

# OFFICIAL REPORT OF PROCEEDINGS

Wednesday, 15 January 1986

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 DAVID AKERS-JONES, 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, C.M.G., Q.C.

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

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

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

THE HONOURABLE ERIC PETER HO, C.B.E., J.P.

SECRETARY FOR TRADE AND INDUSTRY

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

THE HONOURABLE ALLEN LEE PENG-FEI, O.B.E., 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 DISTRICT ADMINISTRATION

THE HONOURABLE CHAN KAM-CHUEN, O.B.E., J.P.

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

THE HONOURABLE STEPHEN CHEONG KAM-CHUEN, O.B.E., J.P.

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

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

THE HONOURABLE MARIA TAM WAI-CHU, O.B.E., J.P.

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

THE HONOURABLE KIM CHAM YAU-SUM, J.P.

THE HONOURABLE JOHN WALTER CHAMBERS, J.P.

SECRETARY FOR HEALTH AND WELFARE

THE HONOURABLE IAN FRANCIS CLUNY MACPHERSON, O.B.E., J.P.

SECRETARY FOR TRANSPORT

THE HONOURABLE JACKIE CHAN CHAI-KEUNG  
THE HONOURABLE CHENG HON-KWAN  
THE HONOURABLE HILTON CHEONG-LEEN, C.B.E., J.P.  
DR. THE HONOURABLE CHIU HIN-KWONG  
THE HONOURABLE CHUNG PUI-LAM  
THE HONOURABLE THOMAS CLYDESDALE  
THE HONOURABLE HO SAI-CHU, M.B.E., J.P.  
THE HONOURABLE HUI YIN-FAT  
THE HONOURABLE RICHARD LAI SUNG-LUNG  
DR. THE HONOURABLE CONRAD LAM KUI-SHING  
THE HONOURABLE LAU WONG-FAT, M.B.E., J.P.  
THE HONOURABLE MARTIN LEE CHU-MING, Q.C., J.P.  
THE HONOURABLE LEE YU-TAI  
THE HONOURABLE DAVID LI KWOK-PO, J.P.  
THE HONOURABLE LIU LIT-FOR, J.P.  
THE HONOURABLE NGAI SHIU-KIT, O.B.E., J.P.  
THE HONOURABLE PANG CHUN-HOI, M.B.E.  
THE HONOURABLE POON CHI-FAI  
PROF. THE HONOURABLE POON CHUNG-KWONG  
THE HONOURABLE HELMUT SOHMEN  
THE HONOURABLE SZETO WAH  
THE HONOURABLE TAI CHIN-WAH  
THE HONOURABLE MRS. ROSANNA TAM WONG YICK-MING  
THE HONOURABLE TAM YIU-CHUNG  
DR. THE HONOURABLE DANIEL TSE CHI-WAI, O.B.E., J.P.  
THE HONOURABLE ANDREW WONG WANG-FAT  
THE HONOURABLE HAIDER HATIM TYEBJEE BARMA, J.P.  
SECRETARY FOR HOUSING (*Acting*)  
THE HONOURABLE JOHN RAWLING TODD, C.V.O., O.B.E., J.P.  
SECRETARY FOR LANDS AND WORKS (*Acting*)

#### **ABSENT**

THE HONOURABLE HU FA-KUANG, O.B.E., J.P.  
DR. THE HONOURABLE HENRIETTA IP MAN-HING

#### **IN ATTENDANCE**

THE CLERK TO THE LEGISLATIVE COUNCIL  
MR. LI WING

**Papers**

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

*Subject* *L.N. No.*

Subsidiary Legislation:

Births and Deaths Registration Ordinance	
Births and Deaths Registration Ordinance (Amendment of First Schedule) Order 1986 .....	2
Interpretation and General Clauses Ordinance	
Specification of Public Office .....	3
Merchant Shipping (Certificates of Competency as A.B.) Rules 1985	
Merchant Shipping (Certificates of Competency as A.B.) Rules 1985 (Commencement) Notice 1986.....	4

**Oral answers to questions****Registration of young person as voters**

1. MR. SZETO asked (in Cantonese): *Will the Government inform this Council:*

- (i) *in the coming 12 years, how many young persons will reach 21 in age and thus become eligible to be registered as electors;*
- (ii) *according to figures in the immediate past year, what is the registration rate for these young persons; and*
- (iii) *whether the Administration has any plan to reinforce efforts to enhance the registration rate for these young persons?*

CHIEF SECRETARY: Sir, first, the best estimate available from the Census and Statistics Department indicates that 1 018 800 people will reach the age of 21 in the next 12 years. 811 800 of them will have been born in Hong Kong. Thus the number of people in the coming 12 years attaining the age of 21 and qualified as an elector either through having been born in Hong Kong or through having seven years' residence will be somewhere between those two figures, i.e. between 811 800 and 1 018 800.

Second, I cannot provide at present the electoral registration rate for those eligible young persons who became 21 in the immediate past 12 months. The reason for this is that new applicants for registration as an elector are not required to state their exact age. They are only required to declare that they are

over 21 in the year of registration. Having said this we believe that the rate for young persons as a whole is below the overall registration rate of 47 per cent; and this must be a matter for concern.

