

OFFICIAL REPORT OF PROCEEDINGS**Wednesday, 14 April 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 GERALD PAUL NAZARETH, O.B.E., Q.C.
LAW DRAFTSMAN

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

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

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

DR. THE HONOURABLE JAMES WILLIAM HAYES, J.P.
COMMISSIONER FOR LABOUR (*Acting*)

THE HONOURABLE ROGERIO HYNDMAN LOBO, 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.

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 DAVID KENNEDY NEWBIGGING, O.B.E., 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 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

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

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

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

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

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

THE HONOURABLE HU FA-KUANG, J.P.

THE HONOURABLE JOHN JOSEPH SWAINE, O.B.E., Q.C., 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:	
Pilotage Ordinance. Pilotage (Amendment) Order 1982.....	101
Antiquities and Monuments Ordinance. Antiquities and Monuments (Designation of Monuments) (No. 2) Declaration 1982.....	102
Banking (Amendment) Ordinance 1982. Banking (Amendment) Ordinance 1982 (Commencement) Notice 1982	103
Deposit-Taking Companies (Amendment) Ordinance 1982. Deposit-Taking Companies (Amendment) Ordinance 1982 (Commencement) Notice 1982	104
Apprenticeship (Amendment) Ordinance 1982. Apprenticeship (Amendment) Ordinance 1982 (Commencement) Notice 1982	105
Road Traffic (Registration and Licensing of Vehicles) Regulations. Hire Car Permits (Limitation on Numbers) (Amendment) Notice 1982	106
Hong Kong Letters Patent 1917 to 1970. Authorization by the Governor	107
Dumping at Sea Act 1974 (Overseas Territories) Order 1975. Order of Designation of Public Officer	108
Interpretation and General Clauses Ordinance. Specification of Public Offices	109
Evidence Ordinance. Evidence (Authorized Persons) (No. 5) Order 1982	115

<i>Subject</i>	<i>L.N. No.</i>
Miscellaneous Licences Ordinance. Miscellaneous Licences Ordinance (Amendment of Fourth Schedule) Order 1982.....	116
Miscellaneous Licences Ordinance. Miscellaneous Licences (Amusement Game Centre) (Exemption) Order 1982.....	117
Miscellaneous Licences Ordinance. Miscellaneous Licences (Amusement Game Centre) (Exemption) (No. 2) Order 1982.....	118
Resolution of the Legislative Council. Corrigendum.....	119

Sessional Papers 1981-82:

No. 46—Reciprocal Health Care Arrangements between Hong Kong and the United Kingdom.

No. 47—Supplementary Provision for the Quarter ended 31 December 1981.

No. 48—Report of the Finance Committee on Draft Estimates of Expenditure 1982-83.

Statements

Report of the Finance Committee on Draft Estimates of Expenditure 1982-83

THE CHIEF SECRETARY:—Sir, the Report of the Finance Committee of this Council on the Draft Estimates of Expenditure, laid today, represents the final stage in the examination by Finance Committee of requests for funds to carry out Government programmes during 1982-83.

I would like, if I may, to recapitulate briefly the annual cycle of events whereby the Draft Estimates are prepared and examined, and to clarify the scope and purpose of the special meeting of Finance Committee which is held for the purpose of examining these Draft Estimates some seven days after the Financial Secretary moves the second reading of the Appropriation Bill.

The cycle begins in the last week of May when Controlling Officers are asked to submit their revised estimates of expenditure for the current year and their forecasts of expenditure for the following four years. These revised estimates and forecasts are scrutinized for factual accuracy and to ensure that they

adequately reflect policies for which provision is approved or likely to be approved by Finance Committee during the regular course of its deliberations. Thus a global sum is arrived at within which the next year's Draft Estimates may be prepared.

In mid-September, Controlling Officers are informed of the provisional financial limits within which they may prepare their estimates of the provision required next year for those Government programmes which have either been approved or are likely to be approved before mid-December. The content and format of these departmental submissions are then scrutinized in Finance Branch in consultation with the relevant Controlling Officers to ensure that, whilst adequately reflecting policies which are approved or are likely to be approved, they are as far as possible within the financial limits laid down by the Financial Secretary and that there has been due regard for economy. Once agreement has been reached with departments, the submissions are then consolidated in Finance Branch to form the Draft Estimates of Expenditure.

During the course of the financial year, Finance Committee considers and approves—subject to the covering approval of this Council—not only proposals for supplementary provision and increased or new commitments during the current year, but also proposals for expenditure and increased or new commitments for the following or subsequent years.

Thus, in the majority of cases, Finance Committee has already approved the financial implications of the services for which provision in the printed Draft Estimates is sought. However, approval of commitments for certain new special expenditure items is sought through the annual Appropriation Ordinance.

When in February the printed Draft Estimates of Expenditure are received from the Government Printer, copies are immediately forwarded to Members of Finance Committee. This is usually some ten days before the Appropriation Bill is introduced so that Members have sufficient time to familiarize themselves with the details before the Financial Secretary delivers his Budget Speech.

Some seven days after Budget Day, a special meeting of Finance Committee is held, usually covering two afternoons, at which Members may call in Controlling Officers to assist them in their examination of the Draft Estimates. Replies from Controlling Officers to questions put by Members may be in written or verbal form, a summary of which is given in the Report laid today. The examination should be restricted to matters concerning, or directly arising from, the financial provision sought under each subhead and should seek to determine whether the provision sought is no more than is necessary to cover the programmes described in the memorandum note to each head. The examination should not be used as a platform for proposals to increase expenditure or to introduce new programmes. The proper forum for putting forward such proposals is this Council during, for example, the open debate on the second reading of the Appropriation Bill itself.

Each year Members of Finance Committee have to spend a considerable amount of time examining the Draft Estimates, preparing questions on them and attending the two afternoon sessions to which Controlling Officers are called to answer their questions. As Chairman of Finance Committee, I am, therefore, considering the possibility of spreading the meeting over more sessions so that the Draft Estimates may be examined by programme area and Members will be able to prepare for and attend only those sessions which relate to the areas in which they have a particular interest. With Members' agreement, these new arrangements could be brought into effect next year.

Reciprocal Health Care Arrangements between Hong Kong and the United Kingdom

SECRETARY FOR SOCIAL SERVICES:—Sir, among the papers laid on the Table today are copies of the despatch of 15 March 1982 from the then Secretary of State and Your Excellency's reply of 29 March 1982 which together constitute an agreement between Hong Kong and the United Kingdom on reciprocal health care arrangements.

Under this reciprocal agreement which came into effect on 1 April 1982, Hong Kong visitors to Britain, including students, will continue to be provided with all immediate necessary medical treatment under the National Health Service on the same terms as persons ordinarily resident in the United Kingdom.

United Kingdom visitors to Hong Kong will also continue to be eligible for all immediate necessary medical treatment at Government hospitals on the same basis as Hong Kong residents. As we do not distinguish between temporary and long term residents in the provision of immediate necessary hospital and medical treatment in our public hospitals this agreement formalizes current practice insofar as visitors from the United Kingdom are concerned.

