

OFFICIAL REPORT OF PROCEEDINGS**Wednesday, 25 June 1986****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
MR. PIERS JACOBS, O.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, C.B.E., J.P.

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 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, O.B.E., J.P.

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

THE HONOURABLE CHAN YING-LUN, J.P.

THE HONOURABLE MRS. RITA FAN HSU LAI-TAI, J.P.

THE HONOURABLE MRS. PAULINE NG CHOW MAY-LIN, J.P.

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

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

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 WALTER 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

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

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

DR. THE HONOURABLE CONRAD LAM KUI-SHING

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

DR. THE HONOURABLE DANIEL TSE, O.B.E., J.P.

THE HONOURABLE ANDREW WONG WANG-FAT

THE HONOURABLE JOHN RAWLING TODD, C.V.O., O.B.E., J.P.
SECRETARY FOR HOUSING

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

THE HONOURABLE STEUART ALFRED WEBB-JOHNSON, J.P.
SECRETARY FOR TRADE AND INDUSTRY (*Acting*)

ABSENT

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

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL
MR. LAW KAM-SANG

OATH

Mr. S. A. WEBB-JOHNSON took the Oath of Allegiance.

Papers

The following papers were laid on the table pursuant to Standing Order 14(2):

Subject *L.N. No.*

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Barristers (Qualification)(Amendment) Rules 1986	136
Shipping and Port Control Ordinance	
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Registration of Persons (Amendment) Regulations 1986	142
Industrial Training (Clothing Industry) Ordinance	
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Public Health and Municipal Services Ordinance	
Food Business (Urban Council)(Amendment) By-Laws 1986	148

Oral answers to questions

Primary and secondary school premises

1. MR. POON CHI-FAI asked (in Cantonese): *Will Government inform this Council:*
 - (a) *what is the present position in regard to the supply and demand of primary and secondary school places in various districts in Hong Kong;*
 - (b) *why is there a phenomenon of surplus primary school places but shortage of secondary school places in the same district (such as Kwun Tong) and what are the solutions to this problem; and*
 - (c) *whether consideration will be given to converting surplus primary school premises for use as secondary schools in order to reduce the shortage of secondary school places?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, with regard to the first part of Mr. POON'S question, I have attached two tables to the text of my reply which I think provide the information required. Table 1 indicates that there is surplus provision of primary places in all districts. It should be noted, however, that the surplus territory-wide refers to the number of places which could be made available if the maximum number of classes were operated. In practice, however, the number of surplus places in operating classes is substantially less at around 43 000. The situation at the secondary level, as shown in Table 2, is rather different. While there is a surplus of places for the territory as a whole of some 41 000 (including the maximum number of bought places available for purchase), the distribution is uneven with shortfalls in some districts offset by surpluses in others.

As to the reason for the simultaneous surplus of primary places and shortage of secondary places in certain districts, there are three factors which may help to explain this:

- (a) Firstly, the basis of provision is different. In the case of primary schools, these are provided in response to the requirements of a given locality so that young children are not required to travel more than a short distance

to school. In the case of secondary schools, where the objective is to achieve a rough balance of supply and demand territory-wide, the supply of and demand for places in a particular district will not necessarily balance and students may be required to travel a greater distance. Every effort is made to minimise this requirement and, as can be seen from Table 2, those districts with a substantial shortfall tend to be adjacent to districts with a substantial surplus of places.

- (b) Secondly, the age structure of the population is not static. The number of children in a given age group will vary over time. A bulge in the number of primary school children will be followed later by a bulge in the number of secondary school children and it is not possible to expand and contract the physical supply in line with those variations.
- (c) Thirdly, the geographical distribution of the population will also vary over time, so that a movement of population into the New Territories will result in an increased demand there, coupled with a decreased demand in the urban area. Given, moreover, that the age structure of these new communities is often highly atypical, the accurate planning of school provision is extremely difficult.

The objective is not so much to balance the supply of and demand for secondary places on a district basis, which would be extremely costly, as to minimise the amount of travelling time for students overall. Work is in hand on a computer model which should provide much better information on the desirable location of new schools and of schools reprovisioned from area of surplus supply. This will enable us, over time, to achieve a better geographical distribution of secondary places, but it cannot produce an instant solution and there will, I am afraid, be pressure on the supply of secondary places in certain areas—most notably the north-west New Territories—in the years immediately ahead.

With regard to the conversion of primary schools, this is not a very satisfactory solution as it is impossible to provide within such premises the range of facilities and special rooms needed to meet the requirements of the secondary curriculum. In these circumstances, it would be preferable for a child to travel to a properly-equipped secondary school than to attend a substandard local school in converted premises. A number of selected primary schools were converted in 1977, in response to the urgent need for additional places to implement universal junior secondary education, but plans are already in hand to reprovision these schools to new premises in those areas presently under-provided. For the future, particularly in the case of new communities, where a present demand for primary places will be followed by increased demand for secondary places, school premises will be designed with these subsequent requirements in mind.

Table 1: Demand and Supply of Primary School Places
(September, 1985)

<i>District</i>	<i>Demand (Population aged 6-11 plus 3% repeaters)</i>	<i>Supply (No. of places in both operating and vacant classrooms at 80 places per classroom)</i>	<i>Surplus(+)/ Shortfall(-) (No. of places)</i>
Central & Western	22 934	24 640	+1 706
Wan Chai	15 453	26 080	+10 627
Eastern	40 785	41 760	+975
Southern	21 546	29 280	+7 734
Yau Ma Tei	10 407	18 480	+8 073
Mong Kok	15 452	21 920	+6 468
Sham Shui Po	31 333	41 520	+10 187
Kowloon City	35 168	40 800	+5 632
Wong Tai Sin	31 834	58 400	+26 566
Kwun Tong	58 452	92 240	+33 788
Tsuen Wan	22 464	33 360	+10 896
Kwai Chung & Tsing Yi	41 876	73 760	+31 884
Tuen Mun	44 354	60 080	+15 726
Sha Tin	47 011	50 560	+3 549
Tai Po	15 849	25 600	+9 751
North	17 667	30 080	+12 413
Yuen Long	26 157	38 320	+12 163
Sai Kung (Junk Bay)	4 067	8 240	+4 173
Islands	4 672	10 480	+5 808
Total	507 481	725 600	+218 119 (or 2 726 classroom- equivalents)

Note: If in calculating supply, only the places in operating classrooms are taken into account (i.e. excluding vacant classrooms), the number of surplus places is only 43 170 or 540 classroom-equivalents).

Table 2: Demand and Supply of Secondary School Places
(September, 1985)

<i>District</i>	<i>Demand (Population aged 12-18) (No. of places required (1))</i>		<i>Supply⁽²⁾</i>	<i>Surplus(+)/ Shortfall(-) (No. of places)</i>
Central & Western	29 178	20 164	31 661	+11 497
Wan Chai	21 664	14 971	32 687	+17 716
Eastern	51 037	35 270	33 397	-1 873
Southern	31 385	21 689	14 909	-6 780
Yau Ma Tei	17 023	11 764	21 380	+9 616
Mong Kok	23 212	16 041	14 268	-1 773
Sham Shui Po	43 531	30 083	40 253	+10 170
Kowloon City	49 199	34 000	58 111	+24 111
Wong Tai Sin	47 795	33 030	29 479	-3 551
Kwun Tong	81 114	56 056	38 652	-17 404
Tsuen Wan	29 205	20 183	16 484	-3 699
Kwai Chung & Tsing Yi	63 035	43 562	41 592	-1 970
Tuen Mun	25 007	17 282	19 450	+2 168
Sha Tin	34 881	24 105	22 620	-1 485

<i>District</i>	<i>Demand</i>		<i>Supply</i> ⁽²⁾	<i>Surplus(+)/ Shortfall(-)</i> <i>(No. of places)</i>
	<i>(Population aged 12-18)</i>	<i>(No. of places required (1))</i>		
Tai Po	12 031	8 314	11 127	+2 813
North	14 895	10 293	10 159	-134
Yuen Long	24 691	17 063	19 144	+2 081
Sai Kung (Junk Bay)	4 627	3 198	3 875	+677
Islands	5 290	3 656	3 170	-486
Total	608 800	420 724	462 418	+41 694

Note 1: The number of places required is calculated on the basis of 1 class (38.7 places is the weighted average class size for Forms I-VII) for every 56 persons aged 12-18 in accordance with the Hong Kong Standards and Guidelines (taking account of differing levels of provision in Forms I-III, IV and V, and VI and VII).

Note 2: Including the maximum capacity of Form I-III places that the Government could buy from private independent schools participating in the Bought-Place Scheme. However, not all of these places were actually bought because of the increasing supply of Government and aided secondary school places.

Note 3: An overall surplus of places, as in the case of Tuen Mun, may make a current shortfall in Forms I-III.

