

# OFFICIAL REPORT OF PROCEEDINGS

Wednesday, 4th August 1976

The Council met at half past two o'clock

## PRESENT

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)  
SIR CRAWFORD MURRAY MACLEHOSE, GBE, KCMG, KCVO  
THE HONOURABLE THE COLONIAL SECRETARY (*Acting*)  
MR CHARLES PHILIP HADDON-CAVE, CMG, JP  
THE HONOURABLE THE FINANCIAL SECRETARY (*Acting*)  
MR DEREK JOHN CLAREMONT JONES, JP  
THE HONOURABLE THE ATTORNEY GENERAL  
MR JOHN WILLIAM DIXON HOBLEY, CMG, QC, JP  
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS  
MR DENIS CAMPBELL BRAY, CVO, JP  
DR THE HONOURABLE GERALD HUGH CHOA, CBE, JP  
DIRECTOR OF MEDICAL AND HEALTH SERVICES  
THE HONOURABLE DAVID HAROLD JORDAN, CMG, MBE, JP  
DIRECTOR OF COMMERCE AND INDUSTRY  
THE HONOURABLE LI FOOK-KOW, CMG, JP  
SECRETARY FOR SOCIAL SERVICES  
THE HONOURABLE DAVID AKERS-JONES, JP  
SECRETARY FOR THE NEW TERRITORIES  
THE HONOURABLE LEWIS MERVYN DAVIES, CMG, OBE, JP  
SECRETARY FOR SECURITY  
THE HONOURABLE DAVID WYLIE MCDONALD, JP  
DIRECTOR OF PUBLIC WORKS  
THE HONOURABLE IAN ROBERT PRICE, CBE, TD, JP  
COMMISSIONER FOR LABOUR  
THE HONOURABLE ALAN THOMAS ARMSTRONG-WRIGHT, JP  
SECRETARY FOR THE ENVIRONMENT (*Acting*)  
THE HONOURABLE COLVYN HUGH HAYE, JP  
DIRECTOR OF EDUCATION (*Acting*)  
DR THE HONOURABLE CHUNG SZE-YUEN, CBE, JP  
THE HONOURABLE LEE QUO-WEI, OBE, JP  
THE HONOURABLE OSWALD VICTOR CHEUNG, CBE, QC, JP  
THE HONOURABLE ROGERIO HYNDMAN LOBO, OBE, JP  
THE HONOURABLE JAMES WU MAN-HON, OBE, JP  
THE HONOURABLE HILTON CHEONG-LEEN, OBE, JP  
THE HONOURABLE LI FOOK-WO, OBE, JP  
THE HONOURABLE JOHN HENRY BREMRIDGE, OBE, JP  
DR THE HONOURABLE HARRY FANG SIN-YANG, OBE, JP  
THE HONOURABLE MRS KWAN KO SIU-WAH, OBE, JP  
THE HONOURABLE LO TAK-SHING, OBE, JP  
THE HONOURABLE FRANCIS YUAN-HAO TIEN, OBE, JP  
THE HONOURABLE ALEX WU SHU-CHIH, OBE, JP

**ABSENT**

THE HONOURABLE IAN MACDONALD LIGHTBODY, CMG, JP  
SECRETARY FOR HOUSING

THE HONOURABLE MRS CATHERINE JOYCE SYMONS, OBE, JP  
THE HONOURABLE PETER GORDON WILLIAMS, OBE, JP

**IN ATTENDANCE**

THE CLERK TO THE LEGISLATIVE COUNCIL  
MRS LOLLY TSE CHIU YUEN-CHU

**Papers**

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

<i>Subject</i>	<i>LN No</i>
Subsidiary Legislation: —	
Fugitive Offenders Act 1967.	
Fugitive Offenders (Designated Commonwealth Countries) (Amendment) Order 1967 .....	176
Proclamation No 2 of 1976 .....	178
Dutiable Commodities Ordinance.	
Dutiable Commodities (Amendment) Regulations 1976 .....	179
Import and Export Ordinance.	
Import and Export (General) Regulations (Amendment of First Schedule) Order 1976 .....	180
Electricity Supply Ordinance.	
Electricity Supply (Special Areas) Regulations 1976 .....	181
Inland Revenue Ordinance.	
Exemption from Salaries Tax (Amendment) Order 1976 .....	182
Places of Public Entertainment Ordinance.	
Film Censorship (Amendment) Regulations 1976 .....	183

<i>Subject</i>	<i>LN No</i>
Merchant Shipping Ordinance. Merchant Shipping (Control of Ports) (Amendment) Regulations 1976 .....	184
Road Traffic Ordinance. Road Traffic (Driving Licences) (Amendment) (No 2) Regulations 1976 .....	185
Road Traffic Ordinance. Road Traffic (Registration and Licensing of Vehicles) (Amendment) (No 2) Regulations 1976 .....	186
Road Traffic Ordinance. Road Traffic (Taxis, Public Omnibuses, Public Light Buses and Public Cars) (Amendment) Regulations 1976 .....	187
Road Traffic Ordinance. Road Traffic (Public Omnibus, Public Light Bus and Public Car) (Amendment) Regulations 1975 (Commencement) Notice 1976 .....	189
Sessional Papers 1975-76:	
No 48—Report on the Administration of the Immigration Service Welfare Fund for the year ended 31st March 1976 (published on 4.8.76).	
No 49—Supplementary provisions approved by the Urban Council during the first quarter of 1976-77 (published on 4.8.76).	
No 50—Annual Report of the Mass Transit Railway Corporation 1975 (published on 4.8.76).	
No 51—Annual Report by the Commissioner of the Independent Commission Against Corruption 1975 (published on 4.8.76).	
No 52—Supplementary provisions for the quarter ended 31st March 1976 (published on 4.8.76).	
No 53—Income and expenditure account of the Chinese Recreation Ground and Public Square Yau Ma Tei Management Committee for the year ended 31st March 1976 (published on 4.8.76).	

**Papers**

No 54—Statement of accounts of the Preventive Service Welfare Fund for the year ended 31st March 1976 (published on 4.8.76).

No 55—Income and expenditure account of the Police Welfare Fund for the year ended 31st March 1976 (published on 4.8.76).

**Oral answers to questions  
Mutual Aid Committees**

1. Miss Ko asked: —

Sir, will Government make a statement on what has been achieved by the Mutual Aid Committees?

SECRETARY FOR HOME AFFAIRS: —Sir, Mutual Aid Committees have made valuable contributions to the Fight Violent Crime and Clean Hong Kong Campaigns. They have improved the security in many multi-storey buildings by the installation of anti-burglary systems, gates and alarm bells, and the engagement of trained watchmen, *etc.* The standard of building management has also been raised. Maintenance problems, cleansing services and lift services have been put on sound footings through mutual help. Burglars and thieves have avoided operating in buildings with effective MACs and residents in them not only feel safer but they are safer. Through a spirit of co-operation and mutual help, difficult problems such as obstructions on staircases and in common areas, fire hazards and so on have been effectively tackled. People who live in these buildings feel that they are living in a better environment and enjoying a better quality of life.

In the process of their activities MACs have enabled residents to know each other better and also to meet working staff of various government departments. Communication between them and the Government is now easier and there is altogether a more vigorous spirit of community involvement.

**Mutual Aid Committees—role and functions**

2. Miss Ko asked: —

Sir, in the light of experience of the working of the Mutual Aid Committees, does government intend to alter their role and functions?

SECRETARY FOR HOME AFFAIRS: —Sir, Mutual Aid Committees have been highly successful in their present role of building management and organizations. There is a continuing need for such services and we would not expect to seek more. Some MACs themselves have taken the initiative in providing other services and arranging outings and picnics and more of this may happen. At present we are much more anxious that new MACs should be formed in buildings that do not have them rather than that existing MACs should be helped to engage in new activities.

### **Princess Margaret Hospital**

3. DR FANG asked: —

Sir, (a) is the Government aware that undesirable elements have been extorting payments from doctors, nurses, patients and their families in the covered passage-way to the Princess Margaret Hospital?

(b) if so, what steps will be taken to eliminate this?

SECRETARY FOR SECURITY: —No, Sir. The only related incident reported to the Police was in November 1975 when a member of the staff of the Hospital was robbed on the road leading to the Hospital, but no incidents of the type described by my honourable Friend have been reported.

With regard to the second part of the question, the police presence at the Hospital was increased in December last year and the Commissioner of Police is keeping the situation under review.

I would stress that anyone subjected to criminal intimidation in or near this Hospital, or anywhere else for that matter, should report to the Police as soon as possible. The incident will then be investigated immediately.

DR FANG: —Sir, I understand that there are a number of hidden dark corners in the covered passage-way. Can something be done about this?

SECRETARY FOR SECURITY: —Certainly, Sir, in consultation with my honourable Friends, the Director of Medical and Health Services and the Director of Public Works, we will do all we can. I hope that my

[SECRETARY FOR SECURITY] **Oral answers**

honourable Friend will also bring to the attention of those who have made this complaint that we should like to have an official report at the earliest possible opportunity.

**Antiquities and Monuments Ordinance**

4. MR CHEONG-LEEN asked: —

Sir, when will a secretary for the purpose of implementing the provisions of the Antiquities and Monuments Ordinance be appointed?

SECRETARY FOR HOME AFFAIRS: —Sir, when the Antiquities and Monuments Ordinance was enacted, the intention was that the Home Affairs Department would discharge its executive functions. As the Department possesses little expertise in this field, it would have needed a suitably qualified and experienced Executive Secretary for the Antiquities Advisory Board. Efforts to recruit such a person were fruitless, but it was decided to bring the Ordinance into effect on 1st January this year, although it would not be possible to implement part of the provisions until an Executive Secretary was found.

Quite recently proposals have been made to transfer the executive functions from the Home Affairs Department to the Urban Services Department because the latter does have staff with the necessary expertise. This seems sensible, but the proposals are still under consideration. If they are agreed, the staff requirements including the post of Executive Secretary will be reviewed and I hope it will be possible to devise some means to give more life to this almost antique legislation.

MR CHEONG-LEEN: —Sir, while I agree with my honourable Friend that this piece of legislation is almost antique, could he advise how much more antique it will get before some decision is taken along the lines he has already stated in his reply?

SECRETARY FOR HOME AFFAIRS: —No, Sir, but the proposition seems fairly simple. I hope it will be dealt with quite quickly.

**Cancer and heart disease**

5. DR FANG asked: —

Sir, since cancer and heart disease have become the biggest killers in Hong Kong what effective steps is Government taking in advising the public of preventive and precautionary measures?

DR CHOA: —Sir, on 8th July I gave a talk to the Lions Club of Hong Kong Central on the preventive aspect of such diseases as cancer and heart disease which I am glad to say was very widely reported in the press. My staff and I will continue to make use of such opportunities to keep the subject in the forefront of the public's mind, and further sustained publicity efforts will be made by the proposed Health Education Unit after it is formed. Meanwhile, with the assistance of such interested voluntary organizations as the Hong Kong Anti-Cancer Society, the Hong Kong Anti-Tuberculosis & Thoracic Diseases Association, and the newly formed Hong Kong Heart Foundation which organized a highly successful exhibition on heart diseases in January this year, I hope the public will be constantly reminded of preventive measures which should be taken against cancer and heart disease.

MR CHEUNG: —Sir, has Government made a study of the effect of triglycerides on heart diseases?

DR CHOA: —Yes, Sir, in the individual clinical units of the two hospitals all patients suffering from coronary heart disease have had their cholesterol and triglycerides estimated.

**MTR sites—insurance cover for visitors**

6. MR LOBO asked: —

Sir, will Government take steps to ensure that public officials and unofficials who visit MTR sites on duty will be covered by insurance or other similar means of protection so that they or their dependants will be compensated in the event of injury or death whilst visiting these sites on duty?

THE ATTORNEY GENERAL: —Sir, if anyone visiting a mass transit railway construction site on duty or anyone who is otherwise on such

[THE ATTORNEY GENERAL] **Oral answers**

a site with permission is injured or killed on the site as a result of the negligence of the Mass Transit Railway Corporation or its servants or contractors, he or his dependants will have the normal civil claim for damages.

If such a person however is injured or killed wholly through his own fault or accidentally without fault on anyone's part, neither he nor his dependants would have any claim for compensation.

The position in relation to visitors to mass transit railway sites is, of course, no different from the position in relation to visitors to other construction sites or indeed any other premises.

It is considered that it would not be reasonable to expect either the Government or the Corporation to accept responsibility for compensating a person, or his dependants, where the injury or death is attributable wholly to his fault or is accidental. To do so would be contrary to all accepted practice and the implications for other spheres of activity, which are in this respect no different from the railway, are immense.

The answer to the question is, therefore—

Firstly, there is no need for the Government to take any steps with respect to the case of a person who is killed or injured through negligence.

Secondly, the Government does not intend to take steps to ensure that a person (or his dependants) who is killed or injured through his own fault or accidentally is compensated.

### **Reading under proper lighting**

7. MISS KO asked: —

Sir, what is being done in primary and secondary schools to ensure that students are aware of the importance of reading under proper lighting and taking other necessary precautions for the protection of eye sights and for the health of the eyes?

MR HAYE: —Sir, the Education Department is well aware of the problem and each year officially draws the attention of all schools to the subject of eyestrain. Heads of schools are reminded of the require-



ments of the Regulations of the Education Ordinance for the lighting in classrooms, the illumination of blackboards, the seating of children with weak eyesight and the size of print in textbooks. Illustrative samples of print sizes are attached to the official instruction. It is part of the normal duties of inspectors of schools to check these requirements on visits to schools.

Heads of schools are further asked to impress upon their pupils the dangers of reading at home in poor light. They are also urged to take whatever measures they can to convey this message to parents as well.

Perhaps most important because most effective of all is the inclusion of eye care in the curricula of both primary and secondary schools. Proper care of the eyes, including suitable lighting conditions for work, is emphasized in health education lessons in primary schools. At the secondary school level protection of good eyesight and the right diet for good eyesight is included in both the Health Education and Social Studies curricula.

### **Youth Employment Advisory Service**

8. MR CHEONG-LEEN asked: —

Sir, what are the plans to expand and strengthen the Youth Employment Advisory Service of the Labour Department?

MR PRICE: —Sir, I am grateful to my honourable Friend for asking the question. In doing so, he obviously shares my views on the importance of the Youth Employment Advisory Service. In this city of over 4 million people, it is not easy for young persons to make the right choice of a career. It is vital, therefore, that the Service should meet the demands made on it.

I hope to expand the Service in order to provide careers talks to all Form V and Middle V students, of which only 40% are covered at present. It is my hope that eventually the Service will reach all students at Form III level after the implementation of the Education policy of providing a 3-year post-primary education.

I also hope to expand the Service over the next 5 years in the following manner—

- (a) to increase the flow of careers information by way of careers literature, reference material and audio visual aids;

**[MR PRICE] Oral answers**

- (b) to set up new branch offices in areas where the Service is needed, in particular in the new towns in the New Territories;
- (c) to co-ordinate and maximize the efforts of voluntary agencies in their careers guidance work;
- (d) to organize more careers seminars in schools;
- (e) to hold a bigger and better Careers Exhibition in the New Railway Terminal from 19th to 28th November this year; and
- (f) to take careers information to residents in housing estates and remote areas in the New Territories, by using the Labour Department's mobile exhibition unit.

**Pollution—vehicle exhaust**

9. MR CHEONG-LEEN asked: —

Sir, what measures are currently being taken to reduce car exhaust pollution, especially in areas of heavy vehicle traffic?

SECRETARY FOR THE ENVIRONMENT: —Sir, the problem is being tackled in several ways.

Drivers or owners of vehicles reported to be emitting excessive smoke are required to present their vehicles for inspection and are liable to be prosecuted under road traffic regulations. During the past 12 months some 4,000 vehicles reported to be emitting excessive smoke were presented for inspection and the owners were required to rectify any faults found. During the same period there were 300 prosecutions for this offence. These regulations are being amended to provide legal authority for the use of smoke meters to measure exhaust emissions on the spot. Both the Police and the Transport Department are equipped with these instruments and their use will make it easier to enforce these regulations. Similarly the introduction of the fixed penalties scheme for moving offences, which includes the emission of excessive smoke as an offence, should lead to more effective control over polluting vehicles.

