OFFICIAL REPORT OF PROCEEDINGS

Sitting of 6th November 1968

MR PRESIDENT in the Chair

PRESENT

HIS EXCELLENCY THE ACTING GOVERNOR *(PRESIDENT)*
MR MICHAEL DAVID IRVING GASS, CMG
THE HONOURABLE THE COLONIAL SECRETARY *(Acting)*
MR GEOFFREY CADZOW HAMILTON
THE HONOURABLE THE ATTORNEY GENERAL
MR DENYS TUDOR EMIL ROBERTS, OBE, QC
THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS
MR DAVID RONALD HOLMES, CBE, MC, ED
THE HONOURABLE THE FINANCIAL SECRETARY
SIR JOHN COWPERTHWAITE, KBE, CMG
THE HONOURABLE ALEC MICHAEL JOHN WRIGHT, CMG
DIRECTOR OF PUBLIC WORKS
THE HONOURABLE WILLIAM DAVID GREGG, CBE
DIRECTOR OF EDUCATION
THE HONOURABLE ROBERT MARSHALL HETHERINGTON, DFC
COMMISSIONER OF LABOUR
THE HONOURABLE TERENCE DARE SORBY
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE KENNETH STRATHMORE KINGHORN
DISTRICT COMMISSIONER, NEW TERRITORIES
THE HONOURABLE DAVID RICHARD WATSON ALEXANDER, MBE
DIRECTOR OF URBAN SERVICES
THE HONOURABLE GEORGE TIPPETT ROWE
DIRECTOR OF SOCIAL WELFARE
DR THE HONOURABLE GERALD HUGH CHOA
ACTING DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE FUNG HON-CHU, OBE
THE HONOURABLE TSE YU-CHUEN, OBE
THE HONOURABLE KENNETH ALBERT WATSON, OBE
THE HONOURABLE WOO PAK-CHUEN, OBE
THE HONOURABLE SZETO WAI, OBE
THE HONOURABLE WILFRED WONG SIEN-BING, OBE
THE HONOURABLE ELLEN LI SHU-PUI, OBE
THE HONOURABLE WILSON WANG TZE-SAM
THE HONOURABLE HERBERT JOHN CHARLES BROWNE
THE HONOURABLE MICHAEL ALEXANDER ROBERT HERRIES, OBE, MC
THE HONOURABLE ANN TSE-KAI
THE HONOURABLE OSWALD VICTOR CHEUNG, QC

ABSENT

THE HONOURABLE KAN YUET-KEUNG, CBE

IN ATTENDANCE

THE DEPUTY CLERK OF COUNCILS
MR DONALD BARTON

OATH

MR OSWALD VICTOR CHEUNG took the Oath of Allegiance and assumed his seat as a Member of the Council.

HIS EXCELLENCY THE PRESIDENT:—May I welcome Mr CHEUNG to this Council.

PAPERS

THE ACTING COLONIAL SECRETARY, by Command of His Excellency the Acting Governor, laid upon the table the following paper:—

Subject

Sessional Paper 1968:—

No 36—Annual Report by the Registrar, Supreme Court for the year 1967-68.

THE ATTORNEY GENERAL, by Command of His Excellency the Acting Governor, laid upon the table the following papers: —

Subject	*LN No*
Subsidiary Legislation: —	
The Money-Lenders Ordinance.	
Order of Exemption .....…….....	111
Public Health and Urban Services Ordinance.	
Declaration of Market in the New Territories, and of Area Served thereby, to which the Ordinance Applies…	112

MR G. T. ROWE, by Command of His Excellency the Acting Governor, laid upon the table the following paper:—

Subject

Sessional Paper 1968:—

No 37—Annual Report by the Director of Social Welfare for the year 1967-68.

QUESTIONS

Teachers' salaries

1. MR P. C. Woo asked the following question:—

> In April 1965 in the debate on education policy the Honourable the Director of Education indicated that Government would defer the consideration to implement the Marsh/Sampson Report with respect to teachers' salaries.* Is Government now in a position to inform this Council of any revision of the teachers' salaries?

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* 1965 Hansard, page 189.

THE ACTING COLONIAL SECRETARY:—Sir, I am afraid that we have encountered major problems in devising a new system for teachers' salaries.

Honourable Members will recall that the Education Commission's recommendations were modelled on the "Bumham" system now used in Britain. This recommendation was made in the belief that a system based on two basic time-scales with added responsibility allowances, where appropriate, was probably the most satisfactory way of simplifying and improving the existing salaries structure and at the same time of giving adequate recognition to additional responsibilities, academic qualifications, and experience.

Discussion on this matter has however indicated that the proposed new system was unpopular with Government and non-Government teachers, and it has therefore been necessary to explore other ways of achieving the same objectives.

It will also be recalled that in April 1965 Government accepted the principle that salary scales for teachers in Government and aided schools should be the same. It will be appreciated that any scheme designed to achieve a unified salary structure applicable to both the Government and aided sectors will inevitably result in additional expenditure to be met from public funds. It cannot be expected that the increase in the subvention bill to the aided sector can be met wholly by savings in the Government sector. By far the greatest increase in cost will be in the aided sector where there are some 11,400 teachers who will be affected as opposed to the 3,700 teachers in the Government sector.

I very much regret that it has taken so long to deal with this matter, but I hope that we can reach firm conclusions in the not too distant future.

MR P. C. Woo:—Will my honourable Friend give a deadline—whether he can implement the Report of Marsh/Sampson?

THE ACTING COLONIAL SECRETARY:—Sir, I always hesitate to give any firm date because bitter experience has shown that when we give a date on which proposals are to be placed before this Council various matters tend to occur which delay the implementation of our proposals. I think I can only say. Sir, that we have made considerable progress in this matter, and hope to present proposals fairly soon; but I should be very reluctant, Sir, to give any particular date.

Questions

Missing girls

2. MRS ELLEN LI asked the following question:—

> How many raids have been carried out during the last 6 months on premises where missing girls were suspected of being, and how many eventually returned to their families?

THE ATTORNEY GENERAL:—Sir, between 1st May and 31st October 1968, the police, under powers conferred under the Protection of Women and Juveniles Ordinance, carried out 5,076 raids on premises on which offences under that Ordinance were suspected of having been committed. It is not, however, possible to supply separate figures of how many of these raids were related to girls who were missing from their homes.

As a result of these raids, 29 girls who had been reported as missing from their homes were found and returned there.

