

OFFICIAL REPORT OF PROCEEDINGS

Wednesday, 5 February 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 HU FA-KUANG, O.B.E., J.P.

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.

DR. THE HONOURABLE HENRIETTA IP MAN-HING, J.P.

THE HONOURABLE CHAN NAI-KEONG, C.B.E., J.P.

SECRETARY FOR LANDS AND WORKS

THE HONOURABLE CHAN YING-LUN, J.P.

THE HONOURABLE MRS. RITA FAN HSU LAI-TAI, J.P.

THE HONOURABLE MRS. PAULINE NG CHOW MAY-LIN, J.P.

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

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

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 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 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 EDWARD BARRIE WIGGHAM, J.P.
SECRETARY FOR DISTRICT ADMINISTRATION (*Acting*)

THE HONOURABLE PANG YUK-LING, I.S.O., J.P.
SECRETARY FOR HOUSING (*Acting*)

ABSENT

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

THE HONOURABLE THOMAS CLYDESDALE

THE HONOURABLE DAVID LI KWOK-PO, J.P.

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL

MR. LAW KAM-SANG

Papers

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

<i>Subject</i>	<i>L.N.No.</i>
Subsidiary Legislation:	
Dangerous Goods Ordinance.	
Dangerous Goods (Shipping) (Amendment) Regulations 1986-----	17
Public Health and Urban Services Ordinance.	
Pleasure Grounds (New Territories) (Amendment) Regulations 1986-----	18
Immigration Ordinance.	
Immigration (Places of Detention) (Amendment) Bill 1986 -----	22
Juvenile Offenders Ordinance.	
Places of Detention (Juvenile Offenders) Appointment (Consolidation) (Amendment) Order 1986 -----	23
Juvenile Offenders Ordinance.	
Places of Detention (Juvenile Offenders) Appointment (Consolidation) (Amendment) (No. 2) Order 1986-----	24
Protection of Women and Juveniles Ordinance.	
Protection of Women and Juveniles (Places of Refuge) (Amendment) Order 1986--	25
Protection of Women and Juveniles Ordinance.	
Protection of Women and Juveniles (Places of Refuge) (Amendment) (No. 2) Order 1986 -----	26
Registration of Persons Ordinance.	
Registration of Persons (Application for New Identity Cards) (No. 2) Order 1986---	27
Juvenile Offenders Ordinance.	
Remand Home (Amendment) Rules 1986 -----	28
Juvenile Offenders Ordinance.	
Remand Home (Amendment) (No. 2) Rules 1986-----	29
Kowloon-Canton Railway Corporation By-Laws 1985.	
Kowloon-Canton Railway (Restricted Area) Notice 1986-----	30
Travel Agents Ordinance 1985.	
Travel Agents Ordinance 1985 (Commencement) Notice 1986 -----	31

Sessional Papers 1985-86:

No. 38—Public Accounts Committee Report No. 8—January 1986

No. 39—Li Po Chun Charitable Trust Fund—Annual Report for the period 1 September 1984 to 31 August 1985

No. 40—Trustee's Report on the Administration of the Education Scholarships Fund for the year ended 31 August 1985

No. 41—Traffic Accident Victims Assistance Fund—Annual Report by the Director of Social Welfare Incorporated for the year from 1 April 1984 to 31 March 1985

Oral answers to questions

Legal age

1. MR. LIU asked (in Cantonese): *Will the Government inform this Council of the progress in relation to the deliberations of the Law Reform Commission on the lowering of the legal age from 21 to 18?*

ATTORNEY GENERAL: Sir, in January 1983 the Chief Justice and the Attorney General referred the matter of the age of majority to the Law Reform Commission and invited its views in several areas of the law where minimum ages are stipulated for young persons.

A sub-committee of the commission under the chairmanship of the hon. David K. P. LI considered the subject thoroughly.

As part of its work it undertook a survey of public opinion on the age at which young people should be able to acquire various rights and responsibilities, for example, the right to marry, make a will, give valid consent to medical treatment and purchase real property and stocks and shares. In April 1983 questionnaires were sent to 206 organisations, such as schools, welfare agencies and student and youth groups, and to individuals in close day-to-day contact with young people. After detailed analysis and consideration of 1 580 completed responses, the sub-committee reported to the commission in October 1985 with its views.

I expect the commission's report to be published in April 1986 under the title of 'Young Persons—Effects of Age in Civil Law'. It will, in the usual way, be sent to the Government to decide whether to implement any of the report's recommendations.

MR. LIU (in Cantonese): *Sir, the Companies (Amendment) Ordinance enacted last year stated that a director must be over 21 in order to manage a company effectively and to protect the interest of shareholders. I would like to ask, after*

you have lowered the legal age to 18, whether there will be a contradiction between the revised legal age and that stated in the Companies Ordinance.

ATTORNEY GENERAL: Sir, I understand from the chairman of the Law Reform Commission who is a usually reliable source of information that the commission has not yet completed its report and hon. Members would understand that it would not be right for me to anticipate what that report may contain and it may well contain recommendations in this area. Sir, I suggest that we should be patient until the report is available.

MR. PETER C. WONG: *Sir, I presume that the Attorney General would be giving the same answer, my question is: whether or not the sub-committee has reached a decision to lower the age from 21 to 18?*

ATTORNEY GENERAL: Sir, when I am asked about the age, there are different ages in different areas of the law and each one has been considered specifically by the commission which is now reviewing the work of the sub-committee. But I think I should take my stand as I did on the last answer; the commission has still not completed its report, and I think it will be wrong for me to anticipate what it may contain.