MR. POON CHI-FAI (in Cantonese): *Sir, in the Education Commission Report No. 1 published in 1985, the Government suggested that 35 secondary schools be built throughout the territory and the 19 district boards would be consulted. Can the Government inform this Council whether after the consultation, there have been any changes so as to tie in with the wishes of the district boards and what is the progress of the consultation?*

SECRETARY FOR EDUCATION AND MANPOWER: *Sir, certainly there has been some discussion with district boards but with the final phases of the 35 schools to be built, the decisions at the moment are provisional and there will be further consultation with relevant boards should changes be made.*

MR. SZETO (in Cantonese): *Sir, I agree that converting the existing primary school premises into secondary schools is not a good arrangement. I agree to that but can the Government inform this Council whether the Government has set a policy or plan to make the best use of the fully vacant primary school premises which are growing in number?*

SECRETARY FOR EDUCATION AND MANPOWER: *Sir, I am not sure that I could answer that question for every single premises that has been vacated but I could give some examples of uses. Primary schools in housing estates have, of course, been returned to the Housing Authority for other suitable public use. One school has been used by the Hong Kong Examinations Authority in San Po Kong. The Computer Education Centre in Hung Hom, which I hope, Sir, you will open later in the year, is in a previously vacated school and there are a number of uses to which these buildings can be put. If Mr. SZETO would like a comprehensive list of the uses, I will try and procure that for him. (Annex I)*

MRS. NG (in Cantonese): *Sir, from part 4 of the answer, I am happy to know that the design of the new school premises will take care of the change of age group of school students. What is the progress of designing schools for flexible purposes?*

SECRETARY FOR EDUCATION AND MANPOWER: Design is perhaps not my forte, Sir, but this question of a design, which I take is what Mrs. NG means, for a school that could be operated both as a primary and a secondary school as required, has certainly been looked into. However, there are difficulties in doing this and what is going to happen or, to some degree, has happened, where there is an identifiable bulge in the population and to meet this medium term shortfall of primary school places, a secondary school will be built either with or without the special room block initially, for use as a primary school first and a secondary school later. On cost grounds, it will be more economical to build the whole of the secondary school, including the special room block, use it as a primary school and then equip the special rooms later. One such secondary school has been built in Tuen Mun and the primary section will, in due course, be phased out to make way for the secondary section. Two other such projects are in the pipeline.

Waiting time at Government clinics

2. MR. HO asked (in Cantonese): *Will the Government inform this Council:*

- (a) *what is the average waiting time for patients attending Government out-patient clinics:*
 - (i) *from the moment of their arrival at the clinic until they are allocated a number for treatment purposes; and*
 - (ii) *from the moment of allocation of a number for treatment purposes until such time as they are actually seen by a doctor on duty there;*
- (b) *whether the average waiting time differs from clinic to clinic and from district to district; and*
- (c) *whether it is possible to shorten such waiting time?*

SECRETARY FOR HEALTH AND WELFARE: Sir, the answers to the three parts of Mr. HO's question are as follows:

- (a) As the distribution of the discs for consultations is carried out about five to 10 minutes before each clinic session starts, patients' waiting time largely depends upon their time of arrival at the clinic. This varies from patient to patient; some may arrive one to two hours before the start of the session while others may come much nearer the opening time. On average, the waiting time for a disc is estimated to be about 45 minutes.
For normal cases, the time a patient has to wait to be seen by the doctor after he has obtained a disc will depend on his position in the queue. The average waiting time is about one and a half hours. In urgent cases, the patients concerned are given immediate attention.

- (b) The average waiting time does vary between different clinics and districts. In general, patients attending urban clinics have to wait for longer than those in the rural areas. At some clinics in the outlying islands, there is practically no waiting time.
- (c) Given the high level of demand for consultations at most urban clinics it is difficult to see how waiting times can be significantly shortened. However, in clinics with high attendances and consequently long waiting times, a block appointment system has been introduced whereby groups of patients at the time of registration are told of the expected time of their consultations and encouraged to return to the clinic at the appointed time instead of waiting. This arrangement has had the effect of significantly reducing actual waiting times.

MR. HO (in Cantonese): *Sir, the last paragraph of the Secretary for Health and Welfare's reply says that it is difficult to shorten the waiting time and paragraph 1 of the reply says that the time required for waiting for the discs is 45 minutes and the waiting time to see a doctor is one and a half hours, so a total of more than two hours. But these are patients! Can the Government consider, before we have a long-term solution, improving the environment of the waiting place, say, by providing sufficient chairs and installing air-conditioners for them and, most important of all, to provide them shelter during the time of waiting?*

SECRETARY FOR HEALTH AND WELFARE: Sir, I am sure that the possibility of doing this must depend on the physical arrangements at each clinic but I will ask the Director of Medical and Health Services to try and ensure that the best possible arrangements are made in each case.

MR. HUI: *With regard to part (a) of the reply about urgent cases, could the Secretary for Health and Welfare inform this Council which types of cases are regarded as urgent and what is the approximate percentage of cases given the exception?*

SECRETARY FOR HEALTH AND WELFARE: Sir, it depends upon the staff of the clinic to identify when they go through the queue to allocate the discs the people who are in need of urgent attention. I suppose it largely depends upon the patients identifying themselves to the staff. I am not sure of the percentage of cases which are dealt with on this basis but I will try and find out the figure from the Director of Medical and Health Services and let Mr. HUI know. (Annex II)

DR. CHIU: *Will the Government inform this Council if all out-patient clinics provide facilities for patients who are queueing up outside the clinic, before opening hours, to take shelter from bad weather? And will the appointments system mentioned in paragraph (c) be introduced to all clinics?*

SECRETARY FOR HEALTH AND WELFARE: Sir, as I said earlier, the actual arrangements must depend upon the physical situation at each clinic. I am sure that the Medical and Health Department do their best to ensure that patients wait under shelter wherever possible. The arrangements for block bookings have been extended to the vast majority of clinics and I understand that it is the intention of the department to introduce them to the others as soon as possible.

DR. LAM (in Cantonese): *Sir, can the Government inform this Council, for patients going to the out-patients section, how long do they have to wait for medicine to be dispensed?*

SECRETARY FOR HEALTH AND WELFARE: I think this is rather another question but I will try and find out the answer and write to Dr. LAM. (Annex III)

DR. HO: *For the elderly patients, what is the average waiting time and can this be reasonably shortened?*

SECRETARY FOR HEALTH AND WELFARE: Sir, I don't have details broken down by age and I think that would probably be rather difficult to achieve but I am sure that many elderly patients, if their situation were obviously not very good, would qualify for urgent immediate treatment.

Employment of overseas domestic helpers

3. MR. TAM asked (in Cantonese): *With regard to the problem of overseas domestic helpers working in Hong Kong, will the Government inform this Council:*

- (a) *of the annual number of overseas domestic helpers working in Hong Kong from 1981 to 1985, and as at 31 May 1986, the total number of such helpers working in Hong Kong;*
- (b) *of the number of cases over the past five years in which overseas domestic helpers breached the conditions of stay laid down by the Immigration Department by taking up other jobs or because of other reasons, and what measures are taken to ensure that such conditions are complied with; and*
- (c) *what progress has been made in the review of Government's policy on overseas domestic helpers and what is the scope of the review?*

ATTORNEY GENERAL: Sir, the number of overseas domestic helpers working in Hong Kong at the end of each of the last five years was, to the nearest hundred, as follows:

1981	15 600
1982	21 500
1983	26 300
1984	24 600
1985	26 600

For the end of May 1986, the figure was 27 300.

As to the second part of the question, the statistics on overseas domestic helpers who breach their conditions of stay by taking up other jobs or indeed for other reasons are not available.

Measures taken to ensure compliance with conditions of stay include the requirement that overseas domestic helpers obtain the approval of the Director of Immigration before a change in employment. Investigations are also made of both overstayers and allegations of overseas domestic helpers working in bars and restaurants. Between 1 April 1984 and 31 March 1986, 74 visits have been paid to such establishments resulting in 43 successful prosecutions for breaching the conditions of stay and the removal of 18 overseas domestic helpers from Hong Kong.

As to the third part, the Government is actively reviewing its policy on overseas domestic helpers. The review is covering the policy on their admission, the policy on their conditions of stay and the circumstances under which they are allowed to change employment in Hong Kong.

MR. TAM (in Cantonese): *Sir, as a result of the 74 visits conducted the authorities have been able to make 43 successful prosecutions. Does the Government consider the situation as very serious and would the Government consider expediting the review of the conditions of stay and also to introduce other measures to deter them from violating these conditions?*

ATTORNEY GENERAL: So far as the visits are concerned, the number of 43 is, of course, small in relation to the total number employed. In addition to the 43 people successfully prosecuted, there were a further 60 who were suspected of working unlawfully but were not prosecuted either because of lack of sufficient evidence or, in some cases, the persons suspected were found to be wives of Hong Kong residents, who were entitled to work in bars and restaurants. So the total number that came to light in the course of those investigations was only about a 100 out of a total of some 26 000. So far as the speed of the review is concerned, my friend the Secretary for Security hopes to complete that review by the end of July. Conditions of stay are within the ambit of the review. Indeed, giving the Immigration Department some right to remove upon breach of conditions of stay is being considered.

MRS. CHOW: *At present, under what circumstances does the Director of Immigration approve or not approve a change of employment? And in the case of disapproval, is the permission to stay immediately withdrawn?*

ATTORNEY GENERAL: Sir, the present policy of the Immigration Department is that they will not normally approve a change of employer within the first year of contract. In exceptional circumstances they will. For example, if the employer leaves Hong Kong. Ordinarily, they will, I think, approve an application for

fresh employment during the second year of the original two-year contract but, in those cases, the overseas domestic helper is required to go back to the Philippines before that approval is given. The return, of course, has to be paid for by the first employer, under the terms of the first employment contract. I think, in most cases, too, a re-entry permit would normally be granted before the helper leaves Hong Kong.

MR. CHUNG: *Sir, will Government inform this Council whether investigations have revealed any cases where overseas domestic helpers work in the manufacturing industry?*

ATTORNEY GENERAL: Sir, I know of no case in which that has been found. I think it is normal that, if any girls are to obtain employment in breach of their conditions of stay, they will normally be in the sort of places, like bars and restaurants, to which tourists and others may resort.

MR. LEE YU-TAT: *Sir, what are the channels of complaint available to employers if conditions of employment are breached by overseas domestic helpers?*

ATTORNEY GENERAL: A breach of the contract would give rise to a dispute between the employer and employee which could, of course, be resolved in the courts but, in fact, the Labour Department have an Overseas Employment Service and that appears to be the best place to which a complaint could be taken. For example, in 1984, there were something like 526 complaints taken to the Labour Department, rather fewer, 335, in 1985, and so on. The Overseas Employment Service does have quite a remarkable success rate, in resolving those disputes. Indeed, something like 70 per cent of the complaints that are taken to that office are resolved successfully and amicably. So I think that, undoubtedly, is the best place to which either an employer or an employee should go, if they wish to lodge a complaint and have it investigated by some independent person.

