

**OFFICIAL REPORT OF PROCEEDINGS****Wednesday, 9 December 1987****The Council met at half-past Two o'clock****PRESENT**HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)

SIR DAVID CLIVE WILSON, K.C.M.G.

THE HONOURABLE THE CHIEF SECRETARY

MR. DAVID ROBERT FORD, L.V.O., O.B.E., 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 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, C.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 STEPHEN CHEONG KAM-CHUEN, O.B.E., J.P.

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

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

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

DR. THE HONOURABLE HENRIETTA IP MAN-HING, O.B.E., J.P.

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 KIM CHAM YAU-SUM, J.P.

THE HONOURABLE JOHN WALTER CHAMBERS, O.B.E., J.P.

SECRETARY FOR HEALTH AND WELFARE

THE HONOURABLE CHENG HON-KWAN, J.P.

DR. THE HONOURABLE CHIU HIN-KWONG, J.P.

THE HONOURABLE CHUNG PUI-LAM

THE HONOURABLE THOMAS CLYDESDALE, J.P.

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

THE HONOURABLE HUI YIN-FAT

THE HONOURABLE RICHARD LAI SUNG-LUNG  
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 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 LAU WONG-FAT, M.B.E., J.P.  
THE HONOURABLE GRAHAM, BARNES, J.P.  
SECRETARY FOR LANDS AND WORKS  
THE HONOURABLE RONALD GEORGE BLACKER BRIDGE, O.B.E., J.P.  
SECRETARY FOR EDUCATION AND MANPOWER  
THE HONOURABLE DAVID GREGORY JEAFFRESON, C.B.E., J.P.  
SECRETARY FOR SECURITY  
THE HONOURABLE MICHAEL LEUNG MAN-KIN, J.P.  
SECRETARY FOR TRANSPORT  
THE HONOURABLE NATHANIEL WILLIAM HAMISH MACLEOD, J.P.  
SECRETARY FOR TRADE AND INDUSTRY  
THE HONOURABLE EDWARD HO SING-TIN, J.P.

**ABSENT**

THE HONOURABLE LYDIA DUNN, C.B.E., J.P.  
THE HONOURABLE JOHN JOSEPH SWAINE, C.B.E., Q.C., J.P.  
THE HONOURABLE JACKIE CHAN CHAI-KEUNG  
THE HONOURABLE HILTON CHEONG-LEEN, C.B.E., J.P.  
DR. THE HONOURABLE CONRAD LAM KUI-SHING  
THE HONOURABLE MARTIN LEE CHU-MING, Q.C., J.P.  
THE HONOURABLE DESMOND LEE YU-TAI  
THE HONOURABLE SZETO WAH

**IN ATTENDANCE**

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

**Papers**

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

*Subject* *L.N.No.*

## Subsidiary Legislation:

Legal Practitioners Ordinance Practising Certificate (Solicitors) (Amendment) (No. 2) Rules 1987 .....	392/87
Legal Practitioners Ordinance Solicitors' Practice (Amendment) Rules 1987 .....	393/87
Public Health and Municipal Services Ordinance Hawker (Permitted Place) (No.3) Declaration 1987.....	394/87
Road Traffic (Public Service Vehicles) (Amendment) (No.3) Regulations 1987 Road Traffic (Public Service Vehicles) (Amendment)(No.3) Regulation 1987 (Commencement) Notice 1987 .....	395/87
Tax Reserve Certificates (Fourth Series) Rules Tax Reserve Certificate (Rate of Interest) (No.10) Notice 1987 .....	397/87

## Sessional Papers 1987-88:

- No. 27—The Jubil Sports Centre, Hong Kong Annual Report 1986-87
- No. 28—Chinese Temples Fund—Income and expenditure account with balance sheet and certificate of the Director of Audit for the year ended 31 March 1987
- No. 29—The MacLehose Fund Trustee's Report for the period 1 April 1986 to 31 March 1987
- No. 30—General Chinese Charities Fund—Income and expenditure account with balance sheet and certificate of the Director of Audit for the year ended 31 March 1987
- No. 31—Grantham Scholarships Fund—Income and expenditure account with balance sheet and certificate of the Director of Audit for the year ended 31 August 1987
- No. 32—Report of the Brewin Trust Fund Committee on the administration of the fund for the year ended 30 June 1987
- No. 33—Ocean Park Corporation Annual Report 1986-87

**Address by Member presenting paper****The Jubilee Sports Centre, Hong Kong—Annual Report 1986-87**

MR. HU: Sir, on the table this afternoon is the annual report of the Jubilee Sports Centre for the period 1 July 1986-31 March 1987. Members should note that the centre has since changed its financial year; hence this report covers only a nine-month period.

During the past year, the centre has moved into an autonomous phase as the result of an agreement between the Hong Kong Government and the Royal Hong Kong Jockey Club, made possible by the latter organisation granting \$350 million to the Jubilee Sports Centre to allow it to meet its own expenses from funds generated from this capital sum.

The centre continues to provide coaching support to 10 sports within the main body of its programme in badminton, fencing, gymnastics, judo, rowing, soccer, squash, swimming, table tennis and tennis. In addition, considerable support is provided to other sports agencies, including those from the disabled sector.

The period has seen the centre show initiative in intensifying its support programmes to the leading senior and top age group athletes, by way of a 'scholarship' scheme, designed to assist committed athletes to the next stage of progress. The development of the centre's sports medicine and science programmes has enabled professional support services to be offered in the areas of treatment of injury, and medical and physiological screening and testing. An extension of these services to include the development of a counselling programme and a nutritional advice service is expected in the coming months. Certainly, with these amenities available, Hong Kong's athletes should be better prepared than ever before.

The maintenance of the centre and its facilities is second to none and the envy of all who visit the site. Maintenance itself is not enough. Internationally respected sports centres need to respond to changes required by governing bodies, if progress is to be achieved. In this respect, as the result of a separate allocation of funds from the Jockey Club, the training pool has been enhanced to one for competition, especially geared to short course activities.

The training hall for gymnastics has been upgraded, providing the centre with facility as good as any to be found in this region.

Work is also underway to bring back to standard facilities affected by land settlement. This includes the resurfacing of the athletics track. This project is being jointly funded by the Government and Jockey Club.

Results in sport continue to improve, due in no small way to the strengthened relationship between the centre and the governing bodies of sport. In the coming months, the centre's management will be seeking to strengthen formally

its relationship with other agencies, in order that the maximum benefit can be derived from the imaginative scholarship scheme and athletes can represent Hong Kong with distinction.

It is encouraging to note the improving standards of all sports in the centre's programme. In the Asian Games in Seoul in September 1986, local swimmers finished in the bronze medal position in the women's 4×100 m freestyle relay. CHONG Siao-chin gained a bronze medal in judo and Hong Kong's men's and women's teams finished in fourth place in table tennis.

Our fencers defeated England in the Commonwealth Championships in July 1986 and in September, CHAN Kai-sang became the first Hong Kong fencer to achieve a world ranking.

In squash, Tony CHOI was the only non-Pakistani player to reach the last eight of the Asian Junior Championships held in Pakistan.

In tennis, both Patricia HY and Paulette MORENO have achieved world rankings, and in Davis Cup, Hong Kong's men beat Malaysia 5-0 before losing to Japan.

In badminton, both Amy CHAN and CHAN Chi-choi have improved their world rankings and reached the last eight in the All-England Championships in early 1987.

Rowing, the newest sport to the programme, has begun well, finishing fourth in the heavyweight final in the Asian Games—Hong Kong's crew being composed totally of lightweights!

In short, the signs are optimistic for the future. The continuing development of relationships with the Council for Recreation and Sport, the Urban Council, the Regional Council and the governing bodies will ensure that the Jubilee Sports Centre has a key role to play in sports promotion in future. The centre is reviewing constantly the levels of support offered to sports within the main programme and those on the periphery. Its main objective is to help those committed athletes who are genuinely keen in lifting their standard to the next level.

This must be supported by the whole sporting network, as in so doing the Jubilee Sports Centre is helping to provide positive role models for younger sports boys and girls to emulate and so guarantee the emerging future of Hong Kong sport.

### **Oral answers to questions**

#### **Sale of corrosive acids**

1. MR. CHEUNG asked (in Cantonese): *As there have been cases involving the use of corrosive acids as an offensive weapon to inflict serious and permanent*

*injuries on victims, will Government inform this Council whether it has any plan to control the sale of corrosive acids, such as hydrochloric acid?*

SECRETARY FOR SECURITY: Sir, in the first 10 months of 1987, six cases were reported of throwing a corrosive fluid with intent to do grievous bodily harm. While the Government finds these cases abhorrent, it does not consider that any purpose would be served by trying to control the sale of corrosive acids, such as hydrochloric acid, nor does it have any plans to do so. The fact is that corrosive acids are used extensively in industry in Hong Kong.

MR. CHEUNG (in Cantonese): *Sir, will the Government inform this Council whether there is any remedy for and any guidance provided to those who are victims of corrosive acids and will Government also consider measures adopted in other countries in this regard?*

SECRETARY FOR SECURITY: Yes, of course the standard facilities are available for anyone who is injured in Hong Kong, medical facilities, social welfare facilities. And certainly, Sir, we will look at what other countries do in respect of controlling corrosive acids, the sale of them in particular, and see whether they have any application in Hong Kong.

### **Supervision of financial markets**

2. MR. LI asked: *In the light of the recent appointment of outside consultants to advise on the financial futures market, does the Government have any plans to develop and expand its own internal expertise to monitor and supervise the financial markets of Hong Kong?*

FINANCIAL SECRETARY: Sir, the Government is conscious of the need to develop and expand its own expertise in the supervision of financial markets. Considerable emphasis has been placed on training and the development of staff of both the Office of the Commissioner for Securities and Commodities Trading and the Office of the Commissioner of Banking.

Training programmes, both in-house and overseas, have been and will continue to be organised for this purpose. Earlier this year, a certificate course in investigative accounting and auditing was organised for staff of the Office of the Commissioner for Securities and Commodities Trading.

In addition, senior staff of both offices attended various seminars and conferences to exchange views and experiences with overseas regulatory authorities.

In order to enhance skills within the Administration, we have also made arrangements for an accountant experienced in auditing banks to be seconded from an auditing firm to the Office of the Commissioner of Banking for a period of two years. It is our intention to continue this practice in some form in the future.

An overall review of the training needs of staff of the two offices will be conducted when the findings and recommendations of the Securities Review Committee on the operation and management of the two offices are available.

Sir, I do not, however, see these measures as obviating the need for recourse to outside consultants from time to time to provide specialist advice. It would be extravagant to recruit and retain within government service people with the highly specialised skills required to undertake one-off tasks, quite apart from the fact that such people could not be accommodated within existing government pay scales. Furthermore, it may be necessary to have independent and impartial specialist advice in a particular case. So I believe that it is right for the Government to continue to employ outside consultants if the need arises.

MR. LI: *Sir, I have a question in two parts. The first one is, while welcoming the appointment of the Securities Review Committee, I note that the terms of reference do not include the role of the Monetary Affairs Branch in the supervision of the securities markets. What steps are being taken to review the competency and capability of this branch? The second one is, in view of the fact that, first, Hong Kong was the only international market to close for four days during the recent crisis and, second, Hong Kong was the only Government that had to hire outside consultants to advise it on the effects of the crisis, does this not indicate a pressing need to review the competency and capability of the Monetary Affairs Branch?*

FINANCIAL SECRETARY: Sir, I am glad that Mr. David LI welcomes the establishment of the Securities Review Committee. In putting together the terms of reference, we considered it correct and appropriate to include both the Stock Exchange and the Futures Exchange, and the relevant regulatory authorities. We did not include the Monetary Affairs Branch, nor, Sir, did we include the Financial Secretary! Nevertheless, I can assure Members of this Council that all officers of the Monetary Affairs Branch and the Financial Secretary will be very happy to help the Securities Review Committee in their work. Certainly I would be more than content to have my role examined by that committee. As far as the second part of Mr. LI's question is concerned where he referred to Hong Kong being the only market to close, he no doubt saw in the newspaper the other day that one other market, the New York market, was said to be within five to 10 minutes of having closed, but that was one person's opinion. Mr. LI questions the competency of officers in the Monetary Affairs Branch in the light of that closure and in the light of Hong Kong Government having to assist. As I have said in this Council and elsewhere on many occasions, the decision to close was the decision of the Stock Exchange itself. It did not need the approval of the Government. Once that decision had been made and the market had been closed, the Government had a very clear and very simple responsibility and that was to ensure that the markets reopened again in the shortest possible period of

time in an orderly and normal manner. That we achieved and I think that all those involved were seen to have performed extremely well. There could be no question raised at all about their competency.