MR. PETER C. WONG: *Sir, will the Attorney General agree that it will cause confusion if we will have different ages for different matters or areas?*

ATTORNEY GENERAL: Sir, I think that the law may be different for different areas of human activity. The correct age for one activity may be different from the correct age in a different activity and it is for that reason that the commission has, through a sub-committee, look into the law, in a whole series of different contexts and try to recommend the correct age for each area of the law.

Ramps at footbridges and subways for disabled

2. MR. POON CHI-FAI asked (in Cantonese): *The Government's current policy is to build ramps as far as possible at all pedestrian footbridges and subways to be constructed for the use of the physically handicapped. Will Government inform this Council:*

- (a) *what are the approximate average differences in construction costs and land use ratio between footbridges and subways with ramps and those with only ordinary staircases;*
- (b) *what is the usage rate of the two pedestrian footbridge systems across Mody road and Salisbury Road in Tsim Sha Tsui East by the physically handicapped; and*

- (c) *will it be more beneficial to the physically handicapped and will the costs incurred be smaller if footbridge or subway systems with ramps are only built at those residential and industrial areas with a large number of physically handicapped people and adequate rehabilitation bus services are provided to take them directly to their destinations, rather than providing ramps for all footbridges and subways?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, taking these questions seriatim:

- (a) A footbridge with ramps is about 130 per cent more costly than a footbridge with staircases. A subway with ramps is about 40 per cent more costly than a subway with staircases. The average, I stress average, land use ratio for a footbridge with ramps is about 310 per cent higher than a footbridge with staircases. And the average land use ratio for a subway with ramps is about 260 per cent higher than a subway with staircases.
- (b) There is no available data on this usage rate to these footbridges.
- (c) In common with many other cities, the rationale for constructing ramps for all footbridges and subways provides for the principle of equal accessibility for all sectors of the population. It is our policy to provide ramped access wherever there are footbridges or subways, unless there are overriding reasons for not doing so. I would see transport services for the disabled being complementary to ramped footbridges and subways, rather than a substitute. The Government in general supports the current efforts being made to render Hong Kong more accessible to everyone.

MR. POON CHI-FAI (in Cantonese): *As our resources are limited and as it is more costly to build subways and bridges with ramps, which can be seen very clearly from the percentages quoted, I wonder if the Government will reconsider only building bridges and subways with staircases since the demand may not be really that high in certain areas.*

SECRETARY FOR EDUCATION AND MANPOWER: I appreciate that these facilities are heavy on resources but I do think we should bear in mind that ramps are used by many other people apart from the purely physically disabled; elderly with health problems, recovered heart attack patients and young children with push chairs and many others use these ramps; so it is not meaningful, I think, to relate their usage only to the disabled.

Tender invitation to public works contractors

3. MR. CHENG asked: *Recently there has been an increasing number of overseas contractors being awarded contracts by Government to carry out building and engineering works which are worth hundreds of millions of dollars and which can well be undertaken by local contractors. In the interests of local contractors, will*

the Government restrict its invitation to tender for public works to local contractors in appropriate instances?

SECRETARY FOR LANDS AND WORKS: Sir, under the current Government policy, tenders for public works contracts worth less than \$15 million and term maintenance contractors are restricted to local contractors. However, I should add that this policy was not adopted for the purpose of protecting the interests of local contractors, but rather that it was thought that major overseas contractors, because of the nature of their operation, would not be appropriate for such small scale contracts.

In respect of Government contracts worth more than \$15 million, both local and overseas contractors are normally allowed to tender so long as they are in the appropriate categories of the Lands and Works Branch approved lists of contractors. In awarding these contracts, the main considerations are, *inter alia*, the level of tender prices, the financial, technical and management capabilities of the contractors to complete the contract and the past and present performance of the contractors. It is based on these criteria, and not the local or overseas status of the contractor, that Government contracts are awarded.

MR. CHENG: *Sir, may this Council be advised of the present situation in the registration of overseas contractors and whether there is any indication of further increase in the number of contractors seeking such registration?*

SECRETARY FOR LANDS AND WORKS: There has not been any sudden increase in applications for entry into the list of overseas contractors recently. The trend has been very steady in the last year or two.

MR. HO: *May this Council be informed whether there is a tendency that some overseas contractors are seeking inclusion in the local contractors' list, i.e., list I in which contractors can perform works under \$15 million. If there were such a tendency, what would be the Government's attitude?*

SECRETARY FOR LANDS AND WORKS: Sir, to my knowledge there is no such tendency but if there should be such applications from overseas contractors to come on to the local list then our reaction would be this. By definition, being overseas contractors, they would have their main presence and head offices outside Hong Kong and therefore we would not normally entertain such applications unless that firm changes its status and becomes a local firm and then the rules that apply to the entry of local firms into the local list would then operate.

Training of speech therapists

4. MR. HUI asked: *It is understood that Government plans to start a training centre for local speech therapists in 1988. Will Government inform this council*

what progress has so far been made and whether the training course will actually be implemented in 1988 as stated?

SECRETARY FOR EDUCATION AND MANPOWER: Sir, I confirm that the Government has asked the University and Polytechnic Grants Committee to consider the establishment of a local speech therapy course as a long-term solution to meeting the shortfall of speech therapists. I am now pleased to inform the Council that the University and Polytechnic Grants Committee has very recently asked the University of Hong Kong to start a degree course in speech therapy. The university has also been asked to consider the starting date and initial student intake in relation to the availability of an adequate number of suitable clinical placements. I am hopeful that the course will commence as early as possible in the 1988-91 triennium.

