligence have discovered that illegal entrants were involved he will not be guilty.

We know from evidence that arrangements to bring illegal immigrants and others to Hong Kong are made outside Hong Kong, by persons who reside in or visit Hong Kong. New section 37J provides that where such a person is in Hong Kong he may be prosecuted even if all the arrangements were made outside Hong Kong.

As an added deterrent, new section 37E provides for forfeiture of ships used in the commission of offences under sections 37C and D which I have just referred. This is a large penalty provision, and so extensive and detailed provision to ensure that it does not work unjustly has been incorporated in the apparently lengthy section 37E and F. The safeguards include the Attorney General's consent before seizure, notice of the seizure which should reach the owner, and provision for him to make representations to the court against forfeiture, or for payment of a sum of money in lieu of forfeiture.

These are the main sanctions it is proposed to apply, particularly in respect of the bringing in of unauthorized entrants by large ship. Small ships come of course within the ambit of these provisions, but the extent to which they will be applied will inevitably depend on the circumstances of each case. Furthermore unauthorized entrants from small ships will themselves generally be allowed ashore since it remains the policy not to turn away persons in such ships in circumstances in which loss of life may occur.

It may well be necessary in particular circumstances to allow the entry of small ships or even of large ships carrying unauthorized entrants, where for example those on board have been accepted for settlement elsewhere, or where Hong Kong is the first port of call, or where it may be necessary as a port of refuge to admit ships in emergency to save lives. New section 37I provides for this and subsection (1)(a) empowers the Governor in his discretion on special grounds to grant permission for a ship to enter Hong Kong. Section 37I also provides for the entry of a ship to Hong Kong as the first port of call subject to the conditions which the Government enunciated earlier in the year. These are now contained in subsection (1)(b) and the remaining subsections of section 37I. The opportunity has also been taken in these provisions for the entry of a ship to Hong Kong as a port of refuge. The onus of proving that Hong Kong has been entered as the first port of call or port of refuge is placed on those who claim this is so.

In practice, the mere provision of sanctions and the creation of offences is not necessarily sufficient as a deterrent and to secure the conviction of offenders. For instance, it can still be difficult to establish in court the status of a person as an unauthorized entrant if, for instance, he has no

documents and there is insufficient admissible evidence. Likewise, it may be impossible to prove that a person is the owner of a ship or the agent of the owner or the captain or member of the crew. Documents can easily be destroyed and no person may be willing or available locally to testify. Accordingly, new section 37K(1) provides that in any proceedings under Part VIIA a person alleged to be an unauthorized entrant shall be presumed to be such until the contrary is proved. This, of course, will not limit the defence I referred to earlier that the accused person did not know, had no reason to suspect and could not with reasonable diligence have discovered that an unauthorized entrant would be transported or assisted. The presumption should not therefore unduly prejudice an accused person in his defence. New section 37K(2) provides that where a person is charged under Part VIIA as the owner, agent, captain or member of a crew, a certificate signed by a police officer certifying that in his honest belief the person charged is the owner, agent, captain or member of the crew, will be evidence of that fact until the contrary is proved. Where the contrary is true it should be a relatively simple matter to prove it, so that here too, an accused person should not be unduly prejudiced. Furthermore new section 37L provides that no prosecution shall be brought without the consent of the Attorney General.

So far I have been dealing with Part VIIA which relates to the bringing of unauthorized entrants to Hong Kong. But we believe that people have been brought, not to within Hong Kong's territorial limits, but sufficiently close to enable them without undue difficulty to complete the remainder of the journey on their own. Thus a ship could hover outside Hong Kong, or be reprovisioning or otherwise assisting persons to get to Hong Kong. If our legal defences are to be effective, the criminal organizers of these activities should not escape our sanctions, if we are in a position to apply them. And we often are in such a position when the organizers and sometimes the ships themselves subsequently make their way to Hong Kong. Clause 4 of this Bill accordingly introduces a new Part VIIB which is almost identical to Part VIIA which I have just described, except that it relates not to the bringing of unauthorized entrants to Hong Kong itself, but to waters outside Hong Kong from which they are likely to enter Hong Kong. The Part also extends to assisting unauthorized entrants in such waters if they are likely to enter Hong Kong.

An additional provision I should mention is a new section which authorizes the exercise outside Hong Kong waters, of powers under the Ordinance that may be exercised inside Hong Kong. This provides powers which could be useful in dealing with future contingencies.

Section 47 of the Ordinance already provides for the forfeiture of ships and vehicles in the commission of an offence under section 38(1), *i.e.* transporting incoming illegal immigrants. But it does not provide for the forfeiture of other property, particularly money, which could also constitute

the proceeds of such an offence and clause 5 accordingly makes the necessary provision.

In sum the provisions in this Bill are aimed at those who organize for profit the illegal entry of unauthorized entrants. It gives the Government increased powers for dealing with them, whilst at the same time empowering the Government to allow the unauthorized entrants to land where appropriate. The Bill creates new offences and provides suitable penalties, but it also provides appropriate defences and safeguards. I believe it provides what is required in existing circumstances.

Sir, I beg to move.

MR CHEUNG:—Sir, Unofficial Members unanimously support this Bill and agree that it should pass all its stages today. In so doing they underscore the need for Hong Kong itself to do its utmost to suppress illegal trafficking in refugees, and to provide the Courts with sufficiently severe sanctions that could be inflicted on those convicted of participating in such traffic.

A fine of \$5M and a potential sentence of life imprisonment plus forfeiture of ships and property should be recognized as a mark of this Council's determination to be severe. In my recollection, the only other offences which attract a fine of \$5 million and a sentence of life imprisonment are offences connected with trafficking in dangerous drugs.

We have examined this Bill and we are satisfied that hard as the line it takes, there are adequate safeguards to protect the innocent. Moreover, compensation will be payable where ships or other property have been wrongly seized or suspended, events which can happen when action is resolute and sometimes has to be taken in an emergency; it is a welcome manifestation of fairmindedness and demonstrates that the proposals have been made by Government in good conscience.

I wish to emphasize that there is nothing in the Bill, however, which inhibits in any way the right, and indeed the duty of captains of ships to pluck those in distress on the high seas, and to give them succour.

These are emergency measures, and we can only hope that they will no longer be necessary when they expire in December next year; but should they still be needed, we will not hesitate to extend them.

Unofficial Members wish to acknowledge amply the strenuous efforts made by Her Majesty's Government in recent months to deflect the Government of Vietnam from its policies and to galvanize the nations of the world into action to grant resettlement to refugees, especially those that we have received here. We wish also to place on record our admiration and thanks for the leading part that you, Sir, have taken in all these events.

We would also wish to acknowledge with gratitude the steps that the Chinese Government has implemented, very effectively, to stop the flow

of unauthorized persons crossing the border and on to our shores. I support the motion.

*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).*

## **MARRIAGE REFORM (AMENDMENT) BILL 1979**

### **Resumption of debate on second reading (18 July 1979)**

*Question proposed.*

DR HU:—Sir, in supporting the Bill, I first of all should admire the speech made by the Attorney General on the second reading of this Bill and also the readiness of the Government to amend the law. It was quite clear when the law first came into effect on the 7 October 1971 that the aim of the Marriage Reform Ordinance is to alleviate the hardship of Chinese inhabitants in Hong Kong, both the natives of Hong Kong and the people coming from the Mainland, and help to regulate their matrimonial affairs. Before the enactment of the Marriage Reform Ordinance in 1970, it was a very unsatisfactory state of affairs that Chinese people who married in Hong Kong by way of Chinese customary marriage or modern marriage could not seek for any Court assistance to dissolve their marriage or for any maintenance or ancillary reliefs. Furthermore, the Ordinance has accepted the fundamental feature of Chinese matrimonial law, *ie* divorce can be achieved by mutual consent. This has been clearly shown in Part V of the Marriage Reform Ordinance. But the legal loophole is now discovered that while a modern marriage can be dissolved in accordance with the Matrimonial Causes Ordinance or by mutual consent, a Chinese customary marriage can, however, only be dissolved by way of mutual consent. On 14 February 1979 a question was asked by me in this Council about the number of divorces achieved by mutual consent registered with the Government. I was told that the number was very small.

