

OFFICIAL REPORT OF PROCEEDINGS**Thursday, 2nd October 1969****The Council met at half-past Two o'clock**

[Mr President in the Chair]

PRESENT

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR DAVID (CLIVE CROSBIE) TRENCH, GCMG, MC
THE HONOURABLE THE COLONIAL SECRETARY
SIR HUGH (SELBY) NORMAN-WALKER, KCMG, OBE, JP
THE HONOURABLE THE ATTORNEY GENERAL
MR DENYS TUDOR EMIL ROBERTS, OBE, QC, JP
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR DAVID RONALD HOLMES, CMG, CBE, MC, ED, JP
THE HONOURABLE THE FINANCIAL SECRETARY
SIR JOHN (JAMES) COWPERTHWAITHE, KBE, CMG, JP
THE HONOURABLE ROBERT MARSHALL HETHERINGTON, DFC, JP
COMMISSIONER OF LABOUR
THE HONOURABLE TERENCE DARE SORBY, JP
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE DAVID RICHARD WATSON ALEXANDER, MBE, JP
DIRECTOR OF URBAN SERVICES
THE HONOURABLE GEORGE TIPPETT ROWE, JP
DIRECTOR OF SOCIAL WELFARE
THE HONOURABLE JAMES JEAVONS ROBSON, JP
DIRECTOR OF PUBLIC WORKS
THE HONOURABLE DONALD COLLIN CUMYN LUDDINGTON, JP
DISTRICT COMMISSIONER, NEW TERRITORIES
THE HONOURABLE JOHN CANNING, JP
DIRECTOR OF EDUCATION
THE HONOURABLE KAN YUET-KEUNG, CBE, JP
THE HONOURABLE FUNG HON-CHU, OBE, JP
THE HONOURABLE TSE YU-CHUEN, OBE, JP
THE HONOURABLE WOO PAK-CHUEN, OBE, JP
THE HONOURABLE SZETO WAI, OBE, JP
THE HONOURABLE WILFRED WONG SIEN-BING, OBE, JP
THE HONOURABLE ELLEN LI SHU-PUI, OBE, JP
THE HONOURABLE WILSON WANG TZE-SAM, JP
THE HONOURABLE HERBERT JOHN CHARLES BROWNE, JP
DR THE HONOURABLE CHUNG SZE-YUEN, OBE, JP
THE HONOURABLE LEE QUO-WEI, OBE, JP
THE HONOURABLE GERALD MORDAUNT BROOME SALMON, JP

ABSENT

DR THE HONOURABLE TENG PIN-HUI, CMG, OBE, JP
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE KENNETH ALBERT WATSON, OBE, JP

IN ATTENDANCE

THE DEPUTY CLERK OF COUNCILS
MR DONALD BARTON

PAPERS

The following papers were laid pursuant to Standing Order No 14(2): —

<i>Subject</i>	<i>LN No</i>
Subsidiary Legislation: —	
Agricultural Products (Marketing) Ordinance	
Agricultural Products (Vegetable) (Marketing) (Amendment) Regulations 1969	126
Road Traffic Ordinance.	
Road Traffic (Registration and Licensing of Vehicles) (Amendment) (No 2) Regulations 1969	127
Road Traffic Ordinance.	
Road Traffic (Taxis, Public Omnibuses, Public Light Buses and Public Cars) (Amendment) (No 2) Regulations 1969	128
Mental Health Ordinance.	
Mental Health (Amendment) Regulations 1969	133
Coroners Ordinance.	
Coroners Rules 1969	134
Coroners Ordinance.	
Coroners (Forms) (Amendment) Rules 1969	135
Immigration (Control and Offences) Ordinance.	
Immigration (Control and Offences) (Amendment) Regulations 1969	136
Emergency Regulations Ordinance.	
Emergency (Public Health and Urban Services Ordinance) (Amendment) Regulations 1967 (Repeal) Order 1969	137
Stamp Ordinance.	
Stamp (New Territories) (Exemption and Modification) (Amendment) Regulations 1969	139
Civil Aviation Act 1949.	
Air Transport (Licensing of Air Services) (Amendment) Regulations 1969	140
Proclamation No 2 of 1969.	
Next Session of the Legislative Council of Hong Kong	144

<i>Subject</i>	<i>LN No</i>
Laundries (New Territories) Regulations 1969.	
Laundries (New Territories) Regulations 1969 (Commencement) Notice 1969	145
The Hoseinee Society of Hong Kong Incorporation Ordinance.	
Resolution	146
Public Health and Urban Services Ordinance.	
Declaration of Market in the New Territories, and of Area served thereby, to which the Ordinance Applies	147
Public Health and Urban Services Ordinance.	
Public Health and Urban Services Ordinance (Amendment of Fourth Schedule) (No 3) Order 1969	148
Public Health and Urban Services Ordinance.	
Public Health and Urban Services Ordinance (Amendment of Fourth Schedule) (No 4) Order 1969	149
Public Health and Urban Services Ordinance.	
Public Health and Urban Services Ordinance (Amendment of Fourth Schedule) (No 5) Order 1969	150
Sessional Papers 1969-70: —	
No 1—Report of the School Medical Service Board ending 31st March 1969 (published 5.9.69).	
No 2—Report in accordance with Regulation 10(3) of the Hawker Control Force (Welfare Fund) Regulation 1962 (published 1.9.69).	
No 3—Annual Report by the Controller of Stores and Sand Monopoly for the year 1968-69 (published 9.9.69).	
No 4—Annual Report by the Chairman, Public Services Commission for the year 1968 (published 8.9.69).	
No 5—Statement of Accounts of the Preventive Service Welfare Fund for the year ending 31st March 1969 (published 22.9.69).	

Papers*Subject*

No 6—Eighth Annual Report by the Social Work Training Fund Trustee for the period ending 31st March 1969 (published 2.10.69).

No 7—Annual Report by the Community Relief Trust Fund Trustee for the year ending 31st March 1969 (published 2.10.69).

No 8—Annual Report by the Sir Robert Black Trust Fund Committee for the year 1st April 1968 to 31st March 1969 (published 26.9.69).

ORAL ANSWERS TO QUESTIONS**Yuen Long Bus Terminus**

MR FUNG HON-CHU asked: —

Is it true that the bus terminus provided by Government in Yuen Long town is not being used as such? If so, is it because the site of the terminus is not convenient for passengers or because of competition for custom between the bus and other means of transport?

MR D. C. C. LUDDINGTON: —Sir, the answer to the first question is "yes". There are in fact two bus termini in Yuen Long. A small bus terminus built in January 1965 to the western side of Yuen Long town, near the Police station, has not yet been fully used and the much larger one to the east of Yuen Long, completed in December 1967, has not yet been used by the Kowloon Motor Bus Company (except for a short time last Saturday).

These termini were planned to relieve the congested traffic conditions in Yuen Long Main Road. The larger eastern terminus was planned to cater for new development anticipated in Yuen Long and for the increased bus services which would be required. The reasons why they have not yet been used relate not only to the fact that new development has not gone ahead as foreseen but also to this comparative inconvenience for passengers and the competition provided by other forms of transport. Before these bus termini were built the buses used either side of the central part of Yuen Long main road as termini and they still do so. New Territories taxis and later dual-purpose vehicles use similar termini nearby.

MR FUNG: —Sir, may we be informed the building cost of these termini?

MR LUDDINGTON: —Sir, I haven't got this information to hand but I will certainly arrange to see it is passed to you.

Following is the additional information: —

The cost of the bus terminal to the east of Yuen Long was \$265,869.00.

STATEMENT

CORONERS RULES 1969

THE ATTORNEY GENERAL (MR D. T. E. ROBERTS): —Sir, among the items of subsidiary legislation which have been laid on the table today is the Coroners Rules 1969*.

These are made by the Chief Justice under section 22 of the Coroners Ordinance 1967[†], which empowered him to make rules regulating the practice and procedure applicable to death enquiries and post-mortem examinations.

No such rules have previously been made, and coroners have been following the English procedure in these matters and the rules before Council, which will regularize the position, follow closely the English Coroners Rules 1953.

The rules are divided into three main parts. The first, which is concerned with post-mortem examinations, regulates their time and place and the qualifications of persons conducting them and specifies who shall be informed of the examination and given an opportunity to be heard.

The second part is concerned with the conduct of death enquiries held in court and deals with the examination of witnesses, the right of a witness not to incriminate himself, adjournments, the admissibility of evidence and the matters which have to be determined by the coroner.

The third part regulates the keeping of a register of deaths and the detention and disposal of documents and exhibits.

These rules, as I said, do not introduce any change of substance to present practice.

* Page 14.

[†] 1967 Hansard, page 421.

MOTIONS**EX-GRATIA AWARD TO MR LAM POR UNDER SECTION 95(1)
OF THE INTERPRETATION AND GENERAL CLAUSES
ORDINANCE**

The Governor's recommendation signified by the Attorney General *pursuant to Standing Order No 23(1)*.

THE ATTORNEY GENERAL (MR ROBERTS) moved the following resolution: —

Resolved, pursuant to section 95(1) of the Interpretation and General Clauses Ordinance that the sum of \$16,000 be awarded to Mr LAM Por of No 163 Tai Kok Tsui Road, Chung Sing Building, Block 9, 14th floor, Kowloon, as compensation from the general revenue of the Colony on behalf of himself and the other dependants of Mr LAM Wing-sing who died as a result of injuries sustained in the execution of a duty to assist in resistance to crime and that the said sum be paid through the Director of Social Welfare in such amounts as the said LAM Por shall require.

He said: — Sir, section 95 of the Interpretation and General Clauses Ordinance provides for the award of compensation to any person who is injured in the execution of a moral or legal duty to assist in the prevention of, or resistance to, crime and to the dependants of a person who dies after being so injured.

Between three and four o'clock on the morning of 28th July of this year, a woman living in a flat in Tai Kok Tsui Road in Kowloon awoke to find a man standing near the window of her bedroom. She shouted for help and the intruder left through the window and made his way to the roof, where he joined a companion, and together they made their way to the ground floor of the block of flats, where they were stopped and questioned by the watchman.

Meanwhile a Mr LAM Sing, who lived in another flat in the block, having heard the woman shout, went with another male resident to the roof to look for the intruders. Finding nobody there, he and his companion went to the ground floor, where they found the watchman questioning the two men.

As Mr LAM and his companion arrived, one of the suspects drew a knife, threatened them with it and ran up the staircase. Mr LAM picked up a piece of lead piping and chased him.

Shortly afterwards, Mr LAM Sing was found, by his companion, who chased the other suspect unsuccessfully, lying in the corridor of

the second floor of the block, with five stab wounds in his body. Mr LAM was hurried to hospital, but died from these wounds soon after admission.

Although there was no eye witness to the stabbing, there can be no doubt that Mr LAM was killed by the man whom he had been chasing and that the latter had entered the block in order to steal.

Mr LAM was a brave man, who lost his life in carrying out the duty of the citizen to assist in the prevention of crime and the arrest of offenders, and I would like to express to his family admiration for his conduct and sympathy with them in their loss.

Mr LAM was a single man, aged 27, but his two parents and three young brothers and sisters were substantially dependent upon his earnings, since his father is no longer fit for work.

It is therefore proposed to award to Mr LAM Por, the father of the deceased, the sum of \$16,000 which will be sufficient to maintain the family at the same standard as that enjoyed while Mr LAM Sing was helping to support them for the next four years, by which time the brothers and sisters will be old enough to contribute towards family expenses.