MR. HUI: *Sir, the earliest possible date for commencement of the course will be 1988. In consideration of the vast and long outstanding shortfall of speech therapists, (the Government recognised the shortfall to be 160 and there are only 17 serving speech therapists) what measures will the Government take to help ease the situation during the interim period*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, in the absence of local degree courses for speech therapists the Government has been sending students for training overseas. In 1985-86 six trainees have been sent by Government. There are a total of 19 undertaking such overseas training at present. In addition there are 18 scholarships available to the aided sector for the training of speech therapists: 12 by the Government and six by the Royal Hong Kong Jockey Club. I would anticipate that this scheme will continue until a satisfactory outflow from local institutions.

DR. CHIU: *Sir, in view of the large number of patients suffering from strokes, brain disease, cleft palate and cancer of larynx and so on and speech therapy services being in great demand will the Government inform this Council of the following:*

- (i) how many speech therapists are working in the Medical and Health Department;*
- (ii) are there any definite plans for expanding the speech therapist service; and*
- (iii) will the proposed course train up fully qualified speech therapists for both medical and education fields?*

SECRETARY FOR EDUCATION AND MANPOWER: I think, Sir, that really is a rather detailed question and I think it would probably be better for me to reply in writing with the detailed plans of the various departments. (Annex I)

MR. YEUNG: *Sir, in the light of the nature of the vocational training of speech therapists, can Government inform this Council whether and why from the financial and operational point of view, it is not advisable to establish such a course in a polytechnics instead of a university?*

SECRETARY FOR EDUCATION AND MANPOWER: The recommendation for this particular course to take place at Hong Kong University was the recommendation of the University and Polytechnic Grants Committee. At this time, I should perhaps make clear that there is no bar to either or both the polytechnics putting forward proposals for implementation in the 88/91 triennium in the proposals to go forward for the triennium towards the end of this year.

Assistance for Hong Kong students studying overseas

5. DR. LAM asked (in Cantonese): *Will the Government inform this Council of:*

- (a) the number and major destinations of Hong Kong overseas students, of secondary and/or post-secondary education, in the last three years; and*
- (b) the types of services provided to these overseas students and the amount that the Government spent each year in helping them?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, the Government does not require students intending to study overseas to keep it informed of their movements and we are largely dependant on statistics of student visas issued by consulates and high commissions.

According to available statistics for the three years 1982-83 to 1984-85, some 10 950 Hong Kong students of secondary and/or post-secondary education left to study in the United Kingdom, 10 070 to Canada, 5 990 to the USA and 1 660 to Australia. These are the major destinations for Hong Kong students, although small numbers are also known to be studying in New Zealand, Netherlands and West Germany and elsewhere. The actual numbers studying in the major destinations is almost certainly higher than the figures given.

The Government provides advice and information to Hong Kong students going overseas to study. The Overseas Students and Scholarships Section of the Education Department provides free counselling service and organises seminars for students and their parents on education in other countries. Advice and guidance are provided on how to select courses and institutions. There is also a reference library from which students might seek information themselves. The section also publicises scholarships donated by other governments or organisations for studies overseas. Applications by Hong Kong students to colleges of further education in the United Kingdom are processed by the section. Hong Kong students in the United Kingdom can also seek advice and assistance from the Student Adviser and his assistants at the Hong Kong Government Office in London.

In addition to advice and information, financial assistance is available to Hong Kong students on first degree and higher national diploma courses in Britain. As Members may be aware, the scheme is jointly funded by Her Majesty's Government and the Hong Kong Government on a dollar-for-dollar

basis. It was established in 1983 for Hong Kong students who might require financial assistance as a result of the introduction of differential fees for local and overseas students in Britain with the latter having to pay full-cost-fees. The scheme is means-tested. In 1984-85, 1 327 students were offered grants averaging £2,530 per student. The total amount of grants approved was £3,357,025, of which 50 per cent is borne by the Hong Kong Government and 50 per cent by the United Kingdom Government. In addition, interest-free loans are in certain circumstances made available to Hong Kong students proceeding to United Kingdom. These are funded solely by the Hong Kong Government and in 1984-85 were offered to 22 applicants who were too late to qualify for grants.

The cost of operating the services provided by the Overseas Students and Scholarships Section, the joint United Kingdom-Hong Kong funding scheme and the Students Division of the Hong Kong Government Office in London in the current financial year is about \$4.2 million.

DR. LAM (in Cantonese): *Sir, since there are more students going to the USA and Canada than the United Kingdom, would you consider providing financial assistance for studying in other countries than the United Kingdom in order to be fair to everybody?*

SECRETARY FOR EDUCATION AND MANPOWER: *Sir, there is no current plan for financial assistance scheme for Hong Kong students in countries other than the United Kingdom and a joint funding scheme was established because Hong Kong has a special link with Britain and because Her Majesty's Government has agreed to fund it jointly.*

MR. LEE YU-TAI: *Would Government give an estimate of the total amount of money spent each year by Hong Kong students studying overseas and may this Council be advised whether or not additional opportunities would be made available locally particularly at the tertiary level so as to minimise the necessity for overseas studies?*

SECRETARY FOR EDUCATION AND MANPOWER: *Sir, I think that would be a very considerable work of computation if you really mean what all the students have spent while they are abroad. I will see what can be determined in relation to direct expenditure and indirect expenditure on living expenses and so on. I think it would be too great a task. (Annex II)*

MR. SOHMEN: *Sir, could the Secretary for Education and Manpower advise whether the Government has any information on the size in monetary terms of private scholarships made available by Hong Kong from Hong Kong sources to Hong Kong students studying overseas?*

SECRETARY FOR EDUCATION AND MANPOWER: Sir, there is a considerable amount of information available on this and it is available in the Students Advisory Service in the Education Department but it is not conveniently summarised anywhere but I will see what I can put together and communicate it to Mr. SOHMEN. (Annex III)

MRS. FAN: *Sir, can the Secretary inform this Council how many students make use of the free counselling service offered by the Overseas Students and Scholarship Section last year and how many seminars were organised for the students and their parents on education in other countries and how were these students and their parents notified of these seminars?*

SECRETARY FOR EDUCATION AND MANPOWER: It seems to be another of those immense statistical questions. I would provide what information I can to Mrs. FAN (Annex IV).