Offences against females

3. MRS ELLEN LI asked the following question:—

> How many prosecutions have been brought in the past six months for the offences of procuration of females, procuring the defilement of females or unlawful detention of females and what were the results of these prosecutions?

THE ATTORNEY GENERAL:—Sir, between 1st April and 30th September of this year there were two prosecutions for procuring a female and none for procuring the defilement of a female or the unlawful detention of a female. The accused were found guilty and sentenced in one case to nine months imprisonment and in the other case to three months imprisonment.

There were, however, 10 convictions for living on the earnings of prostitution and 113 other convictions under the Protection of Women and Juveniles Ordinance.

Premises: illegal activities

4. MRS ELLEN LI asked the following question: —

> Is there any effective control over boarding houses, and premises which become a front for prostitution, apart from occasional raids by the Police?

THE ATTORNEY GENERAL:—No.

MRS ELLEN LI:—Is there any intention of the Government to introduce any more effective legislation to control the establishments by, say, licensing, or more severe measures of punishment on conviction — such as closure, or imprisonment?

THE ATTORNEY GENERAL:—Sir, the Government is actively considering whether or not there should be legislation requiring the compulsory registration of boarding houses and similar establishments and also what provisions might be included in any such legislation to control prostitution in them more effectively.

MRS ELLEN LI:—Is there any constant service of follow-up work or rehabilitation programme available to these girls before they are returned to their homes?

THE ATTORNEY GENERAL:—In the case of a missing girl who has been found and who is not the subject of a court order, as being in need of care and protection under section 34 of the Protection of Women and Juveniles Ordinance, which is the section which deals with persons needing care and protection, the usual procedure is for the police to refer the case to the Social Welfare Department. An experienced case worker will then offer advice and assistance to the girl, in an effort to persuade her to remould her life on a sounder basis. If this is thought desirable, girls may be placed in residential homes, though the case worker will try to persuade the girl to return to her family, if this is at all possible.

The case worker in charge of the girl will make available the kind of training which is appropriate to her individual needs, in domestic science, handicrafts, baby care and other kinds of adult education.

The principal object of the Social welfare Department is to assist the girl to develop an appreciation of the advantages of a normal existence, and particular emphasis is always placed on the values of home life.

The case worker will continue to take an active interest in the girl after her return to her family and will be available to give further advice and help to the girl herself or to the parents.

Design registry

5. MR T. K. ANN asked the following question: —

> Since manufacturing industry is the backbone of Hong Kong's economy and design is an important element of any manufactured article, why is there no Design Registry in Hong Kong to assist local industries and cultivate local talents?

Questions

MR T. D. SORBY:—Sir, a design registry in Hong Kong was first considered in 1958 by the Trade and Industry Advisory Committee, which is the predecessor of the present Board. The Committee advised that at that time there was no need for a registry here. Since then, the position has been kept under periodic reveiw, and a few months ago I directed that the position be looked at again in some detail with a view to the matter again being considered by the Trade and Industry Advisory Board.

Although there is no design registry in Hong Kong, this does not mean of course that Hong Kong designs cannot be protected. Any Hong Kong manufacturer may register his designs in the United Kingdom. When he does this his design enjoys protection not only in Hong Kong but in all countries with which the United Kingdom has protection arrangements. The time required for a design to be registered seems to be about one to two months after filing with the Design Registry of the British Patents Office, and registration costs between $200-$300 all in.

The arguments in favour of a design registry in Hong Kong appear to be that it might,—and I stress the word might,—provide a cheaper service for manufacturers, and that registration could be quicker and more convenient. Against the establishment of such a registry would be the difficulty of securing recognition of Hong Kong registration by other countries, one factor being Hong Kong's dependent status. Another and more important factor would be reciprocity, with the obligations and additional cost that could entail if extended beyond the present effective reciprocity with Britain. It would also be difficult to secure the specialized and experienced staff needed for a Hong Kong registry. Moreover original registration of designs could involve heavy overheads for a small community with little certainty that the facilities would be used. A large proportion of Hong Kong's industrial production is wholly geared to exports; its bread and butter business still largely comes from making to the design specifications of buyers, and the sale of many products depends on novelty and frequent changes in design.

The existence of a design registry in Hong Kong might be of marginal assistance in dispelling some existing inhibitions on venturing into original design for manufactured products. It would not, I suggest, of itself, have the effect of positively encouraging talent for manufacturing design.

MR T. K. ANN:—What is the number of applications filed for Hong Kong?

MR T. D. SORBY: —Sir, we recently enquired of the Design Section of the Patents Office of the United Kingdom, asking this question in respect of the last five years; and it seems that about an average of 250 applications for registration are made each year, or have been made, over the last five years; of these all but fifteen per cent have proceeded to registration. I suppose that if there was a registry here we might have a somewhat larger number of applications but the extent is very problematical.

STATEMENT

Annual Report of the Social Welfare Department for the year 1967-68

MR G. T. ROWE:—Sir, the Annual Departmental Report of the Social Welfare Department for the financial year 1967-68 has been laid on the table this afternoon. There are one or two salient points in this Report which I should like to bring to honourable Members' attention.

The year under review is the 10th year since the Department became independent of its original parent organization, the Secretariat for Chinese Affairs.

The year was marked by a major internal reorganization of the Department, the better to fit it to carry out its numerous duties and responsibilities and to serve the needs of the people of Hong Kong.

The Department is now organized in 4 main divisions.

The Group and Community Work Division is concerned with community development. Community development connotes a process by which the people of an area are encouraged to acquire a better appreciation of the problems which affect them both as individuals and as members of the community to which they belong, and by mutual co-operation to promote their own well-being and community interest. The need for such activity is less in old established and settled communities, where over the years it has been possible for strong community feelings to develop and for each individual to find himself an integral part of that community; but the position in Hong Kong is not like that, and the need in many places is great. Quite apart from the fact that many people in Hong Kong have themselves come from elsewhere, there is a considerable movement in the population itself and a continual creation of new communities with the creation of new towns and new housing and resettlement estates. It is here that the problems of community development are great and it is here that the Department endeavours to assist in the whole process of the development of a real community. Quite simply, the aim is to create, or to

assist the creation, of real citizens of Hong Kong, and it is among the most important work that we do.

