

**OFFICIAL REPORT OF PROCEEDINGS****Wednesday, 14 March 1984****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  
SIR CHARLES PHILIP HADDON-CAVE, K.B.E., C.M.G., J.P.

THE HONOURABLE THE FINANCIAL SECRETARY  
SIR JOHN HENRY BREMRIDGE, K.B.E., J.P.

THE HONOURABLE THE ATTORNEY GENERAL  
MR. MICHAEL DAVID THOMAS, Q.C.

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

THE HONOURABLE DENIS CAMPBELL BRAY, C.M.G., C.V.O., J.P.  
SECRETARY FOR HOME AFFAIRS

THE HONOURABLE DAVID AKERS-JONES, C.M.G., J.P.  
SECRETARY FOR DISTRICT ADMINISTRATION

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

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

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

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

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

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

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

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 TRADE AND INDUSTRY

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

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, O.B.E., 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 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 COLVYN HUGH HAYE. C.B.E. 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 MARIA TAM WAI-CHU. J.P.

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

THE HONOURABLE HENRY CHING. C.B.E., J.P.  
SECRETARY FOR HEALTH AND WELFARE

THE HONOURABLE CHAN NAI-KEONG, J.P.  
SECRETARY FOR LANDS AND WORKS

THE HONOURABLE RONALD GEORGE BLACKER BRIDGE, J.P.  
COMMISSIONER FOR LABOUR

THE HONOURABLE CHAN YING-LUN

THE HONOURABLE MRS. RITA FAN HSU LAI-TAI

THE HONOURABLE MRS. PAULINE NG CHOW MAY-LIN

THE HONOURABLE PETER POON WING-CHEUNG. M.B.E., J.P.

THE HONOURABLE YEUNG PO-KWAN, C.P.M.

THE HONOURABLE JAMES NEIL HENDERSON. O.B.E., J.P.  
SECRETARY FOR EDUCATION AND MANPOWER

**ABSENT**

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

DR. THE HONOURABLE HENRIETTA IP MAN-HING

**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:	
Public Revenue Protection Ordinance. Public Revenue Protection (Rating) Order 1984 .....	57
Public Revenue Protection Ordinance. Public Revenue Protection (Dutiable Commodities) Order 1984 .....	58
Public Revenue Protection Ordinance. Public Revenue Protection (Dutiable Commodities) (No. 2) Order 1984.....	59
Registration of Persons Ordinance. Registration of Persons (Application for New Identity Cards) (No. 2) Order 1984.....	60
Public Health and Urban Services Ordinance. Public Health and Urban Services (Public Markets) (Designation and Amendment of Tenth Schedule) (No. 2) Order 1984 .....	61
Public Health and Urban Services Ordinance. Declaration of Markets in the New Territories (No. 2) .....	62
Supreme Court Ordinance. Supreme Court Fees (Amendment) Rules 1984 .....	63
Shipping and Port Control Ordinance. Delegation of Powers .....	64
Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1984 Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1984 (Commencement) Notice 1984.....	65
Carriage by Air (Overseas Territories) Order 1967. Carriage by Air (Overseas Territories) (Hong Kong Dollar Equivalent) Order 1984 .....	66
Carriage by Air Acts (Application of Provisions) (Overseas Territories) Order 1967. Carriage by Air Acts (Application of Provisions) (Overseas Territories) (Hong Kong Dollar Equivalent) Order 1984.....	67
Deposit-Taking Companies Ordinance. Notice of Exemption from Section 6.....	68

<i>Subject</i>	<i>L.N. No.</i>
Antiquities and Monuments Ordinance.	
Antiquities and Monuments (Declaration of Monument) Notice 1984.....	69
Inland Revenue Ordinance.	
Inland Revenue (Interest Tax) (Exemption) (Amendment) (No. 4) Notice 1984.....	70
Sessional Papers 1983-84:	
No. 46—Correctional Services Department Welfare Fund—Income and Expenditure Account with Balance Sheet and Certificate of the Director of Audit for the year ended 31 March 1983.	
No. 47—Samaritan Fund—Income and Expenditure Account with Balance Sheet and Certificate of the Director of Audit for the year ended 31 March 1983.	
No. 48—Government Minute in response to the report of the Public Accounts Committee dated December 1983.	

### **Oral answers to questions**

#### **Fire-watch teams**

1. MR. CHAN YING-LUN asked:—*What is Government's policy for squatter area fire-watch teams in regard to their formation, training, operation and welfare?*

SECRETARY FOR DISTRICT ADMINISTRATION:—Sir, it is the Government's policy to encourage such fire-watch teams in squatter areas, and there are now 144 such teams in squatter areas.

MR. CHAN YING-LUN:—*Sir, would the Secretary for District Administration inform us whether it is the District Offices which co-ordinate these activities as well as sponsor the full cost of purchase of new and replacement equipment and re-fill of fire extinguishers?*

SECRETARY FOR DISTRICT ADMINISTRATION:—Yes, Sir, it is the District Offices' direct responsibility supported by the District Boards, and the District Boards do provide the fire officers with funds for the necessary equipment.

MR. CHAN YING-LUN:—*Sir, in performing their duties there is always an element of risk involved. Will Government consider financial compensation by way of ex gratia award or insurance cover in case of injury or death?*

SECRETARY FOR DISTRICT ADMINISTRATION:—Sir, all members of fire-watch teams are volunteers, and they are not covered by the Employees Compensation Ordinance as such. But nevertheless, if there were an accident I am sure the interests of the individual fire-watch members would be taken care of.

### **Traffic lights at junction of Pottinger Street and Queen's Road Central**

2. MR. CHAN KAM-CHUEN asked:—*Will Government consider installing a traffic light at the junction of Pottinger Street and Queen's Road Central which would synchronize with westbound traffic along Queen's Road?*

SECRETARY FOR TRANSPORT:—Sir, I am grateful to Mr. CHAN for raising this matter, because this junction, following the introduction of the Central Traffic Management Scheme over the past 18 months, has been noted as a problem.

Traffic lights are therefore to be installed at the junction of Pottinger Street and Queen's Road Central. Work is scheduled to begin later this month, and should be completed within about three months.

### **French restrictions on Hong Kong products**

3. MR. TIEN asked:—*Further to my question in this Council two years ago, will Government make an updated statement on the action which Hong Kong may take in the event that France fails to follow the GATT's recent favourable recommendations in regard to the export of quartz watches from Hong Kong to France?*

SECRETARY FOR TRADE AND INDUSTRY:—Sir, the GATT Panel's recommendation that France terminate the restrictions on eight Hong Kong products including quartz watches was adopted by the GATT Council at its meeting on 12 July 1983. Since then France has liberalized imports from Hong Kong of three of the products involved, retained one item under discriminatory surveillance though there is no formal quota limit, and increased the quotas for two others. This is not good enough as the items liberalized constitute only 1.5% of trade in all these eight items. Accordingly, action has been and will continue to be taken to press France to implement the Contracting Parties' recommendation in full. For instance, the Hong Kong representative has raised this issue at three subsequent meetings of the GATT Council—on 3 October, 1 November 1983 and 7 February 1984—and we are encouraged by the support we have received within the GATT Council.

As regards the most important of the eight items, quartz watches, the position has been complicated by an EEC study to determine whether there is a case for protection of the watch industry in the EEC. The study started in October 1983 and a preliminary report has been issued to Member States for comment. Hong Kong does not consider that a case exists for protection for France or elsewhere

in the EEC. In this connection, the Hong Kong Government Office in Brussels is in close contact with the Commission and have presented in detail Hong Kong's views on the matter. I also raised this issue with the Minister for Trade, the Rt. Hon. Paul CHANNON on 1 March 1984, when he was in Hong Kong. Sir, at present we are closely monitoring the situation.

DR. TIEN:—*Sir, what action is being taken by our overseas offices at Brussels and Geneva to counter a possible 'French-German' pact to further restrict exports of Hong Kong quartz watches into France and Germany?*

SECRETARY FOR TRADE AND INDUSTRY:—Sir, as I have already stated in my reply, Hong Kong does not consider that a case exists for protection for France or elsewhere in the EEC; this includes Germany. In this connection Mr. TIEN will wish to be aware that the Minister for Hong Kong Commercial Relations in Brussels, Mr. D. J. C. JONES, recently visited Bonn to consult with relevant German officials on this subject. I can assure this Council that our representatives in Brussels, Geneva, as well as London, remain vigilant.

MR. BROWN:—*Sir, in view of the very genuine disquiet of the people of Hong Kong who just cannot understand why France is still refusing to honour its international obligations, will the Secretary undertake to inform this Council further, say, within about one month, the actual progress made in resolving this important issue?*

SECRETARY FOR TRADE AND INDUSTRY:—Certainly, Sir.

### **Power failure**

4. MR. YEUNG PO-KWAN asked:—*In view of the three hour blackout which occurred on 4 March, will the Government inform this Council:—*

- (a) what measures would be taken to safeguard life and property should such a breakdown occur again, particularly if it occurred at night; and*
- (b) what steps can be taken to prevent any recurrence of such a breakdown?*

SECRETARY FOR ECONOMIC SERVICES:—Sir, in the event of any emergency situation, including a major power failure, the police will, of course, respond to safeguard life and property. Thus, members of the Police Force will be deployed to ensure that there is no breakdown of order. The Traffic Police will proceed to major interchanges and junctions in order to secure as far as possible a smooth flow of traffic.

If a major power failure were to occur during the hours of darkness, additional members of the Police Force would be deployed as necessary.

The Fire Services Communication Centre, which is manned 24 hours a day, is responsible for ensuring adequate fire and ambulance cover throughout

the territory during any emergency situation. Fire appliances equipped with lift keys will cope with any incidents involving people trapped in lifts. Action is now in hand to provide fire stations at strategic locations with additional lift keys so as to enhance their capability to meet any sudden demand for lift rescue.

With regard to the second part of Mr. YEUNG's question, the China Light and Power Company, Limited has instituted an enquiry in order to ascertain the exact cause of the power failure. Whilst the Company has the necessary expertise to carry out an investigation of this nature, it has in addition engaged consultants from the U.K. and the U.S.A. to assist in identifying measures that can be taken to prevent a recurrence of similar incidents in future. I have been informed by China Light that it will announce the result of its investigations as soon as possible, but an investigation of this nature must take some time.

MR. YEUNG PO-KWAN:—*Sir, how long does the Government expect the result of this investigation would be made known to the public?*

SECRETARY FOR ECONOMIC SERVICES:—*Sir, I am told about two months.*

## **Statement**

### **Government minute in response to the report of the Public Accounts Committee dated December 1983**

THE CHIEF SECRETARY:—*Sir, the Government Minute in response to the Sixth Report of the Public Accounts Committee on the accounts for the year 1982-83 is laid on the table today. The Minute reports the action taken, or about to be taken, by the Administration upon the conclusions and recommendations contained in the report.*

The Chairman of the Public Accounts Committee, Mr. S. L. CHEN, when speaking in this Council on 11 January last, said that the Committee had gained the impression, when interviewing some of the witnesses who appeared before it, that value for money and other financial considerations were often a poor second to other concerns in the minds of some Controlling Officers. He suggested that the Government should second more cost accountants from the Treasury to departments to advise Controlling Officers and promote awareness of ways to measure cost-benefits and improve productivity and efficiency.

Treasury Accountants, whose duties include cost analysis, are already, of course, on the staff of a number of the larger departments, including Agriculture and Fisheries, Civil Aviation, Water Supplies, Correctional Services, Education, Medical and Health Services and the Police Force to mention but a few. But I can assure Members that the Director of Accounting Services will review continually the need for accountants in departments and seek the creation of additional posts where needs are identified. For example, the accounting staff in

the Medical and Health Department were greatly strengthened last year and more recently Senior Treasury Accountants have been posted to the Lands Department and the Engineering Development Department. Consideration is currently being given to the further strengthening of the accounting staff in the Civil Aviation Department and to the appointment of an accountant in the Building Development Department.

Mr. CHEN also suggested that, in accordance with practice in the United Kingdom, each new head of department, upon appointment, should be issued a letter laying down his personal responsibilities, not only for safeguarding the public funds in his charge and ensuring that they are applied solely for the purposes intended by the legislature, but also for managing his department efficiently and economically, since it is for this that he will be called to account by the Public Accounts Committee.

We shall, of course, consider Mr. CHEN's suggestion carefully, but I should emphasize that Controlling Officers *are* informed, in *very* precise terms, of their responsibilities *via* the Financial and Accounting Regulations. The extant version of those regulations was issued when the Public Finance Ordinance was enacted last year. In addition, these regulations are reinforced by Financial Circulars which are brought to the particular attention of Controlling Officers and to all other departmental officers concerned with financial administration.

I would conclude by saying, Sir, in all fairness to Controlling Officers, that I believe they are generally aware of their responsibilities. If the Director of Audit and the Public Accounts Committee, in their enquiries, reveal situations and incidents which are less than satisfactory, let it be remembered that they *are* revealed and let them be seen in the context of the vast range and volume of Government transactions which do not have to be unfavourably commented upon.

## **Government Business**

### **Motions**

#### **LOANS (GOVERNMENT BONDS) ORDINANCE**

THE FINANCIAL SECRETARY moved the following motion:—That this Council approves the raising under the Loans (Government Bonds) Ordinance of a loan for the purposes of the general revenue by the issue of Government bonds of a total nominal value not exceeding 1,000 million Hong Kong dollars.

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

Its purpose is to provide the Government with authority to raise in Hong Kong a loan of up to HK\$1 billion by the issue of bonds under the Loans (Government Bonds) Ordinance.



In my budget speech on 29 February 1984 I said that I proposed to handle the budget deficit expected in 1984-85 by raising recurrent revenue, by drawing down on our fiscal reserves and by a moderate degree of borrowing. I then outlined my intention of selling bonds. The bond issue, which I commend to you, will be structured along the lines of that made in 1975, i.e. in the form of fixed-rate Hong Kong dollar denominated bearer bonds with a term of five years.

In order to benefit from prevailing relatively low interest rates, preparations began a few weeks ago and work has progressed satisfactorily. I propose that the bonds be offered for sale on 30 March 1984 with tenders closing on 9 April. They will have a face value of \$50,000 and interest will be payable half yearly. It is, however, premature to decide now on the coupon and the minimum tender price, which should for obvious reasons be determined at the latest possible moment.

In considering tenders, those with the highest offered prices will be accepted to the extent required to attain the amount we wish to raise. This is subject, as always, to the provisions that the Government reserves the right to accept or reject any or all tenders in whole or in part and that no tender will be considered where the price offered is less than the minimum price. The issue price will be the price of the lowest tender or tenders accepted whether accepted in whole or in part. I will explain the proposition by example. Let us suppose that \$500 million worth of bonds are tendered at, say, 105 per cent of the face value, \$500 million at 104 per cent and \$500 million at 103 per cent. As we only need one billion dollars, those who tendered at 105 and 104 would receive a full allocation and tenders priced at 103 would be rejected. All successful tenderers would pay for the bonds at the lowest accepted price of 104. This is an over simplification, but the example will illustrate how the pricing arrangements work. Where the cheque accompanying a successful tender exceeds the amount required, the surplus after providing for the value of bonds allotted will, of course, be refunded.

It is intended that the bonds will be specified as liquid assets under the Banking and Deposit-taking Companies Ordinances. Interest payments as well as profits on the sale of the bonds will be exempt from profits tax and interest tax.

I propose that the net proceeds of the bond issue, after defraying expenses, should be credited to the general revenue in the first instance for subsequent transfer to the Capital Works Reserve Fund for the purpose of productive capital investment. The issue will, of course, provide an opportunity for investment in the future of Hong Kong.

Sir, I beg to move.

*Question put and agreed to.*

## VOTE ON ACCOUNT

THE FINANCIAL SECRETARY moved the following motion:—That—

1. Authority is hereby given for a sum not exceeding \$16,163,775,000 to be charged on the general revenue in advance of an Appropriation Ordinance for expenditure on the services of the Government in respect of the financial year commencing on 1 April 1984.
2. The sum so charged may be expended against the heads of expenditure listed in the first column of the First Schedule:

Provided that such expenditure shall not exceed the amounts specified in relation to those heads in the third column of that Schedule.

3. Expenditure of the funds on account for each head of expenditure listed in the First Schedule shall be arranged in accordance with the subheads in the draft Estimates of Expenditure 1984-85 and shall be limited to an amount equal to—
  - (a) in the case of a Recurrent Account subhead, other than a subhead listed in the second column of the Second Schedule, 20 *per cent* of the provision shown in respect of the subhead in the draft Estimates;
  - (b) in the case of a Capital Account subhead, other than a subhead listed in the second column of the Second Schedule, 100 *per cent* of the provision shown in respect of the subhead in the draft Estimates; and
  - (c) in the case of a Recurrent Account or Capital Account subhead listed in the second column of the Second Schedule, the percentage of the provision shown in respect of the subhead in the draft Estimates specified in relation thereto in the third column of that Schedule,

or such other amount as may in any case be approved by the Financial Secretary:

Provided that expenditure on any subhead shall not exceed the amount of the provision shown in respect of the subhead in the draft Estimates.

FIRST SCHEDULE		[para. 2.]
(1)	(2)	(3)
Head of Expenditure	Amount shown in the draft Estimates	Amount of provision on account
	\$	\$
21. His Excellency the Governor's Establishment.....	6,308,000	1,262,000
22. Agriculture and Fisheries Department.....	166,217,000	58,222,000
23. Auxiliary Medical Services.....	8,273,000	1,743,000
24. Audit Department.....	25,262,000	5,059,000
25. Building Development Department.....	423,308,000	84,853,000
26. Census and Statistics Department.....	68,658,000	13,943,000

(1) Head of Expenditure	(2) Amount shown in the draft Estimates	(3) Amount of provision on account
	\$	\$
27. Civil Aid Services .....	19,017,000	5,008,000
28. Civil Aviation Department .....	150,208,000	37,207,000
29. Civil Service Training Centre .....	46,971,000	9,531,000
30. Correctional Services Department .....	467,253,000	102,032,000
31. Customs and Excise Department .....	210,428,000	45,126,000
34. Defence: Miscellaneous Measures .....	1,523,399,000	687,474,000
40. Education Department .....	644,490,000	135,211,000
41. Education Subventions .....	3,670,717,000	890,957,000
42. Electrical and Mechanical Services Department .....	490,227,000	112,446,000
43. Engineering Development Department .....	647,220,000	134,940,000
44. Environmental Protection Agency .....	19,955,000	7,156,000
45. Fire Services Department .....	425,353,000	113,059,000
46. General Expenses of the Civil Service .....	1,178,277,000	238,056,000
47. Government Data Processing Agency .....	49,945,000	11,842,000
48. Government Laboratory .....	26,199,000	6,608,000
50. Government Land Transport Agency .....	13,689,000	3,669,000
52. Government Secretariat .....	220,403,000	54,151,000
53. Government Secretariat: City and New Territories Administration .....	192,798,000	51,586,000
56. Government Secretariat: Lands and Works Branch .....	36,278,000	7,256,000
58. Government Supplies Department .....	89,998,000	39,329,000
62. Housing Department .....	270,405,000	69,075,000
70. Immigration Department .....	280,204,000	57,628,000
72. Independent Commission Against Corruption .....	131,748,000	27,748,000
73. Industry Department .....	33,982,000	15,138,000
74. Information Services Department .....	46,190,000	9,987,000
76. Inland Revenue Department .....	196,078,000	40,642,000
80. Judiciary .....	134,427,000	28,439,000
90. Labour Department .....	111,592,000	26,111,000
91. Lands Department .....	284,665,000	64,815,000
92. Legal Department .....	71,704,000	15,660,000
94. Legal Aid Department .....	57,098,000	11,420,000
96. London Office .....	31,417,000	7,886,000
100. Marine Department .....	162,685,000	42,238,000
102. Medical and Health Department .....	1,995,883,000	437,101,000
104. Medical Subventions .....	1,009,038,000	350,764,000
106. Miscellaneous Services .....	2,588,154,000	682,264,000
110. New Territories Development Department .....	65,629,000	13,629,000
112. Office of Unofficial Members of Executive and Legislative Councils .....	10,191,000	2,079,000
120. Pensions .....	984,308,000	196,862,000
122. Police: Royal Hong Kong Police Force .....	2,128,118,000	538,024,000
126. Post Office .....	472,025,000	123,519,000
130. Printing Department .....	72,167,000	17,874,000
134. Public Debt .....	83,370,000	59,713,000
136. Public Service Commission .....	1,385,000	277,000
160. Radio Television Hong Kong .....	125,178,000	31,107,000
162. Rating and Valuation Department .....	55,689,000	11,256,000
163. Recreation and Culture Department .....	67,041,000	15,521,000
164. Registrar General's Department .....	65,896,000	13,229,000
165. Registry of Trade Unions .....	2,513,000	503,000
166. Royal Hong Kong Auxiliary Air Force .....	21,431,000	10,579,000
167. Royal Hong Kong Regiment (The Volunteers) .....	19,821,000	5,500,000

(1) Head of Expenditure	(2) Amount shown in the draft Estimates	(3) Amount of provision on account
	\$	\$
168. Royal Observatory.....	41,973,000	13,734,000
170. Social Welfare Department.....	1,677,190,000	339,603,000
172. Social Welfare Subventions.....	400,864,000	108,364,000
174. Standing Commission on Civil Service Salaries and Conditions of Service.....	4,004,000	801,000
176. Subventions: Miscellaneous.....	419,804,000	138,266,000
178. Technical Education and Industrial Training Department.....	404,661,000	215,459,000
180. Television and Entertainment Licensing Authority.....	5,581,000	1,117,000
181. Trade Department.....	56,033,000	18,738,000
184. Transfers to Funds.....	8,700,000,000	8,700,000,000
186. Transport Department.....	352,800,000	72,800,000
188. Treasury.....	66,391,000	14,503,000
190. Universities and Polytechnics.....	1,570,566,000	484,202,000
192. Urban Services Department.....	386,192,000	98,927,000
194. Water Supplies Department.....	845,691,000	172,947,000
Total.....	<u>37,332,633,000</u>	<u>16,163,775,000</u>

## SECOND SCHEDULE

(1) Head of Expenditure	(2) Subhead	(3) Percentage of provision shown in draft Estimates
24 Audit Department	113 Administration.....	25
28 Civil Aviation Department	102 Cable and Wireless services.....	30
34 Defence: Miscellaneous Measures	195 Defence Costs Agreement: cash contribution.....	35
41 Education Subventions	330 Assistance to private secondary schools and bought places.....	30
	350 Refund of rates for private schools.....	25
	355 Assistance to post-secondary colleges.....	50
	365 Grants towards selected adult education services.....	25
50 Government Land Transport Agency	225 Traffic accident victims assistance scheme— levies.....	100
58 Government Supplies Department	227 Unallocated stores.....	100
62 Housing Department	228 Clearance.....	25
	229 <i>Ex-gratia</i> allowances.....	25
	230 Management of cottage areas.....	25
	231 Management of temporary housing and temporary industrial areas.....	25
	232 Squatter control.....	25
90 Labour Department	255 Storage of explosives.....	25
91 Lands Department	221 Clearance of Crown land — <i>ex-gratia</i> allowances.....	35

(1) Head of Expenditure	(2) Subhead	(3) Percentage of provision shown in draft Estimates
92 Legal Department	111 Hire of services and professional fees.....	30
96 London Office	116 Office rents and rates.....	25
104 Medical Subventions	All recurrent subheads .....	25
106 Miscellaneous Services	192 Refunds of revenue.....	100
126 Post Office	174 Dues to other administrations .....	50
134 Public Debt	238 Loans (Asian Development Bank) Ordinance, Cap. 271: Second Sha Tin urban development project: commitment charges and interest .....	70
160 Radio Television Hong Kong	102 Cable and Wireless services.....	30
167 Royal Hong Kong Regiment (The Volunteers)	245 Pay and allowances for the auxiliary services.....	30
168 Royal Observatory	102 Cable and Wireless services.....	30
170 Social Welfare Department	177 Emergency relief .....	100
172 Social Welfare Subventions	All recurrent subheads .....	25
176 Subventions: Miscellaneous	445 Hong Kong Trade Facilitation Council.....	50
	462 United Nations Fund for Drug Abuse Control .....	100
	All other recurrent subheads .....	25
178 Technical Education and Industrial Training Department	468 Grant (Recurrent) Vocational Training Council.....	25

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

As is our normal practice, the debate on the Second Reading of the Appropriation Bill will be extended into April in order to give Members time to examine the draft Estimates of Expenditure for 1984-85. Thus the enactment of the Appropriation Bill cannot take place before the first day of April. The purpose of this motion is to seek funds on account to enable the Government to carry on existing services between the start of the financial year on 1 April 1984 and the enactment of the Appropriation Bill consequent on the decisions of this Council.

