

# OFFICIAL REPORT OF PROCEEDINGS

Wednesday, 6 November 1985

The Council met at half past two o'clock

## PRESENT

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)  
SIR EDWARD YOUDE, G.C.M.G., M.B.E.

THE HONOURABLE THE CHIEF SECRETARY  
SIR DAVID AKERS-JONES, K.B.E., C.M.G., J.P.

THE HONOURABLE THE FINANCIAL SECRETARY  
SIR JOHN HENRY BREMRIDGE, K.B.E., J.P.

THE HONOURABLE THE ATTORNEY GENERAL  
MR. MICHAEL DAVID THOMAS, C.M.G., Q.C.

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

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

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

THE HONOURABLE ERIC PETER HO, C.B.E., J.P.  
SECRETARY FOR TRADE AND INDUSTRY

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

THE HONOURABLE ALLEN LEE PENG-FEI, O.B.E., J.P.

THE HONOURABLE HU FA-KUANG, O.B.E., J.P.

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

THE HONOURABLE DONALD LIAO POON-HUAI, C.B.E., J.P.  
SECRETARY FOR DISTRICT ADMINISTRATION

THE HONOURABLE CHAN KAM-CHUEN, O.B.E., J.P.

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

THE HONOURABLE STEPHEN CHEONG KAM-CHUEN, O.B.E., J.P.

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

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

THE HONOURABLE MARIA TAM WAI-CHU, O.B.E., J.P.

DR. THE HONOURABLE HENRIETTA IP MAN-HING

THE HONOURABLE CHAN NAI-KEONG, C.B.E., J.P.  
SECRETARY FOR LANDS AND WORKS

THE HONOURABLE CHAN YING-LUN

THE HONOURABLE MRS. RITA FAN HSU LAI-TAI

THE HONOURABLE MRS. PAULINE NG CHOW MAY-LIN

THE HONOURABLE PETER POON WING-CHEUNG, M.B.E., J.P.

THE HONOURABLE YEUNG PO-KWAN, C.P.M.

THE HONOURABLE JAMES NEIL HENDERSON, O.B.E., J.P.  
SECRETARY FOR EDUCATION AND MANPOWER

THE HONOURABLE KIM CHAM YAU-SUM, J.P.

THE HONOURABLE JOHN WALTERS CHAMBERS, J.P.  
SECRETARY FOR HEALTH AND WELFARE

THE HONOURABLE IAN FRANCIS CLUNY MACPHERSON, O.B.E., J.P.  
SECRETARY FOR TRANSPORT

THE HONOURABLE JACKIE CHAN CHAI-KEUNG

THE HONOURABLE CHENG HON-KWAN

DR. THE HONOURABLE CHIU HIN-KWONG

THE HONOURABLE CHUNG PUI-LAM

THE HONOURABLE THOMAS CLYDESDALE

THE HONOURABLE HO SAI-CHU, M.B.E., J.P.

THE HONOURABLE HUI YIN-FAT

THE HONOURABLE RICHARD LAI SUNG-LUNG

DR. THE HONOURABLE CONRAD LAM KUI-SHING

THE HONOURABLE LAU WONG-FAT, M.B.E., J.P.

THE HONOURABLE MARTIN LEE CHU-MING, Q.C., J.P.

THE HONOURABLE LEE YU-TAI

THE HONOURABLE DAVID LI KWOK-PO, J.P.

THE HONOURABLE LIU LIT-FOR, J.P.

THE HONOURABLE NGAI SHIU-KIT, O.B.E., J.P.

THE HONOURABLE PANG CHUN-HOI, M.B.E.

THE HONOURABLE POON CHI-FAI

PROF. THE HONOURABLE POON CHUNG-KWONG

THE HONOURABLE HELMUT SOHMEN

THE HONOURABLE SZETO WAH

THE HONOURABLE TAI CHIN-WAH

THE HONOURABLE MRS. ROSANNA TAM WONG YICK-MING

THE HONOURABLE TAM YIU-CHUNG

THE HONOURABLE ANDREW WONG WANG-FAT

THE HONOURABLE PANG YUK-LING, I.S.O., J.P.  
SECRETARY FOR HOUSING (*Acting*)

#### **ABSENT**

THE HONOURABLE HILTON CHEONG-LEEN, C.B.E., J.P.

DR. THE HONOURABLE DANIEL TSE CHI-WAI, J.P.

#### **IN ATTENDANCE**

THE CLERK TO THE LEGISLATIVE COUNCIL

MR. LI WING

**Papers**

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## Oral answers to questions

### Safety at K.C.R.'s University Station

1. MR. S. L. CHEN asked:—*Will the Government inform this Council what has been done to improve the safety at K.C.R.'s University Station where two incidents of children falling onto the track have been reported this year?*

SECRETARY FOR TRANSPORT:—Sir, because of the physical constraints of the site University Station is built on a curve in the railway line and there is a wider gap between the platforms and the trains than at stations where the tracks and platforms are straight. The width of the gap along the whole length of the platforms is however within international safety limits and the station has been passed as safe for public use by the Railway Inspector. Nevertheless it has been the K.C.R. Corporation's practice since the station opened in 1983 to make frequent announcements in English and in Chinese, both on the trains as they approach the station, and on the platforms to make sure that passengers are mindful of the gap and take care when boarding or alighting from trains. The need to take care when boarding or alighting at all stations, especially in crowded conditions, also forms part of the general educational publicity of the corporation aimed at school children and parents with young children in particular. To supplement this the corporation is arranging to place warning notices at strategic locations at University Station and special posters on the trains. It will also arrange for an additional supervisor to be on the platforms at all times. A further possibility being examined is to have special lighting under the platforms to make sure the gap is clearly visible after dark. I can assure Members that the corporation would do everything possible to ensure that there are no further accidents.

