

**OFFICIAL REPORT OF PROCEEDINGS****Wednesday, 28 November 1979****The Council met at half past two o'clock****PRESENT**

HIS EXCELLENCY THE ACTING GOVERNOR (*PRESIDENT*)  
THE HONOURABLE THE CHIEF SECRETARY  
SIR JACK CATER, K.B.E., J.P.

THE HONOURABLE THE FINANCIAL SECRETARY  
MR. CHARLES PHILIP HADDON-CAVE, C.M.G., J.P.

THE HONOURABLE THE ATTORNEY GENERAL  
MR. JOHN CALVERT GRIFFITHS, Q.C.

THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS  
MR. LI FOOK-KOW, C.M.G., J.P.

THE HONOURABLE DAVID AKERS-JONES, C.M.G., J.P.  
SECRETARY FOR THE NEW TERRITORIES

THE HONOURABLE LEWIS MERVYN DAVIES, C.M.G., O.B.E., J.P.  
SECRETARY FOR SECURITY

THE HONOURABLE DAVID WYLIE McDONALD, C.M.G., J.P.  
DIRECTOR OF PUBLIC WORKS

THE HONOURABLE KENNETH WALLIS JOSEPH TOPLEY, C.M.G., J.P.  
DIRECTOR OF EDUCATION

THE HONOURABLE DAVID GREGORY JEAFFRESON, J.P.  
SECRETARY FOR ECONOMIC SERVICES

THE HONOURABLE ALAN JAMES SCOTT, J.P.  
SECRETARY FOR HOUSING

THE HONOURABLE EDWARD HEWITT NICHOLS, O.B.E., J.P.  
DIRECTOR OF AGRICULTURE AND FISHERIES

THE HONOURABLE THOMAS LEE CHUN-YON, C.B.E., J.P.  
DIRECTOR OF SOCIAL WELFARE

THE HONOURABLE DEREK JOHN CLAREMONT JONES, C.M.G., J.P.  
SECRETARY FOR THE ENVIRONMENT

THE HONOURABLE ERIC PETER HO, J.P.  
SECRETARY FOR SOCIAL SERVICES

THE HONOURABLE JOHN CHARLES CREASEY WALDEN, J.P.  
DIRECTOR OF HOME AFFAIRS

THE HONOURABLE JOHN MARTIN ROWLANDS, J.P.  
SECRETARY FOR THE CIVIL SERVICE

THE HONOURABLE JAMES NEIL HENDERSON, J.P.  
COMMISSIONER FOR LABOUR

THE HONOURABLE GERALD PAUL NAZARETH, O.B.E.  
LAW DRAFTSMAN

THE HONOURABLE WILLIAM DORWARD, O.B.E., J.P.  
DIRECTOR OF TRADE, INDUSTRY AND CUSTOMS

THE HONOURABLE OSWALD VICTOR CHEUNG, C.B.E., Q.C., J.P.

THE HONOURABLE ROGERIO HYNDMAN LOBO, C.B.E., J.P.

THE HONOURABLE LI FOOK-WO, C.B.E., J.P.

THE HONOURABLE JOHN HENRY BREMRIDGE, O.B.E., J.P.

DR. THE HONOURABLE HARRY FANG SIN-YANG, O.B.E., J.P.

THE HONOURABLE LO TAK-SHING, O.B.E., J.P.

THE HONOURABLE ALEX WU SHU-CHIH, O.B.E., J.P.

THE REVD. THE HONOURABLE JOYCE MARY BENNETT, O.B.E., J.P.

THE HONOURABLE CHEN SHOU-LUM, O.B.E., J.P.

THE HONOURABLE LYDIA DUNN, O.B.E., J.P.

THE HONOURABLE LEUNG TAT-SHING, O.B.E., J.P.

THE REVD. THE HONOURABLE PATRICK TERENCE McGOVERN, O.B.E., S.J., J.P.

THE HONOURABLE PETER C. WONG, O.B.E., J.P.

THE HONOURABLE WONG LAM, O.B.E., J.P.

DR. THE HONOURABLE HO KAM-FAI

THE HONOURABLE DAVID KENNEDY NEWBIGGING, J.P.

THE HONOURABLE ANDREW SO KWOK-WING

THE HONOURABLE HU FA-KUANG, J.P.

THE HONOURABLE WONG PO-YAN, O.B.E.

#### **ABSENT**

DR. THE HONOURABLE THONG KAH-LEONG, J.P.  
DIRECTOR OF MEDICAL AND HEALTH SERVICES

THE HONOURABLE FRANCIS YUAN-HAO TIEN, O.B.E., J.P.

DR. THE HONOURABLE HENRY HU HUNG-LICK, O.B.E., J.P.

DR. THE HONOURABLE RAYSON LISUNG HUANG, C.B.E., J.P.

THE HONOURABLE CHARLES YEUNG SIU-CHO, J.P.

THE HONOURABLE ALLEN LEE PENG-FEI

#### **IN ATTENDANCE**

THE CLERK TO THE LEGISLATIVE COUNCIL  
MRS. LORNA LEUNG TSUI LAI-MAN

**Papers**

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

*Subject* *L.N. No.*

## Subsidiary Legislation:

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Carrying of Identity Cards (Frontier Closed Area and Mai Po Bird Sanctuary) Order 1979 .....	271
Pensions Ordinance.	
Pensionable Offices (Amendment)(No. 2) Order 1979 .....	272
Public Order Ordinance.	
Military Installations Closed Areas (Amendment) Order 1979 .....	273
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Hawker (Permitted Area) (Amendment) (No. 2) Declaration 1979 -----	276

## Sessional Paper 1979-80:

No. 19—The Jubilee Sports Centre, Hong Kong Annual Report 1978-79 (published on 28.11.79).

**Oral answers to questions****New Division for cultural and recreation activities**

1. MR. WU asked:—*Will Government make a statement on the policy and financial implications of restructuring its agencies for promoting and co-ordinating cultural and recreational activities?*

SECRETARY FOR HOME AFFAIRS:—Sir, there are two reasons for the restructuring referred to in Mr. WU's question. Firstly, to improve co-ordination, planning, monitoring and control; secondly, to shorten the line of communication between the policy branch and the executive arms responsible for promoting cultural and recreational activities.

The proposed reorganization involves the establishment of a new Division in my Branch and this does not in itself have immediate policy implications. However, it is envisaged that, by bringing together all policy responsibility for culture and recreation as well as executive control of the Recreation and Sport Service and the Music Administrator's Office, we should be able to pursue our policies even more vigorously than hitherto.

