

OFFICIAL REPORT OF PROCEEDINGS**Wednesday, 4th June 1975****The Council met at half past two o'clock****PRESENT**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR CRAWFORD MURRAY MACLEHOSE, KCMG, KCVO, MBE
THE HONOURABLE THE COLONIAL SECRETARY
MR DENYS TUDOR EMIL ROBERTS, CBE, QC, JP
THE HONOURABLE THE FINANCIAL SECRETARY
MR CHARLES PHILIP HADDON-CAVE, CMG, JP
THE HONOURABLE THE ATTORNEY GENERAL
MR JOHN WILLIAM DIXON HOBLEY, QC, JP
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR DENIS CAMPBELL BRAY, CVO, JP
THE HONOURABLE JAMES JEAVONS ROBSON, CBE, JP
SECRETARY FOR THE ENVIRONMENT
DR THE HONOURABLE GERALD HUGH CHOA, CBE, JP
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE IAN MACDONALD LIGHTBODY, CMG, JP
SECRETARY FOR HOUSING
THE HONOURABLE LI FOOK-KOW, CMG, JP
SECRETARY FOR SOCIAL SERVICES
THE HONOURABLE LEWIS MERVYN DAVIES, CMG, OBE, JP
SECRETARY FOR SECURITY
THE HONOURABLE DAVID WYLIE MCDONALD, JP
DIRECTOR OF PUBLIC WORKS
THE HONOURABLE JAMES DAVID MCGREGOR, ISO, JP
DIRECTOR OF COMMERCE AND INDUSTRY (*Acting*)
THE HONOURABLE JOHN WALTER CHAMBERS, JP
SECRETARY FOR THE NEW TERRITORIES (*Acting*)
THE HONOURABLE JAMES NEIL HENDERSON, JP
COMMISSIONER FOR LABOUR (*Acting*)
DR THE HONOURABLE CHUNG SZE-YUEN, CBE, JP
THE HONOURABLE WILSON WANG TZE-SAM, OBE, JP
THE HONOURABLE LEE QUO-WEI, OBE, JP
THE HONOURABLE OSWALD VICTOR CHEUNG, OBE, QC, JP
THE HONOURABLE ROGERIO HYNDMAN LOBO, OBE, JP
THE HONOURABLE MRS CATHERINE JOYCE SYMONS, OBE, JP
THE HONOURABLE PETER GORDON WILLIAMS, OBE, JP
THE HONOURABLE JAMES WU MAN-HON, OBE, JP
THE HONOURABLE HILTON CHEONG-LEEN, OBE, JP
THE HONOURABLE LI FOOK-WO, OBE, JP
DR THE HONOURABLE HARRY FANG SIN-YANG, OBE, JP
THE HONOURABLE MRS KWAN KO SIU-WAH, MBE, JP
THE HONOURABLE LO TAK-SHING, JP
THE HONOURABLE FRANCIS YUAN-HAO TIEN, OBE, JP

ABSENT

THE HONOURABLE KENNETH WALLIS JOSEPH TOPLEY, JP
 DIRECTOR OF EDUCATION
 THE HONOURABLE JOHN HENRY BREMRIDGE, JP

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL
 MR KENNETH HARRY WHEELER

Papers

The following papers were laid pursuant to Standing Order 14(2): —

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Fire Services Ordinance.	
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Oral answers to questions

Vietnamese refugees

1. DR FANG asked: —

Sir, what approaches have been made to the United Nations for assistance regarding refugees from Vietnam, both financially as well as arrangements for final resettlement?

THE COLONIAL SECRETARY: —Sir, the British Government has been in touch with the United Nations about the Vietnamese refugees in Hong Kong, and we will seek assistance from the United Nations where it would be appropriate to do so in the light of Hong Kong's circumstances.

Gold coins—allocation of

2. DR CHUNG asked: —

(a) Is it true that more than 65% of the applications for the gold coins in commemoration of the recent Royal Visit to Hong Kong cannot be filled due to over-subscription on local allocation of coins, and

(b) is there any way open to Government to satisfy these disappointed applicants?

Oral answers

THE FINANCIAL SECRETARY: —Sir, approximately eighteen thousand Hong Kong residents applied for a total of 29,993 coins. The majority of the applications were, therefore, for two coins. The number of coins applied for exceeded the total available for allocation and it was, therefore, decided that nobody intentionally, should be issued with more than one coin. 10,530 coins have or will soon have been issued and it follows that roughly 42% of Hong Kong residents who applied will not receive an allocation.