MR. LAI: *Sir, is the Government only prepared to make reforms in monitoring and supervising the financial markets of Hong Kong after the publication of the Securities Review Committee's report? And will the Government inform this Council whether it is prepared to adopt all the recommendations made by the committee? If otherwise, what criteria will the Government use for considering the recommendations of that committee?*

HIS EXCELLENCY THE PRESIDENT: Financial Secretary, you may answer the first part of that question. I think the second part should be the subject of a separate question if you want to pursue it. It goes rather away from the original question and answer.

FINANCIAL SECRETARY: Sir, we regard it as an on-going task to improve our monitoring and supervision. So if there are any obvious improvements that we can make, we shall of course make them ahead of any report.

MR. SOHMEN: *Sir, I note from the Financial Secretary's reply that an accountant is to be seconded to the Commissioner of Banking's Office. I see this as a very welcome, forward step. Is consideration being given to co-opting more staff from the private sector with relevant practical expertise to the offices of the two commissioners?*

FINANCIAL SECRETARY: Sir, as Mr. SOHMEN knows, this is a subject very near and dear to my heart. I think it could well be the way forward for offices involved in any regulatory activity. So, certainly it is very much in the forefront of my mind and it is an idea that we will pursue and develop.

MR. WONG PO-YAN: *Sir, the recent crisis of the futures market was caused by the fact that the Hong Kong Futures Guarantee Corporation was unable to honour its obligations. In view of this, what plan does the Government have to increase the share capital of the corporation?*

HIS EXCELLENCY THE PRESIDENT: Mr. WONG, that should be the subject of a separate question because it does not arise either from the original question or the original answer. Would you put it down as a separate question.

MR. WONG PO-YAN: Yes, Sir.

HIS EXCELLENCY THE PRESIDENT: Thank you.

**Backlog in the Office of the Commissioner for Securities**

3. MR. SOHMEN asked: *Would the Government advise this Council whether it is aware of the backlog of work faced by the Office of the Commissioner for Securities and inform the Council what is being done to improve the situation to avoid the Office of the Commissioner for Securities being seriously hampered in carrying out its statutory functions?*

FINANCIAL SECRETARY: Yes, Sir, the Government is aware of the backlog of work faced by the Office of the Commissioner for Securities and, to enable it to cope with the present workload, 21 new posts are being created for the office in the current financial year. This represents an increase in its establishment of 21 per cent, which is way above the 2.5 per cent annual growth rate intended for the Civil Service as a whole. The future staffing requirements of the office will be reviewed again when the findings and recommendations of the Securities Review Committee on its structure and operation are available.

MR. SOHMEN: *Sir, when did the Government become aware of the backlog being faced by the Office of the Commissioner for Securities?*

FINANCIAL SECRETARY: Sir, we have been aware of this for some time. Indeed, I think it is perhaps worthwhile giving details of the increases in the establishment of the office over the last few years. The total establishment of the office increased by 10 per cent in the year 1985-86; by a further 15 per cent in 1986-1987. And, if we take account of the 21 posts that I just mentioned, by 38 per cent in 1987-1988. As I have said, these increases must be seen against the 2.5 per cent general guideline for increases in the establishment of the Civil Service as a whole. The backlog of work and the workload itself falling upon the office has in many ways been a reflection of the activity and success of Hong Kong as a financial centre. Inevitably there is likely to be a time lag between the receipt of new work, the increase in the burden, and the availability of staff to deal with that burden. But we are tackling it.

MR. EDWARD HO: *Will the Government inform this Council whether the 21 new posts were created as a result of Mr. SOHMEN's question?*

FINANCIAL SECRETARY: No, Sir!

MR. SOHMEN: *Sir, I presume the Financial Secretary is aware that before the stock market crash the stamp duty collected from transactions in the stock market in any one day occasionally exceeded the total annual budget of the Office of the Commissioner for Securities. Would he not agree that this suggests that the facilities put in place to supervise the markets were totally out of line with the volume of business that had to be policed?*

FINANCIAL SECRETARY: Sir, as Mr. SOHMEN knows, we do not hypothecate general revenue. We were, of course, very grateful for the large increase of revenue from stock exchange activities but I think it would have been wrong to have devoted all that revenue to staffing the Office of the Commissioner for Securities.

### **Training for officials attending district board meetings**

4. MR. YEUNG asked: *Will Government inform this Council what measures will be taken to strengthen the training of officials from different government departments attending district board meetings in order that their efforts may be better co-ordinated and that more regard is paid to public aspirations?*

SECRETARY FOR DISTRICT ADMINISTRATION: Sir, in May 1987, the Chief Secretary issued a general circular to all policy secretaries, heads of departments and officers in attendance at district board meetings setting out new administrative arrangements for the District Administration Scheme. The arrangements aim to ensure a better co-ordination of the work of government departments in the districts and a positive response of departments to district needs. Departments are also required to send senior and experienced officers to attend district board meetings to respond promptly to the advice and requests of district boards.

Recently, the Civil Service Training Centre has conducted, in collaboration with the City and New Territories Administration, a study to ascertain the training needs of departmental officers attending district board meetings. Plans are in hand to organise specific training programmes for these officers to gain a better appreciation of their role in district administration. The proposed training represents part of Government's on-going efforts to improve the operation of the District Administration Scheme.

MR. YEUNG: *Sir, what are the training needs identified in the study and do these needs reveal to a certain extent the fact that there is much room for improvement in respect of response and attitude displayed by officers attending district board meetings?*

SECRETARY FOR DISTRICT ADMINISTRATION: Sir, the study shows that certainly more can be done to strengthen the skills of government officers in responding more positively to public aspirations in general, and requests and advice of district boards in particular. The training programme which is envisaged includes briefing on the operation of district administration for officers on the Senior Staff Course, talks on district administration in the general management courses for Administrative Officers and Executive Officers, and workshops for district management committee members to share experience in how to work with district boards more effectively.

**Evacuation of passengers in MTR stations and trains in emergencies**

5. DR. CHIU asked: *Notwithstanding that the MTR is one of the most modern and safe underground railway systems in the world, will Government inform this Council whether there is an emergency plan for evacuating passengers in trains and stations in the unlikely event of a disaster (such as a big fire or a collision of trains) and, if so, how it will work?*

SECRETARY FOR TRANSPORT: Sir, the Mass Transit Railway Corporation is fully conscious of the need to evacuate passengers quickly and safely in emergencies. Detailed plans and procedures are available. Indeed, right from the planning and design stage of all MTR stations and trains, major disaster and emergency situations have already been taken into account and incorporated.

There are at present well established standing instructions and procedures agreed with both the fire services and the police to deal with emergencies. In addition, there is a separate emergency plan for each station.

Further more, all such plans and procedures have been independently checked and endorsed by the Chief Inspecting Officer of Railways in the United Kingdom. He is the Hong Kong Government's appointed agent on railway safety and reports direct to Government.

For evacuation from trains, passengers may use a specially designed emergency door at either end of a train. This door can be used as a ramp leading down to the track. In emergencies when fire is not present, station staff are sent to assist passengers to leave the train. In the case of a fire on a train, the train operator will take immediate action to lead passengers out of the train to the nearest station. The space between rails at track level is free of obstructions to allow passengers to walk to the next station. There are fans at the end of each station which can either blow or suck smoke from a fire in a tunnel through the ventilation shafts to open air at ground level. This prevents smoke entering the public areas at stations.

The stations are designed to allow evacuation of all passengers from one level to the next level within a maximum of 4.5 minutes. This includes evacuation of a fully loaded train and of all waiting passengers at a platform. Extract fans within the station can be used for removing smoke, and the direction of escalator running can be reversed to assist in evacuation.

All MTR staff on stations and trains are trained in emergency procedures, and refresher training is regularly provided. At least three emergency drills are carried out each year to practise these procedures, in each case involving both the fire services and the police.

DR. CHIU: *Sir, will the Government inform this Council what measures have been taken by the MTR so far to educate the public so that commuters will not only be familiar with the emergency exists but also understand when to do what when the alarm bell rings?*

SECRETARY FOR TRANSPORT: Sir, as I said in my main reply, MTR stations and trains are virtually free from all the hazards which I have mentioned. However, the MTR Corporation does give clear instructions to all staff. Passengers are issued with pamphlets showing plans on evacuation, including the emergency doors. Indeed, at the end of each train there are clear instructions on the door showing how to break the glass door of the handle to open the emergency door. And, of course, smoking is forbidden in all trains and stations.

MISS TAM: *Sir, as there is a separate emergency plan for each station, but only three fire drills for the staff in a year, how can the MTR be sure that the staff in any particular shift are familiar with the relevant emergency plan?*

SECRETARY FOR TRANSPORT: Sir, the emergency plan for each station is a detailed plan which gives additional instructions to all staff. But the arrangements are standard throughout all stations, including the central control depot at Kowloon Bay which is linked directly to the Fire Services Operational Centre. So, all staff are fully aware of the procedures which are standard procedures and all communications are, indeed, automatic, between stations and the depot and the fire services headquarters. Therefore, a minimum of three drills per year is adequate for the moment.

PROF. POON: *Sir, with reference to paragraph 4 of the answer, would the Secretary like to comment if he regards the availability of only two emergency doors, one at each end of the train, be sufficient to allow passengers from a fully loaded train to leave the train at the shortest possible time, especially when there is a fire on a train?*

SECRETARY FOR TRANSPORT: Yes, Sir. The arrangements are considered safe and sufficient, both by the MTRC and by the United Kingdom Inspectorate. Indeed, if you leave at the side doors this is most dangerous in the case of emergencies. So leaving at either end of the train is the safest way to do so, and of course the entire train itself is composed mainly of non-combustible material, so the chances of a fire are very limited indeed.

MR. SOHMEN: *Sir, the Secretary mentioned the facilities to extract smoke from a fire but I was surprised that he did not mention anything about facilities to extinguish fires that do happen.*

SECRETARY FOR TRANSPORT: Sir, I am just answering the question which is on evacuation. There are in fact a host of arrangements for putting out fires. I might mention just a few perhaps. In the case of the electric plant rooms there is a system whereby as soon as smoke is detected by a detector the system is activated within 15 seconds and the fire is put out by a gas which is called BTM. This gas is able to extinguish oxygen within 15 seconds, so the chances of a fire in a station, in fact, are very remote indeed.

In addition, all the trains and stations are linked by a communication system with the Fire Services Department and the police. Each station has a central control station centre and is divided into different fire zones. As soon as smoke or fire is detected a light will indicate in that zone which area has a fire or smoke and action is taken immediately by the station and the Fire Services Department to put out the fire.

MR. CHEONG: *Sir, I presume the planners have already taken into consideration that escalators are being used as a very efficient evacuation mode of transport. What happens if there has to be an electricity failure?*

SECRETARY FOR TRANSPORT: Sir, in the case where there is no electricity you can walk up or down the escalator without any problem. In addition, of course, there are staircases in all stations which you can use in addition to the escalators.

DR. CHIU: *Sir, when there is an accident, sheer panic follows. Commuters will be pushing and shoving without knowing where they are and where they should go. Will the Government inform this Council how many staff, apart from the train operator in the train, are there in the station who will take up the responsibility to direct and assist thousands of passengers in case of an emergency, and whether there is any standby manpower for such duties?*

SECRETARY FOR TRANSPORT: Sir, I have been reassured by the corporation that the number of staff required is adequate and again this point has been endorsed by the United Kingdom Inspectorate. In the case of a train, as you know the train is operated by one operator only because it is automatic. In the case of stations, of course, all staff including staff at the control centre and staff at stations are fully aware of the need to help passengers to evacuate, and there is no need for additional staff to do this. But in addition, as I said earlier, all the precautions built into the system will reduce the need to do so. I might mention, Sir, that over the last years, in fact since the beginning of the MTR, there have been no fires or major disasters of the kind mentioned at all.