MR. CHEONG: *Sir, could the Secretary inform this Council, in the light of the United Kingdom Government and Hong Kong Government having to grant assistance because of the cost differential scheme, whether this commitment is an open-ended commitment or whether there are any years in which this particular scheme would end?*

SECRETARY FOR EDUCATION AND MANPOWER: The current position, Sir, is that it is a cash limit scheme; it is renewed from year to year but we are guaranteed that any student once in the scheme will be funded for the full three years of his degree course.

Control of New Territories exempt houses

6. MR. LAI asked: *An undertaking was given by the Director of Lands in November 1983 to initiate the amendment of legislation to include village type houses with a height of 8.23 m (27 ft) to be exempted from the Buildings Ordinance. In view of the lapse of more than two years can the Administration advise this Council the present position in respect of this legislative amendment?*

SECRETARY FOR LANDS AND WORKS: Sir, the proposal to relax the height limit of New Territories exempt houses to 8.23 m (27 ft) is part of a package of proposals to be incorporated in a Bill to replace the existing Buildings Ordinance (Application to the New Territories) Ordinance and its subsidiary legislation. The Bill will also seek to provide better statutory control over the development of New Territories exempt houses to improve their safety by imposing better control over site formation and drainage works, specifying the thickness of party walls of small houses built in pairs, and defining terms such as 'height' and 'roofed over area'. It will also empower the Director of Lands to exempt, *inter alia*, structures built by *bona fide* organisations for community

use from having to go through the standard procedures under the Buildings Ordinance.

The Bill is now in the final drafting stage and is anticipated to be submitted to the Executive Council in April for enactment within the current session of this Council.

MR. LAU (in Cantonese): *Sir, can the Government inform this Council how they tackle the already completed village houses that are over 25 ft but under 27 ft? Regarding the newly constructed ones that are 27 ft high that comply with safety measures, will the Government issue certificate of compliance for these structures?*

SECRETARY FOR LANDS AND WORKS: Sir, for those existing houses built already which are over 25 ft in height but under 27 ft, they, of course, contravene the present legislation and the way we deal with them is that we do give a letter of toleration for such buildings but it will be subject to a payment of a penalty. As to the question of certificate of compliance, of course, this again cannot be given because the building contravenes the Buildings Ordinance. Again it will be covered by the letter of toleration.

MR. TAI: *Sir, could the Government inform this Council of the following points: As regards the statement just made relating to improvement of the safety by imposing better control over site formation, drainage work and so on, do the Government consider that the present exempted houses erected are not up to the expected safety standard or to the satisfaction of the Government? The second point is that is the control in the form of a building licence with all the terms and conditions incorporated sought by the Government sufficient to deal with the situation? The last point is has any consultation been carried out with the Heung Yee Kuk relating to the control of the exempt houses?*

SECRETARY FOR LANDS AND WORKS: Sir, from experience, we have found that site formation works and drainage works constructed purportedly under the small house policy had given rise to problems because they were not designed and checked and approved by professional engineers or architects. So the proposal in the Bill submitted to the Executive Council in April is that such works will not be exempted from the main Ordinance. They will be required to be designed and plans to be submitted by an authorised person and thereafter to be checked and approved by the BOO. The second point is control by a licensing system under the Bill as proposed by Mr. TAI, but my answer to the first point really covers that and the control will be through the main Ordinance. The third point by Mr. TAI is whether these measures have been the subject of consultation with the Heung Yee Kuk. The answer is yes.

Entry permits for visitors from Eastern European countries

7. MR. SOHMEN asked: *Will Government inform this Council whether the grounds for denying entry permits (except in special circumstances) to bona fide tourists or businessmen wishing to visit Hong Kong from countries of Eastern Europe are still valid, and if not, whether a more liberal policy will be applied in future?*

ATTORNEY GENERAL: Sir, I confirm that the grounds for denying entry permits to applicants from Eastern European countries are still valid. These grounds are reviewed from time to time, most recently in August 1985. However, there are at present no proposals for any change.

MR. SOHMEN: *Sir, in the light of the uncharacteristic brevity of the Attorney General's reply, my supplementary question may be a bit inappropriate, but I wonder whether the Attorney General could confirm that the admission policy cannot even be changed from one of total blanket prohibition with a few exceptions to one where consideration is given to granting or denying visa applications on a case-by-case basis as is done in most other countries, bearing in mind that my original question specifically refers to bona fide visitors and Hong Kong is an international commercial centre?*

ATTORNEY GENERAL: Sir, as I said these matters were reviewed as recently as August 1985 involving all Secretariat branches and departments concerned and the existing policy was then re-confirmed. Mr. SOHMEN'S observations will no doubt be borne in mind when the matter is next reviewed.

MISS DUNN: *Sir, is the Government aware that this policy has had the effect of deterring trade between Hong Kong and the Eastern bloc countries?*

ATTORNEY GENERAL: Sir, if there is evidence to support that proposition then I would suggest it should be put in more detailed and specific form. In Hong Kong, each case is considered on its merits by a Visa Committee which includes a representative of the Trade Department to offer advice on business applications.

MR. PETER C. WONG: *Sir, is the Attorney General prepared to reveal how many applications were approved in 1985?*

ATTORNEY GENERAL: Sir, the answer is no, and the reason for that is the Hong Kong Government itself receives only a small proportion of the total applications. The vast majority are handled in the originating country.