Members will be aware that regulations concerning charges for overseas visitors to the United Kingdom are being laid before Parliament to come into effect on 1 October 1982. Under these regulations free treatment for visitors will be restricted to outpatient treatment in Accident, Emergency and Casualty departments, the treatment of communicable (including sexually transmitted) disease and psychiatric care for patients who are compulsorily detained. Subject to certain exemptions, charges will be levied, in future, on persons not ordinarily resident in the United Kingdom for all other National Health Service hospital treatment.

Among those exempted from the new charges are visitors (including students) who have been in the United Kingdom for one year, and people from countries

or territories with whom the United Kingdom has reciprocal agreements. The agreement tabled today comes within this latter description.

The reciprocal arrangements, however, will not apply to persons who go to each other's territory for the express purpose of obtaining medical treatment.

The present reciprocal agreement will ensure that the existing position in regard to immediate medical treatment needed by Hong Kong visitors will be maintained when the new National Health Service Regulations come into effect. In order to establish their eligibility for treatment, Hong Kong visitors will be expected to produce a valid Identity Card, Passport or Certificate of Identity issued by the Hong Kong Immigration Department.

Government business

Motion

CRIMINAL PROCEDURE ORDINANCE

THE LAW DRAFTSMAN moved the following motion:—That the Legal Aid in Criminal Cases (Amendment) Rules 1982, made by the Acting Chief Justice on 30 January 1982, be approved.

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

Members will recall that on the 10th of last month they passed the Legal Aid (Amendment) Bill to provide legal aid in civil appeals to the Privy Council. For exactly the same reasons, which I shall not repeat, legal aid is also required in criminal appeals to the Privy Council. But, as I explained in presenting the Legal Aid (Amendment) Bill, criminal appeals could not be dealt with in that measure as they fell within the scope of the Legal Aid in Criminal Cases Rules made by the Chief Justice.

The necessary amendments to those Rules have now been made. They provide in relation to criminal appeals the identical scheme of legal aid that this Council approved for civil appeals, to the point even that an appeal against refusal of legal aid lies to the very same committee that deals with civil appeals. However, I would again stress that legal aid will not be automatically provided in all criminal appeals to the Privy Council. A means test will have to be met and the Director of Legal Aid will have to be satisfied that an applicant has reasonable legal grounds for seeking to appeal. But as I have said there will be a right of appeal against refusal of legal aid.

Before the amendment Rules can take effect, they must have the approval of this Council, which is what this motion seeks.

Sir, I beg to move.

Question put and agreed to.

Motion (in Committee)

SUPPLEMENTARY PROVISION FOR THE QUARTER ENDED 31 DECEMBER 1981

Council went into Committee, pursuant to Standing Order 58(2), to consider the motion standing in the name of the Financial Secretary.

THE FINANCIAL SECRETARY moved the following motion:—That this Council approves the proposals set out in Paper No. 47.

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

The schedule of supplementary provision for the third quarter of the financial year 1981-82 covers a total amount of \$2,027 million. The major items include \$545 million for expenditure on public works projects including provision for 38 projects upgraded to or included for the first time in Category A of the Public Works Programme; \$360 million for land acquisition; \$408 million for transfer of the balance of approved commitments to the Mass Transit Fund; \$229 million for the operation of the Lok On Pai desalter at full capacity throughout the dry season of 1981-82; and \$227 million for various salary adjustments arising from the 1981 pay trend survey and recommendations of the Standing Commission on Civil Service Salaries and Conditions of Service.

The supplementary provision covered by the schedule resulted in a net increase of \$1,247 million in the expenditure approved for the year, the remainder being offset under other heads of expenditure and by the freezing of funds under the two Additional commitments votes.

The Finance Committee has approved all the items in the schedule. The purpose of this motion is simply to seek the covering authority of this Council.

Sir, I beg to move.

Question put and agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the motion had been agreed to in committee without amendment.

Question agreed by the whole Council pursuant to Standing Order 58(4).

Second reading of bills

APPROPRIATION BILL 1982

Resumption of debate on second reading (25 March 1982)

Question proposed.

SECRETARY FOR LANDS AND WORKS:—Sir, in their addresses in support of the motion before Council several Members referred to the growth of the Civil Service and to its productivity.

In the context of productivity Mr. S. L. CHEN suggested that while the work output of many Government agencies is difficult to assess, a direct comparison can be made between public works and similar works in the private sector. He submitted figures relating to the expenditure and personal emoluments of the Architectural Office and from the results of his analysis he questioned whether the work could not be carried out more economically by the private sector. Mr. CHEN went on further to suggest that his comparative figures would have proved even more unfavourable had the expenditure on works carried out by consultants been deducted from the calculations.

Whilst I agree that expenditure on works done by consultants should be deducted, I suggest that other elements such as expenditure on maintenance works and the personal emoluments of maintenance staff and site supervisory staff should also be deducted as none of these elements is included in normal consultancy services and fee scales.

Mr. CHEN did say that in his analysis he was interested in only a broad indication rather than precise figures but I suggest that to ignore the very large expenditure on works carried out for the Urban Council, the Defence Works Programme and those funded by other agencies, which in the past year alone amounted to more than \$400 million, was a rather serious omission.

Sir, without going into great detail, let me simply say that when all relevant factors are taken into account and bearing in mind that there is usually a lead time of one to two years from initial design to construction expenditure and therefore staff costs in any given financial year cannot directly relate to construction expenditure in that year, the ratio of personal emoluments to expenditure in the Architectural Office from 1977-78 to 1981-82 averages

about 6%—well below the figures given in Mr. CHEN's analysis and also well below the 10% figure for consultancy fees which he contends is rarely exceeded in the private sector. But I must admit that my analysis is also incomplete as it ignores the not insignificant, but difficult to quantify, amount of staff time spent on design and planning studies and advising other Government and non-Government organizations on projects and proposals which do not result in Architectural Office construction expenditure.

It is clear, Sir, that it is not generally more economical to have work carried out by private consultants. There will, however, remain the need to employ consultants when special expertise is required or when the employment of consultants to assist with peaks of workload is truly more economical than to recruit and retain additional staff.

Both Mr. F. K. HU and Mr. S. L. CHEN voiced complaints over delays in the processing of applications for building developments by the Buildings Ordinance Office. Indeed Mr. CHEN questioned why the checking process was necessary in the first place.

I am sure that all Members of this Council are aware that the Buildings Ordinance and Regulations lay down *minimum* standards for buildings. The Ordinance also places upon Authorized Persons the statutory responsibility for compliance with the provisions of the Ordinance and Regulations. Whilst the professional competence of Authorized Persons is not questioned it must be remembered that their statutory responsibilities under the Buildings Ordinance may sometimes conflict with their responsibilities to their clients. Although I would not suggest that these professional men would ever allow the latter to override the former it must be clear that in the public interest the Building Authority should play a balancing role.