DR. CHIU: *Sir, as the employer is responsible for the return passage of domestic helpers in the contract, will the Government inform this Council if there are any measures to ensure overseas domestic helpers to return to their home country as soon as the contract expires and in the case of termination of the contract by either party?*

ATTORNEY GENERAL: The position is that, under the contract, in all cases it is the employer who must pay the costs of repatriation. It is part of the price the employer must pay in order to have the advantages of bringing in an overseas worker. If a contract comes to an end, then under the conditions of stay, the employee would have the residue of a six-month period, before technically she would have to go back. It is in that area that the Immigration Department is

looking to see whether the conditions of stay can be abbreviated within the six-month period, if there is a termination of contract.

MRS. CHOW: *Sir, I don't think the second part of my question has been answered. In fact, it has something to do with the abbreviation of the permission to stay. The second part of my question was, in the case of disapproval by the Director of Immigration for a change of employment, whether it be the first year or second year of contract, is the permission of stay then immediately curtailed?*

ATTORNEY GENERAL: The condition of stay is ordinarily granted for a period of six months at a time and there is no provision at the moment for reducing that or for deporting the helper, inside the six-month period if a contract comes to an end. But I think Mrs. CHOW'S concern is, to some extent, met by the statement I made, that before a second period of employment is approved, the Immigration Department requires the helper to return to the Philippines before they can come back in order to undertake a second period of employment.

MR. TAM (in Cantonese): *Sir, when the Government is reviewing the policy concerning overseas domestic helpers, would the Government consider reducing the number of such helpers in Hong Kong so as to protect the labour market in Hong Kong?*

ATTORNEY GENERAL: Sir, that is, I believe, within the terms of the review but I would prefer not to speculate upon the outcome of the review.

MR. CHAN KAM-CHUEN: *Sir, in view of the alarming increase, that is, in five months of 1986, there were more arrivals than the whole year of 1985, and we can be looking forward to over 65 000 domestic servants coming in in 1986, are these domestic servants all of one nationality? And, if so, would this increase the political pressure of domestic servants from other nations asking to come into Hong Kong?*

ATTORNEY GENERAL: I may have misunderstood the question, but the figures I have given are, as I understand them, the total number of overseas domestic workers in Hong Kong, at the end of each year. Some are leaving, of course, and some are being replaced. So the total number at the end of May is 27 300.

MR. YEUNG: *Sir, under what conditions will overseas domestic helpers be normally removed from Hong Kong?*

ATTORNEY GENERAL: They would normally be removed only when they have overstayed the period of six months which is given to them by the Director of Immigration, when they apply for permission to be in Hong Kong. And, of course, those periods of six months are only granted when the Director of Immigration is satisfied that they have a proper contract of employment, on the specified form, with an employer in Hong Kong.

MR. POON CHI-FAI (in Cantonese): *Sir, would the Government inform this Council, over the past two years, how many employers have employed domestic workers which have not been granted permission by the Immigration Department to change employment? And what is the penalty involved?*

ATTORNEY GENERAL: Of course, the employer cannot employ the girl here unless the girl is allowed to come here. So, if the girl is not allowed to come here because the Director of Immigration will not approve a second employment, then that contract cannot take place except in breach of the law. And the breach would also involve the girl in being here without any right to be here. So she would not be able to pass immigration without having the permission of the Director of Immigration. So I believe the situation postulated by the question would not in practice arise.

Interference of radio broadcasts

4. MR. JACKIE CHAN asked: *Listening to broadcast programmes is the general public's daily entertainment. However, their reception is often disturbed by private communication signals which seriously interfere with the quality of the reception. In this connection, will Government inform this Council:*

- (a) what measures will Government take to ensure that members of the public are not disturbed by other communication signals when they listen to broadcast programmes;*
- (b) what are the existing criteria for the issue of licences to private radio stations; what are the regulations governing the use of these stations; and*
- (c) are all the available frequencies exhausted, and if so, what measures will Government take to improve the situation?*

FINANCIAL SECRETARY: Sir, in answer to Mr. CHAN'S first question, the Post Office is responsible for planning the usage of the radio spectrum. Efficient planning of the spectrum minimises the degree of interference. Some degree of interference is however inevitable because of the intensive use of our frequencies, and occasionally because of the use of other electrical equipment.

Mr. CHAN will be pleased to hear that there is a service provided by the Post Office for the investigation of interference to broadcast radio and television services. Members of the public may explain the nature of their problem by telephone and, if need be, staff of the Post Office's Interference Investigation Unit will make an appointment to study the problem on site.

As to Mr. CHAN'S second question, licences for private radio stations are issued only to qualified radio enthusiasts, or to companies which can demonstrate a valid business reason for the use of a radio system. In case of the latter, the licence requires that the radio must be used only for the proper business purpose of the company, and only with the transmitter power and frequency designated by the Post Office.

Finally, Sir, the available frequencies for private radio stations are not entirely exhausted, although the frequencies here in Hong Kong are used more intensively than in other Southeast Asian nations. Indeed, frequencies are sometimes shared. This situation can lead to problems, and the Government is seeking ways to encourage the development of new types of radio systems that will minimise interference.

MR. JACKIE CHAN: *Sir, I am pleased to learn just now that there is an Interference Investigation Unit, so may I ask how effective are the investigations carried out by this unit?*

FINANCIAL SECRETARY: Sir, the unit has been generally very successful. In the great majority of cases a way is found to overcome the causes of interference. In most of those cases where no such solution is possible, the problem is primarily due to faulty equipment. To give some numbers, Sir, in the financial year 1985 the unit received a total of 3 288 complaints and was able to complete investigation of 2 452 during the year. Of this number, 1 033 were what is described in my brief as 'true' cases of interference. The remainder were cases where no evidence of interference was observed at the time of investigation or where the interference had ceased during the investigation.

MR. CHAM: *Sir, is consideration given to establishing a radio frequency, similar to what is known as citizens' band elsewhere in the world, for the use of the public so that interference is minimised?*

FINANCIAL SECRETARY: Sir, we do have citizens' band radio in Hong Kong but it has been allocated only to essential services such as the police communication network. So far, it is not available to people in general. Certainly, as Mr. CHAM has said, it is used elsewhere. Whether there are technical objections in Hong Kong, I do not know, but I will certainly cause an investigation to be carried out to see whether we can have more extensive use of this service.

MR. CHAM: *In the instance of rescues of boats, such as the Osprey, it seems that there is the need for radio communication to call for help. Will consideration be given to permitting boats to use a designated radio frequency in case there is the need for communication between boats?*

FINANCIAL SECRETARY: Yes, as I have said, Sir, we will certainly consider extending this type of service. Clearly, boat owners must rank with a degree of priority because the safety of people using boats is concerned.

Carbonation test on public housing blocks

5. MR. CHENG asked: *It is understood that Government has decided to carry out carbonation tests on some 40 public housing blocks that were completed within the last five years. Will the Government inform this Council:*

- (a) *what is the particular purpose of these tests;*
- (b) *what are the standards with which these tests shall comply; and*
- (c) *what is their cost?*

SECRETARY FOR HOUSING: Sir, the Housing Department is carrying out carbonation tests designed to collect comprehensive data on the rate of carbonation. To do this it is necessary to survey samples of buildings of all ages, including some of these most recently built.

The survey is part of the department's research into ways of increasing the durability of its buildings and reducing maintenance.

The standard used for testing is laid down in British Standard 1881 Part 201: 1985. A small hole is drilled in the concrete and the inside painted with a chemical which changes colour if the concrete is carbonated.

The cost of the test is about \$1,000 for each block tested.

MR. CHENG: *Sir, will the Secretary for Housing advise this Council as to how the durability of public housing blocks may be increased or maintenance work reduced by some means derived from the results of carbonation tests?*

SECRETARY FOR HOUSING: Sir, as a result of the research, the department will be able to consider ways of improving the durability of its buildings. This could possibly be done by increasing the depth of concrete covering the reinforcing, by increasing concrete density or by increasing the use of non-porous finishes on exposed surfaces and taking advantages of these changes to re-design blocks to the maximum advantage. The tests themselves are necessary to see what measures can be taken.

MR. CHENG: *Sir, may I ask again whether Government intends to carry out these tests as a matter of routine in the future?*

SECRETARY FOR HOUSING: Yes, Sir, I see the present survey as part of an on-going programme designed to ensure that the Housing Department has the fullest information on its existing buildings and to be able to evaluate new techniques and designs to ensure a high standard of construction leading to future benefits from reduced maintenance.

MR. HUI: *Sir, from the Secretary for Housing's previous answers, can I take it that tests will be applied to all the other blocks than the 40 you have taken?*

SECRETARY FOR HOUSING: Sir, we have taken 40 as a sample of the most recent blocks. We have taken 10 which are two years old, 10 which are three years old, 10 which are four years old and 10 which are five years old and that should, in fact, give us a comprehensive sample.

MISS DUNN: *Sir, speaking entirely as a layman, isn't the durability of concrete a well-established science in the world and is it really necessary that we develop new techniques ourselves in Hong Kong?*

SECRETARY FOR HOUSING: Sir, there is indeed a wealth of existing data on carbonation from overseas. However, the rate of carbonation is very much dependent on local materials used and on the environment in which they are used. Therefore, it is necessary to carry out some testing locally.

Consultancy report on local plastics industry

6. MR. WONG PO-YAN asked: *Will the Government inform this Council of its views on the general remarks of the report on the local plastics industry recently submitted by a consultant company and the action the Government propose in response to the relevant recommendations in the report?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, the report in Hong Kong's plastics conversion industry was undertaken by SRI International in association with the Hong Kong Productivity Council. It gives an account of the general state of the plastic conversion industry and the various products and market opportunities open to Hong Kong manufacturers. The report contains a total of nine recommendations.