MR. WONG PO-YAN:—*Sir, is it possible to make the gap narrower than the international safety limit to avoid the accidents; if not, why not?*

SECRETARY FOR TRANSPORT:—Sir, because of the curvature of the line at that point, it is not possible to ensure that the gap between the carriages and the platform is narrower than at present. It is also necessary to take account of the rather wider bodies of the Chinese through trains which means this gap has to be there.

### Court of final appeal

2. MR. CHEUNG YAN-LUNG asked:—*Will the Government inform this Council whether plans are being made for the setting up of a court of final appeal in Hong Kong?*

THE ATTORNEY GENERAL:—Sir, as I indicated in a debate just one year ago in this Council, it is desirable that a court of final appeal should be established in Hong Kong well before 1997 in order to ensure a smooth transition. As I said then, the court ought to have the opportunity, well before 1997, to build a reputation for authoritative judgments and earn the confidence of Hong Kong people and the international business community. There are however no plans yet for the establishment of the court. It is bound to take some time to examine the implications and to identify the various options which are consistent with the implementation of the Joint Declaration.

MISS DUNN:—*Sir, is an exercise underway to identify and examine the options?*

THE ATTORNEY GENERAL:—Sir, as I said there are no plans yet. I said that it would be bound to take some time to carry out this examination and the work has scarcely begun.

MR. MARTIN LEE:—*Sir, will the Attorney General please inform this Council as to when we will expect that this final court of appeal can be established in Hong Kong?*

THE ATTORNEY GENERAL:—Sir, I would really prefer not to commit myself to a date at this stage. As I have said a good deal of preparatory work is still to be done and it is hoped that it will be established well before 1997.

MR. PETER C. WONG:—*Sir, will the Attorney General inform this Council when he will begin his preparatory work?*

THE ATTORNEY GENERAL:—Sir, it is too early to forecast when that work will begin. There are other more important matters to be dealt with at this stage and I would guess, if that answer is sufficient to my learned friend, I would guess that the work will begin in earnest in about two or three years' time.

MR. SWAINE:—*Sir, would the Government agree that it is of paramount importance that the composition of the proposed final court of appeal should be such as to command international respect and that in this context quality rather than time is of the essence?*

THE ATTORNEY GENERAL:—Sir, I would agree with that proposition entirely.

### **Social welfare programmes**

3. MR. HUI YIN-FAT asked:—*Will Government inform this Council whether it has sufficient revenue in this financial year to maintain existing social welfare programmes including the provision of salary adjustments for subvented voluntary welfare agencies staff, as well as to implement all the approved expansion and improvement projects in the Five Year Plan for Social Welfare Development?*

SECRETARY FOR HEALTH AND WELFARE:—Sir, the provision of \$420 million in the Social Welfare Subventions head for the present financial year is sufficient to maintain the existing services operated by the subvented welfare agencies. Sufficient funds are also available to meet the salary adjustment, although it may be necessary to seek supplementary provision to cover this requirement at a later stage in the financial year.

The Five Year Plan for Social Welfare Development identified 64 new projects for implementation this year; funds are available for allocation to 51 of these projects, and this represents all the projects which are likely to be ready to come into operation before the end of the financial year.

The Five Year Plan Review also identified a number of improvements to the quality of existing services. In view of the limited funds available it was decided, on the advice of the Subventions and Lotteries Fund Advisory Committee, to accord priority to the new projects, I have already mentioned, and I fear that it will not be possible to implement these improvements this year.

MR. HUI YIN-FAT:—*Sir, in view of the reply just given by the Secretary for Health and Welfare it seems that Government is giving higher priority to extension plans than improvements to the quality of the existing services which have been delayed repeatedly. Sir, may I ask the Government that a certain degree of assurance be given that the improvement of quality of existing services be given higher priority when funds are available in the near future?*

SECRETARY FOR HEALTH AND WELFARE:—Sir, I can give an assurance that this will be carefully considered when we know exactly how much money we are provided with in the Budget next year. I will ask the Director of Social Welfare to do this.

MRS. ROSANNA TAM:—*Sir, may I ask the Government since there are sufficient revenue for salary adjustments why can't the Government speed up the process to an acceptable level of giving such adjustments to subvented voluntary welfare agencies for the sake of fairness and good working morale?*

SECRETARY FOR HEALTH AND WELFARE:—Sir, I accept that this year there was an unfortunate delay in deciding precisely how much money to allocate to category 2 services. This problem has been carefully thought through and I hope that next year we will not have the same problem.

MR. STEPHEN CHEONG:—*Sir, as a complete novice to the social welfare field, could the Secretary for Health and Welfare be kind enough to elucidate whether or not the quality of existing service is totally dependent on the funds available?*

SECRETARY FOR HEALTH AND WELFARE:—Sir, quality is always an elusive item but to some extent it depends on the level of staff provided in the different

services. It must depend on the money available and I think what Mr. HUI was referring to was a number of proposals to provide additional staff for particular types of service, and that is what I fear we have not been able to implement this year.