The funds on account sought under each head have been determined in accordance with paragraph three of the Resolution. This paragraph provides that expenditure shall be arranged in accordance with the subheads in the draft Estimates of Expenditure 1984-85. It also enables the Financial Secretary to vary the funds on account in respect of any subhead, provided that these variations do not cause an excess over the amount of provision entered for that subhead in the draft Estimates or an excess over the amount of funds on account for the head.

A Vote on Account Warrant will be issued to the Director of Accounting Services authorizing him to make payments up to the amount specified in this motion and in accordance with its conditions. The Vote on Account will be subsumed upon the enactment of the Appropriation Bill, and the General Warrant issued after the enactment of the Appropriation Bill will replace the Vote on Account Warrant and will be effective from 1 April this year.

Sir, I beg to move.

*Question put and agreed to.*

## **ROAD TRAFFIC ORDINANCE**

THE SECRETARY FOR TRANSPORT moved the following motion:—That the period for which there remains in force the limit on the number of vehicles which may be registered as public light buses, specified in the Public Light Buses (Limitation on Number) Notice 1980 published as Legal Notice No. 283 of 1980, be extended to 10 April 1986.

He said:—Sir, I rise to move the motion standing in my name on the Order Paper. Under section 7E(3) of the Road Traffic Ordinance (Chapter 220), a period is specified during which the number of vehicles which may be licensed as public light buses, is limited. This motion proposes that the period be extended for a further two years, up to the 10 April 1986.

The effect of this extension is that the total number of vehicles which may be registered and licensed as public light buses will remain at 4 350 as ordered by the Governor in Council on 8 October 1980.

Sir, I beg to move.

*Question put and agreed to.*

## **First reading of bills**

### **EXCHANGE FUND (AMENDMENT) BILL 1984**

### **ARBITRATION (AMENDMENT) BILL 1984**

### **ROAD TRAFFIC (AMENDMENT) BILL 1984**

### **EMPLOYMENT (AMENDMENT) BILL 1984**

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

**Second reading of bills****EXCHANGE FUND (AMENDMENT) BILL 1984**

THE FINANCIAL SECRETARY moved the second reading of:—‘A bill to amend the Exchange Fund Ordinance’.

He said:—Sir, I move that the Exchange Fund (Amendment) Bill 1984 be read the second time. The main purpose of the Bill is to provide in explicit terms for payment and redemption in relation to certificates of indebtedness to be made in foreign exchange.

Since the introduction on 17 October 1983 of measures to stabilize the exchange value of the Hong Kong dollar certificates of indebtedness have been issued and redeemed against US dollars at a fixed rate of HK\$7.80 to US\$1. These certificates are issued to the note-issuing banks under section 4 of the Exchange Fund Ordinance and they are held by them as cover for their note issues. Prior to 17 October last such certificates were issued and redeemed against Hong Kong dollars. Although the new pricing arrangement are not expressly provided for in the Exchange Fund Ordinance, they are not considered to be contrary to the provisions of that Ordinance. Nevertheless, in order to remove any doubts it is proposed that subsections (1) and (2) of section 4 be amended so as to provide in explicit terms that issues and redemptions of certificates of indebtedness may be transacted not only in Hong Kong dollars but also in foreign exchange and at such a rate of exchange as may be determined by the Financial Secretary. For the avoidance of doubt, I should stress that the certificates will continue to be denominated in Hong Kong dollars.

The Bill also proposes that the Ordinance be amended by removing the unnecessary requirement under section 3(5) that resolutions in the Legislative Council to amend the Exchange Fund borrowing limit must be proposed by you, Sir.

These amendments require the approval of the Secretary of State, which has been obtained.

I move that the debate on this motion be now adjourned.

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

*Question put and agreed to.*

**ARBITRATION (AMENDMENT) BILL 1984**

THE ATTORNEY GENERAL moved the second reading of:—‘A bill to amend the Arbitration Ordinance’.

He said:—Sir, I move that the Arbitration (Amendment) Bill 1984 be read a second time.

Members will recall that in recent years there have been efforts made in Hong Kong to encourage the process of arbitration. The Law Reform Commission produced a valuable report in 1982 which led, within a very short time, to the passage of the Arbitration (Amendment) Ordinance. This brought our laws substantially up-to-date. Indeed, when he was here last September, the Master of the Rolls, Sir John DONALDSON, endorsed the view that in six respects the arbitration laws of Hong Kong were better than those which were in force in the United Kingdom. The purpose of this Bill is to improve still further our legislative framework by making two small amendments to the Ordinance. The first gives arbitrators wider powers to award interest on sums awarded at the conclusion of an arbitration and also to award interest on sums that have been paid after the commencement of the arbitration but before the final award. The second purpose of this Bill is to cure a minor defect which exists in certain cases where third parties have failed to appoint or concur in the appointment of an arbitrator to complete the composition of the agreed tribunal. It would, of course, frustrate the intention of the parties if the Court did not have power in these particular cases to supply an arbitrator to enable the arbitration to proceed.

Sir, This short Bill enables me, or gives me the excuse, to mention that updating of the law governing arbitration is but one part of efforts that are currently in hand to establish an International Arbitration Centre here in Hong Kong, not only to serve the needs of the business community in Hong Kong but also to attract to Hong Kong arbitrations between disputing parties to business ventures throughout the region. There is much progress being made in that direction by the Steering Committee that has been at work since 1982 and I am hopeful that before long there will be tangible results that will add to Hong Kong's importance as a financial and commercial centre.

Sir, I move that the debate be now adjourned.

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

*Question put and agreed to.*

#### **ROAD TRAFFIC (AMENDMENT) BILL 1984**

THE SECRETARY FOR TRANSPORT moved the second reading of:—‘A bill to amend the Road Traffic Ordinance’.

He said:—Sir, I rise to move the second reading of the Road Traffic (Amendment) Bill 1984.



Section 109 of the Road Traffic Ordinance (Chapter 374) refers to the Highway Code, any alterations to which must be approved by the Governor in Council and the Legislative Council. A change in its contents is effected by way of a Resolution in this Council, but a Bill is necessary to alter its title as quoted in the Ordinance.

This Bill proposes to change the title from Highway Code to 'Road Users' Code', reflecting a significant change of emphasis in its contents. The present code is almost exclusively addressed to drivers. However, the majority of road users in Hong Kong are pedestrians and passengers; and some 34% and 31% of traffic accidents respectively involve these two groups. Cyclists also are a vulnerable group. The revised code therefore, which is indeed very comprehensive, will have chapters for pedestrians, passengers, cyclists and for the parents of young children, as well as for drivers. It will also reflect the provisions of the new Road Traffic legislation which is to be implemented in August this year.

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*—SECRETARY FOR TRANSPORT.

*Question put and agreed to.*

#### **EMPLOYMENT (AMENDMENT) BILL 1984**

COMMISSIONER FOR LABOUR moved the second reading of:—'A bill to amend the Employment Ordinance'.

He said:—Sir, I move the second reading of the Employment (Amendment) Bill 1984. This Bill seeks to improve the provisions on severance pay in the Employment Ordinance.

Part VA of the Employment Ordinance which provides for this subject was passed by this Council in August 1974. It provided for severance pay at a flat rate of one-third of a month's pay for every year of service subject to a qualifying period of two years' service and to a maximum payment not exceeding twelve months' pay.

In June 1977 the rate of severance pay was raised to its present level of half a month's pay for every year of service. For workers on piece rates the equivalent rate is 13 days' pay for every year of service. Claims for severance pay must be made in writing to the employer within one month of the date of termination or lay-off, or within such extended time as the Commissioner for Labour may agree. In practice this time limit often has to be extended because many employees do not know the rule and fail to serve notice in time.

The Bill now before Council seeks:

- to increase the rate of severance pay from one-half to two-thirds of a month's wage for every year of service for monthly-rated employees and from 13 days to 18 days' wages for time and piece-rated employees; and
- to extend the length of time allowed for making claims from one month to three months.

Sir, as Members will remember, the standards we aim at in this area of legislation were explained by your predecessor in this Council in October 1976 when he said that 'we should set ourselves the target of achieving a level of legislation governing safety, health and conditions of employment at least broadly equivalent to the best in our neighbouring Asian countries whose stage of economic development and social and cultural background are similar to our own.' Comparing standards of severance pay in different Asian countries is not straightforward, because they vary greatly both in systems of payment and, more particularly, in effectiveness of enforcement. However, the proposals in the Bill bring us nearer to the standards which, on paper at least, appear to apply in most Asian countries. The Bill therefore takes us another step forward towards our publicly stated goal.

The Labour Advisory Board has been consulted and unanimously supports the proposal to extend the time limit for claims. The proposal to increase the rate of severance pay has met with mixed reactions. Employers' representatives would prefer to see the rate remain unchanged. Employees' representatives not only support the increased rates of severance pay proposed in the Bill, but would like to see further changes so as to increase the number of employees entitled to it.

The present Bill therefore represents a compromise between these two sets of views. It would be unrealistic to expect it to be welcomed unreservedly by either group, but I hope it will be accepted by both as a reasonable compromise between their conflicting interests. As Mr. T. S. LO said in this Council on 12 October last year, in the longer term the interests of the two groups do not conflict but are identical.

Sir, I move that the debate be now adjourned.

*Motion made. That the debate on the second reading of the Bill be adjourned—*  
COMMISSIONER FOR LABOUR.

*Question put and agreed to.*

## **FIXED PENALTY (TRAFFIC CONTRAVENTIONS) (AMENDMENT) BILL 1984**

**Resumption of debate on second reading (15 February 1984)**

*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).*

#### **FIXED PENALTY (CRIMINAL PROCEEDINGS) (AMENDMENT) BILL 1984**

##### **Resumption of debate on second reading (15 February 1984)**

*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).*

#### **PEAK TRAMWAY (AMENDMENT) BILL 1984**

##### **Resumption of debate on second reading (15 February 1984)**

*Question proposed.*

MR. S. L. CHEN:—Sir, the Bill seeks to set the annual permit fee for the year 1983 at \$1,000 which, by comparison, is a very substantial reduction from what is otherwise payable by the Peak Tramway Company, as a percentage of the tolls received during 1983. The reason for the proposed amendment, as given by the Secretary for Transport when he moved the Second Reading of the Bill, was ‘to enable the Company to avoid making a loss on its operations’.

Surely there must be other ways to avoid making a loss though this is not a subject for this debate, but I would expect the Company, before seeking public assistance, to ask itself whether its operations are efficient and whether the fares are set at the right level. I believe the majority of users of the service are tourists. They must be expected to pay the appropriate fares for the use of the service.

With the reduced permit fee, I believe the Company would make a modest profit for the year, and I must say that it is quite wrong in principle to safeguard the profitability of a private enterprise at the expense of the public purse, particularly at a time when Government is borrowing in an attempt to make ends meet.

However, in view of the fact that discussions are in progress with the Company, as advised by the Secretary for Transport, to establish a new formula which would avoid future *ad hoc* reduction of the annual permit fee, I am prepared to support the proposed amendment with the understanding that this is the sixth and the last time for an *ad hoc* reduction.

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

SECRETARY FOR TRANSPORT:—May I, Sir, comment briefly upon what Mr. CHEN has said. The permit fee for the Peak Tramway was originally designed as a form of royalty. Royalty payments have, over the years, been discontinued in respect of other public transport companies, so that the total level proposed in this case for the Tramway is by no means out of line. I hope that this will re-assure Mr. CHEN. As he noted discussions with the Company are underway which will establish a new formula, and at the same time, we hope, result in modernizing the Tramway.

*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).*

## **LABOUR TRIBUNAL (AMENDMENT) BILL 1984**

### **Resumption of debate on second reading (15 February 1984)**

*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

**FIXED PENALTY (TRAFFIC CONTRAVENTIONS) (AMENDMENT) BILL 1984**

Clauses 1 and 2 were agreed to.

**FIXED PENALTY (CRIMINAL PROCEEDINGS) (AMENDMENT) BILL 1984**

Clauses 1 to 8 were agreed to.

**PEAK TRAMWAY (AMENDMENT) BILL 1984**

Clauses 1 and 2 were agreed to.

**LABOUR TRIBUNAL (AMENDMENT) BILL 1984**

Clauses 1 to 3 were agreed to.

**Third reading of bills**

THE ATTORNEY GENERAL reported that the

FIXED PENALTY (TRAFFIC CONTRAVENTIONS) (AMENDMENT) BILL

FIXED PENALTY (CRIMINAL PROCEEDINGS) (AMENDMENT) BILL

PEAK TRAMWAY (AMENDMENT) BILL and the

LABOUR TRIBUNAL (AMENDMENT) BILL

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

*Question put on the Bills and agreed to.*

Bills read the third time and passed.

## Unofficial Member's Motion

### The Future of Hong Kong

MR. R. H. LOBO moved the following motion:—This Council deems it essential that any proposals for the future of Hong Kong should be debated in this Council before any final agreement is reached.

MR. LOBO:—Sir, I rise to move the motion standing in my name. It reads:—

‘This Council deems it essential that any proposals for the future of Hong Kong should be debated in this Council before any final agreement is reached.’

Sir, this is a very simple motion. It means what it says—no more—and one might think that it could not easily be misunderstood or misrepresented. It is, as a newspaper has said, a debate about having a debate.

It is 18 months since the Prime Minister visited China and it might be timely at the commencement of this debate to reflect on the joint communique issued immediately afterwards—it said:—

‘Today, the two leaders of the two Countries held far-reaching talks in a friendly atmosphere on the future of Hong Kong. Both leaders made clear their respective positions on the subject.

They agreed to enter into talks through diplomatic channels following the visit, with the common aim of maintaining the stability and prosperity of Hong Kong.’

There have been nine rounds of formal talks during the intervening period, and, it would be foolish to pretend it has not been a very worrying period for our community.

While the talks themselves have been conducted in the strictest confidence; rumours and so-called leaks have pre-occupied the media and again it would be foolish to pretend that our confidence has not been sorely tested.

The uneasiness these statements have caused has not arisen from promises of re-unification with the motherland. The uneasiness springs from a very real fear that there may be changes to a different style of government.

It is widely believed that useful and constructive talks must surely soon bear fruit and the purpose of this motion is to give some focal expression to the undertaking given by Her Majesty's Government that the objective was to reach an agreement on the future of Hong Kong which would be acceptable to the governments of China and Britain as well as to the people of Hong Kong.

In the U.K. this will mean a vote in Parliament; in Hong Kong this Council is one of the principal forums for public debate and must surely play an important

part in reflecting opinion in Hong Kong, in advance of any proposed agreement being put to the U.K. Parliament.

I make no special claim for the extent to which the Council represents the will of the people of Hong Kong and so far as I am aware, no member of this Council has ever done so.

It is not necessary to do so to establish that we have a responsibility to address this issue, and the purpose of this motion is to reaffirm publicly our commitment to that responsibility.

My Unofficial Colleagues on this Council are drawn from a wide spectrum of local society. Outside this Chamber, we work on over 300 committees and boards engaged in all fields of public service activity, and our business and social contacts touch on all sectors of the community.

None of this gives us the status of elected representatives; we claim no right of veto. But since the talks commenced, we have received individually and through the UMELCO Office many representations on the future and we have faithfully reflected these to the Administration.

We shall continue to do this. But the message we have received loudly and clearly from the beginning is that the people of Hong Kong wish to maintain their present life-style, and continuity in the systems which preserve their present freedoms.

Bearing this in mind, I think we should pause and take stock of the position reached. Firstly, there is the joint commitment of Britain and China to a solution which will maintain the stability and prosperity of Hong Kong.

Secondly, and perhaps most important, there is the aim set by Her Majesty's Government to which I have just referred, that any agreement on the future of Hong Kong would be acceptable to the people of Hong Kong as well as to Britain and China.

My Unofficial Colleagues this afternoon will doubtless mention some of the factors they see as vital to achieving these aims.

Of key importance is that there should be a continuing healthy public discussion of the systems and machinery which are seen by Hong Kong people as essential to the maintenance of a stable and prosperous society here.

There is nothing magical in maintaining a British presence in Hong Kong, but the freedoms we now enjoy are at the heart of Hong Kong's success story.

The present formula is a proven one—proven by time. The unease arises from the prospect of change. We only seek to ensure that any changes take full account of the elements we see as necessary to secure the agreed common objective.

Personal freedom is perhaps the right we all value most highly and this is the time to exercise that right, to speak openly, freely and without restraint of Hong Kong's expectations of the agreement.

Sir, with these words, I beg to move.

DR. FANG delivered his speech in Cantonese:—

督憲閣下：本人衷心贊成羅保議員的動議。

概括而論，香港人就前途問題發表自己的意見，是天經地義的事，而作為香港立法機構，一個反映民意的議會，立法局要求充分辯論有關香港前途的建議，亦都是很順理成章的。

一九九七年與民意

本人深信正在進行會談的中英雙方都會作出他們最大的努力，為創造一個美好的將來，為維持以及發展香港的繁榮安定，去尋求一個中英雙方都能夠接受的解決香港前途問題的方案。

本人對中英雙方會談代表的誠意和能力是絕對沒有懷疑。但是無論是中國或英國，在社會制度、經濟、政治、文化等各方面，相比香港來說，都有很大的分別。故此中英會談代表的看法和觀點，和香港人本身的看法和觀點也未必能夠完全一致。

本人深信最瞭解香港的現況，最明白香港人的利益還是香港人自己。況且一九九七年之後仍然在這裡生活的還是我們這班香港人，故此一個足以影響着五百多萬人命運的前途方案，怎可以沒有香港人的參與和貢獻呢？

本人謹在此呼籲廣大的市民都能夠站出來發表關於香港前途的意見，爭取決定香港前途的機會。

還有一個重要的問題，是本人希望在未達成香港前途的協議之前，中英雙方應該容許充分的時間和提出有效的途徑去諮詢民意。

前途方案的保證

有關香港前途的民意當然有很多方面，但本人認為一般市民所最關心的不外乎怎樣維持民生的基本保障，以及本港的繁榮安定。本人在這裡祇想提綱挈領的指出，在考慮香港未來的安排時所必須保證的兩點要素：

第一，個人自由—包括言論、信仰、出版、集會、結社、貿易、選擇職業、出外旅遊、移民等的自由，本人認為這些都是激發香港人的積極性和動力的基本條件。

第二，民生的需要—包括提供足夠的就業機會和社會設施，合理的教育、醫療以及其他社會福利服務等。

立法局的角色

本人在以上已指出了民意在決定香港前途問題上有舉足輕重的地位。

立法局一向承擔香港一切立法的程序和責任，本局議員雖然並非民選，但起碼可以反映市民的意見。在決定香港前途問題上，立法局應該積極的參與，鼓勵及協助市民去討論研究，尋求一個既適合香港人需要，又能為中英雙方接受的前途方案。

督憲閣下，本人衷心支持當前的動議。

*(The following is the interpretation of what Dr. FANG said.)*



DR. FANG:—Sir, I support wholeheartedly my Senior Member's motion.