In our advertisements around the world we have stated, without qualification, that the issue would be limited to 20,000 coins. Perhaps I should add that the potential rarity of the coin has generated a greater demand than would have existed had we set out to sell, say, 40,000 coins. It would clearly be a breach of faith to re-strike this coin and the answer, therefore, to the second part of my honourable Friend's question must be that there is no way open to this Government to keep its word on the number of coins that would be struck and, at the same time, satisfy those applicants who have been disappointed.

Sir, may I anticipate a supplementary question, knowing my honourable Friend, about the reason for the 20,000 limit. A decision to go ahead with this project was not taken until the end of December 1974. At that time, we knew the available gold coin manufacturing capacity at the Mint was limited, and we also knew that an order had to be placed by the end of January 1975 to ensure delivery of a given number of coins by the date of the Royal Visit: 5,500 to be exact. At the same time, we were advised that it was desirable and proper to announce the size of the issue when advertising commenced, and that the practice of employing the term "limited issue" without quoting actual numbers had been severely criticized by the numismatic press and others concerned with consumer protection. As this was Hong Kong's first venture in this field it was clearly desirable, to say the least, that we should keep to the rules of the game. The key question, therefore, was how long interest in the coin could be kept alive after the Royal Visitors had left the Colony. For if applicants expected delivery about the time of the Royal Visit, then we were clearly limited to the number of coins that could be minted up to that date. On the other hand, to guard against the possibility that the coin would not sell in Hong Kong, we decided to underwrite the issue by generating external interest. It will be understood that this was not the only reason for selling the coin abroad. Taking all these factors into account and the Royal Mint's long experience of selling limited issue coins world wide, we decided,

on their advice, to limit the number to 20,000. Even so, the opinion of a number of people with great experience in this field was that it was unlikely the coin would sell well. One of the reasons given in support of this view was the difference between the intrinsic and face values of the coin. As it turns out they were more wrong than we were (*laughter*). Subject to the advice of Your Excellency in Council, it is our intention to proceed with a lunar new year series of gold coins beginning in 1976 and our experience with the Royal Visit coin will, I can assure my honourable Friend, be given due weight when deciding on the size of the issue.

Sir, if I may I should like to take this opportunity to thank publicly the Hongkong and Shanghai Banking Corporation for the very valuable role they have played in organizing the processing of applications for, and the issuing of, the Royal Visit coins. As the main note-issuing bank and the bank through which all our coins are put into circulation, it was natural that they should be invited to undertake this task and they readily agreed to do so.

DR CHUNG: —Sir, since we cannot and will not re-strike any more gold coins to meet these needs, could Government divert some of the gold coins allocated for sales outside Hong Kong to satisfy at least some of the disappointed applicants?

THE FINANCIAL SECRETARY: —I have no reason to suppose, Sir, that there is a surplus of supply over demand for coins in North America and other markets, but should there be so, we shall certainly try to arrange this.

Legislation regarding sexual offences

3. MISS KO asked: —

Sir, will stricter legislation be introduced to deal more effectively with sexual offences?

THE ATTORNEY GENERAL: —Yes, Sir.

MISS KO: —Sir, may I ask when this legislation will be introduced?

THE ATTORNEY GENERAL: —I was not dodging the supplementary in my first answer. The drafting of the bill, Sir, is well advanced and

[THE ATTORNEY GENERAL] **Oral answers**

I hope that it will be introduced into this Council in the early part of the next session.

Hawker permitted areas

4. MR LO asked: —

Sir, will Government please state in detail what consideration has been given to the interests of those affected owners of adjacent premises by the declaration of hawker permitted areas and to the traffic flow in such areas?

SECRETARY FOR THE ENVIRONMENT: —Sir, when the present policy of creating on-street bazaars was approved, the most careful and searching consideration was given to the possible consequences of setting aside streets as hawker permitted areas. It was fully appreciated that the present experimental scheme would create some difficulty for owners and occupiers of adjacent properties, but it was considered that the wider public interest required the experiment to be carried out.

Every attempt was made to choose areas where on-street hawking was already a way of life and where the streets were not needed for general traffic circulation. In addition, to minimize the effect of concentrating hawkers into these areas, specific trading hours have been imposed upon the hawkers, and the paraphernalia of the itinerant hawker, who comprises by far the greater number, has to be cleared from the streets so that these can be properly cleansed daily. While there have been some enforcement difficulties, the scheme is basically operating as planned.

