

OFFICIAL REPORT OF PROCEEDINGS**Wednesday, 5 January 1983****The Council met at half past two o'clock****PRESENT**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR EDWARD YOUDE, G.C.M.G., M.B.E.

THE HONOURABLE THE CHIEF SECRETARY (*Acting*)
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR. DENIS CAMPBELL BRAY, C.M.G., C.V.O., J.P.

THE HONOURABLE THE FINANCIAL SECRETARY
MR. JOHN HENRY BREMRIDGE, O.B.E.

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

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

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

THE HONOURABLE DAVID WYLIE McDONALD, C.M.G., J.P.
SECRETARY FOR LANDS AND WORKS

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

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

THE HONOURABLE KENNETH WALLIS JOSEPH TOPLEY, C.M.G., J.P.
SECRETARY FOR EDUCATION

THE HONOURABLE ALEX WU SHU-CHIH, C.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 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 THONG KAH-LEONG, C.B.E., J.P.
DIRECTOR OF MEDICAL AND HEALTH SERVICES

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

THE HONOURABLE CHARLES YEUNG SIU-CHO, O.B.E., J.P.

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

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

DR. THE HONOURABLE HO KAM-FAI, O.B.E., J.P.

THE HONOURABLE ALLEN LEE PENG-FEI, O.B.E., J.P.

THE HONOURABLE ANDREW SO KWOK-WING, J.P.

THE HONOURABLE GERALD PAUL NAZARETH, O.B.E., Q.C., J.P.
LAW DRAFTSMAN

THE HONOURABLE HU FA-KUANG, J.P.

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

THE HONOURABLE WILLIAM DORWARD, O.B.E., J.P.
SECRETARY FOR TRADE AND INDUSTRY

THE HONOURABLE JOHN MORRISON RIDDELL-SWAN, O.B.E., J.P.
DIRECTOR OF AGRICULTURE AND FISHERIES

THE HONOURABLE DONALD LIAO POON-HUAI, C.B.E., J.P.
SECRETARY FOR HOUSING

THE HONOURABLE WILLIAM CHARLES LANGDON BROWN, O.B.E., J.P.

THE HONOURABLE CHAN KAM-CHUEN, J.P.

THE HONOURABLE JOHN JOSEPH SWAINE, O.B.E., Q.C., J.P.

THE HONOURABLE SELWYN EUGENE ALLEYNE, J.P.
DIRECTOR OF SOCIAL WELFARE

THE HONOURABLE COLVYN HUGH HAYE, J.P.
DIRECTOR OF EDUCATION

THE HONOURABLE STEPHEN CHEONG KAM-CHUEN, J.P.

THE HONOURABLE CHEUNG YAN-LUNG, M.B.E., J.P.

THE HONOURABLE MRS. SELINA CHOW LIANG SHUK-YEE, J.P.

THE HONOURABLE IAN FRANCIS CLUNY MACPHERSON, O.B.E., J.P.
REGIONAL SECRETARY (NEW TERRITORIES), CITY AND NEW TERRITORIES
ADMINISTRATION

THE HONOURABLE MARIA TAM WAI-CHU, J.P.

DR. THE HONOURABLE HENRIETTA IP MAN-HING

THE HONOURABLE PIERS JACOBS, O.B.E., J.P.
SECRETARY FOR ECONOMIC SERVICES

THE HONOURABLE DAVID GREGORY JEAFFRESON, C.B.E., J.P.
SECRETARY FOR SECURITY

ABSENT

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

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

THE HONOURABLE ALAN JAMES SCOTT, C.B.E., J.P.
SECRETARY FOR TRANSPORT

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

THE HONOURABLE GRAHAM BARNES, J.P.
REGIONAL SECRETARY (HONG KONG AND KOWLOON), CITY AND NEW TERRITORIES
ADMINISTRATION

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL
MRS. JENNIE CHOK PANG YUEN-YEE