While I am pleased, Sir, to support the Bill, may I be permitted to say that the Bill has not gone far enough. Part V of the Ordinance should be further amended. I am of the view that if a Chinese customary marriage or modern marriage can be proved before a competent Court to be valid and subsisting, one party to the marriage should be able to ask for assistance from the Court. There is no need for the marriage also to be registered in accordance with Part IV of the Ordinance. I would therefore suggest that

the following words, *ie* ‘and registered in accordance with Part IV’ in paragraph 15(1) and (2) of the Marriage Reform Ordinance should be deleted. My suggestion is based on the following grounds:—

Firstly, Part IV of the Ordinance concerns the post registration of customary marriages and modern marriages and it imposes no legal obligation to register. To quote paragraph 9(2) in Part IV of the Ordinance:—

‘The parties to a customary marriage or a validated marriage celebrated in Hong Kong before the appointed day *may* apply to the Registrar in the prescribed manner at any time for the registration of their marriage.’

The word ‘*may*’ was used in the Ordinance. In other words, people who have contracted a customary or modern marriage have no legal obligation to register their marriage. A marriage is valid and subsisting with or without registration. It would be illogical to put registration as a condition to seek for the remedies from the Court in Part V of the same Ordinance.

Secondly, it is a principle of English law that the validity of a foreign marriage is a question of fact. It would depend on the evidence of an individual case and should be decided on the strength of the merits of each case. Such discretion would be better exercised by a Judge instead of a Marriage Registrar by way of registration as required by Part IV of this Ordinance.

Thirdly, in exercising such discretion, the Court usually needs co-operation and assistance of legal practitioners, both barristers and solicitors. It would be a healthy phenomenon that there should be wider participation of legal practitioners in the official business of the Government, such as the determination of the validity and subsistence of a Chinese customary or modern marriage.

Lastly, Sir, I would suggest that such remedies should be made available not only to parties to Chinese customary or modern marriages contracted in Hong Kong but also to parties to such marriages contracted in places outside Hong Kong.

With these remarks, Sir, I support the Bill.

THE ATTORNEY GENERAL:—Sir, I would like to thank Dr Hu for his support of this Bill and I would like to assure him that the proposals and suggestions he has made will be most carefully considered. Should it be decided that further action should be taken this will be by means of a further bill to be introduced at a later date.

*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).*

**MATRIMONIAL CAUSES (AMENDMENT) BILL 1979****Resumption of debate on second reading (18 July 1979)**

*Question proposed.*

DR HU:—Sir, may I rise to support the Matrimonial Causes (Amendment) Bill 1979.

I should first of all congratulate the Government on making this amendment and also the Attorney General on finding the compromise or way out of the contradictory points of view of the principles concerning Chinese customary marriage. The word ‘monogamy’ has magic power in the eyes of English law because the idea of monogamy could exclude those marriages which cannot satisfy the strict test of English Courts about the nature of monogamy from seeking any matrimonial reliefs. The Chinese marriage, whether customary or modern, was considered as potentially polygamous; therefore, they were outside the jurisdiction of English Courts, or the Courts of Hong Kong. It has caused a great deal of hardship to those persons who were married in accordance with Chinese law and custom. In recent years, this stand has gradually been softened in English Courts notably after such cases as *Ratanachai v. Ratanachai* of 1960, *Lee v. Lau* of 1964, and others. The latter case, *ie Lee v. Lau*, has particular significance so far as Hong Kong is concerned because it was a Hong Kong case. Therefore, after those cases, the English Courts were ready to render some judicial remedies even if the marriage was not of a totally monogamous nature. It is to my great pleasure that a compromise was eventually found as illustrated in the amended version of section 2 of this Bill. I would, however, point out that in amending section 9 of the Matrimonial Causes Ordinance only section 7 of the Marriage Reform Ordinance was mentioned and its parallel provision, *ie* section 8 of the Marriage Reform Ordinance, was omitted. I would be grateful to know the reason for this decision. I would suggest that such reliefs as mentioned in section 9 of the Matrimonial Causes Ordinance as amended should be extended to Chinese customary as well as modern marriage whether it was contracted in Hong Kong or outside Hong Kong provided it can be proved to the satisfaction of the Court that it is subsisting and valid.

With these remarks, Sir, I support the motion.

THE ATTORNEY GENERAL:—Sir, Dr Hu wishes to know the reason why in amending section 9 of the Matrimonial Causes Ordinance a reference is made only to section 7 of the Marriage Reform Ordinance and not to both that section and to section 8 of that Ordinance.

Sir, section 8 refers to the validation of modern marriages, and in terms of section 15(2) of the Marriage Reform Ordinance validated marriages (that

is a modern marriage validated by section 8) may be dissolved in accordance with either the Matrimonial Causes Ordinance or in accordance with Part V of the Marriage Reform Ordinance. Validated marriages therefore already come within the provisions of the Matrimonial Causes Ordinance and it is also to be observed that the expression ‘monogamous marriage’ which appears in the proposed new section 9 of the Matrimonial Causes Ordinance as defined in section 2 of that Ordinance, includes a modern marriage validated by section 8 of the Marriage Reform Ordinance. In these circumstances it was therefore not considered necessary when amending section 9 of the Matrimonial Causes Ordinance to make specific reference to section 8 of the Marriage Reform Ordinance those marriages being attached to it by reference to monogamous marriage.

Other points raised by Dr Hu in his speech will be given careful consideration and any necessary action will be taken at a later date.

In the meantime I thank Dr Hu for his support of this Bill.

*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).*

## **MATRIMONIAL PROCEEDINGS AND PROPERTY (AMENDMENT) BILL 1979**

### **Resumption of debate on second reading (18 July 1979)**

*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).*

## **URBAN COUNCIL (AMENDMENT) BILL 1979**

### **Resumption of debate on second reading (18 July 1979)**

*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).*

## **HONG KONG WAR MEMORIAL FUND (AMENDMENT) BILL 1979**

### **Resumption of debate on second reading (18 July 1979)**

*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).*

## **DANGEROUS DRUGS (AMENDMENT) BILL 1979**

### **Resumption of debate on second reading (18 July 1979)**

*Question proposed.*

MR CHEONG-LEEN:—Sir, in supporting the motion, may I express the hope that the Courts will take the fullest possible advantage of the flexibility allowed in the Bill to assign, where considered suitable, to addiction treatment centres those minor drug offenders, especially first offenders, who are charged under section 8 or 36 of the Dangerous Drugs Ordinance.

Also where considered suitable, it is hoped that no conviction will be recorded by the Court against such individuals. In such cases measures should also be taken to delete from the Police records all related information. I would ask that an assurance be given in this respect.

Under section 54A(1) of the Ordinance, the Commissioner of Prisons is empowered to remand a person for up to 3 weeks to enable a suitability report for treatment to be made. May I seek clarification as to whether the person will receive treatment for drug addiction immediately he or she is put under the custody of the Commissioner of Prisons? Or will treatment have to wait until a decision is made by the Court?

Finally, I would like to commend Government for its enlightened approach in treating and curing these minor drug offenders. I would suggest however, that from now on, greater emphasis be given to after-care services for these

offenders so as to assist them in becoming permanently rehabilitated within the community.

SECRETARY FOR SECURITY:—Sir, section 4(4) of the Drug Addiction Treatment Centres Ordinance already provides that when a Court makes a detention order, no conviction shall be recorded against the person in respect of whom the order is made unless in the opinion of the Court the circumstances of the offence so warrant. However, when a Court finds a person guilty of an offence, it is incumbent upon the Police to maintain a record.

Under the new section 54A(1) of the Dangerous Drugs Ordinance, it is proposed that the Court (not the Commissioner of Prisons) be empowered to remand a person for a suitability report to be made. All remands requiring medical treatment for whatever symptoms receive it on admission. Those suffering from withdrawal symptoms receive treatment for drug addiction.

*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.

### **IMMIGRATION (AMENDMENT) (NO 3) BILL 1979**

Clauses 1 to 3 were agreed to.

Clause 4

SECRETARY FOR SECURITY:—I move that clause 4 be amended as set out in the paper circulated to Members. The need for this amendment arises because regrettably three words were omitted from the printed version of the Bill.

*Proposed amendment*

### **Clause 4**

That clause 4 be amended in paragraph (d) of the proposed new section 37O(2) by deleting ‘under sub-in subsection (1).’ and substituting the following—  
‘under subsection (1) if he proves—’.

The amendment was agreed to.

Clause 4, as amended, was agreed to.

Clauses 5 to 8 were agreed to.