In addition, any vehicles called in for testing for other reasons, are also checked for excessive smoke and if necessary remedial work is ordered. Plans are in hand to greatly increase the number of vehicles that can be tested in this way.

With regard to new vehicles, on the recommendation of the Advisory Committee on Environmental Pollution, legislation has been introduced requiring that new vehicles imported into Hong Kong should be designed to meet the same high standards of exhaust emission as those imposed by the European Common Market countries. These standards apply in Hong Kong to petrol engined vehicles manufactured after 1st November 1974, and to diesel engined vehicles manufactured after 1st September this year.

Taken together, and as their effectiveness is increased as planned, these measures should bring about a growing improvement in the reduction of exhaust pollution in areas of dense traffic.

MR CHEONG-LEEN: —Sir, are these spot checks being taken in areas of heavy traffic?

SECRETARY FOR THE ENVIRONMENT: —Spot checks on vehicles, Sir, are not being taken specifically in areas of heavy traffic but we are doing some monitoring this year on the levels of pollution in those areas.

MR LO: —Sir, were there any reasons recorded for failing to prosecute or having failed to prosecute the remaining 3,700 vehicles?

SECRETARY FOR THE ENVIRONMENT: —Sir, the system is that vehicles are first called in for testing. Very often when they arrived they have already been corrected, so it would be inappropriate to prosecute. They are also given a second chance. If on the second occasion they have not been rectified then consideration is given to prosecution.

### **Family planning**

10. DR FANG asked: —

Sir, since the incorporation of family planning services into the Maternal and Child Health Clinics three years ago, what positive progress has been made by Government during this period to promote family planning?

DR CHOA: —Sir, in October 1973 the Medical and Health Department commenced a phased programme of integrating family planning services into the maternal and child health services. The programme

**[DR CHOA] Oral answers**

was smoothly completed in 1974. A total of 32 family planning clinics previously operated by the Family Planning Association in Government's premises were integrated into the maternal and child health programme. In addition the Department has opened 8 new family planning clinics. They are now a total of 40 family planning clinics operated by the Department, all of these provide a comprehensive range of maternal and child health and family planning services. This programme is well received by the public as evidenced by the increasing number of women attending the family planning clinics. The number of persons attended these clinics increased from 60,000 in 1974 to 80,000 in 1975. The administration of the maternal and child health and family planning services has been combined and strengthened in a new division which is now called the Family Health Service Division. In addition, the Government is continuing to provide subvention to the Family Planning Association for the existing 25 family planning clinics and for developing family planning services in areas not served by Government clinics.

**Taxi service**

11. DR CHUNG asked: —

- Sir, (a) is Government aware of the inconvenience and undesirability in modern day Hong Kong in permitting taxi drivers to refuse to pick up passengers when they are hailed while driving along the road; and
- (b) if so, will Government consider amending the Road Traffic (Taxis, Public Omnibuses, Public Light Buses and Public Cars) Regulations to make the practice an offence?

SECRETARY FOR THE ENVIRONMENT: —Sir, the answer to the first part of my honourable Friend's question is "yes".

With regard to the second part, a working party reviewing road traffic regulations, is considering the possibility of making the practice described by my honourable Friend, an offence.

But I must point out that the first responsibility of a taxi driver, driving along a road must be to drive safely and to observe traffic rules. This responsibility has to be taken into account and it may be difficult to formulate regulations which, on the one hand, recognize that there

are valid reasons why taxi drivers may be unable to pick up passengers when hailed, and on the other hand, do not provide erring taxi drivers with easy excuses for avoiding prosecution. Nevertheless, I wish to assure my honourable Friend that his suggestion is receiving detailed consideration.

MR LO: —Sir, is it not true that if the regulations are strictly enforced, there are long stretches of roads in Hong Kong where it is absolutely illegal for any taxi to stop at all?

SECRETARY FOR THE ENVIRONMENT: —Sir, it is quite true that there are many roads and many locations where taxis are not allowed to stop.

MR BREMRIDGE: —Sir, will Government accept that the public generally are fed up with the over-bearing attitude of the taxi drivers?

SECRETARY FOR THE ENVIRONMENT: —Sir, yes, one of the most frequent transport complaints that I receive is about taxi drivers.

MR LO: —Will Government also accept that sometimes it is absolutely impossible for the public to be satisfied in view of the fact it is frequently illegal for taxis to stop?

SECRETARY FOR THE ENVIRONMENT: —Yes, Sir.

### **Hong Kong Time**

12. MR JAMES WU asked: —

Sir, will Government state its intentions in regard to the proposed adoption of "Hong Kong Time"?

SECRETARY FOR HOME AFFAIRS: —Sir, the Government proposes to introduce legislation which will have the effect of maintaining Hong Kong Standard Time throughout next winter and summer and then to take another look at the matter to see what permanent arrangements should be made.

When the bill that would have authorized Hong Kong Standard Time was published, the Government had no strong views on the question of the best time for Hong Kong. It was thought that there

**[SECRETARY FOR HOME AFFAIRS] Oral answers**

was a slight preference for a time 9 hours ahead of GMT but it was also known that a good many would prefer GMT + 8.

The bill settled for GMT + 9 and certainly generated an animated discussion. At present GMT + 8 seems to be preferred though no doubt as soon as I say this I shall be told that many prefer GMT + 9.

We have tried GMT + 9 in the winter when it was adopted as a fuel saving measure at the end of 1973. It is now proposed that we should have a summer with GMT + 8. If after the experience of Standard Time throughout next winter and summer this is still the favoured time system it will be adopted permanently.

MR JAMES WU: —Sir, can my honourable Friend tell this Council why after so many years that we consider the change necessary?

SECRETARY FOR HOME AFFAIRS: —Sir, the arguments, I must confess, are very finely balanced (*laughter*) and hitherto they have been so finely balanced that we decided to do nothing. But we nerved ourselves up to making a proposal and of course found that, as we expected, the arguments were still very finely balanced. We are now trying to put an end to the argement but no doubt shall fail in this as well. (*laughter*)

DR CHUNG: —Sir, has Government considered GMT +  $8\frac{1}{2}$ ? (*laughter*)

SECRETARY FOR HOME AFFAIRS: —Yes, Sir. GMT +  $8\frac{1}{2}$  sounds like a nice, neat solution when people are quarrelling between 8 and 9. But it would be a rotten idea because very few other countries have any time other than that which differs from GMT by a whole number of hours.

**Government business****Motions****PENSIONS (INCREASE) ORDINANCE**

THE COLONIAL SECRETARY moved the following motion: —

That the Second Schedule to the Pensions (Increase) Ordinance be amended with effect from 1st October 1976—

- (a) in Part I by adding the following—
  - "9. The adjusted pension under paragraph 8 may be further increased by 11 *per cent.*";
- (b) in Part II by adding the following—
  - "8. The adjusted pension under paragraph 7 may be further increased by 11 *per cent.*";
- (c) in Part III by adding the following—
  - "8. The adjusted pension under paragraph 7 may be further increased by 11 *per cent.*";
- (d) in Part IV by adding the following—
  - "7. The adjusted pension under paragraph 6 may be further increased by 11 *per cent.*";
- (e) in Part V by adding the following—
  - "6. The adjusted pension under paragraph 5 may be further increased by 11 *per cent.*";
- (f) in Part VI by adding the following—
  - "5. The adjusted pension under paragraph 4 may be further increased by 11 *per cent.*";
- (g) in Part VII by adding the following—
  - "4. The adjusted pension under paragraph 3 may be further increased by 11 *per cent.*";
- (h) in Part VIII by adding the following—
  - "3. The adjusted pension under paragraph 2 may be further increased by 11 *per cent.*";
- (i) by adding the following—

"PART IX

*Applicable to a basic pension based on  
a salary in force from the 1st April 1974  
to the 30th June 1976 inclusive*

1. The basic pension may be increased by 11 *per cent.*".

He said: —Sir, I move the first motion standing in my name on the Order Paper.

It has been the practice in the past to increase civil service and widows and orphans pensions wherever salaries were generally increased, the aim being to ensure that the purchasing power of pensions

[THE COLONIAL SECRETARY] **Motions**

was not unduly affected by rising prices. There was no statutory provision for pensions to be increased and the increases were thus made on an *ex-gratia* basis; they were described as "temporary increases" and there were no very clear cut rules for assessing such increases.

To give legislative authority for future payments of the 14 *ex-gratia* increases in pensions which have been granted administratively since 1946, the Pensions (Increase) Ordinance 1975 and the Widows and Orphans Pension (Increase) Ordinance 1976 were passed by this Council on 19th November 1975 and 23rd June 1976 respectively. Provision was also made in the two Ordinances to enable any increases in pensions in the future to be effected by resolutions amending the respective Schedules to the ordinances.

In December 1975 the Government decided to adopt certain rules relating to the assessment of future increases in all pensions.

So, in the first place, the original purchasing power in Hong Kong of a retired officer's pension or annual allowance or a widows and orphans pension will be maintained by regular review (preferably annually). Changes in purchasing power will be measured by the Consumer Price Index (A). When an officer has elected to receive a gratuity and reduced pension the increase will be based, as at present, on the actual pension being paid.

The second rule which we decided to adopt a few months ago is that increases in pensions will be assessed independently of increases in salaries and will not be intentionally related to increases in salaries, either in terms of amount or effective date.

Thirdly, the payment of any increases in pensions considered to be justifiable as a result of a review will be effective from a specific date of implementation with no retrospectivity, *e.g.* 1st October.

I should add, Sir, for the record, that the award of any increase in pensions will always be subject to the provision of funds by this Council in the normal way, and must have regard to the prevailing financial and economic situation.

This is the first occasion on which these new rules have been applied and the review has covered the period from 1st April 1974, the base date of the last review (which resulted in a 10% increase payable with effect from 1st October 1974) through to 30th June 1976.  
As



the Consumer Price Index (A) was not available for the whole of this period it was necessary to use the old Modified Consumer Price Index in respect of the earlier part of the review.

There was an increase of 9.48% in the Moving Annual Average of the Modified Consumer Price Index during the period from 1st April 1974 to 30th June 1975, and an increase of 1.87% in the Moving Annual Average of Consumer Price Index (A) during the period from 1st July 1975 to 30th June 1976, giving an overall increase of 11.35% during the review period. In the light of these movements, it is proposed that all pensions in payment on the date of the review, *i.e.* 1st July 1976, should be increased by 11% with effect from 1st October 1976. The cost of the increases is estimated at \$6 million for the remainder of the current financial year and \$12 million in a full year.

*Question put and agreed to.*

### **WIDOWS AND ORPHANS PENSION (INCREASE) ORDINANCE**

THE COLONIAL SECRETARY moved the following motion: —

That the Schedule to the Widows and Orphans (Increase) Ordinance 1976 be amended by adding the following—

- "20. The pension calculated on the total contributions up to 31st March 1974 inclusive plus the total increase in pension up to 30th September 1976 inclusive may be increased by 11 *per cent* with effect from 1st October 1976.
21. The pension calculated on the contributions from 1st April 1974 to 30th June 1976 inclusive may be increased by 11 *per cent* with effect from 1st October 1976."

He said: —Sir, as my speech on the first motion standing in my name on the Order Paper covers also the subject of the second motion standing in my name, I move that motion without further a do.

*Question put and agreed to.*

**HONG KONG AND YAUMATI FERRY COMPANY  
(SERVICES) ORDINANCE**

THE FINANCIAL SECRETARY moved the following motion: —

With the consent of the Company, that the Schedule to the Ordinance be amended—

- (1) in paragraph 6 by deleting sub-paragraph (6) and substituting the following—

"(6) Notwithstanding sub-paragraph (1) no royalty shall be payable by the Company in respect of the years 1974, 1975, 1976, 1977, 1978 and 1979.";
- (2) in paragraph 7 by—
  - (a) being renumbered as sub-paragraph (1) thereof;
  - (b) deleting "The" in sub-paragraph (1) and substituting the following—

"Subject to sub-paragraph (2), the"; and
  - (c) the insertion of the following new sub-paragraph  

"(2) Notwithstanding sub-paragraph (1), no monthly fee shall be payable by the Company in respect of any month during 1975, 1976, 1977, 1978 and 1979."; and
- (3) in Appendix II under the heading "A. SERVICES OTHER THAN BETWEEN JUBILEE STREET FERRY PIER AND KWUN TONG FERRY PIER"—
  - (a) in item (c) by deleting "First" and substituting "Ordinary"; and
  - (b) by deleting item (d).

He said: —Sir, I rise to move the motion standing in my name on the Order Paper, which is introduced under section 5 of the Hong Kong and Yaumati Ferry Company (Services) Ordinance, Chapter 266. It seeks, first, to vary the Schedule to the Ordinance in order to absolve the company, during the calendar years 1975 to 1979 inclusive, from paying the stipulated 25% royalty on its net profits; as well as, secondly, to waive over the same period the prescribed \$20,000 monthly fee for the exclusive right to operate a passenger ferry service between North Point and Hung Hom.

The motion also seeks, thirdly, to introduce, as from 1st September 1976, a single one class fare of 30 cents for all adults and 20 cents for

all children 3 years of age and over but under 16 years, who travel on the company's across the harbour services, and would replace the separate first and second class passenger fares which are at present charged on these routes. The services to be affected include all the across the harbour services except those between Jubilee Street Ferry Pier and Kwun Tong Ferry Pier on which a one class fare of 50 cents is already charged.

Sir, the financial position of the Hong Kong and Yaumati Ferry Company was last discussed comprehensively in this Council on 17th July 1974, when a number of measures, including the waiver of royalty and fees, as well as certain fare increases, were approved. It was assumed at that time, that is in the middle of 1974, that the full effect of the opening of the Cross Harbour Tunnel on the demand for the Ferry Company's harbour services had already been felt; and also that the effect on the company's operating costs of the rise in oil prices and other cost increases had also been absorbed, and that operating costs would thereafter remain stable. On the basis of those assumptions it was forecast that the company would be able to earn an average annual return on its net fixed assets of about 8% over the remaining five years of its franchise, that is until 1979.

The intervening period has shown that the assumptions on which this forecast was based were too optimistic. Not only has the volume of both passenger and vehicular traffic using the company's cross harbour services continued to decline, but operating costs have also continued to increase. Thus the number of passengers carried on the company's harbour services fell by 7% in 1975 compared with 1974, that is from 131 million passengers in 1974 to 121 million in 1975, while the vehicular ferry services carried a half a million fewer vehicles in 1975 than in 1974, or a decline of as much as 13%. At the same time, the price of fuel oil continued to increase, by some 12% between July 1974 and July 1976.

In the light of these adverse trends, the company's rate of return was no more than 5.1% in 1974 and 5.4% in 1975. Moreover, in 1975 the profitability of its ferry operations taken on their own was even less, since, of the total net profit of \$6.2 million, some \$1.4 million accrued from dividends from subsidiary companies and approximately \$4 million from other non-traffic related sources, leaving only \$800,000 as being attributable to the ferry operations as such. And this situation is likely to worsen. For, even assuming that the proposals in this motion are approved, the most recent forecast of the company's financial position shows that it would be expected to earn only some 3% on its net fixed assets in 1976, and that there would be a loss in 1977

[THE FINANCIAL SECRETARY] **Motions**

which, short of further remedial measures, would steadily increase thereafter.

I am sure honourable Members will agree that this is a situation that cannot be allowed to develop and I can assure them that consultations are now being held between the Government and the company to work out the necessary remedial measures to put the company's finances on a sounder footing. But it has already become clear that certain steps should be taken immediately, as an interim measure, to improve the company's cash flow position. With this in mind, the company put forward the proposals which are contained in this motion and these proposals have received the support of the Government and of the Transport Advisory Committee.

First, there is the question of royalty. The royalty payable by the company under paragraph 6 of the Schedule to the Hong Kong and Yaumati Ferry Company (Services) Ordinance is 25% of the net profit of the company, ascertained in accordance with the provision of Part IV of the Inland Revenue Ordinance. The company has not yet submitted its 1975 taxation computations but, on the basis of information now available, it appears that, for tax purposes, a loss was made and that no royalty will be payable for that year. Nevertheless, in view of the low rate of return achieved by the company, it is considered necessary formally to abolish the royalty requirement for the remaining five years of the company's franchise period, as this will assist any further measures which may be taken in the future to improve the company's profitability.