Papers

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

<i>Subject</i>	<i>L.N. No.</i>
Subsidiary Legislation:	
Immigration Ordinance. Immigration (Amendment) Regulations 1982	422
Legal Aid Ordinance. Legal Aid (Assessment of Contributions) (Amendment) (No. 2) Regulations 1982	423
Shipping and Port Control Ordinance. Shipping and Port Control (Hong Kong—China and Macau Ferry Terminals) Regulations 1982.....	424
Factories and Industrial Undertakings (Cartridge-Operated Fixing Tools) Regulations. Factories and Industrial Undertakings (Cartridge-Operated Fixing Tools) (Amendment of Schedule) (No. 3) Notice 1982	428
Kowloon-Canton Railway Corporation Ordinance 1982. Kowloon-Canton Railway Corporation Ordinance 1982 (Commencement) Notice 1982	429
Inland Revenue Ordinance. Inland Revenue (Interest Tax) (Exemption) (Amendment) (No. 6) Notice 1982.....	430
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Public Health and Urban Services Ordinance. Public Health and Urban Services (Designation of Libraries) (No. 7) Order 1982.....	434
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<i>Subject</i>	<i>L.N. No.</i>
Road Traffic (Public Service Vehicles) (Amendment) Regulations 1982. Corrigendum.....	446

Sessional Papers 1982-83:

No. 27—Urban Council—Estimates of Revenue and Expenditure for the year ending 31 March 1984.

No. 28—Pneumoconiosis Compensation Fund Board Yearly Programme for the year 1983.

Oral answers to questions

The three-tier monetary system

1. MR. PETER C. WONG:—*Will Government provide an up-to-date assessment of the three-tier monetary system introduced in July 1981 and say whether it has achieved its objectives?*

THE FINANCIAL SECRETARY:—Sir, the three-tier system is clearly still in transition. Thus it is quite premature to attempt a full assessment. Moreover at this particular juncture it would be very imprudent for me to risk being misinterpreted, which could consequently prejudice the commendable efforts which the whole financial sector is at present making to resolve its own problems and those of its customers, especially in the property sector. I must therefore (with some regret) avoid controversy and I shall not be seduced from this straight and narrow path by supplementaries. (*laughter*)

It may however be helpful if I remind Mr. WONG of my predecessor's comments in this Council on 29 April 1981. He said *inter alia*: 'A continuing erosion of the banks' short-term deposit base would, sooner or later, lead to a collapse of the interest rate agreement and a competitive assault by the banks. So, just as the interest rate agreement had its origins in the cut-throat competition for deposits and loans by the banks in the early 1960s, this restructuring exercise seeks to obviate the likelihood of a dangerously destabilizing situation developing between different groups of institutions within the monetary sector.' I share this judgment. Thus I am pleased that short-term deposits of registered dtc's have been enormously reduced. For example those of dtc's without bank affiliation a month ago had fallen to \$400 million as compared with \$4 billion in mid-1981. The downward movement will clearly continue. Let Members reflect that this sea-change has considerably reduced the vulnerability of registered dtc's to possible public concern over short-term deposits with them.

Mr. WONG may be pleased to know that I have granted licences to 22 companies which successfully applied for the new status created last year of licensed deposit-taking company. These companies have all met the exacting criteria which my predecessor announced in this Chamber again on 29 April 1981.

Employment opportunities in the manufacturing sector

2. MR. CHEUNG YAN-LUNG asked:—*In view of the current state of the economy, does the Government anticipate many factory closures in the period prior to Chinese New Year and any increase in the level of unemployment?*

SECRETARY FOR ECONOMIC SERVICES:—Sir, the overall employment situation has been fairly stable. The unemployment rate remained steady at around 3.4 per cent in the first half of 1982, but probably increased to around 4 per cent in the second half of the year. During the year underemployment also increased. We shall soon have a fairly accurate figure in respect of the latter from new questions included in the General Household Survey.

As far as the period up to Chinese New Year is concerned, there are two indicators, or factors, that are particularly relevant to Mr. CHEUNG's question: *first*, orders in hand in the manufacturing sector, and *second*, retained imports of raw materials and semi-manufacturers such as electronic components, textile fabrics and so on.

In October, which is the last month in respect of which we have complete statistics in this area, orders in hand in the manufacturing sector covered on average 3.7 months compared with 4.1 months in October 1981. And in the third quarter of 1982 retained imports of raw materials and semi-manufactures declined by 5 per cent in real terms compared with the same period in 1981.