Accordingly, I move the resolution standing in my name on the Order Paper.

ADDRESS OF THANKS TO HIS EXCELLENCY THE GOVERNOR

THE COLONIAL SECRETARY (SIR HUGH NORMAN-WALKER): —Sir, I beg to move that an address be presented to His Excellency the Governor as follows: —

"We, the Hong Kong Legislative Council here assembled beg leave to offer thanks for the speech which has been addressed by you to the Council."

MR Y. K. KAN: —Your Excellency, in your review yesterday you spoke of our tremendous economic and social developments during the past decade. Our phenomenal economic growth has been a marvel to all and our efforts in solving our many and varied problems have gained the admiration of the entire world. All these we have achieved with little or no outside aid, but only through the ingenuity and industry of our people and a government whose concern is for their well being. Rather than succumbing to self-pity or despair, we overcame our difficulties by hard work and determination. We have transformed this island from a little "Outpost" to a great metropolis and an economic force to be reckoned with, and as you, Sir, have indicated, we plan to carry out a number of important projects in the years to come, all of which are vital to us in our unceasing efforts to improve living conditions.

[MR KAN] **Motion**

Sir, I do not speak out of a sense of complacency or self-gratification but of pride. But I do not want to say this. By our achievement we have shown the whole world that we are a people well capable of handling our own affairs.

I should like to make two points in this connexion. First, although in tackling problems which affect the United Kingdom our decisions should, of course, always take into account their interests, in tackling what are substantially our own problems we must have complete freedom to decide what is best for us. Our colonial status should not be an impediment to our economic and social advancement. The 19th Century colonial policy under which colonies were ruled by “remote control” has become obsolete and in my opinion no longer serves the best interest of either Britain or ourselves.

The second point is this. We are constantly criticized by Members of Parliament in the United Kingdom. However, those who are prone to find fault with us have little or no knowledge or understanding of our problems. Incredible as it may seem, after a short visit of a few days they proffer facile solutions to difficulties which we have been trying to solve for years. One would have thought that they could profitably learn a great deal of Hong Kong's success—our initiative, our willingness to work and our determination to stand on our own feet. These are the qualities which have made Hong Kong what it is today.

Sir, when the new Standing Orders were introduced last October I expressed the view in this Council that they would give more scope and opportunities for Members to speak on matters of public interest*. Since then, Unofficial Members have taken full advantage afforded and if our Official Colleagues in this Council found the barrage of questions, not to speak of debates on adjournment, a little tiresome I can only say, Sir, that we were merely taking up the challenge of the then Colonial Secretary*. You, Sir, mentioned the 62 pieces of legislation which were passed in this Council during the year many of which have profound effect on the wellbeing of this community. The new Standing Orders have indeed given us better opportunities in debating on these enactments and other important public issues, and my Unofficial Colleagues and I are glad that we have been able to make our contributions in that regard.

Sir, the question of the need for an ombudsman has been raised once again. For the present, I do not wish to enter into this controversy; I believe my honourable Friend Mr P. C. Woo will be

* 1968 Hansard, pages 469 and 470.

dealing with this aspect of the matter at length later but I will however say this. Since the UMELCO* Office was set up over two years ago we have received a large number of complaints and representations from members of the public. In pursuing our enquiries we have encountered no difficulty with any Head of Department. On the contrary they have been most forthcoming and helpful in furnishing us with the information we seek. To assist us in our task and, with the blessing of the Financial Committee given yesterday, we propose soon to advertise for a person of wide administrative experience to be our Administrative Secretary. With the strengthening of the organization of the UMELCO Office we can deal with public complaints more adequately than in the past.

Sir, you spoke of the plans for further achievement and you expressed your confidence that the 1970's will see yet further progress. We, the Unofficial Members, share your confidence and to that end we pledge you our fullest support.

Sir, I support the motion.

MR FUNG HON-CHU: —Your Excellency, at a time when the question of having an ombudsman for Hong Kong is again being mooted, I feel it would be appropriate for me to confine my remarks today to drawing attention to some areas of public dissatisfaction. I hope that in so doing an opportunity might be given to Government to demonstrate in a positive and responsive manner that effective means do exist both for the rectification of individual grievances as well as more general complaints.

The first area of public dissatisfaction or disquiet to which I would like to draw attention is the violence in our streets, particularly in the poorer sections of our city. A large number of daring crimes has recently taken place, crimes committed in broad daylight with a degree of violence, to which our orderly society is unaccustomed. The public is justifiably nervous because it is uncertain as to whether such violence marks only a temporary aberration or whether our police force is losing the initiative in the fight against crime. The highly publicized resignations of a number of senior police officers have also added to the alarm and confusion.

Another aspect of the violence in our streets causing concern is the presence of gangs of young thugs. Hardly a day goes by without newspapers reporting a case of someone being attacked or robbed by teenage gangsters. What forces have been responsible for bringing forth such young gangs in our midst? Is it the failure of our educational system? Is it the lack of economic opportunity in our society?

* Unofficial Members of the Executive and Legislative Councils.

[MR FUNG] **Motion**

Is it the break-up of the traditional Chinese family system? Is it the lack of recreational facilities? Is it boredom? Is it a blind, mindless rebellion against our social values? Does Government know? Is Government prepared to find out?

In the past, I have advocated the establishment of a Council of Youth* as an advisory body and a Department of Youth as an executive arm. I share Your Excellency's view that regimentation of young people and their activities is undesirable and that separate and differently sponsored youth activities should be fostered and encouraged. But it cannot be denied that a degree of co-ordination among the existing relevant organizations to avoid waste and duplication of effort is necessary; also a central direction and organization is needed for certain mass activities for youth such as sports, youth festivals, competitions, etc. These I submit can best be provided by a Department of Youth and I urge Government to give serious reconsideration to this proposal. An increasing proportion of our population is made up of the young. We cannot continue to ignore their aspirations and frustrations or to pretend that their interests have been taken care of with the provision of a few swimming pools, playgrounds or social functions. It is not just a simple matter of crime and punishment. Events have shown that such a policy is bankrupt. Young gangs are roaming our streets with increasing daring and arrogance. We must seek somehow to return them within the fold of lawful society and to tackle earnestly the roots of their disaffection.

The next area of dissatisfaction I wish to touch upon is the inadequate protection for the wages of workers. This is especially important since many of our commercial and industrial ventures are undercapitalized. The sight of disgruntled workers besieging the Labour Department for unpaid wages is a blemish upon our society that we should not allow to continue. If it is allowed to continue, it can only lead to more labour unrest which should impair the attractiveness of Hong Kong to potential investors.

Your Excellency made mention in the opening session of this Council of a Bankruptcy Amendment Bill and a Companies Amendment Bill† being in draft with a view to establishing priorities for employees' earned wages when a firm is forced to go into liquidation or bankruptcy. But this may not necessarily result in the worker getting a fair deal because there is no guarantee that the employer's residual assets will be sufficient to meet the wages due to him. I recall the view expressed by Your Excellency in your speech here early this

* 1968 Hansard, page 93.

† Page 10.

year that there was little hope of an early introduction of social insurance. However, the spate of wage disputes that we have witnessed in the past few months has pointed to the need for rethinking on the vital question of social insurance. While I agree that in Hong Kong's circumstances, the time may not be ripe for the type of social insurance in force in the developed countries but a limited insurance scheme whereby workers are protected against unpaid wages and against non-payment of compensation in cases of injury or death caused by accidents would appear to be justified. The insurance scheme that I have in mind would involve the introduction of suitable legislation to require employers to take out insurance at their own expense to protect workers against unpaid wages and non-payment of compensation in cases of injury or death. For the scheme to be within the means of the employer, it is necessary that Government assume the role of the underwriter and charge an economic rate. This scheme would not involve public revenue and I suggest that Government operate this insurance scheme as a non-profit making venture. In short I strongly feel that insurance is about the best way to tackle this problem.

Very encouraging signs have emerged in recent months to indicate that the building industry is once again heading towards a boom. These include the keen bidding at Crown land auctions, the increasing number of building plans submitted for approval and the renewed activity on building sites which have seen virtually no activity for several years.

Such building activity and the accompanying rise in land prices are likely to bring to the forefront again the long nagging dissatisfaction over the space demanded by the electricity companies as a precondition for the supply of power.

In the past, electricity companies have been most arbitrary and dictatorial in determining which developer should be required to give up space and which developer should be graciously granted dispensation from that condition. For those unfortunate enough to find themselves outside the good grace of the electricity companies, they will have to give up valuable ground floor space in commercial buildings to house transformers. In the case of domestic buildings or sites, what has to be given up is likely determined by the convenience of the electricity supplier rather than the convenience of the developer.

In many other countries, electricity companies requiring space for their transformers pay some kind of compensation or rental. In Hong Kong they do not pay a single cent. And to add insult to injury, it is sometimes the case that a developer finds that most of the electricity supplied through the transformer on the site he has given up is used to supply his neighbours.

[MR FUNG] **Motion**

If any developer complains he is told haughtily that he can keep his space but he can also go without his electricity supply. This is a ridiculous attitude which borders on blackmail, for where else can a consumer obtain power except from the existing Companies?

Is there really nothing that Government can do about this issue? Must property developers continue to submit to the arbitrary requirements of what are virtually monopoly holders? The situation may be tolerable if the electricity companies were losing money or making only slender profits. But they are reaping fat returns and can well afford to pay some compensation or rental for the space they require to conduct their own business.

I recall that following recommendations made by the Electricity Supply Companies Commissioner in 1959, Government announced that it would prepare legislation as a matter of urgency to afford consumers safeguards in matters of concern to them. I do not know what is the present state of that legislation. If it is still intended to enact legislation, is it not possible to include some provisions to regularize the demands of the electricity companies for space for transformers on private properties. The public, particularly the developers, would welcome a statement by Government expressing its views on this subject.

Another matter of public dissatisfaction which is of more direct concern to Government is the poor service provided by the Immigration Department. One hears and reads constantly of complaints about discourtesy, delays and allegations of an even worse nature. The criminal proceedings over the last few months against members of that department have been widely welcomed. If Government is not aware of this public dissatisfaction, can Government nominate a senior official outside that department to whom members of the public can go with their complaints in reasonable expectation that not only their individual complaints will be attended to but that the general system which gives rise to the complaints will be overhauled. I should be very surprised indeed if such an official would not be inundated with complaints if he were nominated. If Government is already fully aware of public dissatisfaction, can Government undertake in due course to publish a White Paper setting out the results of its investigations and what is being done or has been done to rectify defects in the system. Only by so doing can Government gain the confidence of the public and demonstrate that it has the courage and determination to face up to its shortcomings and to overcome them. There is already too much teahouse gossip about the affairs of this department and any attempt by Government to avoid public embarrassment can only further damage the image of Government.

Sir, I have much pleasure in heartily supporting the motion before Council.

MR TSE YU-CHUEN: —Your Excellency, I am glad to note from the speech of Your Excellency, on 1st October that crime* in Hong Kong is not so serious as generally understood and is actually less than that in many other parts of the world owing to good capacity to combat these evil and high detention rates. Nevertheless, offences and delinquency committed by youth are having the increasing attention of the community and call for remedial measures as well as a fundamental adjustment of this grave question.