The new Division is to be headed by an officer at the Deputy Secretary level and will require a small administrative headquarters to provide the necessary support services. The financial implications arising from the establishment of this new Division are shortly to be considered by the Finance Committee of this Council.

This new Division will also be responsible for steering the programme plan for the long-term development of both music and the performing arts, which I mentioned recently in this Council. This development plan may of course involve new policies and the financial implications arising therefrom will be carefully considered and will be included in a separate chapter of the plan.

MR. WU:—*Is it the Government's intention to give the enthusiastic public some guidance in the development of cultural activities in order to avoid unplanned proliferation?*

SECRETARY FOR HOME AFFAIRS:—Guidance, Sir, we are always prepared to give. Proliferation is, in a way, not a bad thing in that we have more people and more organizations interested in the provision of cultural services, and this is why this new Division will have to assume a more important role in co-ordination and indeed in looking at ways and means of improving the existing arrangements for co-ordination.

### **Resettlement of Vietnamese refugees**

2. MISS DUNN asked:—*Is the Government satisfied that the U.N.H.C.R. are taking adequate steps to ensure that Vietnamese refugees co-operate with interviewing teams from resettlement countries and are not seeking to delay their departure from Hong Kong?*

SECRETARY FOR SECURITY:—Generally speaking, yes, Sir.

U.N.H.C.R. has given the Government an assurance that it will use its best endeavours to resettle Vietnamese refugees overseas. In implementing this assurance it registers all refugees, provides consulates of potential resettlement countries with details and allocates staff to carry out a liaison role between consulates, refugee camp managements and individual refugees and family groups.

The great majority of interviews, discussions, medical examinations and preparations for overseas resettlement proceed as planned, but from time to time there are individual cases where this is not achieved. Considering the scale of the operation, the extent of the necessary transfer of refugees between camps and sometimes the short notice given by resettlement countries, the extent of 'no shows' is relatively small. Where they do occur they are quickly followed up.

U.N.H.C.R. is increasing its staff allocated to resettlement duties and the facilities in camps for liaison and interviews. Closer co-ordination is also being developed between the U.N.H.C.R., camp managements, Immigration Department and my Branch to ensure that the machinery of resettlement works as efficiently and as quickly as possible.

MR. CHEN:—*May I ask how many refugees have been settled through the efforts of U.N.H.C.R. so far?*

SECRETARY FOR SECURITY:—This year twenty thousand have actually left on resettlement and to that figure must be added the figures for previous years which I am afraid I have not got with me, but amount to about five or six thousand.

### **Pyramid selling scheme**

3. MR. LOBO asked:—*In the light of the answer given to the pyramid selling question in this Council in January 1974 and the assurance given in June 1978 that the matter will be looked into vigorously, will the Government state what the present position is on the introduction of legislation to protect the public from pyramid selling schemes?*

SECRETARY FOR ECONOMIC SERVICES:—Sir, as I indicated in this Council in June last year when I answered a similar question from my honourable Friend, the great problem is to devise a definition of pyramid selling which does not exclude other types of selling which we do not wish to prohibit. I assured my honourable Friend that we would pursue the issue vigorously. We have. But the problem has just not gone away.

However, after many attempts, yet another draft bill has been agreed between the Legal Department and the Economic Services Branch. We have sent it to the two other departments involved. They are due to reply, if they have any comments, by 3 December. If they raise no objections, we shall then send it immediately to interested bodies outside the Government for their comments. If they too raise no serious objections, then I am confident that the bill will be introduced into this Council in the current session.

### **Financing of old people's homes**

4. REVD. JOYCE M. BENNETT asked:—*Since my question in this Council on 29.11.78, what progress has Government made towards drawing up guidelines on the financing of old people's homes?*

DIRECTOR OF SOCIAL WELFARE:—Sir, earlier in the year the Planning and Evaluation Sub-Committee of the Social Welfare Advisory Committee considered a report submitted by a working group which had been examining, inter alia, the financing of old people's homes. However, the deliberations of the Government Secretariat Working Party on Subvention Administration have rather overtaken the Working Group's recommendations and it was decided to defer further consideration pending the Working Party's report which is expected shortly. Meanwhile my Department have been advising voluntary agencies operating old people's homes to charge fees which are within the social security benefits received by their clients and this seems to be working well.

REVD. JOYCE M. BENNETT:—*When in fact will this Working Party report?*

DIRECTOR OF SOCIAL WELFARE:—Early next year.

REVD. JOYCE M. BENNETT:—*What positive help has been offered to agencies wishing to start old people's homes and include care and attention wards as well?*

DIRECTOR OF SOCIAL WELFARE:—Every effort is made by the Social Welfare Department to assist voluntary agencies to start new homes as long as these homes are within the Five Year Plan, and the present arrangement is that a care and attention home will be able to charge about \$363 every month as fees, which will be paid for through social security.

### **Measures to encourage the public to report crimes**

5. DR. HO asked:—*Apart from simplifying reporting procedures, what other steps are being taken by the Government to encourage the public to report crimes to the Police?*

SECRETARY FOR SECURITY:—The steps being taken fall broadly into two categories.

First there is a sustained programme aimed at securing increased public confidence in the force. This is reflected in the establishment of Police Community Relations Officers in each Division, the Junior Police Call Scheme, the Good Citizens Award Scheme, the establishment of Neighbourhood Police Units, the holding of 'open days' in Police stations, local anti-crime functions organized by MACs, and District Fight Crime Committees, Police involvement

in a variety of community organizations, a greater emphasis in Police training on the need for individual police officers to secure public co-operation by their behaviour and approach, and as Mr. T.S. Lo has reminded me, the reorganization of the Complaint Against Police Office and the establishment of UMELCO Police Group.

Secondly actual steps aimed directly at encouraging the public to report crime. These include:—

- (a) wide ranging publicity including a special TV series, 'Announcements in the Public Interest', posters, and a forthcoming 'Community Against Crime' campaign which has a central theme of 'report crime';
- (b) improved techniques and facilities such as the establishment of Police Reporting Centres, 'hotlines' for reporting crime and the introduction of the Beat Radio Scheme to cover as wide a geographic area as possible;
- (c) new developments such as a scheme whereby minor crimes can be investigated by uniformed constables, and an experiment whereby crimes may also be reported by postage-paid letter;
- (d) the expansion of the Crime Prevention Bureau whose staff will emphasize through their local contacts with the public the need to report crime.

In addition a Crime Victimization Survey has recently been conducted in an attempt to define the nature and level of crime and the extent to which it is reported. The survey provides a baseline against which to measure fluctuations in future levels of crime and reporting behaviour. It is also of assistance to the Police in deploying their manpower to the best effect.