Generally speaking, it is only natural that the people of Hong Kong should express their views on Hong Kong's future. And it is logical that the Legislative Council, a body which reflects public opinion, should ask for a full debate of the proposals on Hong Kong's future.

*1997 and Public Opinion*

I firmly believe that in the current Sino-British talks on Hong Kong's future, both sides will do their best to find a solution which is acceptable to China and Britain, for the purpose of creating a bright, stable and prosperous future for Hong Kong.

I have absolutely no doubt of the sincerity and ability of the representatives of China and Britain at the talks. However, as Hong Kong's social, economic, political and cultural systems are all greatly different from those of China and Britain, the representatives' ideas and viewpoints may not be entirely in tune with those of the Hong Kong people themselves.

I firmly believe that the people of Hong Kong are the ones who understand most thoroughly the present situation of Hong Kong. Moreover, as we, the 5 million people of Hong Kong, will continue to live here after 1997, how can proposals which affect our destiny be made without our participation and contribution?

I hereby call on all who consider Hong Kong to be their home to come forth and air their views on Hong Kong's future, to strive for the opportunity to contribute to Hong Kong's future.

*Guarantees in Proposals on the Future*

There is another important matter: I hope that before reaching an agreement on Hong Kong's future, China and Britain will allow sufficient time and establish an effective means of consulting public opinion.

Public opinion on Hong Kong's future relates to many aspects of our daily lives. But I am of the view that the general public are most concerned about how their livelihood can be fundamentally safeguarded, and how Hong Kong's prosperity and stability can be maintained. I would just raise two points in brief here, which, I think, must be guaranteed in the arrangements for Hong Kong's future:

- (1) Personal freedom, including freedom of speech, worship, publication, assembly, forming societies, trading, selecting occupations, going on overseas visits and migration. I think that these are the basic underlying factors that gave the stimulus and motivation to the people of Hong Kong to work hard.
- (2) The livelihood of the people, including sufficient employment opportunities and community facilities, provision of a reasonable education, medical and other social welfare services.

*The Legislative Council's Role*

I have just pointed out that public opinion must play an extremely important part in deciding Hong Kong's future.

The Legislative Council has always been responsible for the law-making procedure in Hong Kong. Although its members are not elected by the people, it can at least reflect public opinion. The Legislative Council should therefore play an active part in determining the future of Hong Kong, by encouraging and assisting the citizens to study and discuss the question, so as to look for proposals that meet the needs of Hong Kong people and, at the same time, are acceptable to both China and Britain.

Sir, with these remarks, I fully support the motion.

MR. LO:—Sir, what Members of this Council are seeking through this motion is adequate time to debate the agreement to be made by the United Kingdom and Chinese Governments on the future of Hong Kong before it is set in concrete. I think this is a perfectly modest demand. I remember, for example, that the debate in the United Kingdom as to whether or not it should be a member of the European Economic Community took six years and straddled two Governments. I am not suggesting that we should take as long as that, but I do consider that any appearance of rushing an agreement through will psychologically damage the credibility of the U.K. Government even if the agreement itself is actually quite reasonable. That would be a pity because I believe that it is going to be reasonable and given time will be accepted by the people of Hong Kong. As I have said once before, it does no one any good to make unacceptable arrangements.

The Peking Communique, Sir, stressed stability and prosperity. I believe that given a chance and particularly the individual freedoms to which we have become accustomed we will be able to work hard and keep this territory stable and prosperous. However, Hong Kong people do need time to study the proposed agreement to express their views as to whether it will preserve those freedoms and give them that chance.

I support the motion.

MR. TIEN:—Sir, the future, said one writer, is a fiction of the mind and it is to the future that I wish to turn. Of course, my Unofficial Colleagues will cover many other issues, it is to *TRADE*, however, about which I will speak.

There are *THREE* issues on which I would like to focus our attention. These are, *firstly*, Hong Kong's autonomy in its trading links, *secondly*, Hong Kong's problem on its textile quotas, and *thirdly* Hong Kong's image as a supplier of goods of high quality.

As regards No. 1, the issue of autonomy I put the question: How can we retain this autonomy in trade negotiations and direct access to our trading partners after 1997?

Although we are not an independent state, we have in fact full autonomy as far as establishing overseas trade connections is concerned. Despite the fact that Hong Kong is not a formal member of G.A.T.T., we are represented at its meetings by a permanent local delegation. In other words, we have been able to enter into trade agreements directly with our trading partners and to present our case to international trade organizations in support of free trade.

As regards No. 2, the question is: How can we retain our own textile quota after 1997? The M.F.A., which regulates most of our textile and garment exports, has significant influence on Hong Kong. As we know our textile and garment industry produces more than 40% of our export and supplies 335 000 persons with jobs. Much as we dislike it, our textile and garment exports have experienced tremendous pressure from the protectionist attitude of our major importers. As a result, our textile and garment exports are subject to strict quota control. But behind all these difficulties we have a quota of our own, and not without long hard battles we have been able to resist serious cutbacks in the quota limit.

As regards the third matter let me say that today, the 'Made in Hong Kong' label attached to our goods has been accepted by overseas consumers as a symbol of quality. It is the result of many years' hard work by our manufacturers and trade promoters. How can we retain this quality symbol after 1997?

Sir, these three questions call for immediate and positive answers.

I am glad that both the British and Chinese Governments have realized that the future of Hong Kong is not only a political, social and legal matter, for they have stated that the mutual objective of the talks are the twin goals of stability and prosperity. These Siamese twins are joined together in all the essential places. They are our prime necessities. Stability we pray for because, without a stable Hong Kong, prosperity is not possible. Prosperity we hope for, because without prosperity we do not have the means to enjoy stability. This is what we the people of Hong Kong want, as indeed do all parties to the present discussion. To this end we anticipate a constructive continuation of the good relations between the major parties to the discussions as well as to ourselves, the people of Hong Kong. We want to help, fully aware as we are of Chinese sensitivities on the matter, and this Council has a voice and here I speak for trade and industry which I am sure should be heard.

Shakespeare said 'There is a tide in the affairs of men, which, taken at flood, leads on to fortune,' This is the time when the tides are flowing in the right direction. We hope that the two negotiating teams will take this opportunity to provide us with the assurances we need to prosper in a stable society.

Sir, with these remarks, I support the motion.

MR. ALEX WU:—Sir, as our future is debated over our heads, it is remarkable that five-and-a-half million people should be expected to stay calm, confident and clueless for so long. It is even more remarkable that, by and large, we should have continued to thrive under these intolerable conditions.

We have been silent far too long already. We must now say clearly that only an informed public can make a valid judgement on the arrangement under which we are going to live. No one can claim to have a prior knowledge (or the right) to decide what will be acceptable to the people of Hong Kong if the people of Hong Kong do not know what the options are.

It is meaningless to say that the proposals should be acceptable to the people of Hong Kong without knowing how and where to get the consensus.

If the proposals are beyond question acceptable, what has anyone to lose by letting us examine them before it is too late? If the proposals are designed to maintain the institutions and the aspirations of this community, they will surely stand up to our scrutiny. We are a modern people who cannot relish the prospect of an arranged marriage. (*laughter*)

Your Excellency, more than anywhere else in the world we depend on confidence. We must have confidence ourselves to commit our resources to the future. Others must have confidence to invest, to trade and now to lend. To doubt this duly constituted Council's right and responsibility to debate the proposals is in itself a factor to sap that confidence.

Sir, with concerted efforts and the goodwill of all concerned, we should be able to create a fresh political miracle for Hong Kong, and I see support for the motion before us as the duty of all public spirited Hong Kong citizens.

With these remarks, Sir, I support the motion.

MR. PETER C. WONG:—Sir, the single most important question almost everyone in Hong Kong is asking today is: what will happen to Hong Kong in the next 13 years and beyond? Sadly, this is a question no one can answer with any degree of certainty.

All who love Hong Kong would like to be assured that our present life-style will be maintained and perhaps improved in the years ahead. There are indications that this may be possible. Following the historic meeting between the British Prime Minister and the Chinese leaders, a joint statement was issued emphasizing the common objective of both countries to maintain the stability and prosperity of Hong Kong. This was followed by a series of talks on the future of Hong Kong. Officially, the talks have been described as useful and constructive. Unofficially, there have been suggestions that progress has been made and that an agreement on broad principles may be reached before September this year.

The confidentiality veil is unfortunate but perhaps necessary. Logically, as the talks directly concern the future of Hong Kong, the people certainly have the right to know what is going on. On the other hand, it would be obviously undesirable to reveal the contents of the talks after the conclusion of each round. Apparently, there is no easy way to overcome this dilemma. However, any agreed proposals for the future should be made public as soon as possible.

Various groups in Hong Kong have already made their views known on the main issue. The consensus seems to suggest that the majority would like the present way of life to be maintained. There is evidence to believe that the views of the people of Hong Kong have been taken into account by both the British and the Chinese Governments in their search for an acceptable solution.

To some extent, this is reflected in the message given by Chinese officials to a delegation of the Hong Kong Federation of Students which visited Peking in July 1983. The message is widely regarded as China's 10-point plan for post-1997 Hong Kong.

The plan no doubt incorporates many of the fundamental elements that constitute a free and autonomous society. In maintaining the continued success of Hong Kong, a vital element is the expertise to manage our public affairs prudently within the framework of an independent and impartial judicial system. Hong Kong is fortunate to have such expertise and judicial system and it is important to ensure that these will continue to be available in the years ahead.

Under the Chinese plan, Hong Kong can keep all its present laws except those which are in contradiction with Chinese sovereignty over the region. Hong Kong laws are promulgated in English and the wealth of Commonwealth legal cases, which are frequently cited in court, often facilitate judicial decisions. Legal language is highly complex and technical. It would be unrealistic to expect legal documents and proceedings to achieve the same high standard and degree of accuracy if the original language is not used. Such limitation applies to the subject matter itself as well as to those practising it. The process of conversion from one language to another takes time and it would be in terms of decades not years. For legal practitioners, the adaptation process may not be easy. In the interest of efficiency and expediency, it may be desirable to accord English language legal status if sovereignty reverts to China. A generous period might perhaps be allowed for conversion and adaptation. A further point to consider is that in Hong Kong's unique position as a cosmopolitan city with a fairly large foreign population, the use of a language which most foreigners understand would greatly facilitate the conduct of business and promote better and closer understanding. Language is only a vehicle for expression and flexibility in this regard would certainly enhance Hong Kong's prosperity.

It will take time and careful thought to resolve the various issues and devise ways and means to ensure that any proposals for the future will work smoothly

and produce the desired effects. If the negotiation is conducted in the spirit of the common objective, it is possible that an acceptable solution will be found.

It may be of interest to mention that Article 102 of the United Nations Charter, 1945 provides that all treaties and international agreements entered into by Members of the United Nations Organization shall as soon as possible be registered with the Secretariat of the Organization and be published by it. The Sixth Committee (Legal) of the United Nations General Assembly in 1947 ruled that Article 102 imposes a binding obligation to effect registration of any treaty or agreement entered into by Members of the Organization. This ruling is obviously useful and significant.

In finding a solution, the whole issue should be viewed in perspective—in the light of historical considerations, the changing spirit of the times, Hong Kong's international dimension, and the need to respect the wishes and rights of the people of Hong Kong. A capitalist Hong Kong under the umbrella of a socialist China is a thought provoking concept. The success of any formulation for the future will depend on the degree of support it receives from the people. Any adverse effect on the movement of capital and talent would have a detrimental effect on our economy. It is obviously desirable that the people should be given ample time and opportunity to discuss and offer suggestions on any arrangements for the future.

Hong Kong owes much of its present day success to China and Britain. China's recent open door policy has fostered better and closer ties between Hong Kong and China. The trend is encouraging. Sino-British relationship is good and is likely to continue to improve. It is a scenario that augurs well. Hong Kong must take advantage of this and strive vigorously to maintain the momentum of its growth. A prosperous Hong Kong will be of immense value to all concerned. And the key to the preservation of an economic and political environment in which the majority will find it acceptable to live and work.

China has repeatedly stated that sovereignty is not negotiable. The only sensible inference is that there will be changes. To the majority of the population, Hong Kong is home. Whatever tomorrow holds, the majority will be here. The right to govern brings with it duties and obligations. Is there any doubt that the interests of the people must be protected to the maximum extent?

Sir, in supporting the motion, I appreciate that this Council has no authority to preempt or override any decision of the British Parliament. Nevertheless, it is hoped that views expressed in all forums will be given due consideration by the British and Chinese Governments.

MR. WONG LAM delivered his speech in Cantonese:—

督憲閣下：有關中、英就香港前途的會談，港人極為關注，有一段時間甚至民心動盪，大家茫然不知所措。

港人對這問題的關注是可以理解的，因會談的結果，無疑將影響港人今後的一切，甚至其子孫的一切。

可惜的是在這一重大問題上港人至今仍不知會談的真正進展如何。從報章上港人看到不少有關會談進展的傳言，但卻不能肯定傳言中有多少是經已提交會議桌上討論，又多少祇是報導者的推測，這種真假不辨的情況，對港人非常不利，悲觀的拼命找移民後路，使本港資金及人材大受影響；樂觀的，大力鼓吹空泛的承諾，把主觀願望與客觀的事實因素混在一起，把困難用樂觀的語調或簡單的解決方法，講成沒有困難。使港人忽略了對九七問題應有積極貢獻意見的態度，故此本人認為在中英會談經已進展至現今階段的情況下，將內容繼續保密已無必要，九七問題對港人做成巨大衝擊是無可避免及經已發生的事實，繼續把會談保密並不能減輕港人不安的心態，而且對中英雙方都沒有好處。

因為既然中英雙方都公開表示歡迎港人表示意見，但假如對會談進展全無所知，或一知半解，港人又如何能夠直接地表示意見，即使有心表示意見也很容易變成無的放矢，放錯重心，事倍功半，或因祇見樹木不見森林而迷失了方向。

本人深信中英雙方都有誠意保持香港繼續繁榮，同時希望找出良好的解決方法。相信任何方案都是以目前現有的基礎修訂而成的。對於構成現有基礎的各項客觀因素香港人的知得最清楚。大部份港人生於斯、長於斯、熱愛香港，對這些客觀因素有現身的體會和第一手的經驗；所以在現階段取消會談保密的安撫出來，讓港人知道中英雙方會談大致的進展和構思，容許港人把經驗和體會貢獻出來，把理想和期望表達出來，以踏實的態度，將客觀的因素，和主觀的願望，冷靜分析，可融和的融和，不可能融和的即找適當的折衷辦法，這樣對於會的繼續進展，對於良好解決方案的尋求，其意義是積極的，其好處是明顯的。

立法局的工作，與港人息息相關。在這項影響五百多萬港人和他們子孫前途的重大問題上，立法局當然不能失職地視若無睹。雖然各非官守議員並非民選，但這並不表示他們不能反映市民的心聲。各非官守議員來自不同的行業，有多方面的專才和經驗，他們也來自不同的階層，有富裕的，但也有些好像本局現時的工作範圍和各議員的背景，很應該積極地幫助尋求一良好的解決方案，很應該帶頭討論和呼籲市民把寶貴意見表達出來，使中英雙方在達成協議前能夠對港人意願有更充份的瞭解，能夠吸納港人在保持香港繁榮和安定上所貢獻的寶貴意見。

故此本人認為立法局的討論應當是熱烈討論的開端而不是終結，其他的團體，例如區議會，街坊會，互助委員會等未曾發表意見的組織，也應該就這項影響重大的問題，貢獻意見。

在一九八四年新年賀辭中，閣下提及港人希望（使本港安定和繁榮）的各項因素能夠保持。這點是非常重要的。本人希望這些因素同時能夠經得起時間、環境和人事變遷的考驗。相信大家都明白祇追求一切現狀的不變是不足的，現代的變化將引致現狀的變化，所以要追求的不應祇是表面現狀的不變，而是這種表面現狀背後所代表的精神的不變才重要，例如炒股票這表面現狀並不重要，其背後所代表的容許自由集資和自由交易的精神才重要。而港人的最大貢獻，不論立法局、區議會或其他團體，便是把這些精神因素表達出來，幫助中英雙方對構成今日香港的繁榮和安定的原因有更深入的體會、同情和認可，從而能夠達成更良好的協議。

閣下，本人支持此項動議。

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

Sir, the people of Hong Kong are extremely concerned about the Sino-British talks on the future of Hong Kong. There has even been a time of general unrest and everyone was at a loss.

The concern shown by the people of Hong Kong is understandable because the outcome of the talks will undoubtedly affect their whole future and that of their future generations.

It is unfortunate that as yet the people of Hong Kong have no idea how the talks are really progressing. They have been reading quite a lot of speculation from the newspapers about the progress of the talks, but they cannot be sure how much has actually been discussed at the conference table and how much is guess work. This situation in which one can hardly tell truth from falsehood is much to the disadvantage of the people of Hong Kong. Those who are pessimistic are desperately looking towards migrating, thus triggering off an outflow of capital and talents. The more optimistic ones are loudly preaching empty promises, mixing reality with wishful thinking and lightly dismissing all difficulties by proposing simple-minded solutions. This has made the people of Hong Kong overlook the importance of positively contributing towards the 1997 issue. I think there is no longer any need to keep the talks confidential now that the negotiations have reached the present stage. Unavoidably the 1997 issue will have a tremendous impact on the local people; and indeed it already had. Keeping the talks confidential can hardly set their minds at ease. It will not do any good to Britain and China, either.

Both the Chinese and British governments have openly invited the people of Hong Kong to express their views. Yet how can they express their views if they have very little or no knowledge of what is going on? Any opinion voiced under such circumstances may well be irrelevant, with emphasis put in the wrong places, and little will be achieved by the efforts they put in. They may even lose their bearings because they cannot see the wood for the trees.

It is my firm conviction that both Britain and China are sincere in maintaining the continued prosperity of Hong Kong and in seeking a satisfactory solution. Moreover, I believe the solution will have to be based on what Hong Kong has already achieved. The people of Hong Kong are not in the least unfamiliar with the various objective factors that have made Hong Kong what it is today. Most Hong Kong people were born here. They have an ardent love for the place where they have been brought up. They know from personal and first-hand experience what these objective factors are. It is advisable, therefore, to remove the confidentiality of the Sino-British talks imposed at present. Instead Hong Kong people should be kept informed of the progress of the talks and of what both governments have in mind for them so that they can contribute positively based on their experiences and knowledge and express their hopes and aspirations. People can then take all these objective factors and their own aspirations together and analyse them rationally, incorporating what can be incorporated and seeking appropriate compromises otherwise. This is of great benefit and positively conducive to the continued progress of the talks and the quest for a favourable solution.



The work of the Legislative Council affects the people of Hong Kong. Legislative Councillors would not be doing their duty if they remain silent on this key issue which has an important bearing on the future of the five-million-plus Hongkong people and their descendants. It is true that Unofficial Legislative Councillors are not elected, but it does not mean we cannot reflect public opinion. Unofficial Members come from different trades. We have expertise and wide experience in many areas. Coming from different social strata, some of us are well-off while others, like myself, belong to the low-income grassroot sector. Therefore we have a much wider contact with the public than many people would have imagined. With its present scope of work and with Councillors coming from different background, the Legislative Council should help positively to work out a satisfactory solution. It should take the lead in discussing Hong Kong's future and call on the public to give their valuable views on the issue. This will enable Britain and China to have a better understanding of Hong Kong people's wishes and take into consideration their valuable views on how to maintain the prosperity and stability of Hong Kong before coming to an agreement.

I have reasons to believe that this afternoon marks the beginning of, and not the end to, a series of active discussions. Other organizations, such as district boards, kaifong associations and mutual aid committees, which have yet to express their views, should speak out on this important issue.

In the 1984 New Year's message, Your Excellency said that the people of Hong Kong wanted to maintain the essential elements which will ensure Hong Kong's stability and prosperity. This is of crucial importance. I hope that these elements can stand up to the test of time though circumstances and personnel may change. I think we all know it is not enough just to ask for the maintenance of the status quo. Times change and therefore everything has to change. What we should be after is not just the superficial elements pertaining to the status quo, but rather the retention of the underlying concept. For example, speculation in stocks and shares is not important on the fact of it, what is important is the underlying concept, i.e. the freedom to raise capital and carry on transactions. The greatest contribution that can be made by the people of Hong Kong, be they the Legislative Council, district boards or other organizations, is to convey this concept and enable Britain and China to better understand and recognize the factors that have contributed to Hong Kong's present prosperity and stability, thereby achieving a more satisfactory agreement.

Sir, I support the motion.

DR. HO:—Sir, It is unfortunate that there has been considerable misunderstanding about the intention of the motion. Some sectors of the community expressed apprehension that the motion might resurrect the 'three-legged stool' concept, thereby jeopardizing the cordial atmosphere surrounding the current Sino-British talks. This misunderstanding, to me, is totally unfounded. The

motion is not moved to change the status of Hong Kong in the negotiations, it merely affords an opportunity for well considered opinions to be expressed in this Council.