The service at present given by the Buildings Ordinance Office to the private sector through centralized processing covers a very wide range of matters in addition to the Buildings Ordinance. For example, on lease conditions, planning matters, new road proposals and road widening schemes, restrictions imposed by Mass Transit Railway operations, by the airport, geotechnics and so on. Before centralized processing came into being, Authorized Persons had to research all of these factors themselves, which they found time-consuming and a cause of considerable delays in the processing of their proposals. I feel sure that no Authorized Person would wish to return to that system which would of course result if Government withdrew its present processing service.

Sir, I must take issue with Mr. CHEN's comment that procedures in Hong Kong are more complicated and time-consuming than, for example, in the United Kingdom. I would refer him to the March issue of the R.I.B.A. Journal in which there is an article on complaints raised by architects over the time taken for processing planning permissions by the Greater London Council. From the experience quoted by one practice the average time taken for

processing was 16.8 weeks. This is considerably longer than the statutory 60 days allowed for processing in Hong Kong. Furthermore, I suggest that the normal building proposal considered by the Building Authority here tends to be a good deal larger and more complex than the norm abroad, even in London.

I will refrain, however, from commenting on the statement contained in the article that ‘simplicity of bureaucracy is in direct proportion to distance from London.’

In referring to the work of the Geotechnical Control Office Mr. HU opined that the Office was over-cautious and lacking in clearly defined standards.

Sir, the Geotechnical Control Office now works to the standards and practice set out in the Geotechnical Manual for Slopes published in November 1979. This Manual was prepared under the guidance of a Steering Committee whose members, drawn from the Public Works Department, the University of Hong Kong, Consulting Engineers and Contractors, took full account of local conditions and current geotechnical knowledge and were well aware of the practical and cost implications of their recommendations and of the need to avoid over-cautious and extravagantly expensive standards.

The Manual was published as a draft document to promote discussion among, and comments from the construction industry. It was clearly stated that it would be amended in the light of relevant comments and of any improvement in our geotechnical knowledge. However, in the 2½ years since its publication very little technical comment on the Manual has been received.

It is considered that the guidelines set down in the Geotechnical Manual and the expertise now available both in and outside Government ensure that the standards being adopted represent a reasonable balance between public safety and cost to the community.

In following these standards, disagreement between engineers sometimes occurs. I wish to assure Members that in such instances appeals may always be made to the head of the Office who will consider them sympathetically.

I must, however, remind Members that the Geotechnical Control Office came into being as a direct result of major disasters such as those at Po Shan Road and Sau Mau Ping and I am sure that all will agree that the standards set must ensure that similar tragic events do not recur in future.

Mr. HU suggested that Government might consider setting up an advisory body to deal with matters affecting the building industry. Members may recall that I made reference to the establishment of such a body in an address to this Council last November. My proposals for the structure, membership and terms of reference for a Building Advisory Committee and for its various specialist sub-committees have now been finalized and are about to be circulated to interested parties for comment. I am hopeful that this permanent non-statutory

committee will be formally established and will hold its first meeting within the next two to three months.

Sir, there have been several references in the debate to land related matters such as land production and sale, the role of land sales revenue in the financing of capital works, the current state of the property market and its future prospects. Along with a generally favourable response to the establishment of the Capital Works Reserve Fund have come expressions of support for continued expansion of the land production and land sales programmes. Recognition has been given to the need for the land and property market to be steadily buoyant and capable of generating both public revenue and private prosperity while being neither over-exploitive nor generous to the speculator.

The range of comment gives me a welcome opportunity to repeat the message which the Government is determined to get across to the private property sector and the community as a whole. We repudiate whole-heartedly the myth that Government operates a high land price policy. Such a policy has never existed and does not exist now. We intend to continue to offer sites for sale in accordance with the published programme and to allow the market to decide when and where to buy and, within reason, how much to pay. We are looking for closer correlation between supply of and demand for land for all uses, reasonable values and prices and regular and reliable rather than spasmodic and astronomical contributions to the Capital Works Reserve Fund. In other words, stability.

I would like to refer briefly to the position of Letters B in our land acquisition and resumption processes which was raised by Mr. HU. The offer of a Letter B is an option. A cash alternative is available and in recent months there has been a tendency on the part of many of those involved to choose cash. Whether changing conditions in the land market and the recent related adjustments in land compensation levels in the New Territories will affect this trend remains to be seen and the Government is keeping a close eye on developments.

Mr. HU also suggested that fresh efforts should be made through specially devised land disposal and production schemes to attract the participation of holders of Letters B. Over the past year, Letter B holders have been less ready than previously to participate in the special land sales programme aimed at them and it is by no means clear what changes in market conditions, either with or without Government intervention, would need to occur before sites offered would attract bids from them.

Of Mr. HU's specific suggestions, the first, under which Letter B holders would take up a percentage of the residential element as well as the whole of the commercial element in Home Ownership Schemes or Public Rental Housing projects, could only be achieved either at the expense of the Home Ownership or Public Housing programmes or by eating into the normal land sales

programme. In other words, making more development opportunities available to Letter B holders can only be achieved by a corresponding reduction in public or private development programmes elsewhere.

As regards Mr. HU's second suggestion, under which surrender of Letters B would be linked with reclamation and excavation projects, this would be likely to bring in only small quantities of Letters B since premium would in any case normally be reduced considerably by the deduction of formation costs.

Acceptance of Letters B against premium in respect of land transactions in the Urban Area, Mr. HU's third suggestion, might indeed prove attractive to Letter B holders. On the other hand, it would result once again in a corresponding reduction of the opportunities open to other would-be purchasers and could attract considerable criticism in the process. Nevertheless, I would like to assure Members that the Government has under constant review the question of reducing the outstanding balance of Letters B.

I would like to comment briefly on Mr. CHEUNG Yan-lung's references to the Lands Department, its District Land Officers, land production and its effect on the New Territories, and the heritage of residents. The intention is that District Land Officers, like all civil servants, should be sensitive to local conditions and needs and take them into account in the course of their work. This is the aim of district administration and the Lands Department intends to play its part fully and conscientiously. I would agree with Mr. CHEUNG that it is difficult to compensate for conditions not remaining as they were, if that is what is meant by loss of heritage. But, on the other hand, a good deal is done apart from offering Letters B and cash compensation for land acquired or resumed, to ensure that generous terms are offered when village removals become necessary. Moreover, a principal aim of our New Town development programmes is in a sense to ensure that what springs up in place of what is 'lost' offers in modern terms at least as good an opportunity for individual self-fulfilment and community well-being.

Sir, I support the motion.

SECRETARY FOR TRANSPORT:—Sir, the relatively few comments on transport matters in this debate represent, I fear, only a momentary lull in the storms which surround the subject.

So I can be brief, Sir, in reply; but brevity does not in any way indicate that Government is satisfied with present transport services. The size of the transport and related programmes show how very seriously we regard the situation.

Mr. Stephen CHEONG drew attention to a very important point when he spoke of the balance which must be struck between increasing expenditure on transport infrastructure and mounting congestion on the roads.