DR. HO:—*Will Government also consider to invite such bodies as the District Advisory Boards and the Kai Fong Associations to participate in the forthcoming Community Against Crime Campaign so that the message of crime reporting by the public can be successfully transmitted to the grass roots levels?*

SECRETARY FOR SECURITY:—Yes, Sir.

DR. HO:—Thank you.

### **Financing of recreational projects**

6. MR. F. K. HU asked:—*Will Government inform this Council whether arrangements are being made to provide funds for worthwhile recreational projects that are not being financed through the Public Works Programme?*

SECRETARY FOR HOME AFFAIRS:—Sir, the voluntary agencies involved in providing recreational activities rely on their own fund-raising efforts, on private donations distributed through Government and on the Sir David Trench Fund for Recreation.

The Sir David Trench Fund for Recreation is a statutory fund established in 1970 by private donations amounting to \$3 million. The main objects of the fund, as stated in the Sir David Trench Fund for Recreation Ordinance, are to assist in the provision of facilities for recreational, sporting, cultural and social activities. The Ordinance also stipulates that only the interest from the fund should be distributed and the amount available each year has been in the region of \$400,000. As this sum is relatively small in relation to total demand, the fund has so far concentrated on allocations for the promotion of recreational activities including the purchasing of sports equipment. However, a private donation of \$10 million was made in 1974 mainly for the purpose of assisting voluntary agencies towards their capital projects. The average sum allocated, on the advice of the Council for Recreation and Sport, has been in the region of \$1.8 million a year during the last five years or so.

Sir, in anticipation of the exhaustion of this substantial private donation, I sought advice from the Secretary for Social Services on the possibility of grants from the Lotteries Fund for recreational projects. This proposal was subsequently considered by the Social Welfare Advisory Committee and that Committee recommended a grant of \$15 million from the Lotteries Fund to the Sir David Trench Fund. This recommendation was approved by the Governor in July this year.

The enlarged capital of the Sir David Trench Fund should enhance future income to an estimated amount of \$2 million a year. At a recent meeting of the Council for Recreation and Sport, it was agreed that approximately \$500,000 of this future income should be earmarked for purchases of recreational equipment and the occasional expenses of recreational activities while the remainder of \$1.5 million should be reserved for capital projects in the recreation field. This proportion is, of course, subject to review from time to time.

MR. F. K. HU:—*Sir, will the application for funds for capital projects be considered on a first come first served basis or all applications be vetted together say, once a year?*

SECRETARY FOR HOME AFFAIRS:—*Sir, normally they are vetted about once a quarter, firstly by the Branch and then considered by the Council for Recreation and Sport.*

### **Allocation of funds to CDOs for local public works**

7. REVD. JOYCE M. BENNETT asked:—*Will the strengthening of the City District Office Scheme include the allocation of funds similar to those allowed to the District Advisory Boards to carry out urgent local public works?*

DIRECTOR OF HOME AFFAIRS:—*Yes, Sir.*



### Stamps as vehicles to project Hong Kong's image abroad

8. MR. WU asked:—*What is the Government's present policy regarding the issue and sale of ordinary stamps and special ones with first day covers commemorating special occasions, as vehicles to project Hong Kong's image abroad?*

SECRETARY FOR ECONOMIC SERVICES:—Sir, what my honourable Friend refers to as 'ordinary stamps' are the definitive issue of stamps in normal use over a long period of time, in the case of the present issue since 1973. The definitive issue is not designed primarily to project Hong Kong's image abroad. But one of our objects, with Hong Kong's image at least in mind, is to make sure that it is designed tastefully. As regards the sale of the definitive issue, as honourable Members may be aware, they are on sale at all Post Offices.

But one of the objects of commemorative issues is to project Hong Kong's image abroad. The Stamp Advisory Committee advises the Postmaster General on appropriate themes. The three chosen for 1979, 'Hong Kong Industries' and 'The Mass Transit Railway' were clearly picked with Hong Kong's image overseas in mind. And the third, 'Hong Kong Butterflies', while perhaps of greater appeal to people in Hong Kong must have created some interest abroad.

The Stamp Advisory Committee also advises on the designers to be employed and the designs to be submitted to the Government for approval. In regard to both, they pay particular attention to Hong Kong's image overseas.

These stamps, too, are on sale in the Post Offices. Normally enough are issued for each denomination to last two to three months.

Greater attention is now being paid to Hong Kong's image overseas in respect of 'first day covers'. For the last two commemorative issues of this year, the envelopes have contained a card elaborating on the theme on the stamp.

MR. WU:—*Sir, how many first day covers were printed and sold each time?*

SECRETARY FOR ECONOMIC SERVICES:—Sir, 218,000 first day covers were printed of the Hong Kong Industries set and 165,600 were sold. The Hong Kong Butterflies set—the number printed was 170,000 and all of these were sold. The Mass Transit Railway—218,000 were printed and the whole lot were sold in a matter of hours.

MR. WU:—*There have been complaints from the public that it was extremely difficult to buy the first day covers. Why was it so and what will the Government do to avoid causing difficulties to the public in future?*

SECRETARY FOR ECONOMIC SERVICES:—Sir, I think, my honourable Friend is probably referring to the Mass Transit Railway cover which as I have just said was sold out in a matter of hours. The trouble with first day covers is that it is a limited issue, and obviously limited for cancellation on the first day. The

Postmaster General has to judge the numbers that are likely to be sold. Unfortunately, he under-estimated in the case of the Mass Transit Railway and indeed the Mass Transit Railway issue of 218,000 all sold was a first day cover record. For the next issue, to avoid the similar disappointment, he intends to issue 250,000 first day covers or at least to have this number available.

MR. WU:—*A final question, Sir, referring to the last part of my honourable Friend's reply, may I ask is it Government's intention to continue including explanatory cards in first day covers?*

SECRETARY FOR ECONOMIC SERVICES:—Yes, Sir.

### **Air pollution in Diamond Hill**

9. REVD. JOYCE M. BENNETT asked:—

- (a) *What positive steps have been taken to reduce the air pollution generated by factories in the Diamond Hill area since the complaint lodged by a nearby boarding school in 1976?*
- (b) *What further steps are being taken to deal with the continuing problem of air pollution in this area?*

COMMISSIONER FOR LABOUR:—Sir, since 1976, officers of the Smoke Inspectorate and the Industrial Health Division had carried out more than one hundred investigations to factories near the boarding school overlooking Diamond Hill to ensure that smoke emission in the area is kept within legal limits. Technical advice had been given to the management of the bleaching and dyeing factories on how to abate or avoid dark smoke emission. One of the factories which failed to follow the advice was prosecuted and convicted on two occasions. In general, factory managements have now controlled the emissions to be within the statutory limits under the Clean Air Ordinance.