We are examining the possibility that the application form for inclusion in a register of electors should require the applicants to state their date of birth. This information is not at present included, on the principle that the minimum required information should be sought for the convenience of the applicants and to facilitate compilation of the register.

Third, I appreciate Mr. SZETO Wah's concern that young persons should be encouraged to register. The Government of course is equally concerned that all eligible should be aware of their rights to be registered. To this end publicity campaigns are conducted before each annual period for registration. The civic education in schools and post-secondary institutions also serves to inform and remind young people of their rights to register as electors. The Administration is now considering whether it would be appropriate to send all persons when they reach the age of 21 a letter setting out the facts and procedures in regard to registration as electors.

MR. SZETO (in Cantonese): *In encouraging registration as electors in the past did we have sufficient resources? In order to increase the registration rate of this category of young people, do we need to increase our financial resources?*

CHIEF SECRETARY: So far as I am concerned, Sir, at the moment the resources are adequate but should the officials concerned feel that they need extra resources then I will come to this Council to request funds.

MR. ANDREW WONG: *Does the Government intend to review the age of majority in so far as eligibility for the vote is concerned, for example, by lowering it from 21 to 18?*

CHIEF SECRETARY: No, Sir, I think this question today is about those qualified at the age of 21 and I think this matter which is raised by Mr. Andrew WONG as to whether we are going to consider lowering the age of majority is really a matter which goes beyond this particular question.

MR. LEE YU-TAI: *Sir, has the Government made any efforts to identify the main reasons why more than 60 per cent of registered electors did not exercise the right of voting?*

CHIEF SECRETARY: If I can generalise at this point, Sir, the answer to this question lies in stimulating the voters to come to the polls and exercise their

right to vote and that really relies upon stimulating their interest in the organs for which they are casting their votes and in the activities of the candidates themselves.

MR. YEUNG: Sir, the question that I have in mind is identical to the one asked by my colleague, Mr. Andrew WONG, and has just been answered. Thank you.

MR. MARTIN LEE: *Sir, will it improve the situation if it is declared a holiday on the next polling day?*

CHIEF SECRETARY: We will consider that proposal, Sir.

### **Exchange Fund**

2. MR. LIU asked (in Cantonese): *There is no central bank in Hong Kong but the Exchange Fund administered by Government has played the role of such a bank in regulating the interest rate. As such, will Government inform this Council:*

- (a) the upper limit of the existing Exchange Fund;*
- (b) the composition of the Exchange Fund in terms of foreign currencies at present; and*
- (c) how is the Exchange Fund manipulated to interfere with the interest rate?*

FINANCIAL SECRETARY: Sir, provision for the establishment and management of the Exchange Fund and the employment of its assets in Hong Kong is set out in the Exchange Fund Ordinance. This was enacted in 1935 and was last amended in 1984. I will let Mr. LIU have a copy for he, like so many others, has not got a clear idea of the fund's role. Don't let this be thought that I am in any way critical of this. I should add that I have been a Member to this Council for seven years before I became Financial Secretary and I had no idea about the Exchange Fund whatsoever.

In response to his specific questions and I do seek to help him:

- (a) there is no upper limit to the fund. At present borrowing for the account of the fund is subject to a limit of \$30 billion as determined by this Council;*
- (b) the composition of the fund in terms of foreign currencies is confidential, for it is very sensitive information. Disclosure is against the public interest. It was revealed however in Appendix E of the printed version of the 1983-84 Budget speech that the bulk of the fund was held in US dollars, Deutchmarks, Swiss francs, Dutch guilders, Yen, Sterling and Canadian dollars; and*

- (c) the fund is of course not manipulated. Deposit rates are set by the Hong Kong Association of Banks. The prime rate is determined by individual banks.

I will appreciate that even this may not seem a very helpful response but I have done the best that I can. I will read out section 3(1) of the Ordinance which will perhaps make the position more clear:

'There shall be established a fund to be called "the Exchange Fund" which shall be under the control of the Financial Secretary and shall be used for such purposes as the Financial Secretary thinks fit affecting, either directly or indirectly the exchange value of the currency of Hong Kong and for other purposes incidental thereto. The control of the Financial Secretary shall be exercised in consultation with an Exchange Fund Advisory Committee of which the Financial Secretary shall be ex officio Chairman and of which the other members shall be appointed by the Governor.'

MR. LIU (in Cantonese): *Sir, can I ask how the Administration can increase the value of the fund and why does the Financial Secretary think that we have a misconception of the fund?*

FINANCIAL SECRETARY: Sir, the financial resources of the Exchange Fund come from four principal sources. Firstly the proceeds of all bank notes issued by the note-issuing banks; secondly the proceeds of the issue by the Government of coins; thirdly, money representing the major part of Government fiscal surpluses and fourthly the funds accumulated in the end.

In these circumstances obviously there cannot be an upper limit to the fund. I really don't want Mr. LIU in any way to think that I am critical of the fact that he doesn't understand the fund because as I said I was in exactly the same position as he is.