Coming to the details requested by my honourable Friend, there are at present 20 hawker permitted areas, all in Kowloon. They were chosen for the initial experimental stage of the hawker permitted area scheme as a roughly representative sample of the various types of hawker areas found in the urban setting of Kowloon. Before these areas were so designated, the most careful consideration was given by departmental working groups in each of the districts concerned to the various interests involved, that is the hawkers themselves (both licensed and unlicensed), shopkeepers and business operators with frontaging premises on the streets, and vehicular traffic. It is a matter of fact that they all had concentrations of hawkers in them to a lesser or greater degree.

My honourable Friend can rest assured that the interests of property owners and occupiers and of traffic flow have not been lost sight of in this experimental scheme and that the Urban Council and Government have not adopted an inflexible attitude towards them. The arrangements are constantly under examination, and if it is found possible to further reduce the impact of the scheme upon occupiers of adjacent properties, this would obviously be done. It should, of course, be borne in mind that some shopkeepers in these areas welcome the scheme as additional customers are attracted to the areas.

MR LO: —Sir, before Government decided in favour of the wider public interest, did the Government assess the monetary loss that would be suffered by shopkeepers of, say, Tung Choi Street, or is it the Government's position that these shopkeepers are benefitted by the extra customers?

SECRETARY FOR THE ENVIRONMENT: —Sir, I think it would be impossible to have estimated what the loss or gain to shopkeepers in the various streets would have been, so I think the short answer to the question, Sir, is no.

MR LO: —Secondly, Sir, is the Government aware that it now takes something like thirty minutes for fire appliances to go into these hawker permitted areas?

SECRETARY FOR THE ENVIRONMENT: —Sir, this is not the advice that I am given. I am told that in actual fact the fire appliances can and do drive through these streets quite successfully.

Police investigation of reports

5. MR WU asked: —

Sir, will Government give an assurance that all reports and complaints of extortion and intimidation by triad or other strong-arm gangs are fully investigated and dealt with by the police so as to win the confidence and co-operation of the populace in the "Fight Crime" campaign?

SECRETARY FOR SECURITY: —Yes, Sir, I can give a firm assurance that the police do and will continue to investigate fully all reports and

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complaints of cases of blackmail, extortion and criminal intimidation, whether by triad or other strong-arm gangs, or by individuals who may, or may not, have triad connections. The Triad Society Bureau and other police formations have been extremely active against such criminals as is illustrated by the figures of cases reported and dealt with since 1st January 1973 which I have already circulated separately to honourable Members.*

Police are aware that there are criminal elements who blackmail and attempt to terrorize members of the public engaged in lawful trade and business with the object of extorting money for protection and other so-called services. Much of the success which the police have gained against these elements over the past 2½ years is attributable to greater public co-operation with the police by victims and witnesses. However, there is still much to be done to further counter this type of crime. The Commissioner of Police is aware of the reluctance of many members of the public to become involved, but it is to be hoped that the successes so far achieved will encourage people to come forward and report incidents of blackmail and extortion and give evidence in court if necessary.

MR WU: —Sir, can my honourable Friend tell me why it is that in the year 1974, out of the 1,318 cases detected, only 468 people were prosecuted?

SECRETARY FOR SECURITY: —I am afraid I cannot give to the honourable Member the answer which he requires, but I will do so, separately, Sir.

*

	1973	1974	1975 (as at 0800 hrs on 29.5.75)
<i>Blackmail</i>			
<i>Cases reported</i>	515	1612	773
<i>Cases detected</i>	401	1318	561
<i>Persons prosecuted</i>	246	468	249
<i>Criminal Intimidation</i>			
<i>Cases reported</i>	53	239	197
<i>Cases detected</i>	40	159	120
<i>Persons prosecuted</i>	36	142	103

Extortion from tenement tenants

6. MR WU asked: —

Sir, what action is Government taking to prevent triad and other strong-arm gangs from extorting money from the tenants of new tenement buildings for carrying out alterations and decoration?

SECRETARY FOR SECURITY: —Sir, the Police Force is very conscious of the fact that new tenement buildings are targets for criminal intimidation by triads and other similar elements, and as a result police coverage of such buildings has been increased.

The statistics on blackmail and criminal intimidation, which I referred to when replying to the last question, reveal greatly increased police action and indicate the steps taken to detect and deter offenders. They show a fourfold increase in detected cases and prosecutions of criminal intimidation and a threefold increase in detected cases and double the number of prosecutions of blackmail between 1973 and 1974.