MR. LEE YU-TAI: *Sir, is it true that people from Yugoslavia are not denied entry permits to Hong Kong?*

ATTORNEY GENERAL: Sir, I shall have to make enquiries about people in Yugoslavia. My answer was intended to apply generally to East European applications. (Annex V)

Facilities for the mentally ill

8. MR. LEE YU-TAI asked: *Would Government provide statistics on mental diseases in the last three years and advise this Council whether or not existing medical facilities are adequate to cope with the situation?*

SECRETARY FOR HEALTH AND WELFARE: Sir, the most common mental diseases in Hong Kong are schizophrenic psychosis, affective psychosis, neurotic disorders, personality disorders and paranoid states.

The total numbers of psychiatric in-patients treated in public hospitals in the years 1983, 1984 and 1985 were 6 276, 7 036 and 7 083 respectively. The number of new patients seen in psychiatric out-patient clinics in the same years was 4 280, 4 377 and 4 394.

The Government has adopted an integrated approach to the care of the mentally-ill. Preventive, curative and rehabilitative services are provided in the form of health education, out-patient and in-patient facilities, day hospitals, psychiatric community services and after-care facilities.

While existing facilities are considered to be generally adequate to cope with the present situation, plans are in hand to augment and improve the services for the mentally ill.

MRS. NG (in Cantonese): *Sir, I am very pleased to learn that the Government has plans to augment and improve services for the mentally ill. Can the Government inform this Council whether the after-care facilities provided include job orientation so that they can be assimilated back into society?*

SECRETARY FOR HEALTH AND WELFARE: Yes, Sir, there are a large number of sheltered workshops which do provide work and job training for ex-mentally ill patients. As Members may know there has been difficulty sometimes in setting up half-way houses which also provide similar facilities in some of our housing estates. I am glad to say I understand that the situation is now improving and the Commissioner of Rehabilitation hopes to go ahead with this programme very shortly.

MR. HUI: *Sir, I think the Secretary has partly answered my question, but I still want to know, apart from medical services for mentally ill patients, whether the situation regarding comprehensive rehabilitation services including employment, housing and other after-care services is satisfactory. If not, what plans does the Government have to ensure the total rehabilitation for mentally ill patients in order to maximise the medical care provided?*

SECRETARY FOR HEALTH AND WELFARE: Sir, there are shortfalls in some of these after-care services also. But there are plans within the rehabilitation programme plan to improve the situation. At present there are 1 220 sheltered workshop places and it is planned to increase that number by 2 460 by about 1991. And one particular area where at present there is no provision is long stay care homes for the chronically mentally ill. But 600 such places are planned to come on stream by 1991.

MISS DUNN: *Sir, my question has been answered but I want to ask another one. (laughter) Sir, would the Government agree that the statistics that the Secretary just provided are really not a reliable indication of the number of people in Hong Kong who may require psychiatric or counselling service. If so, is there a way by which an assessment can be made on the extent of the problem in Hong Kong?*

SECRETARY FOR HEALTH AND WELFARE: Sir, the rehabilitation programme plan is a very comprehensive document which I may say is the responsibility of the Secretary for Education and Manpower. But I think I will try my best to answer it on his behalf. It does analyse, given the best information available, the need for the various types of rehabilitation services including those for the mentally ill. We may not be perfect, Sir, but I think we do our very best to ensure that we do know what is required and do our best to provide it.

DR. CHIU: *Sir, will the Government further provide data on:*

- (1) the occupancy rate and the ratio of doctor to patient in the two major psychiatric hospitals, namely, the Castle Peak Hospital and the Kwai Chung Hospital; and*
- (2) the total number of referrals for assessment from courts, probation officers, police, social security appeal board and various compensation boards in the past year?*

SECRETARY FOR HEALTH AND WELFARE: Sir, I did bring quite a lot of statistics with me, but I fear I don't have these two particular ones but I will do my best to provide Dr. CHIU with an answer. (Annex VI)

DR. LAM (in Cantonese): *Sir, can the Government inform this Council whether there are cases of mentally ill persons who have been rehabilitated but have become ill again and resulted in certain accidents? And in connection with the Castle Peak Hospital, it seems that the recurrence of illness of patients discharged from that institution is 50 per cent higher than other institutions. Is the Government planning to strengthen its community services provided for these patients?*

SECRETARY FOR HEALTH AND WELFARE: Sir, I am afraid that there will always be some relapses in these cases and all I can say is that the total situation including these problems is taken into account in planning future provision.

DR. HO: *Sir, I understood there are some difficulties encountered in putting up half-way houses for the ex-mental patients, but I still want to know: firstly, what is the progress of building such half-way houses so far and secondly, how many half-way houses are planned to be built in the next five years and where?*

SECRETARY FOR HEALTH AND WELFARE: *Sir, I have already referred to the difficulties that have been experienced in some of the housing estates due to some perhaps understandable local opposition. There has been over the last year or so extensive publicity trying to counter these problems and I am very glad to say that it does seem to have borne fruit and the programme is now about to go forward. I do not have the specific statistics that Dr. Ho has asked for, but I will provide him with a note. (Annex VII)*

MR. CHEONG-LEEN: *Sir, could consideration be given to either providing some form of mobile service or outreach service for street sleepers who may be suffering from mental problems; and could the co-operation of the district boards be enlisted in providing information in this respect at the district level?*

SECRETARY FOR HEALTH AND WELFARE: *Sir, I believe that a number of welfare agencies do have outreach programmes that go out and visit the street sleepers particularly those with mental problems to see what help can be provided. I am also aware that the district boards have taken a very helpful interest in this particular problem.*