Taking these figures together, there is the suggestion of less employment opportunities or shorter working hours in the manufacturing sector for the next few months compared with the same period last year. But to attempt to go further in relating these figures to unemployment would be to enter into the field of speculation. This is particularly so because other factors must be taken into account, for example, the trend of increasing employment in the tertiary services sectors that was noticeable in 1982. It appears that some workers who lost their jobs in the manufacturing sector, were able to find alternative employment in the tertiary services sectors, such as the wholesale and retail trades, and restaurants and hotels.

MR. CHEUNG YAN-LUNG:—*Does the Government take measures to alleviate hardships suffered by the unemployed so that they will not have to resort to crime or illegal hawking?*

SECRETARY FOR ECONOMIC SERVICES:—Sir, as Your Excellency indicated in your address in this Council in October, an *ad hoc* working group was to be appointed under the chairmanship of the Commissioner for Labour, to examine conditions governing the payment of severance pay and arrears of wages. I understand, Sir, that the working group has now met twice, and the working group is taking into account the reasonable claims of workers in companies or firms which have gone into liquidation or receivership to receive prompt payment of any money due to them. Sir, as a result of the discussions within the working group, the Official Receiver has already introduced new procedures whereby workers' preferential claims are paid earlier if there is cash in hand, and the Official Receiver has improved his liaison with the Commissioner for Labour with regard to the verification of workers' claims at the earliest possible date. And lastly, Sir, unemployed workers and their families who have inadequate means of support may, of course, apply to the Social Welfare Department for public assistance.

Unlicensed hawkers

3. MR. CHARLES YEUNG asked:—*Will Government make a statement whether there is an increase in unlicensed hawking caused by unemployment and if so what measure Government will take to assist them to earn an honest living?*

THE CHIEF SECRETARY:—The honourable Member has asked a very difficult question because we do not keep records of the number of unlicensed hawkers nor of the reasons why they are hawking. The number varies with many factors throughout the day, from day to day, and on a longer term basis. The Government does nevertheless attempt to get an estimate of the number of unlicensed hawkers periodically. From these assessments it appears that during the last 12 months, there has been a small increase in the number of unlicensed hawkers.

It is not possible to say what the cause of this small increase was. Some argue that an increase in unlicensed hawking is caused by the difficulty of finding other work: others that it is in times of prosperity when people have more to spend that unlicensed hawking increases.

Seasonal factors are certainly an important influence. At the moment, the amount of unlicensed hawking is decreasing as we move away from the Christmas shopping period. We may expect the amount to increase very substantially with the approach of Chinese New Year and then drop dramatically immediately afterwards. These changes take place every year and suggest that it is opportunity rather than desperation which has the stronger effect.

Since we do not know that there has been any increase in unlicensed hawking due to unemployment, the second half of the question does not arise.

MR. CHARLES YEUNG:—*Sir, will the Secretary for Home Affairs enlighten Council as to the actual increase in terms of number or percentage and what is the pattern of distribution?*

THE CHIEF SECRETARY:—The total increase can only have been a few hundred. In the urban areas the numbers have gone up from about 16 000 to about 17 000. In the New Territories there has been a decline of several hundred.

REVD. JOYCE M. BENNETT:—*Sir, does the Secretary for Home Affairs agree with the implication of the question that hawkers are earning a dishonest living?*

THE CHIEF SECRETARY:—It may be illegal sometimes, but not always dishonest.

Objects thrown from high rise buildings

4. MR. SO asked in Cantonese:—

請問政府曾否採取措施，使市民認識高空擲物的嚴重後果？這些措施是否有效？

(The following is the interpretation of what Mr. SO asked.)

Will Government make a statement on the action taken to educate the public in the consequences of throwing objects from high rise buildings, and say how effective these measures have been?

SECRETARY FOR CITY AND NEW TERRITORIES ADMINISTRATION:—Sir, because the Government believes that the best approach to this problem lies in educating the public, a Government ‘Announcement of Public Interest’ is broadcast regularly on television and over the radio, warning of the serious consequences which may arise and the penalties which may be imposed for this criminal behaviour. The television film on this is particularly forceful: it shows how a bottle, thrown from a window of an upper-floor flat by a selfish person, hits his own daughter playing below, fatally injuring her.