MR. HUI: *Sir, would the Financial Secretary consider providing interested Members, other than Mr. LIU, a copy of the Ordinance?*

FINANCIAL SECRETARY: Sir, that is one of the easiest supplementary questions that I will ever have to answer. I am delighted to do so, Sir. *(laughter)*

MR. LEE YU-TAI: *Sir, while the composition of the fund is confidential, would the Financial Secretary let this Council know what sort of information is used to determine the composition?*

FINANCIAL SECRETARY: Sir, in my view such disclosures would seriously hamper the ability of the fund to achieve the purpose for which it was established.

MR. CHAM: *Sir, I note that the upper borrowing limit of the Exchange Fund is \$30 billion. In case of a need for borrowing significantly, that is, in significant sums in the market, will the Government be careful not to generate pressure on interest rates and the effects of crowding-out be considered?*

FINANCIAL SECRETARY: Yes. Sir, of course I am in full sympathy with what Mr. Kim CHAM said.

### **Funding arrangements for Trade Development Council**

3. MR. CLYDESDALE asked: *After the new funding arrangements for the Trade Development Council take effect from 1 April 1986, will Government, as a first priority and provided a case is made, make the revenue arising from any excess of the net levy collected from Hong Kong importers and exporters over subventions made to the TDC available to other organisations involved in the development and support of the territory's trade and industry?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, the new arrangements for funding agreed with the Trade Development Council make it possible for any surplus over the sum voted for the TDC in a year, out of revenue from the ad valorem levy in the preceding year, less the cost of collection, to be made available for funding other trade related activities. The Administration has undertaken to consult the TDC on which trade related activities should be financed from this source. Accordingly, the priorities will be determined after consultation with the TDC.

MR. CLYDESDALE: *Sir, whereas the Secretary's answer makes it clear that it is possible for any such surplus to be so utilised, for clarification purposes, could I ask him to advise as to whether such excess or surplus will be made available as a first priority, provided a case is made?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, of course we will consider applications for funding out of public revenue and this will be part of that exercise; as I said we will consult the TDC on those applications.

MR. CHEONG-LEEN: *Sir, besides the TDC, will other well recognised trade-related organisations be consulted as well?*

SECRETARY FOR TRADE AND INDUSTRY: Sir, we are committed to consulting the TDC and no doubt it will be up to this Council to decide, or rather the Finance Committee of this Council to decide, where to vote any money.

### **Water supply for flushing purpose**

4. MRS. NG asked (in Cantonese): *Can Government inform this Council of the actual situation as regards supply of water for flushing toilets—are there any districts where there is a shortage of supply and what remedial measures have been planned by the Government?*

SECRETARY FOR LANDS AND WORKS: Sir, the Government has an on-going programme to supply sea water to the public for flushing of toilets. Where a sea water supply system is available, fresh water from the Government system is usually not permitted for flushing purposes. In areas where a sea water system is planned but not yet constructed, fresh water is used as an interim measure. There are also some premises and some rural areas which have their own independent supply of flushing water, generally from wells.

In general, there is no shortage of flushing water supply from Government sources except in Sai Kung and in some remote villages, mainly in the New Territories. In the case of Sai Kung, the problem will be resolved in about three years when the new water treatment plant at Pak Kong is completed. In respect of villages which are at present beyond the reach of the Government mains system, a programme is in hand to extend supply to many of these areas.

MRS. NG (in Cantonese): *Sir, in some older types of housing estates, for instance Wong Tai Sin and Wang Tau Hom, the public toilets do not have an adequate supply of sea water for flushing and this has given rise to serious hygiene problems. Does the Government have any plan to improve the situation?*

SECRETARY FOR LANDS AND WORKS: I know, Sir, that there was a major problem in the Wong Tai Sin area a year or so ago. At that time additional plumbing facilities were provided. Some of the pipelines were enlarged and the Housing Department carried out improvement to some of the internal plumbing. It appears from what Mrs. Pauline NG said that this has not been entirely satisfactory, and I will ask the Director of Water Supplies to liaise with the Director of Housing and consider whether any further steps are necessary.

MR. CHENG: *Sir, may the Government inform this Council when the implementation of the programme in respect of the villages is expected to commence?*

SECRETARY FOR LANDS AND WORKS: Sir, the programme has in fact already commenced. In the next three years we hope to extend water supplies to a further hundred villages. This will leave approximately 170 others which are



remote and where the cost of supplying water would be very high indeed. We will keep it under review and take the opportunity to link up these villages to the main system as development extends in the New Territories.

### **Labelling of chemicals and harmful substances**

5. PROF. POON asked: *In view of the fact that chemicals/raw materials/reagents used in industries are not required by law to carry material safety data sheets on their containers, will Government inform this Council whether there are plans to introduce legislative measures requiring the display of such data in order to safeguard the health and safety of people who handle these materials?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, there are at present provisions of a general nature in the Factories and Industrial Undertakings Ordinance and its subsidiary regulations protecting workers from harmful substances. Section 7(4) of the Ordinance empowers the Commissioner for Labour to prescribe special precautionary measures in any specific instance. More generally, there are regulations requiring the removal of harmful dust or fumes from the workplace and controlling certain industrial processes involving use of harmful chemicals. Two further sets of regulations, controlling the use of asbestos and certain carcinogenic substances, are at an advanced stage of drafting.

