

**OFFICIAL REPORT OF PROCEEDINGS****Wednesday, 20 January 1982****The Council met at half past two o'clock****PRESENT**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)  
SIR CRAWFORD MURRAY MACLEHOSE, G.B.E., K.C.M.G., K.C.V.O.

THE HONOURABLE THE CHIEF SECRETARY  
SIR CHARLES PHILIP HADDON-CAVE, K.B.E., C.M.G., J.P.

THE HONOURABLE THE FINANCIAL SECRETARY  
MR. JOHN HENRY BREMRIDGE, O.B.E.

THE HONOURABLE THE ATTORNEY GENERAL  
MR. JOHN CALVERT GRIFFITHS, Q.C.

THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS  
MR. DENIS CAMPBELL BRAY, C.M.G., C.V.O., J.P.

THE HONOURABLE DAVID AKERS-JONES, C.M.G., J.P.  
SECRETARY FOR CITY AND NEW TERRITORIES ADMINISTRATION

THE HONOURABLE LEWIS MERVYN DAVIES, C.M.G., O.B.E., J.P.  
SECRETARY FOR SECURITY

THE HONOURABLE DAVID WYLIE McDONALD, C.M.G., J.P.  
SECRETARY FOR LANDS AND WORKS

THE HONOURABLE KENNETH WALLIS JOSEPH TOPLEY, C.M.G., J.P.  
SECRETARY FOR EDUCATION

THE HONOURABLE DAVID GREGORY JEAFFRESON, C.B.E., J.P.  
SECRETARY FOR ECONOMIC SERVICES

THE HONOURABLE ALAN JAMES SCOTT, C.B.E., J.P.  
SECRETARY FOR TRANSPORT

DR. THE HONOURABLE THONG KAH-LEONG, C.B.E., J.P.  
DIRECTOR OF MEDICAL AND HEALTH SERVICES

THE HONOURABLE ERIC PETER HO, C.B.E., J.P.  
SECRETARY FOR SOCIAL SERVICES

THE HONOURABLE JOHN MARTIN ROWLANDS, C.B.E., J.P.  
SECRETARY FOR THE CIVIL SERVICE

THE HONOURABLE JAMES NEIL HENDERSON, J.P.  
COMMISSIONER FOR LABOUR

THE HONOURABLE GERALD PAUL NAZARETH, O.B.E., Q.C.  
LAW DRAFTSMAN

THE HONOURABLE WILLIAM DORWARDS, O.B.E., J.P.  
DIRECTOR OF TRADE, INDUSTRY AND CUSTOMS

THE HONOURABLE DONALD LIAO POON-HUAI, O.B.E., J.P.  
SECRETARY FOR HOUSING

THE HONOURABLE GRAHAM BARNES, J.P.  
REGIONAL SECRETARY (HONG KONG AND KOWLOON), CITY AND NEW TERRITORIES  
ADMINISTRATION

THE HONOURABLE SELWYN EUGENE ALLEYNE, J.P.  
DIRECTOR OF SOCIAL WELFARE

THE HONOURABLE COLVYN HUGH HAYE, J.P.  
DIRECTOR OF EDUCATION

THE HONOURABLE IAN FRANCIS CLUNY MACPHERSON, J.P.  
REGIONAL SECRETARY (NEW TERRITORIES), CITY AND NEW TERRITORIES ADMINISTRATION

THE HONOURABLE ROGERIO HYNDMAN LOBO, C.B.E., J.P.

DR. THE HONOURABLE HARRY FANG SIN-YANG, C.B.E., J.P.

THE HONOURABLE LO TAK-SHING, C.B.E., J.P.

THE HONOURABLE FRANCIS YUAN-HAO TIEN, O.B.E., J.P.

THE HONOURABLE ALEX WU SHU-CHIH, O.B.E., J.P.

THE REVD. THE HONOURABLE JOYCE MARY BENNETT, O.B.E., J.P.

THE HONOURABLE CHEN SHOU-LUM, O.B.E., J.P.

THE HONOURABLE LYDIA DUNN, O.B.E., J.P.

DR. THE HONOURABLE HENRY HU HUNG-LICK, O.B.E., J.P.

THE REVD. THE HONOURABLE PATRICK TERENCE MCGOVERN, O.B.E., S.J., J.P.

THE HONOURABLE PETER C. WONG, O.B.E., J.P.

THE HONOURABLE WONG LAM, O.B.E., J.P.

DR. THE HONOURABLE RAYSON LISUNG HUANG, C.B.E., J.P.

THE HONOURABLE CHARLES YEUNG SIU-CHO, O.B.E., J.P.

DR. THE HONOURABLE HO KAM-FAI, O.B.E., J.P.

THE HONOURABLE ALLEN LEE PENG-FEI, J.P.

THE HONOURABLE DAVID KENNEDY NEWBIGGING, O.B.E., J.P.

THE HONOURABLE ANDREW SO KWOK-WING, J.P.

THE HONOURABLE WONG PO-YAN, O.B.E., J.P.

THE HONOURABLE WILLIAM CHARLES LANGDON BROWN, J.P.

THE HONOURABLE CHAN KAM-CHUEN, J.P.

THE HONOURABLE JOHN JOSEPH SWAINE, O.B.E., Q.C., J.P.

THE HONOURABLE STEPHEN CHEONG KAM-CHUEN, J.P.

THE HONOURABLE CHEUNG YAN-LUNG, M.B.E., J.P.

THE HONOURABLE MRS. SELINA CHOW LIANG SHUK-YEE, J.P.

THE HONOURABLE MARIA TAM WAI-CHU

#### **ABSENT**

THE HONOURABLE JOHN MORRISON RIDDELL-SWAN, O.B.E., J.P.  
DIRECTOR OF AGRICULTURE AND FISHERIES

THE HONOURABLE HU FA-KUANG, J.P.