This territory-wide publicity through the mass media is supplemented by intensive and sustained educational campaigns at the district level. District Officers and their staff are in direct touch with Mutual Aid Committees, Residents Associations, Owners Corporations, and many other community organizations to enlist their help in bringing home the message.

In addition, District Officers also distribute appeal letters, leaflets, posters and banners to local residents and organizations to ensure maximum spread of the message. (And I have here some examples of these which I’ll be pleased to show my Friend afterwards.)

Mr. SO may be assured that the Government will continue to be concerned about this dangerous practice; and that District Officers will continue to attach importance to the task of educating the public about it.

REVD. JOYCE M. BENNETT:—*Sir, are the Police given copies of these leaflets when they search buildings trying to find out who threw the objects out of the windows?*

SECRETARY FOR CITY AND NEW TERRITORIES ADMINISTRATION:—I don't know the answer to that question, Sir, but it's a good suggestion and I will follow it up.

(THE FOLLOWING WRITTEN REPLY WAS PROVIDED SUBSEQUENTLY)

It is often the Policemen on the beat who first respond to reports of objects falling from buildings. For operational reasons they cannot be expected to carry with them the publicity leaflets and distribute them to the residents while searching for the offender. Nevertheless, the Police also contribute to the awareness programme by broadcasting the message on Police vehicle public address systems at the blackspots.

To inform the public of the dangers of falling objects, it is the District Office staff who distribute publicity leaflets to the residents. They are working through residents bodies such as Mutual Aid Committees and have obtained good support from them.

MRS. CHOW:—*Sir, may I ask what the average fine sentenced by the Courts for such convictions in the last year has been and whether they have been adequate as deterrents?*

SECRETARY FOR CITY AND NEW TERRITORIES ADMINISTRATION:—I will let my Friend have a written reply to that question.

(THE FOLLOWING WRITTEN REPLY WAS PROVIDED SUBSEQUENTLY)

In the first three quarters of 1982, there were reported 1 039 incidents of objects falling from buildings. The level of fine varied quite widely, depending on the circumstances of the offence. The average fine has been assessed to be around \$600, but a few resulted in fines of up to \$5,000.

It is difficult from this material to draw any conclusion on the effectiveness of the penalties in deterring people from committing the offence. It is, of course, extremely difficult for law enforcement officers to apprehend offenders and the best answer to the problem lies in educating the public in responsible citizenship, and in encouraging people to report to the Police when they see people dropping things from buildings.

Rents for Housing Authority flatted factory units

5. DR. FANG asked:—

- (a) *What criteria has Government been using to fix rent for flatted factory units?*
 (b) *Will Government consider reducing the rent for flatted factory units, especially those offered to factory operators affected by clearances, in the light of the recent downward trend in rent for industrial premises in the private sector?*

SECRETARY FOR HOUSING:—Sir, the rents for new Housing Authority flatted factory units have been set at market level as established by open tender. As each new factory building is completed, a number of units are put out to tender to assess the market value of the premises. This method is used because the type of small, specially designed units each with a floor space of 25 square metres produced by the Housing Authority are not generally available in the private sector, and there is therefore no basis for assessing comparable rents.

It is the intention that rents for factory buildings should in future be updated by tendering exercises at regular intervals. Thus, any movement in market rent will be reflected in tenders received, which will in turn set the level for new rents.

Housing Authority flatted factories are primarily intended for squatter workshops displaced by development clearances. The operators of these workshops receive generous *ex gratia* cash compensation on clearance and most are able to find alternative accommodation in the private sector. In the past two years, only 8 per cent of squatter workshops cleared required reprovisioning in the Authority's flatted factories. There are no grounds to offer this small minority extra concessions in the form of rent below market level.

DR. FANG:—*Sir, may I ask in paragraph 3 whether the generous ex gratia cash compensation includes the removal of heavy machinery?*

SECRETARY FOR HOUSING:—Yes, Sir.