MR. CHEUNG (in Cantonese): *I want to ask the Secretary a question. There are three fire drills every year. Smoke is extracted by the fans; is the corporation satisfied with the speed at which smoke is extracted?*

SECRETARY FOR TRANSPORT: Yes, Sir. I have, in fact, asked the corporation this very question. In their past drills over the last years they have, in fact, found that the system has been well tested and there has been no need for further improvement in the existing system.

DR. CHIU: *Sir, I do not think the Secretary has answered my question. I asked how many staff, apart from the only train operator in the train, are there in the trains*

*and how many at the stations? I went for an inspection last night and found there were only three or four staff at the station. I do not know whether it is true or not and I would like to have an answer. Because during congested hours there are thousands of passengers, I wonder whether the only train operator and a few at the station can cope with the problem?*

SECRETARY FOR TRANSPORT: Sir, I will certainly pass on this point to the MTRC but I have been reassured by the MTRC that the number of staff, of course, to deal with emergencies will be dependent upon the nature and kind of disaster envisaged in a situation. So, it is a flexible number and I cannot give you a number exactly at this particular moment. But I will try and find out. (See Annex I)

### **Banning of toy guns**

6. DR. HO asked: *In the light of a recent case where a child was injured by a plastic pellet from a toy gun, will Government this Council what standards are being used for banning toy guns which are capable of firing projectiles and inflicting actual injuries?*

SECRETARY FOR TRADE AND INDUSTRY: The Firearms and Ammunition Ordinance regulates the possession of any gun from which any bullet or missile can be discharged with a muzzle energy greater than two joules. Firing a missile from a toy gun with a muzzle energy of less than two joules would not normally cause actual injury to someone hit by the missile. In the case referred to by Dr. HO, the injury was caused because, unfortunately, the victim was accidentally hit in the eye.

DR. HO: *Certain toy guns on sale in Hong Kong can be 25 times more powerful than what is believed to be the safety standard in USA and four times that in Britain. Will the Government consider reviewing the control standards stipulated in the Firearms and Ammunition Ordinance so that children can play with them safely? If not, may I have the reasons?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, yes, this is a useful chance to correct some misconceptions which have been appearing in the press, I think. As I said in the original answer, controls in Hong Kong cover guns with a muzzle energy of two joules or more. I understand that in the United Kingdom, for instance, the equivalent muzzle energy of pistols is 8.1 joules and for rifles it is 16.2 joules. In the United States the only figure I have is that there were no restrictions whatsoever for air guns. The figures for the United States which were recently quoted in the media relate only to toys intended for 'young children'. They make a distinction. Thus, our restrictions appear to be stricter, in fact, than in the United Kingdom or in the United States.

MR. CHUNG (in Cantonese): *From the information that I have, in the United Kingdom and Japan there are safety standards for projectile guns. The standard is 0.5 joules. Will the Government consider some safety standards for such projectiles, and also to stipulate that there should be suitable labels on such guns to indicate how powerful these toy guns are?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, I am not aware of the precise figures in Japan, but to deal with the general question of safety labels or safety rules, our policy is to only introduce legislation, safety legislation, or safety rules for particular products when a clear problem exists which needs to be tackled. We have a range of Ordinances, for instance, the Pharmacy and Poisons Ordinance, to deal with particular products where a problem arises. This does not appear to be the case so far with toys, despite this particular example. However, we are looking again at whether some new legal provision is needed which would enable us to stop the sale of products where life or health is clearly threatened and where existing safety legislation cannot be used.

MR. LIU (in Cantonese): *Sir, will the Government also review other toys that will also cause harm, for example arrows or darts?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, certainly we can look at other toys but I have to say that the number of complaints or cases which we have had are very few and there is no sign that there is a general problem of dangerous toys causing significant problems in Hong Kong.

MRS. CHOW: *Sir, is Government aware that the Consumer Council has actually conducted tests on toy guns readily available on the market supposedly of less than two joules. The pellets of the toy guns tested have penetrated cardboard of 1 cm thick when fired from a distance of 11 m. Will Government be conducting similar tests to establish whether present regulations are adequate and if they are found to be inadequate will they be revised to prevent future mishaps?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, yes, I am aware of the Consumer Council's tests and it is partly because of that work that I stated in my earlier answer that we would be looking again at whether we need some new legal provision for this.

DR. HO: *Is the Secretary for Trade and Industry aware that certain types of toy guns with muzzle energy great enough to inflict actual bodily injuries are already banned from use in country parks by the Agriculture and Fisheries Department and are also banned in some private apartment blocks by their residents' managements? Can Government consider extending such prohibition to public housing estates and other public places?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, yes, I am aware of the ban on toy guns in country parks. Now, this is part of a number of special rules affecting, for instance, radios, designed to keep these areas particularly peaceful, both for the human visitors and for the animals and birds which inhabit them. I think to extend a ban in those particular circumstances outside country parks would be a drastic measure which would go beyond the scale of the problem we have so far identified.

MR. PETER C. WONG: *Sir, I am thoroughly concerned with the last sentence of the Secretary's reply which reads 'in the case referred to by Dr. Ho, the injury was caused because unfortunately the victim was accidentally hit in the eye.' May I ask the Secretary, Sir, how similar accidents could be prevented in the future?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, yes, the significance of the last sentence was really that the force of two joules or less is normally not sufficient to break the human skin, but obviously the weak point in the body is the eye. And this is the particular case here. As to what more we can do to prevent this sort of accident from happening again, I do not have a ready answer, but certainly we will consider your point and see if we can think up some method.

#### **Noise abatement studies and measures to reduce noise**

7. MR. EDWARD HO asked: *In his reply to the questions raised in this Council on 12 November 1986 and 6 May 1987 respectively, the Secretary for Lands and Works said that measures were being taken to contain noise pollution wherever possible at the planning stage of new road works, and that noise barriers would be used where effective and practicable on new roads but not on existing roads or flyovers until they were replaced. Will Government inform this Council how many new trunk roads have been subject to noise abatement study, what measures are being proposed, and whether any roads and flyovers under reconstruction have included the provision of noise barriers?*

SECRETARY FOR LANDS AND WORKS: Sir, noise abatement studies have been carried out on a total of 19 new trunk roads, including the Kwun Tong By-pass, Route 5, Tate's Cairn Tunnel and the Eastern Harbour Crossing. Noise assessments are carried out at the planning stage following initial consultation between the Highways Department and Environmental Protection Department. It is now normal practice for all major highway proposals to be subject to such noise assessments. In addition, noise assessments have been carried out in respect of many minor road schemes.

The measures adopted to reduce noise vary depending on the nature of the project and its environment. These include realignment or relocation of the road to move it further away from noise sensitive buildings; and the erection of

barriers, such as screen walls, concrete or perspex panels, or earth bounds to screen adjacent buildings. They also include the replanning of surrounding development to provide buffers against the traffic noise.

The Princess Margaret Road Flyover, which is currently under reconstruction, was subject to a noise assessment. It was concluded that there would be no significant increase in noise level between the old flyover and the new one, which is on virtually the same alignment. It was, however, decided to install concrete parapets on the edges of the flyover, instead of the originally designed open steel parapets, to achieve a minor improvement in screening vehicle noise.

MR. EDWARD HO: *Sir, in the second paragraph of the Secretary's reply to my question, he refers to the erection of barriers to screen roads from adjacent buildings. Would the Government please inform this Council whether, in fact, such noise barriers have been incorporated in the design of any of the new trunk roads or flyovers and, if so, where?*

*And I have a second question. In the case of the Princess Margaret Road Flyover, would the Government inform this Council whether the noise level at the old flyover was so satisfactory that no improvement is considered necessary for the new one?*

SECRETARY FOR LANDS AND WORKS: Sir, in reply to the first part of the question, the Kwun Tong By-pass Phase I includes concrete walls and parapets up to 3 m high to screen noise sensitive buildings such as clinics. At Route 5, (Tsuen Wan to Sha Tin) we are putting in perspex screens to screen May Lam Estate from noise. On the Kam Tin By-pass Stage I we also have an 1.5 m high earth mounds which is a noise barrier.

As to the second part of the question whether the level of noise on the old Princess Margaret Road Flyover was considered satisfactory, not entirely, but it did conform with the planning standards which were adopted, that is, 70 DBA and with a provision for excess of 10 per cent during peak traffic flow, so in general it was considered not unsatisfactory rather than perhaps satisfactory.

MR. SOHMEN: *Sir, the Secretary mentioned that the measures adopted to reduce noise vary depending on the nature of the project and the environment. Does this mean that the results also have to vary and that acceptable noise maxima may sometimes have to be exceeded?*

SECRETARY FOR LANDS AND WORKS: Yes, certainly. Because the measures to be adopted have to be practical.

PROF. POON: *With reference to the last sentence of paragraph 2 of the answer 'they also include the replanning of surrounding development to provide buffers against the traffic noise', would the Secretary please give a real example to illustrate this point?*

SECRETARY FOR LANDS AND WORKS: Sir, most of the examples come from the new towns. I can think of two in Tuen Mun and one in Sha Tin and they relate to minor roads rather than the main trunk roads which are not nearly so susceptible for replanning.

### **Government hot line services**

8. DR. IP asked: *Will Government inform this Council of the existing hot line services offered by government departments and the voluntary sector and whether it will consider setting up a central hot line which will direct a citizen to the appropriate hot line he is looking for?*

SECRETARY FOR DISTRICT ADMINISTRATION: Sir, at present, there are three Secretariat Branches and 19 government departments operating about 50 telephone hot lines most of which are manned round the clock. Through the hot lines, information covering the weather, immigration matters, social welfare services, health education, labour matters, AIDS, narcotics and so on is provided and complaints concerning the environment, transport, corruption and crime and so on are received.

In the voluntary sector, I understand that there are six 24-hour hot line services dealing with child abuse, family planning and family welfare, consumer complaints and individual counselling.

Additionally, the territory-wide network of the 67 public enquiry service counters of the City and New Territories Administration deal with many general enquiries during office hours, including providing the telephone numbers of the hot line services available in both the government and the voluntary sectors.

As to the idea of a central hot line to direct members of the public to the appropriate hot lines, the object is already being met by CNTA's public enquiry service during office hours, and by the Telephone Company's directory enquiry service, that is line '108' on a 24-hour basis. Furthermore, I understand that the Telephone Company is planning to expand its enquiry service. Therefore providing a central hotline will only compete with the existing hot lines, the majority of which are already well known to the public.

DR. IP: *Sir, while doubting whether anyone in this Chamber could remember by heart the number of any hot line service which the Secretary for District Administration states is already well known to the public, can I ask, considering that one often has to wait for many minutes after dialling 108 for an answer, and considering no information would be provided unless exact and I repeat exact, information is given on the name and the organisation providing a hot line service, would Government consider requesting the Telephone Company, which already has plans to expand their enquiry service, to create a special enquiry service for all government and voluntary sector hot lines services?*

SECRETARY FOR DISTRICT ADMINISTRATION: Sir, as I said in my reply, the Telephone Company has assured that it is planning to expand its enquiry service. As to the adequacy of services I have mentioned, there exist a large number of hot lines through which the general public can and do obtain information. But certainly there is a possibility of up-grading the service, both in the government departments and the public enquiry service, for instance, by installing electronic directory to facilitate the retrieving of numbers. But, I am not aware that there is, in fact, a deficiency of such services.

DR. IP: *Sir, would Government table for this Council the telephone numbers of all government and voluntary sector hot lines and the nature of their services and request that the Hong Kong Telephone Company should do likewise on a separate page and up-date it periodically in their telephone directory?*

SECRETARY FOR DISTRICT ADMINISTRATION: Sir, I have already made enquiries with the Telephone Company. They do have a list of all the government hot lines and they can easily retrieve them through their rather sophisticated system. As to the table which Dr. IP has requested, I certainly can supply it here during the tea break.

### **Written answers to questions**

#### **Protection against contaminated vegetables**

9. DR. LAM asked: *In the light of recent suspected food poisoning cases involving over 100 people who became ill after consuming vegetables believed to have been contaminated by prohibited chemicals, will Government inform this Council what measures will be taken to protect the people of Hong Kong against the dangers of such vegetables?*

SECRETARY FOR HEALTH AND WELFARE: For the protection of public health, the Food Section of the Municipal Services Branch implements a continuous Food Safety Surveillance Programme whereby food, both locally produced and imported, is checked for compliance with statutory standards to ensure that it is safe and wholesome.