### **MARRIAGE REFORM (AMENDMENT) BILL 1979**

Clauses 1 to 4 were agreed to,

### **MATRIMONIAL CAUSES (AMENDMENT) BILL 1979**

Clauses 1 to 4 were agreed to.

### **MATRIMONIAL PROCEEDINGS AND PROPERTY (AMENDMENT) BILL 1979**

Clauses 1 and 2 were agreed to.

### **URBAN COUNCIL (AMENDMENT) BILL 1979**

Clauses 1 to 10 were agreed to.

### **HONG KONG WAR MEMORIAL FUND (AMENDMENT) BILL 1979**

Clauses 1 to 3 were agreed to.

### **DANGEROUS DRUGS (AMENDMENT) BILL 1979**

Clauses 1 to 4 were agreed to.

### **Third reading of bills**

THE ATTORNEY GENERAL reported that the

MARRIAGE REFORM (AMENDMENT) BILL

MATRIMONIAL CAUSES (AMENDMENT) BILL

MATRIMONIAL PROCEEDINGS AND PROPERTY (AMENDMENT) BILL

URBAN COUNCIL (AMENDMENT) BILL

HONG KONG WAR MEMORIAL FUND (AMENDMENT) BILL

DANGEROUS DRUGS (AMENDMENT) BILL

had passed through Committee without amendment and that the

IMMIGRATION (AMENDMENT) (NO 3) BILL

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

*Question put on each Bill and agreed to.*

Bills read the third time and passed.

### **Unofficial Member's motion**

### **WHITE PAPER ON INTERNAL TRANSPORT POLICY**

MR CHEONG-LEEN:—Sir, in rising to move the motion in my name on the Order Paper, I wish to point out that the Unofficials speaking today will be expressing their individual views on different aspects of the White Paper.

I agree in principle with Government's view that the 'central transport objective is to maintain and improve the mobility of people and goods'. No doubt, we will have to go about it in a sensible and practical way.

In this debate, I shall be speaking only on the bus service, and shall also comment briefly on road safety and parking policy.

#### *Bus Service*

On the bus service, it stretches the imagination to come up with plausible reasons for Government's inability to plan for and to provide an adequate bus service for the people of Hong Kong.

For too long, the franchised bus companies have been placing orders for new buses on an ad hoc basis. There has been no realistic medium-term—say a five year—projection of the number of new buses that had to be ordered by the bus companies to meet expansion requirements. Why has this not been done in the past and when will it be done? For how long more must our long-suffering bus users have to ride day after day in dangerously overcrowded buses? Who are in the main responsible for this short-sighted approach and lack of commitment, the bus companies or Government, *or both?*

As stated in its last Annual Report, KMB had some 50 buses (3% of its fleet) out of service last year due to the shortage or rapid turnover of drivers.

What remedial steps has Government asked KMB to take to increase the number of trained and experienced bus drivers, such as by paying more attractive wages, and offering better working conditions which do not in effect force drivers to work too long, too many hours overtime, in order to put all idle buses on the road? The problem of bus drivers' working conditions was raised in this Council two years ago; to date nothing has been done about it. Why has Government been so ineffective on this issue?

Another problem relating to the franchised bus companies is whether Government has been vigorous enough to work out with them a credible plan to replace the older, noisier and less safe buses.

Buses carry an average of over 3 million boardings a day, and constitute the largest single transport carrier in Hong Kong. There is a nagging worry in the minds of many bus users that Government is not monitoring the situation strictly so as to ensure that all old buses are retired early enough, that the windows and seats of buses are kept clean and in good condition, and that drivers are sufficiently trained or oriented to drive their buses with the safety and comfort of the passengers uppermost in their minds.

The MTR is expected to set high standards of speed, safety, comfort, cleanliness and good service to the travelling public. I hope that Government will allow a fair measure of competition to exist between the MTR and the bus companies to see which gives the best service, comfort and safety consistent with reasonable fares.

A point which Government so far is unable to appreciate is that no amount of negative constraints (as proposed in the White Paper) on the use of private cars or taxis to reduce road congestion will induce private car owners or taxi users to switch to buses, unless the latter are comfortable, clean, safe, easily available, and less overcrowded. This is the most glaring flaw of the White Paper, and it leads one to the sad conclusion that those who drafted the White Paper are not attuned to the needs and sufferings of our patient travelling public.

It is hoped that the introduction of the MTR service will now give Government and the franchised bus companies some lead time to plan for the kind of bus service which the several million people who use buses daily demand and fully deserve. Clearly, the demand today is for an adequate, comfortable, safe bus service charging reasonable fares.

Meantime, there are many existing routes or required new routes which are badly serviced or cannot commence due to an insufficient number of buses being available. Government should expedite the process of providing viable maxicab services or special franchised bus route services for all under-serviced routes or required new routes. Why cannot this be done more quickly and effectively?

Sir, I believe that Government should at this time address the problem of the effectiveness in the public interest of its representation on the Board of

Directors of the franchised bus companies. Government does not for example seem to have the clout to require the companies to order enough buses in advance for an adequate service. Why is that so? I think Government should wake up to the unpleasant fact that its powers to suspend the bus franchises is no more than a 'paper tiger' threat, meaning that Government would suspend a franchise only when the situation reaches crisis proportions, which will already have been too late as far as the public is concerned.

Should Government then consider acquiring between 10% to 25% equity on the franchised bus companies so as to ensure that its voice carries weight in all management and expansion plans? Is there any reason for Government not to follow the precedent in regard to equity participation adopted in the case of both the Cross-Harbour Tunnel and the MTR? Or is there a better course to consider, through legislation or other means, without Government having to take an equity position in the bus companies?

#### *Road Safety*

For the first time ever Government has this year embarked upon a comparatively more effective road safety campaign, with an initial budget allocation of \$350 000, which is in danger of being cut by 10% before the end of the fiscal year.

By way of comparison, the 'Keep Hong Kong Clean Campaign' budget this year is \$1 million. It stands to reason that the road safety budget ought to be increased, not reduced, bearing in mind that the number of people killed last year as a result of road accidents was 3 times the number of murders, not to mention several thousand other road accident victims being injured and hospitalized.

I have here a well-printed and readable handbook on road safety which I shall pass on to the Secretary for the Environment. I think it is highly suitable to supply free to all drivers, school children and other interested members of the public. Its contents include separate sections for bus and goods vehicle drivers, taxi drivers, private car drivers, pedestrians, etc.

I do not wish to elaborate on the increasing number of or the details of accidents involving buses over which the public is gravely concerned.

Suffice it to say that anything which can be done by Government as a matter of urgency in cooperation with the China Motor Bus Company to enforce stricter control of the roadworthiness of their buses will be a source of relief to bus users. For example, the CMB should expand its maintenance facilities so that the roadworthiness of each bus is carefully checked without fail once every 3 weeks, and this in addition to the planned quarterly 'short dock' and annual 'long dock'. If such can be done, the Transport Department should be able to tackle at an earlier date the serious problem of regularly checking by Government the roadworthiness of all goods vehicles, PLBs and taxis.

Additionally, the Transport Department should consider requiring all goods vehicles, PLBs and taxis to be given a roadworthiness check by a private garage at regular intervals against a prescribed form to be signed by the garage and returned to the Government department concerned. This would be apart from the Government-sponsored spot checks and annual examinations.

#### *Parking Policy*

The White Paper devotes only three paragraphs to parking policy, and discloses that a 'Working Group has been formed to consider how best to reconcile the need for parking facilities with the need to avoid congestion on surrounding roads'.

Throughout the years, Government's parking policy has been short-sighted, uncoordinated, and confusing to the public. The lack of parking facilities for goods vehicles in Kwun Tong and Tsuen Wan are examples where congestion has been caused in the first instance by the planners' lack of foresight.

In the urban areas, Government should not dismiss the idea of providing off-street multi-storey facilities for goods vehicles for reasons of high cost of land and construction. If the Government is seriously concerned about reducing road congestion, more multi-storey parking facilities for both cars and goods vehicles should be built in strategic locations in the urban areas. Where parking facilities are non-existent in an area where commercial or industrial demands are imperative, drivers will have no alternative but to break the law and park in the streets as soon as they can pounce on open spaces that are vacated by other drivers.