Street-sleepers

6. MR. SO asked in Cantonese:—

根據最近的記錄，香港共有多少個街頭露宿者？政府會否考慮採取適當行動，例如為有需要者提供必需的服務，及授予政府有關部門法律上的權力，使這些人不再露宿街頭？

(The following is the interpretation of what Mr. SO asked.)

What is the latest number of street-sleepers in Hong Kong, and will the Government consider taking appropriate action, including the provision of necessary services to those in need and legal powers to the relevant Government departments, to remove them from the streets?

DIRECTOR OF SOCIAL WELFARE:—Sir, the latest estimate I have is that at the end of November 1982, the number of street-sleepers in Hong Kong was about 1 000. The Social Welfare Department, together with other Government departments and voluntary agencies, already provides services to those street-sleepers who are in need and who are willing to accept help.

These services include temporary accommodation, compassionate rehousing, financial assistance, referrals for employment and counselling. Of these, public assistance and accommodation are the two main services provided. However, public housing is often not available in locations such as Yau Ma Tei, Eastern and Wan Chai, Sham Shui Po and Western Districts where most street-sleepers are to be found. Priority in allocation of accommodation in public housing has to be given to those who are elderly or disabled, and we are making steady progress in rehousing them.

I believe that there are already adequate legal powers to clear away rubbish created by street-sleepers and to remove any of them causing obstructions or disturbing the peace but the result in the end would still be that they would continue to sleep outdoors somewhere unless they can be persuaded to accept the offers of assistance made to them, and we shall continue to try and do this.

Population of Tuen Mun New Town

7. DR. HO asked:—*What is the present rate of population build-up in Tuen Mun New Town, and to what extent has it been affected by the delay in the development of the associated transport infrastructure and the limited job opportunities available in the New Town?*

REGIONAL SECRETARY (NEW TERRITORIES):—Sir, the present population of Tuen Mun New Town is just under 200 000. Over the next five years this figure will increase at an average rate of some 40 000 persons per annum. It is primarily the public housing programme which sets the pace of population build-up in the new towns, and in Tuen Mun this programme will provide homes for 30 000 people each year in the next five years.

There has not been any serious delay in the development of the transport infrastructure, the road network is generally on time and major road works are continuing on schedule. The Tuen Mun Highway will be fully dual three-lane very shortly.

Public transport requirements at this stage of the New Town's development are being met by eleven bus routes starting and terminating in Tuen Mun deploying between them some 100 buses and carrying 122 000 a day, plus two internal routes carrying 1 400 a day. Under the bus route development programme drawn up in close consultation with the District Board, further

routes to the larger estates are planned, some of these being specifically to provide feeder services to ferry piers and the M.T.R. The hoverferry service carries an average of 6 000 passengers per day and this will improve even further when the new pier facilities are completed in 1984 as they will cater for large fast-moving hover ferries with double the present passenger-carrying capacity. Public light buses, and hopefully maxicab services will also help to meet public transport requirements. As is generally well known the Tuen Mun New Town is planned to have a Light Rail Transit System and it remains the intention to provide such a system and planning for this continues actively.

As regards job opportunities the picture is reasonably encouraging, although one would have to be an optimist to expect job opportunities precisely to match the extremely rapid population build-up. The number of industrial establishments has increased fourfold over the last two years (from 177 to some 700) and the corresponding number of jobs in the industrial sector alone has more than doubled from 8 000 to 20 000. The Tuen Mun District Board has been very active in publicizing the industrial and commercial opportunities in Tuen Mun and its efforts include the publication of an informative pamphlet on 'Industrial Investment in Tuen Mun' and the setting up of a Commerce and Industry Sub-Committee which is monitoring development to ensure that job opportunities are matched as closely as possible with population build-up. It is encouraging to note that often industrial sites offered for sale since August 1981 only one was not sold because of extensive site formation work required.

By no means all the present generation of workers moving into the new towns are either able to or indeed wish to give up their old jobs and work locally. No doubt this will change as a new generation grows up as part of the New Towns, but in the meantime the aim must be to provide a steady improvement in public transport and a steady increase in job opportunities so that there is reasonable scope both for those who choose to live and work locally and for those who opt to or must commute to work.