When World War II enveloped nearly the entire globe in flames, the course of education could not proceed on its normal course. Parents had a hard time to fight for survival and could not be expected to turn their attention to home training of their children. The devastation of war and the breaking up of homes exacted a heavy toll on children who were denied of proper education and home breeding. Over the years these children have grown up in ever increasing numbers. Now these grown-ups lacked the warmth of home upbringing and a sound education. Without a good moral background and without suitable home and school training, they are further tempted by sex and other enticements, swerve off the road of decorum and become delinquents and disorderly elements. In worse cases, they fall into a life of crime and group themselves into bandit gangs to embark on all kinds of offences to disrupt the community. Youth indulging in crime and unrest are rampant all over the world.

Hong Kong serves as a junction of communication between the East and the West but is located in a tight and small area. Its population reached 3,700,000 in 1967 as stated in an official census. Now the figure climbs to over four million mark. Most of them are teenagers and young people. Many went through the baptism of affliction during World War II. Introvertly they are now menaced by economic difficulties, deficiency in education and hardship in securing employment. Extrovertly they are affected by vain and unwholesome influence as prevailing in Europe and America. Therefore crime records in Hong Kong show that most of the offenders are youngsters. The question of halting criminal offences by youth has a direct bearing on the prosperity of the community and the security of the people. This is an important problem.

In my view, the prevention of youth from committing offences merely through reform and rehabilitation cannot attain the desired result. As suggested by my honourable Friend, Mr Oswald CHEUNG,

* Page 7.

[MR TSE] **Motion**

corporal punishment should be more frequently resorted to as a suitable measure to discourage crime, though it might seem severe and extreme. Such punishment is necessary in the community today in view of the recalcitrance of youth and the unrest in the community which were unheard of before. When tranquillity is restored, the merits of this measure will be realized as a basic and permanent solution of the problem. My understanding is that the retention and more frequent resort to such penalty is what public opinion would overwhelmingly support today. This is akin to a palliative, because the fundamental cure is through moral persuasion and kindness. A combination of severity and moral teaching will bring about peace and security to Hong Kong. This is a big problem and its solution is not easy.

In March 1968* I made suggestion in this Council to counsel and guide youth to tread on the right track. After some revision they are as follows:

- (a) The best way to prevent crime on the part of youth is to have them absorbed in trade and industries through expansion of industries and the construction works. A pre-requisite is to provide them with technical education. In public offices connected with trade and industries, it is necessary to rid and prevent corruption if any and provide protection to industries so that the manufacturers may have confidence in expanding their plants and output. There should also be measures to encourage investment in construction projects and the inflow of more capital from abroad.
- (b) The Education authorities should endeavour to provide for young people opportunity of a secondary or technical education. This end should be reached whether by free tuition or subsidies, so that educational and cultural standard of these people may be generally raised. Alternatively they may be so trained as to fit in all kinds of employment.
- (c) In assisting youth to obtain employment, Government should set up a special organization for implementation and should also give aid to volunteer organizations which are placing youth in various positions. To provide training and employment, a common effort should be undertaken among public and private organizations, schools, factories and public bodies.
- (d) All Government offices administrating public utilities, communications, public sanitation, *etc* should rigidly adhere to the age of retirement in order to provide vacancies for younger people to fill in.

* 1968 Hansard, page 102.

- (e) The educational authorities may well thoroughly revise school curricula for the purpose of close co-ordination, elimination of non-essentials and adoption of most practical pursuits. Thus youth will have the necessary training and skill for different jobs. Then, too, moral character must be cultivated. Voluntary social centres connected with youth guidance must see to it that cultivation of moral uplift is essential in steering youngsters to proceed on the right direction.
- (f) Youth are deficient in social training in relation with the community. Enrolled to secondary or technical schools, they are occupied with their lessons and are aloof from society. When they face the world in job hunting, they are at a loss on what to do. How to remedy the situation falls on the lot of the educational authorities.
- (g) Social ailments in different levels of the community are having our attention. Abundant in vitality and energy, youth are prone to have a superficial understanding of life and fall easy prey to temptation. It behooves government organs concerned to take common efforts to eliminate social ailments and dark spots by ameliorating social conditions. Grownups should set an example and guide youth away from their aberration.
- (h) When Government proclaim Ordinances and orders, they are to be strictly enforced by the law courts. Such government action to be supplemented by education and guidance would render young men and women aware of crime and punishment. They will be warned of the danger and foster their better nature to lead a life of respectability. For those youth who unwittingly fall on the wayside they must be pulled back to the right course. It would be futile to prescribe reform and to compel obedience.

From the foregoing observations a complete picture of youth and their conditions may be envisaged and also the major problems confronting society. These problems concerning education, home affairs, social environment, capital-labour, marriage, relations between friends, books and periodical reading, and amusements—all have effect on youth and require adjustments and solutions. They have much to do with government, schools, religious bodies, social welfare centres, Kai Fong Welfare Associations and other setups connected with social welfare. They should work in concert to attain common ends.

MR P. C. WOO: —Sir, in a complex community as Hong Kong with its overwhelming developments since the Second World War one cannot dispute that the political, social and economical activities of Hong Kong

[Mr Woo] **Motion**

have given rise to problems to which adequate solution has yet to be found. As a result, complaints of administrative actions, which no doubt sometimes cause grievances to the public, will naturally arise. Public spirited and right thinking people will look closely to find out what should be done to remedy the situation.

Several years ago the Law Reform Committee decided not to recommend to Government the adoption of the Tribunals and Inquiries Act of 1958 in Hong Kong. Under this Act a Council of Tribunals may be established which can exercise a degree of supervision over the work of tribunals but does not possess the powers and functions of the Ombudsman, an institution originated from Sweden and has taxed our mind for some considerable time.

Sir, you raised this issue in your address to this Council in the budget debate of 1965*. I spoke at length on this subject in that debate*. In the 1966 budget debate† Mr Sidney GORDON was of the opinion that we should defer consideration of this matter for at least two years. I touched upon this subject again in the budget debate of 1967‡. My Unofficial Colleagues are not unmindful of this very attractive foreign institution but the general public has a much mistaken conception of its powers and jurisdiction, and I cannot think of a better description than to quote your comment, Sir, that "The image of these Commissioners as all-powerful rectifiers of all grievances is of course very far from the truth."

The office of the Ombudsman was created in Sweden in 1713 and although he has very wide powers his duty is purely supervisory. He can have access to all documents—even the secret ones—and the right to be present at all deliberations at which judges or administrative officials make their rulings. It was an office suitable to the constitution of Sweden at that time when modern forms of government were unknown. Its immediate neighbour, Denmark, did not have an Ombudsman only until 1955, and Norway adopted the system in November 1962. In New Zealand an Ombudsman was appointed on 1st October 1962. In 1967 Britain had her first Parliamentary Commissioner for Administration. He was appointed under the Parliamentary Commissioner Act of 1967. However, the Act places serious limitation upon his scope and powers. Complaints must be referred to him by Members of Parliament and he conveys the results of his investigation to the Members rather than to the complainants. There are 2 schedules in the Act. The first schedule provides a list of the

* 1965 Hansard, pages 48 and 168.

† 1966 Hansard, page 120

‡ 1967 Hansard, page 170.

departments and authorities subject to investigation by the Commissioner. Included in the first schedule are all ministries and departments and agencies such as the Civil Service Commission and the Central Office of Information. Another schedule, however, lists matters not subject to investigation. Among the most important of these are relations or dealings with foreign governments, security matters, police action, and personnel matters in the civil service and the armed forces. Also excluded are the public corporations, government contracts and local government.

The office of the New Zealand Ombudsman is not so limited as in the United Kingdom. However, when in December 1965 I as the observer of Hong Kong at the annual conference of the Commonwealth Parliamentary Association held in Wellington, had the opportunity of meeting and discussing with Sir Guy POWLES, the Ombudsman of New Zealand. Sir Guy confided to me the difficulty of having adequate investigations because of lack of staff to investigate into the complaints which in many cases require experts to do so and statistics have shown that during the period between 1st October 1962 and 31st March 1964, of the 1,100 complaints only 107 cases were adequately dealt with, representing about 9% of the total number of complaints.

As Ombudsman is an institution which is foreign to the concept of our constitution, we are not able to obtain full and accurate information about the actual operation of the institution from the country in which this system originated. Language difficulties and misinterpretation of how the scheme actually works have often puzzled most of the English-speaking world. Probably this is the reason why Britain decided to have this scheme in a very restricted form.

As I understand it, an Ombudsman is not a kind of officer with unlimited powers to overrule the decisions of public officials. The Ombudsman's power is only to investigate and to recommend. In other words, he is an adviser to government and nothing else though his advice will not be rejected unless there are grave reasons for doing so.

It is not appropriate, in my view, to compare an Ombudsman with the Chinese censorate of ancient China. I must take exception to this comparison in that these Chinese officials, known as Yu Shih “御史” were members of Tu Cha Yuan “都察院” known as Censors, whose principal duty was to keep the Emperor informed of all matters of public importance. In fact, their status cannot be compared with the powers and scope of an Ombudsman. If a Yu Shih found that there was any corrupt official it was his duty either to publicly or privately make a complaint against him to the Emperor, but if he wrongly accused any person he would be personally liable and would be punished for false accusations. It is true that sometimes his itinerary

[Mr Woo] **Motion**

included journeys to various parts of the Empire, but again he had no power to punish nor to hear any case except in conjunction with the officials of that district. His principal duty was to report and the final decision lay with the Emperor himself.

The Yu Shih was not the only official in ancient China able to deal with grievances of the people. The power to report grievances to the Emperor was not exclusive to the Yu Shih and every Chinese official was in fact under obligation to do so.

The Report by "Justice", Hong Kong Branch of the British Section of the International Commission of Jurists, put the case more accurately when it states that "the main difference in fact between the censorial system of ancient China and the Ombudsman system is that the primary function of the Chinese system seems to have been the control of the bureaucracy in the direct interests of the Executive rather than the redress of grievances in the interests of the people as a whole". In ancient China there was no question that the interests of the general public were to be safeguarded; as we all know, what the Emperor said was law.

The Report recommends that "There is an urgent need for an Ombudsman in Hong Kong and one should be appointed as soon as possible", and gives the reason that "There is in Hong Kong a lamentable lack of simple, inexpensive and effective machinery for safeguarding fundamental rights and freedoms and for enabling those who have suffered from violation of their rights to receive assistance in obtaining redress". Such a statement may give rise to the false impression that the Courts in Hong Kong are powerless to protect our rights, property and liberty when violated from any quarters. Hong Kong is no different from any other place. As I said before, in a complex community there are bound to be complaints of grievances whether real or imaginary against administrative actions. But is an Ombudsman the only remedy to safeguard our rights and freedoms?

I am not against the appointment of an Ombudsman in Hong Kong if there is indeed the need for it and if it is the only remedy to redress grievances. On the other hand if the appointment is merely, as the Report says, "to sharpen the attention of the authorities in dealing with cases and to counteract tendencies toward abuse of powers and arbitrary decisions", then there are many other ways and means of attaining the same result.

We must remember, Sir, that an institution which may be appropriately suitable to one place is not necessarily so to another, and we have to closely examine it before it can be transplanted and adopted as our own.

For many years, Sir, we have taken great pains in devising ways and means to bridge the gap between Government and people, and I think that with the re-organization of the UMELCO (as just outlined by my honourable Friend Mr Y. K. KAN)* and other establishments we can attain our goal. Until we have come to the irresistible conclusion that an Ombudsman is the only means of redressing grievances, the majority of my Unofficial Colleagues and I are of the opinion that at present it is not the time to appoint an Ombudsman in Hong Kong.

Sir, I have much pleasure in supporting the motion.