However, given the increasing use of potentially harmful substances in industry, additional regulations along the lines referred to by Professor POON, may well be desirable. The Commissioner for Labour is presently considering the introduction of regulations requiring the identification and labelling of such substances. Under this proposal, information to be clearly shown on the container would include the name of the substance or some other identification, its main properties and notably the harmful ones, possible effects on those coming into contact with it and basic precautionary measures to be taken (for example, ventilation or use of protective equipment).

The commissioner is hoping to put the proposal to the Labour Advisory Board for its consideration in due course.

PROF. POON: *Sir, will the Government inform this Council when the Commissioner for Labour will put the proposal to the Labour Advisory Board for its consideration?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, I think it must be recognised that this is quite a complicated matter. It is very difficult, for example, to define a chemical as after all, water is a chemical. We feel that some solution can be found in our own conditions but extensive consultation with trade associations

and others will be required. It will be the commissioner's hope that regulations should be brought before this Council in 1987.

PROF. POON: *Sir, has the Government got any information as to the extent of industrial accidents arising from the misuse of these potentially harmful or dangerous substances?*

SECRETARY FOR EDUCATION AND MANPOWER: I do not have such figures easily available. I will consult the commissioner as to what can be provided and will so provide it to Prof. POON (Annex I)

MR. SOHMEN: *Sir, while I accept the question and the answer related specifically to the protection of workers handling such harmful substances, there could be adverse effects spilling over onto the general public; will this possibility be duly considered in the deliberation on this matter?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, I think this question is in itself related to use in the industry here. Clearly any labelling that can be achieved under the Factories and Industrial Undertakings Ordinance would itself be beneficial to the public at large. But the issue of labelling products in the field of consumer protection, public health and environmental hygiene, goes rather further than this. Perhaps Mr. SOHMEN might like to ask a further question on another occasion.

### **Provision of infirmary beds**

6. DR. CHIU asked: *In view of the increase of chronic geriatric patients which has caused extraburden to the congestion of public hospital beds, what measures will the Government take to tackle this problem?*

SECRETARY FOR HEALTH AND WELFARE: Sir, the Government is tackling this problem in two ways, by the construction of more infirmaries and by expanding the community nursing service.

Infirmaries are intended to cater for the longer term and chronically ill who would otherwise have to be accommodated in crowded general hospitals. Infirmaries are equipped and staffed to the level of care appropriate to these patients and are therefore less labour-intensive and less expensive to operate. It is thus more cost effective to provide beds for such patients in infirmaries, thereby releasing the acute beds for those who really require them.

Plans are in hand to increase the present total of 1 040 infirmary beds to 3 290 over the next ten years.

The primary purpose of the community nursing service is to reduce pressure on acute hospital beds. The service provides care in the home for patients who

are discharged from hospital after treatment but are still recovering from an acute illness.

In 1984-85, 12 059 patients, of whom 40.5 per cent were elderly, were treated by community nurses and more than 213 000 home visits were made. It is planned to expand the service from the present 45 centres to 60 over the next five years.

DR. CHIU: *Sir, will the Government inform this Council what the operating cost is per bed per day for infirmary as compared with the cost of general hospital beds and what the detailed plans and timetable are of increasing infirmary beds from 1 040 at present to 3 290 over the next ten years?*

SECRETARY FOR HEALTH AND WELFARE: Sir, the average cost per bed per day in an infirmary is estimated to be about \$200. This compares with an average cost in Government acute hospitals of about \$700. The programme for the next ten years to which I referred is briefly as follows: for completion in 1987 115 beds in the Shatin Cheshire Home; in 1988 140 beds in the Pok Oi Hospital extension; in 1990, 530 beds in the new infirmary in Sha Tin; in 1991, 400 beds at Tai Po; 1992, 434 beds at Tsuen Wan; 1993, 200 beds at Wong Chuk Hang; and 1994, 400 infirmary beds in the Kowloon Hospital extension.

MR. HUI: *Sir, other than the infirmaries and community nursing service which can help to relieve the acute hospital beds may I ask the Secretary if care and attention homes help out in this areas as well; if so, can higher priority be given to the building plan of care and attention homes?*

SECRETARY FOR HEALTH AND WELFARE: Yes, Sir, I agree that care and attention homes can play a useful role for those patients who do not need a very high degree of nursing care. I agree too that there is a need to speed up our programme for the construction of care and attention homes and we are endeavouring to do just that.

MRS. CHOW: *Sir, how many geriatric patients are presently occupying hospital beds as a result of desertion by their families? What steps has the Government taken or will take to hold these families responsible to receive the discharged patients?*

SECRETARY FOR HEALTH AND WELFARE: Sir, I am afraid I don't have detailed figures. I think it probably will be very difficult to establish the numbers of this kind of cases but I will do my best and let Mrs. CHOW have a note. It is also very difficult to compel people to leave hospital if it is obvious that they have nowhere satisfactory to go to. Social workers in hospitals do their best in trying to trace their families and in trying to persuade them to accept back elderly people, but this is not always possible and there is very little one can do to compel people to take back elderly patients in these cases. (Annex II)

MR. CHEONG-LEEN: *Sir, in the present circumstances, can an assurance be given by the Secretary that the existing 1 040 beds are fully utilised and occupied?*

SECRETARY FOR HEALTH AND WELFARE: Sir, as far as I am aware they are fully occupied and we will certainly do our best to ensure that they continue to be so.