Sir, Tuen Mun New Town is by any standards a massive and exciting enterprise. It is twenty miles away from the older urban areas, a long way in Hong Kong terms, but attitudes are changing and the indications are that Tuen Mun is becoming a good place to live and bring up a family.

DR. HO:—*Sir, can the Regional Secretary (New Territories) inform this Council about what time will the construction of the Light Rail Transit System be taking place?*

REGIONAL SECRETARY (NEW TERRITORIES):—Sir, the intention is that Phase I should be completed in 1986. If Dr. HO is going to press me on details I would probably have to refer him to the Secretary for Transport. I would also perhaps stress that the Light Rail Transit is an internal system; it does not, of course, cater for inter-city commuting.

REVD. JOYCE M. BENNETT:—*Sir, how long does the Secretary consider it would take a man re-settled in a temporary housing estate in the Tuen Mun area to return to his job in Kwun Tong by 7.30 a.m. and how much would it cost him?*

REGIONAL SECRETARY (NEW TERRITORIES):—It's a long, hard day's commute, Sir; I am afraid I do not have all the details of how long it takes to go to the various places but it is certainly true that people have to leave early in the morning and get back late at night. However, many of them choose to do so.

MISS DUNN:—*Sir, given the reluctance of workers to give up their old jobs when they move to new towns, does the Government consider that it should re-examine its policy of balanced development in new towns?*

REGIONAL SECRETARY (NEW TERRITORIES):—Sir, that is rather a wide question of policy. Perhaps I have indicated some answer in that I suggested that we should aim both to improve the transport infrastructure to enable commuting to be done without too much difficulty and at the same time build up local job opportunities in new towns.

MISS DUNN:—*Sir, do you think the policy should be re-examined?*

REGIONAL SECRETARY (NEW TERRITORIES):—Sir, I think in fact that the policy is perhaps not consciously being re-examined but the practical facts of life are leading to a change of policy as I have suggested.

Use of driving licence as proof of identity

8. MR. F. K. HU asked:—

- (a) *What is the number of driving licences reported lost during the last 12 months, and what is the number of counterfeit driving licences discovered during the same period?*
- (b) *In view of the fact that driving licences in their present format can be forged, is Government satisfied that a driving licence should continue to be a proof of identity for immigration purposes?*

SECRETARY FOR SECURITY:—Sir, the answer to the *first* part of Mr. HU's question is that although there are no statistics for driving licences lost we reckon that about 95 per cent of the (31 899) duplicate licences issued in 1982 were replacements for lost licences (rather than for damaged ones). In other words roughly 30 300. Two counterfeit licences were detected during the year.

To the *second* part of Mr. HU's question, the answer is 'no, Sir'; and I have already issued drafting instructions for a resolution under section 17B(2) of the Immigration Ordinance to delete 'current driving licence' from the list of documents which may be used as proof of identity.

Documentary proof of information required by the Inland Revenue Department

9. MR. WONG LAM asked in Cantonese:—

稅務局會在甚麼情形下要求市民對某些資料提供書面證明，而這些資料卻是由該局所存檔案查核的？政府可否採取行動，減少市民在這方面所蒙受的不便？

(The following is the interpretation of what Mr. WONG asked.)

Under what circumstances does the Inland Revenue Department require members of the public to produce documentary proof to validate information which is easily verifiable from their own records, and may steps be taken to reduce inconvenience caused to the public in this way?

THE FINANCIAL SECRETARY:—Sir, the Inland Revenue Department does not call for documentary proof which is easily verifiable from departmental records.

Mr. WONG however may have in mind property tax and interest tax receipts, which must be submitted in support of claims for personal assessment relief. In the case of property tax, this is necessary to verify that the tax has indeed been paid by the landlord claiming personal assessment, and not by the tenant. In the case of interest tax, this is again necessary to verify that the tax has been paid by the person claiming personal assessment. The returns of interest tax deducted by banks and other financial institutions comprise hundreds of thousands of computer print-out sheets. It would be impossible to check every individual case without considerable additional staff resources.