MR SZETO WAI: —Your Excellency, you have spoken over a wide range of subjects and have given us a fairly full picture of what Hong Kong has achieved in the last decade as well as the many plans we have for the future.

You very rightly said that the affairs of Hong Kong have become increasingly complex. Indeed, we have moved far away from our original station of an entrepot in the China Sea and have become an industrial city of international importance. In the short span of a decade, we have earned, through hardwork and initiative, a status of a world city—a city of teeming millions living at a tremendous tempo of life geared to a dynamic economy which exerts influence on every facet of our life; and that on transportation has created problems that are increasing in magnitude and complexity. Our old and inadequate city pattern is being superimposed by canyon-like high-density developments pouring humanity into the narrow streets that are often jammed with vehicles of all sizes and shapes. Our public transport facilities, including the recently legalized light buses, are outstripped by the heavy demand brought about by population increase, expansion of urban areas and rise in living standard. Transport planners are convinced that nothing short of a grade-separated mass transit system will solve our problems. But, given financial feasibility of even a modified system, its implementation will take many years, while meantime traffic conditions and transport facilities continue to be overloaded and deteriorate, unless there is an accelerated effort to improve our roads coupled with a determination to overhaul our existing franchised facilities. Government's policy on off-street parking also needs review as our already limited road space is increasingly devoured by unlawfully parked vehicles many of which are being forced to do so. Admittedly, progress has been made since the upgrading of the Transport Office to a Department last year, and the Commissioner for Transport, aided by the Transport Advisory Committee, has discharged his many difficult duties with satisfaction. But the increasing complexity of the combined field of traffic and transport may justifiably

* Page 21.

[MR SZETO] **Motion**

call for the reconstitution of the Committee into a more effective body to deal with the multifarious problems that are bound to arise in the immediate years in the light of our ultra-high density developments, rapid vehicle growth and heavy dependence on public transport.

On the question of the public light buses, it was recognized that initial difficulties must be encountered in regularizing their operations after having enjoyed years of freedom and disregard of the law. There may well be special needs in the rural areas in the New Territories, and these and other of their problems are being considered by the TAC and the Commissioner for Transport together with the District Commissioner's representatives. But, the new licencees must realize that in the interest of traffic and public safety, the few restrictions now imposed on their operations are essential and must be observed. This is of special importance in the congested urban areas. I would appeal to their good sense and respect of the law, to genuinely co-operate with the authority, for the concession they receive, in serving the public.

It is apt, Sir, as far as Hong Kong is concerned, to describe the 1960's as the decade of acquiring information and knowledge which we have now accumulated in considerable quantity. Indeed, we are served with a vast reservoir of information and expert advice on water supplies and transportation as well as in many other fields. Would the early 1970's be the epoch of decision making? Whilst Government's foresight in instituting these investigations is to be commended, the danger of procrastination so often comes in their train cannot be over-emphasized. All these expert reports have taken considerable time in their preparation, not to mention expenditure; further time has been spent in the deliberations over them by Government working parties, which in turn produce their own reports that may call for the shelving of the originals or replacing them by further reports. While I agree that flexibility in planning is of great importance, and it is a virtue to be able to defer final decisions to the last moment without serious consequence, my concern is that in the case of transportation, prolonged indecision is bound to have detrimental effects on our economy in view of our rapid industrial expansion.

The 5-year Road Improvement Programme of the PWD appears to have got off the ground with satisfaction. The long over-due relief for the congestion in North-East Kowloon is now in sight. Given financial provision, which I am sure this Council will, it can be assumed that 1973 will witness the completion of most, if not all, of the important projects it comprises, save any delays that may be occasioned by PWD under-spending due to staff shortage or other causes. I am glad to learn that a Highway Office has recently been set up in that Department presumably to look after planning and

implementation of all road schemes, not only those in the 5-year Programme, but also those recommended in the 20-year Long Term Road Study as and when they are accepted. With the progress now being made on the Island Water Front Road, our attention should be focussed on its counter-part in the Mainland to link southern Kowloon, through the Yau Ma Tei Typhoon Shelter, with the New Lai Chi Kok Bridge to relieve congestion in Nathan Road. While on the subject of traffic congestion, I would urge Government to take early action to remove the Railway Terminus to its new site in order to free space that is urgently needed to improve the Ferry Concourse at Tsim Sha Tsui. This will also make possible the early realization of the Indoor Stadium and other traffic and transport provisions which have been proposed to be built over the Railway.

May I now turn to the many major public works projects that are being planned or investigated and their relative priorities. Housing and water supplies have been our biggest spenders for years; and while we still have a formidable commitment in the housing programme, we can relax for some time in spending on water supplies. Other claims on our resources such as the Airport Runway Extension and the Container Terminal at Kwai Chung are of lesser magnitude but wider commercial interest. I am surprised that so much heat has been generated over the issue of the Runway and that we should have gone to Whitehall cap in hand; our surplus last year alone could take care of it comfortably if its merits could be proved to the Executive and this Council. There is also the possibility of contractor financing to be entertained if more equitable distribution of revenue expenditure is considered desirable in this case. The Container Terminal, like the Cross Harbour Tunnel, would be a suitable project for private enterprise to show its confidence in Hong Kong's future. Surely its estimated ultimate cost of \$243 M is not beyond the combined resources of our shipping and export interests. The raising of the Plover Cove Dam at a cost of \$45 M over 3 years should be of little financial consequence, while the heavy expenditure on the proposed High Island Reservoir, if approved by this Council, will not occur for some years. Road development and housing should, therefore, have first claims on our revenue for the next few years; meantime efforts to explore all avenues of financing a modified mass transit scheme should be pursued. Now that the consultants are back to further investigate on the scheme, can we assume that such further time and further expenses will justifiably lead us to a positive decision?

Sir, you mentioned that sites are being acquired for urban renewal in the pilot scheme area on the Island. We have also learned of vacant sites being acquired in other areas of the Western District to provide for open space and community buildings which the district badly needs. These are steps in the right direction though necessarily

[MR SZETO] **Motion**

slow. Urban Renewal, whilst a pleasing term in the planners' jargon, is a painful operation and often entails social hardship and disturbances. But against these, are the pressing problems of safe-guarding health, protection from fire-hazards and improving traffic. The pilot scheme will provide us with the planning and legislative experience which could then be expeditiously applied to other areas that are ripe for clearance. Suitable sites should now be acquired in Sham Shui Po for similar purpose in addition to what is being done there in anticipation of a mass transit line.

In the re-development of these dilapidated areas, emphasis should be placed, in addition to traffic consideration, on the generous provision of modern market facilities, the planning and construction of which have hitherto unfortunately lagged considerably behind. Suitably designed and located markets should absorb some of the large number of hawkers who are increasingly impeding on our limited road space and posing a difficult traffic problem. May I repeat my plea made at the Budget Debate in 1967* that Government should build markets combined with car parks to help solve both the hawking and the traffic problems. Many of the hawkers are young and able-body people, and such wastage of manpower at a time when our expanding industry is crying out for labour is a sad admission of our deficiency in industrial planning. Hawking may have a special appeal to the Chinese way of life, but surely "a city of hawkers" is hardly a fitting tribute to our claim to industrial status. We must attack the problem at its roots, and preserve and direct this valuable resource of ours into proper and productive use, quite apart from any traffic consideration.

Sir, I support the motion.

MR WILFRED S. B. WONG: —Your Excellency, Hong Kong is to be complimented on its achievement and for the programmes which you have indicated in your speech. You have rightly said that the last session of the Legislative Council started in 1844 since this Council's meetings are only adjourned and never closed. May I congratulate you on bringing back the Victorian prosperity of 1844 to Hong Kong in 1969.

Achievement, like happiness, resembles a shadow, one never catches it when one chases it. Nevertheless, progress is the product of chasing. Hong Kong, in spite of its colonial status, may yet be the best governed territory of the world. The basic principle of Government is the guarantee of inviolability of life and liberty under a system of law. Hong Kong has that guarantee under the British system of law.

* 1967 Hansard, page 180.

Hong Kong has the destiny of a mixed civilization. I hope this mixture is largely of the best and not of the worst features of each civilization. In culture, those of individual freedom, unity of the family, and gentility. In law, justice and equality above self-interest; in economy a free enterprise without exploitation; in politics a good administration without corruption.

When people are satisfied with basic protection to life and liberty they want in addition the opportunity to earn a living, to pursue happiness, and a right to govern themselves.

History has shown that when protection to life and liberty is not assured people have demanded and succeeded in self-government. During the last decade or two people who had protection to life and individual freedom sought and attained self-government because of the rise of nationalism.

It is not my intention today to embark on a discourse on the part which nationalism could play here or the advisability of self-government in a situation like that which exists in Hong Kong.

"I am astounded at the folly of leaving to mob caprice and gullibility the selection of political officials—not to speak of leaving it to those shady and wealth-serving strategists who pull the oligarchic wires behind the democratic stage. Whereas in simple matters—like shoe-making—we think only a specially-trained person will serve our purpose, in politics we presume that everyone who knows how to get votes knows how to administer a city or state". I am, of course, quoting Plato but it serves as food for thought for those who wish to have self-government for Hong Kong bearing in mind what is happening in other areas of the world today.

It is my intention to discuss at this cross-country debate the right to earn a living which involves economics and the pursuit of happiness which involves the philosophy of politics.

If there is an economic policy for Hong Kong, it could be broadly defined as a free economy which allows the forces of supply and demand to play. Trade is practically free with only a handful of commodities being dutiable. Taxation is low and the incentive for enterprise and industry is maintained. It is a classic example of the "invisible hand" of Adam SMITH in operation.

Much could be said for government functions in accordance with new economics if there were acute and chronic unemployment or inflation. Hong Kong is not, however, affected by these scourges of economy as are other countries and, therefore, demonstrates the success of a free economy.

[MR WONG] **Motion**

In some respects, however, government has exercised its new functions in the financing, construction and management of low cost housing, the establishment and management of fish and vegetable cooperative and marketing organizations, and the introduction of the rent increase control bill in 1963* for domestic premises which was abolished in 1966†.

Although the theme of economic policy is classical, general opinion is toward government seeing to it that private enterprises continue to maintain a steady level of high employment and rising productivity.

Under the heading of economics, I would like to draw attention to the following points: —

(a) *Direction of labour*

Hong Kong is going through a phenomenal period where there is, generally speaking, no unemployment. There is actually a shortage of labour in certain industries and this leads to the question whether labour should be redirected from such trades as hawking which while individually lucrative, does not contribute to production. Under this heading consideration could be given for a labour exchange where statistics could be kept and could also serve as an index to guard against unemployment, or undesirable development in employment structure.

(b) *Financial facilities for small industries*

Because of the emphasis which the large banks place on physical assets and capital goods, smaller industries are still facing difficulties in arranging finance at a reasonable rate of interest. It is generally felt that some measures could be devised to assist small industries which have good management and organization. Increase in bank loans to small industries are certainly lagging behind the growth rate in other aspects of finance.

(c) *Rental increase rationalization for domestic premises*

While it is fully appreciated that rent control in general will deter investment and, therefore, affect adversely the supply of domestic flats, recent rent increases for some workmen and clerical staff are assuming proportions which will unsettle their cost of living. The rise in rent generally far exceeds the

* 1963 Hansard, page 51.

† 1969 Hansard, page 12.

rise in wages. Consideration could be given for rent rationalization on the same basis as the 1963 bill for rents below say \$500 per month. In this way rents for the more expensive flats would be left open to the free forces of supply and demand.