As I have said earlier, much of the recent success in countering this type of crime generally has been attributable to the willingness of the individuals affected to report the details to the police, and in these specific cases, the City District Officers or Housing Department officers, if necessary, confidentially.

At the same time the Housing Authority, as a matter of normal practice, informs its incoming tenants of the fixed prices for certain standard alterations etc. and of the name of the selected contractors so that individual tenants have this information. They are also advised to report if contractors try to charge higher prices for standard work.

In the long run the continuing police pressure, the work of the ICAC, together with a growing public awareness and desire to resist the activities of triads and strong-arm groups, should increase the effect of the impact on this long standing problem.

MR CHEONG-LEEN: —Sir, can the honourable Member confirm that the greatly increased police activity results from an equally great increase in blackmail and criminal intimidation activity?

SECRETARY FOR SECURITY: —Sir, from the figures which have been circulated, honourable Members will see that the cases reported—that

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is, the cases of blackmail—have increased from 515 in 1973 to 1,600 in 1974 and to 770 in the first five months of this year. The police activity in detecting and in prosecuting naturally is reflected in the number of cases reported. At the same time, the police are also aware that there are triad influences at work in these estates and they have therefore increased the police coverage to try to deter the offenders.

Medical clinics in housing estates

7. MR CHEONG-LEEN asked: —

Sir, (a) when will it be possible to arrive at the target of having medical clinics in public housing estates on the basis of 1:6,000 population as recommended by the Advisory Committee on Clinics in 1966, and

(b) is this basis being used in the provision of clinics in new public housing estates?

DR CHOA: —Sir, the recommendation of one registered medical practitioner to 6,000 residents in public housing estates was made by the Advisory Committee on Clinics in 1966. It was recognized at the time as an arbitrary ratio as there were no real guidelines on which to base requirements.

Since the report of the Advisory Committee on Clinics was written other developments have taken place in the provision of clinic facilities by Government, voluntary agencies, exempted clinics and private practitioners, necessitating a change in approach.

In fact the Medical Development Advisory Committee considered that it was not practicable to adopt a ratio of clinics to population as a measure for planning clinic facilities. With the expansion of Government and other clinic services, it would be more meaningful to judge the adequacy of the provision of clinic facilities in relation to the needs of a wider area than just a housing estate.

On this basis, therefore, for the future, vacant premises in public housing estates suitable for use as clinics will continue to be offered to the Low Cost Clinics Association of Registered Doctors. But it is not proposed to follow rigidly the original ratio of one medical practitioner to 6,000 residents in both old and new public housing estates.

MR CHEONG-LEEN: —Sir, are there any ratio parameters being used for residents in the housing estates irrespective of whether clinics would be in estates or adjacent to these estates?

DR CHOA: —No, Sir. Another set of ratios which was recommended in the previous 10 year plan has not been adopted for the present 10 year plan.

New Territories taxi licences

8. Miss Ko asked: —

Sir, what are Government's intentions in regard to the issue of New Territories taxi licences?

SECRETARY FOR THE ENVIRONMENT: —Sir, the Government has for some time had under consideration the introduction of New Territories taxis in order to provide a service for those areas of the New Territories which taxis do not, at present, penetrate. At its meeting on the 1st May 1975, the Transport Advisory Committee considered outline proposals for such a scheme and advised that, in principle, New Territories taxi licences should be issued. Details of the scheme are now being worked out and will be submitted to the Transport Advisory Committee and Executive Council, with recommendations that the appropriate amendments to the Road Traffic Regulations should be made to enable the issue of the necessary licences.

MR WU: —Sir, is my honourable Friend aware that New Territories taxis did exist in the late fifties and early sixties and were subsequently abandoned with the agreement of Government?

SECRETARY FOR THE ENVIRONMENT: —I am wondering, Sir, if my honourable Friend is referring to what is now called the mini-bus

MR WU: —No, Sir, they were four-seater taxis in those days initially.

SECRETARY FOR THE ENVIRONMENT: —I am not aware of it, Sir, but in any case we are now looking into the question of a new type of New Territories taxi licence and basically the scheme as envisaged is that they will be restricted entirely to the New Territories excluding the large towns such as Tsuen Wan.

Oral answers

MR LO: —Will consideration be given to the fact that the establishment of the scheme will involve extra police personnel in the enforcement of the scheme?

SECRETARY FOR THE ENVIRONMENT: —Sir, here I am afraid I'm anticipating entirely what will be recommended to the TAC or what their advice will be, but we were hoping that there will be no question of additional police enforcement being required.