If Mr. WONG is aware of any instance where documentary proof is in his opinion required unnecessarily, I would be grateful if he would let me have the details in writing. I shall arrange for a full reply.

MR. WONG LAM asked in Cantonese:—

閣下，稅務局可否借其他政府部門的檔案紀錄，例如人民入境事務處所持有的個人資料，以供該局作紀錄，檢查之用呢？

(The following is the interpretation of what Mr. WONG Lam asked.)

Sir, will the Inland Revenue Department borrow records from other Government departments, for instance the Immigration Department, so that they can verify the records?

THE FINANCIAL SECRETARY:—Sir, you will not be surprised to know that I don't know the answer but I will find out and let Mr. WONG know.

(THE FOLLOWING WRITTEN REPLY WAS PROVIDED SUBSEQUENTLY)

I am advised that it would not be practicable for other Government departments to permit the Inland Revenue Department to borrow records. However, the Inland Revenue does obtain a wide range of confirmatory information and valuable source information from a large number of Government departments. That it is, of course, entitled to do by virtue of the powers of enquiry contained in the legislation. I need hardly add that this is essentially a one way traffic because the secrecy provisions contained in section 4 of the Inland Revenue Ordinance prohibit the disclosure of taxpayers' affairs to persons other than the taxpayers themselves, their authorized representatives and, exceptionally, certain authorized Government Officers for specified purposes—notably the Director of Audit to enable him to carry out an audit of the Department.

Environmental hygiene in old residential areas

10. MR. WONG PO-YAN asked:—*What actions will Government take to improve the environmental hygiene in old residential areas, like Tai Pak Terrace and Kwong Hon Terrace in Western District, in order to improve living conditions there?*

SECRETARY FOR CITY AND NEW TERRITORIES ADMINISTRATION:—Sir, the long-term answer to improvement of places such as those mentioned by Mr. WONG is their redevelopment in accordance with the town plan. But, while the present pre-war buildings with their inadequate sanitation continue to exist, the best that can be done is to see that Government and Urban Council services operate in these areas as efficiently as possible.

In addition to this regular attention, both streets mentioned by Mr. WONG have been the subject of clean-up operations in the recent Clean Hong Kong Campaign.

Finally the streets themselves are privately owned and it is possible that some improvement to the environment would also be achieved if they were publicly owned. The problems of management and maintenance that private streets pose is currently being examined by the Government.

Special security measures on trains and at stations

11. MR. CHEUNG YAN-LUNG asked:—*In view of the fact that there will be a rush of people going back to China by train (K.C.R.C.) over the Lunar New Year holiday, will Government consider implementing special security measures to protect the travelling public from pick pockets and other crimes?*

SECRETARY FOR SECURITY:—Yes, Sir. The Police will deploy extra manpower on trains and at stations. Publicity efforts will be increased, advising the public to maintain their guard against pickpockets and other criminals, to take care of their valuables, not to carry large amounts of cash and to report immediately to the Police if any crime occurs.

Government business

First reading of bills

SUPPLEMENTARY APPROPRIATION (1981-82) BILL 1983

BUILDINGS (AMENDMENT) BILL 1983

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

Second reading of bills

SUPPLEMENTARY APPROPRIATION (1981-82) BILL 1983

THE FINANCIAL SECRETARY moved the second reading of:—‘A bill to approve a supplementary appropriation to the service of the financial year which ended on 31 March 1982’.

He said:—Sir, I move that the Supplementary Appropriation (1981-82) Bill 1983 be read the second time.

This Bill seeks to give final legislative authority to the supplementary expenditure authorized by Resolutions of this Council, and is the last stage in disposing of expenditure incurred during the last financial year 1981-82. It also seeks an appropriation to meet expenditure incurred by departments where receipts appropriated-in-aid fell short of the sums originally estimated.