The Government's policy is to maintain mobility, as set out in the 1979 White Paper on Internal Transport Policy. If Members will bear with me, I will outline three principal objectives.

First is the improvement of the road system. It is essential that the main arterial links throughout the Territory, planned and commenced throughout the past 15 years, are completed. Projects such as the Sha Tin-Tai Po Road, the widening of the North West New Territories road and the construction of the Island Eastern Corridor, must be pushed to completion. These will be supported by networks of new and improved roads serving both the new towns and the urban areas. This programme required the expenditure of \$1.2 billion in 1981-82. A similar amount is budgetted for 1982-83.

Second is the expansion and improvement of public transport. This, of course, includes the huge projects of constructing the Mass Transit Railway, and of rebuilding the Kowloon-Canton Railway.

And finally: we are committed to the more economic use of the road system. This objective means giving priority, in general terms, to public transport over private transport, and to mass carriers over personal vehicles. So far, by traffic management measures, it has been more or less possible to accommodate overall demand; and the private vehicle, comparatively speaking, has not been penalized. But private vehicles are increasing at such a rate that road capacity is increasingly unable to accommodate them, and congestion is becoming increasingly intolerable. The policy is laid down in the White Paper: 'if unacceptable congestion is to be avoided, the Government believes that restraint on road use by motor-cycles and private cars will be unavoidable'.

Mr. CHEONG said: 'it may well be that we should actively seek to contain, rather than to accommodate, the growth in the number of vehicles and vehicular traffic', or (again, I quote him) 'other, perhaps more drastic measures should be introduced'. These are strong words. But we face a serious situation, and Mr. CHEONG is to be commended for not shirking the outcome of his logical examination of the problem.

Mr. CHAN Kam Chuen expressed concern about the most effective use of staff resources, especially the traffic police.

As traffic wardens undertake some of the duties performed by the traffic police, there is an area where responsibilities, but not, I emphasize, activities, overlap. Traffic wardens, by operating in this overlap, release Police officers for what Mr. CHAN rightly points out is their most important work, namely, crime

prevention and detection. Following an increasing and welcome trend in this Council, I offer a footnote with further information.⁽¹⁾

Mr. WONG PO Yan referred specifically to an example of congestion—the Cross-Harbour Tunnel—and generally he referred to interruptions to traffic flow because of indiscriminate goods vehicle parking.

The Cross-Harbour Tunnel has proved an excellent facility during its ten years of operation. More than 216 million vehicles have gone through it, in that time. In 1981, 35½ million vehicles, an average of 97 500 per day, used it.⁽²⁾ But the Tunnel and its approach roads have a finite capacity, which improvements and management measures can stretch only marginally. The quart so to speak, really has been squeezed into this particular pint pot. Therefore, some form of restraint on usage of the Tunnel may indeed be necessary until a second fixed

Footnote (1)

Traffic wardens have limited and specific duties:

- enforcement of the law in respect of all parking offences (under the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237)); and
- limited control of pedestrian and vehicular traffic.

Police officers carry a wider and more onerous range of responsibilities including:

- enforcement of the law against moving offences (under the Fixed Penalty (Moving Offences) Ordinance (Cap. 240));
- accident investigation; - total traffic control; and
- taking traffic cases to court;

as well as the control of illegal parking.

The limited duties of traffic wardens are reflected in lower recruitment qualifications and in lower salary scales.

Recruitment to the traffic warden corps has never been easy, there being little opportunity for advancement. The corps is 25 officers short of its present establishment of 264. It is being expanded steadily with the continuing object of reducing the workload on Police officers.

Footnote (2)

Vehicular Traffic through the Cross-Harbour Tunnel

	<i>Total</i>	<i>Daily Average</i>
1972	3 978 473	
1973	12 526 022	34 318
1974	14 276 446	39 114
1975	15 298 251	41 913
1976	18 218 194	49 776
1977	21 870 331	59 919
1978	27 305 613	74 810
1979	32 125 716	88 016
1980	35 264 541	96 351
1981	35 591 236	97 510
	216 454 823	

harbour crossing is in operation. May I assure Mr. WONG that the latter point is being vigorously pursued, and the former remains under consideration.

Parking policies also, Sir, are under active consideration. As regards goods vehicles, their proliferation and operations are complex, and they are this year to be the subject of a consultancy study as to both their transport and economic aspects. Their importance in our economic structure is such that we must understand the position reasonably fully before measures can be considered.

Sir, I support the motion.

SECRETARY FOR ECONOMIC SERVICES:—Sir, I would like to reply briefly to the two Members who raised the subject of electricity charges.

Monitoring of electricity companies

Mr. Allen LEE asked whether he could have an assurance that a fair price is being paid—and I presume he means by consumers—and that an effective monitoring machine is in operation.

I am very pleased that he used the word ‘monitoring’, for there seems to be a wide spread misbelief that the Government’s role is to ‘supervise’ the power companies. The agencies involved in the Government are the aptly named Financial *Monitoring* Unit and the Office of the Principal Government Electrical and Mechanical Engineer. The job of both is to check that consumers get a reliable service both now and in the future. The Financial Monitoring Unit is concerned that consumers should get it at a reasonable price, that shareholders get a reasonable return on their investment and with the general financial wellbeing of the companies. The Principal Government Electrical and Mechanical Engineer is concerned with the technical aspects.

For their part, the companies submit their plans for expansion for the coming five years including their programmes for capital investment and their full financing plans. These are examined both by the Principal Government Electrical and Mechanical Engineer and by the Financial Monitoring Unit. When both are satisfied and the senior level of the Government are satisfied, the results are put to Executive Council for advice.

I must stress that in spite of this extensive monitoring role by the Government, the power companies remain responsible *direct to their consumers* for providing an efficient service at reasonable prices. The Government’s monitoring role does not make their life particularly easy. I would like to take this opportunity to pay tribute to the patient and helpful way the companies have co-operated with the Government in this respect at least in my experience.

So much for the monitoring process. Mr. LEE's doubts are whether or not it is effective. The answer to this question is, of course, a matter of judgment. But I can say the Financial Monitoring Unit is made up of accountants and is professionally adept. On the technical side we have excellent advice from engineer in the Office of the Principal Government Electrical and Mechanical Engineer. When the expertise of his Office does not cover a particular aspect he falls back on the help of consultants.

So at least the machinery is there. All I can say on whether there is a fair price is that the price of electricity in Hong Kong compares favourably with prices for electricity elsewhere in the region. And the reliability of Hong Kong's electricity supply I would have thought unparalleled. But whether this is the result of the efficiency of the power companies or the result of the Government's successful monitoring is not a question that I can answer.

Cheung Chau

Mr. CHEUNG Yan-lung touched on the question of the supply of electricity to Cheung Chau on the grounds that consumers have to pay much higher tariffs there than they do elsewhere in the New Territories. I can assure him that this is a problem that has been tackled now for many years. But in spite of considerable work and effort by all concerned, the answer has proved illusive. Nevertheless, discussions with those concerned are still going on. In spite of the history of this issue, my belief is that a solution satisfactory to the consumers of electricity of Cheung Chau is not far away.