MR CHEUNG: —Is it contemplated that licences would be issued to saloon cars or to mini-buses?

SECRETARY FOR THE ENVIRONMENT: —Saloon cars, Sir.

Auxiliary Police

9. MR WILLIAMS asked: —

Sir, (a) how have budgetary cuts affected the strength and hours of duty of the auxiliary police?

(b) Is Government satisfied that this will not lead to a further deterioration in law and order?

SECRETARY FOR SECURITY: —Sir, it has always been the intention that as the strength of the regular force increases that of the auxiliary force would to some extent be reduced. In 1973, when the establishment of auxiliary police was 7,000, the regular force strength was 12,502, or 22% below establishment. The regular force strength on 1st June 1975 was 14,574, or 9.4% below establishment.

In 1975-76 the strength of the auxiliary police will be stabilized at 5,000 and there is sufficient financial provision to permit a daily turn out of 1,300 auxiliaries on 8-hour shifts compared with a daily average of 1,500 in 1974-75. Because many auxiliaries are available only for 4 or 6 hours duty per day, there are likely to be more than 1,300 auxiliaries performing duty on any particular day.

The reduction in the total strength of auxiliaries will be effected by not replacing those who resign, retire or are dismissed.

The reduction in the daily average number of auxiliaries from 1,500 to 1,300 has been coupled with a tighter organization of turn out and has not resulted in any marked reduction in auxiliary police presence on the streets.

In answer to question (b), yes, Sir, as I have said the measures relating to the auxiliaries have not markedly reduced their presence on the ground and they are giving excellent services. At the same time the strength of the regular police is increasing fast and the overall picture is therefore encouraging.

MR CHEUNG: —In view of the rise in the crime rate, would Government reconsider its decision to reduce the number of auxiliaries from 1,500 to 1,300 per day?

SECRETARY FOR SECURITY: —Sir, there has to be a balance between the size of the regular force and the auxiliary force and the Financial Secretary has and indeed the Government has a financial limit within which this service can be provided. The present size of the regular police at the figure given of 14,574 is an encouraging improvement on the previous level. The size of the auxiliary police force is not markedly different, although by 200, than it was in the previous year. The Commissioner does have under consideration, and will review, the relative strengths of the regular police force and the auxiliary police force but at the present stage it is his advice that the division of the funds available between the regular police force and the auxiliary police force is about right.

DR CHUNG: —Sir, does my honourable Friend realize that the safety of the Hong Kong public is more important than a few more million Hong Kong dollars?

SECRETARY FOR SECURITY: —Yes, Sir.

Pre-payment of parking charges

10. MR WANG asked: —

Sir, will Government consider the introduction at the City Hall Carpark of prepaid car parking tickets valid for a period of time linked to the length of performances at the City Hall Theatre and Concert Hall?

Oral answers

SECRETARY FOR THE ENVIRONMENT: —Yes, Sir, this will be considered as part of the review of charging and ticketing systems at Government multi-storey car parks now being undertaken by the Commissioner for Transport.

Once this review is complete, I shall be seeking the advice of the Transport Advisory Committee on this and other proposals for car parking charges before referring them to Executive Council.

Princess Margaret Hospital

11. DR FANG asked: —

Sir, will Government make public its plans for admission of patients into Princess Margaret Hospital?

DR CHOA: —Sir, in my speech during the budget debate in this Council in April this year, I informed honourable Members that the Princess Margaret Hospital would be opened in phases.

It is our intention to carry out the plan in two stages. In the first stage a total of 162 beds in the infectious disease wards will first be opened. This will be followed a month later by the opening of the geriatric wards with a total of 74 beds with another 148 to be opened at a later date. Another month later one clinical unit each of the following specialties: medicine, surgery, paediatrics, obstetrics, gynaecology and orthopaedics will be established. The casualty department will then be opened after these clinical units are in operation. It is envisaged that a total of 996 beds including 38 first and second class beds will become operational at the end of this first stage. In the second and final stage, another clinical unit each of the specialties mentioned except obstetrics and gynaecology will be opened.

As honourable Members are aware provision was included in the Estimates for a large proportion of the staff and Annually Recurrent Other Charges to enable the hospital to open in July. In view of the restraint on the growth of the service it has been necessary to review this. Special measures are now under consideration by the use of which, with the approval of the Finance Committee of this Council as necessary, I hope it will be possible to begin to open the hospital in October this year.

Airport passenger lounges

12. MR WILLIAMS asked: —

Will Government stop the practice whereby certain airlines limit the use of rented first class lounges at the airport to those passengers only who have joined an international club sponsored by the airline?