Secondly, the company is also required under paragraph 7 of the Schedule to the Hong Kong and Yaumati Ferry Company (Services) Ordinance to pay a monthly fee of \$20,000 for the exclusive right to operate the North Point/Hung Hom passenger service; and it is proposed that the above fees should also be waived for the calendar years 1975 to 1979 inclusive. Honourable Members will, of course, recognize that a waiving of royalty and monthly fees for this company would be in harmony with the treatment already accorded to the "Star" Ferry Company, the bus companies and Hong Kong Tramways.

Thirdly, Sir, in spite of the fact that the company's outlying islands services have operated on a one-class system for some years, the across the harbour services still carry first and second class passengers. The existing first class fares are 30 cents for adults and

20 cents for children, while the second class fares are 20 cents for both adults and children. As a further step to improve the company's financial position, it is proposed that the present second class fare on these routes should be abolished and that a one-class fare system should be introduced with effect from 1st September 1976. The one-class fares would be 30 cents for adults and 20 cents for children under 16 years of age but not under 3 years of age. It is estimated that this proposal would produce additional revenue of approximately \$2.5 million each year and that it would also save about \$1 million per annum in staff and administrative costs.

The company has furthermore proposed that, if this motion is approved, steps will be taken to improve the facilities on the present lower decks of its cross harbour vessels, and it plans to spend some \$1.5 million to effect the necessary modifications. These improvements are expected to take about a year to complete but, in view of the need for immediate steps to improve the company's financial position, it is felt that the implementation of the one-class system should not be delayed beyond 1st September. There should, however, usually be sufficient room on the present first class deck for all passengers who wish to use it and I should emphasize that the necessary modifications to vessels will be effected as quickly as possible.

To summarize, Sir, the proposals in this motion, if brought into effect, are expected to improve the company's financial position by some \$4 million per annum, the greater part of which would arise from the adoption of a one-class system on the company's across the harbour services. They are considered essential as a first step towards restoring the company to reasonable profitability. But I would emphasize that, on their own, they will not be sufficient for this purpose and that further steps will need to be taken at a later stage. These further proposals, which will result from a detailed review of the whole of the company's operations which is now being undertaken, will be submitted to this Council as soon as they have been fully worked out and evaluated.

*(At this point Mr Alex Wu stated that he wished to declare an interest as a Director of the Hong Kong and Yaumati Ferry Company and would therefore abstain from voting on this motion.)*

*Question put and agreed to.*

**FACTORIES AND INDUSTRIAL UNDERTAKINGS  
ORDINANCE**

MR PRICE moved the following motion: —

That the Factories and Industrial Undertakings (Dry Batteries) Regulations 1976, made by the Commissioner for Labour on the 26th July 1976, be approved.

He said: —Sir, I move the first motion standing in my name on the Order Paper for the approval of the Factories and Industrial Undertakings (Dry Batteries) Regulations 1976. These regulations were made by me on 26th July 1976 and have been submitted to Your Excellency in accordance with section 7(3) of the Factories and Industrial Undertakings Ordinance.

The principal chemicals used in the manufacture of dry batteries are carbon black, manganese dioxide and ammonium chloride. Carbon black causes irritation to the eyes, manganese dioxide is toxic and can have cumulative poisonous effects on the central nervous system, and ammonium chloride can cause dermatitis. However, the main risk is the possibility of poisoning by manganese dioxide which may be ingested, inhaled or absorbed through the skin.

The regulations aim at controlling these health hazards to workers by the following measures—

- (i) proper ventilation of workplaces to keep contaminants in the atmosphere within safe limits;
- (ii) segregation of certain processes of manufacture, and proper storage of chemicals in order to reduce the risk of contamination;
- (iii) the provision by the proprietor, and use by workers, of protective clothing to avoid contact with these chemicals;
- (iv) a minimum standard of cleanliness of workplaces;
- (v) washing facilities for workers.

At present, control over the manufacture of dry batteries is exercised by way of special requirements under the provisions of section 7(4) of the Factories and Industrial Undertakings Ordinance. This method of control is unsatisfactory because special requirements can only be imposed after the process has been in operation for some time. To comply with the requirements, the proprietor may have to make alterations to his factory or to the process. The proposed regu-

lations will help proprietors to design their premises and processes properly before operation. They will also replace the existing cumbersome method of control and render enforcement easier.

I propose to bring these regulations into effect on 1st January 1977, thus allowing a period of grace of some five months. Because of the small number of establishments in this industry, it is not my intention to issue a guide to these regulations. However, the factory inspectorate will advise individually the proprietors of these establishments.

The Labour Advisory Board considered the principles behind these regulations on 12th December 1973 and unanimously agreed to them. However, discussions with other Government departments became protracted due to entanglement with other issues. The manufacture of dry batteries, although dangerous, is at present limited to only 11 establishments, employing about 2,000 workers. I understand that these firms have been consulted through the Federation of Hong Kong Industries and no objections have been raised.

MR JAMES WU: —Sir, I am pleased to give support to the motion proposed by my honourable Friend the Commissioner for Labour for the approval of the Factories and Industrial Undertakings (Dry Batteries) Regulations 1976.

As Chairman of the Federation of Hong Kong Industries, I had consulted the industry concerned and met with its representatives.

I was advised that their factories had to provide for requirements for Offensive Trades administered by the Urban Council. They also said that in general their present facilities incorporate provisions that are equal or better than those required under the proposed regulations. They see no difficulty nor hardships incurred due to the implementation.

Sir, this industry, like some others in Hong Kong, have a good sale in the world's free markets and the manufacturers have modernized to meet sales and production demands, and to provide good working conditions to attract labour. It would seem therefore that for those who are genuinely interested in the welfare of their working brethren, transcending national boundaries, removal of trade restrictions would be a more effective answer, as in general, an efficient, productive and hence economic plant normally provides for proper safety and amenities for its workers.

*Question put and agreed to.*

**FACTORIES AND INDUSTRIAL UNDERTAKINGS  
ORDINANCE**

MR PRICE moved the following motion: —

That the Factories and Industrial Undertakings (Guarding and Operation of Machinery) Regulations 1976, made by the Commissioner for Labour on the 26th July 1976, be approved.

He said: —Sir, I move the second motion standing in my name in the Order Paper for the approval of the Factories and Industrial Undertakings (Guarding and Operation of Machinery) Regulations 1976. These regulations were made by me also on 26th July 1976 and have been submitted to Your Excellency in accordance with the provisions of section 7(3) of the Factories and Industrial Undertakings Ordinance.

The number of accidents caused by machinery is high, comprising about one-third of all reported industrial accidents and this number has steadily increased from 5,744 in 1972 to 7,646 in 1975. Fencing of machinery is at present required by regulation 23 of the Factories and Industrial Undertakings Regulations. However, these provisions are couched in broad and general terms. They simply require all prime movers, transmissions and dangerous parts of machinery to be securely fenced to the satisfaction of the Commissioner. Dangerous parts of machinery are not defined. Thus while the duty imposed on a proprietor is absolute, there is no indication or guidance to him as to what constitutes danger. This makes compliance and enforcement difficult because it can be argued that the lack of detailed specifications leaves too much to the interpretation of the individual, be he a factory inspector or an individual employer. For these reasons, the existing regulation 23 is unsatisfactory and a separate set of safety regulations is necessary to provide for the proper guarding of machinery.

Briefly, the regulations now before Council define in the First Schedule dangerous parts of machinery or plant which need effective guarding. Methods of guarding are provided in regulation 5. A proprietor has the choice of adopting any one of the five methods provided therein, or a combination of any of them. These methods are stated as principles of guarding rather than as descriptions of actual guards. They are fixed guard, interlocking guard, automatic guard, trip guard, and two-handed control device.

It is not possible to assess the approximate cost of industry of the additional guarding, but it must be remembered that as the law now stands, all dangerous parts of machines are required to be securely fenced under regulation 23. The proposed new regulations would not



necessarily mean the provision for the first time of guards for each and every machine in Hong Kong. However, I appreciate that employers may have to make adjustments and modifications to their machines which have not been adequately and properly guarded. I therefore propose to bring these regulations into effect on 1st April 1977, giving a period of grace of more than six months. During this intervening period the Factory Inspectorate will lay great emphasis on the contents of these regulations by training and publicity including posters for the general education of workers and employers. Thereafter I envisage a further period of at least six months when the regulations will be enforced with discretion.

Reverting to the matter of costs, I suggest that this should not be looked at solely in the context of the cost of providing effective guarding. An accountant can readily point to the cost of preventive measures, but he is not concerned, unfortunately, with the cost of accidents which could have been prevented by the original outlay. I suggest that it is the whole community which bears the cost of industrial accidents rather than just the factory or the industry which causes them.

To assist proprietors to understand and comply with the new regulations, I intend to issue, free of charge, a handbook in English and Chinese setting out clearly the new requirements and containing illustrations of the various types of guarding suitable for the more commonly found machines. Such a handbook has been drafted, and can be put to print if these regulations are approved by this Council. In addition, early next year and before these regulations come into force, I intend to organize a display of machinery guarding in the Industrial Safety Training Centre of the Labour Department in the Canton Road Government Offices. This display will demonstrate to employers and employees the different methods of guarding which can render safe the 17 types of dangerous parts of machinery, as defined in the First Schedule of the Regulations.

The Labour Advisory Board was consulted in April 1975 when members unanimously approved the principles of these regulations. The major employers' associations were consulted in March 1976. The points raised by them have either been met or explained to their satisfaction. A working party of Honourable Unofficial Members considered the proposed regulations on 30th June 1976 and made a number of useful suggestions which have now been incorporated in the regulations.

Finally, Sir, I wish to take this opportunity of thanking my honourable Friend Dr CHUNG for his assistance to me in his personal

**[MR PRICE] Motions**

capacity during the early stages of the drafting of these regulations. His help was invaluable.

MR JAMES WU: —Sir, I am pleased to speak in support of the motion to approve the Factories and Industrial Undertakings (Guarding and Operation of Machinery) Regulations 1976, and to praise my honourable Friend, Mr PRICE, and his colleagues in the Labour Department for the constructive way with which they have approached the problem of industrial safety in regard to the operation of machinery.

Like many developing countries, Hong Kong is going through an industrial revolution and, I am glad to say, with success that are nothing short of being spectacular. With this also comes a lot of conscience and evolution in the regard for the safety and well-being of the working people. This trend has been helped by the growing demand and therefore higher wages for workers and rising insurance premiums, and by the many enlightened owners, managers who believe in the saying that the "Biggest Assets of the business are its working People". This should be more so as skilled and experienced people are increasingly difficult to find in Hong Kong.

My honourable Friend is essentially correct in two points, one that it would be difficult though not impossible to enforce safety precautions under existing legislation, and the other that the proposed regulations would not necessarily mean the provision of guards for the first time for each and every machine in Hong Kong, as, particularly in our larger and better equipped factories, such guards do exist.

Nevertheless, in the interests of workman safety, the question of costs must take secondary consideration. Of greater concern is the effective compliance through conscientious efforts by those directly concerned with supervision and operation on the shop floor level.

For too often in the past, causes of accidents could be attributable to ignorance, laxity, or indifference, and the eagerness to increase production under incentive schemes, as well designed and effective guards had been dismantled or misused.

My honourable Friend is therefore very correct in his approach through education and publicity, and having had the opportunity to read his draft copy of Handbook on Guarding of Machinery, I too can highly recommend it to those engaged in the use of machinery. Nonetheless I must stress on the importance of bringing the message

and daily reminder to the shop floor by the use of well-designed posters. Finally I agree with commendation that the regulations before council have been drafted with the needs of Hong Kong's industry in mind, and deserve the full support of all factory owners and workers.

MR PRICE: —I would like to thank my honourable Friend for his kind remarks and support for the regulations, Sir.

*Question put and agreed to.*

**HONG KONG AND YAUMATI FERRY COMPANY  
(SERVICES) ORDINANCE**

THE SECRETARY FOR THE ENVIRONMENT moved the following motion: —

With the consent of the Company, that the Schedule to the Ordinance be amended—

(a) in Appendix I—

(i) under the heading "FERRY RUNS", by adding, after item (u), the following new item—

"(v) Ma Liu Shui—Wu Kai Sha."; and

(ii) under the heading "FERRY POINTS AND FRONTAGES", by adding, after item (p), the following new items—

"(q) Ma Liu Shui      The shore from Ma Liu Shui Point to  
Ho Tung Lau.

(r) Wu Kai Sha      The shore from the eastern extremity  
of Wu Kai Sha Tsui to Tai Shui  
Hang."; and

(b) in Appendix II, under the heading "2. OTHER SERVICES", by adding, after item (o), the following new item—

	<i>Hoverferry Service</i>	<i>Deluxe Class</i>	<i>Ordinary Class</i>
"(p) Ma Liu Shui —Wu Kai Sha	\$5.00	\$4.00	\$1.00

(No freight is carried on this route and children under 16 years of age shall be charged full fare)".

[THE SECRETARY FOR THE ENVIRONMENT] **Motions**

He said: —Sir, I move the motion standing in my name on the Order Paper in respect of the Hong Kong and Yaumati Ferry Company (Services) Ordinance.

The motion seeks to include in the Schedule to the principal Ordinance the ferry service between Ma Liu Shui and Wu Kai Sha, which is currently being operated by the Hong Kong and Yaumati Ferry Company on a licence granted by the Commissioner for Transport under the Ferries Ordinance.

This service was started in July 1974 when it was necessary to replace the kaito services which illegally carried large numbers of picnickers between Ma Liu Shui and Wu Kai Sha. These kaitos were not suitable for this type of work and could not handle the overloading that occurred. Honourable Members will recall that in February 1974 a motor junk loaded with picnickers capsized off Ma Liu Shui resulting in the death of 3 passengers.

The present service operated by the Hong Kong and Yaumati Ferry Company uses proper ferryboats meeting the required safety standards and has proved popular with picnickers carrying an average of over 30,000 passengers a month. Since this service has been running satisfactorily, it is proposed that it should be given more permanent status by inclusion in the Company's franchise.

The existing fare of \$1.00 for the ordinary class will be maintained. The deluxe class fare at \$4.00 and the hoverferry fare at \$5.00, have been included in the schedule so that a more comfortable service can be introduced in future, should the demand arise.

*(At this point Mr Alex WU stated that he wished to declare an interest as a Director of the Hong Kong and Yaumati Ferry Company and would therefore abstain from voting on this motion.)*

*Question put and agreed to.*

**Motion (in Committee)****Supplementary provisions for the quarter ended 31st March 1976**

Council went into Committee, pursuant to Standing Order 58(2), to consider the motion standing in the name of the FINANCIAL SECRETARY.

THE FINANCIAL SECRETARY moved the following motion: —

That this Council approves the proposals set out in Paper No 52.

He said: —Sir, I move the motion standing in my name in the Order Paper.

The schedule of supplementary provision for the fourth quarter of the financial year 1975-76, that is for the period 1st January 1976 to 31st March 1976, amounts to a total of \$231 million. This is a relatively low figure compared with the same quarter of the financial year 1974-75, when supplementary provision amounted to \$587 million.

Within the total of \$231 million, payments to the Development Loan Fund amounted to \$99.8 million, additional expenditure on public assistance to \$39.3 million, while additional expenditure on Public Works Non-Recurrent items came to \$29.1 million. The latter was required as a result of more rapid progress on a number of existing projects, together with certain new projects which were upgraded or included for the first time in Category A of the Public Works Programme.

Other supplementary provision which should be mentioned includes \$29 million to meet additional unforeseen expenditure expected to arise during the year 1975-76, \$5.9 million for supplementary grants to the universities to cover cost increases, \$15.1 million for subsidies to students travelling on public transport, and \$12.8 million for meeting the construction costs of the Polytechnic and Universities Main Building Programme.

The supplementary provision covered by the schedule results in a net increase of \$164.8 million in approved expenditure for the year 1975-76, the remainder being offset by savings from other subheads of expenditure.

The Finance Committee has approved all the items in the schedule and the purpose of this motion is to seek the covering authority of this Council.

*Question put and agreed to.*

Council then resumed.

THE FINANCIAL SECRETARY reported that the motion had been agreed to in committee without amendment.