Sir, I support the motion.

DIRECTOR OF AGRICULTURE AND FISHERIES:—Sir, I would like to thank Mr. CHEUNG Yan-lung for his generous remarks about the Agriculture and Fisheries Department and for his constructive comments.

Mr. CHEUNG has drawn attention to the benefits to the community of the country parks system but has voiced concern on security measures in country parks and on the improvement of existing toilet facilities.

Thankfully there has been relatively little reported crime in country parks so far and the one serious incident which occurred last year was quickly and effectively dealt with by the Police. Police patrols in recreational areas, including country parks, are organized on a divisional basis and are geared to the number of visitors expected. These patrols include uniformed staff and police dog units as well as plain-clothed personnel. I am currently recruiting staff for a Park Ranger Service which will regularly patrol all country parks and will give advice and assistance to visitors. These Rangers will have powers of arrest and will complement the Police patrols. They will be in radio communication with their Headquarters and will be able to call for Police assistance when necessary.

Visitor facilities are also important and I agree that adequate public toilets of a good standard should be provided in all country parks, especially within water catchment areas. Designs for toilets are being continually improved making use of higher standards of finishing and fittings. Recent improvements include special facilities for disabled persons and wheel-chair users. At present there are nine large toilet blocks situated at centralized locations in country parks with a further three nearing completion but future trends will be towards the provision of a greater number of smaller improved units. In addition, fourteen portable toilets are deployed in high user areas throughout country parks and each of the twenty-eight camping sites within country parks is provided with simple and clean toilet facilities. There are also twenty-two public toilets provided by the New Territories Services Department in villages in or near country parks.

Mr. CHEUNG has also raised several points relating to farming and fishing. I am pleased to be able to confirm to him that the Agriculture and Fisheries Department has always provided services to the farming and fishing communities at large not only through recognized bodies such as the co-operative societies but also directly to individual farmers and fishermen. This advice and assistance, for example the promotion of modern irrigation systems to make the most efficient use of available water resources and the control of livestock disease, is given through the Departmental Extension and Advisory Services and during 1981 over 130 000 visits were made to individual farmers and fishermen for this purpose. However, these Services are now being reorganized to increase efficiency and give even greater coverage. In addition, low-interest loans to increase productivity are provided and in 1981 \$13 million were loaned to 1 800 farmers and \$11 million to 143 fishermen from departmentally administered loan funds. Resources for this purpose are at present sufficient but should an increased need for these loans arise then steps can be taken to increase the amount of capital available.

Local farmers and fishermen also benefit from the co-operative system which provides facilities such as efficient marketing services, low-interest loans and bulk purchasing schemes and is a medium through which they can further their particular interests on a collective basis. 198 farming and fishing co-operative societies have been registered since the movement started in Hong Kong in 1951 and these societies have played a very important role in the promotion of modern farming and fishing methods. All co-operative societies are kept under constant review and over the years forty-five societies which had become inactive and were no longer useful in serving their members have been liquidated. I agree that, with the marked changes in the social and economic circumstances of the farming and fishing communities especially within the last decade, a general review of the whole co-operative system to determine any specific areas calling for special attention is appropriate and the initial steps for such a review have already been taken.

Mr. CHEUNG makes a valid comment that the name 'Agriculture and Fisheries' no longer covers all the activities of the Department, especially these activities related to Country Parks and Conservation. However, it is a name well known to the public and despite a great deal of thought by a great many people we have not been able to come up with a simple comprehensive alternative which translates nicely into Chinese. In the circumstances, and taking into account the likely costs involved, I do not propose to recommend any change of name at this time but will certainly keep the matter under review. The existing terms of reference and priorities of the Department are considered appropriate at present but are also being kept under review and will be adjusted if and when circumstances warrant change.

With these remarks, Sir, I support the motion.

SECRETARY FOR HOUSING:—Sir, I am happy to be able to preface my remarks in reply to Unofficial Members by reporting that Housing Authority production in the financial year just completed again exceeded the target of 35 000 flats, and that we are in a position to maintain and, indeed, improve on this level for the foreseeable future. Together with significant contribution of 3 725 flats built by the Hong Kong Housing Society, total public sector production last year was 39 470 flats—an all time record.

While our main effort is directed to the production of increasing numbers of flats for rental and sale, we are ever conscious of the need for equitable allocation of the stock of assisted housing.

On the question of care for the elderly, considerable efforts have been made in recent years. The Authority now has on its estates 13 hostels providing accommodation for 1 620 elderly people, and 35 social centres for the aged. Over the next five years a further 25 hostels will be built as a standard provision in new estates.

In addition, the Authority has, since 1979, allocated a quota of public housing flats exclusively for the elderly, who are not subject to the normal income limits, and who have to wait only about two years. Many elderly people are, of course, also housed each year under the compassionate quota.

There is merit in Dr. FANG's suggestion that in the allocation of public housing, some encouragement should be given to families prepared to accommodate and care for their elderly members. This concept has been considered on several occasions in the past, and the Housing Authority has recently agreed to look again at this area.

I also share Dr. FANG's concern about the procedures for modifying flats for the disabled. Previously it was the practice for the Housing Department to carry out such interior modifications and, if tenants could not afford to pay for the work, be reimbursed by the Social Welfare Department. I am glad to say that

this rather cumbersome arrangement has already been improved upon, and this work is now undertaken at the expense of the Housing Authority, this providing a more efficient service.

Mrs. CHOW suggests that people who have grown relatively prosperous should be required to vacate public housing in favour of those in greater need. This is a suggestion often made, but one which would be very difficult to implement and could have seriously adverse social consequences. The periodic means-testing of all Housing Authority tenants—about 40% of the population—would in itself be a massive and very costly undertaking, which might not be cost-effective in terms of the number of flats likely to be recovered. Quite apart from this, such a policy could be seen as discouraging tenants from bettering their lot, and perhaps lead to public housing estates taking on the stigma of being simply second class housing for the underprivileged.

However, this is not to say that better-off tenants should not be encouraged to move out of rented public housing, and an open mind is kept on ways and means of achieving this. There is in fact a steady voluntary movement in this direction, as evidenced by the substantial number of casual vacancies which arise each year. Members will also recall that one of the principal objectives of the Home Ownership Scheme is to encourage such families to buy and move into their own homes, thereby releasing heavily subsidized rental housing for those in need of it. So far almost 8 000 flats have been vacated in this way, and the sales programme for the rest of this year will result in this number increasing to about 10 000. When production from the Private Sector Participation Scheme increases from 1984-85 onwards, we expect as many as 5 000 flats to be released every year by tenants buying their own homes. However this will be possible only if we continue to allocate 50% of such flats to applicants from public housing estates, a policy which Mrs. CHOW has questioned.

Miss TAM has repeated her support for the exclusion of land value from the prices of flats produced under the home ownership schemes. That this support is clearly shared by prospective home owners is borne out by the fact that the first 1 548 flats to be offered for sale on the revised basis attracted no fewer than 37 277 applications.