MR. LEE YU-TAI: *Sir, has any research been done to identify major causes for mental diseases and have preventive measures been taken?*

SECRETARY FOR HEALTH AND WELFARE: *Sir, as I said there are preventive programmes as part of our total package of services to help the mentally ill and I am afraid I do not have details of those with me, but will try to provide Mr. LEE with a note. (Annex VIII)*

MR. MARTIN LEE: *Sir, does the Government intend to provide free psychiatric examination to Members of this Council from time to time? (laughter)*

SECRETARY FOR HEALTH AND WELFARE: *Sir, like all other citizens of Hong Kong hon. Members are entitled to go along and join the queue at the clinics. (laughter)*

MR. YEUNG: *Sir, will the Government clarify in order of preference the relative numbers of patients suffering from the most common mental diseases mentioned in the answer and whether there are enough specialists at present to deal with the situation?*

SECRETARY FOR HEALTH AND WELFARE: *Sir, this is one of the sets of statistics which I do have. (laughter) For 1984, as I mentioned in my original answer,*

7 036 in-patients were treated. Of these, 4 201 (59.7 per cent) suffered from schizophrenic psychosis and 783 (11.1 per cent) from affective psychosis; 295 (4.2 per cent) from paranoid states, 236 (3.4 per cent) from neurotic disorders and 146 (2.1 per cent) from personality disorders. There are, amongst staff of the hospitals, consultants, specialists and other doctors who are capable of treating all these types of psychiatric problems.

Traffic arrangement in Lion Rock Tunnel

9. MR. CHEUNG asked (in Cantonese): *Will Government inform this Council:*

- (a) *at what time at night does it close one of the tubes of the Lion Rock Tunnel from traffic for maintenance purposes; and*
- (b) *whether actions are being taken to prevent traffic jams from being created as a result of such closures especially at the Kowloon entrance of the tunnel?*

SECRETARY FOR TRANSPORT: Sir, I believe Mr. CHEUNG Yan-lung's concern relates to the closure of one of the Lion Rock Tunnel tubes before midnight on certain occasions recently. This should not normally be necessary and the practice is not to close a tube for maintenance and cleansing until after midnight or indeed considerably later depending on traffic conditions. The records show, for example, that on three recent Saturdays a tube was not closed until 1 am and on one occasion until 1.30 am when the volume of traffic had fallen to a level which could comfortably be handled by a single tube.

There was, however, a problem during last December when routine maintenance work revealed that the expansion joints in the carriageway of the north-bound tube were breaking up, requiring urgent remedial work. This meant closing the tube between 10 pm and 6 am for over three weeks, although the work was suspended at weekends, public holidays and race days. The need to close the tube at 10 pm was caused by the special materials used by contractor which required time to set and harden in time for the 6 am re-opening.

Whilst, therefore, I cannot guarantee that there will not be occasions when one tube or one lane have to be closed before traffic conditions would normally allow, I can assure Mr. CHEUNG that these will be kept to the absolute minimum.

MR. CHEUNG (in Cantonese): *Sir, could I ask those concerned whether they are aware of traffic jams created because of the works? And I would like to ask those working at the Lion Rock Tunnel, when they close one tube during the late evening, how much time they will have to take in order to have the works completed?*

SECRETARY FOR TRANSPORT: Sir, at all times, work that is necessitated by damage to the carriageway or equipment would be carried out as quickly as possible

within the hours when traffic is not so heavy. There is always a slight problem when one tube is closed because for safety reasons, it is necessary to stop the traffic for about two or three minutes in order to divert it into the single tube but I do assure Mr. CHEUNG that we would make sure that, whether it be highways or E & M works, it would be done as quickly as possible.

MR. CHEUNG (in Cantonese): *Sir, is the Government aware of the fact that from 10 pm to 12 midnight, it is the time when people have finished their banquets and late night shows? Traffic into the New Territories from Kowloon is very heavy during this period and vehicles have to line up in the steep road leading to the tunnel and very often arguments over minor collision may lead to unpleasant incidents. Could certain measures be implemented in order to minimise this?*

SECRETARY FOR TRANSPORT: Sir, of course, the works that I've referred to have been completed now and standing instructions are that on no occasions will any tube be closed before midnight, or later if the traffic is still heavy after midnight. I do understand the problem about where queues are necessary. All I can offer to do is to make sure that the traffic police are alerted to any work that is required; which would, I stress, be very unusual, to make sure that there is no problem with the queueing.

MR. LEE YU-TAI: *Sir, would Government resort to increase of tunnel tolls to reduce congestion?*

SECRETARY FOR TRANSPORT: Sir, I will answer that question, although I don't believe it is relevant to the original one. Increasing tolls is always available as a traffic management tool to control traffic. The present toll at the Lion Rock Tunnel is \$3, which is not a very convenient toll which is why we're encouraging the use of pre-paid tickets. To go to \$5 a single toll would be a very substantial increase. I do not intend to make any recommendation of that kind until we see the result of the opening of the three new lanes in March and whether that eases the problem.

Dangerous drugs

10. MR. CHAN YING-LUN asked (in Cantonese): *In relation to drug-taking and trafficking activities in public places, thereby drawing public attention easily and resulting in reports being made to the police, will the Government inform this Council:*

- (a) *how many such cases have been reported in the past three years;*
- (b) *what measures have been adopted to tackle the problem and what effect has there been as a result; and*
- (c) *what further actions has the police taken to eliminate spots which have frequently been the subject of complaints by members of the public?*

ATTORNEY GENERAL: Sir, because of the many and varied avenues of approach open to the public to pass information to the police, whether in person, by letter or telephone, it is impossible to provide figures of exactly how many cases involving drug taking and drug trafficking activities in public places have been reported to the police in the past three years. But the number of drug related arrests in public places including staircases was—

1983,	5 573 arrests
1984,	5 648 arrests
1985,	6 408 arrests.