#### **IN ATTENDANCE**

THE CLERK TO THE LEGISLATIVE COUNCIL  
MRS. JENNIE CHOK PANG YUEN-YEE

**Papers**

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

<i>Subject</i>	<i>L.N. No.</i>
Subsidiary Legislation:	
District Boards Ordinance 1981. New Territories District Boards (Numbers of Appointed and Elected Members) Order 1982.....	3
District Boards Ordinance 1981. New Territories District Boards (Establishment) Notice 1982 .....	4
Immigration Ordinance. Immigration (Places of Detention) (Amendment) Order 1982 .....	5
Magistrates Ordinance. Magistrates Ordinance (Amendment of Fourth Schedule) Order 1982.....	6
Public Health and Urban Services Ordinance. Public Health and Urban Services (Designation of Libraries) Order 1982 ...	7
Electricity Networks (Statutory Easements) Ordinance. Electricity Networks (Statutory Easements) (Rectification of Approved Scheme) Order 1982 .....	8
Electoral Provisions Ordinance 1981. Electoral Provisions (Election Petitions) Rules 1982 .....	9
Merchant Shipping (Safety) Ordinance 1981. Passenger Carrying Hydrofoil Ships Registered in Hong Kong the Construction of which Commenced before 25 May 1980.....	10
Merchant Shipping (Safety) Ordinance 1981. Passenger Carrying Sidewall Hovercraft Ships Registered in Hong Kong the Construction of which Commenced before 25 May 1980.....	11
Merchant Shipping (Safety) Ordinance 1981. Passenger Carrying Sidewall Hovercraft Ships Registered in Hong Kong the Construction of which Commenced on or after 25 May 1980 .....	12
Crown Land Ordinance. Authorization.....	13
Crown Land Ordinance. Delegation of Powers.....	14

Administration of Justice (Miscellaneous Amendments) Ordinance 1981.	
Administration of Justice (Miscellaneous Amendments) Ordinance 1981 (Commencement) Notice 1982 .....	15

Sessional Paper 1981-82:

No. 31—Emergency Relief Fund—Annual Report by the Trustee for the year ending 31 March 1981.

No. 32—Hong Kong Polytechnic Annual Report with Balance Sheet and Income and Expenditure Account for the year ending 31 July 1981.

**Oral answers to questions**

**Commercial crime**

1. MR. CHARLES YEUNG asked:—*In view of the need to protect the public from criminal commercial activities and to protect Hong Kong's international standing as a financial and business centre, is Government satisfied that the present level of expertise and manpower deployed to combat commercial crimes is adequate to deal with the increasing complexity and ingenuity of such cases?*

THE ATTORNEY GENERAL:—Sir, the Government is very conscious of the two dangers which my honourable Friend has mentioned relating to commercial crime and there have been to try and meet these dangers in particular two changes, or various changes made in the organization to combat it within the Government.

Sir, in the Police Force the establishment is being increased. At the moment commercial crimes are investigated by the Commercial Crimes Bureau which is 111 officers strong and it is about to be increased by a further 36 officers in about mid-March. The selection of those officers is done by the Commissioner of Police having regard to particular aptitudes that they may display for such investigation, and secondly, a number of those officers have been and the intention is that others should go on various training courses related to the investigation and prosecution of commercial crime.

So far as the legal prosecution work is concerned, about nine months ago a special specialist Commercial Crime Unit was established within my Chambers reporting to the D.P.P. and headed by a Deputy Principal Crown Prosecutor. Ten lawyers work in that unit and they, again, have been chosen and specially selected. They work principally, though not exclusively on commercial crime. Again some members of that unit, two of them have been to courses abroad and others of them have been to visit various exchanges and businesses in Hong Kong, and in that connection I would like to express my gratitude to the members of the business community who have made available to them these

facilities in the private sector. The intention is that they should learn how in practice the exchanges and the various businesses actually work.

So far as the overseeing of commercial crime is concerned, a liaison committee on commercial crime was established some 8 months ago chaired by myself, and with the heads of the various departments principally concerned—sitting on it as members are the Commissioner of Police, the Secretary for Economic Services, the Registrar General in his role as Official Receiver, Commissioner for Securities, and a number of other public servants.

Sir, the fact unfortunately remains that however one fights against commercial crime, the rewards, if that's the right word, or illegal profits from it, are very attractive to criminals. Be that as it may, the Government is satisfied that the level of expertise has improved over the last 12 months and that it is at a level comparable with standards obtaining in other mercantile communities. There remain one or two areas that require further strengthening, in particular the obtaining of accountants, investigative accountants. Sir, but bearing in mind the competing claims upon Police and legal time, our view is that the level of manpower now is adequate.

### **Licensing of automatic game machines**

2. REVD. JOYCE M. BENNETT asked:—*Sir, in accordance with Standing Order 19(6) and with the consent of my absent colleague Mr. F. K. HU, may I with your permission, Sir, ask Question No. 2. The question is:—Will Government advise whether any further amendment to the Miscellaneous Licences Ordinance is necessary in order to ensure that automatic machines which do not register any score or combination in any manner are licensable under the said Ordinance?*

SECRETARY FOR HOME AFFAIRS:—This is a question the Police are investigating and the Legal Department is considering. It seems probable it can only be answered in the courts.

It does however seem to a layman that if a machine does not register any score or combination in any manner and if it does not have any other of the functions which bring it within the definition of the Ordinance, then that machine is not licensable. The Commissioner for Television and Entertainment Licensing is not aware of any commercially manufactured automatic or video game machine which does not show a score of some sort. If such machines exist, they will probably be machines from which the score mechanism has been deliberately removed.

We have had reports that some unlicensed establishments are still operating with neutered machines of this kind. If we are advised that the machines in question are beyond licensing control, and if Hong Kong sees a rash of unlicensed establishments opening up to use them, and especially if such machines begin to be commercially manufactured in this form, then the

Government will make proposals for fresh legislation to ensure that such games centres are brought under control.

I should have thought, though, that it would be more sensible for operators to apply for a licence so that all the machines in their establishment were fully functioning rather than resort to this torturous circumvention.

### **Drug offences involving young people**

3. DR. HO asked:—*Will Government make a statement on:*

- (a) the comparative figures of drug offences involving young people, particularly those aged 15 to 24, in 1981 and 1980; and,*
- (b) the co-ordination of anti-narcotics education and publicity activities by Government departments?*

SECRETARY FOR SECURITY:—*(a)* The statistics for the whole age group sought by Dr. HO are not available. However 693 persons under the age of 21 were prosecuted for drug offences in 1981 out of a total of 7 706 charged with such offences, or 9%. The comparative figures for 1980 were 304 out of 5 609. There was therefore an increase of 389 cases between the years. The breakdown of figures for those aged 21 and over are not available.