Finally, the Commissioner of Rating and Valuation reports that some 35 000 flats and houses were completed in the private sector during 1981-82. This is also an all-time record, and it is hardly surprising that the number of flats vacant last December, almost 30 000, was abnormally high. However, I am confident that the large unsatisfied demand for housing from all sectors of the community will lead to a steady take-up of vacant flats, and justify the continuation of the fastest possible housing production on all available land.

Sir, with these remarks, I support the motion.

DIRECTOR OF SOCIAL WELFARE:—Sir, several Members have spoken during this debate on a range of social welfare topics from the protection of children to social security, and the training of social workers to the provision of services for the elderly.

Social Security

Fr. MCGOVERN and Mr. Andrew So both referred to the need to devise a central provident fund or pension scheme. The idea of a semi-voluntary contributory sickness, injury and death benefit scheme was first advocated in the 1977 Green Paper on Social Security entitled 'Help for Those Least Able to Help Themselves'. After discussion with both sides of industry and most careful consideration of the proposal the Government decided that the scheme would be too difficult to apply. The reasons for this were explained by the Secretary for Social Services in his reply to Mr. SO's question in this Council on 23 December 1981. In brief, if I may recapitulate, these were first, that there was considerable doubt on the amount of support a voluntary contributory scheme would receive; secondly, a voluntary element would make it actuarially difficult to estimate with any accuracy income from contributions and hence the setting of benefits at the right level from the outset; and thirdly, that any voluntary scheme would tend to attract the older and less healthy workers rather than young employees, whose participation was essential for the viability of the scheme.

Informed opinion thus inclined to the view that for a contributory scheme to be successful it must be made compulsory; while on the other hand it was apparent that nearly half of both employers and employees who were interviewed disagreed with the idea of compulsory contribution.

For these reasons, in combination with others of a more practical nature, proposals were formulated to extend entitlement to sick leave with pay under the Employment Ordinance to a maximum of 120 days and to make a death grant payable to the family of a wage earner at the flat rate of \$3,000 if the death occurs during employment, subject to a qualifying period of service. Where the death grant is not payable by the employer an equivalent grant, subject to certain conditions, would be payable without a means test under the Special Needs Allowance Scheme administered by the Social Welfare Department. Arrangements to implement these proposals are now in the course of preparation.

Social security benefits are closely related to other social services within our present welfare system, and the existing Social Welfare Advisory Committee is responsible, under its terms of reference, for advising Government on all matters of social welfare policy and that of course includes social security.

Dr. Rayson HUANG commented on the growth rate of our elderly population aged 65 years and over and on the financial provision for their retirement. Welfare provisions for the elderly include both cash assistance and services.

At present, 173 000 people or 90.4% of the elderly population of 70 years of age and over are receiving old age allowance, and 31 000 people are receiving disability allowance. As regards services, 1 420 additional places in homes for the aged are planned over the next two years making a total provision of 5 160 places or 90% of estimated total demand, and 2 150 places in care and attention homes in the same period making a total provision of 2 525 places or 100% of estimated total demand. Other community support services, such as home help and multi-service centres are also being developed to meet the requirements, and I will refer later specifically, in reply to Dr. FANG, to the provision of daycare centres for the elderly.

Public assistance is at present being provided to 46 000 families, the caseload having remained fairly steady over the past years. Experience has indicated that the public assistance caseload is related to the economic and employment situation at any particular time. Since the introduction of the long-term and other supplements under the scheme in April 1978 as well as the real improvement of 25% in July 1981 to reflect in part the general improvement in the standard of living of the community, the standard of public assistance is now clearly above the subsistence level and can generally be considered to be reasonable rather than meagre. As from 1 June, an average four-member household under public assistance will receive about \$1,670 per month. I will continue to watch the value of the public assistance allowance closely so as to ensure that its purchasing power is maintained, and the standard keeps pace with the general standard of living of the community.

Protection of children

Dr. Ho Kam-fai made a number of observations in his speech, the first of which was about protection of children, and in particular, child abuse. In 1981, there were about 200 child abuse cases known to us, of which 108 were handled directly by the Social Welfare Department: 36 of these were the subject of prosecutions, resulting in 29 convictions.

The procedural guidelines for handling child abuse cases, to which Dr. Ho has referred, have been in operation since September last year. The casework supervisor of the Family Services office in each District, on being notified of a suspected case, will immediately ask a caseworker to conduct an investigation. If there are grounds to suspect abuse, the caseworker will escort the child and his parents to the nearest Government or subvented hospital for a medical examination, and also notify the Police. If hospitalization is required, and there is reason to believe that the child has been the subject of abuse, a case conference will be called to ensure a co-ordinated treatment plan for the child and his family. This conference is attended by all the professional workers dealing with the case: the caseworker, the Medical Social Worker, the doctor, the Police and a Clinical Psychologist. The Medical Social Worker will act as a liaison with the patient and will inform the Social Welfare Department when the

child is to be discharged so as to facilitate follow-up plans. Where the parents refuse to co-operate a Care and Protection Order can be obtained, or the child admitted to a place of refuge. Similar procedures have been drawn up for application where a child is admitted in the first instance to a hospital or a clinic, or a report made to the Police.

Quarterly statistics of all cases known to the family services centres of the Social Welfare Department are being collected covering details of the children, sources of referral, nature of abuse, and the services rendered, and it is considered that this will provide the information required without the need for a central registry.

Child abuse is one of the many family problems we have to handle, and the arrangements are considered to be working well on a practical basis, but we will of course continue to watch the extent of this problem to see if a formal coordinating committee is required in addition to the case conferences.

The need for a designated officer in each district to follow up these cases depends very much on the size of the problem. Because of the Department's regionalized structure and network of family services centres, this task can well be undertaken by the supervisors of family services centres, who are experienced social workers.

It has been our practice to refer cases to voluntary agencies as part of family services and subvention is provided according to their caseload. We will continue to co-operate closely with the voluntary agencies in ensuring that this problem is kept under control.

I fully agree with Dr. Ho that our social workers should be well acquainted with the procedures in handling child abuse cases and that periodic seminars are very useful. To this end, the Department's Training Section organized a two-day seminar last year on this subject, and matters concerning child abuse are often brought up for discussion in meetings among voluntary agencies.

Shortfall in Trained Social Workers

On the subject of the shortfall in trained social workers, I am glad to hear that Dr. Ho Kam-fai considers that the package of remedies proposed by the Working Party on Social Welfare Manpower is the most practical among the alternatives he has examined in bringing immediate relief to the manpower shortage situation. I also agree with him that in the provision of resources for any planned expansion of social work student enrolment, field teaching must be taken as part and parcel of social work education and that social work agencies should co-operate in the arrangement of field work places. The Social Welfare Department itself provides more than 100 such places.