The motion was also suspected to be moved for the purpose of mobilizing public opinion to exert pressure on the negotiating countries. The allegation is also groundless. The U.K. Government has repeatedly stated that the solution to Hong Kong's future is a matter between the Chinese and British governments, with the final arrangements acceptable to Hong Kong. A debate in the open Legislative Council chamber is therefore useful and timely. The Unofficial Members of the Legislative Council are obliged to duly inform the government of the public's reactions to and assessments on all significant factors. We also feel that we are fully accountable to the Hong Kong populace and will be remiss in our responsibilities if we do not reflect the views and preferences of the public on this important issue. Based on the numerous representations from individuals and groups to UMELCO and on our personal contacts with members of the public, we are confident that we can effectively and accurately transmit the wishes of the masses in respect of the future of Hong Kong. The Chinese Government has been actively collecting views and opinion of the Hong Kong residents by either inviting groups and individuals to visit the capital or screening written representations. The British Government is also in the process of monitoring local views about the future. The open debate in this Council can be used by the negotiating governments as an additional source of information input.

Furthermore, it is hoped that the debate on the motion can serve as a catalyst in spearheading more discussions, in formal as well as in informal settings, among the widest cross-section of the people, that is by professional associations, interest groups, grass-roots organizations, civic groups, district boards and student bodies. It should be noted that the motion has two other significant implications. The points made in Members' speeches this afternoon will go on public record and be accessible to any person interested. Some Official Members, I expect, will speak on the motion and the people of Hong Kong will also be able to hear the views of the Government.

However, to render the debate on the Hong Kong future more effective and realistic, certain conditions must be observed. Certain aspects of the talks must be released to the public. There has been speculation that the contents of the talks in the recent rounds were about technical and administrative matters. If this is the case, then I think they can be made known in broad outline forms. Only in this manner can public discussions be made constructive and pragmatic.

An effective consultation machinery must be devised to monitor, to collate and compile views and preferences expressed. This information can be readily used for assessing the solution to be forged out of the Sino-British negotiations. With the knowledge that the British Government will take into consideration local opinions and aspirations when ratifying the agreement on Hong Kong future, the people in Hong Kong will be encouraged to express themselves.

Now that the misunderstandings have been clarified. I wish to take this opportunity to dwell on two major concerns of the local people about our future, trusting that my Honourable colleagues have or will have covered the whole spectrum of the intricacies of the issue. No one will dispute that Hong Kong's success owes much to its free institutions and the rule of law. One important characteristic inherent in them is that of *independence and autonomy*. We have an autonomous government, an independent judicial system and an efficient civil service. Though these institutions are in theory subject to the pleasure of Her Majesty, they are effectively insulated from the exercise of arbitrary power by the British Government. It is because of this independence that Hong Kong has been able to pursue policies sometimes radically different from those in Britain and attuned to our special circumstances. Let us not say farewell to this time-honoured insulation characteristic in defining or proposing the future administrative system for Hong Kong. A number of formulae have been suggested to retain this insulation. They include the establishment of a consultative council, comprising local and international elements, the ratification of the agreement for Hong Kong's future by a third party, and an independent judicial system with the supreme court of appeal located in Hong Kong. I think they can all be combined. Together with maintaining the existing international commercial interests, they will provide the necessary insulation against any external influence.

I believe that there are bound to be changes to Hong Kong when the proposed solution to our future leads towards greater self-administration. The popular wish for an undisturbed way of life and a continued economic growth after 1997 is contingent upon a smooth transformation. This calls for the Hong Kong Government's attention to making early transitional arrangements. The speed at which the top level of civil service is to be localized should be further accelerated. More importantly, localization should be applied with equal vigour to the non-professional departments and at the Secretariat Branch level. The expanding local administration structure under current consideration is a step in the right direction. The widening use of the Chinese language in the judicial sector will be in the interest of maintaining the continuity of the current system of law and justice in the post-1997 Hong Kong, providing an important legal framework for the future administrative structure and for preservation of human rights and freedom. Lastly, the younger generation must be assisted to achieve a heightened political consciousness, so that they may function more effectively in the future Hong Kong. At schools, the curriculum should be revised to give more room for civic and political knowledge. For those at work, adult education should be trimmed to that effect.

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

MR. ALLEN LEE:—Sir, 1997 has dominated our news media throughout 1983. It is by far the most important subject in our history, as it concerns our future and that of our children and their children. The Unofficial Members of this Council are no exception. 1997 is the most talked about subject in our deliberations. Our

discussions are normally lengthy and they cover many different aspects of the problem. I feel strongly that if we do not concern ourselves with the future of Hong Kong, if we cannot make useful contributions towards the future, then we are not worthy of being Unofficial Members of this Council. It is my firm belief that it is at this critical time in the history of Hong Kong, the people of Hong Kong would be able to look to UMELCO to provide some leadership in guiding Hong Kong through this crisis, but also to help to achieve the avowed objective of both the Chinese and British Governments of maintaining stability and prosperity in Hong Kong. After all, who can be more concerned about this than the people of Hong Kong.

Like many of my Unofficial Colleagues, I have received many letters and representations from various groups and individuals. They have expressed to me fully their views with regard to the future. I have also met many groups during 1983, mainly to listen to their views. There have been occasions when I was asked to speak. I came to the conclusion that our people, whether rich or poor, are deeply concerned about the uncertainty of the future. They want to know whether their views will be taken into account. They want to know whether their voices are being heard by both Beijing and London. They have questioned and are questioning why the negotiations between the two governments concerning our own future are being kept a secret from us. Even though they understand the sensitivity of the issues, they have asked me time and time again, to find out the truth. I am not privy to the details of the negotiations, and therefore I cannot answer those questions put to me. But judging from the newspaper reports, it is highly improbable that the present administration will continue beyond 30 June 1997.

Sir, no one I have spoken to has disputed China's claim of sovereignty over Hong Kong; and I believe no one will do so in the future. In fact, Hong Kong soil is Chinese soil. But then, why are the people of Hong Kong so worried about their future? Why are so many fears being expressed? I have come to the conclusion that it is basically because there is no known precedent for one country to operate successfully under two totally opposite systems at the same time, nobody knows whether it will work.

I am not an expert in political systems. Recently I had a brief opportunity to meet Dr. BRZEZINSKI, the former U.S. National Security Council Advisor under the Carter Administration, during his short visit to Hong Kong, he was asked about the feasibility of such a scheme, his answer was: 'Only time can tell.' I have my own doubts as to whether or not such a combination of political systems can work to maintain Hong Kong's prosperity and stability or whether the people of Hong Kong will find such proposal acceptable.

We know as a fact that some Hong Kong people have already transformed their fears into actions by leaving Hong Kong or making provisions to leave in the future, while such actions are perfectly understandable, yet in my opinion, they are not constructive in achieving the common objective. We should not doubt the sincerity of the Chinese leaders in wishing to maintain our prosperity

and stability and to allow us to keep our present freedoms and legal system in the future. Yet, many people have told me that China's past track record is not one to inspire confidence. I have even heard Chinese officials both in Beijing and Hong Kong say that our concern is perfectly understandable because of their past performance. In fact, they have categorically stated that they do not wish to repeat their same mistakes of the past. We must have faith in the present regime and we must be positive and constructive, therefore whatever our concerns may be, we must express them openly and freely.

China is on her way to modernization under the well-publicized Four Modernization Programmes. Those who have visited China as frequently as I have must agree with me that there has been a remarkable improvement in the living standards of her people now as compared with ten years ago. There is little doubt that Hong Kong if given the chance can make a valuable contribution towards China's modernization programmes. After all Hong Kong is the third largest financial centre and the third largest container port in the world. For a small place like ours, it is a miracle that we have come this far in earning the respect of the international community.

There are many articles written by the world renowned economists about our free enterprise which is only one of the many factors contributing towards our past success. Miss Lydia DUNN spoke of the pillars of our society. Mr. Walter SULKE spoke on what makes Hong Kong tick. I have spoken on 26 October 1983 in this Council on the essential features of our success and many others in our community have spoken out on the same subject. Sir, we love Hong Kong. It is our home. We are concerned about our future, therefore we cannot keep silent and leave our fate to be decided for us. We want to make valuable and constructive contributions towards the success of our future.

There are some individuals in our community who have criticized the legality of this motion and the representativeness of the Unofficial Members. They have even gone so far as to question the motive of the Unofficials by suggesting that this debate was inspired by another party. They have accused the Unofficial Members of 'rocking the boat'.

Sir, may I take this opportunity to answer the critics by quoting a past President of the United States of America, Mr. Theodore ROOSEVELT. He said and I quote: 'It's not the critic that counts, not the man who points out how the strong man stumbled or whether the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena ... who strives valiantly, who errs and often comes up short ... who, if at best in the end, knows the triumph of higher treatment and high achievement. Who at worst, if he fails, at least fails while daring greatly so that his soul shall never be with those cold and timid ones who know neither victory nor defeat.' Unquote.

Sir, on an important issue such as the future of Hong Kong, the Unofficial Members of the Legislative Council, being responsible individuals of our community, must feel free to express our opinions. As it has been said earlier,

we have never claimed that we represent the people of Hong Kong. We have, however, always tried to reflect public opinions and will continue to do so. This is our most important duty. Last week, the leaders of nine unions came to UMELCO to make representations with regard to the future of Hong Kong and the Sino-British negotiations. We have seen them often in UMELCO in the past in relation to other matters. They have asked us to speak on their behalf and to present their views in this Debate. There is no better way to present their views than to quote them fully and I quote:

‘Dear Sir, The Sino-British talks on the future problem of Hong Kong is the biggest issue related to the fate and the well-being of the public and their next generation. The public has the right to know the contents of the Sino-British meetings, the right to further information and the right to discuss. These are our basic human rights and are absolutely justified.

In fact, the confidentiality of the Sino-British talks over the future problems has not brought stability to our society but has led to the drastic fall of the Hong Kong dollar and the outflow of our human resources. It has also caused doubts and anxiety among the public. Therefore, at this time, it is absolutely essential to make the contents of the talks public and to give the public the opportunity to discuss further before any agreement is reached. This will serve to stabilize our society and to actualize democracy.

Both the Chinese and the British Governments have in the past several months repeatedly appealed to the public to have confidence towards both governments. We also appeal to both governments to have confidence in the public. The most effective means to promote mutual trust is to let the public know the contents of the talks and to let them have sufficient discussions. Only through the above process can mutual trust be strengthened.

Towards the Lobo motion, we believe that any one has the right to put forward their demands for knowledge and to debate on any agreement reached. This is not just human rights but also freedom of speech. We would like to insist that the contents of any agreement be open for public scrutiny and there must be sufficient consultation. It must not be a closed door meeting.

We pay attention to this issue because we are concerned about freedom of speech and whether our society is heading towards democracy. This is in line with stability and prosperity.

Thus, we strongly demand that the contents of the talks be made public. Before any agreement is reached, the proposed agreement must be made public to enable the different strata of the public to openly discuss the agreement,’ Unquote.

Their concern is perfectly understandable. They informed us that they had gone through an extensive debate amongst themselves before coming to UMELCO to make their representation.

Sir, when I visited Beijing in May last year with a group of professionals, we informed the Chinese authorities about the confidence crisis in Hong Kong. Despite outward signs that the economy of Hong Kong is on the road to recovery, the confidence problem has not gone away. A few months ago some professional organizations conducted surveys amongst their members on the future issue. The survey indicated well over 60% of those who answered were thinking about leaving Hong Kong because of the confidence problem.

Sir, I think it would be wrong for us to pack our suitcases like some of our relations and friends. It would be equally wrong for us to adopt a passive attitude about our own future and resign ourselves to our fate. I am convinced that we should alleviate the present confidence crisis by first showing confidence in ourselves. Secondly, we must somehow establish mutual trust with China. Let us not forget, we are what we are today because of the determination of the Hong Kong people to survive and strive for a better society. Hong Kong has always been a unique place. Unique in every sense of the word. The Chinese proposal of a 'Special Administrative Region' is also unique.

Dr. BRZEZINSKI's answer of, 'only time can tell', in my view, is not good enough. We should be determined that we will have a bright future. Now I would like to call upon all the people of Hong Kong to forget about their own fears and doubts and instead we should make every effort to close the communication gap between China and ourselves. We should voice our opinions positively and constructively and through mutual understanding and mutual trust, Hong Kong will grow in the future to be a truly international city.

The motion before Council today, in my opinion, is useful and constructive. Therefore, I wholeheartedly support this motion.

MR. SO delivered his speech in Cantonese:—

總督閣下：辛苦你了！自上任以來，閣下穿梭往還香港，北京和倫敦，為香港的將來奔跑。每次在螢光幕上見到你被盡忠職守的記者群埋伏和包圍，無論是在啓德機場，北京街道上或唐寧街十號門外，你總是笑容可掬，態度親切，絲毫不露一點倦容，深恐從面部的表情，露出蛛絲馬跡，使日益敏感的港人，諸多揣測，提心吊膽，真是用心良苦。閣下亦深明香港人對前途焦慮的心情，三番四次告訴我們，中英雙方均有共同目標，一項中英雙方均感滿意，並為我們所歡迎的協議必可達成；香港政府為了香港人的前途，決意大量投資，努力經營，同時亦要求市民作出回應，緊守崗位，共同確保香港社會不可或缺的因素得以延綿不斷。至於談判的內容和進展，閣下則守口如瓶。我們祇知道你參加了九次有益和有建設性的會談，而且各代表們經常用「今天天氣哈哈」作為會談的開場白。

香港人到今天為止無權參與會談，也無權獲知它的內容。一些人以為立法局的成員必然間接或直接獲得內幕消息，而不予透露向港人交代。這是不白之冤，作為立法局成員之一的我，確是毫不知情，但也一如其他市民一樣，在過去多月來聽了很多傳聞。最近更聽到英國似乎已打算在一九九七年把香港的主權交還中國，中國為了香港的繁榮和安定，屆時使香港成為特區，容許港人的生活方式和制度維持若干年，亦聽聞這個決定，將於九月正式公佈。

本局這次破天荒的辯論，是香港人討論自己前途的途徑之一，「任何有關香港前途之建議，在未達成最後協議之前，必須在本局辯論。」是個非常好的動議，本人亦東施效顰以天氣為序，參與辯論。

香港的三月是暮春季節，正常紀錄是氣溫十八度半，雨量五十四點八厘米，相對濕度是百分之八十二。雲量為百分之七十六。時有大霧及連續有霧，令前景不大明朗。

七、八、九月是北太平洋西部熱帶氣旋經常進窺香港的月份。不過，就算有超過一百二十海浬的颶風襲港，各人都能及早完成各項措施，留在家中收看電視或作竹戰，偷得浮生半日閒，靜待風暴過去。這段時間，人們對熱帶氣旋警告訊號的懸掛過早或過遲，各校停止上課的宣佈時間，都可以抨擊皇家天文台和教育署，人人呼吸着「怕老婆也不怕政府」的自由空氣。

若嫌夏天炎熱，冬天寒冷，港人可以在春節，暑天，復活節或聖誕節，拿着英國護照、身份證明書，回港證、或出入境證往廬山避暑，到台灣寶島去泡溫泉，亦可領得人民入境事務處簽發的證書，以屬土公民的身份暢遊英倫三島。各式其適，海闊天空任飛翔。

總而言之，天氣變幻不常，四季不同，有時風雨有時晴。香港人必須經常收聽天氣報告和天氣預測，以便計劃一切活動，而不希望有一九六二年九月一日颶風溫黛以時速超過一百四十海浬的風速蹂躪香港的歷史重演！

督憲閣下，本人支持動議。

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

Sir, what a hard time you have had! Ever since assuming office you have been busy making shuttle trips between Hong Kong, Beijing and London in connection with the future of Hong Kong. We have seen from TV that wherever you were ambushed and besieged by groups of enthusiastic, reporters, at Kai Tak Airport, on a street in Beijing or outside 10 Downing Street, you wore a smile. You were amiable and genial, and careful in not showing the slightest sign of fatigue, lest your facial expression should become a subject of speculation by the increasingly sensitive Hong Kong people and add to their worries. It is indeed good for you, Sir, to be so considerate.

Furthermore, being aware of Hong Kong people's anxiety and concern over their future, you have time and again told us that both China and Britain share a common aim, and that an agreement acceptable to both parties and welcome by us will surely be reached. You have also reiterated that it is the intention of the Hong Kong Government to invest vigorously in the future of Hong Kong; you also urged the public to take corresponding action by holding their own fort and making concerted efforts to ensure the continuous existence of the indispensable elements of the society of Hong Kong. As regards the contents and progress of the talks, you have, however, remained tight-lipped. All we know you have so far taken part in nine useful and constructive negotiations, which were usually opened with remarks on the weather.

The people of Hong Kong have hitherto no right whatsoever to take part in the talks, nor do they have any right to learn of their contents. Some believe that LegCo Members must have, either directly or indirectly, got an inside story of the talks, which they have kept back from the public. This is absolutely not true.



As a matter of fact, being a Member of this Council, I know nothing about any such inside story. Nevertheless, like other members of the public, I have heard a lot of rumours over the past few months. Recently it is even said that Britain seems to be prepared to return to China the sovereignty over Hong Kong in 1997, and that China will, for the sake of the prosperity and stability of Hong Kong, turn this territory into a special administrative region and allow the existing life-styles and institutions to remain unchanged for a certain number of years. It is also heard that such a decision will be officially announced in September.

The debate in this Council is unprecedented. It is one of the channels for the Hong Kong people to discuss their own future. The motion that 'This Council deems it essential that any proposals for the future of Hong Kong should be debated in this Council before any final agreement is reached' is very good. And I, following the example of representatives to the Sino-British talks, would also like to take part in the debate by making a few remarks on the weather.

In Hong Kong, March is late spring, with a normal temperature of 18.5°C, rainfall 54.8 cm, relative humidity 82% and cloudiness 76%. Occasionally there are dense fogs and it may be foggy for days resulting in unclear vista.

July, August and September are the months in which tropical cyclones from the west of the North Pacific Ocean are on the lookout for chances to attack Hong Kong. However, even with the onslaught of a typhoon at over 120 knots, the people of Hong Kong can always manage to take precautionary measures well in advance and then stay at home to watch television or play mahjong. In this way they can enjoy half a day's leisure while waiting calmly for the passage of the typhoon. During all these hours they are free to criticize the Royal Observatory for not hoisting the tropical cyclone signals and the Education Department for not announcing class suspension at the appropriate time. Everyone is breathing the air of freedom with a 'fear thy wife but not thy government' attitude.

In case the people of Hong Kong think that summer is too hot and winter too cold here, they can always go to the summer resort in Lushan, or enjoy a bath in the hot springs of Taiwan, using their British Passport, Certificate of Identity, Re-entry Permit or Entry/Exit Permit. On top of this, they can also apply for a visa from the Immigration Department and tour the United Kingdom in their capacity as British Dependent Territories Citizens. They are always free to make their own choice and go anywhere they like.

To say it in a nutshell, the weather is changing with the seasons. We have sunshine and we have rain. The people of Hong Kong must always have regular weather reports and weather forecast before they can plan their activities well. They do not want the history of Typhoon Wanda, which attacked Hong Kong with a speed of over 140 knots on 1 September 1962, to recur again.

With these remarks, Sir, I support the motion.

4.25 p.m.

HIS EXCELLENCY THE PRESIDENT:—At this point, I think Members might like a break.

4.40 p.m.

HIS EXCELLENCY THE PRESIDENT:—Council will resume.

MR. F. K. HU:—Sir, in the light of statements which have been made from time to time by China's leaders with repeated assurance of Hong Kong's long-term stability and prosperity, the general public of Hong Kong have on the whole been persuaded to believe the sincerity and determination of the Chinese Government to maintain the continued prosperity of Hong Kong. Such similar statements made by British Government officials have helped to strengthen Hong Kong people's confidence in the future of Hong Kong. Let us examine some of the essential factors which have made Hong Kong so successful and prosperous. I shall not touch upon those factors which can be resolved between the Chinese and British Governments with due consideration to the interest of Hong Kong people as many of my Unofficial Colleagues will undoubtedly talk about them eloquently. However, I shall refer to those factors which inevitably have to involve other countries as they rely on other countries' agreement, support and understanding for their implementation. Here are some examples.

First, is the freedom of movement of persons. Will other countries allow Hong Kong people continued freedom to enter and leave these countries under existing regulations after the change of its status? This is absolutely essential in ensuring success and prosperity for Hong Kong as a trade centre.

Secondly, I would like to refer to our textile quota system. Will other countries continue to recognize the special status of Hong Kong and allow the present system to operate after 1997? This point was deliberated in detail by Dr. Francis TIEN earlier, and I fully support his view.

In order that Hong Kong should continue to enjoy such freedom and recognition after 1997, it is important for us to be assured by other countries which have business and commercial relations with Hong Kong of their continuing support and of their agreement to accord similar or even better treatment to Hong Kong on matters of travel and trade.

When the final agreement on the future of Hong Kong is reached between the Chinese and the British Governments, it will be important to the people of Hong Kong for both Governments to make a public announcement in the United Nations, either in a joint statement or separately, informing other nations of the change of status of Hong Kong and inviting other member countries of the U.N. to maintain mutually beneficial relations with Hong Kong in future. Such action will ensure that Hong Kong continues to play its important role in the international scene. Furthermore, such a statement will

serve the purpose of emphasizing that their common objective of maintain the stability and prosperity of Hong Kong is being pursued as both the Chinese and the British Governments have enjoyed an excellent reputation for honouring their international commitments and agreements.

Sir, with these remarks, I support the motion.

MR. WONG PO-YAN:—Sir, When I was a primary school boy in China in the early 1930's, I learned from history text books that Hong Kong was ceded to the British in 1842; and that some day, this anomaly of history should be rectified.