The Family Services Division is the result of a major reorganization and co-ordination of previously existing services for child care, the welfare of women and girls, the relief of those in need, the rehabilitation of the disabled and family casework generally. The reorganization of this Division has been accompanied by the organization and expansion of district offices and subsidiary family services centres, where problems affecting individuals can be dealt with on a family wide basis if this should prove necessary. It is quite often the case that such cases come to the notice of the Department through a request for public assistance. On investigation, it is often found that there are other more deep rooted problems affecting an individual or the family concerned which can be materially helped by wise counselling, expert advice and assistance of one kind or another. There are signs of considerable expansion in the work of this Division, perhaps because of the reorganization and because of the wider facilities now made available to people in need; but if the need is there, this is as it should be.

The Probation and Corrections Division exists to fulfil the Department's statutory obligation to provide a welfare service in the courts and for the care of juveniles found to need correction in respect of antisocial behaviour. This Division has not changed much in the reorganization, and I believe that it provides a good and satisfactory service to the courts of the Colony as well as to the juveniles under its care.

The 4th main division is the Training Division, or Training Section. Its duties are self-evident in its title. Together with the appropriate departments of the two universities, it exists to ensure the provision of trained social workers at different levels to serve the needs of the community.

I have referred to this reorganization in some detail, Sir, because I trust that it provides an earnest of a new look and of progressive efforts in the field of social welfare which I hope will mark the future of the Department's operations.

TRUSTEE (AMENDMENT) BILL 1968

BUILDINGS (AMENDMENT) BILL 1968

Bills read the first time and ordered to be set down for second reading pursuant to Standing Order No 41(3).

TRUSTEE (AMENDMENT) BILL 1968

THE ATTORNEY GENERAL moved the second reading of:—"A bill to amend further the Trustee Ordinance."

He said:—Sir, in September 1965, a committee of unofficials and officials was appointed by the Governor to review those provisions of the Trustee Ordinance which specify the investments which are authorized for trust funds and to consider whether provisions similar to those contained in the English Trustee Investments Act 1961, should be enacted in Hong Kong. The Committee presented its report earlier this year and this Bill seeks to give effect to the majority of its recommendations.

Clause 2 of the bill, which seeks to replace section 4 of the principal Ordinance, authorizes a trustee to invest trust funds in two main classes of investment, firstly, in any investment specified in the new Second Schedule (which is proposed by clause 7 of the bill) and secondly, in any other investment which the Supreme Court may authorize on summary application.

Part I of the new Second Schedule, which is headed "Overseas Investments", follows the list of authorized trustee investments to be found in Parts I and II of the First Schedule to the 1961 United Kingdom Trustee Investments Act. The adoption of this new range of United Kingdom investments takes account of developments which have occurred since the previous list of securities (many of which have been redeemed) was drawn up under the English Trustee Act 1925.

Part II of the new Second Schedule greatly extends the range of permitted Hong Kong investments. At present, without the authority of a court, a trustee can only invest trust money in Item 16 or 17 of Part II. The Committee recommended, and with this view the Government fully agrees, that trustees should be able to invest their funds in Hong Kong as a matter of course, subject to such safeguards as are necessary to ensure that investments are dealt with in a careful and responsible manner.

Item 18 of Part II of the Second Schedule authorizes the investment of trust money by placing it on deposit in a licensed bank in Hong Kong. The security afforded, and the interest rates available, make such a deposit a suitable investment, particularly for short term trusts or when the trustees are holding substantial sums of cash pending investment.

May I also point out that, by paragraph *(b)* of the proposed new section 4(1), which is to be found in clause 2, it will be possible to deposit trust money in a bank outside Hong Kong, if the court so authorizes. This provision is intended to help those beneficiaries of

trusts who are domiciled overseas and who would benefit from part at least of the funds being readily available in their country of domicil. It will also enable trustees to diversify their investments.

Item 19 in Part II of the new Second Schedule is perhaps the most important extension of the range of trustee investments. It permits a trustee to place funds in Hong Kong public companies which satisfy the conditions which are set out in paragraphs *(a)* to *(d)* of that Item.

Only the large companies will qualify under this Item, that is to say, those with an issued and paid up capital of $30 million or more. The company must also have a good trading record in that it must have paid a dividend on all shares in each of the previous five years.

I should emphasize that these companies are the ones in which a trustee may invest without obtaining any permission. Trustees who want to place money in other Hong Kong companies may still be able to do so, if they obtain the authority of the court under the proposed new section 4(1)*(b)*.

In this connexion, may I draw honourable Members' attention to the proposed new section 4(3), which gives the Governor in Council power to amend the Second Schedule by notice in the *Gazette.* This will obviate the need to have an amending bill whenever it is thought desirable to alter the range of trustee investments which are listed in that Schedule.

Item 20 authorizes investments in securities issued by the Hong Kong Building and Loan Agency, if their payment is guaranteed by the government.

The effect of clause 8 of the bill is to empower trustees of existing trusts, established before the date on which this bill becomes law, to take advantage of the wider powers of investment contained in it.

At present, section 9 of the principal Ordinance relieves a trustee who lends on the security of property from liability for breach of trust, by reason of the proportion borne by the amount of the loan to the value of the property, if he was acting upon a report as to the value of the property by a surveyor or valuer. This protection applies even if the valuation has taken place many years before, and clause 3 of the bill therefore seeks to amend section 9(1) to oblige a trustee to obtain the report of a surveyor or valuer immediately before he makes the loan.

The same clause also lowers the maximum amount of the loan which a trustee can make on the security of property from two-thirds to one-half of the value of the property. This, it is suggested, is a

necessary protection for beneficiaries against the loan of trust funds to speculative developers, particularly in a land market which may be liable to substantial fluctuations.

The opportunity has been taken to rectify in this bill a doubt which has been expressed as to the powers of trust companies. Section 81 of the Ordinance sets out the objects of trust companies but nowhere specifically authorizes a trust company to carry out its objects outside the Colony. Clause 4 of the bill seeks to amend this section so as to make it clear that trust companies can carry out their objects overseas and have always been able to do so.

I believe that this measure will be warmly welcomed by trustees, on whom it will confer much greater flexibility in investment, but without a loss of those safeguards which are essential in the case of trust funds.

Question proposed.

Motion made (pursuant to Standing Order No 30). That the debate on the second reading of the bill be adjourned—THE ACTING COLONIAL SECRETARY.

Question put and agreed to.

Explanatory Memorandum

This bill seeks to replace the present investment provisions, contained in Part II of the principal Ordinance, which are based on the investment powers contained in the Trustee Act 1925, with provisions derived chiefly from the Trustee Investments Act 1961. It also resolves doubts which have been expressed as to whether trust companies are permitted to carry out their objects overseas.