To maximize the use of trained personnel, the Social Welfare Department has devoted much effort during the past few years to identify jobs that do not

require social work training. The Welfare Class Review of the Department was completed in 1979, and the review for the voluntary sector has just been completed. There may well be still further scope to enlarge the use of non-social work trained personnel both at the graduate and non-graduate level for certain jobs where social work training is not essential. Indeed the Working Party on Social Welfare Manpower has also so recommended, and the Social Welfare Department has commenced to examine some of its posts with this in view.

Dr. HO's proposal for a new stream of Social Work Practitioners providing prospects for senior practitioners without the necessity to move into administrative jobs is in itself a desirable direction; however, in the present stage of our development of social work services, the immediate task is to provide an adequate service and to identify tasks that require a higher level of direct professional practice based on actual need. Until such tasks are identified, it is premature to create such a new rank for general application. At present, most supervisory jobs require a higher level of professional competence combining direct practice and supervision.

As regards the need to stop the drain of trained personnel, the Working Party on Social Welfare Manpower has proposed that the working conditions and conditions of service, including salaries, career prospects and in-service training should be reviewed so as to achieve a higher retention rate, and this is being pursued.

I also agree with Dr. Ho that the proposed recruitment of non-social work graduates should not be out of proportion. The proposal is to recruit 50 such graduates under training each year for an interim period of five years. As the current total strength of Assistant Social Welfare Officer and above in both the public and voluntary sectors is over 1 000, I should think the proportion is small enough to make supervision a practical proposition. The requirement for an induction course is also included in the proposed training programme for these recruits.

Rehabus

Dr. FANG referred to Rehabus as the only means of public transport for the severely handicapped from their homes to their places of work. This draws a rather fine distinction between the Rehabus and other forms of subsidized transport for the disabled. In fact, the Government supports other measures to assist transport for the disabled including subventing the maintenance expenses of vehicles owned by subvented agencies for the purpose of transporting their disabled clients to and from special schools and child care centres, sheltered workshops and work activity centres.

The Rehabus service was started as a welfare service and it is for this reason that Government support has been channelled through the Social Welfare Department.

Although our aim must be the integration of the disabled in the community, whether it is practical to provide for the disabled on the same basis as the rest of the community is a suggestion that has yet to be examined fully. Following a recommendation by the Rehabilitation Development Co-ordinating Committee (of which Dr. FANG is the Chairman) in the 1981 Review of the Rehabilitation Programme Plan, the policy governing transport for the disabled will come under review this year and it is to be hoped that it will produce some new approaches to meeting the needs of disabled people in this area. I am somewhat disconcerted at the suggestion of a 'welfare' stigma, as the word figures prominently in my official title (*laughter*), and I can assure Dr. FANG that welfare services will continue to be provided in a positive and progressive fashion to meet the expectations and the well-being of those who are in need.

Housing and Care for the Elderly

As regards the proposal to award additional points in the allocation of public housing to families who are prepared to look after their elderly members, this is still under consideration with the Housing Authority. On the one hand, it has been pointed out that such a policy might be unfair to families without elderly dependent relatives who, nonetheless, have a pressing need for housing and have been on the waiting list for many years. There may also be difficulties in monitoring the scheme when the allocation is finally made. On the other hand there are clear advantages for the elderly themselves to stay with their families; for parents who may have to go out to work; and for children who often welcome the presence of grandparents, making in all a partnership of the generations. And, it must be added, there is also less likelihood of such persons becoming dependent on an outside agency for support. A possible compromise might be to restrict the scheme to dependent parents only, and this is being further considered. We will also, as the Secretary for Housing stated, continue to make use of the compassionate housing quota, where appropriate, to help families who are prepared to support their elderly parents. In addition, the priority scheme for housing the elderly will also enable groups of three unrelated elderly persons to advance more rapidly up the Housing Authority's waiting list, and to obtain accommodation normally within two years as compared with the average waiting time of seven years for other applicants.

I agree with Dr. FANG that emphasis should also be placed on the provision of day care centres for the elderly so as to provide an additional alternative to residential institutions. At present, there are 60 places in two day care centres. It is planned to provide an additional 240 places by 1984-85. There is not yet an approved planning standard for provision of these centres, but it is hoped that a standard can be devised in consultation with the voluntary sector during the year.

New Subvention Policy

Miss TAM asked for an assurance that subventable posts of the Category II agencies under the New Subvention Policy will get the equivalent pay rise as their counterparts working in Category I or in the Government so as to attract more graduates to join the profession.

The principles of the new subvention system provide for Category I services to be fully subvented at 100% of the standard cost to be determined. Services in Category II will receive a subvention covering only part of the standard cost calculated on a percentage basis which will apply to all agencies running the same service. In view of the diversity in the range of social welfare services some services do not lend themselves to the standard cost approach. The subvention for these services will need to be calculated on a lump sum basis through the adoption of a fairly balanced approach. For services covered by a lump sum grant, there will be no recognized subvented posts as such as the Department will not be examining individual posts in detail during the assessment of the lump sum grant. Agencies subvented on a standard cost basis will however be provided with the details of the notional staffing structure which has been adopted by the Department in the determination of the standard cost for a particular service. Any recognized increase in standard costs will lead to a topping up of the subvention. Other agencies receiving lump sum grants for Category II services, possibly those to which Miss TAM refers in particular, will need to make applications for supplementary grants to enable their staff salaries to be adjusted and these will be considered on the merits of each case. In practice, I believe that only a few agencies will be in this position since more than 80% of all subvented social welfare services have been classified in Category I, but I can give an assurance to look carefully again at the financing of any agency or service which may experience difficulties under the new system.

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

Question put and agreed to.

KOWLOON-CANTON RAILWAY BILL 1982**Resumption of debate on second reading (10 March 1982)**

Question proposed.

MR. PETER C. WONG:—Sir, there is some urgency in the passage of this Bill as the first phase of the electrified service of the K.C.R. is scheduled to commence in mid-May. The Bill when enacted will replace the existing Ordinance which was passed into law in 1909. The old railway has served Hong Kong well and it

is not without a tinge of regret to see it go. For those of us who have been around for a long time, there will be fond memories associated with the romance of the locomotive. These sentiments, however, will fade into insignificance when we realize that the old system will be replaced by a modern and more effective system capable of greater speed, convenience and carrying capacity.

The Bill is well drafted and will, in my opinion, serve its purpose. However, when the K.C.R. becomes a public corporation in the near future, appropriate amendments will have to be introduced. In the meantime, at the suggestion of the Legislation Scrutiny Group of the Unofficial Members of this Council, Government has agreed to the following amendments—

1. *Clause 2*—The definition of ‘land held by the Crown’ will be re-defined as ‘land that is not subject to a right of occupation recognized by law’. This will remove any ambiguity that might arise.
2. *Clause 6(1) (f)*—The words ‘convenient for’ will be substituted by ‘incidental to’. The latter phrase is felt to be more appropriate.
3. *Clause 34(2)*—The phrase ‘as soon as reasonably practicable’ will be replaced by the word ‘forthwith’. The sub-clause refers to the handing over to the Police persons arrested by railway employees. Where the liberty of the citizen is concerned, it is felt that railway employees should not be given more power than Police officers. Under section 51 of the Police Force Ordinance, every person taken into custody by a Police officer shall be forthwith delivered to a Police station.
4. *Clause 36*—The word ‘rashly’ will be substituted by ‘recklessly’, which is a term more commonly found in legal language.