In the summer of 1938, during the Sino-Japanese War, I visited Hong Kong for the first time for two months as a middle school student, I noticed in that time that the people in Hong Kong lived a comfortable and busy working life. The British Administration appeared to have a sympathetic attitude towards the Chinese people who were taking shelter in Hong Kong from the war area.

At the beginning of 1948, I came to Hong Kong again. Since then, Hong Kong has been my home and I had the opportunity to witness this territory prosper and flourish to become the third largest container port and one of the biggest financial centers in the world, and to rank 16th in the world trade. My life here, like those of most people in Hong Kong, has been challenging and exciting. After I became a member of this Council in 1979, I have become even more aware of my obligation to serve the interests of Hong Kong to the best of my ability.

Sir, today we are speaking on a motion concerning our future. I deem it my privilege to be able to reaffirm at this juncture my faith and commitment to this community.

It is reported and understandable that sovereignty of this territory will revert to China in 1997, and an unchanged administration is not possible. But the problem before us is that there are apprehensions and doubts about our future.

I understand the anxiety of the citizens who want to know the content of the talks concerning their future. Their views and interests should be taken into account at the negotiations. On the other hand, I understand the need for confidentiality in the talks and the intricacies of diplomacy.

Sir, I have no doubt that Britain is making its utmost efforts in seeking the means of preserving the continuation of factors that have been the decisive elements for our phenomenal achievements in the past years.

And, I have no doubt that China is sincere in its pledge to maintain the stability and prosperity of Hong Kong and is seeking the means to avoid any potential disruption to those important decisive elements in the present system.

My observation is based on the fact that this territory has been serving and will continue to serve the interests of Britain and China. These interests are consistent and consonant with the long term interests of both countries.

Through this congruence of interest, the stability and prosperity of Hong Kong can be maintained and the well being of its citizens will be enhanced.

The fact that the two Governments are at the negotiating table and are conducting an on-going dialogue clearly demonstrates their goodwill and sincerity to work for a most suitable solution in line with their common objective, viz., the maintenance of stability and prosperity of Hong Kong.

Sir, I am aware that no political or social system can work successfully without the whole-hearted support of its citizens. Nor can any political or social system function effectively without the conscientious participation of its citizens.

Therefore, it is the duty of each citizen, who shares an interest in our future well being, to look forward and to strive to build up mutual trust based on mutual interest and to strengthen their determination and work positively for stability and prosperity. We should take the challenge of the future in our stride, for no society ever remains static, the world is constantly evolving and changing. Hong Kong will not only be influenced by its new environment in future. The point I wish to emphasize is the fact that Hong Kong will definitely adapt to the new environment, benefit from it, and contribute to it as well. I wish to emphasize that Hong Kong will exert its influential effect as well.

It is the responsibility of this Council to work for the well being of Hong Kong. I am aware that there are many channels for the citizens to express their views on the future and I endorse the spirit of this motion that this Council is an important forum to reflect the views of the citizens and to assist the formulation of a most suitable agreement.

Sir, I support the motion.

MR. BROWN:—Sir, I like to think that I am an honest and fair minded man, and as such I have taken very seriously those suggestions and comments that question whether the future of this territory should be debated in this Council, or indeed whether it should be debated at all by nominated Councillors.

Lacking any electoral mandate members can hardly claim to represent—at least in the sense that the word is used in representative democracies—the whole body of our citizens. But we make no such claim. We do believe, however, that collectively, drawn as we are from such differing parts and sections of the community, we reflect—and reflect correctly—the views of many.

Since this Council was formed members have been required to try and think and speak for the interests of the community as a whole as they see it, and not for the narrow interest of a party, a group, a profession, an area or a class. Although the primary role of the Legislative Council is legislative scrutiny and the control of public expenditure, the philosophical and creative role of members is also important, and this, of course, was pointed out by our previous

Attorney General in his discerning, personal view of the Hong Kong constitution used as the introduction to the publication 'Hong Kong 1983'.

Others may have different views, but—at least to the satisfaction of my own conscience—I believe this Chamber is the proper forum in which to reflect the views of our community as we understand them. The support, or otherwise, which our public utterances receive will indicate, as usual, how close we are to the correct assessment of public feeling. The public will soon let us know if we have got it wrong.

Approximately 97% of our community is Chinese, and thus by definition only 3% represents other ethnic groups. It would be presumptuous of me to claim any personal, in-depth knowledge of the feelings of the majority group, although I believe I know what they are, and in any case my other Unofficial Colleagues are better qualified to have this knowledge than I am. Nor for that matter would I claim to know more than anybody else about the natural concerns of the minority, who although small in percentage terms still, I would remind you, number over 150 000 people.

If I can claim to reflect any views at all I do so not on behalf of any one ethnic group, but rather for the business sector both indigenous and foreign.

In general terms foreign investors still have confidence that China and the United Kingdom will reach an accord that ensures the future prosperity of Hong Kong. This is partly due, perhaps, to the fact that the perspective from afar is sometimes different from one close at hand—although it should be noted that the increase in direct foreign investment in Hong Kong's manufacturing industries, according to the Department of Industry, slowed to 3.6% in 1983 compared to 7.7% in 1982. However, foreign investment in Hong Kong, important as it may be, accounts for only a small proportion of the total picture. In our manufacturing sector it probably accounts for about one tenth of the whole—a figure which is supported by investment statistics and industrial survey figures, which show that foreign owned factories, for example, employed about 96 000 workers at the end of 1983 or about 11.1% of Hong Kong's labour force in the manufacturing sector. However, it is not only the confidence of foreign investors which is crucial to the economy's capacity for future growth and prosperity, although it is an important factor, but rather it is the confidence of our own local entrepreneurs which is so vital. It would be short sighted indeed not to pay attention to the impact of the 1997 issue on investment generally, and on our own indigenous investors in particular.

The signals in this context have been confused lately both by cyclical and speculative factors. In many industries the pay back period on investment in machinery and equipment is still as short as three to five years, and, during a period of export boom, short-run profit prospects naturally outweigh the more distant 1997 issue in the minds of local entrepreneurs. Nevertheless the overall real growth rate of private sector investment in plant, machinery and equipment at only 0.8% in 1983 is an indicator on which to ponder with concern.

When we do ponder on these matters we should not lose sight of three important points:

*Firstly*, the economy's capacity for growth depends vitally on investment.

*Secondly*, this has perhaps not been so obvious in recent years because of the rapid growth of the service sectors, which require relatively low fixed investment, and

*Thirdly*, the point has been reached where the need now is for investment in high technology industries, which require relatively long term commitments, and are thus usually the first casualties in any reduction in investment plans.

Sir, I am an optimist, not a pessimist, but as the Financial Secretary said in this Chamber at our last meeting uncertainly is possibly a larger threat than lack of confidence. The business community's confidence cannot be maintained indefinitely with little else to go on except assurances that useful and constructive talks are in progress. However true that may be business needs to have more details and an opportunity to discuss them.

Sir, having an opportunity to discuss the proposals for our future, and to indicate acceptability or otherwise, is quite different from participation in the negotiations regarding those proposals. For historical reasons that stool has only two legs—an arrangement we all pray will achieve long term stability, notwithstanding I might add any reservations one would have of furniture of similar design. (*laughter*)

It was Socrates who said, 'I am not a politician and all my other habits are good'. Sir, Unofficial Members of this Council feel an affinity with him, for we are plainly not politicians, and we view these political issues through our normal business eyes. To my, perhaps, naive eyes the issue is quite simple. There is a public commitment by both China and the United Kingdom to reach an agreement that is acceptable to the people of Hong Kong. I said earlier that I believe I am an honest man, and an honest man must surely ask how can acceptability be assumed, and the joint commitment honoured, unless the proposals are put to the people of Hong Kong before the agreement is signed? I repeat, how can anyone say that this joint commitment has been honoured unless proposals are put to the people of Hong Kong before an agreement is signed?

This Council may not be the only forum in which such test of acceptability can, or will be judged, but it is one of the most, if not the most important one. We have a duty to see that such debate occurs, not only to ourselves, but also to the negotiating parties, for it is surely in the interest of all that the agreement is not based on false assumptions as to the true wishes of our citizens.

For many reasons, Sir, but for this last one, this human factor one above all, I support the motion.

MR. SWAINE:—Sir, When I spoke in this Council on 27 October 1982 I referred to the talks over the future of Hong Kong as the burning topic of the day. Now 17 months later they remain a burning topic. But the people of Hong Kong are no wiser about the direction or likely outcome of the talks. I submit the time has come, and is in fact overdue, for the people of Hong Kong to be given some idea at least of where the talks are heading.

I most warmly welcome the commitment of Her Majesty's Government to finding a solution that is acceptable not only to the Governments of China and Great Britain but also to the people of Hong Kong. This publicly stated commitment should touch the heart of every person in this territory. But how is public opinion to be tested? Public opinion must be informed in order to be effective. To be told at the end of the day, this is the final package, take it or leave it, is to emasculate the right of choice. So the people must be told at least the direction in which the talks are heading. Within that context, specific areas of concern can then be the subject of consultation, and the views of the people ascertained so that the best possible deal is struck for Hong Kong. I see debates in this Council as an integral part of that consultative process but they are not of course the only means by which public opinion would be expressed and assessed.

Sir, the basic aims of stability and prosperity for Hong Kong are the under pinning of the present talks, but these are not exhaustive of the qualities which make up life in Hong Kong. Freedom within the law is an essential characteristic of this place. These freedoms would take time to enumerate but they include the obvious freedoms of speech, of assembly, of the press (all freely exemplified by this afternoon's proceedings), of religion, of the choice of work and leisure, and of travel.

But I think the greatest freedom of all that people in Hong Kong seek, in the context of the discussions over our future, is the freedom from fear. We do not want to be absorbed into a system where the State is paramount and the rights of individuals are subordinated to the State. We want to be free from the fear of pressure from the State direct or indirect, and we see in continued British Administration the best guarantee of our traditional freedoms. But if change is inevitable, then every possible safeguard must be taken to ensure not only that our stability and prosperity is maintained but also the well-being of our people in their traditional pursuits.

One most important safeguard is to ensure the independence of our Judiciary and the maintenance of the rule of law as we know it today. In my speech in this Council on 27 October last year, I focused on this question and said then, as I say now, that it is essential for the continued prosperity and stability of Hong Kong and its well-being, that there should be incorporated into any future arrangements for Hong Kong provisions which would:—

- (a) safeguard the rights of individuals and rights of property

- (b) subject the Government of the territory to the jurisdiction of the ordinary courts
- (c) enable the ordinary citizen to question the executive acts of the Government before the ordinary courts in so far as they affect his person or his property, and
- (d) safeguard the independence of our Judiciary and of our legal profession.

In that speech, I said also that I thought our system could withstand the shock of losing the final recourse of appeal to the Judicial Committee in London, but I did not think we could ever withstand the shock of having the decisions of the courts of Hong Kong subject to appeal in Peking.

Should it be the case that appeals to the Judicial Committee will be discontinued after 1997, there should, I submit, be compensating provisions for our judicial system which would both demonstrate its independence and enable it to draw from the well spring of the Common Law. I would suggest for consideration a system of secondments from the English Bench to the Court of Appeal in Hong Kong. These would be short secondments and renewed from time to time, with the judges so seconded sitting as members of the Hong Kong Court of Appeal. This should go a long way towards allaying fears about the quality or partiality of our judicial decisions after 1997.

I would like to offer one further thought about the arrangements for our future. We have a population now of some 5.3 m people and by 1997 the figure will be correspondingly higher. Of our present population, some 60% are British by birth or naturalization and since the passing of the Nationality Act in England in 1981 have the status of British Dependent Territories Citizens. These people do not have the right of abode in England but they are British Nationals and are entitled to the protection of Her Majesty's Government. It would be the gravest injustice and an abdication of responsibility if Her Majesty's Government were to write off these people by the signing of a treaty. Whatever happens after 1997, I submit that the British Government must retain responsibility for these people.

On the assumption that Hong Kong will not then be a dependent territory, some new class of citizenship must be devised for them, which would preserve their national status and rights. It is the continued link that is essential. These people should have the assurance of Her Majesty's Government that, should they find life in Hong Kong after 1997 intolerable or even below their reasonable expectations, they would be able to leave Hong Kong and settle abroad with assistance from Her Majesty's Government. It is not necessary to define now the form of that assistance, but the fact that it will be there will be of incalculable value. It provides an option, and in the final analysis because there exists an option, the prospects of an acceptable solution for the future administration of Hong Kong will be greatly enhanced, and that option ought itself to operate as a built-in safeguard against arbitrary change.



Your Excellency, I welcome the opportunity which this motion has given for public attention to be focused on our future, and for the interest and even controversy which it has generated. Public awareness of the issues must be in Hong Kong's best interests. I have pleasure therefore in supporting the motion.

MR. STEPHEN CHEONG:—Sir, the issue of Hong Kong's future is very complex. It will not be possible to cover comprehensively all the intricacies of this many faceted issue in one single debate. I will confine myself only to two areas. First I wish to share my thoughts with my colleagues on some public reactions to this motion. Secondly I will make some suggestions hopefully 'useful and constructive' for consideration by all parties involved in this issue.

This motion indeed aptly termed the 'Lobo' motion, has attracted a great deal of interest. It has attracted open support from a wide cross section of our community but it has also provoked some 'off the cuff' criticisms reportedly from four or five so called authoritative and vocal members of our community. Our critics whose qualifications and expertise rather unfortunately are not within the field of constitutiona law told us that the 'Lobo' motion was unconstitutional. We were told by the same group of people that behind this motion there must be some sinister motive and warned us not to revive the 'Three legged stool' concept and not to play the 'Opinion card'. We were accused of rocking the boat simply through seeking to debate the issue in this Chamber. We were further told that because we have not been elected, we cannot claim to represent the people of Hong Kong, hence implying that there is no need for anyone to listen to whatever we have to say.

Sir, we should and we do accept with humility all constructive criticisms. Yet, on this major issue, such 'off the cuff' criticisms without foundation, in my view, can be dangerously misleading. Not only are they unhelpful to any party who wishes Hong Kong well. They are also liable to generate detrimental effects towards the attainment of the agreed common objective. Already, ever since the barrage of such criticisms descended upon us, I have heard quite a few people from all walks of life misinterpreting, unfairly perhaps, that such critical comments were prompted. To me, personally, prompted or otherwise is not the issue, what is more important must be to try to avoid further unnecessary misunderstandings. As a responsible member of the Community, therefore, I feel dutybound to clarify, as I understand it, how this motion has evolved; and to comment on the motive behind its introduction.

The idea of introducing a motion for debate in this Council had been carefully considered by Unofficials of the Legislative Council for a long time. Every single one of us, as responsible as well as responsive members of this community has taken much to heart the concerns of the community over the future of Hong Kong.

We have already declared from time to time our wholehearted support for the agreed common objective of the current Sino-British negotiations. Despite

the fact that we are not privy to details of the negotiations, it has been and will always be our duty to do whatever we can to try to help the achievement of the common objective. Whatever the outcome of the talks, we cannot shirk this responsibility and must give our best and work with all parties concerned and try to lay a solid foundation to prepare for possible changes.

To debate publicly the relevant issues in this Chamber must be a logical first step. Lest academics and the like once again, deliberately or otherwise, choose to misunderstand and jump to the wrong conclusions, I would hasten to emphasize that 'to debate' does not carry the same meaning as 'to veto' or 'to have a hand in deciding'. We are neither an arrogant lot nor are we power drunk. We have always known our limits as well as our duties. It would be quite wrong and destructive for anyone to form the impression that we are fighting for a final say in the negotiations over the principles that under international diplomatic protocol, should be discussed and resolved at diplomatic level. The issue of Sovereignty is one such principle.

We did not introduce this motion earlier because we did not wish to jeopardise the atmosphere of the talks over this fundamental principle. Now, the situation seems clearer, even though we are not privy to the contents or the progress of the talks, it is our assessment from recent speculative articles that perhaps the principle of Sovereignty has been thoroughly discussed by both parties and that settlement of this issue may be in sight. Assuming this assessment to be correct then we cannot see what harm and what objections there can be to allowing members of the Hong Kong community to express their views on whatever future arrangements are proposed for them.

Leaving aside the issue of Sovereignty therefore it cannot be denied that in order to achieve the common objective of maintaining Hong Kong's stability and prosperity, the support of the people of Hong Kong is *the key* element. And in the context of the current state of progress in Hong Kong, no matter who is at the helm of the administration and whatever the policies proposed, Hong Kong's future will be more assured if the views of the people are fully taken into consideration, prior to the implementation of changes.

The 'Father knows best' way of government can no longer work as effectively as before in Hong Kong. This is reality and we must all be realistic. Both China and Britain must recognize and accept this fact. For either side to use high handed and intimidating tactics to bring us to our knees will not be conducive to the achievement of the common objective. Thus, in my humble opinion the motives behind the motion are not sinister but in fact are both pragmatic and noble. Pragmatic because this motion will help to encourage a wider exchange of views and it is only through the free exchange of views that a better understanding can be developed. And a better understanding amongst all parties concerned must eventually be helpful towards achieving the common objective. Noble because we care as much, if not more, about the overall well being of the community despite the fact that we do not receive our mandate from the people.

Critics repeatedly hammer the point that we are not elected thus we are not qualified to represent the people of Hong Kong. Allow me to point out to them that first of all, we have never claimed that we are the sole representatives of the people of Hong Kong. This motion, for those who choose to read it carefully and try to understand it objectively, does not clamour for power. There is no suggestion that the power of veto be put into our hands and there is no suggestion that only this Chamber should enjoy the sole right to debate the future's issue. Secondly, if we choose to be selfish and irresponsible we can always elect to keep silent on the subject and make our own quiet exit if we personally feel that the final arrangements are not acceptable. Thirdly, the motion has not been introduced to generate confrontation and unease, as claimed by some of our critics.

We fully realize that confrontation is not constructive and that the generation of unease simply will work against the common objective. Hence, the fear of us playing the opinion card or of reviving the three legged stool concept is totally unfounded and I appeal to our critics to be more open minded and to restrain from jumping to conclusions.

Turning now to the issue of our future, it can be said that most observations and comments seem to have focussed on post 1997 arrangements. I am of the opinion that it is equally important to devote our thoughts to the pre 1997 period. This is the truly critical period. If not well handled, uncertainty will escalate. Hence, this is a period when all three parties namely China, Britain and Hong Kong must work hard together, with harmony, understanding and mutual respect so as to build a solid foundation for the future.

On the one hand, it is an undeniable reality that the issue of Sovereignty can only be a subject matter between two governments, to be discussed and resolved at diplomatic level. It will not be constructive to cling to unrealistic hopes on this issue. On the other hand, it is also an undeniable fact that for the past thirty odd years, social systems of China and Hong Kong have evolved in different directions. We have developed a very different administrative structure to that of China. Our philosophies and policies, which have produced stability and prosperity, are different from those of China. Furthermore, our people have developed a different set of values to those of the people of China. All in all, the gap between us is wide, and given that such a gap exists, it is reasonable to expect and accept that a degree of misunderstanding is bound to exist between us.

This degree of misunderstanding, coupled with the realization that Hong Kong can only survive with China's blessing, has been instrumental in generating feelings of unease and fear, amongst the people of Hong Kong. Such feelings of unease and fear have in turn helped to generate some mutual mistrust, culminating in what some have described as a confidence crisis. This confidence crisis, if it were to linger, will no doubt rock the very foundation of our stability and prosperity. I am sure no one who is genuinely concerned about

Hong Kong would wish this to happen. Thus, we must address this problem between now and 1997, constructively and positively so as to limit the extent of any damage. As a crucial first step we must try our best to dismantle the barrier of mistrust currently existing between all three parties.

Sir, a lot of people have expressed to me that they do not doubt the sincerity of the Chinese leadership in wishing to maintain our future stability and prosperity, but it is not clear how this sincerity can be transformed into practice. They also opined that the ideal solution designed to achieve the common objective lies in some form of continuation of the present status quo acceptable to both China and Britain after 1997. Yet, Hong Kong people, being perceptive and pragmatic, have probably sensed by now that the ideal solution is highly unlikely to be attainable. How then would they react? No doubt the initial reaction would be that for those who can afford to take out options or insurance policies, they would implement their plans accordingly. For those who are not so fortunate, they would probably accept with resignation whatever arrangements are announced. Whilst both reactions are perfectly understandable and predictable, I fear that both may be too negative. I plead now that the people of Hong Kong must study the Chinese proposals positively. We must be constructive in our evaluation of them and we must be frank and not fearful to point out the problem areas we see in their proposals. We must also try our best to think and suggest ways and means to improve on their proposals. Given that we do not doubt their sincerity and good wishes, why then should we not try to do our part and respond in a positive way. Everyone who loves Hong Kong must agree that there are very few places in this world that can compare favourably in most aspects with Hong Kong. Are we doing Hong Kong justice by simply being negative? Are we not even doing a gross injustice to ourselves by being negative? These are soul searching questions but they need to be addressed by each and everyone of us. If the majority of the people of Hong Kong can be persuaded to take a positive view, we will most certainly have embarked on the first step towards a brighter future.

For the Chinese leadership, I plead that they too must refrain from looking at us with an element of mistrust. They must understand and accept that the people of Hong Kong are apprehensive about change and sincerely wish to preserve the freedoms and stability we have now. Therefore our yearning for some assurance is perfectly natural and such yearning need not be interpreted as subversive. Given that there is no difference between us in our desire to achieve the common objective, there must be a route for accommodating our respective positions. They must be sympathetic and encourage that this route be found. They must look at our comments and contributions in a positive light and not waste energy in speculating on whether or not we have sinister intentions. They must try to understand that for the flower of confidence to bloom both careful nurturing and time are vital elements. Artificial means employed to force its growth (揠苗助長) can give short term illusory satisfaction, but will invariably be detrimental towards the attainment of the long term common objective. In order to eradicate Hong Kong peoples' reservations, therefore, they must also

see their way to giving us ample time, first to debate fully amongst ourselves the proposals and secondly to present, if necessary, our honest, frank but constructive suggestions and/or modifications for further consideration.