*(b)* The anti-narcotics education and publicity activities are co-ordinated at the policy level by a Sub-Committee for Preventive Education and Publicity of the Action Committee Against Narcotics—or A.C.A.N. for short. This Sub-Committee is under the chairmanship of an Unofficial Member and its members include representatives from all relevant Government departments and voluntary agencies. The Commissioner for Narcotics assists in the co-ordination work and is the executive agent of the Sub-Committee. The Sub-Committee draws up a recommended annual programme which is submitted to, discussed and approved by A.C.A.N. Once it is approved the Sub-Committee and the Narcotics Division of Security Branch supervises the agreed programme and evaluates the results. The programme embraces a wide range of community involvement projects and publicity including posters, T.V. and radio A.P.I.s, wall charts, feature and news articles, plus district campaigns (and in 1982 there will be a major campaign in Sha Tin and follow up activities in 9 other districts), participation in youth programmes, discussion groups, inter-school competitions, very popular celebrity concerts and activities such as the lively Dragon Jog.

### **Consumer protection against unscrupulous travel agents**

4. MR. PETER C. WONG asked:—*In view of developments since the reply given to this Council on 14 February 1979 regarding travel agencies, will Government now reconsider regulating the operations of travel agencies and, if not, advise how*

*the travelling public may reasonably protect themselves from unscrupulous operators?*

SECRETARY FOR ECONOMIC SERVICES:—Sir, reply to the question which my honourable Friend Mr. WONG Lam asked on 14 February 1979, regarding the progress made by the Government in regulating the operations of travel agencies, I outlined the Government's policy in the following terms:

‘The Government's general policy on consumer protection is based on the view that the best protection for consumers is for consumers themselves to take care over their purchases. The Government should intervene only to protect consumers when they cannot, because of the nature of the goods and services being provided, be expected to protect themselves’.

Subsequent to this reply, we have carefully considered the ‘Report on Travel Agents’ prepared by the Consumer Council. In corresponding with the Chairman, I made the point that, in respect of travel agents, there was a good *prima facie* case for the Government to intervene, since in buying tours, holiday or journeys, people have to pay in advance for services; but for the case to be completed the Government would have to be satisfied that consumers had *no* means of assessing the likely ability of travel agents to provide the services which they offered. In this context I was not then convinced by the report prepared by the Consumer Council that this test had been satisfied.

Since giving that reply to the Consumer Council, the Economic Services Branch has been closely monitoring the incidence and nature of the complaints made by members of the travelling public against travel agents. Broadly speaking, these complaints fall into two main categories: first are those based on value not being obtained and therefore basically directed at the quality of service rendered through the travel agents and, the second category, and the more important one in my view, are those complaints based on failure by the travel agents to produce at all, the services paid for in advance, possibly even with criminal intent to defraud.

The facts that have been put before us show that, from the beginning of 1979, there has been a total of seven cases in the second category, all of them involving the closure or disappearance of the travel agents following their receipt of substantial deposits from members of the public. In 1979, there were two such cases affecting 344 people and involving over \$700,000. Last year, there was one such case affecting 2 500 persons who had paid upwards of \$4.5 million to an agency that had been set up in business for more than two years. This year, the situation appears definitely to have deteriorated; four agents, all of whom had been established no earlier than November 1981, have absconded with over \$4 million paid by 3 278 persons.

Further and more detailed investigation by the Police into all these cases is proceeding. Some of the earlier ones might have been the result of the agencies

involved getting into serious cash flow difficulties. Charges have been brought in one of the recent cases and I am afraid it would be improper for me to comment, at this stage, upon the circumstances and the motives of those involved.

I can see no grounds for revising the Government's policy on consumer protection generally. That is to say, I am still not convinced that it is either necessary, desirable or practicable for members of the travelling public to be afforded protection in respect of the *quality* of services actually rendered, for these matters must essentially be left to individual selection and judgment. But I am now convinced that, if practicable, members of the travelling public ought to be afforded some measure of protection against fraud, in other words, the second category of complaints to which I referred earlier.

I have reached this conclusion for three reasons. *First*, the nature of the business is such that anyone can at present set up a travel agency simply by obtaining a business registration licence. Thus it is virtually impossible for the travelling public to find out for themselves whether a company in which they want to deal is the sort of company likely to abscond with their money. *Second*, unlike buying merchandise from a shop, the nature of the travel business is such that people pay in advance for services to be provided later. There is thus an element of trust and risk involved. *Third*, as I have already said, the latest evidence suggests that some agents are not honouring this trust and potential travellers are not being sufficiently careful in selecting the agents, despite repeated warnings by the Consumer Council and by the media to exercise caution in their choice of travel agents.

In these circumstances, Sir, we are now considering what measures might be appropriate for the Government to introduce, in order to afford members of the travelling public a reasonable degree of protection against fraud in general, and absconding in particular. We are consulting the Consumer Council and the travel industry.

MR. PETER C. WONG:—*Sir, I am grateful to the Secretary for Economic Services for the detailed reply but may I ask, can the Secretary promise early and hopefully effective action?*

SECRETARY FOR ECONOMIC SERVICES:—*Sir, I promise that our action will be as early and as effective as it possibly can be.*

### **Admission procedure to casualty wards**

5. MR. SO asked in Cantonese:—

政府可否說明，政府及補助醫院急症室收納病人的手續，特別是在證明身份方面？

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



*Will Government make a statement on the admission procedure to casualty wards in Government and subvented hospitals, with particular reference to proof of identity?*

DIRECTOR OF MEDICAL AND HEALTH SERVICES:—Sir, the normal procedure for admission through casualty departments of Government and subvented hospitals consist of medical examination and registration of patients which includes proof of identity.

I must emphasize that admission of patients depends primarily on their medical conditions, irrespective of origin, race, colour or creed.

Concomittant procedures such as proof of identity and registration are of secondary importance.

An illustration of the implementation of this policy is that recently when a number of mothers who were illegal immigrants came forward for delivery services in the public hospitals, they were immediately attended to and given appropriate treatment. Their illegal immigrant status and proof of identities were regarded as entirely different matters and were dealt with separately.

### **Starting price for the sale of Crown land**

6. MISS TAM asked:—*In view of the withdrawal of four pieces of Crown land from the public auction held on 12 January 82, will the Government state:*

- (a) *whether the reserve price set for Crown land generally, and for the four recently withdrawn lots in particular, takes proper account of what the property market is prepared to pay; and*
- (b) *the rationale behind determining a reserve price for Crown land?*

SECRETARY FOR LANDS AND WORKS:—Sir, in determining the reserve price, or to use Government terminology, the starting price for any sale site the land agents first of all prepare an assessment of the current market value of the site taking into account recent sales of comparable sites by Government and the private sector as well as more general trends in the land market. The starting price is then set at a level below the assessed market value.