(d) *Industrial land*

New land for industrial expansion is now practically nonexistent in urban areas particularly at reasonable prices. Consideration should be given for more land to be made available in the New Territories at reasonable rates for new industries. The drying up of the supply of land, one of the four major factors of production is bound to have a profound effect on the expansion of our new industries. Therefore our industrial land policy should be quickly reviewed.

(e) *Extension of airport for further development of Hong Kong tourist industries*

This subject needs no elaboration other than to say more tourists will come to Hong Kong if the runway of the airport is extended to 10,000 feet instead of the present 8,300 feet. When outside assistance is not forthcoming Hong Kong must make its own arrangements about the financing of the project. What about a Hong Kong Airport bond?

(f) *Oceanarium*

Hong Kong already has enough bars to attract tourists; consideration should now be given to the building of an oceanarium to cater for tourists with different tastes.

On moving to the philosophy of politics I would like to bring up the following proposals: —

(a) *Free primary education*

It is gratifying to note that the programme for aided primary education already caters for practically every child who wishes to avail himself or herself for it. However, a greater incentive should be offered so that all those of primary school age will be receiving the benefits of aided primary education and eventually free primary education.

(b) *New measures to combat crime*

New measures to combat crime should be devised to lessen the trend towards murder and robbery especially from people who are below 21 years of age. It seems nowadays that there is an over-emphasis on leniency for the individual rather than legislation as a deterrent against crime towards society. I believe strong measures should be considered for the protection

[MR WONG] **Motion**

of society as a whole and not too much emphasis should be laid on the feelings of a few teddy boys. I believe that youth should be treated with great understanding but to let those who lightly take the life of another person get away with nine months or three years in a training centre is an unwise practice and the ultimo in permissiveness.

(c) *Aid to drug addicts*

However hard the Society for the Aid and Rehabilitation of the Drug Addicts tries, the aid to drug addicts is not enough and government should consider a larger scheme to help those people who are unable to help themselves.

(d) *Aid to the mentally retarded and defective*

Facilities for the mentally retarded and defective are far from adequate and in spite of the pending completion of the new hospital at Lai Chi Kok consideration should be given by government to enlarge the scope of the care of the mentally retarded and defective.

In a lighter vein I would like to tell a true story. When I visited Castle Peak Mental Hospital a few years ago on a JP visit, I was wearing a bush shirt and quite naturally was taken by an inmate as a doctor. He talked to me, tugged at my shirt, followed me around and finally said, "Please get me out of here, I assure you I am just as sane as you are."

(e) *Social security for the aged*

My honourable Friends, Mr FUNG and Mr TZE* have spoken at length about the young, may I say a word about the aged. As the old family structure and tradition are gradually being eroded, aged people amongst certain types of families face a bleak future. Therefore, consideration should be given to the establishment of and encouragement for more homes for the aged. We should pay more attention to the aged who can no longer work.

(f) *Markets*

Government is to be congratulated on reviving the market programme. The market has proved to be the most economic institution through which a very high percentage of our population obtain, through the housewives, the daily necessities of vegetables, fish, meat and poultry. With the newer and larger markets in each area, hawkers could be cleared from the adjacent streets when they will once more

* Pages 22 and 26.

perform the function for which they are built, *ie* traffic. It is in the best interest of all concerned that street hawkers selling foodstuff be redirected into industries where there are jobs waiting for them.

(g) *Multi-storey buildings*

Since 1961, I have advocated in the Urban Council the enactment of legislation for multi-storey buildings. As multi-storey buildings are going to be a characteristic of Hong Kong as we can only go upwards in the urban areas it is extremely important that the Multi-storey Building (Owners Incorporation) Bill be introduced as soon as possible. Many opinions have been expressed and with a few exceptions, they are generally favourable to the bill. It will be a test when the building owners and their occupants understand the basic and civic appreciation of harmonious living together under hygienic conditions. If the new bill and the proposed subsequent Crown Rent and Premium (Apportionment) Bill and Crown Rights (Re-entry and Vesting Remedies) Bill fail to achieve their objectives a more comprehensive formula may be devised by government to ensure the maintenance of hygienic conditions in the public areas of multi-storey buildings.

(h) *Ombudsman*

I am, on balance, inclined towards an ombudsman for Hong Kong. It does not take a political scientist to understand that power tends to corrupt. The power given to the administrative officers under the statutory authority is all pervading and even the best of persons could overact. As Hong Kong has no political parties or official opposition the ombudsman system is singularly appropriate for a check and balance to the administration which in spite of its high record can still make mistakes. I appreciate the reference to the work of the UMELCO office. However, there are two points which I should like to raise. The first one is that for the purpose of redress people have the impression however wrongly, that the UMELCO office is too much with the government. And the second point is that the ombudsman is presumably empowered by statutory authority to requisition files whereas UMELCO Members can only request information about them. On the qualifications of an ombudsman, I would not advocate any limitation of professions other than that of individual merit. However, I personally believe a distinguished ex-civil servant endowed with a great reservoir of sympathy and breadth of vision would best fulfil the functions of an ombudsman for Hong Kong.

[MR WONG] **Motion**

The above points outline some avenues of the pursuit of happiness by the people. Neither Hong Kong nor anywhere else can hope to be an Utopia. But Hong Kong, situated between two civilizations, can move a few steps nearer to it and relieve itself from some of the drawbacks which invariably and inevitably accompany material achievements.

Sir, I support the motion.

3.54 p.m.

HIS EXCELLENCY THE PRESIDENT: —I think honourable Members might like to break at this time and in accordance with Standing Order No 8(5) I will suspend the sitting of Council for approximately 15 minutes until 10 minutes past Four o'clock.

4.10 p.m.

HIS EXCELLENCY THE PRESIDENT: —Council will resume.

MRS ELLEN LI: —Your Excellency, as this is the beginning of the new session for this Council, may I say that I have enjoyed your Excellency's opening speech very much, because it was a speech of sincerity giving a factual account of the development of Hong Kong, and not a political eye-wash which says and promises a lot but means nothing. Last week, when I was asked by the press what sort of a Governor we would like to have for Hong Kong, if we had a choice—a politician, a career diplomat or an able administrator—my answer was that if we were ever to be consulted, I would prefer a hard-working, able all-round administrator like yourself, Sir, and leave the politics and diplomacy to London.

My Colleagues have already spoken on many important issues and made valuable suggestions and others will do so later. I will keep to the subjects which I am most interested in and leave it to the Government to assess their merits for consideration.

The first subject I would like to comment on is the question of *housing*. The gigantic programme of providing public housing for 50% of the population by 1974 is, to say the least, a world phenomenon today. Our attention should now concentrate on the type of accommodation, their locations and other facilities, such as transportation, recreation, medical and schools. The Director of Education will tell us that very soon we shall have more primary school premises than we need. It is therefore time to consider embarking on a progressive secondary school programme as well as post-primary trade schools, especially within the Estates compounds, so that the transportation

problem can be partially reduced. Some of the extra primary school rooms can be used for either vocational training classes or play-centres for the younger children whose parents have to work and whose elder brothers and sisters are attending schools.

Two other aspects of housing must be seriously reviewed, and that is the *size of the flats* and the *size of individual families* qualified for the flats. Many of the big flats for 8 or 9 persons are very slow in letting, because the younger generation prefers small families and small family units without their in-laws. The requirement for the future would have to be smaller flats for young couples with new families and each child should be considered as one unit to avoid overcrowding within a few short years. On the one hand we spend nearly 2 million dollars a year to promote family planning as a means towards better living, but on the other hand, we find some ridiculous situations that post certain hindrance to this movement. Many families refuse to accept family planning advice because they need additional children in order to qualify for housing in Government married quarters or other subsidized housing, for decantation to larger accommodations, and for additional personal tax exemption. I also find the generous allowances for maternity leaves for the lower grade staff in Government service, that is 4 maternity leaves of 3 months each on full pay and 4 on half-pay, grossly excessive. The bulk of the Government staff is within this structure and they are the ones who can least afford to have a large family. Obviously, we are working at cross purposes in these areas and obviously we need to overhaul some of our policies.

It would be the understatement of the year if I said that I am happy to see the Marriage Reform Bill has finally come out in print for public discussion. So far, the public reaction has been favourable. Even our elders in the New Territories have come around to understand the advantages of a registered monogamous marriage system. I am confident that this time we need not have to wait for any further retirements from this Council to see this bill become law. However, I can also foresee that a great deal of follow-up work has to be done in the preparation for implementation of this very bill. We shall need many more Marriage Registries, also some machinery to process the registration of past marriages and the issuance of certificates required for international travel, emigration and other legal matters. No doubt there will be many family disputes awaiting settlement or arising out of this bill. At present, some of the more clear cut cases seek resolution in the District Courts, others go to the Secretariat for Home Affairs which we know has no legal authority necessary for effective solutions. The necessity for the establishment of *Family Courts* is of vital importance if this bill is to function effectively, and if the sanctity of marriage is to be preserved and family disagreements

[Mrs Li] **Motion**

not made into public scandals in open courts by the freedom of the press. The present JP Courts may be considered for such duties temporarily until such courts can be properly constituted. The Justices of the Peace may even find their duties in redressing an injustice more rewarding and worthwhile than the routine of imposing fines for minor traffic offences by batches of 10 or 20 at a time.

For many years to come, the accent on *youth* will continue to occupy our attention. The intensive participation of Government and voluntary agencies in the summer programme proved quite effective in keeping ½ million of our young people actively occupied. Summer jobs in Government Offices, firms and industries gave the young people valuable experience and brought them closer to society. However, I understand most of the participants were students and I wonder how successful we were in involving the large group of youngsters not in school and unemployed in our activities and in our effort to channel them into industries where manpower is urgently needed? Evidently our next effort must be concentrated on this phase in our future summer programmes. Industries must be urged to take a more active part in this mass effort for provision of training courses and job opportunities. At present, most factories and trades undermine one another by drawing skilled workers to themselves by offering higher wages, but few offer any training programme for their own operatives.

The fact that our community is a young men's world brings with it necessary changes in ideas, policies and way of life. Young people want to play a part in the social, cultural and political life of the society they live in. In order that young people may intelligently discuss our local affairs prior to their actual participation, they must be well-informed of the structure of our Government, facts about our economic and other developments, social service facilities, and many others. *Civics*, therefore, should be included in every school curriculum. Open discussions on local affairs and guidance by the school in student organizations for training in committee proceedings should become part of the school life. Participation of young people in committees of voluntary public organizations, welfare agencies and Government committees should become a way of life for the Hong Kong of tomorrow.

Two other aspects of problems of youth also need our attention. One is the opportunity for *higher education*, and the other is the *protection of young people* from possible exploitation and moral danger. Every year twice as many young people leave Hong Kong for higher education abroad than the number of acceptances into our 2 universities. Some consider this as a brain drain, others regard it as a wonderful training opportunity and exchange of culture. Our

young people have an eagerness for learning and an ambition for improvement. I am therefore keenly interested in the possibility of offering *part-time degree courses* for those matriculants who for one reason or another do not enter the universities or go abroad. The London University offers *external degrees* for scholars overseas without the requirement of class-room attendance. I fail to see why our universities in Hong Kong cannot do the same, especially the Hong Kong University. Many students in the Hong Kong University, in the Arts Faculty especially, do not actually attend classes after the first year, and rarely if at all, in their final year, since class attendance is not a strict requirement in the Commonwealth system of higher education. The establishment of external degrees in the Hong Kong University is only a matter of organization with very slight involvement of personnel and finance.