The recent outbreak of food poisoning cases was caused by vegetables contaminated with a pesticide called methamidophos, the import, possession and use of which is not allowed in Hong Kong. Investigations have revealed that the contaminated vegetables came from China. The Food Section has therefore stepped up its monitoring work at the border with a view to stopping import of contaminated vegetables into Hong Kong. Consignments of vegetables from the suspected source are now detained for examination of pesticide residues and are not released to the market unless the results of samples taken are satisfactory.

In addition, the Agriculture and Fisheries Department, through the Federation of Vegetable Marketing Co-operative Societies, has asked vegetable importers who are suspected to have imported contaminated vegetables to withhold supplies temporarily. The Vegetable Marketing Organisation is also taking parallel action by refusing to handle these vegetables at the Cheung Sha Wan Vegetable Wholesale Market.

These measures will be continued until the Government is satisfied that vegetables imported from China are safe.

The Government will also liaise with the Chinese authorities with a view to obtaining their assistance to stop the supply of contaminated vegetables at source.

Though the contaminated vegetables were not locally produced, the Agriculture and Fisheries Department has none the less stepped up enforcement action in respect of agricultural pesticide controls and has strengthened its advisory service to local farmers on the safe use of registered pesticides.

### **Fire prevention and hygienic standards in boarding houses**

10. MRS. TAM asked: *In relation to the operation, under a business registration certificate, of apartments as boarding houses, will Government inform this Council what measures are being taken to ensure that such premises comply with fire prevention and hygienic standards to safeguard the interests of tenants?*

SECRETARY FOR SECURITY: Sir, the Fire Services Department examines all building plans to ensure that fire service installations appropriate to the type of building are included. The department inspects buildings on completion to ensure that the requirements have been met. By law, these installations must be properly maintained and a registered fire service installation contractor must certify them to be in good working condition once a year. Standards of sanitary fittings, plumbing, drainage works, latrines and refuse storage and disposal facilities are prescribed under the Buildings Ordinance and its subsidiary legislation. The Building Authority will issue an occupation permit for the building concerned only after these and other standards have been met.

In addition, there are provisions in the Fire Services Ordinance to abate fire hazards. There are also provisions in the Public Health and Municipal Services Ordinance to ensure that all premises maintain a reasonable standard of health and hygiene.

Since 1985, the Fire Services Department has inspected 641 apartments known to be used as boarding houses, guest houses, apartment houses, bedspace apartments, inns and motels. With the exception of bedspace apartments, the department is satisfied with the condition of the premises and of the fire service installations in them. In respect of the 171 known bedspace

apartments inspected, the fire risks in some were higher than in normal residential premises. The department has given advice on fire prevention to the operators. All except nine of them have improved the conditions in their premises. The Fire Services Department is considering taking legal action against those who have not done so.

Health inspectors visit bedspace apartments on a quarterly basis. They visit other apartments used as boarding houses, guest houses, inns and motels on an ad hoc basis, usually in connection with complaints. If any such apartment is not up to the health and hygiene standards required, they would warn the operator orally, or issue him with a letter advising him of the improvements he should introduce or with a nuisance abatement notice, depending on the severity of the case. Failure to comply with a warning, letters or notices may lead to legal proceedings against the operator.

An inter-departmental working group chaired by the Health and Welfare Branch is now preparing a code of practice in respect of fire prevention and hygiene standards in bedspace apartments.

### **White Paper on the Review of Development in Representative Government**

11. MR. CHAN YING-LUN asked: *Will Government inform this Council when the White Paper on the Review of Development in Representative Government will be published? In view of the fact that the district board elections will be held on 10 March 1988, and that the nomination of candidates will take place in January 1988, will the part concerning district board elections be released in advance, so as to enable prospective candidates to make early planning for the elections?*

CHIEF SECRETARY: Sir, the White Paper will be published in early February 1988.

Preparations are well advanced for the next district board elections to be held on 10 March 1988. The Government has already announced changes to constituency boundaries some time ago. Other arrangements, including the number of elected seats to be filled, will be announced in good time before nominations are opened early next month.

### **Government Business**

#### **First Reading of Bills**

#### **BETTING DUTY (AMENDMENT) BILL 1987**

#### **MEDICAL REGISTRATION (AMENDMENT) BILL 1987**

**DENTISTS REGISTRATION (AMENDMENT)(NO. 2) BILL 1987****NURSES REGISTRATION (AMENDMENT) BILL 1987****MIDWIVES REGISTRATION (AMENDMENT) BILL 1987**

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

**Second Reading of Bills****BETTING DUTY (AMENDMENT) BILL 1987**

THE CHIEF SECRETARY moved the Second Reading of: 'A Bill to amend the Betting Duty Ordinance'.

He said: Sir, I move the Second Reading of the Betting Duty (Amendment) Bill 1987.

Under the Betting Duty Ordinance, the Hong Kong Lotteries Board may use the facilities of the Royal Hong Kong Jockey Club to conduct permitted lotteries and reimburse the club for the actual operating costs. At present, only the Mark Six is licensed.

The current practice is for the Jockey Club to deduct a provisional 9.5 per cent of the proceeds after each lottery to cover its operating expenses. After accounting for prizes and betting duty at 59 per cent and 30 per cent respectively, the balance of 1.5 per cent of the proceeds is paid into the Lotteries Fund. At the end of the club's financial year when the actual operating costs are available, the club is required to pay any surplus into, or recover any deficiency, from the Lotteries Fund. This element of uncertainty hinders the accurate forward planning of the fund.

There are also increasing difficulties in separating lottery operating costs from those related to horse-race betting as both share the same computer system.

The Bill therefore proposes to fix the percentage of the proceeds payable to the club for its operating expenses at 7.5 per cent. This takes into account the actual average cost of 7.88 per cent of the proceeds for the 10 years ending June 1986. The consequential share for the Lotteries Fund will be 3.5 per cent. This figure compares favourably with the share for the last two years which was 2.42 per cent and 2.96 per cent respectively.

To provide a degree of stability to the proposed arrangements, any change to the percentages allocated for operating costs and to the fund should be subject to a resolution by this Council. While the Jockey Club would be encouraged to review the cost percentage periodically, we do not, however, envisage any change to the percentages within the first three years of its introduction.

The Lotteries Board and the Jockey Club have given their support to the proposals. Sir, the board has also given an assurance that it has no plans to increase the unit price of a Mark Six entry for the next three years.

If the Bill is approved by Members, the fixed percentage rates shall have retrospective effect from 1 July 1986. The Lotteries Board has estimated that the Lotteries Fund will benefit from an additional allocation of \$27 million in respect of the club's 1986-87 financial year.

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.*

### **MEDICAL REGISTRATION (AMENDMENT) BILL 1987**

THE SECRETARY FOR HEALTH AND WELFARE moved the Second Reading of: 'A Bill to amend the Medical Registration Ordinance'.

He said: Sir, I move that the Medical Registration (Amendment) Bill 1987, be read the Second time.

At present the Director of Medical and Health Services is ex-officio chairman of the four bodies which are charged with the registration and discipline of the medical, dental and nursing professions in Hong Kong. These are the Medical Council of Hong Kong, the Dental Council, the Nursing Board and the Midwives Board.

The Government now believes that it is no longer appropriate that the director should be the ex-officio head of these bodies which are often required to act in a quasi-judicial capacity in disciplinary enquiries involving members of the four professions. Moreover for the director to relinquish the chairmanship would enhance the self-regulating and independent status of the four professions.

It is also considered appropriate for a lay element to be introduced into each of the boards and councils, to provide a link between the professions and the community as a whole. Following consultation with the four bodies it is proposed that initially there should be one lay member on each body, pending a comprehensive review of the composition of each of the councils and boards.

The Medical Registration (Amendment) Bill provides for the chairman of the Medical Council of Hong Kong to be elected by the members from among their number. The Director of Medical and Health Services will remain a member of the council in his capacity as Registrar of Medical Practitioners. In addition there is provision for the appointment by the Governor of one lay member of the council.

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

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

*Question put and agreed to.*

### **DENTISTS REGISTRATION (AMENDMENT)(NO. 2) BILL 1987**

THE SECRETARY FOR HEALTH AND WELFARE moved the Second Reading of: 'A Bill to amend the Dentists Registration Ordinance'.

He said: Sir, I move that the Dentists Registration (Amendment)(No.2) Bill 1987 be read the Second time.

For the reasons explained just now in my speech on the Medical Registration (Amendment) Bill 1987 this Bill provides for the Chairman of the Dental Council of Hong Kong to be elected by the council's members from amongst themselves. The Director of Medical and Health Services will be replaced as a member of the council by the consultant dental surgeon in charge of the government dental service. The Bill also provides for the appointment by the Governor of one lay member of the council.

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

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

*Question put and agreed to.*

### **NURSES REGISTRATION (AMENDMENT) BILL 1987**

THE SECRETARY FOR HEALTH AND WELFARE moved the Second Reading of: 'A Bill to amend the Nurses Registration Ordinance'.

He said: Sir, I move that the Nurses Registration (Amendment) Bill 1987 be read the Second time.

For the reasons I have explained in my speech on the Medical Registration (Amendment) Bill 1987, this Bill provides for the Chairman of the Nursing Board of Hong Kong to be elected by the board's members from amongst themselves. It also provides for the replacement of the Director of Medical and Health Services as a member by the Director of Nursing Services. In addition the board will also include a representative of the Chinese University of Hong Kong, as well as one lay member.

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

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

*Question put and agreed to.*

### **MIDWIVES REGISTRATION (AMENDMENT) BILL 1987**

THE SECRETARY FOR HEALTH AND WELFARE moved the Second Reading of: 'A Bill to amend the Midwives Registration Ordinance'.

He said: Sir, I move that the Midwives Registration (Amendment) Bill 1987 be read the Second time.

For the reasons I have already explained, the Bill provides for the Chairman of the Midwives Board of Hong Kong to be elected by the members of the board from amongst themselves. The Nursing Director will replace the Director of Medical and Health Services as a member of the board. One lay member, and a representative of the Chinese University of Hong Kong are also added to the membership.

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

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

*Question put and agreed to.*

### **CORRUPT AND ILLEGAL PRACTICES (AMENDMENT) BILL 1987**

#### **Resumption of debate on Second Reading (2 December 1987)**

*Question proposed.*

MISS TAM: Sir, it is now only 22 working days to 8 January 1988, the opening day for the nomination of candidates for the 1988 district board elections. Already, potential candidates are bargaining with their printers on the price of printing election manifestoes, posters and envelopes; and with the wholesalers of cloth and chip-wood board on the prices of materials to make their banners. Home visits, tea sessions and seminars on local environmental problems are taking place in every district gearing up to the official commencement date of the campaign. Much is at stake. Not only the future of the career of many budding or seasoned 'politicians' will be affected by the results of the elections; also, which ever camp that wins the majority number of seats on a district board will win the chairmanship, the control over an 'up to \$2 million' per annum budget, and, depending on the outcome of the White Paper to be published next spring, may or may not have the control over many seats in the Legislative Council.

Considering that the collective weight of the opinion of the district board members has grown with time, it is only reasonable that the individual candidate holding himself forward as the better or best choice for the job must be honest about his own credentials and should not make false statements of fact in relation to his personal character, qualifications or conduct. Indeed, section 16(1) of the Corrupt and Illegal Practices Ordinance already legislates against such practices and the penalty includes a seven years disqualification from the date of his conviction to be registered as an elector or to vote at any election.

### *The Bill*

The proposals contained in the Corrupt and Illegal Practices (Amendment) Bill 1987 before Council today which forbids a candidate to use the name of another person in support of his election campaign without the supporter's prior consent in writing are in line with the spirit of section 16, the candidate should be truthful in providing information about himself, and the integrity of a fair and honest election must be safeguarded. Indeed, it is public knowledge that in the 1985 Urban Council election, there were genuine cases when candidates used the names of well-known public figures in Hong Kong to endorse their own election campaigns without prior consents being properly obtained. The results of public consultation on the 1986 Review on District Administration; and the 1987 Review of Developments in Representative Government borne out the need to legislate against such undesirable practices.