Sir, I opened the debate by saying that I agreed with the central objective of the White Paper. May I now conclude by congratulating the Environment Branch on the preparation of this first ever Hong Kong White Paper on Internal Transport. In spite of a number of defects, the most obvious being the ineffectual approach in improving the bus service, it does point the way towards a long-term internal transport policy which has to be reviewed and revised at regular intervals to meet changing community needs. Certainly the Secretary for the Environment and the Commissioner for Transport deserve every support, which includes concerned in-depth criticism, in the onerous and unending task of improving the bus service and other modes of public transport.

I have pleasure in moving the motion before Council.

DR FANG:—Sir, I shall confine my comments on only one aspect of the White Paper. That is the provision of transport facilities for disabled persons.

It seems to me that this problem has been dealt with only superficially in the White Paper.

In Hong Kong where travel by public transport, even for those in robust health, is an exhausting and nerve-wracking experience; disabled persons, in particular wheelchair users, are being given no option to use public transport. Proposals and indeed repeated appeals, to install special access facilities for the disabled even at major MTR stations were met with a firm refusal, in spite of the fact that many modern cities have already made it mandatory for their underground mass transit systems to be accessible for the disabled. Honourable Members may recall a recent press report describing how the opening of the Washington D.C. system was suddenly cancelled because it was not accessible to the disabled.

If it should be decided to build a Light Railway Transit System on the Hong Kong Island in the future, I urge the Government to adopt a more sympathetic and positive attitude towards the transport needs of the disabled so as not to deprive them of yet another means of service transport.

At present there is only one limited transport service available to a small number of severely disabled persons. This is the Rehabus service. It has seven mini-buses running on six scheduled routes, two on Hong Kong Island and four in Kowloon, taking 61 disabled persons to and from their individual homes and their places of work, 22 to attend schools and training courses, plus a regular number using the scheme under a dial-a-ride service during the mid-day paying on \$1 a trip. The net operating cost of the service is approximately \$30 000 per month, but the total wages earned by the 61 working passengers who would otherwise not be able to work at all come to approximately \$37 000 per month. Judging on economics alone, the scheme is a very worthwhile one. Credit must be given to the Hong Kong Society for Rehabilitation for running such a valuable service and, in particular to the Chairman of the Rehabus Committee, Mr M. B. LEE, who has devoted considerable time and effort in making the scheme such a remarkable success. As it is a pilot project, the scheme is at present entirely funded by the Community Chest and the vehicles are donated by service corps, public and private institutions and individuals. I sincerely hope that the Government would eventually take it on and expand the service to meet the demand.

The Rehabus scheme is, however, not without its limitations: the cost of the scheduled service (which is at present amounts to approximately \$11 per man-trip) makes it too expensive for extension to serve the individual needs of all the disabled. It is clear, therefore, that the majority of the severely disabled, especially wheelchair users, would still have to be left to their own devices, such as taxis, contract hire-cars and private cars. However, taxis and contract hire-cars are much too expensive to be used as a regular means of transport and, besides, their drivers are not always willing, in fact often unwilling, to spend the extra time and trouble in taking severely disabled passengers. So, the only viable solution which comes out of the White Paper is the use of private cars.

I wish, therefore, to propose that the use of private cars by the disabled, be given very serious consideration. A careful study should be made of the possibility of setting up a special loan fund to assist those severely disabled persons who can drive to purchase their own cars. The terms of the loan should be more favourable than prevailing market rates so that they can be afforded by the disabled. This option has in fact been long recognized in the UK where there are special schemes to help the disabled to purchase their own cars at very reasonable rates. As proof that this mode of transport option is feasible I understand that a number of disabled persons are already enjoying the benefit of driving their own cars in Hong Kong. However, I also understand that there is a long list of over 100 disabled persons still waiting to be instructed and assisted in driving and purchasing their own vehicles. Because of his handicap, a disabled person requires special tuition when learning to drive. Hence, I wish the Government would extend the issue of instructor licences, which has been stopped for many years now, to allow at least two driving instructors who are qualified in hand-controlled vehicles, one on each side of the harbour, for this purpose.

Sir, without proper transport facilities, the disabled cannot enjoy their inherent rights as normal persons. All the efforts and money that have been put into the education and training of the disabled with the purpose of helping them to achieve independence would have been wasted if their transport problems cannot be solved. They would not be able to integrate into the community as our Government is rightly aiming at, and they would end up as the White Paper states, in ‘isolation and distress’. I therefore sincerely hope that the Government would give the above suggestions serious consideration and at the same time implement the already agreed measures in the White Paper with speed and determination.

With this remarks, I support the motion.

MR LO:—Sir, I would like to present certain views on the White Paper on Internal Transport Policy as expressed in a speech written by Mr CHEN who is not at present in Hong Kong. He confined his observations on the White Paper to two areas: Utilization of available kerbside space and Island Corridor. I quote what he says on these 2 aspects.

#### *‘Utilization of Kerbside Space*

Limitation to the availability of more kerbside space on Hong Kong’s road system was one of the arguments which led the Government to conclude that Hong Kong should have a Mass Transit Railway. But looking back I do not think that there has ever been any attempt to make better and more efficient use of the existing kerbside space on our roads. The reasons for this assertion are many but I would list only two.

Firstly, any casual observer would see that there are far too many stops for our buses and trams to pick-up and let-down passengers at the kerbside.

For example, the bus or tram journey between Yee Wo Street in Causeway Bay and Arsenal Street in Wan Chai, covering a distance of about 2 kilometres, has no less than 9 bus stops and 10 tram stops. Because the average distance between stops is only about 200-220 metres, no sooner a vehicle starts it has to slow down again for the next stop. This has led to buses and trams travelling more slowly than they should which in turn has not only led to increasing traffic congestion but also to a reduction of the number of passenger-journeys for a given period of time. Just because this has been the accepted practice for as long as I can remember there was never any attempt to improve the situation, although both population and traffic conditions have changed dramatically in recent years.

Secondly, a suggestion I made in this Council in December 1976 for fixed stopping places for mini-buses was rejected by Government on the ground that one of the main attractions of mini-buses to the travelling public is that they can stop on demand to pick-up or let-down passengers. To make it mandatory for them to stop only at fixed stopping places would, in Government's view, remove this attraction and reduce the flexibility of their service. With respect, I believe such a view is inconsistent with the concept of efficient utilization of our limited kerbside space on our road system.

#### *The Island Corridor*

With regard to the transport policy for the Island Corridor, the White Paper appears to have devoted a great deal of attention to the possible application of Light Rail Vehicle (LRV) in a step-by-step development from the existing tramway to a fully underground Island Line of the MTR.

No official information is yet available in respect of the likely costs of the LRV scheme, but from the press it was reported recently that this initial Light Rail Transit (LRT) system might cost something of the order of \$1 billion. However, at this point in time it would be premature for me to make even a casual comment on the financial viability of or even the necessity for the scheme and I would like to reserve my judgment and detailed comments for a future debate on the subject when more facts and details of the financial plan of the scheme are made known. Some general and preliminary comments at this stage are, I think, not inappropriate.

On the practical side, the success of a LRT system depends greatly on the availability of a "segregated right of way" which, in layman terms, means keeping all other forms of transport and pedestrians out of that part of the road reserved for the exclusive use of LRV's. In other words, success can only be achieved at the expense of other road users. The White Paper's answer to this criticism is that and I quote: "The Island Corridor Study demonstrated that gains to the passengers using the LRT system would outweigh this and that, overall, the users of the corridor would enjoy a substantial net benefit". I am afraid that I cannot, and I do not think anyone should,

accept a sweeping statement like this, in the absence of more substantial justification in the form of facts and figures.

The performance of our existing tramway service is not as satisfactory as we would like largely because its operation is handicapped by the congestion of general traffic and also as I mentioned earlier by the great number of stops. The multiplicity of stops and the unnecessarily short average distance between them as well as the use of other forms of vehicle occupying the tram tracks restrict the operating speed of the trams. Given the same facilities and privilege as would be given to the proposed LRT system, *ie* segregated right of way and much reduced number of stops, I am sure the performance of the tram service can be greatly improved, perhaps not to the extent of a LRT system but certainly at a much lower cost. On the assumption that such an elementary study has been made before arriving at the recommendation for a LRT system, I would be most interested to see a comparative performance of the two systems vis-a-vis their cost effectiveness.