*Question agreed by the whole Council pursuant to Standing Order 58(4).*

**Second reading of bills****COMMODITIES TRADING BILL 1976****Resumption of debate on second reading (23rd June 1976)**

*Question proposed—*

MR LO: —Sir, speaking in this Council last year during the debate on the motion to approve in principle the establishment of a Commodity Exchange in Hong Kong my honourable Friends, Dr S. Y. CHUNG and Mr James WU, called for adequate and enforceable legislative measures to be devised in order to reduce to an acceptable level opportunities for speculation by small investors.

Although my honourable Friend the Financial Secretary responded very quickly at the time with an assurance that this would be done, the Commodities Trading Bill 1976 as presented to this Council six weeks ago contained no provision whatsoever against syndication and touting for syndicated contracts and provided no real practical sanction to discourage "fly-by-night" operators who do not register as dealers from dealing in commodities futures.

Following initial consideration of the bill the Unofficial Members formed an *ad hoc* group to study its provisions in depth. The task of convening the group fell to me and after a series of meetings with my honourable Friend the Financial Secretary and other officials concerned with the bill, I am happy to say that the official side has been most receptive to the suggestions made by the group and has agreed to introduce a number of amendments at the committee stage designed primarily to prevent the small investor from speculating in the commodities market.

The first protective measure that the group has introduced may be found in the proposed subclause (6) of clause 26 which provides that

"Any futures contract made by any person, whether as principal or agent, who is required to be registered under subsection (1) and who is not registered as so required, may be rescinded by any other party to the contract who, upon so doing, shall be entitled to recovery of any money or other thing he may have paid or delivered under the contract."

The group felt that this clause should be adequate to discourage an unscrupulous person forming "fly-by-night" companies in the face of the requirement to register as a dealer. Without this new subclause,

no matter how well organized the rules and regulations may be for registered dealers, it would not be possible really to stamp out the current practices of a number of unscrupulous dealers whose business methods have stimulated so much public concern over the business of a Commodity Exchange which, when responsibly run, is a perfectly legitimate business. I trust that the Government will ensure that the Securities Commission will be adequately strengthened to ensure that the exchange will be responsibly run.

The other important provision inserted by the group relates to the prohibition of syndication and the prohibition of touting for syndicated business. This is covered by new clause 112A. Honourable Friends will see that this new clause makes it an offence for a dealer or his representative to make or offer to make a syndicated contract. It remains merely for me to ask an assurance from Government that in the unlikely event that a registered dealer is discovered to have committed an offence under this clause, he will forthwith have his licence revoked.

Sir, with these remarks and subject to the enactment of the amendments to be moved by my honourable Friend the Colonial Secretary at the committee stage later this afternoon, I support the bill.

THE COLONIAL SECRETARY: —Sir, I am grateful for the support my honourable Friends have afforded this bill and, in particular, for the thorough study undertaken by the *ad hoc* group of Unofficial Members under the energetic and persistent direction of my honourable Friend Mr T. S. LO.

This group studied in detail the original proposals and made certain representations regarding rescission of contracts under certain circumstances, syndication and touting for syndicated contracts.

I am happy to say that, as a result, I shall be moving at the Committee Stage certain amendment to the bill to cater for the suggestions made by the *ad hoc* group and accepted by the official side.

Other amendments may well be necessary in the light of experience in due course for I am only too conscious and so is the legal draftsman of the complexity of the task of drafting such a comprehensive piece of legislation for a new market in Hong Kong. Whilst the bill provides adequate and enforceable measures to reduce to an acceptable level opportunities for speculation by small investors it does not in any way restrict the rights of responsible participants in the market. Rather, it provides the basic framework which will permit the rational and orderly development of a commodities market in Hong Kong. Of

[THE COLONIAL SECRETARY] **Commodities Trading Bill—resumption of debate on second reading (23.6.76)**

course, having drafted the bill and seen it through this Council, the Government does not see its role as finished: the Commodities Trading Commission and the Commissioner and his staff are the Government's chosen instruments for advice and for the enforcement of the provision of the Ordinance when enacted and brought into effect. Accordingly, I am sure this Council will permit me to say that adequate resources will be made available to the Commission to enable it adequately to meet their important statutory obligations.

*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).*

**BOOKS REGISTRATION BILL 1976**

**Resumption of debate on second reading (26th May 1976)**

*Question proposed.*

SECRETARY FOR HOME AFFAIRS: —Sir, this bill, which was not expected to be controversial or complicated, has turned out to be rather more tricky than we first thought. The object was to improve the keeping of a store of new books without causing inconvenience to the trade. The trade was glad to co-operate. I am most grateful to my honourable Friend, Mr Alex WU, and other Members who have taken such trouble with this bill to ensure that we do not inadvertently cause unnecessary work. The outcome of the discussions on the bill is a series of amendments which I shall move during the Committee Stage and which it is probably more convenient to explain now.

Some of the definitions in clause 2 are amended. The main change is an amendment of the definition of "book" in clause 2 that is, the definition of the publication that must be deposited with the Director of Urban Services. The definition of "book" is still comprehensive but there is now provision for a schedule of items to be exempted from requirements of the ordinance. We do not wish newspapers, price lists or other ephemeral documents to be deposited and never have done. If the operation of the ordinance causes unexpected incon-



venience then there is power for the Governor to amend the schedule of exempted books.

The definition of publisher is to be amended to pinpoint more clearly the person who is responsible for discharging obligations under the bill.

The \$5,000 fine is to be reduced to \$2,000 which is perhaps more appropriate for the unlikely event of a serious contravention of the provisions of the ordinance.

In two tidying up amendments the reference to reprinting in the definition of "new book" has been found to be unnecessary as the question is already covered by another paragraph. The long title of the bill is to be changed to reflect the order in which things happen to a book before it can be purchased, that is, that it is printed, produced or published rather than published, printed or produced. (*laughter*)

I should like to repeat my thanks for the help that the Government has had in clarifying the aims of this bill. I hope it now works happily.

*Question put and agreed to.*

Bill read the second time.

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

**PUBLIC HEALTH AND URBAN SERVICES (AMENDMENT)  
(No 3) BILL 1976**

**Resumption of debate on second reading (21st July 1976)**

*Question proposed.*

MR JAMES WU: —Sir, since my honourable Friend the Acting Secretary for the Environment moved the Second Reading of the Public Health and Urban Services (Amendment) (No 3) Bill 1976, I have received a representation from the President of the Air-Conditioning and Refrigeration Association, Hong Kong, to the effect that whilst the trade would, I quote, "not object to such a regulation, they would respectfully ask, if before being passed into law, consideration could be given to rewording the amendment, so that it would include the provision for a more specific scientific measurement of noise, related to any existing background noise".

[MR JAMES WU] **Public Health and Urban Services (Amendment) (No 3) Bill—  
resumption of debate on second reading (21.7.76)**

Sir, by the way paragraph (g) of the existing Ordinance is worded, and by the proposed addition of a paragraph (h), Government's hands would indeed be strengthened in responding to complaints of this nature. However, the trade is, I believe, justifiably concerned in that since air-conditioning and ventilating equipment has to reject heat to the environment in order to provide for internal cooling, and in doing so invariably generates some external noise, the user would be liable to prosecution at the judgment or discretion of the enforcing officer. This situation is of course undesirable particularly as it would easily lead to abuse and corruption. I believe, however, a remedy could be found if the Advisory Committee on Environment Pollution (EPCOM) or the enforcing authority could, through consultation with the trade, devise workable guide-lines as to an acceptable level of temperature, heat or noise generated in relation to a location that would not constitute an offence. It is believed that standards and reference material of this nature are available from advanced countries such as the USA. I would therefore be grateful if my honourable Friend would be prepared to give the matter full consideration.

Sir, my Unofficial colleagues have advised me that the matter is of general concern, but I believe that, as a manufacturer of this type of equipment, I need to declare an interest.

With these remarks, I support the motion before Council.

MR CHEONG-LEEN: —Sir, twenty years ago, when there were few air conditioning units in Hong Kong, there were hardly any complaints about the noise of electric table or ceiling fans.

Since then, as more multi-storey buildings have been built, the electric fan has been replaced by central ventilating systems and window type air conditioning units.

A large number of the multi-storey buildings are of the commercial-cum-domestic type. Quite a few complaints on noise received by the Urban Services Department have to do with the ventilating systems of restaurants disturbing the comparative quiet of domestic homes in the same building.

It is not possible at present to set any specific standard for excessive noise which would be considered as a nuisance. So much depends

on the surrounding conditions, and the ambient noise level during the day and night.

Urban Services Department Officers will therefore have to proceed cautiously and empirically, even though subjectively, in investigating all complaints on excessive noise.

The passage of this bill at this time should give advance warning to owners of ventilating systems, including window type air conditioning units whether in offices or homes, that they should bear more in mind the probable noise nuisance which could be caused to their neighbours if their units are defective, too old or not properly installed.

With the coming of summer, year after year, the problem of excessive noise of this sort could grow, particularly since more people are becoming aware of noise as a source of pollution. The Urban Services Department will have to expand its training courses for its officers to know how to handle complaints of noise pollution so that the spirit and intent of this ordinance can be made enforceable in a practical, common sense way.

SECRETARY FOR THE ENVIRONMENT: —Sir, I welcome the useful remarks made by my honourable Friends in supporting this motion.

I agree that there is a need to consider establishing guidelines for implementing the provisions of the bill, and my colleague the Director of Urban Services will be glad to discuss these with the trade, as suggested by my honourable Friend Mr James WU. Also, I am quite sure that EPCOM will want to keep the arrangements under review.

I should like to thank my honourable Friend Mr Hilton CHEONG-LEEN for emphasizing the importance of this bill and for explaining why it would be difficult to rely on rigid standards (as opposed to guidelines). With regard to his suggestion about training, my honourable Friend will be glad to know that the officers responsible for handling complaints about noisy ventilating systems and air conditioners, are already attending a series of training courses on this subject.

Finally, I wish to assure honourable Members that the Director of Urban Services is aware of the need to tread carefully in implementing the provisions of this bill.

*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.

**COMMODITIES TRADING BILL 1976**

## Clause 1

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

This amendment will enable the commencement of the ordinance to be phased in so as to avoid inconvenience of any administrative problems that might otherwise result.

*Proposed amendment**Clause*

1 That clause 1 be deleted and the following substituted therefor—

"Short title and com- mence- ment. **1.** This Ordinance may be cited as the Commodities Trading Ordinance 1976 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*, and notices under this section may appoint different dates for different provisions of this Ordinance."

The amendment was agreed to.

Clause 1, as amended, was agreed to.

## Clause 2

THE COLONIAL SECRETARY: —Sir, I move that clause 2 be amended as set forth in the paper before honourable Members.

The definition of "Disciplinary Committee" is being amended to make it quite clear that the Committee is not a Standing Committee but an *ad hoc* Committee appointed to deal with specific cases as they arise.

*Proposed amendment**Clause*

- 2 That clause 2 be amended in subclause (1) by deleting the definition of "Disciplinary Committee" and substituting the following—

"Disciplinary Committee" means a Disciplinary Committee of the Commission appointed under section 66, and "the Disciplinary Committee" means the Disciplinary Committee concerned with the matter or thing in question;".

The amendment was agreed to.

Clause 2, as amended, was agreed to.

Clauses 3 to 25 were agreed to.

*Clause 26*

THE COLONIAL SECRETARY: —Sir, I move that clause 26 be amended as set forth in the paper before honourable Members.

The addition of the new subclause is to permit the rescission by any person of a futures contract made with an unregistered dealer. This new provision has been added as a result of discussions with the *ad hoc* group of Unofficial Members. It is felt that an additional sanction to that of carrying on business as a dealer when unregistered is necessary further to dissuade unscrupulous persons from offering futures contracts to small investors. The knowledge that a "client has the right to rescind any such contract will, it is believed prevent such contracts from being offered. That is to say, to the extent that unregistered dealers insist on offering contracts to unsuspecting clients, this will provide a positive disincentive to do so for the dealer faces the sanction of rescission of contracts as well as the penalty for contravening the provision of clause 26(5) which provides for a fine of \$50,000 for carrying on the business as an unregistered dealer.

*Proposed amendment**Clause*

- 26 That clause 26 be amended by adding the following new subclause—

"(6) Any futures contract made by any person, whether as principal or agent, who is required to be

**Commodities Trading Bill—committee stage**

registered under subsection (1) and who is not registered as so required, may be rescinded by any other party to the contract who, upon so doing, shall be entitled to recovery of any money or other thing he may have paid or delivered under the contract."

The amendment was agreed to.

Clause 26, as amended, was agreed to.

Clauses 27 to 32 were agreed to.

Clause 33

THE COLONIAL SECRETARY: —Sir, I move that clause 33 be amended as set forth in the paper before honourable Members.

This is consequential to the amendment to clause 1.

*Proposed amendment**Clause*

33 That clause 33 be amended in subclauses (14) and (15) by deleting "Ordinance" and substituting the following—  
"section".

The amendment was agreed to.

Clause 33, as amended, was agreed to.

Clauses 34 to 43 were agreed to.

Clause 44

THE COLONIAL SECRETARY: —Sir, I move that clause 44 be amended as set forth in the paper before honourable Members.

This is consequential to the amendment to clause 46. The definition of "deposit" is being deleted as it will no longer be required as I shall explain in a moment.

*Proposed amendment**Clause*

44 That clause 44 be amended by deleting the definition of "deposit".

The amendment was agreed to.

Clause 44, as amended, was agreed to.

Clause 45 was agreed to.

Clause 46

THE COLONIAL SECRETARY: —Sir, I move that clause 46 be amended as set forth in the paper before honourable Members.

This amendment is being made in response to representations submitted by commodity brokers. It is accepted that there is a fundamental difference between trading in securities on a cash basis and trading in commodities which is done by original and variation margins. The very nature of commodity trading demands that realized profits be reinvested without delay. No commodity market in London, New York or Chicago provides for the payment of interest. I accept that Hong Kong cannot be unique at least in this respect. However, the principle of segregated accounts is retained. The requirement to maintain a segregated account with a licensed bank has been expanded to include a company registered under the Deposit-taking Companies Ordinance and any organization specifically approved by the Commissioner.

*Proposed amendment**Clause*

46 That clause 46 be amended—

(a) by deleting subclause (1) and substituting the following—

(3 of 1976.) "(1) A dealer shall establish and keep with an organization approved by the Commissioner for the purposes of this subsection, a deposit-taking company registered under the Deposit-taking Companies Ordinance 1976 or a licensed bank, one or more segregated accounts into which he shall pay, within

**Commodities Trading Bill—committee stage**

4 bank trading days after their receipt, all amounts (less brokerage and other proper charges relating to the requirements of a clearing house or other clearing organization) which are received from, or for the account of, any client in respect of the purchase or sale of futures contracts, except those amounts paid to that client, or in accordance with his directions, not being directions for the payment into an account of the dealer which is not a segregated account."; and

(b) by deleting subclause (4).

The amendment was agreed to.

Clause 46, as amended, was agreed to.

Clauses 47 to 49 were agreed to.

Clause 50

THE COLONIAL SECRETARY: —Sir, I move that clause 50 be amended as set out in the paper before honourable Members.

This amendment is consequential to the amendment to clause 1.

*Proposed amendment**Clause*

50 That clause 50 be amended in subclause (1)(a) by deleting "Ordinance" and substituting the following—  
"section".

The amendment was agreed to.

Clause 50, as amended, was agreed to.

Clauses 51 to 65 were agreed to.

Clause 66

THE COLONIAL SECRETARY: —Sir, I move that clause 66 be amended as set out in the paper before honourable Members.



This and the next amendment I shall be moving are designed to make it clear that the Disciplinary Committee is to be appointed to deal with specific cases and is not a Standing Committee.

*Proposed amendment*

*Clause*

66 That clause 66 be amended by deleting subclause (1) and substituting the following—

"(1) Where the appointment of a Disciplinary Committee is necessary for the purpose of considering any appeal under this Ordinance, the Commission shall, and where it appears to the Commission to be desirable that any allegation should be inquired into by a Disciplinary Committee, the Commission may, appoint a Disciplinary Committee of the Commission for that purpose."

The amendment was agreed to.

Clause 66, as amended, was agreed to.

Clause 67

THE COLONIAL SECRETARY: —Sir, I move that clause 67 be amended as set out in the paper before honourable Members.

*Proposed amendment*

*Clause*

67 That clause 67 be amended in subclause (1) by deleting "The Disciplinary Committee" and substituting the following—

"A Disciplinary Committee appointed for that purpose".