For the part of Britain, I plead that she plays the role of a effective catalyst in the process of promoting better understanding between Hong Kong and China. To help to allay the fears of the people of Hong Kong, she must be persuasive, effective and realistic in the search for assurances that would help to reduce the adverse effect of the confidence crisis. As a country which has been highly respected for her expertise in the field of international diplomacy, Britain for sure can do a great deal in this area. Nevertheless it is imperative that Britain recognizes that Hong Kong is a unique place. We already have an administrative structure which has been proven to be very successful in the maintenance of stability and prosperity. We have a populace that only recently has been exposed to a taste of western style democracy. And more significantly, we have a different culture and our conditions are quite different from that of most western developed countries. Thus, just as we need time to digest and react positively to the Chinese proposals, we also need time to evolve at a natural pace over further stages in the process of democratization. Hence, between now and 1997 the administration in Hong Kong must be ready to guide Hong Kong and develop policies designed to bring the final objective into fruitful reality. The Administration must not rush to make decisions on any future structure without considering fully the likely implications and effect on the common objective.

In conclusion, Sir, to help develop the spirit of mutual respect and cooperation, in my humble opinion, is the essence of our debate this afternoon. To help to achieve the common objective, we must have faith in the sincerity of the Chinese leadership. We must have faith in the skill and good sense of the British leadership. But above all, we must have faith in our own ability to contribute meaningfully towards our own destiny.

From this date onward, I sincerely hope that the future issue will be debated openly, constructively and positively amongst all in Hong Kong. But words alone will not be enough, let us all work hand in hand together and overcome whatever obstacles there may be, and help to lay a solid foundation for the advancement of a stable and prosperous Hong Kong into the twenty-first century.

Sir, echoing my colleague, Mr. BROWN, about the spirit of Socrates, I have no reservations at all in supporting the motion.

MR. CHEUNG YAN-LUNG delivered his speech in Cantonese:—

督憲閣下：今日在本局提出的動議，曾引起眾說紛紜，在言論自由的香港是可以理解的。在眾多言論中，有批評立法局不是民選機構，立法局議員不能代表全港市民發言及在立法局辯論有關香港前途問題不甚適當。對於此等言論，本人深表關注，但卻不能苟同。

回顧數月前（一九八三年十月二十一日），本人曾在新界鄉議局所舉行的「新界日」紀念大會，呼籲七百多名村代表及鄉事委員會代表、鄉議局議員，對香港前途問題詳加思索，並積極反映意見。最近，新界鄉議局已綜合新界民意編撰成具體意見書，準備呈交中英政府考慮。另一方面，本人曾先後與多個社團，（包括新界總商會、新界扶輪社等）在春節聯歡時接觸、討論及交換意見，而本人知道本局其他議員亦曾用多種方式進行民意探討。同時兩局議員辦事處亦曾接到社會團體或個人意見書，由此可知香港人對前途問題極為關注。不少社會階層人士已作出積極反應，同時亦可以反映到社會各階層對立法局的認可，及對立法局議員的期望。

香港前途問題，為每一位香港人的切身問題，它關係到今後香港的社會繁榮與安定，以及每位居民的工作和生活。身為立法局議員，同時亦為香港市民的一份子，本人深以溝通香港政府及民間意願為己任。所以，在面對本港歷史性及世紀性大事的時候，立法局非官守議員不能三緘其口，或袖手旁觀，要把我們的關心付諸行動，務求集眾議，排萬難，為香港社會繁榮安定而努力，為香港人民生活謀求幸福及安泰。

基於這種想法，立法局非官守議員經過一段時間的冷靜及謹慎考慮後，贊成由本局首席非官守議員羅保先生代表提出動議，希望藉此鼓勵全港市民對香港前途問題表達意願，成為具代表性的民意。我們本着在適當的時候，應作適當的事情的精神，認為這個任務是全體立法局非官守議員所義不容辭及責無旁貸的。

香港有今日的繁榮，乃為中、英政府、香港市民三方面所培養出來的成果，因此，為着保持香港的繁榮安定，三方面必須以坦誠及積極的態度以維繫之，務求達到互惠、互利的美果。而中英雙方領導人，曾在不同場合中多次表示一定會尊重香港人意願以達到共同目標。

中國領導人曾經多次公開表示：保持香港社會制度及人民生活方式至少五十年不變。居民享有言論自由、集會自由，不同政見的人士，還可以參與港人治港的工作，香港人對中國政府的寬宏量度，現在正從多方面尋求事實的見證。此次立法局辯論，對於北京會談，不但不會橫生枝節，而且可能產生殊途同歸的效果。因為香港的前途繁榮安定，中英雙方都需要明瞭香港人的意願。

未來香港的政治結構，立法、行政、司法權力，以及港人的自由權利，都將以中英雙方的協議為基礎。一個國家，兩種制度，如何協調，在部分香港人的心目中，可能仍存有疑問，就因為這個緣故，與其使香港人忍在喉裡，疑在心裡，何不採用各種表達方式，消解香港人的疑慮？任何政治體制改革，要想達到高明的境界，使人畏，不如使人信，使人信，不如使人服。本人希望中英兩國領導人，都能在會談未達成協議之前，冷靜聆聽香港人的意願。

香港人在面對任何中英會談有關香港前途建議的時候，必須抱着信心和積極的態度，須知道悲觀的看法對任何事情也於事無補，長期的悲觀消極，徒然使香港社會及民生蒙受損害而已。因此，港人必須積極地在中英會談未達成最後協議之前，緊握時機，盡量發表自己的意願，祇有生於斯，長於斯的香港人能道出各人心中所想所求，才能使中英當局知道什麼是香港人真正的意願，什麼是香港人所渴求及需要的。才能達到目標一致的境地。

立法局對香港前途問題的辯論，對中英會談保密，絕無妨礙，反之有了香港人的全面意願反映，對於會談應該考慮的問題，將更為深入，更為廣泛，香港人意願如能與中英雙方領導人的承諾相結合，就是繼續保持香港社會繁榮安定的最有力保證，中英政府的誠意，可以換取香港人民的信心，香港人今日所需要的，就是誠意與信心相結合。將來的協議，建立在香港民意的基礎上，昭告全世界，不但可以促進未來香港的繁榮，而且可以在中、英的歷史上留下光輝的一頁。

有關香港前途之建議，不久將達成協議，本人呼籲全港市民，緊握時機，各抒己見，積極地為着自己的前途及幸福而努力。同時，亦建議中英政府在香港前途未達成協議之前，應該冷靜聆聽香港立法局的辯論使能了解香港市民的真正意願，同時亦可使全港市民能有機會了解切身問題的進展情況。

本人上述各點，與各資深議員先前所言不謀而合，這正好說明本局議員都抱着共同目標，為香港繁榮安定及人民安居樂業而努力。

督憲閣下，本人借這機會，代表新界四十多萬居民，及其他新界人士向閣下致萬二分敬意，因閣下到任以來，為我們的前途努力，不怕風、雨、雪，又常詢問我們的意見。本人謹此陳辭，支持動議。

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

Sir, the motion introduced before this Council today has given rise to numerous comments from all quarters. This is understandable because we in Hong Kong have freedom of speech. Among such comments, there is a criticism that since the Legislative Council is not an elected body, its members cannot claim to represent the people of Hong Kong and it is inappropriate for us to debate on the future of Hong Kong in this Council. I am deeply concerned about these comments, and I am afraid I cannot agree to them.

I remember that a few months ago (on 21 October 1983), in the New Territories Day Memorial Rally organized by the Heung Yee Kuk, I appealed to some seven hundred village representatives, representatives of the rural committees and Members of the Heung Yee Kuk to seriously think about the issue of the future of Hong Kong and reflect their views positively. Recently, the Heung Yee Kuk has compiled representations containing the comprehensive views of the New Territories people to be submitted to the Chinese and British Governments for consideration. On the other hand, I have also contacted a number of organizations, including the New Territories General Chamber of Commerce, the N.T. Rotary Club, etc., to discuss and exchange views with them. I am aware that other Legislative Councillors have also sounded out public opinion through various ways. At the same time, the UMELCO has also received representations from social organizations as well as from individuals. From this we know Hong Kong people are deeply concerned with their future. Quite a number of people from all walks of life have already spoken out positively, which serve to reflect their acknowledgement to status of the Legislative Council and their expectations of Members of this Council.

The future of Hong Kong is an issue which is personal to every member of this community. It affects the prosperity and stability of Hong Kong in the future as well as the work and life of everyone of us. As a member of the Legislative Council and a member of the community, I deem it my duty to provide a channel of communication between the Government and the people. In this major historical event of Hong Kong and in this event of the century, Unofficial Members of this Council cannot remain silent or stay aloof. We are going to transform our concern into action. We would try our best to collect public opinion, overcome all difficulties, and work for the stability and prosperity of Hong Kong and for the happiness and peaceful lives of the Hong Kong people.

Bearing these in mind and after considering the matter carefully and calmly over a period of time, the Unofficial Members have agreed to ask Mr. LOBO,

Senior Unofficial Member of the Council, to introduce this motion on our behalf. It is hoped that this will encourage all the people in Hong Kong to express their views and wishes regarding their future. The public opinion so collected will be representativeness in nature, We keep to the principle that we would do the right thing at the right time and feel that this is a duty which all the Unofficials can never evade.

The present prosperity of Hong Kong may be attributed to the nurturing of the Chinese and the British Governments and the people of Hong Kong. Therefore in order to maintain Hong Kong's stability and prosperity, the three sides must work together with a frank and positive attitude, to bring forth the beautiful fruits through mutual help and benefits. Chinese and British leaders have said repeatedly on different occasions that they would respect the wishes of the Hong Kong people in order to reach the common objective.

Chinese leaders have said time and again that the social system of Hong Kong and the ways of life of the people would remain unchanged for at least 50 years, and that they would enjoy freedoms of speech and assembly. People with different political affiliations could even participate in the future administration of Hong Kong. Hong Kong people are now seeking facts from various quarters in support of the generosity of the Chinese Government. The present debate in this Council will not cause any distraction to the talks in Beijing, but may achieve the same effect through a different route, because to ensure the prosperity and stability of Hong Kong's future, both China and Britain must clearly understand the wishes of the Hong Kong people.

Hong Kong's future political structure, legislative, executive and judicial powers, and the freedoms and rights of its people will all be based on the agreement to be reached between China and Britain. In the minds of the Hong Kong people, there may still be some doubts how the two different systems may be compatible within the same country. Just because of this, rather than asking the Hong Kong people to swallow their words and thus entertaining doubts in their minds, why can the worries of the Hong Kong people not be resolved through various channels of expression? For any reform of a political system, if it aims at reacting a highly enlightened state, it is better to make people believe than intimidating them; and it is even better to convince them to have faith in the reform than simply to make believe. I do hope that Chinese and British leaders would calmly listen to the aspirations of the Hong Kong people before the negotiations are concluded.

Hong Kong people, when confronted with the proposals regarding their future, must have confidence and be positive. A pessimistic view will not help. Persistent pessimism and a negative outlook will only bring harm to the Hong Kong community and people's lives. Hong Kong people should, before the final agreement is reached in the Sino-British negotiations, make use of every opportunity to express their views. Only when those Hong Kong people who were born and grew up here bring out what they think and what they want, will



it be possible for the Chinese and the British authorities to know their real wishes, their hopes and their needs, in order to arrive at the common objective.

The debate in this Council on the question of Hong Kong's future will not be an obstacle to the talks between China and Britain. On the contrary, it will help to give greater depth and broader scope to the problems to be considered in the talks by reflecting the wishes of the Hong Kong people. If the Hong Kong people's wishes can be matched with the undertaking of the Chinese and British leaders, that will be the most powerful guarantee to the maintenance of stability and prosperity of Hong Kong. The sincerity of the Chinese and the British Governments will gain the confidence of Hong Kong people. What Hong Kong people need now is a combination of sincerity and confidence. When the agreement, based on the Hong Kong people's wishes, is announced to the world, it will not only promote the future prosperity of Hong Kong, but will enter as a glorious page in the histories of China and Britain.

The proposals regarding the future of Hong Kong will be agreed in the near future. I appeal to all Hong Kong people to grasp this opportunity to express their own views and work positively for their own future and happiness. At the same time, I also suggest to the Chinese and the British Governments that they should, before any agreement is reached, listen to the debates in this Council of Hong Kong carefully, in order to understand the real wishes of the Hong Kong people. This will also enable all people in Hong Kong to have a chance to know the progress of what concerns themselves.

The points I raised above coincide with what my learned Unofficial Colleagues said earlier in their speeches. This just proves that Members of this Council have all the same objective in mind, that is, to strive for the stability and prosperity of Hong Kong and the happiness of its people.

Sir, on behalf of over four hundred thousand New Territories residents, I would like to express our sincere gratitude to you for your endeavours since assuming office as regards our future, and for soliciting our views. With these remarks, I support the motion.

MRS. CHOW:—Sir, one of the three components of Hong Kong's achievements as an international miracle, not only in Asia but in the world arena, has undoubtedly been our social, political and judicial system guaranteed and protected by our constitutional link with Britain, which has successfully shielded us from the instability and turmoil of quite a number of our neighbouring countries in the last few decades. The second component has been the hardwork and ingenuity of our people. The third equally indispensable element is the support and co-operation of China. In case some over-zealous critics might misread this as another version of the three-legged stool theory, I hasten to stress that to our Chinese ancestors, the cauldron, although also threelegged, has always been hailed as the symbol of prosperity and stability, and therefore could easily epitomize the very success that Hong Kong has achieved.

Against this background, the people of Hong Kong understandably would want to maintain the status we have worked so hard to build up, while striving for greater heights within a framework of natural evolution and progress.

There have been different schools of thought regarding how the future of Hong Kong in relation to 1997 ever became an issue. In my view there was a combination of people, groups and interests in Hong Kong that prompted the start of the debate towards the end of the last decade. By the start of the Eighties it was quite evident that the issue was a problem that needed to be resolved, and unless visibility beyond 1997 could be cleared up with the Chinese government, Hong Kong could be quite disastrously, and perhaps permanently, damaged.

There has never been any doubt in my own mind what the people of Hong Kong want. We want to be the masters of our own destiny.

We want to know what the future holds for us and our next generation. Not only the multi-millionaires and the large business interests, but also the most modest of our people want to be assured that Hong Kong will offer the same development opportunities to the realization of aspirations as it always has done. In 1982 it was evident that both the British and the Chinese leaderships were ready to act. In the first half of the year Chinese leaders consulted prominent figures in our economic, academic and political world. How much weight was given to their advice will always remain a mystery. It was, however, an open secret that some of our multi-millionaires transferred huge assets from Hong Kong after their visits to Beijing. This fact could not have escaped the attention of those they had so sympathetically advised.

Mrs. THATCHER's visit to China is now history, although the controversy over whether she should have gone will continue for as long as Hong Kong remains an issue. However, to the people of Hong Kong the most alarming moment occurred when immediately before his meeting with Mrs. THATCHER, Premier ZHAO Zi Yang announced to the world press China's intention to recover Hong Kong. When some reporters told him that the people of Hong Kong would be afraid, he remarked, 'What is there to be afraid of?'

The joint communique issued on September 24th of 1982 announced the agreement reached by the two countries to enter into talks through diplomatic channels regarding the solution of our future. The mention of the respective positions taken by the two sides, together with the NCNA announcement simultaneously released stressing the Chinese stance on sovereignty signified quite clearly that all was not well.

The months that followed must have been the saddest period in the history of Hong Kong.

On the one hand it was obvious that the Chinese were always prepared to say more than what the two parties had agreed to say together. Throughout this period we have been told of the Chinese stance and intentions, her plan for

Hong Kong, and in no uncertain terms her strong disapproval for any dissenting views, be they constructive or otherwise.

On the other hand the content of the talks was kept confidential. Although most of our people accepted the need for this in the process of finding an acceptable solution, we resented the fact that our future was taken out of our hands. Both parties in the negotiations claimed to represent our interest. Both emphasized and re-emphasized their intention at the end of the day to maintain our prosperity and stability. The British side would not say how although the general assumption was that they would negotiate for the continuation of the present administration and the retention of the constitutional relationship between Hong Kong and the U.K. The Chinese side was only too ready to present its plan, but it failed to win our confidence. For those of us who are Chinese by race, we were plagued by deep, complex and conflicting sentiments of loyalty, respect, nationalism and distrust for the two sides. Confidentiality made matters worse by breeding speculation, pessimism and a further erosion of confidence. Whatever hope that was aroused when substantive talks got under way last July was dashed quickly by rumours of discord on the negotiating table. By September the mood was one of despair, and pessimism snowballed to panic proportions which culminated in the Hong Kong dollar crisis on the 24th of the month, exactly one year to the day after the joint communique.

A conscious effort was made on all three sides to calm our nerves during the aftermath of the turbulence. However in spite of the use of such phrases as 'useful and constructive' at the end of each ensuing round, it was soon apparent that the talks were not progressing. 'No news is good news' was in this instance only another excuse for us to bury our heads in the sand. By the end of 1983 we did not seem to be nearer to a solution than we had been on the first day of the negotiation.

Since the beginning of this year the talks seemed to have taken a new turn. For the first time, some new ground seemed to have been broken. Rumours of a unilateral declaration by the Chinese intended for September this year have hung over us since the beginning of the talks. Recently such rumours have taken in the possibility of a joint statement by both countries in September, July or even June. There are also suggestions of Britain having already agreed to surrender sovereignty and administration of the territory in 1997 in exchange for satisfactory arrangements for the period beyond. These rumours seem all the more real when the Sunday Times front page article headlined, 'THATCHER hands Hong Kong to China' on 22 January was not disputed or denied by Whitehall. The writing seems to be on the wall. The British may have already compromised on the issue of sovereignty. There may or may not be conditions attached. If this is the truth, then I believe the people of Hong Kong should be told of this shift in Britain's negotiating position. Furthermore China and Britain must now recognize that we have the right to know and express opinion on any proposed solution before it is signed and sealed by the British and Chinese government. The British government has reiterated its commitment to

search for a solution which is acceptable not only to the negotiating parties, but also to the people of Hong Kong.

The Chinese leaders too through action and pronouncements have assured the people of Hong Kong that they are receptive to our views. Without accurate information we could only base our thinking on rumours and speculation, and views thus formulated could at best be off the mark, and at worst be totally counterproductive. I believe the time has come for China and Britain to lift the veil of confidentiality, and take the people of Hong Kong into their confidence. After all, it is our future. We have the right to know and to express what we want.

At this juncture it is worthwhile to examine the Chinese position which has remained basically unchanged throughout the course of events ever since 1979. Beijing has made it abundantly clear that they regard sovereignty over Hong Kong as non-negotiable, and that sovereignty in this instance is not separable from administration. They have promised a high degree of autonomy for Hong Kong, which they visualize as a Special Administrative Region to be administered by the Hong Kong people.

The plan is perfectly sound on paper, and when the people of Hong Kong did not react positively to it, we were taken to task by Beijing as well as many western critics as being too negative, too greedy-or too unrealistic.

Some critics argued that since it is what China wants, it would neither be wise nor useful to doubt its viability. To these critics I say it would be totally inconceivable and irresponsible on our part to adopt such a passive attitude to the most important issue in our history. It would not be beneficial to Hong Kong or China if we are left with a plan which we believe would not work towards preserving our life style, freedoms and values. After all, our stability and prosperity depend on them.

The questions surrounding the proposed Chinese plan that have remained unanswered are:—

1. What will be the relationship between Hong Kong and Beijing from 1997 onwards?
2. What will be Hong Kong's relationship with the rest of China?
3. Who are the Hong Kong people who will administer Hong Kong? How will they be chosen?
4. Who will actually govern Hong Kong?
5. What will be the international status of Hong Kong?

But the most important question of all is:—

6. Can Hong Kong which is a stronghold of the capitalist system in the world maintain its identity and success under a communist regime? Should there be disagreement between Beijing and Hong Kong, which is not improbable, given their diametrically opposite ideological convictions, what will happen then?

I believe these are fair questions that need to be answered. They are not unduly negative or pessimistic. For those of us who call Hong Kong our home, they are real and disturbing problems that need to be tackled. Unless and until some satisfactory answers are produced, we cannot put our hearts at ease, and there will be no confidence in Hong Kong. If we do not believe that we have a part to play in shaping our own destiny, despondency will continue. If we are presented with a fait accompli, there are two possible scenarios. Even if we believe the proposals have a fair chance of working, the fact that we were not involved in the thinking process would render the acceptance and implementation of them infinitely less effective. In the tragic event that we do not believe they would work, the end result would be disastrous. Either way, the prosperity and stability of Hong Kong will suffer.

Here, I must admit I may be unduly alarmist. Only last month when Mr. Richard LUCE visited Hong Kong he reassured us that any proposed solution arrived at by the negotiators will have to be ratified by the British Parliament, and any such ratification must take into account the acceptability of the proposals in Hong Kong. Although he remained non-committal as to the mechanism of the test of acceptability, the intention to consult was unequivocal. Such assurance on the procedural aspect however would not be effective unless we can be certain that Hong Kong will be given a reasonable length of time to study and comment on the proposals. Furthermore it is absolutely vital that both the mechanism and the time frame for the consultation process must allow the silent majority ample opportunity to reflect its reaction to the proposed solution.