When considering the transport strategy for the Island Corridor, one must not forget the potential value of the coastal ferry service. As was stated in the White Paper, ferries like trains place minimal demand on roads and must be considered the most efficient carriers. Yet, in one sentence, the White Paper casts aside the coastal ferry service as being an unpopular and nonviable proposition. But common sense tells me that coastal ferries operating at peak hours, linking Central, Causeway Bay, North Point and Shau Kei Wan would be a useful service for relieving peak-hour passenger traffic. Most people would, I am sure, prefer spending 30-40 minutes on a ferry rather than queuing up at the bus or tram stops suffering the frustration of being caught in a traffic jam and inhaling exhaust fumes. Admittedly from the ferry operator's point of view, full operation in one direction during peak hours may not be a profitable proposition. But this should not be an insuperable problem. One answer could be a realistic fare structure. Offering the ferry companies some form of indirect financial or other incentive could be another. After all, the MTR is allowed to develop their stations and depots into full commercial investments, then perhaps the ferry companies could be allowed to do likewise with the land on which their ferry piers are sited in return for operating coastal ferry services.

Sir, I earnestly hope that some of the points that I raise in this debate would be taken into consideration before we implement the proposals in the White Paper'.

MR TIEN:—Sir, I shall confine myself to some aspects which have a bearing on industry generally.

Chapter Thirteen on Goods Vehicles deals with the phenomenon which at present exists in many of the industrial areas in Hong Kong. The solution offered tends to give a theoretical treatment to the problem and one which perhaps lacks practical application.

Although it is right to say that a rationalization of goods vehicles will help to solve this problem and keep traffic moving, however, in actual practice there are many flatted factories in these industrial areas and the proposed solution of using bigger and larger vehicles would not in my opinion be practical. Light goods vehicles must, in view of the existence of these flatted factories, continue to exist and provide a useful and essential role.

A more positive solution towards the problem of congestion in the industrial areas lies in the building of off-street multi-storey lorry parks as opposed to off-street public open air car parking spaces which represents a poor use of limited available land. I do recognize that there are technical difficulties in building such multi-storey lorry parks and the economic problems relating to it. But perhaps we should consider, for what it is worth, combining the concept of multi-storey lorry parks with maintenance facilities for goods vehicles on the ground floor and workers' canteen on the top floor so as to maximize the land use of such multi-storey lorry parks.

Hand in hand with the function of off-street multi-storey lorry parks is the need to exercise stricter enforcement on road use. This requires two specific directions. Firstly, a strict lease enforcement action on the unlawful conversion of ground floor space in industrial buildings. In this respect, I recall that the Secretary for the Environment assured me in January 1978 that Government took a serious view of breaches of lease conditions and that the aim was strictly to enforce such conditions, particularly in new buildings and in cases where it is clear that breaches add significantly to traffic congestion. May I enquire whether any specific improvement has resulted from this pledge. Secondly, intensive manpower should be deployed for traffic management in difficult areas where traffic congestion takes place at regular hours. In this respect, apart from the use of traffic wardens to enforce existing regulations for parking, double parking, loading and unloading etc., the responsibility should continue to rest with the traffic police and the constables on the beat, at specific locations in the industrial areas, to keep these areas under control.

A re-examination of traffic penalties is also long overdue, particularly for offences such as overloading, illegal parking and double parking etc. in respect of goods vehicles. This is essential in order to induce goods vehicle owners and drivers to make use of multi-storey lorry parks and not to congregate on-street and thus create congestion.

Finally, I would like to place on record that I am in favour of making goods vehicles subject to compulsory annual inspection as is now the case with franchised buses, PLBs and taxis. This will enable old and dilapidated goods vehicles, which are mechanically unsound and clearly unsuitable in this day and age, to be weeded out and, hopefully, replaced by goods vehicles with the necessary mechanical means to speed up the process of loading and unloading and thus contribute directly to a more economic use of our present road system.

MR PETER C. WONG:—Sir, I am surprised that the first White Paper on Internal Transport Policy has omitted any reference to learner drivers.

Members of this Council may be interested to know that currently there are approximately 160 000 learner drivers. The training of the majority of these learners is the responsibility of some 3 594 licensed instructors. I am told that most learners require some 150 to 200 hours of instruction before passing the driving test. The method normally used is to drive round and round the test route and take a test as often as possible. This inevitably leads to unnecessary traffic congestion and wastage of petrol. (*laughter*)

A very small percentage of the learners, however, have the benefit of attending indoor driving training centres. There are two of these centres, one run by the HK Government and one by the Hong Kong Automobile Association. Paragraph 123 of the Commissioner for Transport 1977 Departmental Report states:

‘During the year, *ie* 1977, 3 030 people received instruction at the Indoor Driving Training Centre run by this department, *ie* the Transport Department. Since its inception in June 1974, 11 339 people have attended courses at the centre, which provides basic driving techniques to candidates who have passed the written test on the Highway Code. The centre trains learner drivers in the use of various controls, recognition of traffic signs and correct reactions to different traffic situations by using driving simulators, films showing road conditions, and a computer-controller with which the instructor monitors the driving performance of individual students, as well as other teaching aids. The objectives of the centre are:

- (a) to reduce the amount of on-road private instruction needed by learners, thus reducing traffic congestion and annoyance to local residents;
- (b) to raise the standard of driving skill and discipline reached by candidates when presenting themselves for the on-road driving test’.

Paragraph 124 of the same Report further states:

‘Classes at the centre are held seven days a week from 7am to 11pm in Cantonese, whereas courses are also held in English from time to time as the need arises. The Indoor Driving Training Centre has proved to be popular in that all courses are fully booked. The fees for each course is \$200’.

It is clear, therefore, that both Government and learner drivers recognize the usefulness of such facilities. Positive steps should be taken to increase the number of these centres. The provision of off-street driver training areas should also be actively considered.

This does not mean that on-road instruction can be dispensed with. Nevertheless, any increase in the number of students in training centres will proportionately reduce the number of hours spent by learners on the road. Whilst the contribution by licensed instructors is recognized, the fact remains that the ‘first time’ pass rate in a driving test for students who have

attended indoor training is estimated to be about 30% as compared to about 10% for those who have not attended such training.

Sir, vehicles do not move by themselves. In 'Keeping Hong Kong Moving', we need competent drivers. The training of drivers must therefore be an essential part of any transport policy. Better drivers mean better traffic flow and reduction of accidents.

As a matter of urgency, a comprehensive policy on learner drivers should be formulated not as a separate exercise but as an integral part of the overall policy to solve our ever-increasing internal transport problems.

MR WONG LAM delivered his speech in Cantonese dialect:—

督憲閣下：首先必須聲明，本人雖然是一名巴士從業員，但在討論有關交通政策白皮書的問題時，所持的都是個人作為市民一份子的意見。

大體上本人同意白皮書所列的交通政策目標；但在細節上，卻有數點建議，提出以供討論研究。

首先是交通安全問題。本人除同意白皮書的意見外，同時認為政府應於交通黑點或當眼地方，設立傷亡數字警告牌，以提高駕車者與行人之警覺。在其他國家及地區，很多都有這種警告牌的設置。

其次是失事時必須有極快捷之處理方法。目前很多沒有傷人的交通意外，化費在等待交通警員到場處理的時間頗長。很多時本人親眼看到普通警員不肯處理交通意外的情形，從而使交通阻塞拖延甚久。政府在這方面，有檢討現行做法的必要。

白皮書提議地下鐵路車站應有很多輔助綫，使巴士或其他交通工具載運乘客到站或離站。此點用意頗佳；不過，必須避免的是造成一種趨勢或錯覺，使地下鐵路變成唯一行走主要幹綫的交通工具。市民應該有權選擇價錢不同和形式不同的交通工具。所以目前幹綫上的交通工具，即使在地下鐵路通車後，仍應保持行走幹綫的服務。另外，於較大的地下鐵路站附近，應設停車場，以方便駕車人士停泊車輛及轉乘地下火車，因為這樣會減少私家車輛行走主要幹綫的數量，從而減輕道路擠塞的現象。

有關專用綫問題，白皮書提及將於屯門施行的公共車輛隔離專用綫，本人認為這是一項極佳的嘗試，可惜未能於市區大規模推行。不過，政府應當退而求其次，考慮於市區設置更多的巴士專用綫，但專用的時間不必過長，只需在最繁忙時間供巴士專用即可，例如早上七時至十時，下午四時至七時，其他時間則所有車輛皆可使用。