2. Clause 2 of the bill seeks to replace section 4 with a shorter section to be read in conjunction with the new Second Schedule. This Schedule is divided into two parts. Part I ("Overseas Investments") repeats, with minor amendments the list of investments contained in Parts I and II of the First Schedule to the Trustee Investments Act 1961.

Part II of the Schedule ("Hong Kong Investments") lists trustee investments in the Colony. Paragraph 16 reproduces paragraph *(b)* of the repealed section 4. Paragraph 17 modifies paragraph (*c*) of that section, to the extent that a trustee will be able to invest only in first legal mortgages of property in the Colony held under a Crown lease with not less than fifty years to run. This restriction, (which will by paragraph 14 of Part I of the Second Schedule

also apply to investments in mortgages of property in England and Wales or Northern Ireland) reflects the position at common law under which a trustee may invest on mortgage only if the mortgage will enjoy priority over all others, and not if it is of a speculative or insecure description or of a wasting character. Paragraph 18 permits a trustee to place trust money on deposit with a bank licensed under the Banking Ordinance. Paragraph 19 empowers a trustee to invest in companies incorporated in Hong Kong which satisfy certain requirements. Under paragraph 20, a trustee may invest in any securities issued by the Hong Kong Building and Loan Agency Limited, the payment of which is guaranteed by the Hong Kong Government.

3. Under section 4(1)*(b)* a trustee may apply *ex parte* to the court for permission to invest in any investments other than those authorized in the Second Schedule or to place money on deposit in any overseas bank.

4. Clause 3 seeks to amend section 9 of the principal Ordinance by providing that a mortgage advance shall not exceed half of the value of the property and obliging a trustee, immediately prior to the making of the loan, to obtain a report on the property from an independent surveyor or valuer.

5. Doubt has been expressed as to whether the objects of a trust company, as contained in subsection (1) of section 81 of the principal Ordinance, permit it to carry out those objects outside the Colony. Clause 4 seeks to add a new subsection to section 81, declaring that the provisions of subsection (1) do not restrict, and have not restricted, a trust company to carrying out its objects within the Colony.

6. The effect of clause 8 is to provide that the investment powers conferred on a trustee by clause 2 shall be exercisable whether the trust was created before or after the commencement of this bill.

7. Clauses 5, 6 and 7 seek to effect a number of consequential amendments.

BUILDINGS (AMENDMENT) BILL 1968

THE ATTORNEY GENERAL moved the second reading of: —"A bill to amend further the Buildings Ordinance."

He said:—Sir, section 18 of the Buildings Ordinance gives authority to persons to erect and maintain shoring for a building where it is

necessary to do so to prevent its collapse in certain circumstances. Subsection (5) of that section gives an occupier of the building, and any other person affected by this shoring, the right to recover compensation for any damage caused by its erection or maintenance. It also provides that any dispute which arises in connexion with such compensation shall be determined by arbitration.

These provisions were introduced in 1964 as part of the measures which were then judged necessary to deal with the widespread problems arising from the redevelopment of old properties. At that time it was hoped that the staff of the Secretariat for Chinese Affairs would be able to make their services available as informal mediators in disputes over compensation, since tenants of the affected properties were thought to be unlikely to want, or indeed to be able to afford, to engage in formal arbitration for this purpose.

Experience of the operation of the legislation however, has established that, although mediation by the Secretariat for Chinese Affairs has resulted in settlements being reached in a considerable number of cases, hardship has been caused by the absence of a simpler statutory method of determining disputes over compensation than the relatively complicated machinery of a formal arbitration.

Therefore it is now proposed that disputes over compensation for damage caused by shoring should, if they are not settled by informal mediation by the Secretariat for Chinese Affairs, henceforth be determined by a tenancy tribunal. It is thought that claimants will be more ready to resort to a tenancy tribunal than to arbitration, because the tribunal will be able to deal with their cases informally, cheaply and quickly. Tenancy tribunals, which have been dealing with various matters under the Landlord and Tenant Ordinance for many years, have built up an enviable reputation and enjoy, I am sure, the full confidence of the public.

This object would be achieved by clause 3 of the bill, which adds a new section 18A to the principal Ordinance. Upon an application by a claimant to the Registrar of the Supreme Court, the Chief Justice would appoint a tenancy tribunal, in accordance with the procedure prescribed by the Landlord and Tenant Ordinance, to hear and determine the dispute. Applications have to be made within six months of the date on which the loss or damage was sustained. Generally speaking, the practice and procedure on the hearing of the dispute would be such as the president of the tribunal would from time to time determine. This provision enables the tribunal to preserve the atmosphere of informality which is so important when tenants are appearing in person. The tribunal will have power to award costs

and its determination as to compensation will be enforced as if it was a judgment of the Supreme Court.

The tribunal's awards will be final. It is felt that applicants would wish to see their claims dealt with quickly and finally and this object would be defeated if an appeal could be brought in a superior court.

At present, compensation is only payable for damage caused by the erection or maintenance of shoring, but not for damage caused by its dismantling. Substantial damage can be caused when shoring is taken down and it is thought appropriate that a person who suffers loss in these circumstances should be able to claim compensation, in the same way as he can for damage caused by its erection and maintenance, and clause 2 of the bill makes the necessary amendments to section 18 of the principal Ordinance to achieve this.

MR SZETO WAI:—Sir, the amendments proposed in the bill before Council are welcomed because they are intended to protect the interest of the occupants of buildings in or around which shoring is required to be erected. Damage, physical or otherwise, may be caused by the dismantling of shoring in or around such buildings just as it may be caused by the process of its erection or maintenance. The amendment will make good the omission in the existing legislation.

The Principal Ordinance provides for the settlement of disputes over payment of compensation for loss or damage resulting from shoring through arbitration. But arbitration, which can become a time-consuming procedure, is generally looked upon with disfavour by claimants, who being mostly people of limited means, find themselves unable to afford this course of action. The present amendment to put such disputes before a tenancy tribunal will expedite settlement at lower cost to the benefit of the claimants who have been forced into such a position. However, with regard to the requirements governing application for tribunal hearing, I wish to bring to this Council's attention my observation.