With regard to the second part of the question, officers from the Air Pollution Control Division will continue to keep the factories in the area under surveillance to ensure the smoke emission would not exceed the legal limits as set down in the Clean Air Ordinance. I am glad to report that since Miss BENNETT last asked a question in this Council related to enforcement of this Ordinance, we have been able to recruit a further seven inspectors.

REVD. JOYCE M. BENNETT:—*Sir, what was the penalty imposed on the factory which was convicted twice?*

COMMISSIONER FOR LABOUR:—I think I am right in saying, Sir, \$200 and \$400.

REVD. JOYCE M. BENNETT:—*Sir, was that penalty adequate to prevent the factory continuing in this smoke emission?*

COMMISSIONER FOR LABOUR:—Sir, as I understand it, they have now heeded our advice.

REVD. JOYCE M. BENNETT:—*Has the increased number of inspectors led to an increased number of convictions overall?*

COMMISSIONER FOR LABOUR:—We have only recently recruited these inspectors and they are fairly new and will not as yet have made much impact, but I would point out this is an increase of staff of more than 50%.

REVD. JOYCE M. BENNETT:—*Sir, I would also like to ask, if I may, are the legal limits to which you refer wide enough or narrow enough, perhaps it would be better to say?*

COMMISSIONER FOR LABOUR:—I think, in so far as smoke emission is concerned, the limits are adequate. Yes, Sir.

HIS EXCELLENCY THE PRESIDENT:—Could we make this the last question, Miss BENNETT?

REVD. JOYCE M. BENNETT:—*Sir, I will be happy to make this the last question. Is it true that the factories are allowed to issue black smoke when they start their work?*

COMMISSIONER FOR LABOUR:—Sir, this is certainly correct. Miss BENNETT has asked me this question before but not in this session. Yes, they are permitted to emit black smoke for a certain short period when starting up boiler from cold. This is unavoidable and it is a good defence in the law to do this and we would be, I think, severely criticized by the Judiciary if we started taking cases when we knew beforehand there was a good defence.

### **Assistance for ex-Far East prisoners of war**

10. MISS DUNN asked:—*What are the benefits and help provided by the Government for ex-Far East prisoners of war?*

SECRETARY FOR SOCIAL SERVICES:—Sir, former prisoners of war are entitled to all public services, and to the same social security, health and welfare benefits, as any other residents of Hong Kong.

Volunteer prisoners of war who had been disabled in action or in captivity, and the dependants of those who died in captivity or subsequently because of their injuries, are entitled to pensions under the Royal Warrants by virtue of the provisions of the Volunteer and Naval Volunteer Pensions Ordinance (Chapter 202). The current rate of pension to a widow or to a volunteer who is

classified as 100% disabled is £25.30 a week. There is also provision for age, dependants, rent and education allowances. The average current rate of payment is about £25 a week.

Those prisoners of war who come within the ambit of the First Schedule to the Hong Kong War Memorial Fund Ordinance (Chapter 1026) and are in need, including those who do not qualify for pensions under the Royal Warrants, are eligible for assistance from this Fund. The current rate of grant approved by the War Memorial Fund Committee is up to \$870 a month for each eligible adult. Children's and education allowances are also payable where due.

Since July 1977 prisoners of war who come within the ambit of the First Schedule to the Hong Kong War Memorial Fund Ordinance, and are resident in Hong Kong, have been entitled to free medical treatment at Government clinics and hospitals. A significant feature of this scheme is their eligibility for free treatment in private or semi-private rooms (otherwise called first and second class beds) at Government hospitals, when available, at an inclusive maintenance charge of \$35 a day and \$25 a day, respectively.

Other Far East prisoners of war may apply to the War Memorial Fund Committee for assistance under the Far Eastern Relief Fund, even though the initial £3,000 grant from the Lord Mayor's Fund and subsequent allocations thereto from local sources have been exhausted. The reason for this is that the Finance Committee of this Council has voted the necessary moneys to keep the Fund in being. Accordingly, if a new case comes to notice, including that of a former prisoner of war, and the War Memorial Fund Committee considers him worthy of assistance, the Government will be prepared to consider inviting the Finance Committee to vote the appropriate grants on a case by case basis.

MISS DUNN:—*Why does Government not pay a pension to the remaining handful of P.O.Ws. who still remain in Hong Kong?*

SECRETARY FOR SOCIAL SERVICES:—There are a number of reasons why I fear the payment of a special pension to the ex-P.O.W.s will not be appropriate in our circumstances.

In the first place, as I indicated earlier, our Volunteer and Naval Volunteer Pensions follow United Kingdom provisions: we automatically apply the rates laid down in the Royal Warrants for H.M. Forces. No provision has yet been included in the Royal Warrants for granting pensions to former prisoners of war not otherwise assessed as disabled. Accordingly, there is no framework for Hong Kong to award such war pensions.

If we consider the three grounds which have been advanced from time to time in support of a special pension for ex-P.O.W.s, even if they have not been mentioned specifically in this Council today, I feel it will be found that their case for special treatment is not unique. These three grounds appear to be:

that there are only about 50 such ex-P.O.W.s left in Hong Kong today; that they have suffered grievously; and that they should be rewarded for their loyalty.

While small numbers alone do not justify special treatment, I must point out that our practice to date has been to grant any cash benefits due to all the war victims who meet the criteria, wherever they may now be residing. If a volunteer had qualified for a disability pension, on his death his widow is not just forgotten. Of the 154 Volunteer pensions currently payable, 79 are being paid to widows or dependants and 75 to volunteers: again, 37 of these pensioners are resident and 117 non-resident. Out of the 112 beneficiaries of the War Memorial Fund 9 are overseas residents, and out of the total of 183 persons registered so far under the free medical scheme for war victims 76 are widows or wives. Accordingly, I would suggest that apart from the 50 odd ex-P.O.W.s being referred to there must be several times that number who should not be overlooked.

I am fully conscious of the privations and harsh treatment suffered by ex-P.O.W.s over the 3 years, 8 months and 5 days (or more) of captivity: their forced labour at Kai Tak and in Japanese factories and mines; the horror of the sinking of the Lisbon Maru. But many of our population who were caught in Hong Kong on the other side of the wire during the enemy occupation suffered no less. Apart from loss and suffering arising from direct military action, countless numbers starved to death, others were subjected to arbitrary arrest, brutal torture, imprisonment and execution. All lived in fear of the secret police.