### **Concrete deterioration in buildings**

4. MISS DUNN asked:—*In the light of a recent report that there is concrete deterioration in Hong Kong's buildings, would the Government inform this Council:*

- (a) whether such a problem exists and if so;*
- (b) what is the scale of the problem in the public and private sectors; and*
- (c) what actions are being taken to remedy it?*

SECRETARY FOR LANDS AND WORKS:—Sir, yes, a problem exists with regard to concrete deterioration in Hong Kong's buildings.

However, this problem is not a serious one at present but it is growing. Given good workmanship and proper material, concrete buildings can have an extremely long life. In the private sector, over the last two decades, 31 buildings have been demolished because of serious defective concrete, representing about 0.12 per cent of all concrete framed buildings in the territory. In the public sector, in view of the regular maintenance programme, the situation is significantly better and there are no cases of defective concrete which cause the building to be in a state of imminent failure.

Both preventive and remedial measures are taken to overcome the problem of concrete deterioration of buildings. Provisions under the Buildings Ordinance require all construction materials to comply with standard specification and the submission of certificates of origin, chemical composition and strength tests results of steel reinforcement prior to construction. During construction, test reports on concrete cubes are required and at various stages Buildings Ordinance Office staff carry out site inspections. After construction, planned surveys are conducted by the Buildings Ordinance Office staff who also respond to reports from the general public. Where buildings require attention, repair orders are served on owners. In default situations, direct action is taken by Government.

MISS DUNN:—*Sir, does the Government have an effective system to monitor and identify buildings which are in need of repairs other than relying on reports by tenants?*

SECRETARY FOR LANDS AND WORKS:—Apart from action in response to report from the general public or referral from other departments, the Buildings Ordinance Office has a planned survey programme. The planned survey programme covers the older buildings in the urban areas starting with pre-war buildings and following-up with the older post-war buildings and from this planned survey programme any problems seen and detected will be attended to.

MR. CHENG HON-KWAN:—*Sir, despite what the Secretary for Lands and Works has said, does the Government have any plan of updating and improving the present standards for concrete strength and durability?*

SECRETARY FOR LANDS AND WORKS:—Revised Building (Construction) Regulations covering the specification of concrete and the way it is to be constructed have already been agreed in the Buildings Ordinance Review Subcommittee of the previous Building Development Advisory Committee. Drafting instructions for amending the legislation are being prepared and in due course a bill will be submitted to this Council for consideration.

MR. JACKIE CHAN asked in Cantonese:—

(The following is the interpretation of his question.)

*Sir, it has been mentioned just now that most of the buildings in the older districts like Wan Chai, Yau Ma Tei and Mong Kok might have problems. This is probably due to improper maintenance of the sewerage system. May I ask the Government whether it is necessary for the Government to take action in monitoring the management of the building as well so as to improve the situation? What I mean is: is it possible for Government to take action to step up management in buildings?*

SECRETARY FOR LANDS AND WORKS replied in Cantonese:—

(The following is the interpretation of his reply.)

MR. CHAN mentioned the question of management of multi-storey buildings. This problem can be indirectly related to the safety of structure of buildings. The Government's stand is: we will try our best to encourage owners of various buildings to form Owners' Corporations and Mutual Aid Committees to manage their buildings properly. This is the present Government policy.

### **Illegal tapping of water and electricity in squatter areas**

5. DR. CONRAD LAM asked in Cantonese:—

(The following is the translation of his question.)

*With regard to the illegal use of water and electricity in certain squatter areas, will the Government inform this Council what plans it has to improve the situation?*

SECRETARY FOR HOUSING:—Sir, the problem of illegal tapping of water supply in squatter areas exists mainly where standpipe water supply is available. The obvious solution to this problem is therefore the provision of a metered connection. To this end, Water Supplies Department's current programme to provide metered supply to 740 squatter areas and N.T. villages is scheduled to be completed in about three years' time. In parallel to this, under the Squatter Areas Improvement Programme, Housing Department is at present carrying out 11 similar projects in squatter areas, with a further 45 projects planned over the next three years. With the completion of all these projects, the majority of the squatter areas in the territory will have a metered supply, and we are confident that the problem of illegal tapping of water would no longer arise.

The problem of illegal tapping of electricity in squatter areas exists mainly where a legal supply is available and is most serious in Wong Tai Sin and Kwun Tong. The problem is being tackled on two fronts, namely, enforcement and education. On the enforcement front, the Police, in conjunction with the power company, City and New Territories Administration and Housing Department have stepped up action against such illegal activities. Since January this year, 236 persons involved in illegal tapping of electricity have been arrested. On the education front, the departments and the District Boards concerned have intensified their efforts to educate residents about the dangers of tapping electricity illegally and advise them to apply for a legal connection.

Furthermore, the Fight Crime Committee is also concerned about the triad involvement in the illegal supplies of water and electricity in squatter areas. A working group on 'gangs' under the committee has studied the problems and its recommendations are being considered by the departments concerned.

The long term solution to eliminate these illegal tapping activities in squatter areas lies in the clearance of the squatter areas themselves. As mentioned in your address last week, Sir, our plan to clear and rehouse all squatters in the urban areas within five to ten years has already started.

DR. CONRAD LAM asked in Cantonese:—

(The following is the interpretation of his question.)