The assessment process is of course much simpler in a rising or steady market than it is when the market is falling particularly if it is falling unevenly or erratically.

For recent sales starting prices have been set about 10% to 30% below estimated land values and in the case of the New Territories auctions referred to when four out of seven lots attracted no bids, the reductions were 30% to 40%. The results of those auctions suggest a current lack of interest in industrial land in the New Territories and in the more remote residential areas although it is perhaps significant that five parties have subsequently shown

interest in purchasing one of the withdrawn residential sites at the starting price.

Sir, when a sale site attracts no bids at auction the normal practice is to withdraw it, refer it back to the land agents for re-assessment then put it up for sale again as soon as possible.

MISS TAM:—*Sir, may I seek clarification from the Secretary for Lands and Works as to the factors in deciding the price on re-assessment of land for re-auction. Does the Government take into consideration the gap between the assessed market value and the reserve price which was not fulfilled in the reassessment, or does the re-assessment being carried out fall into the same mould—that is an independent assessment of market value which could still be much higher than the reserve price, or the ability of the market to buy it? It is very long—I do apologize.*

SECRETARY FOR LANDS AND WORKS:—Sir, the same system does of course apply, but in a falling market one must feel one's way in this situation and one has to look at the general conditions. When a sales site does abort, then it does take some checking by a group of valuers and from their calculations they can assess a lower value, usually a much lower value, and then it is put forward for sale. And the results of these re-submissions for sale are usually successful.

MISS DUNN:—*Sir, is there a rule of thumb which requires the land withdrawn to be put back on the market within a given time?*

SECRETARY FOR LANDS AND WORKS:—No, Sir, normally the sites, if there are no complications, would be put back up for sale within 2 to 3 months, but there are some which require a greater investigation, for example, consideration may be given to whether the lot is of the right size for the stated purpose and in some cases these have been divided and submitted for re-sale in 2 lots rather than one large lot. In other cases, a change of zoning might be considered and this is the problem.

MR. CHARLES YEUNG:—*Sir, will the Secretary inform this Council that as he asserts there is a lack of interest in industrial lands in the New Territories, on what basis did he make the assertion in relation to the pricing?*

SECRETARY FOR LANDS AND WORKS:—Sir, the indications are fairly straightforward. Over the last 12 months the fall in industrial sales returns has been of the order of 60%.

MISS TAM:—*Sir, can I seek clarification as to the meaning of 'as soon as possible' in the last line—as soon as what is possible?*

SECRETARY FOR LANDS AND WORKS:—I think, Sir, I have already explained that in the answer to Miss DUNN, this does in fact vary according to the conditions of each lot.

**Legislation against the hawking of futures contracts**

7. MR. CHARLES YEUNG asked:—*Since the Commodities Trading Ordinance (Cap. 250) was amended in August 1980, how many persons have been prosecuted for hawking of futures contracts, and is Government satisfied with the effectiveness of the amended legislation?*

THE ATTORNEY GENERAL:—Sir, there have been no prosecutions for hawking of futures contracts since the Ordinance was amended. There are two reasons for this: first, that complaints of illegal hawking are very rarely made in isolation, but invariably include allegations of fraud and those allegations have also to be enquired into before a decision to prosecute for the simpler offence can be taken. Secondly, by the time the complainant has lost his money and made a report to the Police, very frequently the six-month time limit on prosecutions has already passed—that time limit being imposed by section 26 of the Magistrates Ordinance. Of course, illegal hawking is a comparatively minor aspect of commodities trading malpractice, but it would be, but for the two difficulties I have mentioned, an effective way of getting some undesirable people out of the business of selling to the public in this way. Accordingly, the Government is not satisfied with the effectiveness of the present section prohibiting hawking and is currently considering proposing amendment in two ways: first, to broaden the definition of hawking and, secondly and most importantly, to consider whether or not it would be appropriate to take this offence outside the ambit of section 26.

Sir, generally, since the amendment took place in 1980, there have been two prosecutions for commodities trading malpractices, one of which resulted in a conviction, the other in an acquittal, and there is one case awaiting trial. But these figures are likely to increase substantially, one way or another, in the months ahead, because there are currently 28 companies being investigated, in 22 of which cases allegations of fraud have been made against them. On this aspect of the matter, again, the Government is not satisfied with the present level of maximum penalty possible to be inflicted for unregistered commodities trading, nor with the fact that trading in futures contracts between broker and client may be made without passing the transaction through a recognized exchange, and to do so remains legal in Hong Kong. Both these matters are being actively and urgently considered by the Commissioner and other parties responsible and it is hoped that decisions will be taken soon upon the way ahead in regard to that matter.

MR. CHARLES YEUNG:—*Is the lack of effectiveness caused by the lack of manpower or expertise?*

THE ATTORNEY GENERAL:—No, it is caused by the two matters to which I referred in my answer.

### **Motives behind squatter fires**

8. MR. SO asked in Cantonese:—

近日木屋區頻頻發生火警，政府有沒有發現是某些人別有用心所造成？

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

*Sir, has Government been able to identify any ulterior motives behind the recent spate of squatter fires?*

SECRETARY FOR SECURITY:—Sir, the short answer is no, but it may be helpful if I elaborate on this brief but accurate answer.

There were 46 fires in squatter areas during the last three months of 1981 involving 3 969 huts and 15 288 people. The nature of these fires makes investigations difficult.

In addition to the normal Police investigation into the causes of all fires, a special Police team has been deployed to gather intelligence on the causes of recent fires in squatter areas. Despite these investigations evidence has not been found to establish that the majority of these fires were anything other than an accident. Two cases have been classified as arson—one the apparent result of a suicide, in which 227 persons were rendered homeless and 56 huts destroyed with injuries to three persons and the death of the probable suicide case. The other occurred on a construction site involving no injuries or loss of huts and which followed from an assault. No arrests have been made.

The Police team have looked into numerous motives including the suggestion that criminal elements who build huts cause them to be burnt down so that further profits may be forthcoming. Another suggested motive is that squatters burn their own premises in order to speed up their applications for permanent housing. Numerous families have been interviewed, but these motives were not suggested by them and it appears that reports were purely speculative.

A further rumoured possibility was that some of the fires occurred as a result of a person being blackmailed and an individual's failure to yield to this resulted in the threat to set fire to a hut being carried out. Again none of those interviewed made such a statement.

The Police will continue their enquiries and as always respond to any complaints or information regarding fires. In the extremely dry conditions which are pertaining those living in squatter areas must be constantly on the alert to avoid action which may start a fire and to report any person who is behaving suspiciously.