Enforcement action against all forms of drug activity has been given a high priority in recent years. The police pay close attention to information from members of the public. In this regard, they have been assisted by an encouraging response to a publicity campaign, launched in September 1985, by the Action Committee Against Narcotics appealing to the public for information on neighbourhood drug peddlers. The police response to information from the public varies with the nature of the information and the detail provided. In some cases, an immediate response is justified. In other cases a period of investigation and observation may be necessary.

As regards drug 'black spots', these are known to the police and are the subject of particular attention. Measures to restrict or eliminate such activities in these areas include an increased police presence, by beat or mobile patrols and by calling in local Special Duty Squads, with greater use of powers to stop and search.

MR. CHAN YING-LUN (in Cantonese): *Sir, could the Attorney General explain the increase in the figures and also how many of them are successfully prosecuted?*

ATTORNEY GENERAL: Sir, I do not think I can explain the increase in the figures although that has been a modest increase in the three-year period and may well be due to the higher priority given to enforcement action in this area. The figures for the number of those arrests that I mentioned that led to successful prosecutions, I cannot give. I can say that overall in this type of case, the conviction rate is a high one—it is some 78.8 per cent.

DR. HO: *Sir, are there indications that students and young persons are involved in drug trafficking activities, and if so, what is the extent of the problem?*

ATTORNEY GENERAL: I have given the figures relating to arrests for drug related offences in public places. The total number of prosecutions for all drug related offences over the last three years has been running at about 12 000 a year, of those about 10 per cent are in respect of people under the age of 21.

MR. HUI: *Sir, the number of young people prosecuted for drug offences has increased by 9.5 per cent in the first half of 1985 as compared with the same period in 1984. Can the Government inform this Council firstly, whether this trend of increase was maintained in the second half of 1985 and secondly, whether there are any special actions taken by the Government to tackle the problem of young people involving in drugs?*

ATTORNEY GENERAL: Sir, I would be grateful to receive the statistics in the hands of the questioner. I can tell him that the statistics that are in my hand show that in the year of 1984, the total number of prosecutions for those under the age of 21 was 1 080 and in the whole of 1985, the figure was 1 191, so again quite a small and modest increase, probably attributable to the higher efforts of the police. Sir, so far as the treatment of young persons is concerned, there are, I think, no special arrangements which are available, although of course where the courts made a detention order for persons to go to a drug addiction treatment centre, there is one such centre which is reserved for young men. (Annex IX)

MRS. FAN: *Sir, I welcome the Attorney General's reply in that the drug black spots are actually known to police and appropriate measures are being taken. May I ask how many of these known black spots had actually been eliminated by the police in the past 12 months?*

ATTORNEY GENERAL: Sir, I cannot give any answer. I have assumed that the black spots under review were those presently existing; I shall have to make some historical enquiries into the form of black spots which have been eliminated. I suspect that the black spots are very difficult to eradicate but I shall certainly find out and let Mrs. FAN know. (Annex X)

MR. JACKIE CHAN (in Cantonese): *Sir, are these drug addicts related to triad activities and how serious is the problem?*

ATTORNEY GENERAL: I think there is evidence that triad activities extend to the world of drugs, drug trafficking and alike. It is one of the three main areas of criminal activity where triads are known to take a keen interest.

MRS. NG (in Cantonese): *Sir, in the past three years drug related crime in public places showed an increase. What measures does the Government have in mind to tackle this problem? For example, firstly, apart from annual publicity campaigns, will the Government consider contacting and liaising with District Fight Crime Committees in the various districts in order to tackle the problem? Secondly, in the old types of public housing estates, will the Government consider patrolling from high level, say, by putting visiting books outside public bathrooms and toilets so that policemen will be going to those areas?*

ATTORNEY GENERAL: Every suggestion of this kind whether from Mrs. Pauline NG or anyone else will, I am sure, be given very careful consideration by the police and I shall ensure that their suggestions are passed on. Apart from actual policing on the spot and publicity campaigns, may I also mention that there is a well established system within the police force for the regular force-wide exchange of information in relation to changed trafficking trends and the various ways in which traffickers operate and where they operate including changes in packaging or changes in method of consuming it. So a great deal of effort goes into the research behind the police force in this field, and I think I will also pay tribute to the close attention paid to these matters by the District Fight Crime Committee. One of the virtues of that system is that they do contribute with local knowledge to the local police activities.

MR. CHAN YING-LUN (in Cantonese): *I do agree with the Attorney General that it is very difficult to eradicate all the different black spots, but I would like to ask the Attorney General whether the minds of the general public will be at ease when they see such drug taking activities continuing despite their frequent reports? What action is the police taking in order to encourage them to continue to report to you such activities?*

ATTORNEY GENERAL: Well, Sir, my answer referred to a very successful publicity campaign that was launched as recently as September 1985 appealing to the public for information on neighbourhood drug pedlars and I pay tribute to the response that there had been to the campaign. It is of course the fact that drug addiction is a serious social problem and the markets for those in need of drugs will always continue to exist. It is perhaps the area where the police effort should be concentrated, as I have suggested it is, in order to try by using law enforcement and the criminal law to discourage many people from continuing to indulge their addiction.