至於小巴專綫方面，據悉於九龍區不大成功。政府可否考慮一種較為可行之法，例如邀請較大規模的小巴集團，辦理三數條綫，部份較為有利可圖，部份則利潤較低，這樣拉上補下，相信較易為小巴商人接納。

部份人士批評小巴阻塞交通，因為很多小巴司機，在大路上隨時上落。為生活計，小巴司機這種做法是可以理解的。不過，很多時路面交通卻因為這種隨意停車的現象而產生意外或阻塞。本人認為目前政府在中區所行的小巴政策頗為值得推廣。如所週知，自從西行的小巴改用皇后大道中及相連的橫街上落客後，中區交通情況，已較數年前為佳。

白皮書亦提及非專利性質的巴士，認為有其存在的價值，此點本人頗為同意，尤其是學童巴士，實在值得推行。為起帶頭作用，政府可否考慮於部份官立小學，推行這項計劃，以方便年紀較小學童上學及減少父母以私家車載子女上學所引起的交通擠塞。

本人認為白皮書對於貨車上落貨問題及貨車在主要工業區所引起的交通阻塞，缺乏較深入的討論。目前很多貨車在繁忙的街市道路（例如灣仔道）隨便停着一段不短的時間上落貨，使隨後而來的所有車輛都不能通過，更進而使轉角而入的車輛阻塞了其他道路的暢通。另一方面，目前極大部份工廠將原本用作上落貨的廠地轉作其他用途，而於路旁上落貨，引致極嚴重的交通阻塞。政府對於這些現象，有詳加研究及改善的必要。

另外，白皮書對於日益重要的貨櫃車及其上落貨的問題，全無討論。貨櫃車因體積龐大，對香港的道路及交通，必然引致新的問題。面對這種新的挑戰，任何交通政策的提議，都不應該輕輕帶過或有所忽畧。

至於的士方面，本人認為現行的士政策頗有矛盾，一方面認為的士是載客最少的交通工具，另方面卻續發牌照以增加這種載客最少的交通工具。這種難以理解的現象，應當早日解決，方為上策。

至於私家車方面，本人認為政府應該儘量減少路邊停車位，尤以接近大路者為然，以減少間接造成阻塞交通的情形。事實上，目前的私家車，數量實在過多，而耗油量大的私家車，數目亦實在不少，但白皮書卻無正面提及如何減少私家車數量的措施。本人認為政府應及早提出實際可行的辦法以解決私家車數量過多的問題。

最後，本人舊事重提，認為政府應該以身作則，推行及推廣伸縮性上落班時間的做法。這項安排，對於改善交通擠塞的現象，作用極大，但白皮書卻無任何詳細的討論。

(The following is the interpretation of what Mr WONG Lam said).

Sir, first of all, I wish to declare that although I am a bus company employee, I am now putting forward my views on the White Paper as a member of the public.

Generally speaking, I agree with the transport policy objectives mentioned in the White Paper. However, I wish to raise a few points of detail for the consideration of this Council.

The first point is the problem of traffic safety. Whilst I agree with what were suggested in the White Paper, I think the Government should in addition erect warning boards showing the number of traffic casualties at traffic black spots or conspicuous places in order to alert drivers and pedestrians alike. Such warning boards are common in many other countries and territories.

Secondly, traffic accidents must be dealt with the utmost speed. At present, in many cases where no casualty is involved, considerable time is spent on waiting for the traffic policemen to arrive to the scene to handle the cases. Very often, I saw ordinary policemen refusing to deal with traffic accident cases, thus prolonging the time of traffic congestion. It is necessary for the Government to review the existing practice.

It is suggested in the White Paper that many feeder lines should be provided at the mass transit railway stations so that buses or other forms of transport can carry passengers to and from the stations. This is a sound idea. However, we must avoid creating a tendency or false impression that the mass transit railway is the only mode of transport serving the trunk routes. The public should be entitled to choose different modes of transport at different prices. Therefore, the existing means of public transport should continue to provide the trunk route services even after the mass transit railway starts operation. Besides, parking facilities should be provided in the vicinity of the major mass transit railway stations so that vehicle drivers can park their cars and continue their journeys on the mass transit railway. This may help to reduce the number of private cars on the trunk routes and ease congestion.

I notice that it is suggested in the White Paper that segregated public transport right-of-way would be provided in Tuen Mun. I think this is a

very good idea but unfortunately this cannot be applied extensively in the urban areas. However, Government should consider the next best method by providing more bus only lanes in the urban areas. The exclusive use does not need to last too long, but only during peak hours such as from 7am to 10am and from 4pm to 7pm. These lanes should be open to all other traffic during the remainder of the day.

The provision of maxicab services is said to have been rather unsuccessful in Kowloon. Perhaps, the Government can consider taking some more practical steps such as to invite comparatively well organized groups of PLB operators to operate a few lines together, some of which may be more profitable whilst others less so, thus balancing out the results. I believe this will be more acceptable to PLB operators.

Some people criticize that PLBs cause traffic congestion, as many of their drivers take on and unload passengers along main roads at any time. The drivers' behaviour is understandable in view of their need to earn a living. However, traffic jams and accidents are often caused as a result. In my opinion, the present system of control on PLBs in Central is worth promoting. It is generally known that since PLBs heading west change their route to Queen's Road Central and the adjacent side-streets for taking on and unloading passengers, the traffic condition in Central has improved compared to that of a few years ago.

The White Paper also considers that the existence of non-franchised buses is justified. I agree with this view, in particular on the use of school buses which are worth encouraging. Would the Government take the lead to consider introducing school bus schemes in some Government primary schools so as to make it convenient for young school children to go to school and to reduce traffic congestion caused by private cars which some parents have to use to send their children to school?

I think the White Paper does not go deep enough on the problem of loading and unloading for goods vehicles and the traffic jams caused by them in the main industrial areas. Many goods vehicles stop to load and unload on busy market streets at will (*eg Wan Chai Road*) for quite a long time, blocking the flow of traffic and causing traffic congestion. On the other hand, many factories have turned their original loading and unloading areas to other uses, and load and unload their goods at the roadside instead, causing serious traffic congestion. It is necessary for the Government to look into this problem thoroughly and to improve the situation.

Furthermore, the White Paper fails completely to discuss the increasingly serious problem caused by the use of container trucks and their loading and unloading activities. Due to their huge size, container trucks are bound to create new traffic problems. Any traffic policy proposal should not overlook these new problems.

With regard to taxis, I think the existing policy is quite contradictory. On the one hand, it is said that taxis are the least efficient means of transport; on the other, licences are still being issued to increase such vehicles. It is advisable that such anomaly be resolved as soon as possible.

On private cars, I think the Government should try its best to reduce the number of on-street parking spaces, particularly those near the main roads, in order to reduce traffic congestion indirectly caused by them. In fact, there are now far too many private cars in Hong Kong; the number of high fuel-consuming private vehicles is also quite large. However, the White Paper has not positively proposed any measures to reduce their number. I think the Government should introduce practical methods to solve this problem as soon as possible.

Finally, I would like to bring up an old issue, that is, staggered working hours, which I think the Government should set an example to introduce and promote. Such an arrangement should be very helpful to improve traffic conditions. Unfortunately, the White Paper fails to discuss it at any length.

SECRETARY FOR THE ENVIRONMENT:—Sir, when the Secretary for the Environment laid the White Paper on Internal Transport Policy on this Council's table in May this year he emphasized that it defined a strategy, which would be added to, expanded upon, and when necessary corrected in the light of comment, further studies and changing circumstances. I think, if I may say so, that the various speeches made this afternoon on the White Paper strike, without exception, exactly the right note of constructive criticism for which he hoped. No White Paper can be the last word on the subject which it addresses, and this one is no exception. Thank you all.

Mr Hilton CHEONG-LEEN, in whose name the motion stands, has been kind enough to congratulate the Environment Branch on the White Paper, offering his support including concerned 'in-depth criticism', in the onerous and unending task of improving the bus service and other modes of public transport. The constructive criticism is entirely appropriate, but it is nevertheless very encouraging for those involved in both the Environment Branch and the Transport Department to feel that their efforts are supported even if they had to wait until the last paragraph of Mr CHEONG-LEEN's speech to find out.

May I turn to the particular worries which, despite his general approval, Mr CHEONG-LEEN has expressed in his speech on bus services.