Young people working long hours in shops, restaurants and independent trades need some protection by legislation. Long hours of work, long years of training and very little pay have been a way of life in the old system of apprenticeship. Education and an industrial training programme will gradually change this. Therefore we need to speed up our free education system as well as to formulate a crash programme, in the line of the existing *vocational training institutes* in Kwun Tong and Wong Tai Sin which are less expensive but very practical and popular, in order to fill an immediate need and later to supplement the 4 well-planned, expensively-equipped, multi-million-dollar Technical Schools for 5,000 students to be established in the next few years.

We also need more drastic legislation, to control the bars, the boarding houses, the bath houses, the soft-drink parlours and what have you which are just covers for prostitution. We have been told in this Council that morality cannot be controlled by legislation. As a social worker I can only accept this statement as an excuse for non-action at the time. We legislate against gambling, prostitution, drug addiction and others because we consider them to be causes of degradation of human dignity. Legislation provides a means of deterrent against exploitation by one human being of another's weaknesses, a code for people's behaviour in a decent society. Adequate legislation is obviously needed for effective law enforcement. The proposed legislation to raise the age limit for employments of young girls in bars is one very good example.

The announcement by the Director of Social Welfare that the public assistance scheme will soon be implemented has received general approval. We will of course also receive expert guidance on the possibilities of further extension of the scheme beyond the present group of families already receiving assistance of dry rations. However, it is perhaps about time that we also examine the possibilities

[Mrs Li] **Motion**

for a system of social security or insurance in the form of a public provident fund on a contributory basis. This system has already been widely adopted by big industries, commercial firms, schools and voluntary agencies in place of pension schemes. It is therefore not unreasonable to expect the working population in Hong Kong to start contributing to their own future security.

Many people have wondered how much influence, if at all, this Council or its Members have on Government policies. We have been called many names—rubber stamps, yes men and what have you just because we do not usually employ militant tactics. I am an optimist by nature and I also am a great believer in positive thinking. I believe that although we might not have any constitutional power to initiate new bills or new expenditure, we can always persuade our Official Colleagues to do so. Every human being is subject to reasonable and persistent persuasion, depending on the strength of our conviction and the techniques of salesmanship. Often-times the sales talk is initiated from the other end. I believe that everytime we speak our minds we are one step closer to what can happen, and many, many events have happened this way to make Hong Kong what it is today.

With these remarks, Sir, I have much pleasure in supporting the motion before Council.

MR WILSON T. S. WANG: —Your Excellency, it is extremely encouraging to see that we are so close to our target to provide primary school places for all children of school age. This has been our target for so long that to reach it, not to mention even to go beyond it, is an achievement worthy of celebration.

However, the fact that there is likely to be an overall surplus of aided primary school places before 1971 should not make us complacent because it should be borne in mind that this surplus will not be evenly distributed. In some areas, a surplus of places is foreseeable, partly as a result of the drop of birthrate in recent years, and partly because of the movement of population, occasioned by resettlement and the development of satellite towns and communities of varying sizes. But the latter will continue to create the need for new schools in their areas, and it is important to bear in mind all the time that schools be distributed in such a way that they are within walking distance of all children of primary school age.

There should be no need to be alarmed by any possible surplus of places. When the time comes, it will always be possible to utilize any spare classrooms that become available. For instance, they can

be very useful for kindergarten. The kindergarten level of education might once be regarded as a luxury but this is no longer the case as working families for whom every dollar earned is vitally needed require kindergarten facilities as a matter of urgency.

Here I should like to draw the Council's attention to the very special problem confronting the area of the more isolated and rural communities. In many of these areas it may very well be impractical to provide a school where the numbers of children are too small. It is both uneconomical and ineffectual to run schools of too small units. To obviate difficulty, could not Government entertain the idea of providing transport to carry these children to a more standardized school located centrally within these areas? This may seem to be creating an undesirable precedent but surely it would be more provident than to engage in a building programme which the local requirements do not warrant.

Having built up a sound basis for primary education, it is indeed right and fitting that we should now begin to set a second target to build up a sound post-secondary educational system.

It is heartening indeed to know that Government has undertaken to bear the main responsibility for establishing additional educational institutions such as junior technical schools, technical institutes or even higher up to the polytechnics. It is even more encouraging to know that Government is prepared to reconsider the figures of the target set in 1965 for the provision of Government and aided places in post-primary educational institutions and has accepted this fact that the figure of 15-20% of the total number of pupils completing the primary course is unrealistically low in practice.

While Government is examining the question of what this target should be for the future, I wish to emphasize again the urgent need to provide a school place for every boy or girl up to the age of 15. No proposal for a future target can be regarded as satisfactory unless it embraces such a provision. It is quite evidently undesirable that young people of 13, 14 or 15 who are too young to be employed should find themselves at a loose end, with the sense of frustration and inadequacy that is likely to accompany such a state of mind.

May I come to the subject of physical recreation.

Lord WILLIS once said in a debate in the House of Lords, "Work and leisure' are two sides of the same coin. We work in order to have the leisure to enjoy ourselves. Sport offers recreation, in the basic meaning of the word, to many people. Some choose recreational pursuits of a non-competitive nature, others seek the challenge of personal and team contest, competing the standards of fitness and skilled

[MR WANG] **Motion**

achievement; some find recreation in service to sport helping to organize and manage, while others look for social relationships through physical activities; and still more gain their enjoyment from watching and talking about sport.

In all its aspects sport is part of our way of life."

The question I now put is "Are we yet prepared to think of provision of facilities for sport and physical recreation in sufficiently generous terms?"

A great deal has been done in Hong Kong in recent years in the provision of these facilities but we must admit that we are still a long way behind the demand and an increasing demand it will obviously be.

As Your Excellency has reminded us the growth in the number of our young people aged from 15-20 will continue to increase through the 70's*. Then also, we have entered an era of dramatic evolution in our material progress. Now that living standards are rising, more and more of our hard-working people, young and old, will be looking or should be looking for leisure-time activities and enjoyment.

Consequently, it is obvious that more abundant and even more better and more sophisticated facilities for recreation and leisure hour activities must be provided for them. All these call for comprehensive, and imaginative planning and due recognition that this must be a responsibility of government.

What is to be done about it? Past achievement is one thing but the meeting of a challenge is another, and that there is a challenge—a challenge which will continue to confront us—there can be no doubt.

Perhaps we may be assisted by taking a look at what is being done overseas. In the United Kingdom there are two inter-related Councils which play a very important part in the field of recreation.

In Britain, just as in Hong Kong, there are many government departments and many voluntary bodies, concerned in one way or another with sport and physical recreation. To assist and co-ordinate all their efforts there is the first of these two Councils I have mentioned: The Central Council of Physical Recreation. With financial support from the Government this Council maintains a strong staff and is able to offer its services to any organization which asks for them. The help provided in this way is widespread, covering administration, coaching schemes, courses and the formation of associations and clubs. This

* Page 7.

Council is not there to compete with the departments or with any national or private body. It is not there to interfere but to co-ordinate and co-operate, and in this capacity it has been extraordinarily successful and warmly welcomed by all concerned. The other Council is the Sports Council, set up in 1965. Its terms of reference are to advise Government on matters relating to the development of sport and physical recreation and to foster co-operation among the statutory authorities and voluntary organizations concerned, and its function is to speed the pace of development of facilities and to ensure that provision for sport and recreation takes its proper place among the responsibilities of government.

I believe that we need to set up organizations of this kind in Hong Kong. Among many things they would be of untold value in giving help to all bodies, groups and clubs that strive and have been striving for many years to promote interest in sport and recreation here at home.

Sir, in supporting today's motion, I wish to add a special note of endorsement to Your Excellency's commendation* on the soundness of character of our young people so well exemplified by their zeal and enthusiasm not only in their taking up the opportunity that they have been provided this summer for recreation but also in their contribution to the welfare of others.

I wish also to give my warmest support without any qualification to your words of wisdom on the undesirability of centralization of direction or of any measure of regimentation of our young people and their activities. How very true it is, as you have said, that while some degree of co-ordination is undoubtedly necessary, it is important and very important indeed that we should foster and encourage separate and differently sponsored activities so that young people can themselves choose from the widest possible variety of recreational pursuits, and sponsors can have liberty to work out their individual ideas.

MR H. J. C. BROWNE: —Sir, though we live on exports and tourism cumulative increases in the region of 25% per annum rather worry me, and I must say I feel happier with a steadier increase of around 15% p.a. We can already see some of the results of this overheating of our economy. A shortage of skilled and unskilled labour: higher prices: higher wages: and rents and some inflation. Other Governments try and control overheating in various ways—credit squeezes: direction of trade: quotas duties and restrictions of various sorts. The Japanese for example have developed industrially under strict monetary and government controls and with much restriction on foreign investment

* Page 7.

[MR BROWNE] **Motion**

and Hong Kong operates at the other end of the scale and in our own way we have not been any less successful than the Japanese.

I hear increasing talk of the need for Government regulation of our economy, protection of the domestic market and so on; but I believe that we are really far better off operating under our existing policy of *laissez faire* within the framework of low taxes, remittability and the minimum of Government restrictions and controls even if this means some undesirable and I hope temporary overheating.

As regards the port and the airport I am very glad to hear that decisions are soon to be taken about establishing proper container shipping terminal at Kwai Chung and for extending the runway at Kai Tak.

As we have heard one of the most important problems we have to tackle over the next two years is industrial productivity*. We really are at a critical point now in labour production costs and if our exports are to remain competitive in the '70s we've got to go much faster with this. I realize that it is primarily the responsibility of the private sector to improve productivity. The Productivity Council are making good progress, but this is so important that I like to see the Labour Department instituting an active campaign, with the Productivity Council, to get the message across to labour and to help smaller industries to streamline their working methods. I heartily support Mr SZETO's point† about trying to get some of the hawkers off the streets into the factories and, as regards Mr Wilfred WONG's remarks‡ about financing small industries and companies I am all for it. They will manage but I think it's true to say that in most parts of the world it is the small industries that tend to use labour inefficiently. Dr CHUNG has, I know, some views on the possible role of the Labour Department§ and I agree that would be helpful if they could perhaps take some positive line over our manpower problems in the '70s.

Sir, you talked about the long range planning done in various sectors in the Government and in the last two or three years, as a member of various committees, I had the chance of seeing some of this work. I must say I have been struck by how good, careful and imaginative this planning is. But it seems to me that Government tend to be too modest about it. I suggest the Government should, if I may mix the metaphor, consider removing their trumpet from under the bushel and blow it more regular intervals and in the process our new interested young society can one hopes be made more aware and

* Page 4.

† Page 24.

‡ Page 27.

§Page 52.

encouraged to take greater interest in Hong Kong's problems and the progress being made in solving them.

I know that some of the plans are mentioned in annual Departmental reports: but how many of these reports are sold to the public? Very few I fancy—because some of them tend to be full of rather dreary statistics. I realize they are needed for record purposes, but most of them could, I feel, be reduced in length. A good Public Relation man using a few pages of coloured diagrams could I feel do much to get Government's plans across to the public in an interesting and easily understood way.

I have been looking at the population projections and thinking about the shape of our society in the late '70s. It will be younger, better educated, and certainly more demanding and with higher expectations than in the last twenty years. I am glad Government are going to look at the possibility of increasing the number of secondary school places, and also that opportunities for technical education are to be increased. The latter is particularly important as our industries become more complex, and I hope the new Polytechnic will get under way without delay.