The amendment was agreed to.

Clause 67, as amended, was agreed to.

Clauses 68 to 81 were agreed to.

Clause 82

**Commodities Trading Bill—committee stage**

THE COLONIAL SECRETARY: —Sir, I move that clause 82 be amended as set out in the paper before honourable Members.

This minor amendment will permit the deposits made by the Exchange Company on behalf of its shareholders to be paid either wholly in cash or equally between cash and a bank guarantee.

*Proposed amendment**Clause*

82 That clause 82 be amended in subclause (1)(b) by inserting after "the Commission" the following—  
", or a further amount of \$25,000 in cash".

The amendment was agreed to.

Clause 82, as amended, was agreed to.

Clauses 83 to 86 were agreed to.

Clause 87

THE COLONIAL SECRETARY: —Sir, I move that clause 87 be amended as set out in the paper before honourable Members.

This amendment, and the next two amendments I shall be moving, are simply consequential to the amendment to clause 1.

*Proposed amendment**Clause*

87 That clause 87 be amended in subclause (6) by deleting "Ordinance" and substituting the following—  
"section".

The amendment was agreed to.

Clause 87, as amended, was agreed to.

Clauses 88 to 105 were agreed to.

Clause 106

THE COLONIAL SECRETARY: —Sir, I move that clause 106 be amended as set out in the paper before honourable Members.

*Proposed amendment*

*Clause*

106 That clause 106 be amended in subclause (1) by deleting "Ordinance" and substituting the following—  
"section".

The amendment was agreed to.

Clause 106, as amended, was agreed to.

Clause 107

THE COLONIAL SECRETARY: —Sir, I move that clause 107 be amended as set out in the paper before honourable Members.

*Proposed amendment*

*Clause*

107 That clause 107 be amended in subclause (1) by deleting "Ordinance" and substituting the following—  
"section".

The amendment was agreed to.

Clause 107, as amended, was agreed to.

Clauses 108 to 115, First and Second Schedule were agreed to.

New clause 112A "Provision against syndicated trading".

*Clause read the first time and ordered to be set down for second reading pursuant to Standing Order 46(6).*

THE COLONIAL SECRETARY: —Sir, in accordance with Standing Order 46(6), I move that the new clause 112A as set forth in the paper before honourable Members be read the second time.

This new clause 112A has been added to make provision against syndicated trading. This is an important amendment and is a direct

[THE COLONIAL SECRETARY] **Commodities Trading Bill—committee stage**

consequence of the talks with the *ad hoc* group to which I alluded to earlier. This clause prohibits a dealer, or his representative, from making, or offering to make, a futures contract with a syndicate or with a person whom he knows, or has reason to believe, is acting on behalf of a syndicate. A dealer guilty of such an offence will, in addition to having his licence revoked, be liable on conviction to a fine of \$25,000 and to imprisonment for one year. A similar provision precludes any person on behalf of a registered or unregistered dealer from touting for futures contracts with syndicates. It will be an offence for any person to invite or offer to arrange for syndicated contracts. This clause should go a long way towards eliminating syndicated trading and therefore reduce the exposure of the small investor to the risks of speculation in commodity futures contracts.

*Question put and agreed to.*

Clause read the second time.

THE COLONIAL SECRETARY: —Sir, I move that new clause 112A be added to the bill.

*Proposed Addition**Clause*

New 112A That the following new clause be added after clause 112—

"Provision against syndicated trading. **112A.** (1) Subject to subsection (4), any dealer or dealer's representative who makes or offers to make a futures contract, whether on his own behalf or otherwise, with two or more individuals, or with a single individual knowing or having reason to believe that the individual is acting on behalf or for the benefit of two or more individuals, shall be guilty of an offence and shall be liable on conviction to a fine of \$25,000 and to imprisonment for 1 year.

(2) Subject to subsection (4), any person who invites or offers to arrange for—

- (a) any individual to participate in a futures contract in which two or more other individuals also participate or are likely to participate; or
- (b) any individual to make a futures contract knowing or having reasonable cause to believe that the in-

dividual will do so on behalf or for the benefit of two or more other individuals,  
shall be guilty of an offence and shall be liable on conviction to a fine of \$25,000 and to imprisonment for 1 year.

- (3) For the purposes of subsections (1) and (2)—
- (a) an individual who makes a futures contract acts for the benefit of every individual who shares in the profit or loss on the contract; and
  - (b) an individual participates in a futures contract if he shares in the profit or loss on the contract.
- (4) The Commission may be order published in the *Gazette* exempt any person or contract or class or description of person or contract from subsection (1) and (2).".

The addition of the new clause was agreed to.

### **BOOKS REGISTRATION BILL 1976**

Clause 1 was agreed to.

Clause 2

SECRETARY FOR HOME AFFAIRS: —Sir, I move that clause 2 be amended as set out in the paper before honourable Members.

This puts the excluded books into a schedule, tidies up the definition of "new book" and defines "publisher" more sharply.

#### *Proposed amendment*

##### *Clause*

- 2 That clause 2 be amended—
- (a) in the definition of "book"—
    - (i) by deleting "but does not include—" and substituting the following—  
"but does not include any book specified in the Schedule;"; and
    - (ii) by deleting paragraphs (i) and (ii);
  - (b) in paragraph (b) of the definition of "new book"—
    - (i) by deleting "reprint or"; and

**Books Registration Bill—committee stage**

- (ii) by deleting "reprinted or"; and
- (c) in the definition of "publisher" by deleting paragraphs (b) and (c) and substituting the following—
  - "(b) in the case of a book printed or produced in, but not published in, Hong Kong, the agent in Hong Kong of the publisher or, in the absence of an agent, the person primarily responsible for the printing or production of the book;
  - (c) in the case of a photographic copy of a book, the agent in Hong Kong of the publisher or, in the absence of an agent, the person in Hong Kong primarily responsible for the photographic copying of the book."

The amendment was agreed to.

Clause 2, as amended, was agreed to.

Clause 3

SECRETARY FOR HOME AFFAIRS: —Sir, I move that clause 3 be amended as set out in the paper before honourable Members. This reduces the fine from \$5,000 to \$2,000.

*Proposed amendment**Clause*

- 3 That clause 3(3) be amended by deleting "\$5,000" and substituting the following—  
"\$2,000".

The amendment was agreed to.

Clause 3, as amended, was agreed to.

Clauses 4 and 5 were agreed to.

Clause 6

SECRETARY FOR HOME AFFAIRS: —Sir, I move that clause 6 be amended as set out in the paper before honourable Members.

This removes the general power for the Director to exclude books without saying what he is doing and enables the Governor to amend the schedule listing excluded books for everyone to see.

*Proposed amendment*

*Clause*

6 That clause 6 be deleted and be replaced by the following—

"Amend-  
ment of  
Schedule.      6. The Governor may be order published in the *Gazette* amend the  
Schedule."

The amendment was agreed to.

Clause 6, as amended, was agreed to.

Clause 7 was agreed to.

New Schedule

*Schedule read the first time and ordered to be set down for second reading pursuant to Standing Order 46(6).*

SECRETARY FOR HOME AFFAIRS: —Sir, in accordance with Standing Order 46(7), I move that the new Schedule as set out in the paper before honourable Members be read the second time. This Schedule is a list of excluded books.

*Question put and agreed to.*

Schedule read the second time.

SECRETARY FOR HOME AFFAIRS: —Sir, I move that the new Schedule be added to the bill.

*Proposed Addition*

New      That there be added after clause 7 the following new Schedule.  
Schedule

"SCHEDULE

[ss. 2 and 6.]

*Books not required for registration*

1. A newspaper which issues its editions not less than 4 times a week.
2. Any book which will not be made available to the public at large.
3. A publication which consists solely of a price list, sale catalogue, trade circular or trade advertisement."

**Books Registration Bill—committee stage**

The addition of the new Schedule was agreed to.

Long title

SECRETARY FOR HOME AFFAIRS: —Sir, I move that the long title be amended as set out in the paper before honourable Members.

I cannot think how we got it wrong the first time, but it is a fact that a book has to be printed before it can be produced or published.

*Proposed amendment**Clause*

Long title That the long title be amended by deleting "published, printed or produced" and substituting the following—  
"printed, produced or published".

The amendment was agreed to.

Long title, as amended, was agreed to.

**PUBLIC HEALTH AND URBAN SERVICES (AMENDMENT)  
(No 3) BILL 1976**

Clauses 1 to 7 and the Schedule were agreed to.

**SECURITIES (AMENDMENT) BILL 1976**

Clauses 1 to 4 were agreed to.

Clause 5

FINANCIAL SECRETARY: —Sir, I move that clause 5 be amended as set forth in the paper before honourable Members.

A minor amendment has been made to paragraph (b) of this clause by deleting the word "written", thus removing the obligation to provide only a written report.



*Proposed amendment**Clause*

5 That clause 5 be amended in paragraph (b) by deleting the word "written".

The amendment was agreed to.

Clause 5, as amended, was agreed to.

Clauses 6 to 29 were agreed to.

Clause 30

FINANCIAL SECRETARY: —Sir, I move that clause 30 be amended as set forth in the paper before honourable Members.

This clause has been further amended, following representations that, by providing for a general power to require disclosure by a nominee company of the holdings of a person, it went further than the original intention of the principal ordinance, which was to require disclosure relating only to purchases and sales. The amendment as now proposed excludes the general power to require disclosure of holdings. It does, however, make it clear that nominee companies are nevertheless obliged to disclose information relating, not only to purchases and sales by themselves on instructions received from clients, but also to requests from clients to deliver shares to registered dealers, the clients themselves or to third parties.

*Proposed amendment**Clause*

30 That clause 30 be deleted and the following substituted therefor—

"Amend-  
ment of  
section 123. **30.** Section 123(1) of the principal Ordinance is amended by—

- (a) deleting "or sold" in both places where it occurs and substituting the following—  
", sold or otherwise disposed of"; and
- (b) deleting "or sale" in both places where it occurs and substituting the following—  
", sale or other disposition".

**Securities (Amendment) Bill 1976—committee stage**

The amendment was agreed to.

Clause 30, as amended, was agreed to.

Clauses 31 to 35 were agreed to.

**ANIMALS AND PLANTS (PROTECTION OF ENDANGERED SPECIES) BILL 1976**

Clauses 1 to 9 were agreed to.

Clause 10

MR JORDAN: —Sir, I move that clause 10 be amended as set out in the paper before honourable Members.

*Proposed amendment**Clause*

10 That clause 10 be amended in subclause (1) by deleting "or an authorized officer".

The amendment was agreed to.

Clause 10, as amended, was agreed to.

Clauses 11 to 18 were agreed to.

Clause 19

MR JORDAN: —Sir, I move that clause 19 be amended as set out in the paper before honourable Members.

*Proposed amendment**Clause*

19 That clause 19 be amended in subclause (1) by inserting, after "Governor", the following—

"in Council".

The amendment was agreed to.

Clause 19, as amended, was agreed to.

Clauses 20 and 21 were agreed to.

First Schedule

MR JORDAN: —Sir, I move that the First Schedule be amended as set out in the paper before honourable Members.

*Proposed amendment*

First Schedule That the First Schedule be deleted and the following substituted—

FIRST SCHEDULE

[s. 2.]

SCHEDULED ANIMALS

*In this Schedule, species of a genus means all the species of that genus*

MAMMALIA

*(Common name for information only)*

MARSUPIALIA

Macropodidae	Macropus parma	White-throated Wallaby
	Onychogalea frenata	Bridles Nail-tail Wallaby
	Onychogalea lunata	Crescent Nail-tail Wallaby
	Lagorchestes hirsutus	Western Hare-wallaby
	Lagostrophus fasciatus	Banded Hare-wallaby
	Caloprymnus campestris	Desert Rat-kangaroo
	Bettongia penicillata	Bush-tailed Rat-kangaroo
	Bettongia lesueur	Lesueur's Rat-kangaroo
	Bettongia tropica	Northern Rat-kangaroo
	Dendrolagus inustus } Dendrolagus ursinus }	Tree Kangnon
Phalangeridae	Wyulda squamicaudata	Scaly-tailed Possum
Burramyidae	Burramys parvus	Pigmy Possum
Vombatidae	Lasiorhinus gillespiei	Gillespie's Hairy-nosed Wombat
Peramelidae	Perameles bougainville	Western Barred-bandicoot

**Animals and Plants (Protection of Endangered Species) Bill—committee stage***(Common name for information only)*

	Chaeropus ecaudatus	Pig-footed Bandicoot
	Macrotis lagotis	Rabbit Bandicoot
	Macrotis leucura	Dwarf Bandicoot
Dasyuridae	Planigale tenuirostris	Southern Planigale
	Planigale subtilissima	Kimberley Planigale
	Sminthopsis psammophila	Narrow-footed Sminthopsis
	Sminthopsis longicaudata	Long-tailed Sminthopsis
	Antechinomys laniger	Eastern Jerboa Marsupial
	Myrmecobius fasciatus	Rusty Numbat
Thylacinidae	Thylacinus cynocephalus	Thylacine
INSECTIVORA		
Erinaceidae	Erinaceus frontalis	Southern African Hedgehog
PRIMATES		
Lemuridae	Lemur species	Lemur species
	Lepilemur species	Weasel Lemur species
	Hapalemur species	Gentle Lemur species
	Allocebus species	Dwarf Lemur species
	Cheirogaleus species	
	Mirocebus species	Mouse Lemur
	Phaner species	
Lorisidae	Nycticebus coucang	Slow Loris
	Loris tardigradus	Slender Loris
Indriidae	Indri species	Indris
	Propithecus species	Sifaka
	Avahi species	Avahi
Daubentoniidae	Daubentonia madagascariensis	Aye-Aye
Callithricidae	Leontopithecus (Leontideus) species	Tamarin
	Callimico goeldii	Goeldi's Tamarin
Cebidae	Saimiri oerstedii	Squirrel Monkey
	Chiropotes albinasus	White-nosed Saki
	Cacajao species	Uakari
	Alouatta palliata (villosa)	Panamanian Howler
	Ateles geoffroyi	Spider Monkey
	Brachyteles arachnoides	Woolly Spider Monkey
	Cebus capucinus	Capuchin Monkey
Cercopithecidae	Cercocebus galeritus	Tana River Mangabey
	Macaca silenus	Lion-tailed Macaque
	Colobus badius	Red Colobus
	Rhinopithecus roxellanae	Snub-nosed Monkey
	Presbytis geei	Golden Langur
	Presbytis plleatus	Grey Langur
	Presbytis entellus	Long-tailed Langur
	Nasalis larvatus	Proboscis Monkey

*(Common name for information only)*

	Simias concolor	Pig-tailed Langur
	Pygathrix nemaus	Douc Langur
	Macaca sylvanus	Barbary Ape
	Colobus verus	Olive Colobus
	Presbytis johnii	John's Langur
Hylobatidae	Hylobates species	Gibbon species
	Symphalangus syndactylus	Siamang
Pongidae	Pongo pygmaeus	Orang-utan
	Gorilla gorilla	Gorilla
	Pan paniscus	Pygmy Chimpanzee
	Pan troglodytes	Chimpanzee
EDENTATA		
Dasypodidae	Priodontes giganteus (=maximus)	Giant Armadillo
Myrmecophagidae	Myrmecophaga tridactyla	Giant Anteater
	Tamandua tetradactyla	Tamandua
Bradypodidae	Bradypus boliviensis	Sloth
PHOLIDOTA		
Manidae	Manis temmincki	Pangolin
	Manis crassicaudata	Indian Pangolin
	Manis pentadactyla	Chinese Pangolin
	Manis javanica	Malayan Pangolin
LAGOMORPHA		
Leporidae	Romerolagus diazi	Volcano Rabbit
	Caprolagus hispidus	Hispid Hare
	Nesolagus netscheri	Sumatran Hare
RODENTIA		
Heteromyidae	Dipodomys phillipsii	Kangaroo Rat
Sciuridae	Cynomys mexicanus	Mexican Prairie Dog
	Ratufa species	Giant Squirrels
	Lariscus hosei	Four-shaped Palm Squirrel
Castoridae	Castor fiber	Mongolian Beaver
	Castor canadensis	American Beaver
Muridae	Zyzomys pedunculatus	Thick-tailed Rat
	Leporillus conditor	Australian Stick-nest Rat
	Pseudomys novaehollandiae	Australian Rock-field Mouse
	Pseudomys praeconis	Desert False Rat
	Pseudomys shortridgei	Heath False Rat
	Pseudomys fumeus	Australian Forest Fieldmouse
	Pseudomys occidentalis	Occidental False Rat
	Pseudomys fieldi	Field False Rat
	Notomys aquilo	Australian Kangaroo Rat
	Xeromys myoides	False Water Rat
Chinchillidae	Chinchilla brevicaudata	Chinchilla