Sir, it is somewhat unfortunate that this Bill was gazetted at such a late stage on 27 November 1987, and the Legislative Council was only given 12 days to scrutinise the Bill and decide on whether it should be supported, amended or rejected. Two members of the ad hoc group Mr. Desmond LEE and Mr. Martin LEE criticised the Administration for this delay and suffice it to say that in so far as their remarks described the pressure created on the Legislative Council and the possible injustice it may have caused to the public, because of a lack of time for our deliberation and taking into account public views they reflect the sentiment of the ad hoc group. The Administration should ensure that similar situations will not again occur.

However, Members of the Legislative Council who attended the in-house meeting on the 27 November 1987 supported the Bill on the principle that the integrity of an honest election must be safeguarded. Hence an ad hoc group was formed to scrutinise the Bill. We held three meetings from the following Monday to Thursday and discussed in depth the points raised by members of the group and members of the public as follows:

1. Should there be 'strict liability' for the offence of name-dropping?  
Under clause 3 of the Bill it is proposed to create an offence where:

- (a) under section 17(1) a candidate who uses the name of another person or organisation in support of his campaign where neither the candidate himself nor his election agent has obtained or received the prior written consent or permission of that person or organisation, or
- (b) under section 17(2) that a person uses the name of another or of an organisation in posters, address, bills and so on to support a candidate where neither the candidate nor his election agent has obtained or received the prior consent or permission in writing of that other person or organisation.

The proposal in some is simple. The candidate or his election agent must first obtain a written consent of the supporter, or else he should not use the supporter's name at all.

The views to be considered.

Members of the ad hoc group are concerned that where a candidate has received the written consent of a supporter, who then out of malice or genuine regret withdraws his support; or if the supporter is an organisation (such as a clansman's association) whose office-bearers gave a written consent in the name of the association without proper authority of its executive committee or members thereof, the candidate will have no defence to the charges under section 17(1) or section 17(2) and be disqualified for 10 years from standing for elections. We therefore insist that a defence of 'reasonable excuse' be written into the law, but in order to ensure that the law cannot be easily abused, we specify that an oral consent cannot constitute a reasonable excuse.

This amendment deals with Mr. Desmond LEE's 'banana skin' theory in that the candidate who at the beginning has obtained the written consent of a devious supporter does in fact have a good defence. The Administration agreed with the amendments which will be moved by Mrs. Pauline NG at the Committee stage.

2. Then we consider the question of subsequent withdrawal of consent on the mechanism.

We discussed at length this issue, trying to decide whether there should be provisions in the law to deal with subsequent withdrawals of consent, whether it should be in writing? How soon should it take effect? What are the implications on election expenses? A majority of the ad hoc group members believed that the candidate should be selective in choosing his own supporters (and vice versa) and there must be real understanding between him and the supporter of the seriousness of giving personal endorsement to the candidate. The candidate must think that it is to his advantage to obtain such endorsement and must therefore take the risk if his judgment of character of the supporter is incorrect. The supporter

must also be careful about his own choice of candidate and in any event he can obtain an injunction under section 16(3) of the Ordinance as a remedy if he withdraws his support. The ad hoc group therefore decided that this Bill is not concerned with resolving disputes between individuals who break a gentleman's agreement. Hence we decided it is not necessary to legislate on these side issues for which there is already an answer under section 16(3).

3. We then consider the penalty.

Mr. Desmond LEE, the views expressed in public by the spokesman of the Hong Kong Association for Democracy and People's Livelihood (香港民主民生協會) and an urban Councillor have urged that the candidate who is convicted of the proposed offence should only be disqualified from standing for that relevant election, and the disqualification proposed in the Bill is too long. The ad hoc group looked into this matter and found that in the existing Ordinance there are sections under, for example, section 16(1)(with forbids false statements concerning a candidate) section 12(1)(which involves expenses incurred by unauthorised persons) and section 19(1)(which involves failure to print the name, address of printers on Bills and so on) the penalties are already there and are the same. The proposed section 17(1) and section 17(2) are variations on the same theme and are compatible with this existing offences. Therefore, the penalty should remain at the same level. In fact, the amendment proposed under clause 2 of the Bill has removed the sentence of three months and six months imprisonment from all these offences. It must be pointed out that the Bill before this Council is in fact proposing to reduce the sentences for such type of offences. Mr. Desmond LEE and Mr. Martin LEE had, after their speeches in the Second Reading, circulated their speeches to all the district board members and solicited their views on the Bill. So far, no one has responded or written to OMELCO.

4. Finally, we consider on the deferment of the Bill.

The ad hoc group also considered the possibility of deferring the Bill to 6 January 1988 as requested by Mr. Desmond LEE. We were assured by the Administration that there has been ample consultation since May 1986. Also, the official date of public campaign for the 1988 election will be launched by the Government on 5 January, three days before nomination of candidates. If we defer the Third Reading of this Bill to 6 January, the final gazetting date will actually also be on 8 January.

We know that potential candidates have already approached supporters and are preparing for their campaign materials. It will only cause uncertainty to them if we defer the Bill to 6 January and delay their campaign activities. In fairness to them, we decided to recommend to our colleagues to pass the Bill, as amended, in this sitting. After studying the

Bill we went through the Electoral Provisions Procedure (Amendment) Regulations and decided to support them including the clause which enable the Deputy Chief Secretary to devise the form for filing returns for election expenses.

We urge that the Administration should be prepared at the briefing session to the candidates to explain clearly to them their obligations, and the regulations that will affect the conduct of their campaign. On the forms we hope that they will be kept as simple as possible.

Sir, Mr. Andrew WONG is totally against the idea of allowing personal endorsement of election candidates and we had some extremely interesting discussions on whether such practices should be banned. However, the great majority of my colleagues supported the Bill. The candidates should continue to enjoy the option of getting personal endorsements if they so wish. We only seek to ensure that they do so honestly.

With these remarks, Sir, I have great pleasure in supporting the motion.

MR. ANDREW WONG (in Cantonese): Sir, I am afraid I do not agree to what Mr. Desmond LEE and what Mr. Martin LEE said earlier on regarding the haste in which the Corrupt and Illegal Practices (Amendment) Bill 1987 is introduced and on the issue of adequate consultation. In the Green Paper, mention was made of using the names of other people or other organisations in election campaigns. Before the publication of the Green Paper on the Review of Developments in Representative Government, we also reviewed the Regional Council and Urban Council elections in 1986 and there were 14 submissions— three of which mentioned about name-dropping. After the publication of the Green Paper and during the public consultation period, there were 34 submissions, representing some 51 people, mentioning about name-dropping. And as district board elections will be publicised on 5 January 1988 and nominations accepted on 8 January, it is time we consider some of the known problems in election campaigns. Regarding the Corrupt and Illegal Practices (Amendment) Bill 1987, I have some preliminary views which should be considered carefully, even after the passage of this Bill and during the White Paper stage.

I have some reservations on the effectiveness of the present amendments. Firstly, no name-dropping is allowed, unless prior written assent is obtained, during cocktail parties or verbal exchange; and secondly, name-dropping is also disallowed in letters, pamphlets, publicity literature. People must not mislead others by saying that they have the support of certain sponsors. This has to do with the honesty of the candidates. In fact there are two aspects to this. One has to do with honesty. The other is whether the election campaign is indeed an election campaign. It is a matter of striking a balance between the two. Regarding honesty, I feel that we must consider whether the candidate is honest. There are other candidates who may suffer or benefit from the honesty or dishonesty of that particular candidate. If we disallow all sorts of dishonesty altogether, there may be problems.

During the ad hoc group meetings, I raise three examples. First, there is a person who says in public that he will vote for a certain person. He gives his support to that person and he asks others to give the candidate their support as well. So why is it that that particular candidate cannot say afterwards that that particular person has given him his support. After the passage of the Bill however, that candidate will no longer be allowed to say that he has the support of that sponsor and this is honest behaviour.

The second example is, on a certain occasion, a person tells me in private that he gives me his support. A third party is present but this is not reported in the press. I will be careful not to mention his name in any public speech. But during a cocktail party, (this is Mr. BIDDULPH'S good example—Mr. BIDDULPH is a columnist in the South China Morning Post), if I say that a certain person gives me his support and if a third person hears this, under the present amendment, I will be convicted.

The third example is, I say that most of the residents in a certain building give me their support after my door visit. But under the amendment Bill, the prosecutors may say that I quote or I make use of the name of that particular MAC or OC without prior written consent. So I think that the Bill is overdoing things, and all the techniques that can be made use of in election campaigns will no longer be applicable. So there should be adequate consultation on this.

At the beginning of the meetings of the ad hoc group, we also talk about the 'banana skin' or banana conspiracy mentioned by Mr. Desmond LEE. The compromise that we arrive at is, grounds for defence, but we still go back to section 16 of the original Ordinance regarding the injunction order. So if a sponsor subsequently finds that the candidate has a bad character, he cannot withdraw his support. So the banana conspiracy may really come into being, that is, a sponsor will give his support initially and then after the candidate has used up his money, the sponsor withdraws his support. This will add to his election expenses enormously. So all these questions must be considered carefully. This has to do with the amendments proposed in the Bill. I want to make three suggestions for Members's consideration.

Regarding all the points that I have made earlier on, the best approach, in my opinion, is that sponsors who have not given their support in public must not be quoted by the candidate. That will solve the problem.

Second, to go one step further, we can disallow altogether candidates making use of the name of other people. The candidate can only make some objective statements regarding his own status or his own situation and not make use of the subjective views of other people including the sponsors. If we have the written consent of the sponsor, there is always the problem of the sponsor subsequently withdrawing the support. So we should only allow objective statements—the candidate can only say that I am the husband of so and so and I am the father-in-law of so and so.

Third, to go even further, some organisations are not suitable in giving their support or endorsement to candidates. There are such organisations. So making a public statement that the organisation gives its support to a candidate is not appropriate. Let me elaborate. There are major implications of the amendments mentioned in the Bill. There may be bad consequences. For example, let us look at the registered companies, societies, unions, mutual aid committees, owners' incorporations and so on. In this regard, I feel that there must be some objectives behind the setting up of a non-profit making company. If the company is not non-profit making, then, maybe they should not be allowed to give endorsement to candidates. Under our taxation system, we can check on what companies are making money or are profit-making in objectives. If there are profit-making companies giving support to candidates, then perhaps the Commissioner of Inland Revenue can consider the expenses involved. But this may have major implications. The organisations can claim to be political organisations, then, that will be all right. But we must consider other organisations carefully. Can we disallow certain organisations to give support to certain candidates?

Regarding owners' incorporations, of course, provisions can be added saying that the owners' incorporation can participate in political events. But should we consider disallowing owners' incorporation to participate in political campaigns? MACs are exempted from registration. So will the Secretary for District Administration consider disallowing MAC to give endorsement to the candidates? I mean the MAC as a whole, not the chairman or the vice-chairman who can support certain candidates in their own capacity. Trade unions posed an even greater problem.

What are the major implications? I arrive at the major implications after some thoughts. Let us go one step backwards first. At present, we do not have clear demarcation among all the organisations and bodies. A MAC serves as a policy making body so long as a quorum is there. If more than a half of the participants in a certain MAC give their support to a candidate, consider this question, if the floor representatives or some of the residents do not give their support to the candidate, will these people who do not give support to the candidate come up with some reasons saying that the decision made by the MAC should be overruled. If that happens, then there may be a meeting of all the residents, so it will lead on to problems and problems. And the Secretary for District Administration may have to bear all these consequences. So this may happen. We must carefully consider all these scenarios. So we must try to resolve all these problems before we formulate the White Paper. Maybe we need not go that far. Just consider the first two points made by me earlier on. For example, the candidates can only quote sponsors who have given them support in public or make objective statements. Maybe this would solve the problem. It will not lead us to problems involving the law and structure of Hong Kong and all that sort of thing.

Basically, I give my support to the Bill. But I hope that as concluding remarks, I can make these points.