**Clearance and redevelopment of squatter fire sites**

9. MR. WONG LAM asked in Cantonese:—

鑒於東九龍木屋近月來火警頻仍，請問政府將如何清理及運用此等災場？

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

*In view of the many recent squatter fires in East Kowloon, has Government any plans:*

*(a) to clear the debris on these sites; and*

*(b) to redevelop the sites?*

SECRETARY FOR HOUSING:—Sir,

- (a) Clearance of debris on squatter fire sites, including those in East Kowloon, is normally undertaken by the Crown Lands and Survey Office of the Public Works Department. Because of the large number of sites requiring clearance, 32 at present, additional staff are being deployed for this purpose. Works orders are being issued and the work will be completed as soon as possible.
- (b) Not all of these fire sites are capable of redevelopment and for some, particularly the smaller ones, permanent development would be technically too difficult and expensive. These areas will be cleared and, if necessary, fenced to prevent new squatting. Some of the larger sites will be used for permanent development, as far as is practicable by revising layouts and rescheduling programmes. For example, it is proposed to take the opportunity at Lam Tin to advance public rental and home ownership projects, while the sites at Sau Mau Ping will also provide an extension to the neighbouring public housing estate. In the meantime, control of squatting in East Kowloon generally has been substantially improved and no unauthorized rebuilding will be permitted on any of these sites.

MR. WONG LAM asked in Cantonese:—

閣下，請問房屋司說很快可以完成，何時才可完成清理這些災場？

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

*Sir, the Secretary for Housing says that work will be completed as soon as possible. How soon?*

SECRETARY FOR HOUSING:—Sir, I certainly hope within a matter of a couple of months.

MR. WONG LAM asked in Cantonese:—

閣下，有些災場在未興建房屋之前，可否交給區議會暫時作為康樂的用途呢？

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

*Sir, some of these sites, before they are used for re-building, can they be handed over to the District Board for temporary recreational use?*

SECRETARY FOR HOUSING:—Only exceptionally, Sir. If a site is capable of being developed for permanent housing or other permanent purposes, it will be developed as such.

REVD. JOYCE M. BENNETT:—*Sir, will this work be completed then before the rainy season and what is being done to combat rat infestation?*

SECRETARY FOR HOUSING:—Sir, the work will be undertaken as quickly as possible, and on clearance of debris I am sure the problem of rats will be improved.

MR. ALEX WU:—*Sir, would Government consider using contractors to clear the sites?*

SECRETARY FOR HOUSING:—Sir, this work will in fact be carried out by contractors.

REVD. JOYCE M. BENNETT:—*Sir, why is it thought that some sites do not need to be fenced? (It seems to me essential.)*

SECRETARY FOR HOUSING:—Topographically, some of the sites may not need to be fenced but for other sites which are more easily re-occupied, it is necessary sometimes to fence them.

REVD. JOYCE M. BENNETT:—*Sir, is there any shortage of funds for fencing?*

SECRETARY FOR HOUSING:—There is no shortage of funds, Sir.

## **Statement**

### **Hong Kong Polytechnic Annual Report with Balance Sheet and Income and Expenditure Account for the year ending 31 July 1981**

MR. S. L. CHEN:—Your Excellency, among the various papers laid on the table of this Council today is the 9th Annual Report of the Hong Kong Polytechnic which covers the year ended 31 July 1981. It was again a year of growth, the

full-time student population rising by 9% to 7 400. This is higher than the previous year's 5%, but small in comparison with the earlier years, when student intakes doubled and redoubled with almost monotonous frequency. But the constraint of space at the Hung Hom site now prevents further expansion to any significant extent.

The latest building extension, that is Phase IIA, was completed towards the end of the year under review and this housed the Swire School of Design, which was generously endowed by the Swire Group, and a new Marine Engineering Training Laboratory, the construction of which was funded by a donation from one of Hong Kong's most eminent philanthropists, Mr. PAO Siu-loong. These new buildings were opened in October of last year with appropriate ceremonial, the former by Mr. John SWIRE and the latter by Your Excellency in a further gesture of unflagging support for the Polytechnic for which the Chairman of the Council, the Honourable Sir S. Y. CHUNG, and all others associated with the institution are very much indebted.

The latter part of the year under review was also marked by a significant new development in the academic affairs of the Polytechnic. In April of last year, proposals for the introduction of five new degree-courses were submitted, by invitation, through the University and Polytechnic Grants Committee to the Council for National Academic Awards in the U.K. for validation. These were in the areas of Applied Science and Mathematical Studies, Computing Studies, Electronic Engineering, Mechanical Engineering, and Social Work. The C.N.A.A. review panel visited the Polytechnic last November to assess these proposals and its verdict is still awaited. Predictions are always a risky business, but I have it on good authority, Sir, that the prognosis is good.

But whatever the outcome, it reflects I think great credit upon the staff of the Polytechnic that within the first decade of the institution's existence and despite the pressures upon them to expand in quantitative terms at a phenomenal speed, they have not only maintained academic standards but also in many areas have managed to improve them to a level at which degree-awards are a distinctly viable proposition.

Perhaps I might turn now, Sir, to the most finite measure of the success and productivity of any institution of vocational education—the employment of its graduates. Of last year's crop of 2 409 graduates, over 76% found suitable employment immediately, 19% went on to further studies and only 4.8% or in absolute numbers, 116 had not started work on 31 October 1981 when the survey was completed, though many were just about to at that time.

Most encouraging is an analysis of the starting-salaries of Polytechnic graduates, which shows that the annual increase is rising faster than inflation. This clearly indicates the increasing value to the community, in real terms, of the education and training which the Polytechnic offers.

If I may be permitted to conclude on a somewhat festive note, Sir, this year—1982—marks the 10th anniversary of the Polytechnic. It has been a

decade of achievement of which all of us who have been associated with it are justly proud and plans are now in hand to mark the occasion with appropriate events, functions and ceremony. I can say with confidence, Sir, that the Polytechnic has now come of age, and can cope with the increasing complexities of future decades from a well-founded base of experience and maturity.