The Government on the advice of Industry Development Board (IDB) has decided that these recommendations should be subject to further and more detailed investigation. For this purpose the Government will shortly set up a sub-committee within the IDB network of committees:

- (a) to consider whether and to what extent any of the recommendations can be supported;
- (b) in respect of those recommendations that can be supported to consider in what manner and over what period of time they should be implemented;
- (c) to establish orders of cost involved; and
- (d) to report back to the Industry Development Board.

The sub-committee will be chaired by the Director of Industry, but will have as its members mainly unofficials with experience in the relevant fields of trade and industry. Appointments of members to the sub-committee are in progress and as soon as these are finalised, the sub-committee will be able to commence its deliberations.

In addition to establishing this sub-committee, Government has circulated copies of the study to the plastics industry associations and other interested bodies.

MR. WONG PO-YAN: *Sir, will the Government consider inviting some of the academics to be members of the sub-committee?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, the composition of the sub-committee has already been decided but I am sure that it will be open to the chairman to seek advice from other interested persons.

MR. NGAI: *Sir, regarding the recommendations in the working group, can we have the help of the banking industry so that we can expedite the improvement on the techniques? We are most concerned about this aspect. Although this is an industrial report, it should be applicable to other manufacturing industries and on this particular point can the Government respond?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, it is certainly true that many of the recommendations in the report are not applicable only to the plastics industry and these will be taken account of in Government's continuing investigation of the needs of industries in Hong Kong.

PROF. POON: *Sir, how much time will this sub-committee be given to report back to the Industry Development Board so that the board can really start considering the recommendation?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, the intention is that the sub-committee should complete its considerations in time for the report to be considered at the next meeting of the Industry Development Board in the autumn.

Financial assistance for district board members for renting offices

7. MR. LAI asked: *Would the Government inform this Council what progress has been made in examining proposals to provide financial assistance to district board members who wish to set up their own offices to meet local residents?*

SECRETARY FOR DISTRICT ADMINISTRATION: Sir, in response to a question raised at a meeting of the Finance Committee of this Council about the middle of last year, the CNTA conducted a survey on the situation regarding the renting of offices by district board members to meet local residents. It was found that as at August 1985, 82 or one-fifth of the total number of board members had set up their own or shared offices. Of these, 50 were reported to be paying monthly rental ranging from \$800 to \$2,000 and the rest made use of the offices of mutual aid committees and local organisations. In the circumstances, it was not considered at that time that there was justification for an office rent allowance to be paid to district board members and the situation should be closely watched.

Meanwhile, arrangements continue to be made under the 'Meet-the-Public' Scheme in all 19 districts for district board members to meet local residents mainly in district offices and sub-offices. Furthermore, additional space has become available in all community centres taken over by CNTA on a booking basis for use by board members for the same purpose.

In recent months, groups of district board members have renewed their pleas for the provision of such financial assistance and several members of this Council have also made similar suggestions. A second survey conducted in April this year showed that the number of district board members having acquired offices to meet their constituents had increased to 155 representing about 40 per cent of the total membership, and 73 of them were reported to be paying rent. These figures suggest that there is a growing demand for these facilities and call for the question of financial assistance to be reconsidered.

CNTA together with the Finance Branch are now examining in detail the justification for the various possible means of assistance including, inter alia, whether better use can be made of the Government premises currently available to board members. If financial assistance is to be provided, we would still need to identify the most cost-effective way to achieve it. For example, whether instead of a separate allowance, the present honorarium of board members should be increased to include an element of office rental. I would therefore like to assure Mr. LAI and all others concerned that the Government is expediting the matter and I hope to be in a position to inform Members of the outcome in the near future.

MR. LAI: *Sir, would Government consider encouraging district board members to share offices, thus enabling them to cut down individual expenses on setting up an office?*

SECRETARY FOR DISTRICT ADMINISTRATION: Sir, in fact, the sharing of offices is already taking place. The majority of offices which members have rented are being shared.

MR. LEE YU-TAI: *Sir, district board members who set up offices have almost doubled, i.e. increasing from 82 last August to 155 in April this year. Will this increase confirm the demand for these offices and lead to a quick decision on the question of allowance?*

SECRETARY FOR DISTRICT ADMINISTRATION: Sir, I have already said that the growing demand suggests that there is a need to reconsider the question of allowance. The current term of membership of the district board has been running for 15 months and it is timely to consider this matter.

Written answers to questions

Planning of social welfare services provision

8. MRS. TAM asked: *Concerning the provision of social welfare services, will the Government inform this Council:*

- (a) *what kinds of welfare services are being provided in accordance with planning ratios which are based on population;*

- (b) *when setting the policy on the provision of the above welfare services, has Government considered the effects brought about by the demographic structure; and*
- (c) *is the provision of any specific welfare services considered to be inadequate in the new towns; if so what are these services and in which new towns are they inadequate?*

SECRETARY FOR HEALTH AND WELFARE: Sir, a number of welfare services are provided in accordance with agreed planning ratios which are based on population figures. These include:

- (a) children and youth centres, which are provided at a ratio of one centre to every 20 000 population;
- (b) day nurseries at a ratio of 100 places for every 20 000 population;
- (c) social centres for the elderly at a ratio of one for every 30 000 population;
- (d) homes for the aged at a ratio of 10 places for every 1 000 population aged 60 and above;
- (e) care and attention homes at a ratio of five places for every 1 000 population aged 60 and above;
- (f) multi-service centres for the elderly at a ratio of one for each administrative district; where the district population exceeds 250 000 an additional centre will be provided.

In implementing the planned provision of welfare services, Government takes into account not only the agreed planning ratios described above but also factors such as the age profile, density of population and the availability of other services in the area.

There are at present shortfalls in most service areas in the new towns, but these should be largely eliminated within the next five years if present planning targets are achieved. An exception is day nursery places in Tsuen Wan, for which a shortfall of about 500 places is estimated in 1990. Residential care places for the elderly are not provided on a district basis, so it is not possible to say whether a shortfall exists in specific new towns.

Control of pornographic video tapes

9. MR. HUI asked: *Will the Government inform this Council:*

- (a) *how many prosecutions have been made against the sale of pornographic video tapes over the past three years;*
- (b) *how many convictions were there and what were their penalties; and*
- (c) *has Government considered any plan to control the sale of pornographic video tapes including purchase by mail-order?*

CHIEF SECRETARY: Sir, separate records of prosecutions and convictions for offences relating to video tapes are not available before January 1985, but a total of 1 078 and 1 237 tapes were seized in 1983 and 1984 respectively.

Between January 1985 and April 1986, a total of 231 prosecutions were taken out against the sale and exhibition of pornographic video tapes, and 210 persons were convicted. Fines ranged from \$500 to \$25,000. In four cases, the offenders were given prison sentences of two to four months and in a further 19 cases, the offenders were given suspended terms of imprisonment ranging from one to six months.

Pornographic video tapes are controlled under the Objectionable Publications Ordinance. In addition, it is an offence for obscene and offensive materials to be sent by mail under the Post Office Ordinance.

The Government is actively considering legislative measures to strengthen control and a draft Bill may be put before the Legislative Council for consideration within the next session.

Pollution in Victoria Harbour

10. MR. CHEONG-LEEN asked: *Will the Government inform this Council what action is being taken to solve the serious pollution problem in Victoria Harbour?*

SECRETARY FOR HEALTH AND WELFARE: The most serious pollution in Victoria Harbour results from the discharge of sewage and industrial waste through both foul and surface water drainage systems.

It is the policy—because this is cost effective and environmentally acceptable to do so—to dispose of sewage in Victoria Harbour so long as it is possible to dilute and disperse the sewage to such an extent that the resultant water quality is compatible with the intended use of the harbour as a port. In this context, most of Victoria Harbour is still considered, by and large, to be in a satisfactory condition despite the heavy load it has to bear. It cannot be claimed that the harbour is suitable for swimming but this would not be a realistic objective.

Much improvement has been achieved over the last 10 years by replacing discharges of unscreened foul sewage from old sea-wall outlets by underwater outfalls which carry the sewage away from the shore into the main tidal flow—often after preliminary treatment. Improvements of this nature are still continuing. For example a project involving a major new outfall from Stonecutters Island to cater for sewage flows from Lai Chi Kok, Tai Kok Tsui and Sham Shui Po will be proposed for upgrading to Category A in the Public Works Programme in October this year, with a view to starting construction early in 1987. The elimination of a number of unsatisfactory short outfalls in this area should have a significant effect on the water quality of Victoria Harbour. At the Kai Tak Nullah, the most notorious blackspot in Victoria Harbour, two major public works projects are in progress to improve the situation. These include the interception and diversion of the dry weather flow into the nullah and dredging and injection of oxygen into the waters of the nullah.

For the future, it is intended to tackle the problems of water pollution in Victoria Harbour, and for that matter in the rest of the territory, by a

co-ordinated programme of planning, capital works and implementation and enforcement of legislative controls, including the newly enacted Water Pollution Control Regulations which will be published in this week's Government Gazette. This will require the development of a new overall strategy and this task will be undertaken by the recently-established Environmental Protection Department.

Floating refuse is also a source of pollution in the harbour but it presents a separate problem. In addition to the regular harbour cleansing activities of the Marine Department, which include refuse scavenging by specialised vessels and the collection of refuse from ocean-going vessels and typhoon shelters, other improvements to reduce refuse from land sources are being put in hand following the recommendations of the Working Group on Floating Refuse which was endorsed by the Environmental Pollution Advisory Committee. These measures include improvements of sumps, grids and gullies to intercept refuse, improved cleansing of squatter areas to reduce the amount of refuse entering the open nullahs, the installation of a mechanical screen in the Kai Tak Nullah, and better cleansing of public cargo handling areas.