MR. TAI: *Sir, can the Secretary for Health and Welfare inform this Council when he became aware of the acute problem caused by chronic geriatric patients to public hospitals?*

SECRETARY FOR HEALTH AND WELFARE: This is not a new problem and certainly we were aware of it long before I took up my present post as the Secretary for Health and Welfare.

DR. HO: *Sir, a number of residents in the homes for elderly will need infirmary beds as their health deteriorates. Does the planned provision as referred to in paragraph 3 take this additional need into consideration?*

SECRETARY FOR HEALTH AND WELFARE: Yes, Sir, it does.

DR. LAM (in Cantonese): *Sir, what will be the number of community nurses in future if we were to increase the centres from 45 to 60?*

SECRETARY FOR HEALTH AND WELFARE: Sir, I shall need to make enquiries about the exact number and I shall let Dr. LAM know. (Annex III)

### **Blood transfusion facilities in hospitals**

7. DR. LAM asked (in Cantonese): *In view of the tragic death of a woman in the obstetrical unit resulting from the lack of emergency blood transfusion facilities in the hospital, will the Government inform this Council what remedial plans are in hand to avoid recurrence of similar tragedies in future?*

SECRETARY FOR HEALTH AND WELFARE: Sir, in the case referred to by Dr. LAM, it should be noted that a verdict of 'Death by misadventure' was returned. The coroner did not find that the death was due to a lack of emergency blood transfusion facilities in the hospital.

The coroner did add three riders: first that O negative blood should be available at all hours at the Pok Oi Hospital; secondly, that doctors authorising transfers to another hospital should ensure that the transfer is effected without delay, and thirdly, that transferred patients should be accompanied by full medical records in addition to the doctor's referral note.

The problem with O negative blood is that only about 0.3 per cent of the Chinese population of Hong Kong have this type of blood and only very small quantities are donated by blood donors. It is therefore not practicable to keep supplies of O negative blood in all hospitals. I understand however that in a dire emergency O positive blood, which is always available, can be used even for a patient whose blood is rhesus negative. The second and third riders present no significant difficulty and are in accordance with existing procedures.

DR. LAM (in Cantonese): *Chairman, is the case of 'death by misadventure' in question caused by great loss of blood; if so, what improvement measures will Government take to rectify the situation? If the case of death by misadventure has nothing to do with the loss of blood, then why has the coroner suggested that the hospital in question should have available O type blood for emergency use at all hours?*

SECRETARY FOR HEALTH AND WELFARE: Sir, I am afraid I am not able to interpret the reason for the verdict given by the coroner but I can say that the Pok Oi Hospital does always have supplies of all types of positive blood and that there are also plans to build a new blood bank as part of the ambitious expansion programme which is taking place at the Pok Oi Hospital.

MR. YEUNG: *Sir, with the understanding that O positive blood can also be used for the patient whose blood is rhesus negative, can the Secretary for Health and Welfare clarify whether the first rider stated in his answer does present any significant difficulty and is in accordance with the existing procedures?*

SECRETARY FOR HEALTH AND WELFARE: Sir, as I explained in my earlier answer, it is not practicable to keep O negative blood in every hospital. There are a very very small number of people in Hong Kong who have this type of blood and the number of blood donors therefore of this group is also very small and it would not be practicable for fairly obvious reasons to have very tiny quantities of this blood scattered all over the territory. The practice is that the major regional hospitals all have supplies of rhesus negative blood and the rest of the stock is kept by the Red Cross for despatch to any other hospital which needs it on a particular occasion.

MISS DUNN: *Sir, the Secretary for Health and Welfare referred to the second and third riders being existing procedures. May I therefore infer that existing*

*procedures in respect of the second and third riders were not followed in this case. If so, could he tell us what step has been taken to ensure that existing procedures are taken and secondly whether disciplinary actions are being taken against those who did not follow those procedures in this particular case?*

SECRETARY FOR HEALTH AND WELFARE: Sir, the question of ensuring the transfer is effected without delay is to some extent a matter of opinion, but the instructions which are quite clear to this effect have been reissued and, have been stressed to all doctors in the Pok Oi Hospital. Secondly, I am afraid I am not aware whether full medical records were despatched in this particular case. but certainly the instructions required this to be done and this again has been reiterated by the hospital authorities. As far as I am aware, no disciplinary action is being taken in this particular case.

MR. S. L. CHEN: *Sir, can the Secretary for Health and Welfare confirm or otherwise that the deceased has O negative blood type?*

SECRETARY FOR HEALTH AND WELFARE: Yes, Sir, I understand that the lady in question did not have this type of blood. The problem was the doctor was not sure whether she did or not.

### **Examination of goods vehicles**

8. MRS. FAN asked: *Private cars over six years old are now required to undergo annual inspections. Does Government consider it satisfactory that goods vehicles such as container trucks, which are usually more heavily used and which can cause greater damage and injuries in accidents, are required to be examined annually only from the ninth year onward?*

SECRETARY FOR TRANSPORT: No, Sir. The Government does not consider it satisfactory that goods vehicles less than nine years old are not examined annually.