Chuang Tze, a Chinese philosopher made this point. He said that there was a person who hated his own shadow. He did not want himself to be followed by a shadow. Therefore he ran very fast. Finally, he was exhausted to death. When we amend the Bill, will we be doing the same? Chuang Tze, the philosopher, gave another example. There was another person who hated his own footmarks, therefore he walked faster and faster. Once again he was exhausted to death. In another place, Chuang Tze told a story which is even more peculiar. It has to do with the shadow and the shadow of the shadow. One asked the other; 'why do you not have voluntary control over your movements.' The shadow said: 'I do not have any voluntary control. I will have to follow the physical body, there is nothing more I can do.' So the shadow of the shadow said: 'Ah, that is why you are so pitiful.' We do not have the shadow of the shadow because the shadow is already a shadow. We cannot have a shadow of the shadow. Therefore Chuang Tze was arguing with himself really. Chuang Tze's point was that we must be liberal. We should look at the cause of the problem and find solutions and not go after the shadow. Otherwise, we may be disassociating ourselves from reality. Thank you Mr. Chairman.

SECRETARY FOR DISTRICT ADMINISTRATION: Sir, I am grateful for the comments made both last Wednesday by Mr. Desmond LEE and Mr. Martin LEE, and this afternoon by Miss Maria TAM and Mr. Andrew WONG.

Mr. Desmond LEE and Mr. Martin LEE queried the need to include 'name-dropping' in the Green Paper on Review of Developments in Representative Government. I must reiterate that during the review on electoral arrangements in 1986, both the public and members of district boards considered name-dropping and election expenses returns two of the important issues which should be better regulated. It was therefore proper to include these issues, together with other practical aspects of elections, in the Green Paper so that the public would be aware of the Government's response to their views and be given a further opportunity to comment on them. It is also appropriate that no legislative amendments mentioned in the Green Paper should be introduced before the Survey Office report was published.

Mr. Desmond LEE was concerned that the penalties on those convicted of name-dropping were too harsh. Let me first of all say that name-dropping is not an insignificant offence. In the course of public consultation, there were clear support for it to be regarded as a criminal offence. Secondly, the penalties proposed in the Bill are, as pointed out by Miss Maria TAM, reduced when compared with other offences in the Corrupt and Illegal Practices Ordinance since the sentence of imprisonment is removed.

On Mr. Martin LEE's concern regarding liability on the defendant, I note that an amendment will be proposed in Committee stage which the Administration

agreed. Mr. WONG's suggestion and his detailed practical difficulties will be borne in mind for future reference.

On the subject of the election expenses returns, Mr. Desmond LEE queried the need for the amount of detail to be provided by candidates. The purpose of the Bill is to introduce a more flexible arrangement whereby the form of election expenses return and declaration need not be specified by law, but will instead be specified administratively by the Deputy Chief Secretary. I have been assured that the form will be as straightforward as possible and there will be consultation with Members of this Council before amendments are introduced. Candidates for elections will also be informed of the changes by way of guidance notes and briefing sessions.

I fully recognise that the relatively short time available to scrutinise this Bill must have caused Members some inconvenience, and I am particularly grateful to Miss Maria TAM and the OMELCO ad hoc group for their effort in this regard.

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).*

## **LAND DEVELOPMENT CORPORATION BILL 1987**

### **Resumption of debate on Second Reading (28 October 1987)**

*Question proposed.*

MR. HU: Sir, we are all proud of Government's long-term plan in the development of new towns and the land production programme to cope with the progress of the Hong Kong economy and increase in population resulting in a greater demand for housing. However, relatively little attention has been paid to urban renewal, which has been more or less left to the private sector resulting in piecemeal development.

In many old urban areas the problem of dilapidated buildings, lack of community facilities, overcrowding, traffic congestions and other related matters are of great concern to the general public. If these old urban areas can be redeveloped according to a comprehensive well-co-ordinated plan, the land can be more efficiently used to accommodate more people in better environments and with more badly needed community facilities. The Urban Improvement Scheme of the Hong Kong Housing Society is a good example of planned urban renewal projects.

The basic problems in large scale urban renewal scheme are that the issues involved are highly complicated. They include land acquisition, rehousing, financing and co-ordination which all lead to ineffective and time consuming implementation. Such problems cannot easily be resolved by the private sector without the intervention of Government.

This is an area where Government can utilise effectively the resources from both public and private sectors in achieving the final objectives of urban renewal. This is the concept of the Land Development Corporation (LDC) which is fully appreciated and supported by all parties including private developers, professionals and those having the interest of the general public in mind.

The Land Development Corporation Bill 1987 was gazetted on 7 August 1987. The OMELCO Standing Panel on Lands and Works began a study of the principles behind the Bill in the summer recess pending the formation of a Legislative Council ad hoc group. An ad hoc group was subsequently formed on 9 October 1987 to take over from the panel the study on the Bill.

The panel and the ad hoc group have altogether held 15 meetings, three with the Administration, five with outside organisations, five for internal discussions and two for the Chinese text, which is not for legislation but for dummy run exercise in preparation of the implementation of bilingual legislation.

Members have also considered comments on the Bill received by the Administration from the Town Planning Board, Land and Building Advisory Committee, district boards, professional institutions and other interested organisations. The panel and the ad hoc group also enquired into the procedures on development projects carried out by the Hong Kong Housing Society, Mass Transit Railway Corporation and Kowloon-Canton Railway Corporation.

Having studied the Bill in details and taking into consideration the views expressed by the public, the group gave general support to the Bill, but put forth a number of points, both legal and procedural, to the Administration for consideration. The group's main areas of concern are:

- (a) The concept of designating Urban Renewal Areas (URA) should be abandoned as there would be some psychological impact on the people living in the area, thereby creating uncertainties for owners, tenants and developers, affecting land prices and sale of property. It could cause either false hope or over expectation or bad feeling in people depending on the sites. The area would, in effect, be frozen and no redevelopment by private sector would be carried out. It would also multiply the slum problem since people were bound to become slack in the proper management and maintenance of buildings within an URA. It would also restrict the scope of LDC's work since the Bill precluded the LDC from dealing with areas outside the URA.

- (b) The procedural control for the LDC's development scheme should be simplified as much as possible so as to give more autonomy and flexibility to the corporation and shorten the time taken for the implementation of redevelopment. Success of the LDC depends on the support and involvement of private developers who will be greatly encouraged to work with the LDC if time required for implementation of development scheme could be subsequently reduced.
- (c) There should be provisions to ensure adequate protection for the affected tenants by way of rehousing and/or cash compensation. The corporation should offer satisfactory options, including flat for flat, cash compensation and combination of options to small property owners. However the group understands that any such rehousing arrangements undertaken by the corporation should not create additional demand on the Housing Authority.

After a series of discussions, the Administration basically accepted the group's comments, and I shall move a number of amendments to the Bill at the Committee stage to introduce the following changes:

- (i) Part IV of the Bill on 'Designation of Urban Renewal Areas' will be deleted and consequential amendments to the Bill will be made. The scope of the corporation's activities will be restricted by the Secretary for Lands and Works by means of administrative arrangement.
- (ii) Amendment will be made to clause 17 of the Bill for the purpose of simplifying the procedures leading to resumption of land where redevelopment requires no change in land use.
- (iii) The group notes that the corporation shall have no more than three members being public officers, who will be appointed by the Governor according to post. The Administration agree with the group that the quorum of the corporation laid down in paragraph 9 of the First Schedule should be increased from five to six in order to ensure that there will be at least three other members not being public officers at any meeting of the corporation.
- (iv) In laying down the general powers of the corporation, clause 5(1) provides that 'The Corporation may do anything which is expedient' for the attainment of the purposes of the corporation. The group considers that for presentational reasons and consistency with other Ordinances, the more familiar formulation of 'The Corporation may do all such things which are expedient...' is more preferable.
- (v) Clause 18(1)(b) provides that a person authorised under the Ordinance may enter and inspect a building or structure, for the purpose of assessing the effects of a redevelopment project on residents, 24 hours after notice has been given to the owner or occupier. The group considers that the 24-hour period is unreasonably short for the owner or occupier to make suitable arrangement. The Administration agree that the period should be increased to 48 hours.

- (vi) In order to allow a notice under clause 18(1)(b) to be posted at the premises, an additional subsection will be added to provide for the manners in which notice may be served.
- (vii) The group considers that there should be provision for continuing offences so that heavier penalties could be imposed for subsequent offences in obstructing authorised officers from entering or inspecting any building. An amendment to clause 18(2) will be proposed accordingly.

The group appreciates the difficulties in stipulating details of rehousing and compensation arrangements in the Bill as the corporation should be given the flexibility of offering and negotiating various acceptable options to the affected tenants and small property owners. However, the group would welcome the Administration's assurance and indication of arrangement on rehousing and compensation to the affected tenants as well as the range of options open to small property owners including flats in exchange or cash or combination of both.

There have been comments by members of the public that the corporation is being given too much power. A careful examination of the provisions in the Bill will however indicate that there are many restrictions on what the corporation can do, and much power is in fact reserved for the Government, resting either in the Governor in Council in the case of resumption and town planning changes, or Secretary for Lands and Works in other matters. The group is satisfied that there are sufficient built-in checks and balances, and some flexibilities should also be allowed for the corporation to operate on commercial principles. As the Administration have accepted the group's views on the above point, I shall move the necessary amendment in the Committee stage.

Sir, this Bill is the second after the Weights and Measures Bill 1987 designated for dummy run in preparation for bilingual legislation. Members of the ad hoc group as well as other interested members have scrutinised the Chinese text, and we are glad to have completed the task before passage of the Bill in this Council. My hon. Colleague Mr. Peter C. WONG will say more on the work done on the Chinese text.

Sir, subject to these remarks made, I support the Bill.

MR. PETER C. WONG: Sir, in my speech during the resumption of debate on the Second Reading of the Weights and Measures Bill on the 8 July this year, I mentioned that the Chinese version of that Bill was the first of a series of test runs in the bilingual laws project. Today, Sir, I am pleased to report that the present Bill, that is, the Land Development Corporation Bill 1987 is another test run in the further development of the bilingual project. As in the previous test run, although the Bill was drafted and gazetted in both English and Chinese and the Legislative Council ad hoc group convened by my friend, Mr. F. K. HU, in conjunction with the Bilingual Legislation Ad Hoc Group have scrutinised both versions of the Bill, only the English text will be passed into law this afternoon.

We hope, Sir, that after a few more runs, when more experience in bilingual legislation has been gained we will be in a position to introduce a Bill into this Council in bilingual form in the near future. Sir, we all look forward to that day.

From the linguistic point of view, the Chinese text of the present Bill is a great improvement compared with the Weights and Measures Bill. The Chinese text does accurately reflect the English version. Furthermore, the vocabulary, use of technical expressions and sentence structure in the Chinese version of this Bill are more in conformity with the daily Chinese usage. I believe any person who can only read Chinese will find this Bill more easily comprehensible.

Although both the textual and linguistic aspects of this Bill are relatively simple and straightforward, a number of legal terminology relating to company law, law of real property and trust is used throughout the Bill. Many of these terms, Sir, involve very important and fundamental legal concepts which have never been formally translated into Chinese before. Terms like 'estate in land', 'leasehold interest', and 'purposes of the corporation' are just a few examples. In order to find the most appropriate Chinese expressions for these terms so that they can be adopted for future use in other relevant legislation, much discussion and deliberation has taken place as to the choice of words. In the light of experience, the Bilingual Legislation Ad Hoc Group in conjunction with the Legislative Council ad hoc group invited representatives from various legal organisations as well as educational institutions to give their expert opinion on the linguistic aspects of the Bill. Their enthusiastic support and contribution has led to the successful completion of the refined version of the Chinese text of this Bill which will shortly be published in the Gazette for public information.

Sir, as I have mentioned before, bilingual legislation is a new experience in Hong Kong. Its success depends on a number of factors which include adequate resources both within the Administration and in the Judiciary. However, it appears at the moment that there is a serious shortage of experienced bilingual legal personnel. We all recognise, Sir, the difficulties of recruitment to the Legal Department and the Judiciary. Nevertheless, I believe legal bilingualism is of such vital importance that greater emphasis must be placed on both attracting and keeping suitably qualified staff. Unless more vigorous measures are immediately taken by the Government to solve this problem, the progress of bilingual legislation may be severely hindered.

Sir, I shall not bother Members with details. Those who have an interest in bilingual legislation are invited to study both the original English and Chinese versions and the refined Chinese version to be published next week in Special Supplement No. 5 of the Hong Kong Government Gazette. Any suggestions or comments will be warmly welcome.