Use of flexitime and staggered working hours to ease traffic congestion

11. MR. POON CHI-FAI asked: *Since one of the main causes of morning traffic congestion is that most people go to work or school within the same short span of time, will Government inform this Council:*

- (a) whether the authorities concerned have encouraged and assisted schools in areas where many schools are located (such as Oxford Road in Kowloon) to systematically stagger their school hours;*
- (b) whether Government has any concrete plans to encourage private firms and factories to adopt the flexitime system; and*
- (c) which Government departments have adopted the flexitime system; what criteria were used to formulate the system; and whether the system has caused inconvenience to civil servants or the public?*

SECRETARY FOR TRANSPORT: Sir, whilst the Government encourages the use of flexitime and staggered working hours, there are no plans to introduce legislation or to direct the adoption of such systems.

In respect of schools, there is no official prescription of individual schools operating times. However, in areas where many schools are located, it is customary for schools to stagger their operating hours to avoid traffic congestion. There are certain limitations in the staggering of school hours. Primary schools which operate bisessionally have to start between 7.45 am and 8.00 am to allow the afternoon session to end at about 6.00 pm so that students of the afternoon session do not have to finish school too late in the day.

The operating hours of the majority of the secondary schools are already different from those of primary schools. They normally start between 8.15 am and 8.45 am and finish between 3.30 pm and 4.00 pm. It is undesirable for them

to start any later than 8.45 am, as it would then be necessary to curtail the time given to extra-curricular activities after school.

As regards private firms and factories, the Government holds the view that it should be for the individual managements to decide whether flexitime and staggered working hours should be adopted in the light of their commercial needs; it is of course a fact that many factories operate on a shift basis which in itself is a form of staggered working hours.

In the Civil Service, heads of Government departments or organisations have the authority to determine the working hour system best suited to their operational needs and may operate some form of flexitime or staggered hours. Nevertheless, they must ensure that the efficiency of their departments or organisations and the quality of service to the public are not adversely affected and that the conditioned hours of work of the staff are not reduced. Thirty departments and organisations (list attached) now operate some form of flexitime or staggered hours for all or part of their staff. No problem to the staff or the public has arisen.

APPENDIX

(a) *Government departments/organisations in which flexitime or staggered hours apply to all staff*

Buildings and Lands Department

Civil Aviation Department

Civil Service Training Centre

Census and Statistics Department

Environmental Protection Department

Industry Department

Inland Revenue Department

Rating and Valuation Department

Secretariat of the Standing Commission on Civil Service Salaries and Conditions of Service

Territory Development Department

University and Polytechnic Grants Committee

(b) *Government departments/organisations in which flexitime or staggered hours apply to some staff*

Architectural Services Department

City and New Territories Administration

Education Department

Fire Services Department

Government Laboratory

Government Land Transport Agency

Government Secretariat

Housing Department

Information Services Department
Judiciary
Labour Department
Legal Aid Department
Legal Department
Marine Department
Royal Hong Kong Police Force
Regional Services Department
Social Welfare Department
Transport Department
Urban Services Department

Lawyers in Hong Kong

12. DR. LAM asked: *Will Government inform this Council whether there is a problem of shortage of practising lawyers in Hong Kong, and if so:*

- (a) *how severe this shortage is;*
- (b) *whether the shortage is in the private or the public sector, or both;*
- (c) *whether the shortage is an overall one covering all legal fields or confined to a few areas only;*
- (d) *how this shortage of lawyers has affected the public in terms of*
 - (i) *the availability of legal services in the territory; and*
 - (ii) *the cost of such services; and*
- (e) *what steps Government will take to improve the situation?*

ATTORNEY GENERAL: Sir, it is not easy to state whether there is a shortage of practising lawyers in Hong Kong. In recent years, there has been a substantial rise in the business of the courts, the property sector and the commercial activity of Hong Kong. But there has also been a consistent rise in the number of barristers (currently 277 in private practice compared with 93 in 1976) and solicitors (currently 1 518 in private practice compared with 374 in 1976). My own judgment—which some may dispute—is that there are still too few practising lawyers in Hong Kong—and particularly lawyers of experience.

A crude comparison with other jurisdictions tends to bear this out. The total number of barristers and solicitors in private practice in Hong Kong is approximately 33 per 100 000 of the population, compared with 50 in Singapore, 90 in the United Kingdom and 140 in New Zealand. Such raw comparisons cannot, of course, take into account differences in legislation, living standards, the legal systems generally or the propensity and financial ability of citizens of different cultures to engage lawyers. They do, however, serve to demonstrate that the population of Hong Kong does not have available to it the same number of lawyers proportionally as people living under comparable legal systems. The fact that fees for legal services in Hong Kong tend to be higher than in many other legal systems may also be evidence of a shortage of lawyers to meet the demand—but it may well be that the incomes of other professionals and businessmen here may similarly be higher.

In answer to the specific points raised by Dr. LAM:

- (a) I would need much more information than is publicly available to measure the extent of the shortage.
- (b) Market forces will tend to prevent a shortage of lawyers being confined to either the private or public sector. There is, however, an imbalance in these sectors as between local lawyers and overseas lawyers, and I also believe that Hong Kong, as a whole, is still too heavily dependent upon overseas lawyers for its solicitors (about 30 per cent), its barristers (about 45 per cent), for Government services overall (about 65 per cent) and the Bench (about 75 per cent).
- (c) The impression I have from contacts with practising members of the profession is that Hong Kong lacks sufficient experienced practitioners in some highly specialised fields. This explains in part the present need for overseas lawyers in both the private and public sectors in Hong Kong. A further result is that a substantial amount of heavy work is referred to legal specialists in London in the interests of both expertise and speed.
- (d) If it is true that there is a shortage of practising lawyers in Hong Kong, it necessarily follows that legal services will not be as widely or readily available here as people might wish. That the shortage of local practising lawyers has led to the influx of a large number of overseas lawyers cannot be doubted. Whether a shortage of practising lawyers has also led to the cost of legal services being higher than it otherwise would be is less certain. Increased competition between a greater number of practising lawyers might well lead to a reduction in such cost.
- (e) The best solution to the shortage of lawyers practising in Hong Kong is to enable more talented, bilingual Hong Kong students to take up the law as a career. As Hong Kong develops, I foresee the need to foster wider access to professional legal assistance, to maintain a strong and independent bar and, in particular, to encourage local lawyers to enter Government service. I regret that it has not been possible to increase the throughput for the Hong Kong University Bachelor of Laws course beyond 115. It is hoped to increase this figure to 150 by 1988-89. Expansion of the University's postgraduate course for the holders of law degrees, the PCLL, perhaps provides the quickest option for increasing the number of new lawyers in Hong Kong. Overseas law graduates can gain local admission to practise through the PCLL. The current annual intake will need to be expanded substantially if Hong Kong is both to increase the overall number of lawyers and reduce its dependence on overseas lawyers. It is encouraging that interest has been expressed recently by other academic institutions in offering law courses. Expansion of the existing LLB and PCLL courses and the introduction of new courses must be considered in competition with other public expenditure priorities. But, in my view, the need for more locally trained lawyers should receive high priority and the Government will continue to work to that end.

Air-conditioning in Government hospitals and clinics

13. DR. CHIU asked: *Will the Government inform this Council:*

- (a) *what is the total number of Government hospitals and out-patient clinics which are provided with air-conditioning; and*
- (b) *whether the Government has any plans to provide air-conditioning to those hospitals and clinics which do not have such provision at present?*

SECRETARY FOR HEALTH AND WELFARE: Sir, at present central air-conditioning is provided in the Kwai Chung and Prince of Wales Hospitals as they are new hospitals designed with such facilities. Other hospitals, although not centrally air-conditioned have air conditioning in substantial areas of the hospital including intensive care units, accident and emergency departments, operating theatres, pharmacies, treatment rooms, burns units, neurosurgical wards and most of the children's and maternity wards.

Of Government clinics, only Li Ka Shing Specialist Clinic, Anne Black Health Centre and Shun Tak Fraternal Association Leung Kau Kui Clinic are provided with central air-conditioning. However, most consulting rooms, treatment rooms and dispensaries in other clinics are air-conditioned.

It is the intention to provide central air-conditioning in all new Government hospitals, including the Tuen Mun and Shau Kei Wan District Hospitals which are now under construction. The opportunity will be taken to provide central air-conditioning in older hospitals when these undergo major improvement and extension works, as in the case of the Queen Mary, Queen Elizabeth, Tsan Yuk, Tang Shiu Kin and Princess Margaret Hospitals. It is, however, not the present policy to provide central air-conditioning to entire clinic premises unless there are special circumstances.

Advertisements for films

14. MR. LEE YU-TAI asked: *Will the Government make a statement on a recent incident in which public concern was expressed over advertisements placed in MTR stations purporting that one in every 20 persons is a lunatic, and inform this Council:*

- (a) *whether or not it is satisfied with the existing guidelines employed by censors under the Places of Public Entertainment Ordinance (Cap. 172) to approve or refuse for publication advertisements and posters and so on to be used for the purpose of advertising a film and if not, whether it proposes to review the guidelines;*
- (b) *what measures it will take to ensure that advertisements refused by the censors for publication do not appear in the stations; and*
- (c) *does it propose to review the effectiveness of penalties against offences in (b) above?*

CHIEF SECRETARY: Sir, the advertisement in question was displayed without the Film Censorship Authority's approval as required under section 5 of the Places of Public Entertainment Ordinance.

The film distributor submitted this advertisement to the authority for approval on Saturday, 24 May 1986 and arranged for its display at MTR stations without authority.

On the following Monday, 26 May 1986, the censor disapproved the advertising material on the ground that it was in bad taste and unnecessarily alarmist. The film distributor was informed of this ruling and was required to remove the advertisement immediately from public display. Enquiries have since been initiated with a view to taking out prosecution against the party or parties concerned for breach of section 5 of Chapter 172.

The existing guidelines for censoring films and related advertising materials are contained in a guidance note published by the Film Censorship Authority. The present guidelines are based on three basic principles, namely—

- (a) ordinary good taste and common sense;
- (b) respect for the opinions of the public; and
- (c) respect for law and social institutions.