As regards rewards for loyalty, I doubt whether anyone can maintain that the ex-P.O.W.s are necessarily more meritorious than those who escaped from camp, or otherwise avoided capture, and made their way into China, or beyond, to carry on the fight to final victory.

I might add that immediately after the war when memories were fresh, when the War Memorial Fund was established, it was not considered that the ex-P.O.W.s justified special treatment; but provision was included for all victims and their families in need. In the Government's view it is still not possible to justify a privileged status to our ex-P.O.W.s today.

In making these remarks I must emphasize that the fortitude and sacrifices of the former P.O.W.s have not been forgotten. In the light of medical advice that their period of captivity in conditions of malnutrition and maltreatment are likely to have had a deleterious effect on health, the Government introduced the free medical treatment scheme in July 1977. Since then the War Memorial Fund Ordinance has been amended to enable the former P.O.W.s in need to qualify automatically for assistance under the Fund without the applicant having to prove that his current situation is specifically attributable to captivity some 34 to 38 years ago.

I consider that in our relevant circumstances the arrangements already made for the former prisoners of war are reasonable, and the award to them of special pensions cannot be justified.

## Statement

### **The 2nd Annual Report of the Jubilee Sports Centre Board for the year ended 31 March 1979**

MR. F. W. LI:—Sir, laid on the table of this Council today is the 2nd Annual Report of the Jubilee Sports Centre Board, which describes briefly the substantial progress made over the past twelve months. The year under review constitutes the first full year of the Centre's existence.

The proceeds of the Queen's Silver Jubilee Appeal in Hong Kong, amounting to some \$12.6 million, were received by the Board during the year. In addition to matching this sum, the Royal Hong Kong Jockey Club has recently agreed upon a second generous donation of \$70 million. Together with the \$25 million to be contributed by Government, there will be a total of approximately \$120 million available to start the construction of the project.

Sir, when the 1st Annual Report was tabled in December last year, I mentioned that an architectural competition for the design of the Centre was being held. As anticipated, the response was overwhelming—the competition attracting no less than 73 entries and 52 sets of plans and drawings. The panel of judges was headed by the Chairman of the Board, Sir Albert Rodrigues, and honourable Members will appreciate that the judges did not have an easy task in deciding on the winning entry, since the site covers some 41 acres and the competitors were required to design a group of buildings aimed at providing adequate and up-to-date facilities for training the talented athletes. The competition was, however, successfully completed and the first prize was awarded to Ma & Fong Associates, who were subsequently appointed architects for the project. It is hoped to commence upon the first phase of construction very shortly.

The target date for completion of the Centre remains May 1982. With this in mind, the Board plans to make these new facilities available for the use of the Far East and South Pacific Games for the Disabled (FESPIC GAMES), which will be hosted by Hong Kong in October 1982.

Honourable Members will note that the Centre has done much in the establishment of the nucleus of the coaching staff. In January this year Mr. Colin MCFADYEAN joined the Centre as its Chief Coach. Since then five specialist coaches have been recruited, respectively responsible for table tennis, soccer, squash, badminton and fencing. With these coaches now available to teach at grass roots level, the Centre has an identity and has already begun to provide top level coaching for local athletes and sportsmen at the modern sports complex of La Salle College. The College has excellent facilities for various sports and games, and is conveniently located. It will directly benefit the pupils of La Salle for two evenings in every week, but more importantly, will serve as a temporary venue for the programme of training to be conducted by the coaches of the Jubilee Sports Centre until the facilities in Sha Tin are ready for use.

Sir, the Centre is by far the largest project in the realm of sports to have been conceived in Hong Kong. Members of the Board are aware that much remains to be done before the Centre will play its comprehensive role in the gradual improvement of standards in sports. With the help of the local sports community we are confident that further progress will be made in the months ahead.

## **Government business**

### **Motions**

#### **FIXED PENALTY (TRAFFIC CONTRAVENTIONS) ORDINANCE**

THE SECRETARY FOR THE ENVIRONMENT moved the following motion:—

- (1) That \$70 is hereby prescribed as the fixed penalty under section 13 of the Fixed Penalty (Traffic Contraventions) Ordinance; and
- (2) that this resolution shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

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

This Council may, by resolution, increase the penalty payable under section 13 of the Fixed Penalty (Traffic Contraventions) Ordinance which relates to a range of parking offences. The penalty presently prescribed is \$30, and it is now proposed to increase it to \$70. The principal reason for this is to restore the original deterrent effect of the penalty which has been eroded over the years by the general increase of prices and incomes. The fixed penalty of \$30 for parking offences has remained unchanged since it was first introduced in 1971.

In recent years the number of fixed penalty tickets issued has been steadily increasing and the figures now give a clear indication that the deterrent effect of the \$30 penalty has become minimal. Thus, during 1977 an average of 50,000 parking tickets were issued each month. By 1978 this had risen to approximately 82,000 a month. And this year, 1979, well over 100,000 parking tickets are being issued each month and, indeed, many drivers no longer make any serious effort to find legal parking spaces, perhaps because the penalty is now little greater than the legal parking charges. Vehicles which are illegally parked very often contribute to traffic congestion and thus help to delay other traffic, including the majority of travellers who use public transport.

To those who may claim that the proposed increase to \$70 is a swinging one I can only say that this is the purpose, as it is intended to discourage illegal parking by restoring the deterrent effect of the penalty as it was in 1971. It is not a compulsory levy on motorists as it can be avoided by those who do not park their vehicles illegally.

I should add, Sir, that if this motion is approved there will be a period of reprieve. The revision of the penalty will require the modification of computer programmes and the printing of new forms and this will take a few months. The motion therefore provides for the introduction of the new fixed penalty rate on a day to be appointed by the Governor and notified in the *Gazette*.

Sir, I beg to move.