#### *Bus Services*

Generally, the Government shares Mr CHEONG-LEEN's concern over the adequacy of the two principal franchised bus companies level of service. However, he has, I am afraid, misunderstood the strategy developed in

the White Paper which is *not* to try to induce present private car owners or taxi users to switch to buses. We cannot hope to persuade the present generation of private transport users, in any significant numbers, to change onto buses. Rather our policy is to reduce the rate of *growth* of private transport, that is to say the rate at which people switch to private transport. For, even if car ownership continues to grow at its present rate, so will demand for public transport grow—by about 7% per annum. So our task is perpetually to increase the capacity and quality of public transport to meet growing demand and growing expectations of service and comfort.

This is where we have had our difficulties with the bus companies who have in recent years been inclined as cautious businessmen to wait and see what the implications of the Mass Transit Railway will be before committing themselves to additional bus capacity. Each year the Transport Department prepares a bus route and bus fleet development programme projected two years ahead. This programme takes into account necessary improvements to existing services and the development of new services. It has proved difficult for the companies to accept the Government's estimates of need and that the effects of the Mass Transit Railway should not inhibit their placing of orders for new vehicles. I believe that in a recent planning exercise jointly carried out by the public transport operators, including the Mass Transit Railway Corporation, many of the doubts concerning further traffic have been resolved and that the companies are persuaded that despite the Mass Transit Railway the demand for bus services will continue to grow steadily over the years ahead. But valuable time has been lost, and it is open to question whether the companies will have, at a sufficiently early date, the resources to cope with all the new routes which must be started as well as maintaining an adequate rate of improvement of the existing services.

In these circumstances the Transport Department's response has not been passive. It has taken every opportunity to impress on the companies the urgency of the need for expansion and improvement of the quality of service. Full reports on their performance were prepared this year by the Commissioner in connection with the impending renewal of the franchises. These have been discussed by the Transport Advisory Committee, and Government in the light of these reports will be considering very shortly to what extent new routes should be offered to the existing companies or whether additional capacity should be sought outside the existing franchises.

At this point, I would like to mention that Government did in fact some years ago consider the purchase of an equity in the bus companies. This was not in the end pursued, and indeed it is difficult to see what additional influence to improve the service that equity participation would have given us.

It is true that both companies have experienced difficulties in recruiting drivers and workshop staff. Clearly, both pay and other terms and conditions

of service, compared with those of other comparable jobs, will have had some influence here. But we must remember that wages constitute about two-thirds of operating costs of a bus service and the implications of increased wages on fares are obvious. To pay the *right* level for the arduous responsibilities involved is obviously important from two points of view, namely cost-efficiency and the quality of service including safety.

I can assure Mr CHEONG-LEEN and Mr WONG Lam that competition between the Mass Transit Railway and the bus companies will prevail. The Government considers that whilst it must ensure the provision of feeder bus services to the Mass Transit Railway so that this efficient and fast off-street system is given the opportunity to get the maximum number of passengers off the street. Thereafter, it is up to the Mass Transit Railway to woo passengers away from rival modes by the quality of its performance. Only once it has been clearly established that certain competing buses are not required, due to falling demand for bus services as people switch to the Mass Transit Railway, will the Government *permit* buses to be redeployed away from the corridors served by the Mass Transit Railway. It will not itself initiate their redeployment.

#### *On Road Safety*

I find myself generally in sympathy with Mr CHEONG-LEEN's remarks. I will read his handbook with interest, I think I read it before in English version, and do what I can to circulate it to those who would benefit from it. Government is very concerned about road safety and I am grateful for Mr CHEONG-LEEN's suggestions. The point is that because of the millions of passenger miles which they perform every day, the two franchised bus companies are still the safest means of transport in Hong Kong. That is to say a passenger is far less likely to be hurt than he is on any other form of transport. But I have asked for the figures to be brought up-to-date and I propose to publish them as soon as they are available. But we must never cease taking steps to improve the safety of our roads and the Transport Department will continue its task of inspecting more vehicles with every year that passes. Perhaps here I should take up the declaration made by Mr Francis TIEN that he is in favour of making goods vehicles subject to compulsory annual inspection. As we indicate in the White Paper, it is the Government's intention to commence these annual inspections this year at the new Kowloon Bay Inspection Centre.

#### *Parking Policy*

I note also Mr CHEONG-LEEN's cryptic proposals about parking. When we came to draft the parking policy sections of the White Paper we found that there were very many deep-rooted, practical problems that had to be examined closely. Accordingly, we set up a Working Group to look into these. I am happy to report good progress by the Group and to express the hope that I can go to the Transport Advisory Committee by the end

of the year with a package of proposals on parking policy for its consideration. The Government's eventual decision on parking policy will probably be published separately first, but would be essential material for any revision of the White Paper.

*Mr Tien*

May I turn now to Mr TIEN's speech. On the matter of light goods vehicles I can see that there is a danger of the White Paper's proposal being misunderstood. They certainly *should* 'continue to exist and provide a useful and essential role'. All that the White Paper suggests is that, by fiscal means, the growth in their numbers should be discouraged so that it is reduced to reasonable proportions and so that light goods vehicle numbers do not continue to double every decade, almost regardless of the economic climate.

We like Mr TIEN's basic thinking about multi-storey lorry parks and we will be considering this in the Working Group on Parking to which I have already referred. However, parking and goods loading both in lorries and containers in industrial areas is one of the most important features of industrial layouts which are already under serious and critical re-examination by the Town Planning Office. Quite apart from the problems of traffic congestion which affect the operation of the factories in them, there is some concern that many of the present layouts do not provide for the most efficient use of the land and above all of the ground floor of buildings. The Principal Government Town Planner has been developing ideas, which include the provision of multi-storey car parks and container loading bays, and has discussed these with the Hong Kong Society of Architects. Mr TIEN's suggestions for the better utilization of the sites by development of composite buildings, including facilities for maintenance and workers meals, will be taken into this study, the results of which we hope to be discussing with industrial associations shortly.

Regarding Mr TIEN's earlier request for increased lease enforcement against factories operating in parking spaces, I am afraid that I can report no spectacular increase in results. There is always a steady run of cases where action is taking place, and enforcement has been the most effective in new industrial buildings in new areas, where it can be strict. But it has not been possible to increase the staff resources to the extent we hoped and which would be required to make a significant impression on the older areas where lease enforcement is presently restricted to cases where a complaint has been made.

As regards traffic penalties, including parking fines, Mr TIEN will wish to know that we are currently looking at the level of these—with a view to increasing them, of course.

*Learner Drivers*

I now turn to Mr Peter C. WONG's remarks on learner drivers. Mr WONG seeks:

- (i) an increase in the number of indoor driving training *centres*;
- (ii) the provision of off-street driver training *areas*; and
- (iii) a comprehensive policy on learner drivers.

As regards indoor driving training *centres*, I agree with Mr WONG that these are highly desirable. He will be pleased to learn that it is proposed by October of next year to redevelop the Government-run centre in Pui Ching Road, Kowloon, into larger accommodation in the same building. This additional accommodation and the provision of more simulators will enable the number of students in the class to be increased by one-third. We shall be renewing our stock of driving simulators at that time, so students will have the benefit of modern and reliable equipment. I am pleased that the Hong Kong Automobile Association is also expanding its facilities for indoor driving instruction and is planning to open a second indoor centre next year.

I agree that, after completing a course at an indoor centre, learner drivers can usefully familiarize themselves with the controls of a car by practising in an off-street driving area before getting out on the roads. Although it would not be practicable to set aside land solely for this purpose, the shared use of land that would otherwise be unused for part of the week may be justified and I am exploring possibilities.

As regards formulating and spelling out in a public document our policy on learner drivers, my initial reaction is that this might form a useful section for the first revision of the White Paper. But may we leave it that I will consider the matter further and discuss with my colleagues.

#### *Transport for the Disabled*

I turn now to transport for the disabled. I am disappointed that Dr FANG should consider 'that this problem has been dealt with only superficially in the White Paper'. The Government has long argued that the Mass Transit Railway, precisely because it is a *mass* transit concerned with hugely concentrated crowds is no place for wheel chairs.

This is the thinking of many transport specialists outside Hong Kong also. While I do not wish to engage in polemics, there is some evidence that the USA, in seeking to ensure facilities for the disabled, is demanding too high a price of the rest of the community. Cancelling the opening of a Washington system, and thereby depriving people of a facility, because it is not accessible to the disabled cannot surely be regarded as much of a triumph.