The proposed 116 regulations to be made under the new Ordinance will no doubt give ample power to the General Manager of the K.C.R. to run the railway efficiently (laughter). We have made certain helpful suggestions, and Government has agreed to re-draft some 25 regulations.

Sir, subject to the amendments, I support the motion.

MR. CHEUNG YAN-LUNG:—Sir, I am confident that I speak for many Hong Kong people and New Territories residents in particular, when hailing the progress of the Kowloon-Canton Railway from an out-of-date diesel service to a modern, electric one.

We are privileged to witness a ‘100-year leap forward’ in train services. The new trains will cut travel time by half, and provide passengers with spacious, air-conditioned coaches and toilet facilities. Generally we look forward to a much more efficient and much less frustrating service.

Electric train service between Hung Hom and Sha Tin commences very soon. But it is a pity that the new trains will not benefit the hundreds of students and

staff at the Chinese University during the initial service, even though they are not too far beyond Fo Tan Halt by the Race Course.

Provision has been made in the K.C.R. Budget for hire of services due mainly to additional cleaning required for the new stations, and for stores and uniforms. I do hope this means the M.T.R.'s country cousin railway will have better kept stations and smartly-attired station staff to complement the new trains.

I cannot help comparing the new service with the one I remember from my childhood days. I took the train from Sheung Shui to Yau Ma Tei and back every day as a student. In those days Sheung Shui was just a train halt apparently built for golfers. This part of the railway was single tracked. It was only in the 1950s that a *bona fide* train station was built to serve the needs of fast development Shek Wu Hui.

At Sheung Shui and elsewhere in the New Territories, crossing railway tracks has been a practice of countryfolk and their livestock as far back as I can remember. The electrified system will make this practice a thing of the past, like the old railway. Completion of the network of roads and super highways, inclusive of flyovers, now under construction in the New Territories, will also change the old way of life forever. But meanwhile, pending completion of all these new facilities, consideration must be given to the realities of the established practices and way of life of residents in the New Territories.

Due west of the Sheung Shui train stop, a massive housing complex is being built. It is not the only one. With so much construction of one kind or another, the time to plan and introduce well-located and useful pedestrian crossings, or perhaps even escalators, is now.

In the same context, every year around Ching Ming and Chung Yeung, taxis and minibuses are doing a roaring business by charging excessive amounts for trips from Kowloon to Wo Hop Shek Cemetery. Perhaps the Railway Authority could consider putting on additional trains for the few days just before and after these festivals. This would certainly lighten the burden of many passengers and hopefully bring minibus charges to their correct level.

I wonder if honourable Members are aware that, apart from a siding that leads to Wo Hop Shek Cemetery, the K.C.R. once operated a six-mile-long light rail service between Fanling and Sha Tau Kok. There were three trains a day up till the late 1920s, when the service was terminated, apparently because it was not very profitable. As a matter of pure trivia, the iron tracks were uprooted and sold to China Light and Power Co. Ltd. for use as power pylons when electricity came to the New Territories during the early 1930s. If the charming, wood-burning locomotive had been preserved, we would have a very fascinating museum piece today.

The previous light rail route was converted into a motorway, which it remains today, but one in need of widening and redevelopment to bring it into line with other modern road projects in the New Territories. A modernized Fanling-Sha Tau Kok highway would be very timely in the context of recent reports that Siu Mui Sha and Sha Yu Chung across the border with China, may be areas of future development.

A modern highway system to Sha Tau Kok could be extended eventually to provide a through motor route between Hong Kong and the Eastern Guangdong Province, as well as places, 'more far'.

With these comments, Sir, I support the motion.

SECRETARY FOR TRANSPORT:—Sir, Mr. Peter WONG and Mr. CHEUNG Yan-lung have given felicitous support to this Bill. All who have ever worked on the Kowloon-Canton Railway will be gratified by their sentimental farewell to the old railway (*laughter*).

Members perhaps have the impression that there were great drafting battles over this modest Bill. That was not in fact the case, but we are as always grateful for the diligence which Unofficial Members and the legislation scrutiny group apply to their task.

As a non-learned Member of the Council, Sir, I beg to retain a sneaking preference for 'rashly' over 'recklessly' (*laughter*).

Finally, Sir, on a point of information, a separate Bill to provide for the incorporation of the Kowloon-Canton Railway will be introduced into this Council later this year.

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).

BOILERS AND PRESSURE RECEIVERS (AMENDMENT) BILL 1982

Resumption of debate on second reading (10 March 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

KOWLOON-CANTON RAILWAY BILL 1982

Clause 1 was agreed to.

Clause 2

MR. PETER C. WONG:—I move that clause 2 be amended as set out in the paper circulated to Members.

Proposed Amendment

Clause 2

That clause 2 be amended in the definition of ‘land held by the Crown’ by deleting ‘occupation by any person under a right’ and substituting the following—

‘a right of occupation’.

The amendment was agreed to.

Clause 2, as amended, was agreed to.

Clauses 3 to 5 were agreed to.

Clause 6

MR. PETER C. WONG:—I move that clause 6 be amended as set out in the paper circulated to Members.

Proposed Amendment

Clause 6

That clause 6(1)(f) be amended by deleting ‘convenient for’ and substituting the following—

‘incidental to’.

The amendment was agreed to.

Clause 6, as amended, was agreed to.

Clauses 7 to 33 were agreed to.

Clause 34

MR. PETER C. WONG:—I move that clause 34 be amended as set out in the paper circulated to Members.

Proposed Amendment

Clause 34

That clause 34(2) be amended by deleting, ‘as soon as reasonably practicable,’ and substituting the following—

‘forthwith’.

The amendment was agreed to.

Clause 34, as amended, was agreed to.

Clause 35 was agreed to.

Clause 36.

MR. PETER C. WONG:—I move that clause 36 be amended as set out in the paper circulated to Members.

Clause 36

That clause 36 be amended by deleting ‘rashly’ and substituting the following—

‘recklessly’.

The amendment was agreed to.

Clause 36, as amended, was agreed to.

Clause 37 was agreed to.

BOILERS AND PRESSURE RECEIVERS (AMENDMENT) BILL 1982

Clauses 1 to 15 were agreed to.

Council then resumed.

Third reading of bills

THE ATTORNEY GENERAL reported that the

BOILERS AND PRESSURE RECEIVERS (AMENDMENT) BILL

had passed through Committee without amendment and the

KOWLOON-CANTON RAILWAY BILL

had passed through Committee with amendments 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.

Suspension of sitting

HIS EXCELLENCY THE PRESIDENT:—In accordance with Standing Orders I now suspend the Council until 2.30 p.m. tomorrow.

Suspended accordingly at five minutes to four o'clock.