The note further lists the criteria on which a film or its related advertising material may be disapproved. The existing censorship guidelines and standards have worked satisfactorily. They will be reviewed as part of the exercise to introduce the film classification system.

On this particular occasion, the Mass Transit Railway Corporation has allowed the advertisement in question to be put on display at its stations without checking whether the material has obtained the approval of the Film Censorship Authority. The corporation has since been reminded of the provisions under Chapter 172 and has subsequently undertaken not to display any film advertising material which does not bear the authority's official mark. The authority will continue to keep a close watch over the display of film advertising materials.

As regards penalties for this type of offence, section 5 of Chapter 172 provides for a maximum fine of \$10,000 and imprisonment for six months on summary conviction. Consideration is being given to increasing the penalties in the context of the proposed Film Censorship Bill.

Government Business

First Reading of Bills

OATHS AND DECLARATIONS (AMENDMENT) BILL 1986

INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) (NO.2) BILL 1986

PRISONS (AMENDMENT) BILL 1986**EMPLOYEES COMPENSATION (AMENDMENT) BILL 1986****ROAD TRAFFIC (AMENDMENT) (NO. 2) BILL 1986****ROAD TRAFFIC (DRIVING-OFFENCE POINTS) (AMENDMENT) BILL 1986**

Bills read the First time and ordered to be set down for Second Reading pursuant to Standing Order 41(3).

Second Reading of Bills**OATHS AND DECLARATIONS (AMENDMENT) BILL 1986**

THE CHIEF SECRETARY moved the Second Reading of: 'A Bill to amend the Oaths and Declarations Ordinance'.

He said: Sir, I move that the Oaths and Declarations (Amendment) Bill 1986 be read the Second time.

One year ago, this Council enacted a Bill which introduced the new Legislative Council Oath as an alternative for Members of the Legislative Council who did not wish to swear the Oath of Allegiance on first joining the Council. The purpose of that Bill was to ensure as wide a field of candidates as possible for election or appointment to the Legislative Council.

The Bill now before the Council has been conceived with the similar purpose of widening the field of candidates for appointment to the Executive Council by removing the mandatory requirement to take the Oath of Allegiance. It provides in clause 2 for an alternative form of oath known as the Executive Council Oath. This is substantially the same as the Legislative Council Oath. Clause 3 of the Bill provides that in addition to taking the Oath of Fidelity a Member may take either the Oath of Allegiance *or* the new Executive Council Oath.

No change is envisaged to that part of the Ordinance which provides that an affirmation is permitted in lieu of the religious oath.

Sir, I beg to move.

MR. CHAN KAM-CHUEN: Sir, you may recall that when the Oaths and Declarations (Amendment) Bill 1985 was debated in this Council in May 1985, I abstained from voting on the Bill. The reasons for my abstention were set out in my speech delivered in this Council on 15 May 1985.

As matter of principle, I shall also abstain from voting on the Oaths and Declarations (Amendment) Bill 1986 for future Members of the Executive Council.

MR. CHEONG-LEEN: I support this Bill which is in keeping with the changing times in which we in Hong Kong now live.

From a pragmatic point of view, the Governor will be able to cast the net wider and appoint Executive Council Members who, while willing to serve, may not want to swear allegiance to the Queen for different reasons.

No doubt in the case of any such appointment, the uppermost consideration in the Governor's mind could be the overall contribution such individual would make during the transition period towards Hong Kong's stability and prosperity and the strengthening of public confidence in Hong Kong's future.

As we move more into the transition period and further towards the end of the British colonial era, the burden of responsibility of the person taking the alternative form of oath will be even more onerous.

He or she will have sworn to serve the people of Hong Kong—all 5.5 million of them—conscientiously and truly—that should be the acid test, particularly if he or she were an elected Member of this Council.

But above all, his or her supreme responsibility will lie in nurturing and preserving—by word and by deed—Hong Kong's stability and prosperity and a Hong Kong-style way of life in accordance with the Joint Declaration.

Such unswerving commitment is absolutely essential on the part of Executive Councillors to enable Hong Kong to progress to wards a smooth transition from British to Chinese sovereignty by 1997, and the building up of Hong Kong as China's permanent open gateway to the international community in the pursuit of her historic modernisation programme and revitalisation of her 5 000-year civilisation.

CHIEF SECRETARY: Sir, I am grateful to Mr. CHEONG-LEEN for his support for the Bill and I naturally respect the views of Mr. CHAN. As Mr. CHEONG-LEEN has said, this Bill is a practical measure and for the reasons which I have given earlier, I trust that Members will support it.

Question put and agree to.

Bill read the Second time.

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

INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) (NO. 2) BILL 1986

THE CHIEF SECRETARY moved the Second Reading of: 'A Bill to amend the Interpretation and General Clauses Ordinance'.

He said: Sir, I move that the Interpretation and General Clauses (Amendment) (No. 2) Bill 1986 be read a Second time.

This Bill seeks to amend section 34 of the Interpretation and General Clauses Ordinance (Chapter 1) so as to provide greater flexibility in the procedures whereby this Council may intervene to amend subsidiary legislation.

Section 34 of the Ordinance presently provides that subsidiary legislation be laid on the table of this Council, which may, at the first sitting of the Council held not less than 27 days after the legislation is laid, by resolution amend such legislation. This procedure, which provides one opportunity only to amend, occurring at a fixed point in time, has been found to be unduly rigid in practice. At one extreme a one-month period in which to respond to public comments and devise amendments may be insufficient. At the other extreme some subsidiary legislation, may have taken effect and achieved its purpose long before there is an opportunity to amend it. This Bill addresses this problem by providing that this Council may, by resolution, at a sitting held at any time *within* 28 days of it being laid amend subsidiary legislation, and, if more time, is desired, that the Council may extend this period by a further period not exceeding 21 days. The net effect therefore is to provide opportunities to amend within 49 days of laying.

Sir, the Administration is grateful to a group of Members chaired by Miss Maria TAM which has proposed this very sensible adjustment of our procedures.

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.

Question put and agreed to.

PRISONS (AMENDMENT) BILL 1986

THE ATTORNEY GENERAL moved the Second Reading of: 'A Bill to amend the Prisons Ordinance.'

He said: Sir, I move that the Prisons (Amendment) Bill 1986 be read a Second time.

The Bill makes provision for the more efficient administration of the existing Prisoners' Welfare Donation Fund.

At present prisoners' welfare donations are administered under a cumbersome and inefficient system. Donations are credited to a deposit account held by the Director of Accounting Services but disbursements are charged to an expenditure account under the Correctional Services Department Head of Expenditure. Each month a sum equivalent to that which has been disbursed from the expenditure subhead has to be transferred from the deposit account to the general revenue.

Apart from administrative inconvenience, a further drawback of the present system is that the existing Prisoners' Welfare Donation Fund does not receive the benefit of any interest that may be paid on the balance held in the account because under the Public Finance Ordinance any interest received on the deposit forms part of the general revenue.

The present proposal is to establish a statutory Prisoners' Welfare Fund that would be administered in line with the Correctional Services Department Welfare Fund. Moneys due to the Prisoners' Welfare Fund would be paid to the Director of Accounting Services who would credit them to an account entitled 'Deposits—Prisoners' Welfare Fund'. The fund would be managed by the Commissioner of Correctional Services subject to rules made by the Governor in Council. Disbursements would be charged directly to the account and funds which are surplus to requirements would be free to earn interest.

The existing fund, Members might like to know, is used mainly to provide decorations and prizes awarded in prisoners' competitions, refreshments for marching bands and teams, and educational course fees and examination fees for prisoners. It is not anticipated that there will be any major changes in the present pattern of expenditure but the legislation has been drafted to allow for similar disbursements for the benefit of prisoners.

Sir, I move that this debate be now adjourned.

Motion made. That the debate on the Second Reading of the Bill be adjourned.

Question put and agreed to.

EMPLOYEES' COMPENSATION (AMENDMENT) BILL 1986

THE SECRETARY FOR EDUCATION AND MANPOWER moved the Second Reading of: 'A Bill to amend the Employees' Compensation Ordinance'.

He said: Sir, I rise to move that the Employees' Compensation (Amendment) Bill 1986 be read a Second time.

Section 17B(1) of the Employees' Compensation Ordinance empowers the court to cancel a compensation agreement between an employee and his

employer where it was entered into in ignorance of, or under a mistake as to, the true nature of the employee's injury. The intention of this section is to give the employee the opportunity to claim further compensation if more accurate information becomes available as to the effect of the injury.

It was intended that a mistaken assessment of the extent, as well as the nature, of an injury should be a ground for cancellation of an agreement. In a recent employees' compensation case, however, the court rejected an application for cancellation of an agreement where the extent of the employee's injury was subsequently found to have been mistakenly assessed. The court held that the expression 'true nature' denoted only the quality of the injury, and not its extent.

The Bill therefore seeks to amend section 17B(1) to make it clear that a mistaken assessment of the extent of an injury is a ground for cancellation of an agreement, and makes necessary consequential amendments to other sections of the Ordinance. The proposed amendments have been endorsed by the Labour Advisory Board.

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.

Question put and agreed to.

ROAD TRAFFIC (AMENDMENT) (NO. 2) BILL 1986

THE SECRETARY FOR TRANSPORT moved the Second Reading of: 'A Bill to amend the Road Traffic Ordinance'.

He said: Sir, I move the Second Reading of the Road Traffic (Amendment) (No. 2) Bill 1986.

The object of this Bill is to amend the legal and administrative framework for dealing with speeding offences. The amendments arise from a review undertaken as a result of criticism from the public and the Judiciary that there are inconsistencies in the penalties attached to speeding offences. In particular, there are differences in the criteria for disqualification from driving under the Road Traffic Ordinance and the Road Traffic (Driving-offence Points) Ordinance.