The bill requires an application by a claimant to be made within 6 months from the date on which such loss or damage was suffered. The question is "how is this date to be determined?" In many cases, it would be most difficult if at all possible to determine the exact date on which the loss or damage occurred. Such loss or damage though also resulting from the process of shoring, is quite distinct from that dealt with in subsection (4) of section 18 in the Principal Ordinance which is a physical damage and rarely gives rise to disputes and for which the person responsible is required to make good as soon as

practicable. On the other hand, loss or damage requiring compensation is usually the result of reduced business activities, especially where commercial premises such as shops, restaurants, etc. are concerned, or inconvenience caused by the loss of floor space taken up by the shoring. Loss or damage of this nature is intangible and may occur from the very beginning when the shoring is erected and continue with accumulative effect until the date of its complete removal. In circumstances like these, it will be quite impossible to assess the total loss or damage before the last shore is removed. I hope my observation would merit my honourable Friend the Attorney General's reconsideration in respect of the claimant's application to be heard by a tenancy tribunal with a view to reducing it to a more definite or straightforward procedure such as by reference to the duration of the shoring and/or from the time of its dismantling instead of the date of occurrence of the loss or damage.

As regards the inclusion of dismantling of shoring to subsection (4) and (5) of section 18 of the Principal Ordinance, I note that similar amendment is not made to subsection (1) which authorises a person to erect and maintain shoring. Although it is stipulated that the maintenance is for such time as may be necessary, his responsibilities should be clearly defined to include dismantling as there has in the past been known cases in which this last operation has been deliberately omitted.

Sir, with these observations I support the motion.

THE ATTORNEY GENERAL:—Sir, the honourable Member has made a number of pertinent and searching comments on the bill and I think that, in the light of them, it is necessary to reconsider some of its provisions.

It is correct to say that clause 3 of the bill obliges a person who wishes to claim compensation for damage to apply for the appointment of a tenancy tribunal within six months of the date of the damage or such longer period as the Chief Justice may allow, and I agree that this imposition of such a short time limit may give rise to difficulties.

It is, I believe, not unusual for shoring to remain in position for anything up to two years, and consequently the full measure of damage cannot always be accurately assessed within a few months after the original erection. Furthermore, as the honourable Member rightly observes, compensation under the new section 18A and section 18(5)(*a*) is not limited to physical damage but may include compensation for other loss, such as a reduction in profits of a business, provided that this can be shown to be attributable to the shoring, though this is not always easy. Such loss might be of a continuing nature and last for more than six months.

It is also true that, under the bill as now drafted, the Chief Justice could extend the time limit of six months in appropriate cases. Also, the tribunal could, when assessing compensation, take into account future loss or damage, though this might be difficult to do, particularly with regard to damage caused by the dismantling of shoring.

These difficulties would, I think, be largely met by amending the proposed new section 18A(2) to allow for applications for the appointment of a tenancy tribunal to be made within 3 years, instead of within 6 months, of the damage occurring. This period would still be well short of the usual period of 6 years within which the occupier or other person who has suffered damage could bring an ordinary common law action for damages. The Government would therefore support such an amendment if proposed by the honourable Member at the committee stage.

I also agree that it would be advisable to make it clear that the person who is empowered by section 18(1) of the Principal Ordinance to erect and maintain shoring may also remove it. I think that the addition of the words "and removed thereafter" at the end of that subsection would achieve this object and I would ask honourable Members to support this amendment also, if moved by the honourable Member, to whom I am grateful for drawing attention to these deficiencies in the bill.

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order No 43(1).

Explanatory Memorandum

Section 18 of the Buildings Ordinance (Cap. 123) gives authority to persons to erect and maintain shoring for any building where it is necessary to do so in certain circumstances. Subsection (5) gives an occupier of the building for which 'shoring is erected, and other persons, the right to recover compensation for any damage caused by the erection or maintenance of the shoring: it also provides that any dispute which arises in connexion with such compensation shall be determined by arbitration.

2. However, it has been found that arbitration is not a satisfactory means of settling disputes of this nature, because many claimants generally are unwilling, or are unable to afford, to resort to arbitration.

3. The bill therefore provides for disputes of this kind to be determined by a tenancy tribunal. It is thought that claimants will be more ready to resort to a tenancy tribunal than to arbitration, because the tribunal will be able to deal with their cases informally, cheaply and quickly. Clause 3 inserts a new section 18A to provide accordingly. Upon an application being made to the Registrar of the Supreme Court, the Chief Justice would appoint a tenancy tribunal, in accordance with the procedure laid down in the Landlord and Tenant Ordinance, to hear and determine the dispute. Subsections (4) to (9) of section 18A provide for the procedure and powers of the tribunal.

4. Clause 2 amends subsections (4) and (5) of section 18 by providing that compensation may be claimed for damage caused by the dismantling of shoring erected under section 18; at present compensation is not payable in these circumstances.

5. Clause 4 adds a new Schedule to the principal Ordinance, containing the form to be used upon an application for the appointment of a tenancy tribunal.

CREDIT UNIONS BILL 1968

Committee stage

Council went into committee to consider the bill clause by clause.

THE CHAIRMAN:—With the concurrence of honourable Members we will take the clauses in blocks of not more than ten.

Clauses 1 to 85 and the Schedule were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the bill before Council had passed through committee without amendment.

HIS EXCELLENCY THE PRESIDENT:—The bill has been reported from committee and the Council is deemed to have ordered it to be set down for third reading.

Credit Unions Bill—committee stage

Third reading

THE ATTORNEY GENERAL moved the third reading of the bill.

Question put and agreed to.

Bill read the third time and passed.

LANDLORD AND TENANT (AMENDMENT) BILL 1968

Committee stage

Council went into committee to consider the bill clause by clause.

Clauses 1 to 4 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the bill before Council had passed through committee without amendment.

HIS EXCELLENCY THE PRESIDENT:—The bill has now been reported from committee and the Council is deemed to have ordered it to be set down for third reading.

Third reading

THE ATTORNEY GENERAL moved the third reading of the bill.

Question put and agreed to.

Bill read the third time and passed.

DANGEROUS DRUGS BILL 1968

Committee stage

Council went into committee to consider the bill clause by clause.

THE CHAIRMAN:—With the concurrence of honourable Members we will take the clauses in blocks of not more than ten.

Clause 1 was agreed to.

Clause 2.

THE ATTORNEY GENERAL:—Sir, I move that clause 2 be amended in the manner specified in the Notice of Amendments Paper which has been circulated to honourable Members. I have already explained in my reply to the debate on the second reading of the bill the reasons for the various amendments which I propose to move; with the exceptions of those to clauses 31 and 32, which I will explain when they are reached.

Proposed Amendment.