But perhaps the most complex thing we are going to have to handle it seems to me is the increased leisure that people will have. The Urban Council over the last five or six years have done a great job with new parks and playgrounds in the urban areas, but we certainly need to develop more parks in the New Territories where young people can picnic and camp. And we hear a great deal these days about youth, but as Mr Wilfred WONG had said let's not forget about the old people*. People will live longer and while playgrounds are primarily for the young, both young and old need more cultural and other facilities. Dr MITCHELL'S family life survey made some very interesting comments on the pattern of our society in '70s, and I hope this valuable report will be fully utilized. It will be interesting to hear Government's views on it, if not at this time, then perhaps in a debate later in the session.

Sir, I support the motion.

DR S. Y. CHUNG: —Your Excellency, it is significant that what appears to be but the second time there has been an opening of a new session of this Council in the history of Hong Kong is being conducted in an atmosphere of great industrial expansion, flourishing economic prosperity and increasing political confidence.

Our export-oriented manufacturing industry is undergoing the greatest expansion that has ever been seen in Hong Kong. Industrial

* Page 29.

[DR CHUNG] **Motion**

output in 1968, expressed in export value, was as much as 26% over that in 1967, and judging from the published statistics of the first eight months of the current year, this rate of growth is likely to continue in 1969. Resulting from this remarkable industrial growth, manufacturing industry is at present experiencing acute shortages of both skilled and unskilled labour. Consequently, industrial wages are rising even more rapidly than in the past. It is estimated that since January this year wages in manufacturing industry have gone up by 8 to 10%. In some industries, wage increases of up to 20% have been reported. The labour shortage is further accentuated by the commitment of industry to the five-year phased programme on the reduction of hours of work. The third phase reduction will commence in December this year and, coupled with the continual strong demand for Hong Kong products from overseas markets, it is more than probable that the trend of fast rising wages will continue for some time to come.

Rapidly rising real wages and fast reducing working hours are true indicators that labour in general is sharing the fruits of our economic success. There are few places in the world whose rate of economic and industrial development can match that of ours. This is not to say that we can afford to be complacent. Indeed, we must take heed of our very progress and prepare for the future. Most particularly, we must not lose sight of the fact that export-oriented manufacturing industry directly provides employment for 40% of the working population and, as the then Acting Financial Secretary revealed recently in this Council, contributes over 40% of our national income. It is also the determinant for the rapid growth and sustained prosperity of our public utilities, commerce and services which are the other principal contributors to national income. The ability of Government to improve the social services and welfare activities in order to meet the rising expectations of our people depends almost wholly, therefore, on the continual growth of our export-oriented manufacturing industry.

Too many people have held for too long the mistaken notion that assistance and help for developing our manufacturing industry is tantamount to catering to sectional interest. It is time it was clearly understood by every man, woman and child in Hong Kong that, under the present circumstances, export-oriented manufacturing industry is the be-all and end-all of our existence as an economically independent community. Any assistance given to manufacturing industry, no matter what the form or in which the direction, is a contribution to the overall well-being of Hong Kong and to the raising of standards of living of our people. It is, therefore, hoped that we hear no more loose talk of “sectional interest” in the context of assistance and encouragement to manufacturing industry.

This leads me to an expression of opinion on areas in which industry needs urgent assistance. In most other countries where a large proportion of output of manufacturing industry is for domestic consumption, protection is usually accorded by either import tariff or import restriction, or both. Such forms of protection are not applicable to Hong Kong not merely because of our status as a free port, but also because of the export-oriented nature of our manufacturing industry. The safe-guarding of our manufacturing industry must, in fact., be effected by higher productivity in operation, more advanced technology in production and greater sophistication of products. All of these safeguarding measures demand more and better trained manpower at all levels. We need more engineers and technologists. We need still more technicians and still more craftsmen and skilled workers.

It was encouraging to hear Your Excellency's statement yesterday that Government has made a determined start to advance over the whole spectrum of technical education*. But there is as great a need, on an even more massive scale, for industrial training in the basic engineering skills and for industrial supervisors, on which all industries depend. There is a great vacuum in industrial training for basic engineering skills at the craftsman level. As Your Excellency has very rightly pointed out, new processes and products not only require modern machines* but, more importantly, require craftsmen to look after these modern machines. There are many young men between the ages of 16 and 22 years who have had only a few years of formal education and who are not today productively employed. Had they been given the proper training facilities, I am certain many of these young men would have now been gainfully working in our manufacturing industries as engineering craftsmen and earning much higher income. This problem is not merely a matter of economics but must be viewed also from both political and social aspects.

It has been said in some quarters, including Government, that these basic engineering craftsmen like other skilled workers should be trained, as in most industrially-advanced countries, by industry itself. This is a fair enough comment in countries where industry caters mainly for the domestic market and where industry can be protected by import tariff or import restriction. The costs for such industrial training will be reflected in higher selling prices in the protected domestic market and will, therefore, eventually, and, in fact, be borne by the general public. This practice is not applicable in Hong Kong since over 90% of our production is for export. Furthermore, Hong Kong is probably the only manufacturing country in the world where incentives or subsidies to help promote exporting are not provided. Thus industry must fight its own battles both in the domestic market without any protection and in the overseas markets without any incentive.

* Page 4.

[DR CHUNG] Motion

Lest honourable Members feel that I am now advocating export subsidies and domestic market protection, let me hasten to say that this is not my intention. I am far from convinced that a viable economy in Hong Kong can result from such cushioning. What I really want to emphasize is that conditions prevailing in other countries do not necessarily exist here, and thus the standards and norms applicable elsewhere cannot be always used in Hong Kong. Industrial training is a good case in point. Where elsewhere the responsibility for adequate industrial training, including organization and cost, may be shouldered by industry, in Hong Kong because of the reasons I have already given, I feel that it should not, in the overall interests of our economic development, be left to industry alone. I, therefore, urge Government to reconsider its policy on industrial training, particularly training for the basic electrical and mechanical engineering craftsmen and for the industrial supervisory skills. These basic engineering craftsmen and industrial supervisors are needed in every industry, though the former admittedly in varying quantities from industry to industry.

Still on the question of training, as many people see it, the Labour Department mainly exists to protect the interests of labour against the few unscrupulous employers who may be found here as in any other country. This is, of course, an important task especially in the present circumstances of Hong Kong where we do not have responsible unions for looking after the interests of labour. However, I feel it is equally, if not more, important for the Labour Department to assist labour to earn higher wages by offering physical facilities for manually skilled manpower training. I believe that in helping its people to achieve higher living standards is one of the prime responsibilities of any government, and Hong Kong should certainly be no exception. It might, therefore, be more appropriate to change the name of our "Department of Labour" to the "Department of Manpower". This would be in keeping with trends elsewhere.

Talking of Government's responsibilities to the community, I would like to mention one more. When an internationally known company, or for that matter any company, sets up a manufacturing operation in countries such as India, Pakistan, Philippines or Thailand, the objective is to acquire a share of the domestic market. Local production costs can be of little relevance to foreign production costs having regard to the usual protective measure or even import ban exercised by domestic government. For example, India used to be a good market for Hong Kong but since the mid-1950's practically all Hong Kong manufactured products are in those categories which are not permitted for importation. Where Hong Kong itself is concerned, neither for foreign nor local industrialists manufacturing in Hong Kong does the domestic market have any real importance. Their bread and butter is the world

market. Therefore, these factories will remain in Hong Kong only for as long as the conditions and environment here are comparable to, or better than, those in other competing countries such as Singapore, Taiwan and South Korea. I, therefore, believe that another prime responsibility of our Government is to ensure that conditions and environment in Hong Kong remain attractive to industrial investors, particularly those who can provide technology and markets.

In order to ensure that Hong Kong continues to provide a favourable industrial environment in comparison with other competing territories, we must regularly examine our industrial land policy, industrial training policy, technical education facilities, industrial infra-structure, manpower development and other relevant industrial matters not individually in isolation but together in their totality. I know my honourable Friend, the Financial Secretary, is a firm believer in *laissez faire*, which, I realize, has stood us in good stead in the past. As far as physical projects are concerned, however, we are already engaged in certain basic long-range planning such as our water resources, industrial estates, mass transport, etc. In an increasingly industrialized community like Hong Kong it is desirable to have more basic industrial planning, if we are to aim at maximum utilization of our limited resources. I feel that it is time, therefore, for the re-organization of the Trade and Industry Advisory Board, firstly, by splitting the board into two separate bodies for trade and industry respectively, secondly, by having wider representation both from within and outside of Government and, thirdly, by having some authority in the formulation of policies. Over the past decade Hong Kong has come a long way. The complications of international trade and the sophistications of manufacturing industry warrant separate consideration by and from each other. In so far as industry is concerned, the Industrial Development Board, as it might be called, should preferably be chaired by the Honourable Colonial Secretary or the Honourable Financial Secretary with members comprising heads of relevant Government departments and representatives of industry as well as professionals and academics. I hope that Government will give this matter the serious consideration that it deserves.

Finally, I wish to comment briefly on labour matters. There is no doubt that Hong Kong has had remarkably fast progress in its industrialization. It has taken up 15 years to achieve what other nations have probably required 50 years to do. It is, therefore, understandable that the general public is rather inexperienced in and easily disturbed by industrial disputes and grievances. The Vanda, the Goodman and more recently the Fairwear cases are not more than labour grievances and are not true industrial disputes which, in Hong Kong, fortunately are comparatively rare in number and small in magnitude by any standards. Nevertheless, these few cases of non-payment of wages do

[DR CHUNG] **Motion**

call for a review of the pertinent legislation on wage protection and Your Excellency's announcement in this respect was, therefore, very timely. Labour is already sharing our economic prosperity in rising wages and reducing hours. These material advancements, accompanied by the proposed greater protection and better fringe benefits in the form of higher priority on wage claims, larger compensation on injury, optional rest days, increased sickness benefits and entitlement to maternity leave, are indicative of our growing industrial maturity. I am sure progressive employers are aware of their responsibilities and will support appropriate legislation to ensure that labour continues to receive a fair portion of our industrial and economic success.

With these remarks, Your Excellency, I have pleasure in supporting the motion before Council.

MR LEE QUO-WEI: —Your Excellency, as you said to us yesterday, the outstanding feature of this year—and indeed of the past ten years—has been the rate of our economic expansion*. This has been so successful that it has brought about marked improvements generally in the standards of living of the people. Today I wish to comment upon the development of public housing†, in which regard you mentioned that the emphasis in resettlement was shifting somewhat—from providing for new tenants, towards improving standards for those already housed in the older estates.

In addition to those problems already mentioned by you, Sir, it must be admitted that most of these estates lack certain important facilities and amenities†. To illustrate this point, I take the Sau Mau Ping Estate as an example: situated on a hill overlooking Kwun Tong, it houses at present a population of 68,000 and this population is expected to increase to 144,000 by 1973. Even for the size of its present population, not to speak about the future, the amenities and facilities there are very far from being satisfactory. There are no secondary schools and yet these are vitally needed to provide for the convenient enrolment of some 15,000 students now studying in the 12 primary schools in the estate. There is also no library anywhere in this district. Both of these should be provided. For medical care there are only 5 doctors practising in private clinics. Four of them charge low fees by Government arrangement. But there is no public clinic. Indeed, for the whole of Kwun Tong area, with a total population

* Page 4.

† Page 6.

of 425,000 there is only one Government clinic. This is very far short of the desired target of one clinic for every 100,000 people. Again, for civic activities there is no place for community gathering although it has been recognized that the development of these should be encouraged. What is needed is a reasonably sized hall. For sports and recreation—although there are 19 recreational areas, of which two are for football and seven for basketball—there should, I consider, be a park or garden with shade trees, and also a swimming pool. In addition, and perhaps even more important, there are no commercial or market centres.