Sir, I wholeheartedly support the motion before this Council. I know there is no sinister motive behind it. The only motive, if you could call it that, is a perfectly good and understandable one. If the motion is passed today we will be committed as a body to bring about public debate on any proposals before agreement is finalized between China and Britain. In order to facilitate meaningful debate the proposals must be made public. This is in my view one of the basic steps in the process whereby the acceptability of the proposals could be effectively gauged. For those critics who say we do not have the right to represent Hong Kong or to monopolize debate of such an important subject, I would like to remind them that we are not claiming either. We are only fulfilling our duty and exercising our right as members of one of the highest public bodies as well as asserting the basic right that I believe each and every one of our 5.3 million people has over our future. I question the motive of those who discredit our motion.

Sir, the fact that we are able to debate on this motion before Council today reflects well on the system of government that we have come to take for granted. In my view, this is the first step towards our constructive contribution to a solution to our future which must be not only acceptable but also workable.

We will have succeeded if the same spirit of free thought and speech is to prevail in this Council and the whole territory of Hong Kong, in and beyond the year 1997.

MISS TAM delivered her speech in Cantonese:—

督憲閣下：在鼠年農曆新年的期間，許多香港的市民都到廟宇裡求神許願，或者找占卜相士去問今年的流年是否吉利。而今年有不少問休咎的人，都會問相士這一句話：「我是否需要移民？」他們這種不知何去何從的心態，正反映出在香港人的心中，因為香港的前途不明朗，做成了陰影。

前程未卜，一個平民還可以為自己去「問鬼神」，但一個有責任感的政府，要參考與決定全部市民的前途，本人認為必要「問蒼生」。

香港這個小小面積的地方，在世界地圖上你找不到它的位置，但這不是一個沒有人認識的城市。

當我說香港並不是一個沒有人認識的城市，我並不祇是基於香港在國際金融、商業、工業、通訊和運輸業等，已經有公認的成就和地位；而是指出香港是一個出入自由的城市，它的社會制度，是公開地受到香港市民和外國的觀察者去分析觀察，考驗和批評的。香港歷久以來，都是一個華洋雜處的自由港，到這裡旅遊、通商、投資、長期受僱和居住的各國人士為數不少；亦有特別到香港採訪撰文，或作使節的外籍人士，他們對香港的社會制度，觀察入微，就像用顯微鏡去看樣本一樣，然後他們就要決定是否在這裡投資或工作；也可以判斷香港是否一個自由、法治的地方。本人認為香港能歷久不衰地保持一個國際性城市的地位，是足以證明這些觀察者認識這裡的社會制度，亦對它產生信心。

香港的市民，也認識甚麼是自由和法治。我們看看報章的內容，有批評政府的輿論，有報導公開論壇的言論，請願事件或質詢政府政策的文章、社評等。市民和傳播界、報界敢於發言的現象，顯示出他們明白到這裡有一個法治的社會，除了觸犯了不良刊物法案和藐視法庭的法例外，政府絕少干預新聞報導或發行刊物的自由。

在香港，一個不平則鳴的市民的申訴，可以從記者招待會、區議會議員、市政局議員到兩局議員各層面去表達。我們目前在香港的一個小販，尚有機會向總督會同行政局上訴的權利，可以讓他保留一個牌照。

對於中英兩方謀求解決香港前途問題的方法，由於兩國可達成的協議一定會影響到每一個香港人的事業、家庭生計、兒女的教育和將來生活方式的安排，因此香港人需要有足夠的時間去瞭解這種種的安排及表達意見。

督憲閣下，維持香港安定與繁榮，有賴法治、經濟和人民的行動自由，立法、司法、行政三權分立的政治架構，當然中國與英國亦有誠意保持香港的安定與繁榮，從而保持香港市民及和香港有通商或其他關係的各國人士之信心。本人認為羅保議員的動議，是秉承了香港市民一貫有言論自由的精神，和立法局有法定的地位、和議員的責任，對這個重要的問題，提出辯論。

本人深信香港已是一個社會制度公開的城市，而英國已說明有關香港前途的協議，需要中、英、港三方面都接納。中國方面，亦經常表示樂意聽取香港人的意見，本人因此支持此項動議。

*(The following is the interpretation of what Miss TAM said.)*

Sir, during the Lunar New Year of the Rat many Hong Kong people went to pray in temples, or consulted fortune tellers to find out whether the current year

was a lucky one to them. This year, many of these people put in an additional question: 'Do I have to emigrate or not?' This hesitant mentality just reflected that the uncertain future of Hong Kong had cast a shadow on their minds.

Confronted with an uncertain future, a man in the street may still 'ask the gods and ghosts'. However a responsible Government, when participating in an issue which would determine the future of all the citizens, I think should 'ask the people'.

Hong Kong, with its small area, could hardly be found in a world atlas, but it is definitely not an unknown city.

When I said that Hong Kong is not an unknown city, I did not mean only Hong Kong's acknowledged achievements and position in international finance, commerce, industry, communications and transport etc. but also that Hong Kong is a city where people can enter and leave freely, and its social system is openly analysed, watched, tested and criticized by Hong Kong's own people and foreign observers. Since a long time, Hong Kong is a free port where Chinese and foreigners mix. Many come here from different countries for sightseeing, transacting business, investing, long term employment and taking up residence. There are also those foreigners who come to Hong Kong to gather writing materials, as reporters or as diplomats. They examine Hong Kong's social system minutely as observing a sample specimen under the microscope, before they made up their mind whether they would invest or work in this place. They would also judge whether Hong Kong is a free place with the rule of law. I think that Hong Kong's ability to maintain its position as an international city should prove that these observers are conversant with the social system here and have confidence in it.

The Hong Kong people are also aware of what is the rule of law and freedom. When we take a look at the newspapers, we see that some of them are critical of the Government, some are open forums, and there are articles and editorials making representations or querying Government policies. The phenomenon that the people, the media and newspapers can speak out like this shows that they understand this is a society under the rule of law. Except in the cases where the publications have contravened the Objectionable Publication Ordinance or committed contempts of court, the Government seldom interfere with the freedom of press reporting or publishing.

Here a resident with grievances may have his complaint reaching various levels through press conference, to district board members, Urban Councillors and UMELCO Members. A hawker in Hong Kong possesses the right to appeal to the Governor in Council in order to keep his licence.

As the agreement to be reached by China and Britain in solving the problem of the future of Hong Kong will contain arrangements which will surely affect the career and the livelihood of every Hong Kong resident; the education of his

children and the way of his life in future, the people of Hong Kong should have sufficient time to understand such arrangements and express their views about them.

The maintenance of stability and prosperity of Hong Kong, Sir, depends on the rule of law, the economy and the freedom of movement of its people; and also on the division of legislature, judiciary and administration in the political structure. Both China and Britain are certainly sincere in their wish to maintain the stability and prosperity of Hong Kong, and thus the local people and the people of other places who are linked to Hong Kong commercially or otherwise may have confidence that the present way of life will continue. I believe that the motion of Mr. LOBO was tabled in the spirit of freedom of speech which the people of Hong Kong always enjoy and I also believe that the Legislative Council has the legal status to debate the vital question.

I deeply believe that Hong Kong is already a city with an open social system. Britain has made it clear that any agreement regarding the future of Hong Kong has to be acceptable to China, Britain and Hong Kong, and China has always expressed the willingness to listen to the people of Hong Kong.

Sir, I therefore support the motion.

6.00 p.m.

THE CHIEF SECRETARY:—Sir, in accordance with Standing Order 68, I move the suspension of Standing Order 8(2), so that today's business may be concluded.

*Question put and agreed to.*

MR. CHAN YING-LUN delivered his speech in Cantonese:—

督憲閣下：先前已有多位議員就九七問題發表了意見。個人或許會重覆他們的見解，但是由於香港前途是關乎每一位香港人的切身問題，而且個人身兼立法局和區議會的職位，因而覺得有責任要站起來再就九七問題發表見解。

自從九七問題提出來討論後，香港人從來沒有像現在這樣有歸屬感，這樣愛香港，關心香港。當去年香港的社會和經濟受謠言的衝激而產生震動時，尤其是港幣幣值急劇下挫，而物價大幅度上升時，全港五百多萬人是多麼的痛心呢！當時的心情猶如見到心愛的家園在十號風球下隨時會倒塌而自己束手無策！有些較富裕的人士因受不了如此的震動而帶著依依不捨的心情移居外地（A 但是他們始終覺得全世界沒有一處地方比香港更加適合他們，

他們依然關心香港的一切。對一般小市民而言，他們並沒有打算離開香港，香港始終是他們的家，他們希望盡快渡過此場風暴，然後繼續為香港的安定和繁榮而努力。

香港有什麼地方值得我們這樣留戀？有什麼因素令它成為一個這樣繁榮和發達的社會，一個理想的居所？

分析起來，因素是很多的。歸納我個人所接觸到的人士和我個人的意見，最主要的因素有以下兩個：



- (一) 目前香港的政治架構是一個順從民意的政府。大部份的施政，特別是重要的政策都預先通過各種不同途徑諮詢民意才實施，或順應民間的要求而實施，所以香港政府雖非民選政府，卻有高度的民主作風，因而深得全港大部份人士的信賴，從而使到他們可以安心地在經濟方面大展拳腳。
- (二) 香港是一個高度自由、平等及開放的社會。香港人所享有的自由生活方式即使是歐美等高度民主的社會亦有所不及。在這裡我們有高度的言論、就業、投資、遷徙等等的自由。一方面這是由於香港政府採取不干預的政策，法例管制減至最少；另一方面這是由於社會的風氣既自由又開放，私人生活假如不觸犯法律就不受外界干預，因而人人可以自由發揮。公平競爭和平等待遇是香港另一重大特色。在這裡我們沒有階級歧視、種族歧視等等。在法律面前人人平等，在各項競爭中大家都受平等的待遇，不同階層的人士都有公平機會去爭取機會。不論個人出身如何，假如他們有上進心，他們的前途是充滿希望的。因而人人都勤奮向上，香港才有這樣的繁榮。

香港在一九九七年後若要繼續安定和繁榮，上述兩個因素就一定要保持。倘若其時政制有所轉變，我們如何能確保這兩點因素繼續保持下去呢？個人對此有如下的見解。

對一個非民選的政府而言，其政策是否順應民意，決定於政府本身的傳統和意向，非人民所能左右。假如九七年後的政制有所轉變，而其時的政府仍然非民選，能否依然像現時的政府一樣順從民意呢？所以為著確保我們香港人的意願受到政府的尊重及能夠實現，本人認為到其時，香港應該建立一個民選的政府。不過我們要知道並非所有的民選政府都實行真正的民主。當今之世藉民選而行假民主之政府多得很呢！所以我們若要有真正的民主，首先現在就要開始積極教育全體的香港居民認識民主主義，直至他們擁有高度的民主意識，然後才逐漸建立一個完善的民主政制。當我們擁有一個真正的民主政府時，我們的意願就能夠一一為政府接納而一一實現，而我們現時所喜愛的高度自由、平等及開放的社會也就可以繼續維持下去。

關於香港前途問題，英國政府曾保證會尋求一個中英港三方都能接受的方案。中國政府方面亦曾多次表示歡迎港人就九七問題提供意見及向港人提出數點保證。祇是至目前為止，中英雙方並沒有公開及全面性地收集香港人：

- (一)對九七問題的意見。  
(二)對任何香港前途方案的接受程度。

然而個人認為要達成一個完善的協議，中英雙方必須正確地掌握港人對前途方案的意見。

姑勿論立法局代表性如何，始終是香港最高的決策機構及主要的諮詢民意組織之一，而立法局議員都是本著全心全意為香港人服務為目標，我們是香港人，在香港前途問題上，更是責無旁貸。所以立法局在收集港人的意願方面應當擔任一個重要的角色。今天立法局提出這個動議要求中英雙方在達成協議前能把任何香港前途的方案交給立法局討論，個人是非常贊成的。因為經過一年多的會議，中英雙方在大原則方面相信已有一定的默契，對於香港前途的安排相信亦有初步的方案，所以個人認為此時應該是向全港居民公佈初步方案的適當時機。

初步方案公佈後，立法局和其他諮詢機構如區議會及全港居民，因而能夠討論及研究新方案能否仍然保留香港安定繁榮的因素。

透過立法局公開的辯論，全港居民因而明瞭立法局對初步方案的意見，並就立法局的討論，市民可提供補充反對或贊成的意見。

全港的居民也公開發表香港前途的意見，特別是一般小市民，過往他們雖然也非常關心香港的前途問題，但是由於缺乏這方面的具體資料及發表的途徑，直至目前為止，他們依然是沉默的大多數，個人希望立法局的辯論能改善此情形，從而使到立法局更準確地了解港人的意願。

通過這樣的辯論，立法局將能更廣泛地收集更多更有建設性的意見，及更正確地反映全港居民對前途及任何方案的意見給有關方面參考，從而協助中英雙方為香港達成一個更完善的協議。

督憲閣下，本人謹此陳辭，支持動議。

*(The following is the interpretation of what Mr. CHAN Ying-lun said.)*

Sir, many of my Unofficial Colleagues have spoken before me on the 1997 issue. I may repeat some of their views. However, as the future of Hong Kong is an issue very much close to the heart of everyone in Hong Kong, and because of the fact that I am a Member of this Council and a District Board member, I feel it is my duty to stand up and speak on the 1997 issue.

Since the 1997 issue has become a topic for discussion, Hong Kong people have never felt a stronger sense of belonging, love and concern with all things about Hong Kong as now. Last year, the Hong Kong community and its economy were shocked by the impact of rumours, particularly when the value of the Hong Kong dollar was falling drastically and prices were soaring. How painful the over five million people of Hong Kong felt! It was as if they saw their beloved homes collapsing under the full fury of the typhoon when the No. 10 signal was hoisted, and yet they could do nothing about it. Some better-off people emigrated abroad under this shock, albeit with reluctance. However, they found in the end there was no other place in the world which suited them better than Hong Kong, and they were still concerned about all that is happening to Hong Kong. To the ordinary people, they have no intention to leave Hong Kong as Hong Kong is their home and they wish to weather this storm as soon as possible, and then continue to work for the stability and prosperity of Hong Kong.

What makes them love Hong Kong so much? And what are the factors which make it such a prosperous and developed society and an ideal place to live in?

On analysis, there are many factors. To sum up my own views and views of those whom I met, there are two principal ones:

- (1) The present Hong Kong political structure is such that Government accedes to the wishes of the people. People are consulted through various channels before the greater part of government business, particularly important policies, are implemented, or implemented at the request of the people. Thus, in spite of the fact that the Hong Kong Government is not elected, it has a highly democratic style. In this way, the Government has won the trust of the people who are free to achieve their economic goals with little restrictions.
- (2) Hong Kong is a highly free, equal and open society. Hong Kong people enjoy the free life style which is even somewhat unmatched by the highly democratic societies in America and Europe. Here we have a high degree of

freedom of speech, employment, investment and movement. On the one hand this is due to the non-intervention policy of the Hong Kong Government, as legislative control is reduced to the minimum; on the other hand, it is because social behaviour is both free and open. The life of the individual is not interfered with as long as he does not contravene the law. Therefore everyone is free to attain his utmost. Fair competition and fair treatment are other major features of Hong Kong. Here we have no class distinction and racial discrimination, etc. Everyone is equal before the law, and everyone is treated equally in various competitions. Different classes enjoy fair chances to work for their future. No matter what one's origin is, as long as one has high aspiration, one's future is equally hopeful. This urges everyone upwards and has resulted in the prosperity we now enjoy in Hong Kong.

If Hong Kong is to continue to enjoy the stability and prosperity after 1997, the two factors mentioned must be preserved. However if the political system is to be changed by that time, how can we ensure that the two factors will continue to be maintained? I have the following views.

In a non-elected government, whether its policies meet the people's approval depends on the government's own tradition and intentions which are beyond the control of the people. If the political system is to be changed after 1997, and if the government by that time is still not an elected one, will the government then still accede to the people's wishes as it does now? Therefore, in order to ensure that the will of Hong Kong people will be respected and realized by the government, I consider that by that time Hong Kong should have established an elected Government. However, we know that not all elected governments practise true democracy. At present, there are too many governments, elected in name but practising false democracy! If we want true democracy, first of all we should actively start to educate all Hong Kong people so that they know what true democracy is, until they are highly conscious of democracy. Only then can we begin to build up a perfect democratic political system gradually. When we have a truly democratic Government, our wishes will be accepted by it and be implemented one by one. The highly free, equal and open society we now love so much can then be assured of its continued existence.

On the issue of the future of Hong Kong, the British Government has assured us that it will seek a solution which will be acceptable to all three parties—China, Britain and Hong Kong. The Chinese Government has also on many occasions invited the people of Hong Kong to express their views on the 1997 issue and has given the people of Hong Kong several guarantees. However, up to the present, neither the British nor the Chinese Government has openly and extensively collected opinions from the people of Hong Kong on:

- (1) the 1997 issue; and
- (2) the degree of acceptance of any plan for Hong Kong's future.

Yet I personally feel that in order to reach a perfect agreement, both Governments must understand correctly the views of the people of Hong Kong on any proposal for Hong Kong's future.

No matter what the representative nature of the Legislative Council is, it is nevertheless the highest policy-making body and one of the principal consultative machineries in Hong Kong. All its members have the common aim of serving the people of Hong Kong whole-heartedly. We are Hong Kong belongers, and cannot evade our duty on the question of Hong Kong's future. Therefore, the Legislative Council should play a major role in collecting views and wishes of the Hong Kong people. Today the motion before this Council is: that any proposals for the future of Hong Kong should be debated in this Council before any final agreement is reached. I fully support this motion because after holding talks for over one year, it is believed that both Governments must have reached certain tacit agreements on major principles, and that a preliminary plan on future arrangements for Hong Kong must have been drawn up. I am of the opinion that it is the right time to announce to all the people in Hong Kong the contents of this preliminary plan.

After the preliminary plan is announced, the Legislative Council, other consultative bodies (e.g. the District Boards) and all the people in Hong Kong will have a chance to discuss and study the new plan, to see whether the elements for maintaining Hong Kong's stability and prosperity can be retained.

Through open discussion in the Legislative Council, the people of Hong Kong may understand the views of the Legislative Council on the preliminary plan, and to suggest or supplement, and object or agree to such views.

All people in Hong Kong may also express their views openly on the issue. This applies particularly to the ordinary people. Although they have been deeply concerned with the future of Hong Kong, they have so far remained the silent majority because of the lack of concrete information on the issue and the channels for so doing. I hope the Legislative Council debate can improve this situation so that the Council may have a better understanding of the wishes of the local people.

Through such debates, this Council will be able to collect further and more constructive views and in turn reflect more accurately the opinions of all Hong Kong people on the future of Hong Kong and on any plan that may be put forth, for the consideration of the parties concerned, so as to assist both Governments in reaching an even better agreement.

Sir, with these remarks, I support the motion.

MRS. FAN delivered her speech in Cantonese:—

督憲閣下：本人支持羅保議員這項動議。

本人支持的理由有二。第一，我覺得，香港人最終的目的是保持香港的繁榮和安定，凡是生活在香港多年的人，從他們經驗的累積，與他們對本地環境和特色的深入了解來看，

如果讓這些人去表達他們的意見，必能為繁榮香港作出有建設性和可行的建議。在中英談判還未能達成協議之前，能夠聽取一下香港人的意見，實屬一個合理而且有益的步驟。

其次，中英談判被視為是中國與英國之間的事，即使香港人想參與，亦未必能為中英兩方所接受。但是，談判的結果，肯定會直接影響到每一個香港人以及他們的下一代。更值得重視的關鍵，便是雙方的協議在將來付諸實行時，能否成功達致中英雙方的共同願望——保持香港繁榮與安定——實有賴香港人對該協議的信心、支持及不懈的努力。故此，如果香港人為了某種原因而不表示意見或者所表示的意見得不到適當的考慮，對任何方面而言，都屬不智之舉。

所以，督憲閣下，我贊成立法局公開辯論有關香港前途的建議。同時，在這件事情上，立法局已經起了帶頭的作用，我希望本港有更多的團體，都能踴躍表達和反映他們對香港前途的意見。

值此香港的政制可能會有所改變之際，香港人應該對世界各主要國家的政制有基本上的了解，來配合我們對香港社會運作的認識，以便日後能夠作出適合香港社會政制的建議。

但現在，香港人大部分對世界上各主要國家的不同的政制，了解得並不足夠。這一點，我認為必須好好解決。由於將來的協議要靠年輕的一代去實行，可以料想得到，他們會面對各種政治性的問題，所以他們需要對不同的政制有較深入的了解，才能夠成功地去執行自己的職責。故此，我們應該想辦法去幫助年青人，去增長這方面的知識。

為此，我建議，在中學會考後的學生課程裏面、在專上學院的課程裏面，增添認識政制的科目。這些科目，應該是講事實的，而不是作評論的。我們要用客觀、中立、誠實的態度，把這些不同國家的不同政制的資料，傳授給青年人。祇有這樣，他們才能夠在不久的將來，在需要的時候作出他自己的適當的選擇。

還有，我特別強調，香港將來的政制，必須符合經濟、社會及政治的因素。任何政制的變動，都有其客觀環境的需要。眾所周知，我們最重要的目的，是保持現時大家所享有真正而不是紙上的自由，以及發展社會的繁榮安定。此兩者，以我之見，是絕對不能分割的。試問，如果香港人的自由受到規限，我們對工作的衝勁和自發性，將被破壞至何種程度？個人內心的安定還能繼續保持嗎？香港社會的繁榮安定與香港人所享有的充分自由，根本是一而二、二而一的事。我在這裏重覆一次：如果犧牲香港人的自由，則香港社會安定繁榮的目的，必難達到。

從現在到一九九七年這一段期間，香港社會必有所轉變。這些轉變，大家都冀望它能令香港的生機更蓬勃，居民的生活水準得到進一步提高。而要做到這一點，我們必須群策群力、萬眾一心、去尋求、去爭取。香港的驕人成就能否持續，這重任是在香港人自己的肩上。換句話說，香港的前途，掌握在香港人的手中。——當然我們也不可忘記：各國與我們之間的合作，尤其是中、英兩國對我們不斷的幫助與支持。

現在是香港歷史上一個轉捩點，香港面對有史以來最重大的挑戰。我們要安然渡過這個關口，必須充分利用每一個人的聰明才智，去再創造經濟上新的高峰，寫成歷史上新的一頁。為此，我覺得有兩點，值得在這裏鄭重提出。第一，我們一定要用積極的、懇切的態度，促使中、英雙方了解我們的立場和誠意，而及時消除可能引起的、有意無意所引起的誤解。第二，香港轉變政制，必須採取漸進的方式。即使是個良好的構思，也應以小規模去嘗試，如果成績顯著，才全面推廣。在香港目前的特殊環境之下，我們要緊記：單憑理想及熱情，是未必能成功地推行任何一種政制的。因為推行不得其法亦可能會引起民心不安。我們需要進步，需要有條理的改革。香港的社會並非一個家有恆產的世家，故此不應

從事風險性太大的投資，即使估計它會獲利甚豐。我們受先天所限，祇能穩健前進，一方面珍惜及盡量利用資源，一方面重組內部，為將來作好準備。所以我希望所有青年人及內心充滿理想的人士，切勿操之過急。理想要配合實際，才能令香港達到另一個新的起點。

督憲閣下，本人謹此陳辭，支持該動議。

*(The following is the interpretation of what Mrs. FAN said.)*

Sir, I support the motion introduced by Mr. LOBO.