Clause

2 That the following new definition be inserted after the definition of "charge"—

"Chief Pharmacist" means the person so appointed by the Governor and such other person as the Director may appoint in writing to carry out the duties of the Chief Pharmacist under this Ordinance.

Clause 2, as amended, was agreed to.

Clauses 3 to 21 were agreed to.

Clause 22.

THE ATTORNEY GENERAL:—Sir, I move that clause 22 be amended in the manner set forth in the paper before honourable Members.

Proposed Amendment.

Clause

22 That subclause (5) be deleted and the following substituted—

"(5) Any registered pharmacist or approved person who is employed or engaged at a prescribed hospital is hereby authorized—

(a) to manufacture any preparation required for the purposes of the hospital; and

(b) to be in possession of and to procure any dangerous drug so far as it may be necessary for such manufacture:

Provided that an approved person shall be so authorized only if he is acting on the directions of the medical officer in charge of the hospital".

Clause 22, as amended, was agreed to.

Clause 23 was agreed to.

Clause 24.

THE ATTORNEY GENERAL:—Sir, I move that clause 24 be amended as set forth in the paper before honourable Members.

Dangerous Drugs Bill—committee stage

Proposed Amendment.

Clause

24 (*a*) That the word "and" at the end of paragraph *(b)* of subclause (1) be deleted;

(b) That the full stop at the end of paragraph (*c*) of subclause (1) be deleted and the following substituted—

"; and";

(*c*) That the following new paragraph *(d)* be added at the end of subclause (1)—

"*(d)* to supply any dangerous drug by way of wholesale dealing to any person licensed or authorized under this Ordinance to be in possession of that dangerous drugs.".

Clause 24, as amended, was agreed to.

Clauses 25 to 27 were agreed to.

Clause 28.

MR H. J. C. BROWNE:—Sir, I rise to move that clause 28 be amended as set forth in the paper before honourable Members.

Proposed Amendment.

Clause

28 That subclause (1) be amended by adding the following at the end of paragraph (c)—

"or by an officer authorized by the master".

Clause 28, as amended, was agreed to.

Clauses 29 and 30 were agreed to.

Clause 31.

THE ATTORNEY GENERAL:—Sir, in accordance with Standing Order No 45(2) I ask your leave to introduce amendments to clauses 31 and 32 of which the requisite three days' clear notice has not been given.

Leave of the Chairman given.

After the second reading of this bill the Pharmaceutical Society of Hong Kong made further representations about the maximum penalties

prescribed for offences under clauses 31 and 32 of the bill. The Society pointed out that both these clauses are primarily concerned with the conditions under which dangerous drugs may be supplied on prescription and with the supply of the drug to someone who receives it on behalf of another person who is lawfully entitled to possess it. They argued that it was unreasonable to make a pharmacist liable to a term of imprisonment for what might be quite a minor administrative mistake. The Society also pointed out that in the English Dangerous Drugs Act 1965 there is a provision that, notwithstanding the maximum penalties which can be imposed under the Act, or regulations made under it, no person shall be sentenced to imprisonment without the option of a fine if the Court is satisfied that the offence was committed through inadvertence and was not connected with any other offence under the Act. Taking this into account, the Government, on reconsideration, is prepared to move the removal of the penalty of imprisonment from these two clauses which are, are I have said, largely intended to prevent carelessness with drugs rather than with trafficking in them. I therefore move that clauses 31(4) and 32(3) should be amended by, in each case, deleting the words "and to imprisonment for six months".

Proposed Amendment.

Clause

31 That the words "and to imprisonment for six months" in subclause (4) be left out.

Clause 31, as amended, was agreed to.

Clause 32.

Proposed Amendment.

Clause

32 That the words "and to imprisonment for six months" in subclause (3) be left out.

Clause 32, as amended, was agreed to.

Clauses 33 to 51 were agreed to.

Clause 52.

THE ATTORNEY GENERAL:—Sir, I move that clause 52 be amended as set forth in the paper before honourable Members.

Dangerous Drugs Bill—committee stage

Proposed Amendment.

Clause

52 That the definition of "Director of Commerce and Industry" be deleted and the following substituted—

"Commissioner of the Preventive Service" includes a Deputy or Assistant Commissioner of the Preventive Service.".

MR H. J. C. BROWNE:—Sir, I rise to move that clause 52 be amended as set forth in the paper before honourable Members.

Proposed Amendment.

Clause

52 That subclause (2) be deleted and the following substituted—

"(2) For the purpose of enabling a ship or aircraft to be searched under subsection (1)—

(*a*) the Commissioner of the Preventive Service or the Commissioner of Police may by order in writing under his hand detain a ship for not more than twelve hours or an aircraft for not more than six hours; and

(b) the Colonial Secretary may, by order in writing under his hand, detain a ship or aircraft for further periods of not more than twelve hours in the case of a ship or not more than six hours in the case of an aircraft.

Any order made under this subsection shall state the times from which and for which the order is effective.".

Clause 52, as amended, was agreed to.

Clauses 53 to 55 were agreed to.

Clause 56.

MR H. J. C. BROWNE:—Sir, I rise to move that clause 56 be amended as set forth in the paper before honourable Members.

Proposed Amendment.

Clause

56 That the following new subsection be added at the end of clause 56—

"(4) The Governor in Council may, in his absolute discretion and after any proceedings under this Ordinance are concluded, entertain and give effect to any moral claim to or in respect of any money, thing or other property which has been forfeited to the Crown.".

Clause 56, as amended, was agreed to.

Clauses 57 to 59, the First Schedule, the Second Schedule and the Third Schedule were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the bill before Council had passed through committee with certain amendments.

HIS EXCELLENCY THE PRESIDENT:—The bill has now been reported from committee and the Council is deemed to have ordered it to be set down for third reading.

Third reading

THE ATTORNEY GENERAL moved the third reading of the bill.

Question put and agreed to.

Bill read the third time and passed.

DRUG ADDICTION TREATMENT CENTRES BILL 1968

Committee stage

Council went into committee to consider the bill clause by clause.

THE CHAIRMAN:—With the concurrence of honourable Members we will take the clauses in blocks of not more than five.

Clauses 1 to 5 were agreed to.

Clause 6.

THE ATTORNEY GENERAL:—Sir, I move that clause 6 of the bill be amended in subclause 2 by deleting "and" and substituting the words "but shall not". The effect of this clause would then be to make it clear that the Commissioner of Prisons can make his supervision order only in respect of an original detention order and not in respect of a further detention order.