*Sir, on the question of gangs being active in the squatter areas, aside from paragraph 3 of the answer saying that recommendations will be considered, when will we see actual work being done?*

SECRETARY FOR HOUSING:—The matter is being carefully looked into by all the departments concerned. No doubt it would be more desirable to quicken the work on the Water Supplies Department's individual metered supply programme. Naturally all departments concerned are very concerned with the matter and we are doing our best to expedite the work.

## Gifted children

6. MR. MARTIN LEE asked:—*Does the Administration have any policy or programme relating to the teaching of specially gifted children?*

SECRETARY FOR EDUCATION AND MANPOWER:—Under current policy there is no specific programme or institution provided to cater for specially gifted children presuming this phrase to mean intellectually gifted. Hong Kong's educational system aims to provide a broad and balanced education for all pupils. And most teachers should also be able to recognise the specially gifted child and can provide the level of work to develop that child's potential if necessary and also specialist advice is available from the Education Department if needed. In addition schools at all levels are encouraged to develop a varied programme of extra-curricular activities to meet the needs of those pupils whose talents can more readily be developed through specially organised interest groups such as mathematics, science and social studies clubs. I should add perhaps that where the artistically gifted are concerned the advent of the Academy of Performing Arts will provide a most encouraging environment for the development of their talents.

MR. MARTIN LEE:—*Sir, does the Secretary for Education and Manpower agree that it is desirable to have a centralised, well-organised and government-run programme on specific topics such as English, Chinese, Mathematics or Science for these specially gifted children so that their talents can be properly developed under expertise guidance and in groups in order that their special talents will not be lost and Hong Kong will not be deprived of some of her future leaders, and if the answer is yes—if you can remember the question, that is—is it prepared to let this Council have its written proposal on such a programme?*

SECRETARY FOR EDUCATION AND MANPOWER:—Sir, this is a subject on which I must confess I have no great expertise—the education of the specially gifted child. I certainly agree with Mr. LEE to the extent that we must try to make the best of the talents of all our young people, whether this is best achieved in the way suggested by Mr. LEE I would have to consider and consult with the Director of Education.

MR. LEE YU-TAI:—*Sir, may I ask what form of specialist advice is available in the Education Department with regard to gifted children?*

SECRETARY FOR EDUCATION AND MANPOWER:—Well, they have a number of specialists in the Education Department and initially advice will be sought, I think, from the Advisory Inspectorate in the subjects concerned.

MR. STEPHEN CHEONG KAM-CHUEN:—*Sir, forgive me, may I ask the definition of a 'gifted child'?*



SECRETARY FOR EDUCATION AND MANPOWER:—This question has baffled many better minds than mine, I think, Sir. (*laughter*)

### **Film classification system**

7. MRS. NG asked in Cantonese:—

(The following is the translation of her question.)

*Will the Government say whether and if so when the film classification system which has been under consideration for several years will be implemented, how it will be enforced; and whether the existing film censorship standard will be relaxed because of this system?*

THE CHIEF SECRETARY:—Sir, the proposal to introduce a new film classification system is expected to be submitted to the Governor in Council in about a month. Assuming approval, a draft bill will be gazetted for public information and comment, and for examination by this Council. On the assumption that the bill becomes law, the system could be introduced by mid-1986.

With regard to enforcement, it is proposed that the onus be placed on cinema operators to ensure that only persons aged 18 or above are admitted to certain films. The Film Censorship Authority would make spot checks on cinemas showing such films.

The level at which censorship standards is eventually set will depend upon the findings of an independently conducted public opinion survey.

MRS. NG asked in Cantonese:—

(The following is the interpretation of her question.)

*Sir, regarding the age limit, has the Government consulted the cinema operators and if so, what is their reaction to this?*

THE CHIEF SECRETARY:—The film operators are supportive of this idea, Sir.

MRS. NG asked in Cantonese:—

(The following is the interpretation of her question.)

*Sir, in the process of considering whether we need to amend existing censorship standards, apart from conducting an independent public opinion survey, has the Government considered consulting the District Boards?*

THE CHIEF SECRETARY:—Yes, the District Boards will be consulted.

## Illegal immigration

8. DR. HO asked:—*Will Government inform this Council:*

- (a) *the reasons why illegal immigration from China has increased in recent months; and*
- (b) *what additional measures would Government take to curb illegal immigration?*

THE ATTORNEY GENERAL:—There are seasonal fluctuations in the number of illegal immigrants who attempt to enter Hong Kong due to weather, the harvest and so on. But there has been in recent months an increase greater than we would normally expect at this time of year. The number of daily arrests made at the border this year so far is about a third higher than in the equivalent period last year. The reasons are difficult to specify.

First, we are led to believe that rumours are circulating on the other side of the border that the introduction of a new identity card would be accompanied by a general amnesty for any illegal residents in Hong Kong. I need hardly add, Sir, that this is completely untrue. Rumours such as this are spread by those who seek to profit from the misfortune of would be illegal immigrants. There will be *no* amnesty for any found to have entered Hong Kong illegally.

Second, there is a belief that the recent announcement of the reduction of the British Garrison by one battalion has resulted in a reduction in the security forces deployed at the border. Again, Sir, nothing could be further from the truth. There has been no reduction in the security forces at the border. The withdrawal of the 2/7 Gurkha Rifles next year will be accompanied by increased periods of border duty for other battalions. There will be no reduction in the number of security personnel patrolling the border and no loss of effectiveness.