SECRETARY FOR THE ENVIRONMENT: —Sir, every airline operating international flights through Hong Kong does so as a designated carrier under a bilateral air services agreement between Her Majesty's Government and the relevant foreign government. These agreements are subject to the provisions of the Chicago Convention and to resolutions passed by the International Air Transport Association (IATA).

Airlines which are members of IATA must comply with its resolutions governing commercial practices and a government may direct that non-IATA airlines will also conform to its resolutions with regard to operations to or from that government's country.

There is nothing in these air services agreements nor in the provisions of the Chicago Convention nor in the IATA resolutions to preclude an airline from operating hospitality lounges. There is also nothing to preclude airlines operating "international clubs" which entitle their members to use the airlines hospitality lounges; members being either long-standing or commercially important customers of the airline concerned. Hospitality lounges are not always provided exclusively for club members and in many cases they are also open to any passenger to whom the airline wishes to accord favourable treatment.

The Government has therefore no plans to stop the practice which is not in conflict with the airlines' operating permits issued by the UK Government.

MR WILLIAMS: —Sir, is there space available at Kai Tak for making available first class lounge which would be available to all first class passengers or what might be termed second class first class passengers as well?

SECRETARY FOR THE ENVIRONMENT: —Sir, I don't think this is part of the original question, but I will get the information the honourable Member requires and give it to him privately.

Oral answers**Immigration from China**

13. MR CHEONG-LEEN asked: —

Sir, (a) how many legal immigrants have entered Hong Kong from China since 1st January 1974.

(b) Of this figure, what is the estimated number still remaining in Hong Kong?

SECRETARY FOR SECURITY: —Sir, from 1st January 1974 to 31st May 1975, 44,804 Chinese immigrants entered Hong Kong from China legally.

It is not possible to say how many of them are still living in Hong Kong as no records are kept of the subsequent movement of these immigrants. However, during this same period about 25,000 persons emigrated legally from Hong Kong.

MR CHEONG-LEEN: —Sir, does the honourable Member know how many of the 25,000 persons who emigrated legally from Hong Kong were British subjects born in Hong Kong?

SECRETARY FOR SECURITY: —I cannot give the figure with certainty, but it is of the order of 8,000.

MR CHEUNG: —Sir, does my Friend say that after making all travellers go through the trouble of filling in a form when they come in and filling in a form when they go out, Government hasn't got the information as regard these immigrants?

SECRETARY FOR SECURITY: —Sir, there are approximately ten million entries and exits from Hong Kong annually, and it would be an enormous task to try to relate each of these entries and exits to individuals.

Argyle Street flyover

14. MRS SYMONS asked: —

Sir, when will the Argyle Street "flyover a flyover" and the Waterloo Road flyover bridging Prince Edward Road and Boundary Street be completed and opened to traffic?

MR McDONALD: —Sir, the eastbound lane of the Argyle Street Flyover enabling traffic to proceed smoothly from Mong Kok towards Kai Tak and Kwun Tong will be commissioned in about one week's time and the whole flyover will be opened to traffic in both directions by September.

The Waterloo Road Flyover is expected to be opened to northbound traffic in August and to southbound through traffic by October. The entire project, including the intermediate ramps, will be fully commissioned by December.

These two projects have been under construction for quite long periods. This has been due to the extremely difficult conditions under which the works have been carried out. Traffic volumes using these intersections are amongst the highest to be found in the urban areas and whilst maintaining the high traffic flows it has been necessary to divert and relocate a considerable amount of public utility services which pass through the area and construct extensive foundations to carry the flyover structures. The speed of operations under such adverse conditions has been quite good.

Pedestrian crossing—provision of

15. MRS SYMONS asked: —

Sir, pending completion of the resurfacing of Argyle Street at its junction with Waterloo Road and Princess Margaret Road, will Government take immediate steps to provide a properly marked pedestrian crossing at the junction for the use of schoolchildren and others?

MR McDONALD: —Sir, the construction of this very large flyover complex causing a change in the configuration of the ground level layout has required the pedestrian crossing facilities at the intersection to be moved frequently to phase in with the works programme.

The works are now nearing completion and the marking out of the pedestrian crossings in their final positions is now in hand.

Government business**Second reading of bills****INLAND REVENUE (AMENDMENT) (NO 4) BILL 1975****Resumption of debate on second reading (21st May 1975)**

Question proposed.

Question put and agreed to.

Bill read the second time.