It is Government's policy objective that all goods vehicles should be examined annually. However, the Transport Department does not have sufficient vehicle examination facilities at present to achieve this, so, in the interest of public safety, priority has been given to the examination of passenger carrying public service vehicles.

The annual inspection of all goods vehicles will be possible within three or four years when a new vehicle examination centre is completed. This project is currently in Category AB of the Public Works Programme.

Meanwhile, in addition to annual inspection of nine-year old goods vehicles, the Transport Department inspects any goods vehicles which appear to be defective or are reported to be in a state of poor repair.

MRS. FAN: *Sir, private cars can undergo inspections in private garages approved by the Government. Will the Secretary for Transport consider similar measures for goods vehicles during the three to four years before the new vehicle examination centre is completed?*

SECRETARY FOR TRANSPORT: Yes, Sir, thank you for that suggestion. The heavier goods vehicles can probably not be examined in those garages because they don't have the necessary equipment, much larger examination pits, heavy lifting equipment and so on. But I do believe it would be possible to extend the privatisation scheme to light goods vehicles and I am discussing that possibility with the Commissioner of Transport now.

MR. SOHMEN: Sorry, Sir. My question would have duplicated Mrs. FAN'S supplementary.

### **Traffic conditions in Cross-Harbour Tunnel**

9. MR. NGAI asked: *Will the Government inform this Council, with the latest available statistics, of the traffic flow conditions in the Cross-Harbour Tunnel since the last toll increase, and whether it considers there has been appreciable improvement and, if it does, whether the improvement has reached its original target?*

SECRETARY FOR TRANSPORT: Sir, as there has been no increase in the Cross-Harbour Tunnel toll since the tunnel opened to traffic in August 1972, I take it that Mr. NGAI Shiu-kit refers in fact to the Cross-Harbour Tunnel Passage Tax imposed in June 1984.

When the Cross-Harbour Tunnel Passage Tax was introduced, the aim was to reduce the volume of traffic by about 10 per cent. In 1983, on average 110 194 vehicles used the tunnel each day. In June, July and August 1984, the three months immediately following the introduction of the passage tax, the daily average was 92 155, 96 670 and 96 436 respectively, an average drop in traffic of 13 per cent.

However, as expected, usage of the tunnel has since then increased steadily. By December 1984 the daily average was 104 198 vehicles, and by November 1985, 106 036 vehicles, which is only 3.8 per cent lower than the 1983 annual daily average of 110 194. It is clear, Sir, that the deterrent effect of the passage tax is wearing off and the situation may be back to pre-passage tax levels before long.

MR. NGAI: *Sir, will the Secretary for Transport inform this Council what suitable measures would be taken to improve the situation and what specific plans the Government has to improve the traffic flow at the entrances and exits of the tunnel on both sides of the harbour?*

SECRETARY FOR TRANSPORT: Sir, the most important measure being taken by the Government is the construction of the second fixed harbour road crossing and that is proceeding as rapidly as possible as Members know. As for the existing tunnel in the interim, obviously we will have to monitor the daily increases in flow and we should have to keep open the option of adjusting the passage tax. There is a certain amount that can be done by improving the traffic management at either side of the tunnel, but at the end of the day, you could only get a certain number of vehicles through that tunnel.

MR. CHEONG: *Sir, would the Secretary for Transport consider the implementation of some electronic device to ease the traffic flow through the Cross-Harbour Tunnel as well as the Lion Rock Tunnel?*

SECRETARY FOR TRANSPORT: Yes, Sir, I will consider such a device. It will help to process vehicles through the toll collection booths. The tunnel company will be consulted, of course, in such an issue, but I repeat. Sir, that even with electronic devices to collect tolls, at the end of the day we can only get a certain number of vehicles through the tunnel.

MR. CHEONG-LEEN: *Sir, as and when the option of adjusting the passage tax should be considered, would consideration be given to having a variation of the amount of the passage tax for peak periods?*

SECRETARY FOR TRANSPORT: Yes, Sir.

MR. MARTIN LEE: *Sir, will the Secretary for Transport kindly confirm to this Council that he does not consider it necessary to increase passage tax as one of his options?*

SECRETARY FOR TRANSPORT: I think I'd like to keep that option open, Sir.

MR. LEE YU-TAI: *Sir, would this Council be informed whether or not the revenue through passage tax has reached the Government's expectation?*

SECRETARY FOR TRANSPORT: Sir, this was never a revenue earning measure. It was a traffic control measure, introduced on transport policy grounds. The Government has collected a substantial amount of revenue through the passage tax.

DR. LAM (in Cantonese): *Sir, the last sentence in the Secretary for Transport's reply is that the deterrent effect of the passage tax is wearing off and the situation may be back to pre-passage tax levels before long. Was he implying that very soon the Government will increase the Cross-Harbour Tunnel Passage Tax?*



SECRETARY FOR TRANSPORT: The answer to that is that we will monitor the amount of traffic going through daily. I said I think we should keep the option open. I am sure Members would not expect me to say when or if ever we would increase that tax.