Lastly, on behalf of the Bilingual Legislation ad hoc group, I would like to congratulate once again the Legal Department for producing the Chinese version of this Bill with great expertise and extend my gratitude to those who

assisted and participated in the bilingual laws project. I look forward to their continued support in the future.

Sir, with these remarks, I support the motion.

MR.CHENG: Sir, attempts have been made by Government to undertake urban renewal during the past 25 years but without much success. Tremendous difficulties have been experienced either in resumption of properties or in rehousing a large number of occupants without proper legal backing for its implementation.

The concept of the Land Development Corporation (LDC) as an independent statutory body was seriously considered by the Special Committee on Land Supply which amalgamated with the Land and Building Advisory Committee in June 1985. Since then, a steering group, of which I was a member, had been set up to consider the financial, legislative and operational requirements of the Land Development Corporation with a view to its establishment. Particular regards have been paid to matters relating to resumption of land, compensation to owners and rehousing for occupiers.

Sir, I am pleased that the Land Development Corporation Bill is now presented to this Council after a long period of drafting, consultation and indeed careful examination by Members of this Council. It is essential that after enactment of the Bill the corporation may be formally established to undertake its tasks as soon as possible.

It is important that the established Land Development Corporation be given sufficient flexibility to deal with rehousing arrangements which must satisfactorily look after the interests of the original occupiers. I would strongly endorse the principle that initially sites should be made available to the LDC at concessionary premium for the sole purpose of constructing decantation accommodation, provided that these sites are not subsequently disposed of as an asset. In the early stage, some decantation accommodation is necessary to facilitate smooth rehousing for pursuing effective urban renewal.

The responsibility of rehousing should rest upon the LDC alone without the burden being shared by the Government or the Housing Authority. Satisfactory rehousing, a preferred option especially for owner-occupiers, will certainly alleviate the fears and concerns of people who might be displaced by the future redevelopment proposals. Particular attention should be given to rehousing the more needy tenants such as the poor and the elderly. These views are also shared by my hon. Colleague, Mrs. Selina CHOW.

Sir, we all have great expectation of the LDC and will certainly wish to see substantial improvements in the standards of housing and the environment in the dilapidated part of Hong Kong.

Sir, subject to the amendments to be moved at the Committee stage, I support the Bill.

MR. CHUNG (in Cantonese): Sir, to meet with the demographic, social and economic development of Hong Kong, the Land Development Corporation should be legally authorised to play a very important role in the redevelopment of some of the urban areas, the improvement of our living environment and the enhancement of a modernised living in this territory.

I am a member of the Board of the Provisional Land Development Corporation and I welcome the Bill before Council. I believe this Bill already incorporates the correct legal spirit enabling the corporation to work according to the principles of all public enterprises and to realise its legal responsibilities.

As we all know, Hong Kong has been very successful at the promotion of new towns in the past 15 years, and, Sir, you have further said and I quote 'The Government hope that within the next five years the corporation will make a real and positive impact on the urban environment'.

We have the same aspirations, confidence and targets. The most important factor is that the new towns have been providing more and more infrastructure for the New Territories so that the New Territories now house two thirds of the 5.6 million people in Hong Kong. In order to ensure that there is a comprehensive balance and stable development all over the territory, we must do something about the densely populated urban areas, especially on both sides of the harbour where we find very old and dilapidated areas. They should be given priority in redevelopment.

The most important task of the Land Development Corporation is to undertake independent investments or to co-operate with private developments so as to bring forward urban redevelopment.

With regard to the contents of the Bill, three main points are worth noting. Firstly, the main procedures for urban redevelopment and they include: Designating redevelopment areas by the Land Development Corporation. When necessary, plans for redevelopment should be handed over to the Town Planning Board for vetting. Once these plans and drafts are approved, they will be gazetted. Relevant parties and members of the public have the right under the law to object, and before allowing resumption of land by invoking the Crown Lands Resumption Ordinance, the Executive Council will consider the pros and cons of this particular plan fully.

Secondly, the Bill ensures that in any redeveloped area, the owners and the tenants will be treated fairly. The procedure for resumption of private property includes:

(i) When a plan for redevelopment has been drafted, the Land Development Corporation should, within a period of 12 months, suggest a formula and a package for the purchasing of all private property affected.

(ii) Before the Crown Lands Resumption Ordinance is used, the Government must be satisfied that the LDC has already proposed a purchasing packet with a price which is fair and reasonable. And whenever necessary an independent professional assessor should be appointed to make suggestions.

(iii) Affected landlords and tenants should be offered more than one alternatives, for instance: cash compensation, short-term accommodation provisions, flat for flat exchanges and so on. The solution to each problem may be different but they all must be fair and reasonable. If persons affected are not satisfied about any one of the arrangement suggested, they will then be protected by the Landlord and Tenant (Consolidation) Ordinance and the Crown Lands Resumption Ordinance.

Thirdly, the Bill suggests that the LDC should undertake urban redevelopment according to commercial principles and that the LDC can regularly co-operate with private enterprises. This is mutual assistance and not market competition. Loss incurred by the LDC should be taken up by the Government. Surplus on the other hand should be turned either into capital or a development fund to be reinvested in other projects or injected into existing projects to expand its scope, or to projects which are not profitable. Under commercial principles, when the LDC operates, it should work towards the highest efficiency and of course there should be more flexibility when it deals with matters affecting the interests of other people. Unnecessary constrain should be done away with so that the LDC can fulfil its task.

Sir, the Land Development Corporation will become a landmark in the progress of the society of Hong Kong and I support the motion before Council.

MR. EDWARD HO: Sir, I rise to support the Land Development Corporation Bill 1987.

The phenomenal growth of the population in Hong Kong since the early '50s, and the burgeoning economy in the past three decades have resulted in unrelenting building activities in Hong Kong.

This led to firstly the rapid and dense building up of the main urban areas; and later, in the mid-'60s, the growth of the new towns.

These new towns, fostered by our ambitious public housing programme, achieved the result of a more even distribution of the population throughout the territory. About 2 million people now live in new towns, whilst over 3 million still live in the main urban areas.

Our attention on the quality of our living environment has in this way been focussed on the new towns whose development and growth could be planned comprehensively, as they were largely unhampered by existing constraints.

In the older and most densely populated parts of the urban areas, on the other hand, conditions have been allowed to deteriorate. Buildings, mostly developed in a piecemeal manner and owned by a multitude of people, have fallen into dilapidation due to the natural process of ageing, lack of maintenance and sometimes total neglect: to the extent that public health, and even safety may be jeopardised.

Also, due to this sort of unorganised and sporadic pattern of development, major parts of our urban areas, such as Sheung Wan, Sai Ying Pun, parts of Wan Chai, Tai Kok Tsui, Yau Ma Tei and so on, lack adequate open spaces and community amenities. Many of these areas also suffer from unsatisfactory road widths and street patterns that give rise to unacceptable traffic conditions.

Government has in the past attempted to remedy the situation by various schemes, notably the Urban Renewal Pilot Scheme in Sheung Wan and the Housing Society's Urban Improvement Scheme. These attempts, though not without their merits, suffered in that the process of land acquisition was too slow and cumbersome. The Sheung Wan Scheme was conceived in 1969 and was not fully realised until more than 10 years later. In its Urban Improvement Schemes, the Housing Society completed a total of 13 projects; but apart from a few, most of these projects were modest in scale and could not be considered as urban improvement in its wider meaning.

The Land Development Corporation will be an independent organisation providing a vehicle for co-ordinated efforts in urban renewal projects. Although its objectives of improving the living conditions and the environment may mean that it has to occasionally undertake developments not entirely on the basis of commercial viability, it is important that it should nevertheless operate on sound commercial principles in order for it to be viable on a continuing basis. Also, what sets the Land Development Corporation apart from previous attempts on urban renewal will be the injection of initiative, experience and expertise from the private sector.

The Government's initial financial injection in the form of a HK\$100 million loan is very modest indeed in terms of investment capital in real estate development. Therefore, it must rely heavily on co-operation with the private sector. I see the private sector has an important role to play in the success of the Land Development Corporation in the following aspects:

1. Where private developers already own a significant portion of the properties to be developed, they can co-operate with the Land Development Corporation and make use of the latter's ability to negotiate and to acquire the remainder of the properties for development.
2. The private sector developers can provide financial support in the acquisition of properties and in development, in the form of joint ventures.
3. The private sector developers can provide development experience and expertise in the financial appraisal of the viability of a project.

4. The private sector developer can actually develop a project on behalf of the Land Development Corporation with the latter agreeing with it the development brief. The Land Development Corporation will monitor the quality of the development ensuring its objectives are met.
5. Professionals in the private sector: architects, engineers, surveyors, estate managers, will provide their professional expertise in the physical implementation, the marketing and the management of the Land Development Corporation's projects.

In order that public interest be protected, especially those individual owners and tenants whose properties will be resumed, the Land Development Corporation Bill provides for a system of procedural controls. This inevitably means that developments will not be as expedient as developments in the private sector.

I consider that these procedural controls are important; and that if the Land Development Corporation applies itself purposefully and energetically to its tasks, it will accomplish its stated objectives. I look forward to seeing the completion of the first project of the Land Development Corporation in three years' time.

Sir, with these words, I have pleasure in supporting the motion.

SECRETARY FOR LANDS AND WORKS: Sir, I am very grateful to both OMELCO Panel on Lands and Works and the ad hoc group studying the Land Development Corporation Bill for the very hardwork and interests which they have applied to this very important piece of legislation. Their comments and proposals have led to substantial improvements in the Bill's aim to provide an effective framework for the corporation's work and proper safeguard for those affected by development schemes. Their remarks today will be valuable guidance for the corporation when it is established. The Government supports the proposed amendments as suggested by the hon. F. K. HU which I will now address briefly seriatim.

With regard to urban renewal areas, on reconsideration, the Administration accepts that there may be some substance in the criticism of the likely effect of designation and publication of URAs. In any case, while there remains a need to restrict the activities of the LDC to the specific areas where redevelopment is most necessary, formal designation and publication of URAs is not necessary to achieve this aim. The purpose could equally be achieved through provisions in clause 5 of the Bill which restricts the activities of the LDC to areas designated either generally or in any particular case.

As for simplification of the procedures leading to resumption, the Administration considers that, in general, procedures in the Bill are the minimum necessary and appropriate to ensure that any resumption can be justified to the Governor in Council as a public purpose, and that the interests of owners and residents, and of town planning and environmental improvement are given adequate weight.

Nevertheless, the requirement for publication of proposed LDC development schemes as separate plans under the Town Planning Ordinance was intended for major comprehensive redevelopment schemes involving changes in existing zonings on strategic town plans. It is expected that most schemes will be of this type. However, LDC may also undertake small scheme which accord with the zonings on town plans. In such cases, the requirement to publish the scheme as a separate plan under the Town Planning Ordinance is unnecessary and would put the LDC at a disadvantage as compared with other developers. This might well deter potential joint venture partners. I therefore support the proposal to amend clause 17 of the Bill.

With regard to rehousing and compensation arrangements, I agree that the corporation should be given the flexibility of offering and negotiating options with tenants and property owners. Both the provisions for the submission of development schemes to the Secretary and normal resumption procedures afford the opportunities to ensure that the LDC's rehousing and compensation arrangements are subject to proper scrutiny and the corporation will have to take into account the needs of persons it is displacing. While it may well be desirable and possible to rehouse persons in or near the same locality of the development should they so wish, and the corporation itself will wish to do so, this may not always be feasible. The terms of compensation are also a matter of negotiation between the corporation and owners and tenants, as is the case with any private developer. In practice, though, I would expect that during the negotiations, the LDC would offer accommodation or cash or a combination of both depending on the circumstances. Though I would not see the corporation offering equity of participation in the short term, there is nothing to prevent it doing so if the circumstances are favourable and the initiative as to what is offered must remain a matter for the corporation.

The Administration also supports the other minor amendments proposed, that is to say, raising the quorum for a meeting of the corporation from five to six; increasing the period of notice for entry of a building from 24 to 48 hours; adding a new clause 18(3) to provide additionally for the the posting of a notice on a conspicuous part of a premises; making provision for a fine of \$10,000 for second or subsequent offences of obstructing a person authorised to enter or inspect the building; and finally, the amendment to the wording of clause 5(1).