In citing the foregoing example, I am sure Government is already aware of the situation, not only in this estate, but also in many others. It is important for the community that Government should accelerate the rectification of these shortfalls. I am glad to learn actions are already being taken to provide some of them.

Undoubtedly, Hong Kong has done a wonderful job, perhaps unparalleled anywhere else in the world, in providing so much public housing. But owing to the urgent need in the earlier days of having to resettle many people and as quickly as possible, relatively little attention was given to providing these estates with long-term overall amenities. There also seems to have been very little co-ordination between departments: for example, I understand that the police station planned for a newly completed resettlement estate in New Territories will not be available, almost unbelievably, for use until 1973 so I have been told.

It is appreciated that in the early days of planning these estates, provision of amenities and facilities were considered on a regional basis. But circumstances have now changed. By the size of population in each of these so-called estates (as well as by virtue of their remote topographical situation) most of them are actually towns in their own right rather than estates. With over one-third of our population now housed in publicly provided homes, as you said, it is vital that the estate planning system should be reviewed. I suggest that early consideration be given to the introduction of effective machinery to ensure adequate provision of amenities and facilities in these estates. This can be done by strengthening the Housing Board and/or any other existing committee to have as its members, or to co-opt as observers, representatives from interested departments, such as Education, Medical & Health and Police. Their terms of reference should of course be widened to include the specific responsibility of advising or planning the provisions of improved facilities and amenities not only of new estates but also the existing ones.

[MR LEE] **Motion**

To turn to another matter: my honourable Colleague, Mr FUNG, has just spoken on the alleged poor service of the Immigration Department*. Whether or not these allegations are justified, I am sure a great many annoying situations could be avoided only if members of the public were dealt with more politely and considerately.

In this connexion, I must say, Sir, that throughout the civil services as a whole, including the Immigration Department, most of the staff, particularly the senior officers, are both courteous and helpful. But the public's first contact with Government is almost invariably with attendants at reception desks or clerks at counters. In many departments these are manned by messengers or very inexperienced junior staff. While some of them are helpful to the public, some unhappily are not. Those who are not may be described at best as indifferent and inconsiderate, and at worst impolite and even rude in the case of a few. This is indeed unfortunate because by being indifferent they can unintentionally give wrong information, or cause delay in the handling of business; or by being impolite they would provoke resentment. It must be realized that the impression of the public's first contact at reception desks or counters is of the utmost importance. It could affect their opinion one way or the other, not only in respect of the department concerned but also of the image of the Government as a whole. This is just human nature.

It is true that the Government has taken various actions and considered measures to improve its relationship with the public. But good public relation is of such importance that it can never be too often emphasized. Its principle is very easy to understand but experience tells us that it is not as easy to implement, because it entails dealing with people, and every person is different. Since the inception of the City District Officer scheme 17 months ago, much has been achieved in promoting good relationships between the public and the Government. But, the number of callers at the CDO, though sizable for this newly-established system, only represent a small percentage of the public having dealings with the Government; the great majority still has to go to other departments to do their business and have their problems solved. Much more needs to be done to extend the good relationship efforts in every sector of the Government.

As an immediate step, I suggest that the Government Training Division should start a special course on the basic principles of relationship between the civil service and the public and at which staff would be trained how to deal with the public. This is, of course, a big exercise but I suggest that it should be attempted—perhaps with staff from one or two major departments first. And for the future

* Page 25.

it is important that all new recruits should undertake this course before assignment to various posts. As an internal measure, heads of departments should see that their all-important front line men have sufficient knowledge and experience of the general affairs of their departments so as to be able to deal with the public more efficiently. Also a suitable branch of the Colonial Secretariat should be given this specific task of reviewing and watching the situation in a supervisory capacity. Prevention is certainly better than cure!

Another proposal worth pursuing, I suggest, is to improve the environment of the reception halls and the waiting areas of every Government office. These need not be too lavish, but at least they should be comfortable and attractive. One further step would be to provide, where possible, in the reception areas and at the counters, clerical service to help in the filling out of forms whenever this is required.

It is appreciated that the above suggestions, if implemented, would entail a certain amount of additional manpower and finance. But I am sure that taxpayers would not think that money so spent would be wasted.

I cannot conclude without making one further reference to the CDO in their achievements to bridge the gap between Government and the people. With the experience they have so far attained, I am convinced that these officers can surely make a valuable contribution towards improving Government's public relations generally. They should be co-opted and their advice be obtained on this most important task.

Sir, with these remarks, I support the motion before the Council.

MR G. M. B. SALMON: —YOUR Excellency, I would like to make my main subject the port of Hong Kong which, as has been said so many times, is the centre of the Colony's whole economy; because without an efficient port we cannot have the efficient shipping services that are so vital for the trade by which we live. Here I would pay tribute to the Marine Department for their highly professional administration of the port which has done much to enable the shipping industry to serve the merchant and manufacturer in working cargo in and out within a reasonably fast turn round. Were it not for the advent of containerization, on which I want to say something in a moment, we would I suggest be having to consider seriously new facilities and new methods because our present, and indeed traditional, ways and means of handling cargo are becoming outdated.

The majority of ships are now arriving and departing through Lei Yue Mun Pass. But with the airport getting busier and the first Jumbo

[MR SALMON] **Motion**

not far away, with the expected airport runway extension, and with the construction of the cross harbour tunnel, to say nothing of the navigational hazards of the narrow and busy Pass and fog at certain times of the year, it seems certain that more use will have to be made of the Western Approaches. One essential, however, is that there must be a 24 hours a day clearance for ships approaching from the west, and not up to 6 p.m. only as at present. I understand that the Immigration Department does not have sufficient staff to man both ends of the harbour on a 24-hour basis, and the quicker this difficulty is overcome the better. Shipowners, who I understand may soon have to pay increased port charges of up to 100% and more in some cases, with the object of making the port services of the Marine Department self-supporting, should surely only have to expect further additional costs because of delays caused by lack of Government facilities. I would in fact go further and say that it is highly desirable for ships to get health and immigration clearance at their berths, instead of having to anchor first with the attendant dangers and delay. Thus I hope the Immigration and Port Health Departments, in conjunction with the Marine Department, will themselves consider how they should improve their present services, and be given what staff and launches they need for the quickest possible clearance of ships.

In your Address, Sir, you have drawn attention to our excellent export results; but one begins to wonder whether they are not a bit too good. Some months ago I heard the quite serious suggestion that with factory order books full to overflowing, and in a tight labour situation, the Trade Development Council should take a six months holiday! The TDC has, of course, done a marvelous job, and must continue to do so. At the same time, it may be said that the continued high rate of growth of domestic exports has its dangers, if for no other reason than the general and severe pressure resulting from the shortage of skilled and semi-skilled labour in the factories. Such a pressure means that manufacturers bid against each other for manpower, wages go up, production costs go up, prices go up, and at some stage we must be in danger of losing our competitive edge, which is something we cannot afford to do.

While these problems are, I know, receiving urgent attention of Government and the various organizations concerned with industry and commerce, I have a further fear for our export trade in the future stemming from the apparent lack of progress in the provision of a container terminal. The first and very good report of the Container Committee came out in December 1966, nearly three years ago, and their second report in November 1967, nearly two years ago; and since then precious little seems to have been done to adopt the various recommendations and get the Kwai Chung scheme under way. I regret, Sir, that I cannot

agree that we are going to be abreast of this essential requirement on time. "On time" would, I suggest, be next year, or at the latest 1971; and yet the recent Engineering Report^{*}, a first class document on which I would like to congratulate the Port Works Division of the Public Works Department, states that two berths, the minimum we shall need, will take a construction time of 3½ years. Thus even if the formalities of tendering, gazetting and so on, are completed early next year, and the work is actually begun in 1970, we are not going to have adequate containership facilities until the second half of 1973. We, therefore, appear to be something like two years behind Singapore and Taiwan, and three years or more behind Japan and other major ports in the world. I am not, of course, forgetting the proposed interim scheme at Tsim Sha Tsui, and it is something that private enterprise, with the assistance from Government who are making land available, will be able to handle cargo for self-sustaining container ships in the near future. But this scheme is no long term solution, nor I believe are various other similar schemes which may presently be under consideration.

Something like 50% of Japan's Trans-Pacific cargo is already moving in containerships, and I understand some 20 containerships, all of which would require complete terminal facilities and shore cranes, are already on order or planned for the Far East-Europe trade. They will all have to bypass Hong Kong unless or until we can receive them, and thus from the fears I expressed earlier of the pressures from too high an export growth, I believe we are also in danger of losing business in the years to come. It is the buyer who calls the tune, and if a buyer in Boston, Birmingham, Bremen or Brisbane wants his goods in a container to take advantage of cheaper through transportation costs, to reduce pilferage or whatever his reason, that is what he will have to have. If he cannot get goods in containers from Hong Kong, he will order from where he can.

In this connexion, I realize that some of the delay in reaching decisions on our container facilities will be said to be because Shipowners themselves were slow to announce their own plans of future containership operations. But which comes first, the chicken or the egg? Shipowners have been able for some time to plan their future Japan operations because they have known container terminals at the major ports will be there. The same can now be said to be true for Taiwan and Singapore. With container ships costing £ 3 million or more, and containers up to £ 1,000 apiece, Shipowners are not going to make huge investments and go into detailed operational planning to serve Hong Kong if they don't know the ships can be worked when they get here.

^{*} 1969 Hansard, page 482.

[MR SALMON] **Motion**

Like it or not, we are in the containerization age and Hong Kong must be with it. I cannot quarrel, Sir, with what you have said about the deferment of final decisions; but there comes a time when decisions can be deferred no longer and I suggest that the earliest possible start must now be made to the necessary reclamation and provision of a seawall at Kwai Chung. There is still time enough to consider the level or limit of Government financial participation and the method of operation and leasing of the terminal areas, at a later date. But because there is a vital necessity of Hong Kong making provision to receive fully containerized ships, in accordance with recommendations made by the Container Committee and the Port Committee, and indeed in accordance with the progress already in hand at just about every major port in the world, I suggest the reclamation work at Kwai Chung should be immediately placed on the top of the Public Works Department priority list.

Tourism was debated* at the end of July, and it may therefore be premature to raise this subject again today. May I, however, mention briefly two points. Firstly, it is satisfactory to note that the Building Authority has granted further concessions for hotel developers, and it is hoped that these concessions will help to stimulate new hotel building which, if forward projections are right, are going to be urgently needed. I might also add that though we are getting a number of conventions here already, I would still like to think of Hong Kong as one of the main convention centres in the East and if the right facilities can be provided, in the form of a convention/exhibition complex, the need for hotel accommodation will be greater than ever. And the second point is that I hope all possible encouragement can be given to the development of those amenities which would be for the benefit of both the tourist and our local people alike. I have in mind particularly the development of Resort Complexes in rural areas, on the lines of the recommendations of the study made as far back as 1965. The recent outline zoning plan for Ma Wan island is encouraging, and I hope there will soon be further development of some of our rural areas along the lines of a national park and a nature preserve.

Sir, I have pleasure supporting the motion.

HIS EXCELLENCY THE PRESIDENT: —In accordance with Standing Order No 8(5) I now adjourn the Council until 2.30 p.m. on Wednesday 8th October, when Official Members will reply to points raised by the Unofficials.

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

* 1969 Hansard, page 472.