## **Government business**

### **Motions**

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

THE CHIEF SECRETARY moved the following motion:—That—

1. the functions exercisable by the Secretary for the New Territories by the Ordinances specified—
  - (a) in Part 1 of the Schedule be transferred to the Secretary for City and New Territories Administration; and
  - (b) in Part 2 of the Schedule be transferred to the Regional Secretary (New Territories).
2. The Ordinances in the Schedule be amended by deleting “Secretary for the New Territories” wherever occurring and substituting—
  - (a) in the case of the Ordinances specified in Part 1, the following—‘Secretary for City and New Territories Administration’; and
  - (b) in the case of the Ordinances specified in Part 2, the following—‘Regional Secretary (New Territories)’.

#### SCHEDULE

##### PART 1

(Secretary for the New Territories to Secretary for City  
and New Territories Administration)

Forests and Countryside Ordinance (Cap. 96)

Inland Revenue Ordinance (Cap. 112)

Buildings Ordinance (Cap. 123)

Societies Ordinance (Cap. 151)

Dogs and Cats Ordinance (Cap. 167) (Cats and Dogs Regulations)

Mining Ordinance (Cap. 285)

Dangerous Goods Ordinance (Cap. 295) (Dangerous Goods (General) Regulations)



## PART 2

(Secretary for the New Territories to Regional Secretary, New Territories)

Air Armament Practice Ordinance (Cap. 194)  
Defence (Firing Areas) Ordinance (Cap. 196)  
Smuggling into China (Control) Ordinance (Cap. 242)

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

On 25 November last, I moved a motion in this Council to effect a transfer of certain principal statutory powers from the now defunct post of Secretary for the New Territories to the successor post of Secretary for City and New Territories Administration, in anticipation of the amalgamation of the Home Affairs Department and the New Territories Administration on 1st December.

Since that time, an exhaustive list of minor legal references to the defunct office of Secretary for the New Territories has been compiled. This motion proposes the transfer of these references to the Secretary for City and New Territories Administration or to the Regional Secretary, New Territories. Following the passage of this motion, all responsibilities previously devolving upon the Secretary for the New Territories by virtue of the laws of Hong Kong will have been at last redistributed.

Sir, I beg to move.

*Question put and agreed to.*

**CAPITAL WORKS RESERVE FUND**

THE FINANCIAL SECRETARY moved the following motion:—

- (a) That there will, with effect from 1 April 1982, be established a fund styled the Capital Works Reserve Fund;
- (b) that the Fund shall be administered by the Financial Secretary;
- (c) that there shall be credited to the Fund such appropriations from the general revenue of Hong Kong as may be approved by this Council;
- (d) that there shall accrue to the general revenue of Hong Kong all sums received by way of interest or dividends earned in respect of such unexpended balances as may be held in the Fund at any time;
- (e) that the Financial Secretary may expend moneys from the Fund for the purposes of the Government's Public Works Programme and for the acquisition of land, in accordance with such terms and conditions as are approved by the Finance Committee; and
- (f) that the Financial Secretary may from time to time transfer from the Fund to the general revenue of Hong Kong any balances in the Fund which are not required for the purposes of the Fund.

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

At present funds for carrying out the Public Works Programme and for the acquisition of land are directly voted in the annual Estimates. This longstanding arrangement now creates problems because, unlike most other Government expenditure, capital works usually extend over several years, while due to the vagaries of the weather, the submission of bills, or a contractor's capacity to complete the work, it is difficult to estimate accurately the provision required for any particular year. Furthermore in the past the total approved provision in any year for capital works has been taken as the Government's declared intention to spend the full amount, and steps have thus been taken to counter any shortfall in expenditure by injecting new projects into the Programme to take up the slack. This procedure has helped to ensure that the total funds voted have been fully expended, but it has also led to an increase in the carry forward commitment for future years thereby reducing the opportunity to introduce new items into the Programme. Finally because of the sums involved, over or under-spending on the non-recurrent heads of expenditure can materially affect the Government's total surplus or deficit for a given year. This can be misleading if viewed in isolation, and not seen in relation to the size of the outstanding commitment in respect of capital works. At the end of March 1982, for instance, the overhang will be more than \$22,000 millions covering works that will take more than four years to complete.

In order to overcome these problems I propose that expenditure on the Public Works Programme and on land acquisition should be removed from the annual Estimates, and in future should be financed through a Capital Works Reserve Fund to be funded by transfers from General Revenue. The amount to be transferred each year will be considered in the context of the budget for that year starting with my budget proposals for 1982-83, and appropriation will be sought from this Council in the normal way. The existing Public Works Programme procedures will continue to apply, and Finance Committee's control of expenditure on capital works will remain unchanged. We shall of course discipline starts, but otherwise ensure that work once begun proceeds expeditiously to completion. It is almost (though not quite) inconceivable that major works will need to be halted in mid-stream.

This proposed arrangement has been approved by the Public Works Sub-Committee and by Finance Committee. The purpose of the Motion is to establish the Capital Works Reserve Fund so that the arrangement may be reflected in the draft Estimates for 1982-83 and take effect from 1 April 1982.

I must draw particular attention to clause (f) of the motion which provides that the Financial Secretary may from time to time transfer from the Fund to General Revenue any balance in the Fund. The purpose of this clause is to allow any accumulated surplus in the Fund in excess of requirements to be credited back to General Revenue should the need at any time arise. I hope that the need will indeed never arise. But it is not the intention of the proposed

arrangement to hypothecate revenue: this clause is thus necessary to ensure that funds are not sterilized in the Capital Works Reserve Fund should (for reasons that cannot be anticipated) the recurrent budget run into difficulties. Of course no expenditure will still be possible without the approval of the Finance Committee.

I hope moreover that the public will view the sums appropriated for this reserve, most of which will come from land sales, as evidence that we are returning to investment in Hong Kong the surpluses that arise from land sales which are often lumpy and unpredictable. There is a ridiculous suspicion that General Revenue Account surpluses held in our reserves are not really intended for Hong Kong ends. I hope that the creation of this reserve fund will tell the true story and lead to a more businesslike procedure with regard to the huge Public Works Programme.

Sir, I beg to move.

*Question put and agreed to.*

## RATING ORDINANCE

THE FINANCIAL SECRETARY moved the following motion:—In exercise of the powers conferred by section 18(1) of the Rating Ordinance that, for the period 1 April 1982 to 31 March 1983, for every tenement in a specified area set out in the first column of the Schedule, the general and Urban Council rates shall be computed on the basis of the respective percentage of the rateable value of such tenement set out opposite that area in the second and third columns of the Schedule.