### **Closure of Hong Kong Students Centre in London**

10. MRS. FAN asked: *In October 1985, the Government announced that the Hong Kong Students Centre in London will be closed in July 1986. In view of the fact that the centre has always been of great help in tiding over temporary accommodation difficulties faced by Hong Kong students receiving education in England, and that it also provides an ideal place for Hong Kong students in England, irrespective of whether they are residing in the centre, to maintain contact with Hong Kong and to keep themselves informed of various developments in Hong Kong, will the Government inform this Council:*

- (a) of the reasons for closing the centre;*
- (b) after closing the centre, whether another place will be set up to provide service to Hong Kong students in England so as to enable them to continue to maintain contact with Hong Kong;*
- (c) what kind of assistance will be provided to Hong Kong students in England with accommodation difficulties; and*
- (d) before deciding to close the centre, whether efforts have been made by the Government to improve the existing service provided by the centre so as to attract more students and maximise its function?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, (a) The decision to close the centre was taken for the following reasons:

- (i) Firstly, it provides only a limited presence, providing accommodation for 90 students in London out of a total of over 12 000 in the United Kingdom as a whole. In order to prevent confusion, I think I should say that 12 000 is all students which include students taking 'O' and 'A' level at various colleges and schools; of that 12 000, about just over 5 500 are what we would call tertiary students.
- (ii) Secondly, the occupancy rate has been decreasing steadily in the past few years due largely to college maintained accommodation being more readily available especially to overseas students; and
- (iii) Thirdly, costs continued to exceed income and the 50 per cent subsidy could not be justified for the small numbers involved. Government subsidy for the centre in the last five years was HK\$6.9 million and the annual running costs are expected to rise further in future years because of the age of the building.

In these circumstances, it is no longer considered justifiable to keep the centre open at this cost to the Hong Kong taxpayer.

(b) It is not intended to set up an alternative to replace the students centre. The need for the centre has diminished because student activities in the United Kingdom are now much more college oriented. The Hong Kong Government Office in London will continue to provide a focal point of contact with the Hong Kong students in Britain.

(c) With the closure of the students centre all Hong Kong students will be in the same position as regards accommodation but they will still be able to approach the Students Division of the Hong Kong Government Office in London for assistance.

(d) In September 1977 major internal alterations were undertaken by the Government to improve the facilities of the Hong Kong Students Centre. When the main part of the work was completed in 1978, the following improvements were achieved;

- (1) Fifteen extra single bedrooms and extra baths and showers were constructed.
- (2) Installation of a new fire precaution system and fire escapes.
- (3) A new reading room with 60 study places.
- (4) A self-catering kitchen and a dining room.
- (5) A new open-plan reception room.
- (6) A new table-tennis room.
- (7) Two new television rooms.

After the alterations, there was an upturn in the occupancy rate from 1978-79 for three years, to be followed by a return to the level before the alterations for two years, and a gradual decline since then.

MRS. FAN: *Sir, has the Secretary for Education and Manpower considered the possibility that the cost of the students centre and the reducing occupancy rate of the centre in recent years may be due to inefficient management rather than the reason he has already given and if so, what action has been taken?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, no evidence has been put to me to substantiate the claims of inefficient management. The running of the students centre has been reviewed fairly regularly and the staffing has been reduced, other than the warden, from 12 in 1981 to nine in this current year.

MR. LEE YU-TAI: *Sir, as the British Government is making half of the contribution to the loan scheme for Hong Kong students who study in British universities, will the Hong Kong Government consider asking the British Government to contribute to the cost of keeping this centre open?*

SECRETARY FOR EDUCATION AND MANPOWER: I think, Sir, we must recognise that Her Majesty's Government is making a very considerable contribution to the joint funding scheme.

MR. SZETO (in Cantonese): *In order to understand the closure of the centre, I have talked to a number of Hong Kong students who have studied in England but have come back to Hong Kong for holiday. They have criticised very severely the management of the students centre. Could you look into this?*

SECRETARY FOR EDUCATION AND MANPOWER: Certainly I will investigate this if this information is passed to me, Sir.

MR. TAI: *Sir, can the Government inform this Council whether the Hong Kong students in England have been consulted about the closure; if so, what is their attitude?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, if by that is meant a general consultation of all Hong Kong students in United Kingdom that of course would be very difficult in practice but Members should be aware that on the advisory committee that advises on the running of the centre, there are two resident student members and the advisory committee has been consulted in 1982 and 1983 and subsequently on this issue.

MR. MARTIN LEE: *Sir, does the Hong Kong Government always employ retired Government servants as the warden in this centre and secondly, the worst average occupancy rate is only 79 per cent; if we were to close everything, with an average occupancy rate of 79 per cent, then there may not be anything left for us to manage. Would the Secretary be good enough to clarify then?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, on the first part of the question, I am afraid I am not aware of the back history of all the previous wardens. I will check for Mr. LEE but it would on the whole seem sensible at least whoever is warden of the centre should have some Hong Kong experience and not just be a resident of United Kingdom. With regard to the second, I think Mr. LEE may be right since one or two hotels might not have to close down on that occupancy rate, but the point here really is that the occupancy rate is not sufficient to sustain the income to keep the subsidy at 50 per cent.