**Animals and Plants (Protection of Endangered Species) Bill—committee stage***(Common name for information only)*

Cricetidae	Ondatra zibethicus	Newfoundland Musk Rat
CETACEA		
Platanistidae	Platanista gangetica	Susu or Ganges Dolphin
Eschrichtidae	Eschrichtius robustus (glaucus)	Black Right Whale
Balaenopteridae	Balaenoptera musculus Megaptera novaeangliae	Blue Whale Hymback Whale
Balaenidae	Balaena mysticetus Eubalaena species	Greenland Right Whale Right Whales
CARNIVORA		
Canidae	Vulpes velox Canis lupus Chrysocyon brachyurus Cuon alpinus	Northern Kit Fox Grey or Timber Wolf Maned Wolf Red Dog or Dhole
Viverridae	Prionodon pardicolor Prionodon linsang Cynogale bennetti Helogale derbianus	Spotted Linsang Banded Linsang  Dwarf Mongoose
Ursidae	Ursus americanus Ursus arctos Ursus (Thalarchos) maritimus Helarctos malayanus	Glacier Bear Brown Bear Polar Bear Malay Sun-bear, Honey Bear, Malay Bear, Bruang
Mustelidae	Mustela nigripes Lutra longicaudis (platensis/ annectens) Lutra felina Lutra provocax Pteronura brasiliensis Aonyx microdon Enhydra lutris Martes americana	Black-footed Ferret La Platta Otter  Marine Otter Southern River Otter Giant Otter American Clawless Otter Southern Sea Otter American Marten
Procyonidae	Ailurus fulgens  Ailuropoda melanoleuca	Cat Bear, Fox Cat, Fire Fox, Himalayan Raccoon, Red Panda Giant Panda
Hyaenidae	Hyaena brunnea	Brown Hyena
Felidae	Felis planiceps Felis nigripes Felis concolor Felis temmincki Felis bengalensis Felis marmorata Felis jacobita	Flat-headed Cat Black-footed Cat Cougar Golden Cat Leopard Cat Marbled Cat Southern Gato Andina Margay

(Common name for  
information only)

	Felis yagouaroundi	Jagovrundi
	Felis colocolo	
	Felis serval	Serval
	Felis lynx	Lynx
	Felis wiedii	Margay Cat
	Felis pardalis	Ocelot
	Felis tigrina	Tiger Cat
	Felis (=Caracal) caracal	Caracal
	Neofelis nebulosa	Clouded Leopard
	Panthera tigris	Tiger
	Panthera pardus	Leopard
	Panthera uncia	Snow Leopard
	Panthera onca	Jaguar
	Acinonyx jubatus	Cheetah
	Panthera leo(persica)	Indian Lion
	Felis (Lynx) rufa	
 PINNIPEDIA		
Phocidae	Monachus species	Monk Seal
	Mirounga angustirostris	Northern Elephant Seal
	Mirounga australis	Elephant Seal
	Mirounga leonina	Southern Elephant Seal
Otariidae	Arctocephalus australis	South American Fur Seal
	Arctocephalus galapagoensis	Galopagus Fur Seal
	Arctocephalus philippii	Juan Fernandez Fur Seal
	Arctocephalus townsendi	Guadebure Fur Seal
 TUBULIDENTATA		
Orycteropidae	Orycteropus afer	Aardvark
 PROBOSCIDEA		
Elephantidae	Elephas maximus	Asian Elephant
 SIRENIA		
Dugongidae	Dugong dugon	Dugong
Trichechidae	Trichechus manatus	West Indian Manatee
	Trichechus inunguis	Amazonian Manatee
	Trichechus senegalensis	West African Manatee
 PERISSODACTYLIA		
Equidae	Equus przewalskii	Przewalski's Horse
	Equus hemionus	Wild Ass
	Equus zebra	Zebra
Tapiridae	Tapirus pinchaque	Mountain Tapir
	Tapirus bairdii	Central American Tapir
	Tapirus indicus	Malayan Tapir
	Tapirus terrestris	Brazilian Tapir
Rhinocerotidae	Rhinoceros unicornis	Great Indian Rhinoceros

**Animals and Plants (Protection of Endangered Species) Bill—committee stage***(Common name for information only)*

	Rhinoceros sondaicus	Javan Rhinoceros
	Didermocerus sumatrensis	Sumatran Rhinoceros
	Ceratotherium simum	Northern Square-lipped Rhinoceros
	Diceros bicornis	Black Rhinoceros
<b>ARTIODACTYLA</b>		
Hippopotamidae	Choeropus liberiensis	Pygmy Hippopotamus
Suidae	Sus salvanius	Pygmy Hog
	Babyrousa babyrussa	Borneo Wild Pig
Camelidae	Vicugna vicugna	Vicuna
	Camelus bactrianus	Bactrian Camel
Cervidae	Moschus moschiferus	Musk Deer
	Axis (Hyalaphus) porcinus	Hog Deer
	Axis (Hyalaphus) calamianensis	Calemian Axis Deer
	Axis (Hyalaphus) kuhlii	Kuml's Deer
	Cervus duvauceli	Swamp Deer
	Cervus eldi	Brow-antlered Deer
	Cervus elaphus	Red Deer
	Hippocamelus bisulcus	South Andean Guemal
	Hippocamelus antisimensis	North Andean Guemal
	Blastoceros dichotomus	Marsh Deer
	Ozotoceros bezoarticus	Pampas Deer
	Pudu pudu	Chilean Pudu
	Pudu mephistophiles	Pudu
Antilocapridae	Antilocapra americana	Pronghorn
Bovidae	Bubalus (Anoa) mindorensis	Tamarau
	Bubalus (Anoa) depressicornis	Lowland Anoa
	Bubalus (Anoa) quarlesi	Mountain Anoa
	Bos gaurus	Seladang
	Bos (grunniens) mutus	Wild Yak
	Novibos (Bos) sauveli	Kouprey
	Bison bison	Wood Bison
	Kobus leche	Black Lechwe
	Hippotragus niger	Giant Sable Antelope
	Oryx leucoryx	Arabian Oryx
	Damaliscus dorcas	Bontebok
	Saiga tatarica	
	Nemorhaedus goral	Goral
	Capricornis sumatraensis	Sumatran Serow
	Rupicapra rupicapra	Chamois
	Capra falconeri	Straight-horned Markhor
	Ovis orientalis	Cyprian Mouflon
	Ovis vignei	Urial
	Cephalophus monticola	Blue Duiker
	Oryx (tao) dammah	Scimitar Oryx



*(Common name for  
information only)*

Addax nasomaculatus	Addax, Screwhorn Antelope
Pantholops hodgsoni	Chiru or Tibetan Antelope
Ovis ammon	Argali or Marco Polo Sheep
Ovis canadensis	Bighorn Sheep

#### AVES

##### SPHENISCIFORMES

Spheniscidae	Spheniscus demersus	Jackass Penguin
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##### RHEIFORMES

Rheidae	Rhea americana	Common Rhea
	Pterocnemia pennata	Darwin's Rhea

##### TINAMIFORMES

Tinamidae	Tinamus solitarius	South American Tinamou
	Rhynchotus rufescens	Red Winged Tinamou

##### PODICIPEDIFORMES

Podicipedidae	Podilymbus gigas	Atitlan Grebe
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##### PROCELLARIIFORMES

Diomedidae	Diomedea albatrus	Short-tailed Albatross
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##### PELECANIFORMES

Sulidae	Sula abbotti	Abbott's Booby
Pelecanidae	Pelecanus crispus	Dalmatian Pelican
Fregatidae	Fregata andrewsi	Andrew's Frigate Bird

##### CICONIIFORMES

Ciconiidae (Storks)	Ciconia ciconia	White Stork
	Ciconia nigra	Black Stork
Threskiornithidae	Geronticus calvus	Bald Ibis
	Platalea leucorodia	Spoonbill
	Nipponia nippon	Japanese Crested Ibis
Phoenicopteridae	Phoenicopus ruber	Chilean Flamingo
	Phoenicoparrus andinus	Andean Flamingo
	Phoenicoparrus jamesi	James's Flamingo
Plataleidas	Thaumatibis gigantea	Giant Ibis

**Animals and Plants (Protection of Endangered Species) Bill—committee stage***(Common name for information only)***ANSERIFORMES**

Anatidae	<i>Anas aucklandica</i>	Flightless Teal
	<i>Anas oustaleti</i>	Oustalet's Duck
	<i>Anas laysanensis</i>	Laysan Duck
	<i>Anas diazi</i>	Mexican Duck
	<i>Anas bernieri</i>	Madagascar Teal
	<i>Cairina scutulata</i>	White-winged Wood Duck
	<i>Rhodonessa caryophyllacea</i>	Pink-headed Duck
	<i>Branta canadensis</i>	Canada Goose
	<i>Branta sandvicensis</i>	Hawaiian Goose or Nene
	<i>Branta ruficollis</i>	Red-breasted Goose
	<i>Dendrocygna arborea</i>	Cuban whistling Duck
	<i>Sarkidiornis melanotos</i>	Comb Duck
	<i>Anser albifrons gambelli</i>	Tule Goose
	<i>Cygnus bewickii</i>	Bewick's Swan
	<i>Cygnus melancoryphus</i>	Black Necked Swan
	<i>Coscoroba coscoroba</i>	Coscoroba Swan

**FALCONIFORMES**

	All species of all genera	Eagles, hawks, falcons, and vultures and other birds of prey
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**GALLIFORMES**

Megapodiidae	<i>Macrocephalon maleo</i>	Maleo
	<i>Megapodius freycinet</i>	Common Scrubfowl
Cracida	<i>Crax blumenbachii</i>	Red billed Curassow
	<i>Pipile pipile</i>	White-headed Curassow
	<i>Pipile jacutinga</i>	Black-fronted Piping Guan
	<i>Mitu mitu</i>	Great Razor-billed Curassow
	<i>Oreophasis derbianus</i>	Horned Guan
Tetraonidae	<i>Tympanuchus cupido</i>	Prairie Chicken
Phasianidae	<i>Colinus virginianus</i>	Masked Bobwhite
	<i>Tragopan blythii</i>	Blyth's Tragopan
	<i>Tragopan caboti</i>	Cabot's Tragopan
	<i>Tragopan melanocephalus</i>	Western Tragopan
	<i>Lophophorus sclateri</i>	Sclater's Monal
	<i>Lophophorus lhuysii</i>	Chinese Monal
	<i>Lophophorus impejanus</i>	
	<i>Crossoptilon mantchuricum</i>	Brown-eared Pheasant
	<i>Crossoptilon crossoptilon</i>	White-eared Pheasant
	<i>Lophura swinhoii</i>	Swinhoe's Pheasant
	<i>Lophura imperialis</i>	Imperial Pheasant
	<i>Lophura edwardsii</i>	Edwards' Pheasant
	<i>Syrmaticus ellioti</i>	Elliot's Pheasant
	<i>Syrmaticus humiae</i>	Hume's Pheasant
	<i>Syrmaticus mikado</i>	Mikado Pheasant

(Common name for  
information only)

Polyplectron emphanum	Palawan Peacock Pheasant
Polyplectron malacense	Malay Peacock Pheasant
Polyplectron germaini	Germain's Peacock Pheasant
Polyplectron bicalcaratum	Grey Peacock Pheasant
Tetraogallus tibetanus	Tibetan Snowcock
Tetraogallus caspius	Caspian Snowcock
Cyrtonyx montezumae	Harlequin Quail
Francolinus ochropectus	Tadsoura Francolin
Francolinus swierstrai	Swierstra's Francolin
Catreus wallichii	Cheer Pheasant
Gallus sonneratii	Grey Jungle Fowl
Argusianus argus	Great Argus Fowl
Ithaginus cruentus	Blood Pheasant

#### GRUIFORMES

Gruidae	Grus japonensis	Japanese Crane
	Grus leucogeranus	Siberian White Crane
	Grus americana	Whooping Crane
	Grus canadensis	Sandhill Crane
	Grus nigricollis	Black-necked Crane
	Grus vipio	White-naped Crane
	Grus monacha	Hooded Crane
	Balearica regulorum	Crowned Crane
Rallidae	Tricholimnas sylvestris	Lord Howe Wood Rail
	Gallirallus australis	Weka
Rhynochetidae	Rhynochetos jubatus	Kagu
Otididae	Eupodotis bengalensis	Bengal Bustard
	Chlamydotis undulata	Houbara Bustard
	Choriotis nigriceps	Great Indian Bustard
	Otis tarda	Great Bustard

#### CHARADRIIFORMES

Scolopacidae	Numenius borealis	Eskimo Curlew
	Tringa guttifer	Armstrong's Sandpiper
	Numenius tenuirostris	Slender-billed Curlew
	Numenius minutus	Little Whimbrel
Laridae	Larus relictus	Mongolian Gull
	Larus brunneicephalus	Brown-headed Gull

#### COLUMBIFORMES

Columbidae	Ducula mindorensis	Mindoro Imperial Pigeon
	Gallucolumba luzonica	Luzon Bleeding-heart Pigeon
	Goura cristata	Blue Crowned Pigeon
	Goura scheepmakeri	Maroon Breasted Crowned Pigeon

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	Goura victoria	Victoria Crowned Pigeon
	Caloenas nicobarica	Nicobar Pigeon
<b>PSITTACIFORMES</b>		
Psittacidae	Strigops habroptilus	Kakapo or Owl Parrot
	Rhynchopsitta pachyrhyncha	Eastern Thick-billed Parrot
	Amazona leucocephala	Bahamas Parrot
	Amazona vittata	Puerto Rico Parrot
	Amazona guildingii	St. Vincent Parrot
	Amazona versicolor	
	Amazona imperialis	Imperial Parrot
	Amazona rhodocorytha	Red-topped Amazon Parrot
	Amazona petrei	Petrei's Parrot
	Amazona vinacea	Vinaceous-breasted Amazon Parrot
	Pyrrhura cruentata	
	Anodorhynchus glaucus	Glaucous Macaw
	Anodorhynchus leari	Indigo Macaw
	Cyanopsitta spixii	Little Blue Macaw
	Pionopsitta pileata	Red-capped Parrot
	Aratinga guaruba	Golden Parakeet
	Psittacula krameri echo	Mauritius Parakeet
	Psephotus pulcherrimus	Beautiful Parakeet
	Psephotus chrysopterygius	Gold-shouldered Parrot
	Neophema chrysogaster	Orange-bellied Parakeet
	Neophema splendida	Splendid Parakeet
	Cyanoramphus malherbi	Orange-fronted Parakeet
	Cyanoramphus unicolor	Artipodes Parakeet
	Cyanoramphus novaezelandiae	Norfolk Island Parakeet
	Cyanoramphus auriceps	Red-fronted New Zealand Parakeet
	Geopsittacus occidentalis	S.E. Australian Ground Parrot
	Psittacus erithacus princeps	Princepe Grey Parrot
	Coracopsis nigra	Lesser Vasa Parrot
	Prosopieia personata	Masked Musk Parakeet
	Eunymphicus cornutus	Horned Parakeet
	Poicephalus robustus	Brown-necked Parrot
	Tanygnathus luzoniensis	
	Probosciger aterrimus	Palm Cockatoo
<b>APODIFORMES</b>		
Trochilidae	Ramphodon dohrnii	Red-billed Hummingbird
<b>TROGONIFORMES</b>		
Trogonidae	Pharomachrus mocinno	Quetzal

*(Common name for  
information only)*

## CUCULIFORMES

Musophagidae Turaco corythaix  
Gallirex porphyreolophus

## STRIGIFORMES

Strigidae All species of all genera Owls

## CORACIIFORMES

Bucerotidae Rhinoplax vigil Helmeted Hornbill  
Buceros rhinoceros Rhinoceros Hornbill  
Buceros bicornis Great Hornbill  
Buceros hydrocorax Calao  
Aceros narcondami Hornbill