As regards the Light Rail Transit System proposed for Hong Kong Island, the Government has already opened discussions with Father COLLINS, Chairman of the Rehabilitation Development Co-ordinating Committee's 'Access and Transport Sub-Committee' on what could be done for the disabled, if we were to have such a system.

I am, however, even more enthusiastic than Dr FANG for the Rehabus System which provides a specialist door-to-door service to the disabled. This

was, in fact, pioneered by Father Collins' Access Committee and seems to me to be the best answer to the problem of transport for the handicapped. Accordingly, I look on the Rehabus, which is flexible and tailored to individual needs for expansion to serve most of the needs of the seriously handicapped. Our view is that the Rehabus is the most useful field for Government help to the handicapped travellers, and deserves greater priority than any assistance in the purchase of private cars. Having said that, some concessions are already given to the severely disabled who wish to drive their own cars and the matter of loan schemes for vehicles for the handicapped and means of expediting the handicapped's tuition in driving are also being considered by Father Collins' Sub-Committee. One of my deputies and the Deputy Commissioner for Transport serve on that Sub-Committee and I can therefore assure Dr FANG that the Government is considering all the suggestions which he has voiced. Every assistance is being given by the Commissioner for Transport with regard to giving priority in driving tests; in giving advice regarding the adaptation of driving controls on vehicles; and in accepting application for driving instruction licences from applicants who use vehicles adopted for the use of disabled persons.

#### *Utilization of Kerbside Space*

May I now turn to Mr S. L. CHEN's speech and first to his thinking on kerbside space. The White Paper in broad terms encourages the use of the most economic, that is the mass carriers, and the relationship between the number of bus stops and the degree of interruption of each passenger's journey is one of the most important factors affecting a traveller's choice of transport modes. Government believes that, generally speaking, the frequency of stops is about right, not involving too long an unloading time or too long a walk to each passenger's destination, thereby crowding up our already congested pavements, but not on the other hand causing more than necessary delay to traffic. I am sure that someone could demonstrate that some stops could be better placed, but I think that the Commissioner for Transport would have a very good answer to most objections. The tram does not affect the kerbside as such, and this of course is one of its attractions, but I still believe that its stops could only be reduced with a loss of passengers. Minibuses stop everywhere, except in prohibited areas; it is only when they hang about waiting for passengers that they waste kerbside space.

As regards the Island Corridor Study's demonstration that gains to the passengers on the Light Rail Transit System would outweigh the losses to other road users, I would be happy to arrange for Mr CHEN to see the Study Report and judge for himself. I might be able to arrange for wider publication of the Report, if it was considered necessary.

Still I fear that there is some misunderstanding about the distinction between a light rail vehicle and a tram. The Light Rail Vehicle is really only a modern version of the tram. To stick to the present trams, which, at some stage, have got to be renewed, would in effect be to replace them by

light rail vehicles. So there is no real comparison of the performance of 'two systems'.

As regards coastal ferry services, the difficulty is the detour which most passengers have to make to catch them. But we are always looking for suitable opportunities for ferries, and the increasing hold-ups in North Point in particular and the proximity of new developments in Quarry Bay, Shau Kei Wan and Chai Wan to the actual waterfront, may well provide a viable route, if not immediately at least in the near future. Regarding ferry piers, I am happy for this to happen provided that the ferry companies, like the Mass Transit Railway pay full market value of developments other than those associated with services to passengers and that the development is appropriate.

Finally, may I turn to Mr WONG Lam's speech. Again, may I express my pleasure at his general support of the White Paper.

As regards warning boards at traffic black spots, we already erect these, but our streets are already over-burdened with street furniture so we cannot go too far in this direction. However, I will consult with my colleagues again about the possibility of increasing the numbers and the grimness of their content. I will ask also speak with the Commissioner of Police re the speed with which accidents where no casualties are involved are dealt with by the Police.

Bus only lanes tend to be applauded in principle and frowned upon in practice. We are so seriously restricted by road space. We are presently looking at a new batch of new suggestions and I will keep Mr WONG posted.

Mr WONG's *maxicab* proposals are already being pursued on the Island, Kowloon and also the New Territories, and I am grateful for his laudatory comments on the measures taken to control *Public Light Buses in Central*. Similarly his proposal on *school buses* for Government primary schools is already, to a certain extent, a fact of life, but I will check as to whether the practicable possibilities are fully exhausted. I am passing Mr WONG's strictures on *goods vehicle and container*, loading and unloading to the Working Group on Parking for its consideration. As regards *taxis* we have to draw a distinction between the immediate problem of taxi availability to those who most need them—a problem which is dealt with by the price mechanism—and the problem of Hong Kong's long-term need of taxis as the Mass Transit Railway comes into operation and the buses adopt to the new situation. The whole taxi policy will be reviewed later this year.

As regards private cars, Mr WONG is correct that the White Paper does not propose specific measures to cut down numbers, but it indicates at (paragraph 157) that to avoid congestion we should reduce the car registration growth rate as necessary against a background of increasing registrations on the one hand and the development of new roads on the other. As to the rate of growth in registration, this Council may wish to note that in June 1979 there were 16% more cars on our roads than a year earlier.

Sir, may I once again thank Members for their constructive suggestions. We have been very gratified by the constructive critics we have received from the press and public so far. We have appreciated throughout that we are dealing with services which have an immense effect on people's daily lives, as well as employing a very large number of people and enormous capital resources. There are difficult balances to be struck and difficult decisions to be made and to be made effective. The White Paper could not possibly cover every detail in its 43 pages. We feel that the criticism we have received has shown that the White Paper points in the right direction and that we can go forward with the long task of redeveloping and improving on our transport services with greater confidence that we have got our basic ideas right.

MR CHEONG-LEEN:—Sir, I note the Secretary for the Environment's remarks that the speeches of the Unofficials on the White Paper have shown exactly the right note of constructive criticism for which he had hoped. I assume therefore that the various suggestions proposed by the Unofficials will all be carefully and systematically considered.

I am somewhat surprised at the Secretary for the Environment's comment that the strategy in the White Paper is not to try to induce present private car owners or taxi users to switch to buses. I personally am in favour of such a broad strategy, but the approach and the conditions must be right. The conditions are, as I have said in my speech, that there must be an adequate, comfortable, safe bus service charging reasonable fares. The approach must be one of providing more information, of good public relations, encouragement and inducement, and not of veiled statements about curbing private car ownership, either now or in the near future. Let us first significantly improve the quality and quantity of our bus services before speaking too often about seeking to curb the number of private cars.

I question whether a 2-year projection for the bus fleet development programme is sufficient. It takes 2 years nowadays from the time new orders for buses are placed up to the time of delivery. This does not take into consideration unforeseen delays caused by, for example, extended strikes at the factory, or if there should be a shipping strike.

I would imagine that the pace of Hong Kong's development is such that Government should work with the bus companies on the basis of a 5-year projection.

What I find disquieting is that when there happened to be a difference of view as to estimate of future need, it was the view of the bus companies which prevailed. The proposal by Government for a larger number of buses to be ordered, which proposal was undoubtedly based on a careful survey having been made by the Transport Department, was ignored by the bus companies to the detriment of the adequacy of the service. I hope that this

point will be given careful review by Government so that a sufficient number of buses will from now on be ordered well ahead in advance.

*Question put and agreed to.*

### **Valedictory to Mr Tam**

MR CHEUNG:—Sir, before we adjourn this afternoon, I should like to take the opportunity on behalf of Unofficial Members to say how much they have appreciated the service so helpfully and so courteously given to them by Mr Stephen TAM, whilst he was Clerk to the Legislative Council for two years. I understand that Mr TAM, whom I see sitting in the public gallery, will shortly be proceeding on vacation before taking up a new post, and we wish him success in that new appointment.

I should also like to welcome Mrs Lorna LEUNG, who has already started to discharge her duties quietly in this Council, and on first impression, efficiently. I hope she will enjoy her term here, but I warn that her job is not all bed of roses.

### **Adjournment and next sitting**

HIS EXCELLENCY THE PRESIDENT:—Council will now adjourn, the next sitting will be held on Wednesday 10 October when the new session of the Council will begin. I therefore take this opportunity to wish Members pleasant holidays.

*Adjourned accordingly at ten minutes past five o'clock.*