A number of changes to existing legislation with regard to speeding offences are proposed. First, the provision for mandatory disqualification for speeding offences under the Road Traffic Ordinance will be repealed. Disqualification will normally only result from the accumulation of points under the driving-offence points system. However, the court will retain its discretionary power to order disqualification for a speeding offence under the Road Traffic Ordinance.

Secondly, a disqualification, when ordered, will be in respect of all types of driving licence. However, an exception currently exists and will continue to exist in the case of a taxi driver convicted of an offence in relation to the obligations of a taxi driver or prescribed taxi fares, since these are non-driving offences.

Thirdly, the provision under the Road Traffic Ordinance for mandatory retests after disqualification will be repealed, although the court will have discretionary power to order a retest following disqualification in cases where it considers that an offender's competence to drive is in doubt.

Fourthly, a new escalating system of driving-offence points will be introduced under the Road Traffic (Driving-offence Points) (Amendment) Bill 1986. The new driving-offence points system will ensure that excessive and persistent offenders proceed rapidly to disqualification by the accumulation of 15 or more driving-offence points within two years.

Very serious cases of speeding will continue to be dealt with by summonses and court proceedings under the Road Traffic Ordinance, and the discretionary power of the court to order disqualification and retest will provide sufficient means against such cases. The Road Traffic Ordinance will also have to be used in special circumstances where the fixed penalty system cannot be applied, such as when a speeding offender cannot be stopped and issued with a fixed penalty notice. In these exceptional cases, offenders will build up a record towards disqualification under the driving-offence points system and not, as at present, on the basis of the number of convictions under the Road Traffic 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.

Question put and agreed to.

ROAD TRAFFIC (DRIVING-OFFENCE POINTS) (AMENDMENT) BILL 1986

THE SECRETARY FOR TRANSPORT moved the Second Reading of: 'A Bill to amend the Road Traffic (Driving-offence Points) Ordinance'.

He said: Sir, I move the Second Reading of the Road Traffic (Driving-offence Points) (Amendment) Bill 1986.

As I mentioned just now when moving the Second Reading of the Road Traffic (Amendment) (No. 2) Bill 1986, a review was undertaken on the legal and administrative framework for dealing with speeding offences. As a result of this review, a new escalating system of driving-offence points is proposed, and the object of the Road Traffic (Driving-offence Points) (Amendment) Bill 1986 is to introduce such a system.

Under the new driving-offence points system, a driver will incur more points the greater the margin by which he exceeds the speed limit. The rate at which points will be awarded will be: three points for exceeding the limit by more than 15 kph, five points for exceeding the limit by more than 30 kph and eight points for exceeding the limit by more than 45 kph. In each case the fixed penalty for the offence will remain the same at \$200.

Since under the new system, a driver who has already incurred eight points would proceed to disqualification upon committing an offence involving speeding in excess of 45 kph, section 7(1) of the principal Ordinance is amended to provide for the Commissioner for Transport to notify a driver who has incurred eight or more driving-offence points of the number of points he has incurred and the consequences of incurring 15 or more points in two years.

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.

Question put and agreed to.

CIVIL AVIATION (AIRCRAFT NOISE) BILL 1986

Resumption of debate on Second Reading (4 June 1986)

MR. CHEONG-LEEN: Sir, this Bill—in a way—is long overdue.

I say 'in a way' because for a number of years already, the Director of Civil Aviation has been imposing operational controls somewhat along the lines indicated in the draft Bill.

Because of the extension to British Dependant Territories of Annex 16 to the Convention on International Civil Aviation, it is now desirable that such operational controls be legislated into law.

The Bill is long overdue because anything and everything that can be done in every reasonable way to mitigate the nuisances caused day and night by the noise and vibration of aircraft and aircraft engines will be more than welcome by the some 2 million people who live within the vicinity of Hong Kong International Airport.

Noise nuisance is today one of Hong Kong's biggest, all pervasive and most serious environmental problems.

I recall about 10 years ago when I was then an appointed Member of this Council, I had occasion to visit several schools in the Kowloon City area. The psychological shock of seeing entire classrooms of students remaining frozen doing absolutely nothing until the aircraft passed overhead and the window-

panes stopped their shattering noisy rattle has left a vivid impact that cannot be erased. The early phasing out of the older and noisy types of aircraft for use at our airport is therefore a step in the right direction towards improving Hong Kong's living environment.

The regulations derived from the powers to be given under this Bill will have to be properly drawn up and should not be the minimum possible, but should instead seek to impose in a practicable way the highest level of standards and guidelines controlling the emission of noise by all aircraft operating in and out of Hong Kong, which presumably will include helicopter noise and vibration as well.

The Bill and accompanying regulations should no doubt be phased so as to give adequate notice to both local and foreign airline companies—on an equal basis—commencing some date as early as practicable after 31 December 1987.

Sir, I support the motion.

DR. TSE (in Cantonese): Sir, as an elected member of Kowloon City District, I warmly hail the spirit behind this Bill.

As a modern international city, it is only natural for Hong Kong to adopt internationally recognised standards of control over civil aircraft noise by way of legislation. It is more important to note that the airport in Hong Kong is closest to the urban area amongst major international airports. There are certainly more than a million residents being directly and seriously affected by the noise from the landing and taking off of airplanes. It is not an exaggeration to say that those being affected, especially residents of Kowloon City District, are living daily under the shadow and vibrations of the 'big wings of the iron bird'. Of course, we, like citizens in other districts, wish to live in a safer and more peaceful environment. Yet in the interest and need of Hong Kong as a whole, residents of Kowloon City District have generously and bravely borne with such nuisance and threat over the years. Every time an airplane passes by right over our heads, shortly before landing or after taking off, we have to put aside our work and salute it by 'covering our ears'. We all hope fervently that one day the Hong Kong International Airport can move to a more appropriate location. Before our wish comes true, however, it is most urgent that we enhance our vigilance over safety and step up noise control. I understand that if this Bill is passed today, Government will enact a comprehensive set of subsidiary legislation to fully effect the spirit of the Bill. Therefore, Sir, I have pleasure in supporting this Bill.

FINANCIAL SECRETARY: Sir, I am grateful to Mr. Hilton CHEONG-LEEN and to Dr. Daniel TSE for their support for this useful measure.

Mr. CHEONG-LEEN has urged that the regulations to be made in due course should be drawn up and should not be the minimum possible but should instead seek to impose in a practicable way the highest level of standards and guidelines

controlling the emission of noise by all aircraft. The operative word, Sir, I think, is 'practicable'. I certainly can confirm to this Council that in proposing regulations we shall do our best to ensure that those regulations are indeed practicable.

Mr. CHEONG-LEEN has also referred to helicopters. Annex 16 to the convention does cover civil helicopters, and it is possible under the proposed legislation to provide for noise certification for such helicopters. At the moment, Sir, we have no intention of doing so for this reason. There are at present no more than six such helicopters in Hong Kong. Because they are single-engine helicopters, the requirement is for them to fly as far as possible over water and not built-up areas. In addition, Sir, there are requirements that in general there should be no night operations by helicopters, so we feel the noise impact should be minimal.

Sir, some of the regulations that will be made, as Mr. Hilton CHEONG-LEEN has pointed out, will merely put into legislative form requirements that have already been imposed by the Director of Civil Aviation by administrative arrangement.

Sir, I should mention that I believe Members of this Council have received a letter in which it is suggested that the application of noise certification requirements to foreign aircraft at a later date than to local aircraft is, in fact, unfair to Hong Kong airlines since the latter would thereby be placed at a commercial disadvantage. Again, Sir, Mr. Hilton CHEONG-LEEN has touched upon this point. I might add, Sir, that representations by another Member of this Council have also been received by the Secretary General of UMELCO. The Government has considered a phased introduction of the noise certification requirements appropriate for a number of reasons. First, the International Civil Aviation Organisation recommended that such a pattern be followed; second, we would be in step with other governments who have accepted that recommendation and acted upon it; and lastly, there really is no practical problem in so far as Hong Kong airlines are concerned. The aircraft of our two operating airlines would meet the noise certification requirements of the legislation. However, Sir, in the light of the views expressed by Mr. CHEONG-LEEN, I am prepared to reconsider the question of the implementation of the noise certification provisions in a phased manner. Of course, this will not require any amendment to the Bill.

Lastly, Sir, Dr. Daniel TSE has referred to the possibility of a replacement airport and he said that he hopes fervently that one day the Hong Kong International Airport can move to a more appropriate location. My predecessor said in this Council on 22 January 1986 in answer to a question raised by Mr. S. L. CHEN that the Government was not actively planning for the construction of a replacement airport. Members will recollect, Sir, that a project was shelved some years ago. Like any good housekeeper, we occasionally take that project down from the shelf and dust it. But when we do so, we ask ourselves,—again like any good housekeeper—do we need it, and can we afford it?

Sir, I beg to move.

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).

FIRE SERVICES (AMENDMENT) (NO. 2) BILL 1986

Resumption of debate on Second Reading (4 June 1986)

MR. CHEONG-LEEN: Sir, in principle, there should be no objection to the Fire Services Department charging a reasonable fee to cover all or most of the costs to Government of the examination, inspection and registration procedures in connection with the registration of fire service installation contractors.

However, the proposed clause 2 also inserts a general charging provision for other services not specifically mentioned. I do hope that the Fire Services Department will not consider this as blanket authority to come up with a string of existing or new services for which it would wish to impose new schedules of fees, and which in the process might discourage or dampen public co-operation in fire prevention or fire precaution measures.

Sir, subject to this remark, I support the Bill.

ATTORNEY GENERAL: Sir, I wish to thank Mr. CHEONG-LEEN for his support for this Bill. I also wish to assure him that, there is no plan to charge for any services presently provided by the Fire Services Department, apart from the examination, inspection and registration procedures for fire service installation contractors which I explained when moving the Second Reading of this Bill. If any new service is provided, I can assure hon. Members that the Director of Fire Services and the policy branch concerned would not propose the introduction of charges without considering the question fully and carefully with Mr. CHEONG-LEEN'S points very much in mind.