## PICIFORMES

Picidae Dryocopus javensis Tristram's Woodpecker  
Campephilus imperialis Imperial Woodpecker  
Picus squamatus Woodpecker

## PASSERIFORMES

Cotingidae Continga maculata Banded Cotinga  
Xipholena atro-purpurea White-winged Continga  
Rupicola rupicola Guianian Cock-of-the-rock  
Rupicola peruviana Andean Cock-of-the-rock

Pittidae Pitta kochi Koch's Pitta  
Pitta brachyura Blue-winged Pitta

Hirundinidae Pseudochelidon sirintarae White-eyed River Martin

Atrichornithidae Atrichornis clamosa Noisy Scrub-bird

Muscicapidae Picathartes gymnocephalus White-necked Rock-Fowl  
Picathartes oreas Grey-necked Rock-Fowl  
Psophodes nigrogularis Western Whipbird  
Amytornis goyderi Eyrean Grass Wren  
Dasyornis brachypterus Western Bristlebird  
Dasyornis broadbenti Western Rufous Bristlebird  
Muscicapa ruecki Rueck's Blue Flycatcher

Sturnidae Leucopsar rothschildi Bali or Rothschild's Starling

Meliphagidae Meliphaga cassidix Helmeted Honey-eater

Zosteropidae Zosterops albogularis White-chested White-eye

Fringillidae Spinus cucullatus Red Siskin  
Spinus yarrellii Finch

Paradisaeidae All species of all genera Birds of Paradise

**Animals and Plants (Protection of Endangered Species) Bill—committee stage***(Common name for information only)*

## AMPHIBIA

## URODELA

Cryptobranchidae	Andrias (Megalobatrachus) davidianus	Giant Salamander
Ambystomidae	Ambystoma mexicanum Ambystoma dumerillii Ambystoma lermaensis	Axolotl Lake Putsucaro Salamander Lake Lerma Salamander

## SALIENTIA

Bufonidae	Bufo superciliaris Bufo periglenes Nectophrynoides species Bufo retiformis	Toad Toad Live-bearer Toads Sonoran Green Toad
Atelopodidae	Atelopus varius	Tree Frog, Golden Frog

## REPTILIA

## CROCODYLIA

Alligatoridae	Alligator mississippiensis Alligator sinensis Melanosuchus niger Caiman crocodilus Caiman latirostris Paleosuchus palpebrosus Paleosuchus trigonatus	American Alligator Chinese Alligator Black Caiman Caiman Broad-nosed Caiman Dwarf Caiman Smooth-fronted Caiman
Crocodylidae	Tomistoma schlegelii Osteolaemus tetraspis Crocodylus cataphractus Crocodylus siamensis Crocodylus palustris Crocodylus novaeguineae Crocodylus intermedius Crocodylus rhombifer Crocodylus moreletii Crocodylus niloticus Crocodylus johnsoni Crocodylus porosus Crocodylus acutus	False Gavia Dwarf Crocodile Sharp-nosed Crocodile Siamese Crocodile Mugger Mindoro Crocodile Orinoco Crocodile Cuban Crocodile Guatemala Crocodile Nile Crocodile Australian Fresh Water Crocodile Estuarine Crocodile American Crocodile
Gavialidae	Gavialis gangeticus	Ganges Gavia

## TESTUDINATA

Emydidae	Batagur baska Geoclemmys (Damonina) hamiltonii Geoemyda (Nicoria) tricarinata Kachuga tecta Morenia ocellata	Batagur Black Pond Turtle Terrestrial Turtle Indian Roofed Turtle Burmese Yellow Turtle
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(Common name for  
information only)

	Terrapene coahuila	Box Turtle
	Clemmys muhlenbergi	Bog Turtle
Testudinidae	Chersine species	
	Geochelone species	Dessert Tortoise
	Gopherus species	Gopher Tortoise
	Homopus species	
	Kinixys species	
	Malacochersus species	Pancake Tortoise
	Pyxis species	Spider Tortoise
	Testudo species	Land Tortoises
Chelonidae	Eretmochelys imbricata	Hawksbill Sea Turtle
	Lepidochelys kempii	Atlantic Ridley Turtle
	Caretta caretta	Loggerheaded Turtle
	Chelonia mydas	Green Turtle
	Chelonia depressa	Flat-backed Green Turtle
	Lepidochelys olivacea	Pacific Ridley Turtle
Trionychidae	Lissemys punctata	India Soft-shelled Turtle
	Trionyx ater	Mexico Soft-shelled Turtle
	Trionyx nigricans	Eastern Soft-shelled Turtle
	Trionyx gangeticus	Ganges Soft-shelled Turtle
	Trionyx hurum	Lower Ganges Soft-shelled Turtle
Dermochelidae	Dermochelys coriacea	Leathery Turtle
Chelidae	Pseudemydura umbrina	Snake-necked Turtle
Pelomedusidae	Podocnemis species	Hidden-necked Turtle
LACERTILIA		
Varanidae	Varanus species	Monitors
Teiidae	Cnemidophorus hyperythrus	Orange-throated Whiptail
Iguanidae	Conolophus pallidus	Barrington Island Iguana
	Conolophus subscristatus	Galapagos Island Iguana
	Amblyrhynchus cristatus	Galapagos Marine Iguana
	Phrynosoma coronatum	San Diego Horned Lizard
Helodermatidae	Heloderma suspectum	Gila Monster
	Heloderma horridum	Beaded Lizard
RHYNCHOCEPHALIA		
Sphenodontidae	Sphenodon punctatus	Tautara
SERPENTES		
Boidae	Epicrates inornatus	Puerto Rican Boa
	Epicrates subflavus	Jamaica Boa
	Epicrates cenchris	
	Eunectes notaeus	Southern Anaconda

**Animals and Plants (Protection of Endangered Species) Bill—committee stage***(Common name for information only)*

	Constrictor constrictor Python species	King Python Pythons
Colubridae	Cyclagras gigas Pseudoboa cloelia Elachistodon westermanni Thamnophis elegans	Indian Egg-eating Snake Mountain Garter Snake
PISCES		
ACIPENSERIFORMES		
Acipenseridae	Acipenser brevirostrum Acipenser fulvescens Acipenser oxyrhynchus Acipenser sturio	Shortnose Sturgeon Lake Sturgeon Atlantic Sturgeon Common Sturgeon
OSTEOGLOSSIFORMES		
Osteoglossidae	Scleropages formosus Arapaima gigas	Asiatic Bony Tongue Arapaima
SALMONIFORMES		
Salmonidae	Coregonus alpenae Stenodus leucichthys Salmo chrysogaster	Longjaw Cisco Inconnu Mexican Golden Trout
CYPRINIFORMES		
Catostomidae	Chasmistes cujus	Cui-ui
Cyprinidae	Plagopterus argentissimus Probarbus jullieni Ptychocheilus lucius	Woundfin Ikan Temoleh Colorado Squawfish
SILURIFORMES		
Schilbeidae	Pangasianodon gigas	Giant Catfish
PERICIFORMES		
Percidae	Stizostedion vitreum	Blue Walleye
ATHERINIFORMES		
Cyprinodontidae	Cynolebias constanciae Cynolebias marmoratus Cynolebias minimus Cynolebias opalescens Cynolebias splendens	} Annual Killifish



*(Common name for  
information only)*

Poeciliidae                      Xiphophorus couchianus                      Monterrey Platyfish

COELACAN-  
THIFORMES

Coelacanthidae                      Latimeria chalumnae                      Coelacanth

CERATODIFORMES

Ceratodidae                      Neoceratodus forsteri                      Australian Lungfish

MOLLUSCA

NAIADOIDA

Unionidae

Conradilla caelata  
Cyprogenia aberti  
Dromus dromas  
Epioblasma (= Dysnomia)  
    florentina  
Epioblasma (= Dysnomia)  
    sampsoni  
pioblasma (= Dysnomia) sulcata  
Epioblasma (= Dysnomia)  
    torulosa  
Epioblasma (= Dysnomia)  
    turgidula  
Epioblasma (= Dysnomia)  
    walkeri  
Fusconaia cuneolus  
Fusconaia edgariana  
Fusconaia subrotunda  
Lampsilis brevicula  
Lampsilis higginsii  
Lampsilis orbiculata  
Lampsilis satura  
Lampsilis virescens  
Lexingtonia dolabelloides  
Plethobasis cicatricosus  
Plethobasis cooperianus  
Pleurobema clava  
Pleurobema plenum  
Potamilus (= Proptera) capax  
Quadrula intermedia  
Quadrula sparsa  
Toxolasma (= Carunculina)  
    cylindrella  
Unio (Megalonaias/?/)  
    nickliniana  
Unio (Lampsilis/?/) tampicoensis  
Villosa (= Micromya) trabalis

**Animals and Plants (Protection of Endangered Species) Bill—committee stage***(Common name for information only)*STYLOMMA-  
TOPHORA

Camaenidae	Papustyla (= Papuina) pulcherrima	Emerald Green Snail
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Paraphantidae	Paraphanta species	
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## PROSOBRANCHIA

Hydrobiidae	Coahuilix hubbsi Cochliopina milleri Durangonella coahuilae Mexipyrgus carranzae Mexipyrgus churinceanus Mexipyrgus escobedae Mexipyrgus lugoi Mexipyrgus mojarralis Mexipyrgus multilineatus Mexipyrgus quadripaludium Nymphophilus minckleyi Paludiscala caramba	
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## INSECTA

## LEPIDOPTERA

Papilionidae	Parnassius apollo	Apollo Butterfly
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The amendment was agreed to.

First Schedule, as amended, was agreed to.

Second Schedule

MR JORDAN: —Sir, I move that the Second Schedule be amended as set out in the paper before honourable Members.

*Proposed amendment*

Second That the Second Schedule be deleted and the following substituted—  
Sched-  
ule

## SECOND SCHEDULE

[s. 2.]

## SCHEDULED ANIMAL PARTS AND DERIVATIVES

## MAMMALIA

		<i>Common name for information only</i>	<i>Parts and Derivatives</i>	
<b>CARNIVORA</b>				
Viverridae	Prionodon pardicolor	Spotted Linsang	Head, skull and skin	
	Prionodon linsang	Striped Linsang	Head, skull and skin	
	Poiana richardsoni	African Linsang	Head, skull and skin	
	Genetta species	Genet	Head, skull and skin	
	Viverricula indica	Rasse, Small Indian Civet	Head, skull and skin	
	Viverra species	Civet	Head, skull and skin	
	Arctogalidia trivirgata	Small-toothed Palm Civet	Head, skull and skin	
	Paradoxurus species	Palm Civet	Head, skull and skin	
	Fossa fossa	Malagasy Civet	Head, skull and skin	
	Hemigalus derbyanus	Banded Palm Civet	Head, skull and skin	
	Chrotogale owstoni	Owston's Civet	Head, skull and skin	
	Mungos mungo	African Mongoose	Head, skull and skin	
	Hyaenidae	Hyaena brunnea	Brown Hyaena	Head, skull and skin
		Crocuta crocuta	Spotted Hyaena	Head, skull and skin
Felidae	Felis planiceps	Flat-headed Cat	Head, skull and skin	
	Felis nigripes	Black-footed Cat	Head, skull and skin	
	Felis bengalensis	Leopard Cat	Head, skull and skin	
	Felis pardalis	Ocelot	Head, skull and skin	
	Felis wiedii	Margay	Head, skull and skin	
	Felis tigrina	Tiger Cat	Head, skull and skin	
	Felis marmorata	Marbled Cat	Head, skull and skin	
	Felis jacobita	Mountain Cat	Head, skull and skin	
	Neofelis nebulosa	Clouded Leopard	Head, skull and skin	
	Panthera tigris	Tiger	Head, skull and skin	
	Panthera pardus	Leopard	Head, skull and skin	
	Panthera uncia	Snow Leopard	Head, skull and skin	
	Panthera onca	Jaguar	Head, skull and skin	
	Acinonyx jubatus	Cheetah	Head, skull and skin	
	Felis colocolo	Pampas Cat	Head, skull and skin	
	Felis serval	Serval	Head, skull and skin	
	Felis pardina		Head, skull and skin	
	Felis silvestris	European Wild Cat	Head, skull and skin	
	Felis geoffroyi	Geoffroy's Cat	Head, skull and skin	
	Felis viverrina	Fishing Cat	Head, skull and skin	
Felis rubiginosa	Rusty-spotted Cat	Head, skull and skin		
Felis guigna	Kodkod	Head, skull and skin		
Ursidae	Ursus (Thalarcos) maritimus	Polar Bear	Head, skull and skin	
<b>CETACEA</b>				
Eschrichtidae	Eschrichtius robustus (glaucus)	Black Right Whale	Whalebone	
Balaenopteridae	Balaenoptera musculus	Blue Whale	Whalebone	
	Megaptera novaeangliae	Humpback Whale	Whalebone	
Balaenidae	Balaena mysticetus	Greenland Right Whale	Whalebone	
	Eubalaena species	Right Whales	Whalebone	
<b>PROBOSCIDEA</b>				
Elaphantidae	Elephas maximus	Asian Elephant	Head	
<b>PERISSODACTYLA</b>				
Rhinocerotidae	Rhinoceros species	Rhinoceros	Head and horn	
<b>ARTIODACTYLA</b>				
Camelidae	Vicugna vicugna	Vicuna	Skin and hair	
Cervidae	Moschus moschiferus	Musk Deer	Musk	

**Animals and Plants (Protection of Endangered Species) Bill—committee stage**

		<i>Common name for information only</i>	<i>Parts and Derivatives</i>
AVES			
CORACIIFORMES			
Bucerotidae	Rhinoplax vigil	Helmeted Hornbill	Casque
PASSERIFORMES			
Paradisaeidae	All species of all genera	Birds of Paradise	Plumage and skin
REPTILIA			
TESTUDINATA			
Cheloniidae	All species of all genera	Sea Turtles	All unworked shell and scales
MOLLUSCA			
STYLOMMA- TOPHORA			
Camaenidae	Papustyla (= Papuina) pulcherrima	Emerald Green Snail	Shell

The amendment was agreed to.

Second Schedule, as amended, was agreed to.

Third Schedule

MR JORDAN: —Sir, I move that the Third Schedule be amended as set out in the paper before honourable Members.

*Proposed amendment*

Third That the Third Schedule be deleted and the following substituted—  
Sched-  
ule

## THIRD SCHEDULE

[s. 2.]

## SCHEDULED PLANTS

The following species, excluding cultivated species or cultivars—

		<i>(Common name for information only)</i>
APOCYNACEAE	Pachypodium species	
ARACEAE	Alocasia sanderiana Alocasia zebrina	

		<i>(Common name for information only)</i>
ARALIACEAE	<i>Panax quinquefolium</i>	American Ginseng
ARAUCARIACEAE	<i>Araucaria araucana</i>	Chile Pine or Monkey Puzzle
CACTACEAE	Cactaceae species Rhipsalis species	
CARYOCARACEAE	<i>Caryocar costaricense</i>	
CARYOPHYLLIACEAE	<i>Gymnocarpus przewalskii</i> <i>Melandrium mongolicum</i> <i>Silene mongolica</i> <i>Stellaria pulvinata</i>	
COMPOSITAE	<i>Saussurea lappa</i>	
CUPRESSACEAE	<i>Pilgerodendron uviferum</i>	Alerce
CYATHEACEAE	<i>Cyathea (Hemitella) capensis</i> <i>Cyathea dredgei</i> <i>Cyathea mexicana</i> <i>Cyathea (Alsophila) salvinii</i>	Common Tree Fern Forest Tree Fern
CYCADACEAE	<i>Encephalartos</i> species <i>Microcycas calocoma</i> <i>Stangeria eriopus</i>	Kafirbread Corcho <i>Microcycas</i> Strange Fernycad
DIOSCOREACEAE	<i>Dioscorea deltoidea</i>	
EUPHORBIACEAE	<i>Euphorbia</i> species	
FAGACEAE	<i>Quercus copeyensis</i>	
GENTIANACEAE	<i>Prepusa hookeriana</i>	
HUMIRIACEAE	<i>Vantanea barbourii</i>	
JUGLANDACEAE	<i>Engelhardtia pterocarpa</i>	
LEGUMINOSAE	<i>Ammopiptanthus mongolicum</i> <i>Cynometra hemitomophylla</i> <i>Platymiscium pleiostachyum</i> <i>Thermopsis mongolica</i>	
LILIACEAE	<i>Aloe</i> species	
MELASTOMATAACEAE	<i>Lavoisiera itambana</i>	
MELIACEAE	<i>Guarea longipetiola</i> <i>Swietenia humilis</i> <i>Tachigalia versicolor</i>	Mexican Mahogany
MORACEAE	<i>Batocarpus costaricense</i>	

**Animals and Plants (Protection of Endangered Species) Bill—committee stage***(Common name for information only)*

ORCHIDACEAE	All species of all genera	Orchids
PALMAE	Arenga ipot Phoenix hanceana Zalacca clemensiana	
PINACEAE	Abies guatamalensis Abies nebrodensis	
PODOCARPACEAE	Podocarpus costalis Podocarpus parlatorei	
PORTULACACEAE	Anacampseros species	
PRIMULACEAE	Cyclamen species	
PROTEACEAE	Orothamnus zeyheri Protea odorata	
RUBIACEAE	Balmea stormae	
SAXIFRAGACEAE (GROSSULARIACEAE)	Ribes sardoum	
SOLANACEAE	Solanum sylvestris	
STERCULIACEAE	Basiloxylon excelsum	
TAXACEAE	Fitzroya cupressoides	
ULMACEAE	Celtis aetnensis	
VERBENACEAE	Caryopteris mongolica	
WELWITSCHIACEAE	Welwitschia bainesii	
ZINGIBERACEAE	Hedychium philippinense	
ZYGOPHYLLACEAE	Guaiacum sanctum	Hollywood Lignumvitae

The amendment was agreed to.