However, and this is an encouraging sign, there are grounds for believing that the security forces using more sophisticated equipment are now catching at the border a higher proportion of illegal immigrants than before. There is no sign yet of any comparable increase in the numbers of evaders surfacing in Hong Kong.

As regards additional measures, we can do no more than maintain our vigilance and keep up our guard. We shall continue to discuss this problem through the various cross border channels available to us. And we shall continue to spread the word to anyone who seeks to enter Hong Kong illegally that the chances of evading capture are very slim indeed.

DR. HO:—*Sir, in our talks with the Chinese Authorities across the border, will officers of the Hong Kong Government be reminded to bring up or to stress the deterrent effect of the re-education camp practice or the labour camp practice which China employed previously in reforming the repatriated illegals?*

THE ATTORNEY GENERAL:—Sir, the subject of illegal immigrants has been discussed last month during the Political Adviser's Joint Working Group review with the Shenzhen authorities and, I understand, will be considered in the forthcoming border liaison meeting with the Guangdong authorities later this month. So I shall pass on to those concerned the suggestion behind the supplementary question.

MISS DUNN:—*Sir, is there any reasons to believe that the rumours that the Attorney General just referred to are fanned by organised syndicates involved in bringing in illegal immigrants for profit?*

THE ATTORNEY GENERAL:—Sir, so far as one can pronounce on these matters I'm sure there is some truth in the suggestion of Miss DUNN. Those who seek to profit from illegal immigration will not lose the opportunity to sell the services and to boost the services which they offer.

MISS DUNN:—*Is anything being done to identify these syndicates?*

THE ATTORNEY GENERAL:—I am sorry I did not catch the last part of the question.

MISS DUNN:—*To identify the syndicates who are involved in bringing in illegal immigrants.*

THE ATTORNEY GENERAL:—So far as matters are within the control of the Hong Kong Government of course through the processes of de-briefing that take place every time there is an arrest at the border, all information available is gathered and considered. That information is no doubt passed on to those who are in a position to deal with the matter on the other side.

MRS. FAN:—*Sir, since rumours seem effective in increasing the number of illegal immigrants trying to get into Hong Kong, is there any plan that the Government have in mind to combat such rumour in a more effective manner?*

THE ATTORNEY GENERAL:—Sir, the Government is I can say taking all steps they can to make known through channels of broadcast and news dissemination the realities of the matter. The realities are those that I have spoken about and the more people who are thinking of seeking to enter Hong Kong illegally learn of the realities, the more they will be deterred.

MR. YEUNG PO-KWAN:—*Sir, in order to curb illegal immigration will the Government review the operation procedures of the identity card inspectors of the Labour Department so that more inspections will be made to workplaces where illegal immigrants are more likely to get employment?*

THE ATTORNEY GENERAL:—Sir, like my honourable friend I have read in the newspapers of matters that are in hand in the Labour Department but I think that supplementary question is one which I ought to refer to the Labour Department itself.(Annex I)

### **Supervision of banks**

9. MR. DAVID LI asked:—*Will the Government inform this Council of the on-going performance of and its plans for those banks currently under government supervision?*

THE FINANCIAL SECRETARY:—Sir, the straight answer to Mr. Li's question is that *all* licenced banks are under government supervision. I cannot usefully comment on their performance of 143 banks or Government's plans. I think, however, that Mr. LI actually seeks information about Hang Lung, H.I.C.B., and O.T.B., and I shall try and give him a helpful answer on this basis.

A first class consultant has been engaged to value the Hang Lung Bank and to advise on the form and timing of a devestiture. The report is expected in about a month's time. The actual form and timing of the sale will take account of that report, the public interest and the interest of the banks' staff and customers. I shall wish to consult Executive Council before making a final decision. As to the O.T.B. and its subsidiary the Hong Kong Industrial and Commercial Bank, no plans have yet been made, but it is the Government's wish also to return these banks to the private sector as soon as commonsense indicates is possible. A decision on O.T.B. seems unlikely for about two years. It may well prove possible to move more quickly with H.I.C.B., but there are interconnected and other problems.

MR. DAVID LI:—*Sir, what terms of reference did the Government set for the boards of those banks at present under government control, particularly in regard to organisation, personnel, credit policies with a view to restoring them to profitability?*

THE FINANCIAL SECRETARY:—Sir, I haven't prepared the answer to that supplementary question and with your permission I will let Mr. LI have a reply in writing.(Annex II)

### **Pollution by Lai Chi Kok Incineration Plant**

10. MR. CHUNG PUI-LAM asked in Cantonese:—

(The following is the translation of his question.)

*In view of the serious stage of pollution caused by the Lai Chi Kok Incineration Plant, can Government inform this Council:*

- (a) what plan it has at present to control this kind of pollution;*
- (b) how long will it take to implement such a plan; and*
- (c) what temporary measures are in hand to alleviate the present situation?*

SECRETARY FOR HEALTH AND WELFARE:—Sir, the air pollution problems caused by the Lai Chi Kok incinerators are recognised by the Government. In the longer term the most effective solution will almost certainly be by the phasing out of the incinerators and the centralisation of domestic refuse in one or more strategically located 'transfer stations' from which it will be transported in large vehicles to the controlled tips in the New Territories. At present it is difficult to say when the development of these new methods will have reached a stage at which the incinerators can be closed down permanently.

Interim measures therefore have to be considered; there is already an item in Category AB of the Public Works Programme for the installation of electrostatic precipitators which would remove most of the dust and grit which form the major part of the pollution caused by the Lai Chi Kok incinerators.