Sir, this has been quite a long and difficult legislative exercise, and I would like to acknowledge the contribution made by members of the provisional board of the corporation and also Members of this Council. The proof of the pudding will as usual be in the eating, but I believe that when the corporation is established, which hopefully will be very early next year, it will have a sound and equitable framework for operation.

*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.

### **CORRUPT AND ILLEGAL PRACTICES (AMENDMENT) BILL 1987**

Clauses 1, 2, 4 and 5 were agreed.

Clause 3

MRS. NG (in Cantonese): Sir, I move that clause 3 be amended as set out under my name in the paper circulated to Members.

The intention of the Bill is to make false claims of sponsorship by a candidate an offence. However, there has been some concern that the Bill may be too restrictive after the Bill was gazetted.

This amendment is therefore aimed at providing a defendant who is alleged to have made such false claims with a defence on the grounds of 'reasonable excuse', so that the Bill will not be too restrictive and yet achieve the purpose of effectively preventing false claims.

Sir, I beg to move.

#### *Proposed amendment*

### **Clause 3**

That Clause 3 be amended, in proposed section 17—

(a) in subsection (1), by inserting after 'shall' the following—  
' , without reasonable excuse, ';

(b) in subsection (2)—

(i) by deleting 'address, bill, notice, placard or poster referred to in section 19 shall include' and substituting the following—

'person shall, without reasonable excuse, include or cause to be included in any address, bill, notice, placard or poster referred to in section 19';

(ii) by inserting before 'consent' the following—  
'prior'; and

(iii) by inserting before 'bill' in the second place where it occurs the following—

'address, ';

- (c) by inserting after subsection (2) the following—  
‘(3) For the purposes of this section, oral consent or permission obtained from any person or organization referred to in subsection (1) or (2) shall not constitute a reasonable excuse.’.

The amendment was agreed to.

Clause 3, as amended, was agreed to.

### **LAND DEVELOPMENT CORPORATION BILL 1987**

Clauses 1, 3, 6 to 12, 16 and 19 to 22 were agreed.

Clauses 2, 4, 5, the heading of Part V, clause 15, the heading of Part VI and clauses 17 and 18

MR. HU: Sir, I move that the clauses and headings specified be amended as set out in the paper circulated to Members.

#### *Proposed amendments*

##### **Clause 2**

That clause 2 be amended by deleting the definition of ‘urban renewal area’.

##### **Clause 4**

That clause 4 be amended, in paragraphs (a) and (b) by deleting ‘development in urban renewal areas’ and substituting in each case the following—  
‘urban renewal’.

##### **Clause 5**

That clause 5 be amended—

- (a) By deleting subclause (1) and substituting the following—  
‘(1) The Corporation may do all such things which are expedient for or conducive to the attainment of the purposes declared in or permitted or assigned under section 4 or all such things which, in the opinion of the Corporation, are necessary to facilitate the proper carrying out of the purposes of the Corporation.’;
- (b) in subclause (2)—  
(i) by deleting paragraph (a)(i) and substituting the following—

- ‘(i) for any purpose within any area designated in writing to the Corporation by the Secretary;’;
- (ii) in paragraph (a)(ii) by deleting ‘accommodation for persons displaced by the implementation of development schemes’ and substituting the following—  
‘residential accommodation for persons displaced by the carrying out of the purposes of the Corporation’;
- (iii) in paragraph (b) by deleting ‘schemes’ in both places where it occurs and substituting in each such place the following—  
‘proposals’;
- (iv) in paragraph (g) by deleting ‘any thing’ and substituting the following—  
‘all such things’.

### Part V

That Part V of the Bill be amended by deleting the heading and substituting the following—  
‘DEVELOPMENT OF LAND’.

### Clause 15

That clause 15 be amended by deleting subclause (1) and substituting the following—  
‘(1) The Corporation may with the approval of the Secretary either generally or in a particular case, prepare in accordance with this section, development schemes for any area within which the Corporation may acquire property.’.

### Part VI

That Part VI of the Bill be amended, in the heading by deleting ‘WITHIN URBAN RENEWAL AREAS’.

### Clause 17

That clause 17 be amended by deleting clause 17 and substituting the following—

‘Power of Secretary to recommend resumption. (Cap. 124.)

**17.** (1) The Corporation may in the circumstances specified in subsection (2) apply in writing to the Secretary requesting him to recommend to the Governor in Council the resumption of land under the Crown Lands Resumption Ordinance.

- (2) The circumstances referred to in subsection (1) are—
- (a) that the Corporation has been unable to acquire any land within the area of a plan which is deemed to be a draft plan by virtue of section 16(3) of this Ordinance; or
- (b) that the Corporation has been unable to acquire any land which it requires to implement a development proposal authorized under section 5(2)(b) of this Ordinance.
- (3) The Secretary shall not make a recommendation in pursuance of subsection (2)(a)—
- (a) unless application is made to him not later than 12 months after the approval by the Governor in Council under section 9 of the Town Planning Ordinance of such plan or such further period as the Secretary may allow; and
- (b) unless he is satisfied that the Corporation has taken all reasonable steps to otherwise acquire the land including negotiating for the purchase thereof on terms that are fair and reasonable.
- (4) The Secretary shall not make a recommendation in pursuance of subsection (2)(b)—
- (a) unless the development proposal may lawfully be implemented by virtue of the provisions of any draft or approved plan for the purposes of the Town Planning Ordinance and, in the case where by virtue of such plan, permission under section 16 of that Ordinance is required for that implementation, the permission required has been obtained;
- (b) unless the application for resumption is accompanied by a statement—
- (i) setting out how the Corporation intends that the proposal will be implemented, including whether implementation will be by the Corporation alone or the Corporation in association with another person and in relation to land within the boundaries of the proposal, what portion of the land is owned or leased by the Corporation and what arrangements have been made or are contemplated by the Corporation for the acquisition of any land not so owned or leased;
- (ii) containing an assessment by the Corporation as to the likely effect of the implementation of the proposal, including, in relation to the residential accommodation of persons who

(Cap. 131.)

(Cap. 131.)

will be displaced by the implementation of the proposal, an assessment as to whether or not, insofar as suitable accommodation for such persons does not already exist, arrangements can be made for the provision of such residential accommodation in advance of any such displacement which will result as the proposal is implemented; and

(c) unless he is satisfied that the Corporation has taken all reasonable steps to otherwise acquire the land including negotiating for the purchase thereof on terms that are fair and reasonable.

(5) For the purposes of this section, in considering whether or not the Corporation has negotiated for the purchase of the land on terms that are fair and reasonable, the Secretary may consult any person not being a public officer whom he considers may be able to assist him in forming an opinion on which to base his decision in respect of that negotiation.

(6) A resumption in pursuance of a recommendation by the Secretary under this section shall be deemed to be a resumption for a public purpose within the meaning of the Crown Lands Resumption Ordinance.’

(Cap. 124.)

### Clause 18

That clause 18 be amended—

(a) In subclause (1)—

(i) by deleting ‘or 17(2)’ and substituting the following—

‘17(3)(b), 17(4)(b)(ii) or 17(4)(c)’;

(ii) in paragraph (a) by deleting ‘an area affected by a plan approved by the Town Planning Board under section 16(3)’ and substituting the following—  
‘the boundaries of a development scheme or of a development proposal authorized under section 5(2)(b)’;

(iii) in paragraph (b)—

(A) by deleting ‘, personally or by registered post,’ and substituting the following—

‘a’;

(B) by deleting ‘24’ and substituting the following—

‘48’;

- (b) in subclause (2), by deleting ‘on conviction to a fine of \$2,000’ and substituting the following—
- ‘—
- (a) on first conviction to a fine of \$2,000; and
- (b) on second or subsequent conviction to a fine of \$10,000’; and
- (c) by inserting after subclause (2) the following—
- ‘(3) A notice under subsection (1)(b) may be served by serving a copy—
- (a) personally;
- (b) by registered post addressed to the last known place of business or residence of the person to be served; or
- (c) by leaving the same with an adult occupier of the building, structure, or part thereof to which the notice relates or by posting the same upon a conspicuous part of such building, structure or part thereof.’.

The amendments were agreed to.

Clauses 2, 4, 5, the heading of Part V, clause 15, the heading of Part VI and clauses 17 and 18, as amended, were agreed to.

#### Part IV

MR. HU: Sir, I move that Part IV of the Bill be deleted.

#### *Proposed amendment*

#### **Part IV**

That Part IV of the Bill be deleted.

The amendment was agreed to.

The deletion of Part IV was agreed to.

#### First Schedule

MR. HU: Sir, I move that the First Schedule be amended as set out in the paper circulated to Members.

*Proposed amendment***First Schedule**

That the First Schedule of the Bill be amended, in paragraph 9 by deleting '5' and substituting the following—

'6'.

The amendment was agreed to.

First Schedule, as amended, was agreed to.

Second Schedule was agreed to.

**Long Title**

MR. HU: Sir, I move that the long title be amended as set out in the paper circulated to Members.

*Proposed amendment***Long title**

That the Long title of the Bill be amended by deleting', and to provide for the designation of urban renewal areas, and for development within such areas'.

The amendment was agreed to.

Long title, as amended, was agreed to.

**Third Reading of Bills**

THE ATTORNEY GENERAL reported that the

CORRUPT AND ILLEGAL PRACTICES (AMENDMENT) BILL 1987 and the

LAND DEVELOPMENT CORPORATION BILL 1987

had passed through Committee with amendments. He moved the Third Reading of the Bills.

*Question put on the Bills and agreed to.*

Bills read the Third time and passed.

**Adjournment and next sitting**

HIS EXCELLENCY THE PRESIDENT: This is the last session of the Council before the recess for Christmas and New Year. I should like to take this opportunity to wish all Members of the Council and all the staff of the Council a very happy New Year and a successful and prosperous 1988 as well as a happy Christmas. And now, in accordance with Standing Orders I now adjourn the Council until 2.30 pm on Wednesday, 13 January 1988.

*Adjourned accordingly at eleven minutes to Five o'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 ANSWER

## Annex I

**Written answer by the Secretary for Transport to Dr. CHIU's supplementary question to Question 5**

Normally, the train operator is the only member of MTRC staff on a train. But he is constantly in radio communication with the MTR Central Control and can call for assistance at any time whether in an emergency or otherwise. In addition, he can communicate with passengers on a train through the train's public address system and, in an emergency, he can direct passengers to leave the train through the rear cab if necessary.

If it is necessary to evacuate a train which has stalled in a tunnel for any reason other than a fire, at least two station staff from the nearest station will immediately proceed to the train to assist the operator with the evacuation of passengers. One of the station staff will lead the passengers back to a station through the tunnel, and the last person out of the train will be the train operator.

As regards the number of MTRC staff at stations, there are indeed only three to four of them on duty at smaller stations where the daily volume of passengers using the station is relatively limited and the number of entrances from the street to the stations is small. However, at larger stations with more entrances exits which deal with large volumes of passengers particularly at certain peak times, such as those from Prince Edward to Central, Sheung Wan to Causeway Bay and at Kowloon Tong interchange, there are correspondingly larger numbers of staff on duty. The actual deployment of staff at these stations is shown below:

<i>station</i>	<i>Minimum no. of staff available between</i>		
	<i>0800-0900</i>	<i>1730-1830</i>	<i>0700-2100</i>
Central	13	15	11
Admiralty	7	9	6
Tsim Sha Tsui	7	10	6
Jordan	6	7	4
Yau Ma Tei	7	8	6
Mong Kok	10	11	8
Prince Edward	7	6	5
Kowloon Tong	7	10	6
Wan Chai	7	8	5
Causeway Bay	9	13	8

**WRITTEN ANSWER—*Continued***

The corporation's experience in dealing with large volumes of passengers, both daily and for special events, has shown that the MTRC staff, ably supported by the police force, are capable of dealing with large crowds of passengers. For emergency evacuation of MTR stations, the staff would, using established and well-rehearsed procedures, direct passengers to leave the station speedily. All stations are provided with public address systems and are designed to facilitate rapid egress of passengers. In addition, the major stations are provided with loudhailers which can be used by individual members of station staff for directing crowds.