MR. LEE YU-TAI: *Sir, will the Secretary for Education and Manpower inform this Council whether the number of Hong Kong students seeking further studies in the United Kingdom is increasing or decreasing in recent years if a trend can be established from available statistics?*

SECRETARY FOR EDUCATION AND MANPOWER: I can't answer that in detail off hand but I have recently seen the figures of the joint funding scheme which tend to indicate they rose steadily until last year. The applicants for the scheme this

year were about the same but I think one must bear in mind it is almost certain that the increasing value of the UK pound in relation to Hong Kong dollar almost certainly had some deterrent effect although I am afraid I couldn't quantify that.

MRS. FAN: *Sir, at present the students centre is used by students in London and in other places in the United Kingdom who do not reside there. They use it as a meeting place and as a place where they maintain contact with Hong Kong. Since the Secretary states in his answer that it is not intended to set up an alternative to replace the students centre and in fact the Hong Kong Government Office in London will provide the focal point, may I ask the Secretary whether the Hong Kong Government Office will also provide accommodation for meetings for these students and for them to hold social activities and so on?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, I think that really is a matter for the Commissioner of the London Office. I will certainly put this point to him when he visits us shortly. I should perhaps say the evidence available to me indicates that apart from the casual use of the centre there is only one group that meets there regularly only once a week, so use may not be quite so intensive as Members may feel.

## **Statement**

### **Draft Hong Kong (British Nationality) Order 1986**

THE CHIEF SECRETARY: Sir, at the last meeting of this Council on 8 January Miss DUNN asked if it would be possible for me to give a report on the progress of the deliberations by Her Majesty's Government on her motion on the draft Hong Kong (British Nationality) Order 1986. Sir, as Ministers made clear during the debates on the Hong Kong Bill last year, the purpose of the parliamentary debate on 16 January is to listen to views expressed in Parliament on the draft Order. Until this debate has taken place and Ministers have taken all the views expressed in that debate, and Miss DUNN's letter, into consideration it is not possible for me to make any intermediate statement at this stage. It will, of course, be our intention to inform this Council as soon as the response is received from Her Majesty's Government.

## **Government Business**

### **Motion**

#### **Legal Aid Ordinance**

THE CHIEF SECRETARY moved the following motion: That section 5 of the Legal Aid Ordinance be amended by deleting '\$1,500' and substituting the following—

'\$2,200'.

He said: Sir, I beg to move the resolution standing in my name under section 7(1) of the Legal Aid Ordinance, the effect of which is to increase the limit of disposable income for eligibility for legal aid in civil and criminal cases from \$1,500 to \$2,200 per month.

This is an interim measure pending the report of the Legal Aid Working Party and public consultation thereon, which is planned to commence within the next two months. The purpose of this increase is to set a figure which fully reflects inflation as indicated by the Consumer Price Index (CPA (A)) since the introduction of legal aid in 1966, and to ensure that those of limited means will continue to be provided with the opportunity for legal representation in our courts.

A revised scale of contributions towards an aided person's own legal costs and based upon the new limit of disposable income will be brought into effect contemporaneously.

Members of this Council in Finance Committee have approved the necessary financial provision consequent on the passage of this resolution.

Sir, I so move.

*Question put and agreed to.*

Valedictory to Mr. LI Wing (Clerk to the Legislative Council)

HIS EXCELLENCY THE PRESIDENT: Hon. Members may wish to know that this is the last meeting at which the Clerk to the Council, Mr. LI Wing, will be in attendance, and I'm sure that all hon. Members would want me to thank him for all the work he has done in these last months since he joined us and to wish him the very best of success in his future career.

### **Adjournment and next sitting**

HIS EXCELLENCY THE PRESIDENT: In accordance with Standing Orders I now adjourn the Council until 2.30 pm on 22 January 1986.

*Adjourned accordingly at twenty-four minutes to Four o'clock.*

*Note:* The short titles of motion/bills listed in the Hansard Report have been translated into Chinese for information and guidance only; they do not have authoritative effect in Chinese.

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## WRITTEN ANSWER

### Annex I

**Written answer by the Secretary for Education and Manpower to Prof. POON'S supplementary question to question No.5.**

The Labour Department does not in fact collect separate statistics of accidents in this precise category, but available figures indicate that there were about 400 accidents of varying degrees of seriousness in 1984 resulting from contact with corrosive substances and 13 from contact with toxic chemicals. Comparable figures for 1985 are not yet available. To put these in perspective the total number of industrial accidents reported in 1984 was about 53 000.

### Annex II

**Written answer by the Secretary for Health and Welfare to Mrs. CHOW'S supplementary question to Question No.6.**

On the basis of a survey conducted a number of years ago, it is estimated that between 2 000 and 2 500 chronically ill patients (including the elderly) who could be cared for in care and attention homes, infirmaries, or their own homes are treated in acute hospitals annually. However, no statistics are available on the number of such patients who have been deserted by their families.

It is intended to conduct a survey in the near future to update the information relating to this problem. The data derived from the proposed survey will serve as a useful guide in the planning of future services for the elderly.

### Annex III

**Written answer by the Secretary for Health and Welfare to Dr. LAM'S supplementary question to Question No.6.**

By 1991 it is planned to have a total of 60 community nursing service centres in the Government and subvented sectors at which time it is estimated that 300 nurses will be employed in the service.