These electrostatic precipitators are expensive; they are estimated to cost about \$130 million. The question of whether interim measures involving costs of this magnitude can be justified has been extensively discussed within the Government and I expect an early decision as to whether the upgrading of the project should be proposed to the Public Works Subcommittee.

If it is decided to go ahead with the precipitators work should start in the 1986-87 financial year and some improvement would be achieved almost immediately as the first of the two plants would be closed down for the installation work to begin. The work should be completed by 1990. On the other hand a decision not to instal precipitators and to rely on transfer stations would mean that the incinerators could not be closed down until 1989 at the earliest, although some improvement might be effected before then by the use of barges to transport refuse to the controlled tips.

MR. CHUNG PUI-LAM asked in Cantonese:—

(The following is the interpretation of his question).

*Sir, it has been mentioned that the installation of electrostatic precipitators would remove most of the dust and grit. Can the Secretary tell us the amount so removed in percentage terms; can this electrostatic precipitators remove foul smell emitted from the incinerator?*

SECRETARY FOR HEALTH AND WELFARE:—Sir, electrostatic precipitators basically remove what it is known in the trade as particulate matter, that is dust and grit, and they do not remove other gases which emerge from the chimneys. To some extent I think the smell would be reduced. I understand in fact that the gases which come from the Lai Chi Kok incinerators are not particularly dangerous to health in the sense that they do not breach the levels which are accepted internationally as being proper for this sort of activity. I cannot guarantee that all the smell will be removed.

### **Policy on promotion of civic education**

11. MR. SZETO WAH asked in Cantonese:—

(The following is the translation of his question.)

*The Administration has confirmed the policy of promoting civic education in the 'White Paper on the Further Development of Representative Government'. Will Government inform this Council what financial resources have been or will be provided to enable a smooth and effective implementation of such policy?*

SECRETARY FOR DISTRICT ADMINISTRATION:—Sir, existing resources have been deployed by Government to promote civic education. For instance, in education, resources have been deployed in staff training and production of relevant teaching modules and education television programme on civic education.

Funds have also been allocated by central government and D.B.s to organise publicity campaigns to promote civic awareness and responsibility at all levels. All these developments and future efforts will obviously require additional resources and necessary funds are already being sought in 1986-87 Estimates.

Promotion of civic education is a continuous exercise. In stepping-up our efforts now with a view to reaping even more positive results in future, support (including financial ones) from all sectors of the community is needed. I believe that funds from within and without Government would be forthcoming.

MR. SZETO asked in Cantonese:—

(The following is the interpretation of his question.)

*According to the guideline on civic education the Government has not accepted the suggestion of introducing a subject of civil education in schools but instead the Government has indicated that it welcomes the introduction of such a subject by the schools themselves. I would like the Government to inform this Council whether extra resources will be provided to schools that take up the initiative and provide for such a subject themselves.*

SECRETARY FOR DISTRICT ADMINISTRATION:—Sir, with your permission I would like to consult the Director of Education and submit a written reply. (Annex III)

MRS. NG asked in Cantonese:—

(The following is the interpretation of her question.)

*Sir, will the Government inform this Council the details concerning staff training with regard to civic education including pre-service and in-service training?*

SECRETARY FOR DISTRICT ADMINISTRATION:—Likewise, Sir, may I include that in my written reply. (Annex IV)

DR. HO:—*Sir, will adult education centres be also funded to run civic education courses for working adults as well?*

SECRETARY FOR DISTRICT ADMINISTRATION:—Sir, civic education is a comparatively new programme. As I said departments concerned will continue to deploy existing resources to implement any new programme but we may have to seek new funds for such new activity and this will certainly be taken into consideration in our future submissions.

### **Government Scientist**

12. PROF. POON asked:—*Will Government inform this Council whether there are plans to fill the post of Government Scientist?*

THE CHIEF SECRETARY:—Sir, there are no immediate plans to fill the post of Government Scientist, pending a fresh look at the necessity for such an appointment.

The review will cover an examination of the fundamental role of the Government Scientist vis-a-vis other government departments with responsibilities in this area, such as the Industry Department, the Government Laboratory, the Royal Observatory and the Environmental Protection Agency. A further consideration is whether a single individual will be able to provide advice on the many disciplines of science which are of a highly specialised nature, or whether we should rely on consultants for such advice.

PROF. POON:—*Will the Chief Secretary inform this Council what steps have the Government taken to review this matter?*

THE CHIEF SECRETARY:—I am looking into it at the present time, Sir.

PROF. POON:—*Sir, will the Chief Secretary inform this Council to what extent have the recommendations in the Warner's Report been implemented?*

THE CHIEF SECRETARY:—A number of the recommendations of the Warner's Report, apart from that on the Government Scientist, have been implemented and have been put into practice by the Industry Department on the advice of the former Science Adviser and now the Industrial Development Board. To quote a few examples, an Industrial Support Division has been set up within the Industry Department to provide technical support to the development of industry, a standard calibration laboratory was opened last year and the Hong Kong Laboratory Accreditation Scheme has been launched in May this year.