### SCHEDULE

<i>Specified Area</i>	<i>General Rates</i>	<i>Urban Council Rates</i>
A	3½%	8%
BC	3½%	8%

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

Under section 18(1) of the Rating Ordinance, general rates and Urban Council rates are computed on the basis of such percentages of the rateable value of tenements as this Council may by resolution determine. The existing percentages are 7½% for the urban areas and 11% for the New Territories in respect of general rates, and 4% in respect of Urban Council rates.

These percentages have been in effect since 1 April 1977. There has been no change in rateable values or in the percentages since then. Thus the yield from rates has remained fairly static since 1977, apart from increases resulting from interim valuations of new properties. This has presented no particular problem

for the Government because the yield from other sources of revenue has increased. For the Urban Council, however, there is a problem in that its income, being largely derived from Urban Council rates, has failed to keep up with increased expenditure arising not only from expanded services but also from price increases.

It is important that Urban Council expenditure should be kept within the income available. This is however meaningful only if the income is realistic. The object of the Resolution before this Council is to restore the Council's income to a more realistic level by increasing the percentage for the computation of Urban Council rates from 4% to 8%. The opportunity is taken to reduce the percentage for the computation of general rates in the urban areas from 7½% to 3½% so that the combined percentages for ratepayers in the urban areas will remain unchanged at 11½%.

The resultant increases in yield in Urban Council rates are estimated at \$460 million for 1982-83 and \$500 million for 1983-84. Taking into account the Urban Council's budgetted deficits for these two fiscal years, it is likely that the Council will be able to achieve a modest surplus of \$56 million by 1 April 1984. This is about half of its average monthly gross expenditure of \$105 million.

The increase in the percentage for the computation of the Urban Council rates from 4% to 8% is subject absolutely to the condition that no further increases will be agreed earlier than 1 April 1984 whereafter a revaluation will probably take place. This is agreeable to the Urban Council.

Members will appreciate that a rating revaluation ensures that the burden of rates is equitably distributed, it is the poundage that establishes the yield.

Sir, I beg to move.

*Question put and agreed to.*

## **ROAD TRAFFIC ORDINANCE**

THE SECRETARY FOR TRANSPORT moved the following motion:—That the period for which there remains in force the limit on the number of motor vehicles which may be registered as Hong Kong and Kowloon taxis, specified in the Taxis (Hong Kong and Kowloon Taxis) (Limitation on Number) Notice 1981 published as Legal Notice No. 229 of 1981, be extended to 31 July 1982.

He said:—Sir, I rise to move the motion standing in my name on the Order Paper. It provides, under section 7E(3) of the Road Traffic Ordinance (Chapter 220), that the period for which there remains in force a limit on the number of motor vehicles which may be registered as Hong Kong and Kowloon taxis, (specified as 12 000 in the notice published in the *Gazette* as Legal Notice No. 229 of 1981), be extended to 31 July 1982.

This extension will permit urban taxi licences to continue to be issued at the rate of 100 per month as ordered by the Governor in Council.

Sir, I beg to move.

*Question put and agreed to.*

## **ROAD TRAFFIC ORDINANCE**

THE SECRETARY FOR TRANSPORT moved the following motion:—That the period for which there remains in force the limit on the number of motor vehicles which may be registered as New Territories taxis, specified in the Taxis (New Territories Taxis) (Limitation on Number) Notice 1981 published as Legal Notice No. 230 of 1981, be extended to 31 July 1982.

He said:—Sir, I rise to move the motion standing in my name on the Order Paper. It provides, under section 7E(3) of the Road Traffic Ordinance (Chapter 220), that the period for which there remains in force a limit on the number of motor vehicles which may be registered as New Territories taxis, (specified as 3 000 in the notice published in the *Gazette* as Legal Notice No. 230 of 1981), be extended to 31 July 1982.

This extension will permit New Territories taxi licences to continue to be issued at the rate of 50 per month as ordered by the Governor in Council.

Sir, I beg to move.

*Question put and agreed to.*

## **First reading of bills**

### **INLAND REVENUE (AMENDMENT) BILL 1982**

### **HEUNG YEE KUK (AMENDMENT) BILL 1982**

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

## **Second reading of bills**

### **INLAND REVENUE (AMENDMENT) BILL 1982**

THE FINANCIAL SECRETARY moved the second reading of:—‘A bill to amend the Inland Revenue Ordinance’.

He said:—Sir, I move that the Inland Revenue (Amendment) Bill 1982 be read the second time.

Property tax for the year of assessment 1981-82 is being charged on updated assessable values. As the previous assessable values were determined on rental information obtained six years ago the majority of the updated values show increases of two to three times. A small proportion show even larger increases and in a few cases the updated values exceed the actual rent in respect of the property concerned.

The main object of this Bill is to ensure that no property owner will be required to pay property tax on assessable values exceeding the actual rent. This is achieved by *clause 3* of the Bill which provides that where the assessable value exceeds the annual rent, the assessable value shall be reduced to the annual rent.

*Clause 2* of the Bill provides property owners with further relief. Exemption from property tax on the grounds of owner occupation for residential purposes is restricted to one property only. *Clause 2* provides for a 'second home' which is occupied by the owner and not producing rental income also to be relieved from property tax.

As a result of an Order made by Your Excellency under the Public Revenue Protection Ordinance, the provisions in the Bill took effect from 12 November 1981. The Bill replaces that Order.

Sir, I move that the debate on this motion be now adjourned.

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

*Question put and agreed to.*

## **HEUNG YEE KUK (AMENDMENT) BILL 1982**

THE REGIONAL SECRETARY (NEW TERRITORIES), CITY AND NEW TERRITORIES ADMINISTRATION moved the second reading of:—'A bill to amend the Heung Yee Kuk Ordinance'.

He said:—Sir, I move the second reading of the Heung Yee Kuk (Amendment) Bill 1982.

The Chairmen of Rural Committees in the New Territories are *ex-officio* Councillors of the Heung Yee Kuk and also have seats provided for them on the District Boards. The term of office of District Board members under the District Boards Ordinance, is three years whereas that of Rural Committee Chairmen and Heung Yee Kuk Councillors is two years. Both the Rural Committees and the Heung Yee Kuk have agreed to extend the term of office

of their office bearers and members respectively to three years to correspond with that of the District Boards, but in the latter case an amendment to section 5(2) of the Heung Yee Kuk Ordinance is required. The purpose of the Bill is to make this amendment.

Sir, I move that the debate on this motion be now adjourned.

*Motion made. That the debate on the second reading of the Bill be adjourned*—THE REGIONAL SECRETARY (NEW TERRITORIES), CITY AND NEW TERRITORIES ADMINISTRATION.