Drug Addiction Treatment Centres Bill—committee stage

Proposed Amendment.

Clause

6 That subclause (2) be amended by deleting from the proviso thereto the word "and" and substituting the following—

"but shall not".

Clause 6, as amended, was agreed to.

Clauses 7 to 12 and the Schedule were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the bill before Council had passed through committee with one amendment.

HIS EXCELLENCY THE PRESIDENT: —The bill has now been reported from committee and the Council is deemed to have ordered it to be set down for third reading.

Third reading

THE ATTORNEY GENERAL moved the third reading of the bill.

Question put and agreed to.

Bill read the third time and passed.

SEPARATION AND MAINTENANCE ORDERS (AMENDMENT) (NO 2) BILL 1968

Committee stage

Council went into committee to consider the bill clause by clause.

Clauses 1 and 2 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the bill before Council had passed through committee without amendment.

HIS EXCELLENCY THE PRESIDENT: —The bill has now been reported from committee and the Council is deemed to have ordered it to be set down for third reading.

Third reading

THE ATTORNEY GENERAL moved the third reading of the bill.

Question put and agreed to.

Bill read the third time and passed.

INFANTS CUSTODY (AMENDMENT) BILL 1968

Committee stage

Council went into committee to consider the bill clause by clause.

Clauses 1 and 2 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the bill before Council had passed through committee without amendment.

HIS EXCELLENCY THE PRESIDENT: —The bill has now been reported from committee and the Council is deemed to have ordered it to be set down for third reading.

Third reading

THE ATTORNEY GENERAL moved the third reading of the bill.

Question put and agreed to.

Bill read the third time and passed.

COMMUNITY CHEST OF HONG KONG BILL 1968

Resumption of debate on second reading (23rd October 1968)

Question again proposed.

MR K. A. WATSON:—Sir, in supporting the motion to establish a Community Chest, I would like to emphasize the benefits, first of all to the donors, especially the individuals and small firms, and secondly to the voluntary agencies who have joined or will join this new organization.

We are all on the mailing list of a very large number of charities and our main difficulty is to decide how much each should get. Some people give a small sum to all of them without further enquiry; others give larger sums to their favourite charities and ignore the rest; and others just give to those on whose behalf their friends have exerted an irresistable pressure.

In none of these cases can one be sure that one is not giving either too little or too much, that one's contribution is going to where it will do the most good, or that some urgent need is not being overlooked. The bigger firms can assign one or more of their staff to go into the matter thoroughly and to make proper decisions, but this is seldom possible for smaller firms and for individuals.

For them, the Community Chest will offer impartial, experienced advice. It will know the real needs of the agencies affiliated to it and

will ensure that the money it raises will be distributed fairly. All the individual has to do will be to decide the total amount he wants to donate each year and to make either one lump sum payment or a series of regular payments.

While the benefits to the donors are substantial and will, I am sure, encourage many more people to participate, the main benefits of the Community Chest are likely to be to the voluntary agencies themselves. The work they are doing must continue and must expand. Most people are agreed that youth work should have a much higher priority, and requires more money but this does not mean that the poor, the sick, the aged and the handicapped need any less than before. So more money must be raised, and it must be raised locally, for we can no longer rely on large amounts of money being contributed from overseas, as in the past.

In the absence of a Community Chest, these extra demands mean that the fund-raising efforts of individual agencies must be even greater than before. But is this possible? It is already hard enough to find someone willing to take the chair of fund-raising committees, and to devote to it the vast amount of time and effort required. And all too often, even with an eager and enthusiastic committee, much of the work falls on the shoulders of the staff, who should be free to concentrate on the social welfare work for which they have been trained.

With the multiplicity of agencies there is an enormous duplication of effort, most of which the Community Chest will be able to eliminate. Instead of more than 40 separate appeals, spread throughout the year, each with expensive literature, high postage bills, raffles, balls and gala premieres, the public will be exposed to just one concentrated appeal a year, lasting perhaps less than two weeks. Once this is over and the target achieved, no further calls will be made on our charity.

Now even if the total sum raised by the Community Chest is not very much more than was contributed in the past, the amount available for distribution to the agencies should be much greater. For the cost of fund-raising in Hong Kong is high, in some cases as much as 40% of the total received, with an average of about 25%. The Community Chest hopes to be able to keep costs down to only 5%. There will also be a vast saving in the time and effort spent by voluntary workers on separate fund-raising, time and effort which could so much better spent in giving direct personal help to those in need.

Here in Hong Kong we depend on personal giving for our social welfare services to a much greater degree than in other countries. It makes good sense to organize it as efficiently as possible, and this I am sure the Community Chest will do.

MR M. A. R. HHERRIES:—Sir my honourable Friend Mr K**AN** in moving the second reading of the Community Chest of Hong Kong Bill used a word close to my heart—streamlining.

In this modern world and especially in Hong Kong most of us more privileged have tried over the years in our small and varied ways to help this great city of ours to meet the challenge of modern times and to combat mans inhumanity to man. This inevitably has produced considerable overlap and wastage of effort and money raised often by much voluntary toil is frittered away in achieving a net contribution to the agency concerned quite incommensurate with the efforts made in raising it.

The Community Chest by the voluntary federation of a large number of fund raising organizations seeks to streamline these arrangements and thereby to try and ensure that the maximum net return is passed on to its members, more than can ever be achieved individually. At the same time it is hoped to increase the number of donors to include many more of the community who may wish to give to a wider spread of agencies and not to just one charity if they so choose. This I know will be welcomed by those willing work horses such as the bigger companies who, I am sure, still remain willing to do their part but will be glad to see a larger section of those who call Hong Kong their home sharing the inevitably increasing burden.

My honourable Friend mentioned the Honourable the Financial Secretary's promise to consider seriously the granting of tax exemption for donations to the Chest and no doubt its Board will be raising this matter early with him should the bill be passed. Help of this nature would further add to the streamlining process.

Sir, much lively debate has gone on in public on this subject, a large number of the voluntary agencies have pledged their support as have a number of the bigger donors. Others understandably have stood aside to see how the Chest progresses. Nothing succeeds like success and I am sure the enthusiasm with which this worthy project has been furthered to date will ultimately be rewarded with the success which it deserves. Sir, I beg to support the bill.

THE FINANCIAL SECRETARY:—Sir, as my honourable Friend Mr KAN mentioned me in his introductory speech, it may be appropriate for me to say a few words.