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

SUMMARY OFFENCES (AMENDMENT) (NO 2) BILL 1975**Resumption of debate on second reading (21st May 1975)**

Question proposed.

Question put and agreed to.

Bill read the second time.

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

Committee stage of bills

Council went into Committee.

INLAND REVENUE (AMENDMENT) (NO 4) BILL 1975

Clause 1

THE FINANCIAL SECRETARY: —Sir, I move that clause 1 be amended as set out in the paper before honourable Members.

*Proposed amendment**Clause*

1 That clause 1 be amended by deleting "(No 4)" and substituting the following—

“(No 3)”.

The amendment was agreed to.

Clause 1, as amended, was agreed to.

Clauses 2 and 3 were agreed to.

SUMMARY OFFENCES (AMENDMENT) (NO 2) BILL 1975

Clauses 1 and 2 were agreed to.

Council then resumed.

Third reading of bills

THE ATTORNEY GENERAL reported that the

Inland Revenue (Amendment) (No 3) Bill

had passed through Committee with amendment and that the

Summary Offences (Amendment) (No 2) Bill

had passed through Committee without amendment and moved the third reading of each of the bills.

Question put on each bill and agreed to.

Bills read the third time and passed.

Adjournment

Motion made and question proposed. That this Council do now adjourn—

THE COLONIAL SECRETARY.

3.05 p.m.

Noise Pollution

MR CHEONG-LEEN: —Your Excellency, not so long ago the editorial in one of the English language newspapers alleged that Hong Kong was the noisiest city in the world. Noise is a subjective experience and I do not know what criteria the editor used in making this assertion. But I think we can all agree that Hong Kong is a noisy city although we may not agree that it is the leader in this particular field. That Hong Kong is noisy is due partly to the fact that the urban areas are small in size but contain a large number of multi-storey buildings so that noise tends to reverberate before finally escaping, whereas in other more spacious cities excessive noise dissipates far quicker and with far less effect on their inhabitants.

As far as I can determine, excessive noise first became a source of official concern in 1965. But despite the introduction of some minor legislation no overall policy had been decided upon when, in June 1972, in this Council Sir Y. K. KAN raised the question of pile driving noise and subsequently requested in a letter to the Colonial Secretariat that Government should seriously study the problem of noise pollution. An inter-departmental committee was set up and met on several occasions but was unable to make much headway. When, in November 1973, the Advisory Committee on Environmental Pollution on Land and Water and the Advisory Committee on Air Pollution were reconstituted into the Advisory Committee on Environmental Pollution (or EPCOM as it is now generally known), the terms of reference of the new Committee were couched very widely so it could advise the Secretary for the Environment on appropriate measures which might be taken to combat pollution of all kinds which, of course, includes noise pollution. At its first meeting EPCOM set up three subcommittees one of which was devoted exclusively to studying noise pollution problems and charged with advising the main committee on measures which might be taken to combat such pollution.

Since the first meeting on 29th January 1974 the sub-committee has been wrestling with what could be the most intractable of all pollution problems. The brief of the consultants appointed to advise on the principles to be incorporated in a general Environmental Protection Ordinance for Hong Kong covers excessive noise as well as pollution on land, sea and in the air.

At present, however, there is not much legislation to control excessive noise and it is fragmented and not easy to enforce. Enquiries have been made about legislation overseas and in many places similar

legislation is either not enforced or only partially enforced. The subcommittee on noise has divided the problem into six categories, namely, noise from

- (a) traffic
- (b) aircraft
- (c) construction activities
- (d) industrial sources
- (e) recreational and advertising sources and
- (f) air conditioners.

The present position is as follows. As regards traffic noise, under the reporting system whereby the police (and occasionally members of the public) report vehicles which are apparently defective, some 1,500 vehicles are inspected each month at the motor vehicle inspection centre. In recent months activity against noisy vehicles, particularly noisy motor cycles, has been stepped up and some success has been achieved in getting their owners to remedy the defects which cause excessive noise. On motor cycles alone an average of 50 motor cycles were called up for inspection each month during 1974. However, there is backlog of vehicles pending inspection and the existing capacity of the motor vehicle inspectors is stretched to the limit. It is for this reason that EPCOM has recently recommended that additional resources be allocated to the Transport Department to engage additional motor vehicle inspectors and to set up an additional vehicle inspection centre.