MR. ALLEN LEE:—*I am quite surprised to hear there are no immediate plans to fill the post of Government Scientist. This is of course a very important subject. May I ask the Chief Secretary to consider plans for filling this post and the long-term implications that this post represents to Hong Kong's development?*

THE CHIEF SECRETARY:—Sir, I can't give that assurance to fill the post of a Government Science Adviser because as I said in the answer to the principal question I am not convinced myself that the appointment of one person is the way to tackle this particular problem. But I can assure Mr. LEE that the Government is serious in its concern for this particular problem and that what we need to do in Hong Kong is to ensure that we are doing enough to keep Hong Kong abreast of new science and new technology and we need all of us, Government, Members of this Council and members of the community outside this Council who have an interest in this matter to work together to ensure that the Government keeps ahead in this field.

MR. LEE YU-TAI:—*Will the Chief Secretary inform this Council whether or not previous scientific advisers perform a useful role?*

THE CHIEF SECRETARY:—Yes, Sir, the previous Science Adviser while he was with us performed a useful role but events have moved on since then.

MR. MARTIN LEE:—*Sir, will the Chief Secretary please help us on this: why should the Government establish this post even before it is considered whether or not it should be filled because it is almost as inconceivable as creating the post of Governor for Hong Kong and then thinking about whether we should have one?*

THE CHIEF SECRETARY:—At the time, Sir, it was thought that this was a good way to skin this particular cat (*laughter*) but in the process of looking at candidates who had applied for the post and what indeed they had to say about the work of such person caused us to think again.



**Government Business****First reading of bills****CHIT-FUND BUSINESSES (PROHIBITION) (AMENDMENT) BILL 1985****MATRIMONIAL CAUSES (AMENDMENT) BILL 1985****BUILDINGS (AMENDMENT) (NO. 2) BILL 1985**

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

**Second reading of bills****CHIT-FUND BUSINESSES (PROHIBITION) (AMENDMENT) BILL 1985**

THE FINANCIAL SECRETARY moved the second reading of:—'A bill to amend the Chit-Fund Businesses (Prohibition) Ordinance'.

He said:—Sir, it would be fitting to mark this first normal meeting of the new Legislative Council in our new Chamber with the introduction of a new Bill of significance. Alas, after protracted labour pains I can offer you only a ridiculous mouse.

I humbly move that the Chit-Fund Businesses (Prohibition) (Amendment) Bill 1985 be read a second time.

The main objective of the Bill is to increase the monetary limit imposed on private chit-funds from \$10,000 to \$20,000.

The operation of commercial chit-fund companies was banned by the enactment of the Chit-Fund Businesses (Prohibition) Ordinance in 1972. But given the long tradition and popularity of private chit-funds, they were allowed to continue to be lawfully operated provided they meet four conditions, namely, that.

- (a) there are not more than 30 participants;
- (b) the operator is not at the same time operating another chit fund;
- (c) the common fund put up for sale or payment to the participants does not exceed 10,000 dollars; and
- (d) no benefit accrues to the operator other than a right to receive the first subscription free of interest.

These legitimate private chit-funds have been relatively well regulated since the enactment of the Ordinance. But in order to ensure the law remains realistic and workable as it was when enacted, it is proposed that the monetary limit on the common fund be increased in line with inflation, from \$10,000 to \$20,000. The other conditions remain unchanged.

To simplify the procedure for amending the monetary limit in future, the Bill further provides that the limit can be changed by resolution of the Legislative Council.

The Bill also proposes to raise fines for certain offences under the principal Ordinance from \$10,000 to \$20,000. Finally provisions dealing with time expired transitional arrangements will be repealed.

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

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

THE FINANCIAL SECRETARY.

*Question put and agreed to.*

## **MATRIMONIAL CAUSES (AMENDMENT) BILL 1985**

THE ATTORNEY GENERAL moved the second reading of:—'A bill to amend the Matrimonial Causes Ordinance'.

He said:—Sir, I move that the Matrimonial Causes (Amendment) Bill 1985 be read the second time. And I can assure my friend the Financial Secretary that he can rest assured that this measure will not over-trump his modest bid for a place in the history books.

Sir, the Matrimonial Causes Rules deal with proceedings not only under the Matrimonial Causes Ordinance but also under the Matrimonial Proceedings and Property Ordinance. In 1982 the Chief Justice made the Matrimonial Causes (Amendment) Rules 1982. These rules were stated to be made in exercise of his powers under the Matrimonial Causes Ordinance. Doubt has arisen whether the Chief Justice was also exercising his power under the Matrimonial Proceedings and Property Ordinance.

The purpose of this minor Bill is to remove that doubt and to declare that the Matrimonial Causes (Amendment) Rules 1982 were made by the Chief Justice using his powers under both section 54 of the Matrimonial Causes Ordinance and section 32 of the Matrimonial Proceedings and Property Ordinance.

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

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

THE ATTORNEY GENERAL.

*Question put and agreed to.*

## **BUILDINGS (AMENDMENT) (NO. 2) BILL 1985**

THE SECRETARY FOR LANDS AND WORKS moved the second reading of:—'A bill to amend the Buildings Ordinance'.

He said:—Sir, I move that the Buildings (Amendment) (No. 2) Bill 1985 be read a second time.

This Bill seeks to amend section 2(2) of the Buildings Ordinance to extend the Director of Building Development's power of delegation to any public officer.

Under section 2(2) of the Buildings Ordinance the Director of Public Works was empowered to delegate any duties imposed on or powers granted to the Building Authority to any office of the Public Works Department. On defederalisation of the Public Works Department in 1982, section 2(2) of the Buildings Ordinance was amended transferring this power of delegation to the Director of Building Development and thence to officers within the Building Development Department.