MR. SO delivered his speech in Cantonese:—

督憲閣下，違例泊車罰款額於一九六七年由行政局擬訂為三十元，其後於一九七一年九月實施，由擬訂及實施至今相隔十二年，因為通貨膨脹及生活程度的提高，已不能產生阻嚇的作用。駕車人士一旦找不到合法車位停車時，便隨意把車輛停泊，引致交通阻塞，和行人的不便，有關當局檢控違例泊車每月平均高達十萬宗。此次提高罰款額，在阻嚇及寓禁於徵的原意下，本是無可厚非，但亦只可治標而不能治本。

本港合法的泊車位極為缺乏。政府在各街道設置的合法停車位不足一萬六千個，政府多層停車場和各露天停車場，共有六千一百零三個車位，但紅磡火車站停車場並非全部開放，故此可供使用的車位，實不足此數。至於私營的公用停車場，亦只有約九千餘個停車位。但全港已登記的車輛於去年底計有二十三萬三千一百五十部，這個數字至今年底相信會有顯著的增加。這個情況，加上泊車位往往因修路、改道、或其他原因而被永久或臨時取消，或又因被等候修理或棄置的汽車佔用，駕車人士要找一個合法車位停車，有時比中彩票還要難。

正本要清源，政府既不限制車輛的註冊，便要設法增加合法停車位，鼓勵私人投資設立停車場。如有必要臨時或永久取消某些停車位置時，應設法在附近提供其他泊車的地方。對於「長期佔用車位」的情形，尤要時加注意。一日不能解決泊車位的缺乏，單憑罰款以求產生阻嚇作用，並不是徹底解決問題的辦法。

督憲閣下，本人謹此陳詞贊成此動議。

(The following is the interpretation of what Mr. So said.)

Sir, the penalty for parking offences was fixed at thirty dollars by the Executive Council in 1967 and this was subsequently implemented in September 1971. Twelve years have elapsed since the decision and the implementation. Owing to inflation and the rise in the standard of living, this amount can no longer be a deterrent. When drivers are unable to find designated parking spaces, they just leave their cars anywhere, causing traffic congestion and inconvenience to pedestrians. On the average the number of illegal parking cases prosecuted by the authorities concerned is as high as one hundred thousand per month. Increasing the amount of penalty should not have given much cause for criticism as the original intention was to deter and to prohibit illegal parking through the imposition of a penalty. However, this can only be a superficial remedy and cannot cure the root of the problem.

There is an acute shortage of designated parking spaces in Hong Kong. The number of on-street parking spaces provided by the Government is less than 16,000. In the multi-storey car parks and various open car parks run by the Government there are in total 6,103 parking spaces. But the number of spaces actually available is less than this figure as the Hung Hom Railway Station Car



Park is only partly open. Privately-run public car parks provide only some 9,000 parking spaces. However, the number of registered vehicles in Hong Kong totalled 233,150 at the end of last year and it is believed that this figure will increase significantly by the end of this year. Under such circumstances, coupled with the fact that parking spaces are often permanently or temporarily cancelled because of road repairs, traffic diversions and other reasons, or are occupied by cars awaiting repairs or abandoned, sometimes it is more difficult for drivers to find a parking space than to win the lottery.

To return to the basic problem, if the Government does not limit the registration of vehicles, it must try to provide more parking spaces, and encourage the private sector to invest in the provision of car parks. In the event it is necessary to cancel parking spaces temporarily or permanently, Government should try to provide other parking spaces nearby. Special attention must be paid to the unsatisfactory situation of 'prolonged occupation of parking spaces'. As long as the shortage of parking spaces continues, the problem cannot be thoroughly solved by simply imposing fines as a deterrent.

Sir, with these remarks, I support the motion.

*Question put and agreed to.*

## **FIXED PENALTY (CRIMINAL PROCEEDINGS) ORDINANCE**

THE SECRETARY FOR THE ENVIRONMENT moved the following motion:—

(1) That the Schedule to the Fixed Penalty (Criminal Proceedings) Ordinance be amended

- (a) by deleting '\$50' and substituting '\$100' in items 1, 5, 5A, 7, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 23, 24, 25, 26, 27, 28, 31, 32, 33, 35, 36, 38, 40, 48, 52, 55, 56, 60, 61, 62, 65, 66, 67, 68, 69, 70, 71, 72 and 73;
- (b) by deleting '\$100' and substituting '\$200' in items 2, 6, 8, 17, 20, 22, 29, 30, 39, 42, 43, 44, 45, 46, 47, 49, 50, 51, 53, 54, 57, 58 and 59;
- (c) by deleting items 3, 4, 21, 34, 37, 63 and 64;
- (d) by inserting after item 5A the following—  
'5B. Section 4(4) Driving unlicensed vehicle \$200';
- (e) in item 41 by deleting '—private/public car \$50' and substituting the following—  
'private car \$100';
- (f) in column 2 after item 59 by deleting '*Road Traffic (Taxis, Public Omnibuses, Public Light Buses and Public Cars) Regulations*' and substituting the following

*Road Traffic (Public Service Vehicles) Regulations* (also items 74 to 80)';

(g) by inserting after item 73 the following—

‘ <i>Road Traffic (Public Service Vehicles) Regulations</i> (also items 60 to 72)		
74.	Regulation 27(a)	Refusing/neglecting to accept hire \$200
75.	Regulation 27(b)	Refusing/neglecting to drive from taxi stand to destination \$200
76.	Regulation 27(c)	Refusing/neglecting to drive to destination after responding to hail \$200
77.	Regulation 27(d)	Refusing/neglecting to drive to destination in other circumstances \$200
78.	Regulation 27(e)	Refusing/neglecting to carry passengers as required by hirer \$200
79.	Regulation 27(f)	Failing to drive to destination by most direct route \$200
80.	Regulation 27(g)	Permitting persons to enter taxi without hirer’s consent \$200’;

(2) that this resolution shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

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

Under section 12 of the Fixed Penalty (Criminal Proceedings) Ordinance, this Council may by resolution amend the Schedule to the Ordinance. This lays down a total of 74 moving traffic offences which attract penalties ranging from \$50 to \$200, although those which relates to owner offences have yet to be implemented. The present level of penalties was introduced when the Ordinance came into force in November 1976. But the amounts of penalty were fixed four years before that, and the lapse of seven years is considered sufficiently long to merit a review in the interests, again, of maintaining their deterrent effect in the face of rising prices and incomes. Moreover, it is necessary to maintain the relativity between the penalties for parking and moving offences, especially as the latter are, in general, more serious and can at times be positively dangerous.

Accordingly, it is proposed to double the levels of penalty to achieve this, that is the \$50 penalty would be increased to \$100 and the offences attracting \$100 would rise to \$200.

The opportunity has also been taken to make a number of additional minor amendments and corrections to the Schedule to the Ordinance. First, items 3 and 4 of the Schedule have been deleted in pursuance of the Attorney General’s advice that a fixed penalty is not appropriate for these serious offences. Under section 29(5) of the Road Traffic Ordinance, the penalty for ‘not identifying driver’, contrary to section 29(1) of the same Ordinance, is a fine of up to \$2,000 and imprisonment for six months and it is considered that this offence

should be dealt with in the courts. This, in fact, removes the only offence in the schedule which currently attracts a fixed penalty of \$200, so there is no equivalent in the revised Schedule.