I support it for two reasons. First, I think that the ultimate aim of the Hong Kong people is the maintenance of prosperity and stability. Those who have lived in Hong Kong for years and have acquired a deep understanding of the local environment and characteristic will surely be able to make constructive and viable proposals attributable to the prosperity of Hong Kong. So, before any agreement is reached in the Sino-British talks, it is reasonable and beneficial to listen to the opinions of the Hong Kong people.

Second, the Sino-British talks are considered to be a matter between China and Britain. Even if the people of Hong Kong wish to take part, this will not be accepted by the Chinese and British authorities. But the outcome of the talks will directly affect everyone of us in Hong Kong, as well as our next generation. Furthermore, when the agreement is implemented in the future, whether the common aim of China and Britain—to maintain the prosperity and stability of Hong Kong, can be fulfilled will depend on Hong Kong people's unrelenting effort, their confidence in, and support for, the agreement. Therefore no one would stand to gain if Hong Kong people, for one reason or another, refrain from expressing their views, or if their views are not given due consideration.

Sir, for the above reasons, I agree that the Legislative Council should openly debate proposals concerning Hong Kong's future. Now that the Council has taken the lead in debating the issue, I hope that more organizations in Hong Kong will take an active part in expressing and reflecting their views on the territory's future.

At a time when Hong Kong's administrative system is likely to undergo changes, we in Hong Kong should acquire some basic understanding of the administrative systems in other major countries in the world. This, together with our knowledge of how Hong Kong functions as a community, will enable us to put forward proposals on an administrative system suitable to our unique circumstances.

However, I feel that the majority of Hong Kong people do not have an adequate understanding of the different Government systems of other major countries at present, on which something must be done. As the future agreement is to be implemented by the younger generation, and it is envisaged that they will face various political issues, they must have a better understanding of different kinds of Government systems if they are to carry out their duties successfully. With this in mind, we must try hard to help the young people to increase their knowledge in this field.

I suggest, therefore, that a new curriculum on comparative Government systems be introduced at the post-secondary school level. This subject should lay emphasis on facts, and not criticism. We should adopt an objective, neutral and honest attitude in teaching our young people the different Government systems of different countries. Only by so doing can they be expected to make the right choice for themselves when so required in future.

Furthermore, I should like to stress that the future administrative system of Hong Kong must take into consideration the economic, social and political factors. Any change in the administrative system would necessarily stem from the need of objective conditions. As we all know, our most important aims are to maintain the freedom that we now enjoy, to ensure stability and to develop the prosperity of Hong Kong. In my opinion, the freedom we now enjoy is inseparable from the stability and prosperity of the territory. Imagine how far our initiative and zeal for work would be affected if our freedom were restricted. Would we be able to continue to enjoy our peace of mind and hence stability? The prosperity and stability of the territory and the freedom enjoyed by the people of Hong Kong are basically one and the same thing. Let me repeat: if the people of Hong Kong were deprived of their freedom, the objective of maintaining the territory's prosperity and stability could not be attained.

There will surely be changes in our society between now and 1997. We all hope that these changes will bring Hong Kong more vim and vigour and raise the living standard of the people. We have to pool our efforts and be united in seeking and striving for the fulfilment of this aim. The task of continuing our proud achievements rests upon the shoulders of the people of Hong Kong. In other words, the future of Hong Kong is in our hands. Of course, we must not forget the importance of co-operation between Hong Kong and other countries, particularly the continuous assistance and support of China and Britain.

Now we have come to a turning point in the history of Hong Kong and we are faced with the greatest challenge we have ever met. To smoothly tide over this crisis, we must make full use of the wisdom and intellect of every one of us so that we may achieve another higher peak in our economy and turn a new page in the history of Hong Kong. Here, I should like to stress two points. First, with a positive and earnest attitude, we must make both China and Britain understand our position and appreciate our sincerity in seeking a solution to Hong Kong's future, and quickly dispel any misunderstanding that may arise. Secondly, any change in the Government system of Hong Kong must take place gradually. Any proposed system, however well thought out, should be tried out first on a small scale. Only when the trial proves successful should it be implemented on a full scale. Given the special circumstances of Hong Kong, we should bear in mind that the mere possession of ideals and passions may not necessarily lead to the successful implementation of any administrative system, but may rather stir up unrest among the people. Progress and systematic reforms are what we need. We are not a long-established family with

inexhaustible fortune, we should never embark on any high risk investment even though the profit may be enormous. Subject to the various limitations, we can only make progress steadily. We should treasure our resources and reorganize our internal structure so as to prepare ourselves for the future. So I hope that all young people and those full of ideals will not act with undue haste. Only when we can match our ideals with reality will we be able to help Hong Kong to a new starting-point.

Sir, with these remarks, I support the motion.

MRS. NG delivered her speech in Cantonese:—

督憲閣下：有關香港前途問題，因為是英國與中國在談判，所以很多香港人都將他們對這問題的意見，集中在英國或中國在這談判過程中做得對與否。我們經常聽見有人批評英國過度保密；對香港五百萬人惶恐的心情不顧。他們也表示懷疑英國對香港的道義責任。我他也曾聽見有人說，中國對香港途的多項聲明，雖然由初時的「收回主權」，漸變為「保持香港制度不變」，再變為「保證五十年制度不變」，也沒有減去他們對這些聲明的疑懼。就是在今天，還有人對羅保先生在本局所提的動議存疑，對動議目的議論紛紛。

為甚麼香港人對甚麼都存疑呢？因為我們未成熟。香港的政制體系一向都是無風無浪，因此我們沒有經驗，沒有信心自己是否有能力影響自己的將來。不過，就是因為我們沒有咽信心，可能連影響將來的機會也會失去，甚至帶來嚴重的後果。

一個人對某些事情產生懷疑後，會有兩個可能的反應，一個是對可能出現的後果產生恐懼，另一個是採取主動，力求知道結果，如果結果是未如理想的話，便試圖加以改善。根據我前些時所舉的例子，我相信香港有很多人對香港前途的可能發展存有懷疑。但我極希望他們有積極的反應，所以我贊成今次的動議，因為它可以起領導作用，帶領大家前往一個新的領域，一個真真正正積極而充滿信心的將來。

因聽到一些不利的謠傳而拋售港元或到超級市場搶購物品，祇會形成「自我靈驗的噩耗」，使惡夢成真。

督憲閣下，本人謹此陳辭，支持動議。

*(The following is the interpretation of what Mrs. NG said.)*

Sir, on the issue of Hong Kong's future, as the negotiations are held between China and Britain, many Hong Kong people concentrated their views on whether or not China and Britain are doing the right thing. We often heard criticisms that Britain is over conservative and that the anxiety of the 5 million Hong Kong people is not being taken into account. The critics also doubt Britain's moral obligations to Hong Kong. We also often heard many people say that the many statements issued by China on Hong Kong's future, starting with 'recovering sovereignty' at the beginning, changing to 'maintaining the Hong Kong system unchanged' and further to 'guaranteeing the system unchanged for 50 years', did little to allay their fears. Even today some people still have reservations on Mr. LOBO's motion in this Council and speculates on its purpose.

Why Hong Kong people have doubts on everything? It is because we are not mature. Our administrative system has never encountered any stormy events, so



we lack experience in this respect. We have been living in a stable and secure environment. As we have no experience, we have no confidence whether we are able to influence our own future. However, just because of this lack of confidence, we may lose even the opportunity to influence the future, thus bringing in serious consequences.

When one entertains doubts on a certain issue, there are two possible reactions. One is fear about the possible results, and the other is to take the initiative, endeavouring to know the consequences, and to try to improve them if they turn out to be unsatisfactory. Based on the examples I quoted above, I believe that there are many people in Hong Kong who have doubts on the possible development of Hong Kong's future. However I strongly hope that they would show positive reactions. I therefore support today's motion, because it will play a leading role, guiding us to wards a new horizon, a fully positive and confident future.

To dump the Hong Kong dollar or to try to stock up by mad purchases at the supermarket can only lead to a 'self-fulfilling omen', turning nightmares into reality.

With these remarks, Sir, I support the motion.

MR. YEUNG PO-KWAN delivered his speech in Cantonese:—

督憲閣下：香港人不論出生於香港或長期生活於香港，必然對香港懷有深厚感情，因而對香港前途感到焦慮。本人深信香港人均望能保持個人自由及目前生活方式，並渴望將來能繼續維持香港之安定繁榮。不論協議採取任何方式，目標如屬正確，相信結果亦不應使香港人失望。

施政之主要目標，自應以大眾利益為依歸。中英會談解決香港前途問題，關係全港五百多萬市民切身利益，然基於會議保密原因，五百多萬市民大半年來內心總或多或少，感到惶惑不安，從報章透露消息或間接獲得資料作出猜插A或私下決定個人及家庭去向，而此種動向對香港本身來說絕非好現象。如此種現象於未來十三年內有形或無形發展下去，殊非香港之福，故此鞏固香港市民信心，乃屬當今之務，刻不容緩。

此次動議，乃單純希望香港人把握機會直接表達意見，而此種辯論，相信總有助於加強市民之信心。

香港人應該「把握現在，努力將來」。現在必須腳踏實地，面對現實，不作妄想；要把握機會，盡量充實自己，以為將來作出適當之準備。

今時今日，港人不應對香港前途問題採取消極或不切實際之態度，相反應積極反省自己作為香港市民一份子，在過去及現在曾否對香港作出任何貢獻？若然，香港之將來是否理應更需要自己之支撐？如認為個人之力量，祇屬微不足道，是否更應於將來加倍努力貢獻出精神及力量作為補償？每人應深信自己乃此社會中重要之一份子，更應理解每一分力可發一分光。進而認識到自己乃「香港大廈」之一根支柱，不應抱着少一根支柱亦不相干之觀念，小看自己，倚靠別人，僅作觀望者，不作實踐者。每人必須明白任何建築結構，缺少一根支柱，即缺少一分支撐力量，總會危害該結構之安全。

故於此時此地，香港人必須站起來，盡已所能，不應單為自己前途着想，更應為別人着想，盡量提出建設性之意見，不應採取逃避現實態度，反要積極展望將來。如此，香港方有前途可言。

本人謹此陳辭，支持該項動議。

*(The following is the interpretation of what Mr. YEUNG PO-kwan said.)*

Sir, a Hong Kong resident, whether he was born here or has lived here for a long time, is bound to have a deep feeling about Hong Kong, and is naturally anxious about the future of Hong Kong. I firmly believe that all Hong Kong people wish to preserve the personal freedom and their present life style and look forward earnestly to maintaining Hong Kong's stability and prosperity. I believe that whatever form the agreement is going to take, if the objective is correct, the results should not disappoint the people of Hong Kong.

The main objective of any administration should be for the good of the people. The negotiation between China and Britain on the future of Hong Kong concern the personal interests of over five million Hong Kong residents. However, for reasons of confidentiality, the five million people could not help feeling apprehensive during the past year or so. They tried to guess from press reports or from second hand information, or make private plans for themselves and their families. This situation is absolutely unsatisfactory. If it is allowed to develop either visibly or invisibly during the coming 13 years, this will not be to the good of Hong Kong. To reinforce Hong Kong people's confidence is therefore of utmost importance at present, about which not a moment should be lost.

The present motion simply hopes that the Hong Kong people will grasp the opportunity to express directly their views, and I trust the associated debate will strengthen the public's confidence.

Hong Kong people should 'hold fast to the present and strive for the future'. Now is the time to get down to work without illusions; to improve themselves whilst the opportunity presents itself so as to adequately prepare for the future.

The time has come when Hong Kong people should not adopt a negative or impractical attitude towards the question of Hong Kong's future. On the contrary they should search their hearts to find out whether as one of Hong Kong's citizens, have they contributed to Hong Kong in the past or at present? If so, whether Hong Kong's future will need their even greater support? If they feel that their personal efforts are only negligible, should they not double their efforts in spirit and energy to make them effective? Every one should believe that he is an important element in this community and should realize that every minute contribution counts. He should further realize that he is a pillar of the 'Hong Kong House' and should refrain from thinking that it would not matter with one pillar less, and thus belittling himself by relying on others, while he remains a spectator on the ringside. Every one should understand that with a pillar less, the support to the structure will be reduced by that much, which will at the end endanger the safety of that structure.

At this time and place, Hong Kong people must stand up and try their best. They should not think only of themselves, but also for others. They should express their views in a constructive manner. They should not adopt the escapist attitude but on the contrary should take a positive look at the future. Only then Hong Kong is worthy of a future.

With these remarks, Sir, I support the motion.

THE CHIEF SECRETARY:—Sir, with my Official Colleagues, I have listened to the debate with close attention and very great interest. I wish to pay tribute to those Members who have spoken for the deep seriousness and great sense of duty and responsibility which they have shown in approaching an issue which affects the entire future of Hong Kong and of its people and is of vital concern to us all.

As Mr. LOBO said, it is now 18 months since the Prime Minister, Mrs. THATCHER, visited China and a communique was issued which stated that the leaders of both countries agreed to enter into talks through diplomatic channels, following her visit, with the common aim of maintaining the stability and prosperity of Hong Kong. It is eight months since the second phase of the talks began. There have been nine rounds since the second phase of the talks began. The tenth round will take place on Friday and Saturday of this week. It has been officially revealed that the talks are proceeding steadily and making progress and that they are being supplemented by informal contacts between the two sides. They are known to be covering detailed ground. Additionally, there is the expressed intention of the Chinese Government to announce their policies and guidelines in September this year. Inevitably, all these developments have created in Hong Kong an air of expectation and given rise to a call for more to be made known of what the future has in store. Against this background, it is entirely natural and understandable that Unofficial Members of the Legislative Council should wish to raise this issue of the future in the terms of the motion which is now before us.

There has been much discussion in the press and elsewhere about this motion. As a number of Members have pointed out, it is a procedural motion, properly constituted, and in accordance with the Standing Orders of this Council. It does not seek to breach the confidentiality of the talks by seeking detailed information now about their content and progress. Nor does the motion seek to lay down in advance what the outcome of the negotiations should be. What Unofficial Members are seeking, through this motion, is simply an opportunity to discuss any proposals for the future of Hong Kong in this Council before any final agreement is reached between the British and Chinese Governments.

I find it difficult to see why there should be any quarrel with that proposition. It is fully accepted that the conduct of the talks in Peking is a matter for the two governments. At the same time, British Ministers have repeatedly stressed that the views of the people of Hong Kong will be taken fully into account. They have also formally stated that their aim is to seek a settlement which will be

acceptable to the British Parliament, to the Chinese Government and to the people of Hong Kong.

As part of the continuing process of consultation you, Sir, and the Unofficial Members of the Executive Council, have visited London for discussions with the Prime Minister, the Secretary of State for Foreign and Commonwealth Affairs, Sir Geoffrey HOWE, and other Ministers three times in the past eight months; and Ministers have reiterated the importance which they attach to keeping the Executive Council informed and to receiving its advice.

During these visits to London, the Unofficial Members of the Executive Council have been able to make their views, and those of their Unofficial Colleagues in the Legislative Council, directly known to British Ministers. They have done so against a background of wide and intense public debate on many aspects of the issue of the future, and in full knowledge of the opinions and concerns conveyed to them by individuals and groups through the many channels open to them. The Minister of State at the Foreign and Commonwealth Office with special responsibility for Hong Kong, Mr. Richard LUCE, has also visited Hong Kong twice in the past six months and has been able to hear at first hand the views of a wide cross-section of people. As Members are aware, the Secretary of State himself hopes to visit Hong Kong in the near future.

There can be little doubt about the general wishes of the people of Hong Kong. As you, Sir, put it in your Lunar New Year message only a few weeks ago, it is our belief that what the people of Hong Kong wish to see is, in essence, the continuation of the essential elements of our society and an assurance that they will continue. Or as Mr. LOBO and others have put it earlier this afternoon, the people of Hong Kong wish to see the maintenance of their present life-style and continuity in the systems which preserve their present freedoms. That is the outcome which the people of Hong Kong wish to see from the talks now being conducted in Peking. Over the past 18 months to two years or so, many people, in many forums, have spoken out in elaboration of that message. Unofficial Members have done so. They have contributed to the discussion of the issue of Hong Kong's future both inside and outside this Council. This debate has given them a further opportunity to add their views to those expressed by many others on the factors which they believe must be taken into account if the eventual arrangements are to serve the best interests of Hong Kong.

During his recent visit, the Minister of State reminded us that, on the British side, any agreement between the two governments would have to go to Parliament for endorsement. Other parliamentary visitors have recalled that Parliament cannot be taken for granted. In considering the agreement, Parliament will, as Mr. LUCE made clear, wish to know the views of the people of Hong Kong on it. In consequence, those views, expressed in a variety of ways, including through this Council, will be an important factor for Parliament when it comes to assess the arrangements as a whole. In the light of this, it seems

inconceivable that Parliament will not wish to know, when the time comes, what views have been expressed in this Council.

It is perhaps appropriate for me at this point in the debate to draw attention to the record of the Legislative Council and its place in the governance of Hong Kong. This Council's deliberations have provided Hong Kong with a body of laws for the good government of Hong Kong and those deliberations have made a vital contribution, over the years, to the stability and prosperity which those who live here enjoy today. Through debates, questions and motions, Members have reflected and articulated the concerns of the people of Hong Kong on many issues, on many occasions.

Members have today spoken on the issue of the future. They have shown, once again, that they speak carefully and responsibly. They have demonstrated that their aim is to make a constructive contribution to the achievement of an objective which is shared by all, that is to say, arrangements for the future which will satisfy Britain and China and which will, at the same time, carry confidence in Hong Kong. Members have spoken with a deep sense of commitment to the well-being of Hong Kong. I cannot believe, therefore, that the debate for which this motion calls will, when it takes place, do other than help, and certainly it will not hinder, the achievement of that objective.

For all these reasons, it follows, Sir, Official Members will vote in favour of this motion.

MR. LOBO:—Sir, this debate has been conducted with care and responsibility.

It has given us a chance to express our anxieties and I believe it has made a positive contribution to the process of reaching an acceptable agreement which will enjoy the support of the people of Hong Kong.

Sir, I agree with the Chief Secretary that neither this debate nor the acceptance of the motion involves interference with the discussions now taking place between the British and Chinese governments.

The debate has shown once again that in matters of importance to the well-being of our community, Members of this Council speak without sectional or selfish interest and reflect a broad spectrum of opinion.

Our lack of elected status does not alter that fact nor take away from the validity of what has been said this afternoon.

The people of Hong Kong are being asked to take a great deal on trust.

We are asked to believe that under a Chinese Administration, our way of life and our institutions would not be changed.

We are asked by the British Government to take it on trust that by the time they reach an agreement on our future, it will mirror the wishes of the Hong Kong people and will be acceptable to us.

Whilst fully appreciating the need for the negotiations themselves to be conducted in confidence; both sides must be alive to the fragility of public confidence and must give us a firm basis for believing that there is nothing to worry about.

The acceptability of any proposed settlement lies in whether people believe that its terms will be respected and will endure:

Faith cannot be created by orders;

Trust cannot be induced by the exercise of power;

And no settlement which fails to engender trust can possibly preserve our stability and prosperity.

Finally, for those who questioned the wisdom of this debate, I believe it has amply justified itself.

Sir, I hope the Council will now adopt the Motion before us and that it will be accepted in the spirit in which it has been debated.

I note with pleasure that the Chief Secretary has indicated that my Official Colleagues will support this motion, and I thank the Chief Secretary for the tribute he has paid to my Unofficial Colleagues.

Sir, I beg to move.

*Question put and agreed to.*

### **Adjournment and next sitting**

HIS EXCELLENCY THE PRESIDENT:—In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on 28 March 1984.

*Adjourned accordingly at twenty-one minutes to seven o'clock.*