*Question put and agreed to.*

## **HONG KONG POLYTECHNIC (AMENDMENT) BILL 1982**

### **Resumption of debate on second reading (6 January 1982)**

*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).*

## **CORRUPT AND ILLEGAL PRACTICES (AMENDMENT) BILL 1982**

### **Resumption of debate on second reading (6 January 1982)**

*Question proposed.*

MR. CHEUNG YAN-LUNG:—Sir, I rise to support the Corrupt and Illegal Practices (Amendment) Bill 1982, and the Urban Council and District Boards (Elections and Appointment of Members) (Miscellaneous Provisions) Bill 1982, also to be enacted today.

Hong Kong's population growth was well described by you, Sir, when you spoke of the 'demographic redistribution' taking place in the New Territories.

By force of circumstances, I myself am part of that redistribution. Although my roots and my heart are in the New Territories, I now live in urban Kowloon.

I believe that the urban living experience will benefit the New Territories in the long term. About one in five of the total New Territories population of 1.3

million are indigenous residents. The majority of new residents were formerly urban residents.

Under these circumstances, it is only realistic for urban residents to qualify to serve as 'elected' or 'appointed' members of New Territories Boards.

Therefore, I support the Urban Council and District Boards (Elections and Appointment of Members) (Miscellaneous Provisions) Bill 1982, which makes such a qualification possible.

I also believe the Corrupt and Illegal Practices (Amendment) Bill 1982 will help to encourage greater participation in District Board elections by New Territories residents.

The Administration has lately fixed the maximum scale of election expenses at a flat rate of \$10,000 for a candidate in either Heung Yee Kuk, Urban Council or District Board elections. I feel that this amount is still not enough for the candidate to meet the expenses for transporting voters to and from a polling station and organize his campaign with adequate publicity so as to create a proper atmosphere of the election process. I am afraid that the enthusiasm of the voters to participate in the election campaign will be affected as a result.

With these remarks, Sir, I support the motion.

THE REGIONAL SECRETARY (NEW TERRITORIES), CITY AND NEW TERRITORIES ADMINISTRATION:—Sir, I thank Mr. CHEUNG Yan-lung for his support. I've also noted his comment about the level of expenditure permitted to candidates in elections. The decision to fix this amount at \$10,000 was taken after careful deliberation by the Government for part of these first District Board elections. It is not, however, an immutable figure and it will be kept under review.

*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 AND DISTRICT BOARDS (ELECTIONS AND APPOINTMENT OF MEMBERS) (MISCELLANEOUS PROVISIONS) BILL 1982**

### **Resumption of debate on second reading (6 January 1982)**

*Question proposed.*

*Question put and agreed to.*



Bill read the second time.

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

### **Committee stage of bills**

Council went into Committee.

### **HONG KONG POLYTECHNIC (AMENDMENT) BILL 1982**

Clauses 1 to 4 were agreed to.

### **CORRUPT AND ILLEGAL PRACTICES (AMENDMENT) BILL 1982**

Clauses 1 to 4 were agreed to.

### **URBAN COUNCIL AND DISTRICT BOARDS (ELECTIONS AND APPOINTMENT OF MEMBERS) (MISCELLANEOUS PROVISIONS) BILL 1982**

Clauses 1 to 7 were agreed to.

Council then resumed.

### **Third reading of bills**

THE ATTORNEY GENERAL reported that the

HONG KONG POLYTECHNIC (AMENDMENT) BILL

CORRUPT AND ILLEGAL PRACTICES (AMENDMENT) BILL and the

URBAN COUNCIL AND DISTRICT BOARDS (ELECTIONS AND APPOINTMENT OF MEMBERS) (MISCELLANEOUS PROVISIONS) BILL

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

*Question put on each Bill and agreed to.*

Bills read the third time and passed.

## VALEDICTORY

HIS EXCELLENCY THE PRESIDENT:—Honourable Members, before adjourning this sitting I would like to pay tribute to the services of Derek JONES who has just retired from this Council after five years' membership, first as Secretary for the Environment and then as Secretary for Transport. He has worked for the Hong Kong Government for over ten years including three as Secretary for Economic Services. Before his appointment to Hong Kong, he served as Counsellor for Hong Kong Affairs with the United Kingdom Mission in Geneva for four years. I would like to put on record my appreciation of his very hard work, his valuable services and his occasional, very idiosyncratic interventions in this Council (*laughter*).

Mr. JONES will in fact continue to serve Hong Kong as he will shortly take up appointment as the next Minister for Hong Kong in Brussels when Mr. Claude BURGESS retires.

Mr. Claude BURGESS, you will remember, was a former Member of this Council; he retired in February 1963 after 31 years' service in the Hong Kong Government, the last five years as Colonial Secretary. Hong Kong has been fortunate, however, to have been able to continue to call upon his vast experience and knowledge as he has been Minister in Brussels since 1974. As he will be retiring this year after 50 years of distinguished public service, I am sure that old friends and colleagues will join me in expressing our deep appreciation of a man of the highest quality, and a servant of Hong Kong totally devoted to the fortunes of the territory. We wish him and his wife a long and happy retirement.

MR. LOBO:—Sir, my Unofficial Colleagues and I would like to associate ourselves with Your Excellency's valedictory remarks about Mr. Derek JONES.

In this Council, he will be remembered particularly for his courage, tenacity, courtesy and unfailing, and sometimes unconscious, good humour—especially during question time.

I cannot recall a meeting of this Council when Mr. JONES did not have the lion's share of the questions to answer.

I have done a little arithmetic and find that of the 1 000 plus questions raised in this Council over the past five sessions, Mr. JONES alone answered about one-sixth of them.

He also probably holds a record for responding to supplementaries, and these exchanges provided some of the most lively and informative moments in this Council.

We shall miss his presence here, and wish him every success in his new post.

Sir, again, my Unofficial Colleagues and I would like to be associated with Your Excellency's remarks about the retirement of Mr. Claude BURGESS from

the post of Minister for Hong Kong Commercial Relations in Brussels and, indeed, the close of almost 50 years' distinguished service on behalf of Hong Kong.

We would like also to record our heartfelt and sincere appreciation for the outstanding and dedicated service Mr. BURGESS has rendered to Hong Kong and to wish him every happiness in the future.

### **Adjournment and next sitting**

HIS EXCELLENCY THE PRESIDENT:—Before I adjourn the Council may I wish all Members a very happy, healthy and wealthy Year of the Dog. In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on Wednesday, 10th February.

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