Secondly, items 21 and 34 of the Schedule have been deleted because public cars have ceased to exist as a separate category of vehicle, whilst item 41 has been amended, for the same reason, by the deletion of the word 'public'.

Next, item 37, which covers the driving of an unlicensed vehicle contrary to regulation 19(1) of the Road Traffic (Registration and Licensing of Vehicles) Regulations, has been deleted because this regulation was revoked by the Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulations 1978 which came into effect on 1 October 1979. The relevant offence is now provided for in section 4(4) of the Road Traffic Ordinance, and this change is selected in the proposed new item 5B of the Schedule.

Items 63 and 64, that is 'not driving to place required by hirer' and 'refusing passengers' which are taxi offences, contrary to paragraphs (a) and (b) of regulation 27 of the Road Traffic (Public Service Vehicles) Regulations, have also been deleted. These paragraphs were revoked by the Road Traffic (Public Service Vehicles) (Amendment) Regulations 1979 and replaced by new paragraphs (a) to (g) of regulation 27 in those Regulations which provide a more comprehensive list of taxi-related offences. These offences are now specified in new items 74 to 80 of the Schedule to this Ordinance.

Sir, I need hardly add that those who drive safely and considerately have no reason to fear these penalties and they are intended to provide an incentive to better driving habits on our crowded roads. Again, as with the fixed penalty for parking offences, it will not be possible to introduce the new levels of penalties for some months. Accordingly, the motion provides for the new rates to be introduced on a day to be appointed by the Governor by notification in the *Gazette*.

Sir, I beg to move.

*Question put and agreed to.*

### **First reading of bill**

### **LAW REVISION (MISCELLANEOUS AMENDMENTS) BILL 1979**

*Bill read the first time and ordered to be set down for second reading pursuant to Standing Order 41(3).*

## Second reading of bills

### LAW REVISION (MISCELLANEOUS AMENDMENTS) BILL 1979

THE LAW DRAFTSMAN moved the second reading of:—‘A bill to amend certain Ordinances.’

He said:—Sir, I move that the Law Revision (Miscellaneous Amendments) Bill 1979 be now read the second time.

This Bill is a tidying-up measure and it seeks to amend a number of ordinances and some subsidiary legislation in the manner detailed in the Schedule to the Bill. If I may run quickly through that Schedule, Item 1 relates to Section 5 of the Jury Ordinance, which confers upon the wives of the holders of certain judicial offices exemption from service as jurors. When the Supreme Court was reconstituted in its present form by the Supreme Court Ordinance, the designation of those offices was changed. Item 1 of the Schedule amends section 5 of the Jury Ordinance to delete references to the former designation and replace them with references to the new designation of those offices.

Item 2 of the Schedule makes 2 amendments to the Supreme Court Ordinance. The first, in pursuance of a suggestion made by the High Court last year, deletes an inaccurate reference in the Supreme Court Ordinance to a specially endorsed writ, and replaces it with a reference to a writ endorsed with a statement of claim, the latter being what is actually provided for in the Supreme Court Rules.

The second amendment concerns section 49 of the Supreme Court Ordinance which provides that a judgment debt shall carry interest at such rate as may be prescribed by rules of court. In pursuance of this the rate of interest is prescribed in the Rules of the Supreme Court which are made by a Rules Committee. And these Rules have to be amended on each occasion the rate is varied. This is hardly appropriate given the need to take some cognizance of rapidly fluctuating rates of interest in the private sector. Accordingly, at the request of the Registrar of the Supreme Court and with the agreement of the Rules Committee, this second amendment to the Supreme Court Ordinance seeks to empower the Chief Justice to determine the rate of interest by order. Such orders will, of course, have to be laid on the Table of this Council in the usual way.

Item 3 relates to certain forms prescribed by the Limited Partnership Rules. With the repeal of section 10 of the Limited Partnership Ordinance, 2 of those forms are no longer required, and 2 forms require minor amendment. Item 3 provides for the necessary deletions and amendments.

To proceed to Item 4, the definition of ‘mortgage’ in the Inland Revenue Ordinance merely adopts by reference the definition of that expression in the Stamp Duty Ordinance. The latter definition has recently been deleted and

Item 4 in effect restores the position so far as the Inland Revenue Ordinance is concerned by inserting in that Ordinance the text of the deleted definition, subject to minor modification.

The next 8 items, that is Items 5 to 12, provide for amendments that are consequential upon the transfer of provisions relating to the registration and licensing of vehicles from the Road Traffic (Registration and Licensing of Vehicles) Regulations to the Road Traffic Ordinance. References to the Regulations in the legislation specified in Items 5 to 12 which thereby have become inaccurate are corrected by those items, that is Items 5 to 12.

Item 13 which is the last item on the Schedule, amends the Hong Kong Housing Society Incorporation Ordinance by substituting for the word 'Secretary' the words 'Executive Director', the latter being the new designation that has been adopted by the Society.

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

*Motion made. That the debate on the second reading of the Bill be adjourned*—THE LAW DRAFTSMAN.

*Question put and agreed to.*

## **BANKING (AMENDMENT) (NO. 2) BILL 1979**

### **Resumption of debate on second reading (17 October 1979)**

*Question proposed.*

MR. F. W. LI:—Sir, as a director of a licensed bank I should like to declare an interest in the contents of this Bill. I am of course speaking as a Member of this Council and as the Convener of the Unofficial Group on this Bill. I would add that I have been authorized to express the views of the Unofficial Members.

The Unofficials agree that it is undesirable as a general practice for banks and other financial institutions to repay time deposits in advance of their maturity dates, whether by agreement or custom, and support the Government view that such deposits should be treated as short-term funds. However, we thought that there might be some difficulty in endeavouring to ascertain the details of such transactions where there was only an oral agreement unless, of course, the funds were actually withdrawn before maturity. When we met with the Acting Chief Secretary he agreed that while this was the case, the Commissioner of Banking is confident that he would be able to monitor the position fairly closely. In the circumstances, we have decided to give it a try.

On the subject of specified liquid assets, we welcome in particular the proposals to extend the list of such assets which can be held against deposit liabilities. These proposals will initially include foreign currency certificates of deposit only, a popular form of money market instrument which is readily accepted by the international banking community and traded extensively in many financial centres. However, we are somewhat disappointed by the omission of Hong Kong Dollar denominated certificates of deposit from the list at this stage. Speaking for myself, I would have thought that it is most difficult to say *when* a market has moved from immaturity to maturity and that it is preferable for Government to seize the initiative and specify such certificates as liquid assets without further delay. While the Unofficial Members appreciate that the current turnover is not very large, the value of the certificates outstanding in the local market is already quite substantial. Since the actual volume of turnover is restrained by the number of issues available for trading it is anticipated that, as more issues come on to the market, the volume will increase to a higher level thus providing a more adequate secondary market. It is also expected that these certificates of deposit will continue to be easily marketable.