Turning to aircraft noise, there appears little that Hong Kong can do unilaterally to abate aircraft noise to any spectacular degree but airlines are making increasing use of the new generation of relatively quiet aircraft and the benefit of strict noise standards in the United States which is the world's largest manufacturer of civil aircraft should be felt in Hong Kong. At Kai Tak there is a virtual ban on night flying and since 1st January 1975 engine run-ups have not been allowed between mid-night and seven o'clock in the morning.

As regards construction noise, the ban on pile driving introduced in 1972 has brought some relief to people living near building sites. Between 8 p.m. and 6 a.m. and on public holidays they are assured that the pile drivers will not be working, but in the late evening other noisy items of construction equipment can be used quite legally until 11 p.m. After then it becomes illegal under the provisions of the Summary Offences Ordinance. The relevant section of the Summary Offences Ordinance, however, covers only the hours between 11 p.m.

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and 6 a.m. therefore on Sunday mornings, for example, pneumatic drills can disturb one's slumber very easily. I understand though that a similar ban to the piling ban will be introduced as soon as possible on certain items of construction equipment including pneumatic drills.

On the subject of industrial noise, in theory workers exposed to a noise level of 90 dBA for more than 8 hours should protect their ears otherwise they risk damaging their hearing. The Commissioner for Labour may, in fact, order any industrial undertaking to adopt "special precautions" for the protection of workers employed in these circumstances. However, people outside the factories—especially those factories located in domestic buildings—often suffer from the effects of noise. Although they are not protected by anti-noise legislation, other than section 13 of the Summary Offences Ordinance at night time, their interests are looked after by the staff of the Industrial Health Division of the Labour Department who are always willing to look into complaints or excessive noise from those factories.

With regard to recreational and advertising noise, outdoor meetings and matshed theatres often result in excessive noise from loudspeakers disturbing the neighbourhood and we are all familiar with the ear-splitting noise of music from record shops. The existing legislation controlling this category of noise is sketchy but in an attempt to discourage excessive noise from record shops EPCOM has recommended that the maximum fine under the relevant section of the Summary Offences Ordinance be increased from \$50 to \$2,000.

Lastly concerning air conditioning noise, the Public Health and Urban Services Ordinance was amended last year to make the dripping of water and the emission of hot or cold air from air-conditioners an offence. The ordinance will be further amended shortly to make excessive noise from air-conditioners an offence.

Complaints of noise pollution are received regularly by various Government departments and the Environment Branch of the Colonial Secretariat. Every case is investigated but often the circumstances are not covered by existing legislation and the only way to effect any improvement is to rely on the goodwill of the person responsible for the excessive noise. In the case of a noisy air-conditioner, for example, some routine maintenance and improved housing of the plant or ventilation outlets can often reduce the noise to an acceptable level.

It is not difficult to complain about noise pollution, but it is difficult to find acceptable solutions to it. The most effective solution, in fact,

rests with the public themselves. A little more civic consciousness and consideration for others could result in a substantial reduction of noise generation.

I believe it is true that members of the public are becoming more aware of the problems concerning noise pollution, which can increase as Hong Kong's population grows. Therefore any suggestions from the public on the abatement of noise pollution at this time would be most welcome.

3.15 p.m.

SECRETARY FOR THE ENVIRONMENT: —Sir, in raising the subject of noise pollution my honourable Friend has directed the Council's attention to a problem to which there are no easy solutions.

The Noise Pollution Sub-Committee of EPCOM, of which my honourable Friend is a member, has met frequently since its formation in January last year and, as you have heard, has considered many aspects of this intractable problem. It has made several recommendations, which I have accepted, and upon which action has been or is being taken. However, I am convinced that tremendous improvements can be achieved by the community itself; motorists and motor cyclists can ensure that their vehicles are properly maintained and are not making more noise than the manufacturer intended; record shop proprietors can play their loudspeakers at a moderate level and still advertise their wares satisfactorily; and owners of properties with large air-conditioning units can ensure that these units are installed so as not to disturb unduly nearby residents. As far as construction noise is concerned our approach will be to encourage the use of noise suppressed equipment which is now readily available and generally not unduly expensive; I hope that I can count on the support of the construction industry in this regard.

These are just a few examples where a little concern by particular individuals could go a long way to alleviating noise pollution. I therefore readily endorse the plea, so eloquently made by my honourable Friend, for greater co-operation from members of the public generally, both in suggesting practicable ways of abating noise pollution and in ensuring that they themselves restrict their own contribution to the general noise level.

Question put and agreed to.

Next sitting

HIS EXCELLENCY THE PRESIDENT: —In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on Wednesday the 18th of June.

Adjourned accordingly at twenty minutes past three o'clock.