The original estimates were given legislative form in the Appropriation Ordinance 1981, which authorized a specific sum under each Head of Expenditure. We need now to legislate further in respect of those heads of expenditure where the net effect of supplementary provisions and shortfalls in receipts appropriated-in-aid, without a corresponding reduction in spending, has resulted in an excess over the net sum appropriated in the Appropriation Ordinance 1981. The total supplementary appropriation required is \$3,992 million under 53 heads as against savings of \$1,231 million under various other heads. The largest items involved were \$1,097 million for land acquisition, the

transfer of \$408 million to the Mass Transit Fund, \$407 million for New Towns Development Programmes, \$350 million for the reactivation and operation of the desalter and \$274 million for education subventions.

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

Motion made. That the debate on the second reading of the Bill be adjourned— THE FINANCIAL SECRETARY.

Question put and agreed to.

BUILDINGS (AMENDMENT) BILL 1983

THE SECRETARY FOR LANDS AND WORKS moved the second reading of:—‘A bill to amend the Buildings Ordinance’.

He said:—Sir, I move that the Buildings (Amendment) Bill 1983 be read a second time.

The Building Authority has received inquiries from several oil companies regarding the requirements which should be met for the design and construction of underground caverns for the storage of oil and petroleum products. Since such caverns are not at present defined as ‘buildings’ in the Buildings Ordinance there is no control over their construction or adaptation.

Moreover, it has been found that the existing Building (Oil Storage Installation) Regulations, which were made in 1978, do not give sufficient control over the maintenance of oil storage tanks or the operation of oil storage installations.

This Bill therefore seeks, by inserting appropriate definitions into the principal Ordinance, to give the Building Authority control over underground caverns constructed or adapted for the storage of oil and petroleum products, and also, by expansion of the regulatory provisions of the Ordinance, to give the Governor in Council powers to make more stringent regulations governing the maintenance and operation of oil storage installations.

Sir, I move that the debate be adjourned.

Motion made. That the debate on the second reading of the Bill be adjourned— SECRETARY FOR LANDS AND WORKS.

Question put and agreed to.

PNEUMOCONIOSIS (COMPENSATION) (AMENDMENT) BILL 1982**Resumption of debate on second reading (22 December 1982)**

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).

TRUSTEE (AMENDMENT) BILL 1982**Resumption of debate on second reading (13 October 1982)**

Question proposed.

MR. PETER C. WONG:—Sir, this Bill seeks to ensure and confirm that one personal representative will be able to give a valid receipt for the proceeds of sale of land. This is a right which exists under the Common Law and is the position in England to-day.

Both the Law Society and the Bar Association welcome this Bill, as it will resolve a legal problem which has been of some concern to lawyers since the enactment of the Probate and Administration Ordinance in 1971. The proposed amendment will remove an anomaly which was not intended.

I will not bother honourable Members with legal technicalities. Suffice it to say that the Legislation Scrutiny Group has carefully studied the implications of the Bill and is satisfied that the proposed amendment is in order. We are further satisfied that protection of minority and life interests arising under a will or an intestacy will not be affected.

Sir, with these remarks, I support the motion.

LAW DRAFTSMAN:—Sir, I thank Mr. WONG for his support. I can confirm the immense depth in which the Legislation Scrutiny Group studied the implication of the Bill since I was at the receiving end of a number of their queries. With a problem that was not without its grey areas from the very outset, a clean bill of health after so thorough an examination can be particularly reassuring.

Sir, I beg to move.

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

PNEUMOCONIOSIS (COMPENSATION) (AMENDMENT) BILL 1982

Clauses 1 to 8 were agreed to.

TRUSTEE (AMENDMENT) BILL 1982

Clause 1

LAW DRAFTSMAN:—I move that clause 1 be amended as set out in the paper circulated to Members; this seeks merely to substitute 1983 for 1982, the Bill having been carried over from last year.

Proposed amendment

Clause 1

That clause 1 be amended by deleting '1982' and substituting the following—
'1983'.

The amendment was agreed to.

Clause 1, as amended, was agreed to.

Clause 2 was agreed to.

Council then resumed.

Third reading of bills

THE ATTORNEY GENERAL reported that the

PNEUMOCONIOSIS (COMPENSATION) (AMENDMENT) BILL

had passed through Committee without amendment and the

TRUSTEE (AMENDMENT) BILL

had passed through Committee with one 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, 19 January 1983.

Adjourned accordingly at nine minutes past three o'clock.