When the Unofficial Group met with the Acting Chief Secretary, he was accordingly requested to take immediate steps to resolve, in his own words, this ‘chicken-and-egg’ situation. He informed us that Government will watch the position closely and that the situation would be reviewed within one year. We were satisfied with this undertaking given by the Acting Chief Secretary, and have agreed to let this Bill pass without amendment.

With these observations, Sir, my Unofficial Colleagues and I support the motion.

THE FINANCIAL SECRETARY:—Sir, I agree with Mr. Li that it is very difficult to tell when a market in instruments, such as Hong Kong Dollar denominated certificates of deposit, has moved from its state of immaturity to a state of maturity. But I really am certain that it would be wrong to move too soon, that is to say, it would be wrong to specify these C.D.s as liquid assets for banks and deposit-taking companies straight away. The essence of a specified liquid asset is that the bank or deposit-taking company holding that asset must be able to realize it, and realize it in reasonable volume and at an acceptable price, in a very short period of time. I am afraid I am not convinced that the secondary market in these C.D.s yet meets those criteria. I can, however, willingly repeat the assurance I gave to Unofficial Members, when I met them to discuss this Bill, that we shall watch the developing market situation closely and will review the situation within twelve months.

*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).*

## **DEPOSIT-TAKING COMPANIES (AMENDMENT) (NO. 2) BILL 1979**

### **Resumption of debate on second reading (17 October 1979)**

*Question proposed.*

MR. F. W. LI:—Sir, as the Chairman of a registered deposit-taking company I should again like to declare an interest in the contents of this Bill. I am again of course speaking as a Member of this Council and as the Convener of the Unofficial Group on this Bill, and also I express the views of the Unofficial Members.

Honourable Members are already aware that the main purpose of this Bill is to implement a system of minimum liquidity ratios for registered deposit-taking companies as part of the on-going process of applying prudent controls to the companies. Section 9 of the 1978 amending Ordinance as passed by this Council provided that these companies were to observe a minimum liquidity ratio similar to that of licensed banks, but it is now proposed by Government that before this section is brought into operation it should be amended to provide that the companies will have to hold a percentage of their short-term deposits and a different percentage for their remaining deposits in specified liquid assets. These percentages are to be specified by the Financial Secretary, whose present intention is to set a minimum of 30% against short-term deposits and 15% against longer term liabilities.

When moving the second reading of this Bill, the Acting Chief Secretary explained at some length the reasons behind Government's proposal for this change from a flat rate to a split-level liquidity ratio for deposit-taking companies. The Unofficial Members at first had some misgivings on the prudence of adopting a two-tier liquidity ratio, but having carefully studied the maturity pattern of the deposit liabilities of licensed banks and registered deposit-taking companies we now agree with the latest proposal.

When I spoke at the resumption of the second reading of the 1978 Bill, I expressed the view that the liquidity ratio requirement for deposit-taking companies should of necessity be lower than that of banks, but at that time it did not occur to me that a two-tier ratio would be proposed.

When speaking earlier on the Banking (Amendment) (No. 2) Bill 1979, I stressed the undesirability of time deposits being repaid in advance of their

maturity dates, and the Unofficial Group's view regarding Hong Kong Dollar certificates of deposit. These comments similarly apply to deposit-taking companies.

With these remarks, Sir, my Unofficial Colleagues and I support the motion.

THE FINANCIAL SECRETARY:—I am grateful to Mr. LI, Sir, but perhaps I could simply make one point in response really to his speech on the resumption of the second reading debate on the Banking (Amendment) Bill but it has some relevance to what he has just said. He did express concern about the ability of the Commissioner of Banking to monitor the position in relation to premature repayment of time deposits. I should perhaps point out that this concern is relevant only to deposit-taking companies, and not to banks, because it is only for deposit-taking companies that we propose to introduce a split-level liquidity ratio; it is only a deposit-taking company that can obtain a competitive edge by, as it were, surreptitiously repaying time deposits ahead of schedule. I can only repeat today what I said to Unofficial Members when I met them in their office, namely, that the Commissioner is satisfied he can, in the course of his regular examination of every registered deposit-taking company monitor the extent to which time deposits are repaid early; and he is satisfied he can match that information against the time deposits which each company has declared as short-term for the purposes of calculating the minimum holding of specified liquid assets.

*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).*

## **PROBATION OF OFFENDERS (AMENDMENT) BILL 1979**

### **Resumption of debate on second reading (15 November 1979)**

*Question proposed.*

*Question put and agreed to.*

Bill read the second time.

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



**HAWKER CONTROL FORCE (REPEAL) BILL 1979****Resumption of debate on second reading (15 November 1979)**

*Question proposed.*

*Question put and agreed to.*

Bill read the second time.

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

**IMPORT AND EXPORT (AMENDMENT) BILL 1979****Resumption of debate on second reading (15 November 1979)**

*Question proposed.*

*Question put and agreed to.*

Bill read the second time.

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

**Committee stage of bills**

Council went into Committee.

**BANKING (AMENDMENT) (NO. 2) BILL 1979**

Clauses 1 to 5 were agreed to.

**DEPOSIT-TAKING COMPANIES (AMENDMENT) (NO. 2) BILL 1979**

Clauses 1 to 3 were agreed to.

**PROBATION OF OFFENDERS (AMENDMENT) BILL 1979**

Clauses 1 to 4 were agreed to.

**HAWKER CONTROL FORCE (REPEAL) BILL 1979**

Clauses 1 to 4 were agreed to.

Schedule was agreed to.

**IMPORT AND EXPORT (AMENDMENT) BILL 1979**

Clauses 1 and 2 were agreed to.

Council then resumed.

**Third reading of bills**

THE ATTORNEY GENERAL reported that the

BANKING (AMENDMENT) (NO. 2) BILL

DEPOSIT-TAKING COMPANIES (AMENDMENT) (NO. 2) BILL

PROBATION OF OFFENDERS (AMENDMENT) BILL

HAWKER CONTROL FORCE (REPEAL) BILL and the

IMPORT AND EXPORT (AMENDMENT) BILL

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

*Question put on each Bill and agreed to.*

Bills read the third time and passed.

**Adjournment and next sitting**

HIS EXCELLENCY THE PRESIDENT:—In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on Wednesday, 12 December 1979.

*Adjourned accordingly at thirty-eight minutes past three o'clock.*