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).

PUBLIC HOLIDAY (ROYAL VISIT) BILL 1986

Resumption of debate on Second Reading (4 June 1986)

Question put and agreed to.

Bill read the Second time.

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

Committee stage of Bills

Council went into Committee

OATHS AND DECLARATIONS (AMENDMENT) BILL 1986

Clauses 1 to 5 were agreed to.

CIVIL AVIATION (AIRCRAFT NOISE) BILL 1986

Clauses 1 to 11 were agreed to.

FIRE SERVICES (AMENDMENT) (NO. 2) BILL 1986

Clauses 1 and 2 were agreed to.

PUBLIC HOLIDAY (ROYAL VISIT) BILL 1986

Clauses 1 and 2 were agreed to.

Council then resumed.

Third Reading of Bills

THE ATTORNEY GENERAL reported that the

OATHS AND DECLARATIONS (AMENDMENT) BILL 1986

CIVIL AVIATION (AIRCRAFT NOISE) BILL 1986

FIRE SERVICES (AMENDMENT) (NO. 2) BILL 1986 and the
PUBLIC HOLIDAY (ROYAL VISIT) BILL 1986

had passed through Committee without amendment and moved the Third Reading of the Bills.

Question put on the Bills and agreed to.

Bills read the Third time and passed.

Unofficial Member's Bill

First Reading of Bill

COMMUNITY CHEST OF HONG KONG (AMENDMENT) BILL 1986

Bill read the First time and ordered to be set down for Second Reading pursuant to Standing Order 41(3).

Second Reading of Bill

COMMUNITY CHEST OF HONG KONG (AMENDMENT) BILL 1986

MR. HUI moved the Second Reading of: 'A Bill to amend the Community Chest of Hong Kong Ordinance.'

He said: Sir, I rise to move the Second Reading of the Community Chest of Hong Kong (Amendment) Bill 1986.

This Bill proposes two small amendments. The first relates to the investment of funds held by the Community Chest. The original Ordinance gives a very wide discretion to the board to invest moneys and put moneys on deposits in banks. At the time the board was established there were no such things as deposit-taking companies. The board wishes to be able to put moneys on deposit in deposit-taking companies and this would be consistent with the freedom given to the board to manage these funds.

The security of the funds depends fundamentally on the probity of the board members. The board has always been fortunate in securing the services of some of the most eminent men and women in the community. This tradition has been maintained at the recent annual general meeting on Monday, 23 June 1986, when Lady Youde was elected President of a distinguished board for the Chest.

The second group of amendments relates only to updating the terminology of references to Hong Kong.

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.

Question put and agreed to.

Valedictory to Mr. I.F.C. MACPHERSON

HIS EXCELLENCY THE PRESIDENT: Hon. Members, this is the last sitting which Mr. MACPHERSON will attend as a Member of this Council. He leaves following three years membership of the Council.

Mr. MACPHERSON'S career has embraced posts in the Government Secretariat, the former Commerce and Industry Department, the New Territories Administration, the Transport Department, and of course the Assessment Office. Members will hardly need reminding that it was Mr. MACPHERSON'S industry, dedication, objectivity and leadership which led to the exemplary report on the assessment of public opinion on the draft agreement on the future of Hong Kong.

During his tenure as Secretary for Transport, Mr. MACPHERSON'S leadership and quiet resolve have again been evident in his masterminding of that formidably complex undertaking, the Eastern Harbour Crossing project. Nor is his success confined to these projects.

Although Mr. MACPHERSON is retiring from this Council, he is not leaving the Hong Kong public service; we will continue to have the benefit of his energy, wide experience and knowledge in his new appointment as Secretary of the Planning Committee for the third university. While we cannot as yet wish him a happy retirement, Members will no doubt join me in wishing him much success in this new appointment and in thanking him most warmly for his contribution to the work of the Council.

MISS DUNN: Sir, on behalf of my colleagues in this Council, I join you, Sir, in expressing gratitude to Mr. MACPHERSON for his service as Secretary for Transport.

We all appreciate Mr. MACPHERSON'S dedication and hard work in this Council and his patience and unfailing courtesy in answering our questions raised inside and outside this Council. As Secretary for Transport, he has been responsible for the enactment of several important bills, including recently the Road Traffic (Amendment) Bill 1985 to enable inspections to be carried out on private vehicles, and the Road Traffic (Amendment) Bill 1986 to provide some control over the village vehicles. Just this afternoon, he has initiated the Road Traffic (Amendment) (No. 2) Bill 1986, and the Road Traffic (Driving-offence Points) (Amendment) Bill 1986 which, if passed, will provide a much needed remedy to

the inconsistencies of the existing Ordinances. His distinguished career in the Civil Service, and in particular, his important work as Commissioner of the Assessment Office will be remembered by us all.

He moves on to another important position as the Secretary of the Planning Committee for our third university. We all wish him every success.

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT: In accordance with Standing Orders I now adjourn the Council until 2.30 pm on Wednesday, 2 July 1986.

Adjourned accordingly at Four clock.

Note: The short titles of the bills listed in the Hansard 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 Secretary for Education and Manpower to Mr. SZETO'S supplementary question to Question 1.

Optimising the Use of Vacant Primary School Buildings

(A) Convert to secondary schools

In 1977, a total of 16 Government primary schools were converted to 14 secondary school (six Government and eight aided). (Appendix 1).

(B) Convert to secondary school annex

Name of Former Primary School *Name of Annex*

- | | |
|--|---|
| 1. Eastern Hospital Road Government Primary School | Annex to Ho Tung Technical School for girls |
| 2. Buddhist To Chi Fat Sha Cheung Chuk Shan No. 2 Primary School | Annex to Hebron English College |

(C) Convert to ESF School

In 1975, the Tai Hang Tung Government Primary School was converted to Boundary Junior School.

(D) Convert to educational centres

Nine educational centres had been or are being converted from disused government primary schools. (Appendix 2).

(E) Convert to other educational uses

Name of Former Primary School *Current Use*

- | | |
|--|--|
| 1. San Po Kong Government Primary School | Hong Kong Examination Authority Office |
| 2. Morrison Hill Government Primary School | Technical Teachers' College |

WRITTEN ANSWERS—Cont'd**(F) Convert to Special Schools***Name of Former Primary School Current Use*

- | | | |
|----|---|--|
| 1. | Sha Tin Public School | School for the mildly mentally handicapped |
| 2. | Jockey Club Government Primary School | School for the moderately mentally handicapped |
| 3. | H.K. & Kowloon Joint Kaifong No. 1 Primary School | School for the moderately mentally handicapped |
| 4. | Tsz Wan Shan Rhenish Church Primary School | School for the moderately mentally handicapped |
| 5. | Chi Yun School | School for the severely mentally handicapped |

APPENDIX 1**Conversion of Government Primary Schools into Secondary Schools**

<i>No.</i>	<i>Name of Former Government Primary School</i>	<i>Name of Existing Secondary School</i>	<i>Status</i>
1	Kennedy Town Government Primary School	Kennedy Town Government Secondary School	Govt.
2	Helen Liang Memorial Primary School	Helen Liang Memorial Secondary School	Govt.
3	Yu To Sang Memorial Primary School	Yu To Sang Memorial Secondary School	Govt.
4	Sir Ellis Kadorie Primary School Sai Yai Pun Government Primary School	Sir Ellis Kadorie Secondary School	Govt.
5	Cheung Sha Wan Government Primary School	Cheung Sha Wan Government Secondary School	Govt.

WRITTEN ANSWERS—Cont'd

<i>No.</i>	<i>Name of Former Government Primary School</i>	<i>Name of Existing Secondary School</i>	<i>Status</i>
6	Tin Kwong Road Government Primary School	Tin Kwong Road Government Secondary School	Govt.
7	Chai Wan Government Primary School	HK Red Swastika Society Chai Wan Secondary School	Aided
8	Fortress Hill Government School	Methodist Church Wesley College	Aided
9	Hill Road Government Primary School	Buddhist Chi Hong College	Aided
10	Hollywood Road Government Primary School	Tung Wah Group of Hospital Wong Fung Ling College	Aided
11	Sycamore Street Government Primary School	Po Leung Kuk Wu Chung College	Aided
12	So Uk South Government Primary School So Uk North Government Primary School	Yen Ching College	Aided
13	Fuk Wah Government Primary School	Gertrude Simon Lutheran College	Aided
14	Shek Kip Mei Government Primary School	St. Francis of Assissi College	Aided

APPENDIX 2

<i>No.</i>	<i>Name of Centre</i>	<i>Name of Government Former Primary School</i>	<i>Remarks</i>
1	Perth Street Special Education Services Centre	Perth Street Government Primary School	Completed
2	Lui Kee Education Services Centre	Lui Kee Government Primary School	Completed

WRITTEN ANSWERS—Cont'd

<i>No.</i>	<i>Name of Centre</i>	<i>Name of Government Former Primary School</i>	<i>Remarks</i>
3	Wood Road Special Education Services Centre	Jockey Club Government Primary School	Completed
4	Science Teaching Centre	Tanner Road Government Primary School	Completed
5	Social Subjects Teaching Centre		
6	Civic Education Resource Centre		
7	Cultural Crafts Centre		
8	Practical Education Centre cum Technical Teaching Centre	Lok Fu Government Primary School	Conversion work in hand
9	Computer Education Centre	Kowloon Docks Memorial School	Conversion work in hand

Annex II**Written answer by the Secretary for Health and Welfare to Mr. HUI'S supplementary question to Question 2.**

The cases which are regarded as urgent include high fever, asthmatic attacks, abdominal pain and injuries. They account for approximately 10 per cent of the total number of cases seen.

Annex III**Written answer by the Secretary for Health and Welfare to Dr. LAM'S supplementary question to Question 2.**

I am informed by the Director of Medical and Health Services that the average waiting-time is about 15-20 minutes.