Third Schedule, as amended, was agreed to.

Fourth Schedule was agreed to.

**Third reading of bills**

THE ATTORNEY GENERAL reported that the

Public Health and Urban Services (Amendment) (No 3) Bill

had passed through Committee without amendment and that the  
Commodities Trading Bill 1976  
Books Registration Bill 1976  
Securities (Amendment) Bill 1976  
Animals and Plants (Protection of Endangered Species) Bill 1976

had passed through Committee with 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.

4.04 p.m.

### **Closer co-ordination in services for youth**

MR CHEONG-LEEN: —Sir, during the hot summer months, the Summer Youth Programme sponsored jointly by Government departments and the voluntary agencies is expected to encompass perhaps up to 2 million young people in over 5,000 recreational activities.

This extensive programme has come about since the formation of the Council for Recreation and Sport which has been a catalyst and a co-ordinator of recreation and sports at the district level.

The Council is hoping to get additional staff during the 1976-77 period to implement phases II and III of its Recreation and Sport Scheme and to have Recreation and Sport Officers operating in 17 districts instead of only 6 at present.

The Recreation and Sport Officers come from the Education Department and it is estimated that 80% of those benefiting from the Recreation and Sport Scheme are young people below the age of 25.

The Recreation and Sport Officers (otherwise known as RSOs in the district) are not the only Government personnel engaged in services for youth at the district level.

[MR CHEONG-LEEN] **Closer co-ordination in services for youth**

There are four other types of personnel: the CDOs (City District Officers) of the Home Affairs Department, the CYOs (Community and Youth Officers) of the Social Welfare Department, the PCROs (Police Community Relations Officers) of the Police Force, and the USOs (Urban Services Officers) of the Urban Services Department.

Time does not permit—nor do I think it necessary for me to do so—any elaboration of the respective roles that these other four types of Government personnel play in youth activities.

At the district level, they are sometimes known as the five O's, which is an indication of their inter-related responsibilities in providing services for youth.

Quite often the inter-relation and co-ordination works well among the five O's, but sometimes co-ordination is missing or is merely superficial, leading to unnecessary duplication of effort or ineffective results.

Sir, I shall not go into details as to the scope or manner or operation of the five O's, as I have promised my Unofficial colleagues that I shall speak as briefly as I can at this last meeting of the session.

But what I do wish to emphasize during this adjournment debate is that as services for youth expand and build up, there will be an increasing urgency to improve co-ordination, eliminate duplication, and to have a clearer overall perception of the efforts of Government departments and the voluntary agencies in attaining the short and long-term objectives of our youth services.

Some social workers would set the age of youth as between 15 to 25. I would prefer to put the age range as between 11 to 25. After all, young people at the tender age of 11 have been known to have been brought before the Courts, while at the other end of the spectrum the average age of many young offenders has recently risen from 23 to 25 years of age.

On the long-term objective for youth services, in the simple words of a layman, I would say that it is to provide the services to make our young people healthy, responsible, active, intelligent and useful citizens of our community.

A wide range of youth services from different Government departments are pooled together to achieve this desirable long-term



objective. Apart from the educational and medical aspects, most if not all of the other types of services can be regarded as of the community development type.

For example, the activities of the five O's are community development in nature. So are the cultural and entertainment activities of the Urban Council, which in the main are patronized by young people.

Anticipating an expansion of the resources, programmes and projects in the pipeline for young people within the next few years, it is perhaps timely for Government to strengthen its co-ordination at the district, regional and central levels in order to get maximum value for resources expanded.

Firstly, I think the Interdepartmental Committee on Services for Youth can play a more effective role in anticipating the major problem areas for young people, in clarifying and crystallizing policies, and in setting up early enough the policy guidelines by which the various government departments can tackle those problem areas.

Secondly, the Central Co-ordinating Committee for Community Development which is under the chairmanship of the Director of Home Affairs, and which has not yet met this year, could if used properly be most effective in co-ordinating at the top all aspects of community development for youth, among its other responsibilities, once the policies have been agreed upon.

Thirdly, at the district level, the City District Officer has the greater responsibility among the five O's to ensure that there is maximum co-ordination of community development activities for young people in the district.

One major problem area has to do with stemming the flow of juvenile delinquents and young criminals who are either at large, or if caught, are coming before the juvenile courts and entering our remand homes or prisons every year.

On the one hand, we are expanding our resources to provide for recreation, sport and other community development services for literally hundreds of thousands of young people under the age of 25.

On the other hand, it becomes even more imperative that we should now assign additional resources with the objective of sharply reducing criminal tendencies and other forms of anti-social behaviour among our young people. This I would say is a highly desirable shortterm and immediate objective in our services for youth.

[MR CHEONG-LEEN] **Closer co-ordination in services for youth**

Already, our prisons are in a serious state of overcrowding, with little prospects of improvement in the near future unless swift measures are put in hand to build more prison accommodation.

But is this the ultimate answer, to provide more prison cells? It is certainly not the cheapest, for it can cost as much as \$10,000 a year to keep a prisoner securely locked behind bars.

Therefore it is a matter of the utmost urgency for Government to embark upon a plan aimed at reaching out to those young people in our midst who for family, social, educational, or other reasons, are potential delinquents or are on the borderline of becoming young criminals.

For this, a different range of services is called for. It should encompass and reach out to the youth gangs that dominate and instil fear at the numerous "black spot" playgrounds.

It should make contact with the gangs of youth that live in the older housing estates but who roam the streets of urban areas like Yau Ma Tei and Mong Kok seeking action, quick thrills and easy money.

It should strengthen the links with the aftercare service for young people of the Prisons Department so that young offenders once out of a correctional institution will not easily return.

It should seek out and train volunteer groups at the district level to give counsel and look after delinquents, many of whom come from broken homes.

It should research into new techniques and programmes to break the stranglehold of the triad movement on delinquents.

It should research into reasons why more than 3,000 young girls disappear from their homes each year, and why quite a number of them are gang-raped by young thugs under the age of 20 and what can be done to reduce the number of disappearing girls.

Sir, a more innovative range of services must now be planned for and provided as soon as possible for the purpose of coping with juvenile delinquency and the problems of those young people on the borderline of crime who live in every district.

Unless action with foresight is taken now, the rate of crime—and violent crime at that—will not come down but will worsen in the years to come.

4.12 p.m.

SECRETARY FOR SOCIAL SERVICES: —Sir, when I saw the Order Paper for this last sitting of the current session of this Council, I thought I was going to have a relatively quiet afternoon, listening to speeches and answers to questions. But when I read Mr CHEONG-LEEN's draft speech yesterday, it became apparent that I shall say a few words for preventive social work for youth before my honourable colleague, the Secretary for Home Affairs, speaks on the main subject of this adjournment debate, namely, closer co-ordination in services for youth.

Sir, I agree with my honourable Friend Mr CHEONG-LEEN that social welfare services should be expanded in positive ways in order to help young delinquents and other young people on the periphery of crime and vice to be rehabilitated within our community.

An expression of Government's concern was the commissioning in 1974 in connection with the Fight Violent Crime Campaign of a report conducted by the Social Research Centre of the Chinese University of Hong Kong into the social causes of violent crimes. This report drew attention to a number of areas in which preventive social work services should be strengthened.

During the last two years, Government and voluntary agencies have undertaken several projects which are designed to assist young persons with anti-social behaviour or to help the school drop-outs and potential drop-outs. I believe we are now in a position to evaluate these schemes with a view to preparing a programme plan so that our long-term objectives might be defined more precisely.

This programme plan will therefore examine generally the need for services to prevent young people falling into crime or vice activities. In particular it will examine whether existing *ad hoc* or experimental services should be curtailed, continued or expanded. These include youth guidance and counselling, school social work, play leadership, detached work and family preventive social work.

The two-year Pilot Youth Guidance Project which was started in January 1975 by four voluntary agencies in four different city districts will be coming to an end. The main purpose of this project is to provide guidance and counselling either individually or in groups in

[SECRETARY FOR SOCIAL SERVICES] **Closer co-ordination in services for youth**

order to prevent young persons from involving in anti-social activities. This experiment suggests that this service should become a permanent feature of our preventive social work and might well be expanded to cover more districts and a wider age range of young persons than is currently provided. An evaluation is also being made of the experimental Youth Counselling Project undertaken by a voluntary agency, which will provide more in-depth counselling for troubled youths.

School social work seeks to detect anti-social or quasi criminal behaviour in students, and to prevent students becoming influenced by or joining gangs or other criminal elements. Although teachers within schools have a significant role to play, there is a need to involve larger numbers of social workers in schools to work closely with students and teachers in order to detect danger symptoms at an early stage.

Play leadership at present caters for young people who are not attached to centres or clubs. The scheme works in parks and playgrounds and is designed to reach young children by the provision of equipment, supervision and guidance in an informal atmosphere.

Detached work is at present limited in provision. This is a most difficult service since it is labour intensive, and therefore places heavy demands on the social workers involved. It is aimed at the older group of young people who are either members of gangs on the periphery to gangs, and one in which success is not easy to ascertain in the short term. Nevertheless, since it is the service which is likely to be closest to those involved in crime and vice it requires the most careful attention and evaluation.

Family preventive social work forms a part of family life education. This service seeks to help young potential delinquents to resolve their problems within the context of the family.

Sir, the main constraint to the expansion of these services may not be money. Rather it may well be the availability of trained social workers experienced in these areas of work. This constraint will be examined carefully by the programme planning team.

In the meantime and while the programme plan is being prepared I will be examining the feasibility of expanding services in those areas in which need has already been demonstrated through the evaluation of pilot schemes.

Sir, much hard work lies ahead. But with the assistance of the voluntary agencies and government departments involved I am hopeful that a firm foundation can be built over the next few years in order that young people in trouble can be helped to become mature, responsible and contributing members of society.

SECRETARY FOR HOME AFFAIRS: —Sir, "Co-ordination" and "Services for Youth" are two such laudable and vague subjects that there is a temptation for the Government to say that it is co-ordinating and providing services for youth for all it's worth. There are indeed many services for youth and there is machinery for co-ordination. It works reasonably well. But it is not perfect and the honourable Members have raised the subject with obvious perception I do not propose to-day to try to sweep the subject under the carpet before we adjourn this session.

My honourable Friend Mr LI has said what is in hand to attempt to arrest the progress of youngsters heading for delinquency. This is important work which will help not only the people directly involved but society in general. Fortunately only a very small number of young people is involved. Most youngsters are in no danger of becoming criminals. Rather they have in them a latent potential to improve society and it is this that most youth services seek to release.

Since this is an adjournment debate let me then try to state the position as I see it with the warning that this is an area of controversy and it has not recently been crystallized in a policy statement.

My honourable Friend has used the term "community development" to describe the services aimed at enabling young people to become useful citizens. The term has a technical meaning in social science jargon but it is expressive enough to cover the very wide range of services he is talking about. Some clarification of this term is needed. At present there is almost an agreement to differ on this important point. The social scientist sees a necessity to enable an individual to fulfil himself in community involvement while a layman thinks it is a good idea to get people living in the same block to get together to clean the stairs. Which is the aim—social fulfilment or clean stairs? It probably does not matter for both are worthy aims. But if social fulfilment leads to conflict, the question becomes more difficult.

In western cultures one is accustomed to settling social questions by conflict. There are advocates for both sides of a question and the matter is settled by a vote. A majority wins. A minority has to give

**[SECRETARY FOR HOME AFFAIRS] Closer co-ordination in services for youth**

way. In Hong Kong we do not proceed in this way. Conflicts fade out in compromise. The ballot box is not there. A compromise must be struck. When therefore a leader of a group sees something wrong and starts to say so the Hong Kong reaction is to bring this person into the machinery for dealing with the problem. Rather than to shut him out to fight a campaign in an election that will never be held he is brought into the machinery. His help in dealing with the problem is sought. His experience, knowledge and leadership are deployed in dealing with it. Of course he does not always get his own way but he is enabled to make a real contribution to the solution of social problems in co-operation with others who in turn benefit from the new insight he brings.

This is what community development seems to me to be about. A great many young people in Hong Kong have learned that action aimed at dealing with social problems is a good deal more satisfying than making grandiose gestures about problems which are so big that no immediate solution is possible—whatever may be feasible in the long run.

Not all the work of the officers mentioned by my honourable Friend has such grand ends. Feeling for the good of society often develops as the by-product of some activity in which the individual is just looking for personal satisfaction. So the CDO with his MAC, the CYO with his young peoples club, the RSO with his sports meeting, and the PCRO with his Junior Police Call gathering may all achieve a little in this direction though their means may be quite different.

Co-ordination is important and will become more so as these services expand. They are all good services and so long as there is no overlapping the worst that can be said is that some may be less cost effective than others. But the services will overlap and I believe more effective co-ordination is needed and is worth trying for. The three levels my honourable Friend mentions—namely district, departmental and policy levels are all involved. Probably a third level as well—the regional level.

At the district level the CDO now regularly chairs meetings at which the five "Os" get together. Three of them—CDO's, CYO's and RSO's—should work from joint offices but this will cost money and take time. I would hope we can get them housed together because when they are housed together things do go better. Perhaps CDO's should have greater co-ordinating responsibilities but this would require

more experienced men than we have been able always to get in recent years.

At the centre a decision has recently been taken to have just one Secretary deal with CDO's, CYO's and RSO's rather than two—that is responsibility for CYO policy will be transferred from the Secretary for Social Services to me as I already deal with CDO's and RSO's. I hope this leads to better co-ordination but if it does not my honourable Friend will know who to go for.

At departmental level there has been a hiatus and I am not sure whether the present Steering Group on Community Development and its terms of reference are right. Maybe the Interdepartmental Committee on Youth Services could take this on or maybe it should give policy guidance. In any event I propose to examine the present organization with the Interdepartmental Committee.

To anyone not involved in these services this may all sound complicated and rather bureaucratic. Well it is not simple. My honourable Friend's forthright definition of the objective of youth services as being "to provide services to make our young people healthy, responsible, active, intelligent and useful citizens of our community" requires many disciplines. They cannot perform effectively in isolation and an inter-disciplinary approach to any social problem is fraught with difficulties. We recognize them, we have done something to deal with them. But by no means have all the problems been solved. We shall continue to tackle those that remain.

*Question put and agreed to.*

### **Next sitting**

HIS EXCELLENCY THE PRESIDENT: —This, honourable Members, concludes our business for this session and I would like to congratulate and thank Members on the very great volume of important business transacted and the large amount of other work well done. I should like to wish them all such relaxations as they can get which is very well deserved before we meet again. I now adjourn the Council. The next sitting will be held on Wednesday 6th October when the new session of the Council will begin.

*Adjourned accordingly at twenty-six minutes past four o'clock.*