Prior to defederalisation, powers under certain sections of the Buildings Ordinance and Regulations had been delegated to officers of the Highways Office. All these delegations include the recovery of costs of work carried out by the Building Authority. As these officers are now within the Engineering Development Department, the current delegation which should be restricted to the Building Development Department is no longer valid. In addition, some Project Managers of the New Territories Development Department have been delegated with powers to act on behalf of the Building Authority. Assistance of other departments is still required for the administration of the Buildings Ordinance. The deficiency in the power of the Director of Building Development to delegate outside the Building Development Department therefore needs to be rectified.

Clause 2 of the Bill amends section 2(2) of the Buildings Ordinance to permit the Director of Building Development to delegate to any public officer. Clause 3 of the Bill validates the delegations made to public officers other than those in the Building Development Department.

Sir, I move that the debate be now adjourned.

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

SECRETARY FOR LANDS AND WORKS

*Question put and agreed to.*

**Adjournment and next sitting**

HIS EXCELLENCY THE PRESIDENT:—In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on Wednesday, 13 November 1985.

*Adjourned accordingly at twenty-five minutes past three o'clock.*

*Note:* The short titles of Motion/Bills listed in the Hansard Report have been translated into Chinese for information and guidance only; they do not have authoritative effect in Chinese.

**WRITTEN ANSWERS****Annex I****Written answer by the Attorney General to Mr. YEUNG Po-kwan's supplementary question to Question No. 8.**

I agree that Labour Inspectors should give priority to inspection of those work places where illegal immigrants are more likely to find employment. This is in fact one of the Labour Department's priorities in preparing inspection schedules of Labour Inspectors and the schedules are kept under constant review with this priority in mind.

**Annex II****Written answer by the Financial Secretary to Mr. David LEE's supplementary question to question No. 9.**

New boards of the Hang Lung Bank and the Overseas Trust Bank (and its subsidiary H.I.C.B.) were appointed after their takeover by the Exchange Fund. This has had no effect on Government's general revenue or consolidated accounts. The Chairman in each case is the Secretary for Monetary Affairs. It is the Government's intention to bring these banks as soon as possible into a condition in which they can be returned to the private sector. In the course of achieving this each of these banks will have cost the Exchange Fund considerable sums. It is therefore to everyone's advantage that they should be sold for as high a price as possible when the time is right.

Consequently my instructions to the Chairman in each case are to clear up the bank and to operate it in accordance with commercial policies with a view to selling it as soon as possible. Let me add that the senior management of Hang Lung and O.T.B. has been provided by the Hongkong & Shanghai Bank on a non-profit basis and I would like to thank them for sparing experienced staff to this end.

**Annex III****Written answer by the Secretary for District Administration to Mr. SZETO Wah's supplementary question to Question No. 11**

The guidelines issued by the Curriculum Development Committee show how a comprehensive programme of civic education can be implemented in schools, using existing resources. However, given Hong Kong's changing situation,

**WRITTEN ANSWERS**—*Continued*

it is obviously important that civic education programmes should be kept relevant and up-to-date. Teachers will of course be expected to show initiative in this respect by taking an intelligent and lively interest in events as they unfold, obtaining information from the press, radio and television.

Nevertheless, it is recognized that teachers will need to supplement and enrich their own direct observations from time to time through ready access to relevant material. It is planned to meet this need by setting up a resource centre which will provide teachers with a central reference, information and advice service on all matters relating to the teaching of civic education.

It is thus unnecessary for additional resources, over and above those already provided and planned, to be made available to schools choosing to offer civic education as a separate subject.

In this connection, you may recall that additional teachers have already been provided to all standard secondary schools to enable them to strengthen various important services, including the provision of extra-curricular activities, which, as you know, are an important vehicle for civic education activities. Moreover, since the inclusion of civic education as a separate subject would entail a reduction in the time devoted to other subjects, schools choosing this approach to civic education would be expected to obtain the teachers required by a deployment of their existing staff in related areas of the curriculum, such as Social Studies or Economic and Public Affairs.

**Annex IV****Written answer by the Secretary for District Administration to Mrs. NG's supplementary question to Question No. 11.**

A Civic Education Co-ordinating Committee has been set up in each College of Education to ensure that the students are properly trained to implement the Guidelines on Civic Education effectively. There is also a Joint Colleges Civic Education Co-ordinating Committee to co-ordinate the formulation of a cohesive programme of training for students.

The students are trained through the formal and informal curricula, and through extra-curricular activities. Apart from being trained in the methods and techniques of highlighting Civic Education elements in a subject and reinforcing them in a lesson, the students attend enrichment programmes which have public issues as their main themes. They also participate in community services and other extra-curricular activities conducive to the development of civic mindedness.

**WRITTEN ANSWERS**—*Continued*

The same general approach is adopted for students attending pre-service and in-service courses in the Colleges. However, due to limitations of time, the emphasis is necessarily more on activities related to the formal curriculum for part-time in-service students.

Enrichment programmes in the colleges take the form of lectures, seminars, group projects, small study-groups, visits, film-shows, etc. They may be about law, economics, consumer education, public housing, etc. and are aimed at increasing social awareness. These programmes form part of the formal curriculum.

As far as the schools are concerned, you may wish to know that since the publication of the Guidelines on Civic Education in August 1985, over 1 500 teachers have attended seminars and workshops arranged by the Advisory inspectorate. More of these will be organized in the coming months.

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