Mr KAN spoke of tax exemption for donations to the Chest and urged honourable Members not to hold me to my promise to seriously consider granting such tax exemptions lest I were tempted to vote against

the bill. I would, I can assure him, resist that temptation in any case but I think I should clarify my promise which has also been mentioned by my honourable Friend Mr HERRIES, as I think it is slightly misunderstood. It was during the Budget Debate in 1966 that I said that I would give serious thought to the general question of tax exemption for donations and endowments for social welfare, education and medical work. My honourable Friend Mrs LI had made the proposal. The following year, that is 1967,1 said that I had done what I promised to do but that my conclusion was negative; although a conditional negative in that, if the administrative problems of the proposal were to be eased by the creation of some sort of Community Fund, donations to which, alone, would be deductible for tax purposes, it might be worthwhile overriding the other objections I saw. The first question to be answered remains, therefore, whether the Community Chest whose statutory creation we are considering to-day is of the sort to which, alone, this privilege could be given. I think that we must have some experience of its working before we can make a judgement on this point.

My honourable Friend Mr KAN also said that the establishment of the Community Chest was not intended to reduce Government subventions. Although I am a little doubtful of the general principle behind this statement, as in most cases a subvention from public funds is based on the actual financial position of the organization concerned including donations received. I believe nevertheless that it will be generally followed by official policy in practice. But I must confess that I am a little apprehensive about the whole question of how the new allocation machinery of the Chest can be linked in with the allocation machinery for public funds. It will need a great deal of goodwill and understanding from all concerned.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order No 43(1).

Council went into committee to consider the bill clause by clause.

THE CHAIRMAN:—With the concurrence of honourable Members, we will take the clauses in blocks of not more than five.

Clauses 1 to 14 and the Schedule were agreed to.

Council then resumed.

MR K. A. WATSON reported that the bill before Council had passed through committee without amendment.

HIS EXCELLENCY THE PRESIDENT: —The bill has now been reported from committee and the Council is deemed to have ordered it to be set down for third reading.

Third reading

MR K. A. WATSON moved the third reading of the bill.

Question put and agreed to.

Bill read the third time and passed.

ADJOURNMENT

Motion made, and question proposed. That this Council do now adjourn—THE ACTING COLONIAL SECRETARY.

3.36 p.m.

Chinese Press

MR FUNG HON-CHU: —Sir, in recent years, it has been fashionable in some circles to speak of an "information gap'' between the Government and the people. I do not know if such a gap really exists but if it does, I am sure that Government will use its best endeavours to close it. The long record of increasing numbers of liaison staff in the Secretariat for Chinese Affairs and the New Territories Administration, the expanding establishment in the Information Services Department, the initiation of the Public Enquiry Service, the innovation over replying to some official correspondence in Chinese, the provision of improved studio facilities for Radio Hong Kong and, most recently, the setting up of the City District Officer Scheme constitutes ample evidence of Government's desire to provide information for, and to receive opinion from the people.

However, even if an "information gap" does not exist, it is not enough for Government to know that the gap does not exist. Government must demonstrate unceasingly to the people, through its deeds, that the gap does not exist. I should like, therefore, to draw Government's attention to one area of activity—or rather of non-activity—which can give rise to misunderstanding. I refer to the comments and complaints about Government matters which appear in the Chinese Press.

I notice that when comments and criticisms of Government appear in the English Press, be they in editorials, articles or letters to the

editor, senior Government officials offer replies or explanations very promptly. But when similar comments and criticisms appear in the Chinese Press, nothing happens. Since Government does not have deaf ears and unseeing eyes, many people are apt to conclude either that there is a degree of discrimination practised against the Chinese Press or that Government is indifferent to non-English speaking opinions.

It should be pointed out that the literacy rate among the Chinese population is extremely high and that the readership of Chinese newspapers far exceed that of English newspapers. On the assumption that Government is neither practising discrimination against the Chinese Press nor is indifferent to non-English speaking opinion, I should like to urge that immediate steps be taken by senior officials to ensure that comments and criticisms of Government activity in the Chinese Press are responded to in a manner similar to those appearing in the English Press.

3.39 p.m.

THE ACTING COLONIAL SECRETARY:—Sir, I am grateful to my honourable Friend for raising this important matter and for the tribute he has paid to our efforts to publicize more widely Government's policies and objectives, and to take account of the comments and opinions of the community.

It is certainly Government's policy to take account of suggestions, complaints or criticisms expressed by or through the Press; and I am sorry that Mr FUNG has received the impression that Government departments are more responsive in these matters to the English-language Press than to the Chinese Press. This is certainly not our policy, and I am assured by the Director of Information Services that it is not in fact the practice.

Honourable Members will be aware that the Information Services Department distributes to all departments daily summaries of the Chinese Press. Included in these summaries are translations of letters dealing with subjects for which Government is responsible. The Information Services Department also telephones the department concerned to draw its attention to items of special note. In addition most departments have officers who study the Press and look for material that affects their responsibilities.

Government departments do not of course respond in writing to all Press comments. Editors and letter-writers are fully entitled to express their views on all matters of Government policy. But when reasonable complaints, enquiries or suggestions are made to which one can usefully

respond, it is Government's policy and practice to respond by sending a letter in reply in the appropriate language. I am informed that in recent months letters have in fact been sent to the Chinese Press on parks and playgrounds, dogs in resettlement estates. City Hall lavatories, markets, noise abatement, air pollution, abbatoirs, employment service and mail deliveries.

As Members will know, the practice of writing to the editor is much more common in the English-language Press than in the Chinese Press. In October, for example, there were 32 letters published in ten leading Chinese newspapers and 334 letters in the English Press. Consequently, there are more replies to the latter than to the former. But it should be remembered that a substantial proportion of the readers and letter writers in the English Press are in fact Chinese.

It is also the practice to answer press enquiries arising from articles or readers' letters and to arrange meetings between journalists and Government departments on matters of public interest. There have been, I am told, 267 such interviews this year which is more than twice the number held last year.

I hope, Sir, that I have made it clear that there is no intentional discrimination between our response to the Chinese and English Press; and I am assured that there is none in practice. But I shall bring the honourable Member's remarks to the attention of heads of departments so that they can review their practice in this matter.

Question put and agreed to.

NEXT MEETING

MR PRESIDENT:—Council will accordingly adjourn. The next meeting will be held on 20th November.

Adjourned accordingly at fifteen minutes before Four o'clock.

PRINTED BY THE GOVERNMENT PRINTER, HONG KONG