MRS. CHOW: *Sir, in fact part of my question has been asked by Mr. CHAN Ying-lun, but I will cover it any way. Is Government confident that all black spots have been identified and would public complaints prompt quick action by the police on problem spots and what is the most effective way to direct and channel these complaints?*

ATTORNEY GENERAL: The complaints of course should go to the police in the local areas. Are all black spots known? Well, the answer to that is probably that just in all forms of trade, markets there are bound to be, and just as those who have drugs to sell need to meet their customers and the customers need to meet those who have the drugs to sell, so there will be bound to be markets established and these are what I meant by the black spots. Sir, I would suggest that most of them now are well known to those who are paying close attention to this problem.

Written answers to questions

Training for nurses

11. DR. CHIU asked: *With regard to the current in-service training system for the nursing profession, will the Government inform this Council:*

- (a) *is there any plan for providing tertiary based academic nursing education in Hong Kong; and*
 (b) *what are the career prospects for the nursing profession in special fields?*

SECRETARY FOR HEALTH AND WELFARE: Sir, the two universities and the Hong Kong Polytechnic currently provide part time post-basic nursing courses. In addition, the Hong Kong Polytechnic provides a full time post-registration diploma course in health care education. There are no definite plans in hand to establish degree courses in basic or post-basic nursing education.

In Hong Kong it is not the practice for nurses to follow a career in a specialist field. They may be called upon to carry out widely different functions as they rise in seniority. Furthermore, except in a very limited number of cases, specialist qualifications do not enhance promotion prospects.

Manpower situation of anaesthetists and pathologists

12. DR. CHIU asked: *Will the Government inform this Council:*

- (a) *what is the manpower situation and staff structure for anaesthetists and pathologists in public hospitals; and*
 (b) *what are the training opportunities for them in Hong Kong?*

SECRETARY FOR HEALTH AND WELFARE: Sir, the manpower situation in respect of anaesthetists and pathologists in public hospitals is as follows:

<i>Anaesthesia</i>	<i>Government hospitals</i>	<i>Subvented hospitals</i>
Establishment	101	57
Strength	94	54
Higher qualification holders	28	20
<i>Pathology</i>		
Establishment	56	26
Strength	50	24
Higher qualification holders	15	8

While the staff structure varies considerably between hospitals the overall situation in Government and subvented hospitals is as follows:

	<i>Establishment</i>	
	<i>Government hospitals</i>	<i>Subvented hospitals</i>
<i>Anaesthesia</i>		
Consultants	7	6
Senior Medical Officers	21	13
Medical Officers	<u>73</u>	<u>38</u>
	101	57
<i>Pathology</i>		
Consultants	8	7
Senior Medical Officers	14	3
Medical Officers	<u>34</u>	<u>16</u>
	56	26

In general, doctors working in anaesthesia or pathology in public hospitals receive in-service training and all trainees in the Government service are given the opportunity to sit for higher examinations. However, the royal colleges only recognise a few hospitals in the subvented sector for the purpose of training for higher qualifications in these two specialties.

Dentists registered under section 7(d) of Dentists Registration Ordinance 1940

13. DR. CHIU asked: *Will the Government inform this Council of:*

- (a) *the number of dentists registered under section 7(d) of the repealed Dentists Registration Ordinance 1940; and*
- (b) *the number of such dentists still in practice?*

SECRETARY FOR HEALTH AND WELFARE: Sir, according to the register of the Dental Council, the number of dentists holding valid practising certificates as dentists, who were formerly registered under section 7(d) of the repealed Dentists Registration Ordinance 1940, was 117 at the end of 1985. It is reasonable to assume that all these dentists were in practice at that time.

Husbandry industry

14. MR. TAI asked: *Will the Government inform this Council, in respect of each of the following trades in husbandry industry, namely chicken farming, duck farming, pigeon farming and pig farming, of the following:*

- (a) *the gross domestic product for each and every year as from 1975;*
- (b) *number of persons engaged for each and every year as from 1975; and*
- (c) *concentration of locality?*

SECRETARY FOR HEALTH AND WELFARE:

- (a) Sir, the estimated contributions to the annual gross domestic product of the various husbandry industries, i.e., chicken, duck, pigeon and pig farming since 1975 are contained in the table attached.
- (b) Statistics categorising the number of persons engaged in each of the husbandry industries are not available. However, according to the by-census and census figures published by the Census and Statistics Department in 1976 and 1981 respectively, the numbers of farmers who were principally engaged in pig and poultry keeping were as follows:

	<i>Pig keeping</i>	<i>Poultry keeping</i>
1976	4 920	4 460
1981	4 267	3 440 (chicken) + 1 390 (other poultry)

- (c) Pig and poultry farms are found in most parts of the New Territories. Information collected by the Agriculture and Fisheries Department in 1979 indicated that about 48 per cent (2 670 farms) of the farms were located in north-west New Territories mainly in Kam Tin, Sap Pat Heung, Pat Heung, San Tin, Ping Shan, Tuen Mun and Ha Tsuen. About 33 per cent (1 840 farms) were located in north-east New Territories mainly in Sheung Shui, Fanling, Tai Po, Ta Kwu Ling, Sha Tau Kok and Sha Tin. The remaining 19 per cent (1 050 farms) were found in Sai Kung, Tsuen Wan, Islands and the urban areas. The farm distribution pattern has not changed to any significant extent over the past few years.

Contributions to gross domestic product of livestock and poultry enterprises

	<i>\$ million</i>										
	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
Pig farming	53	74	80	73	98	85	107	107	81	74	77
Chicken farming	40	63	63	75	71	106	76	138	64	97	73
Duck farming	11	15	9	21	10	23	22	31	29	13	12
Pigeon	4	6	5	8	8	8	11	16	24	32	37
Total:	108	158	157	177	187	222	216	292	198	216	199

Source: AFD estimates of value of local agricultural production. AFD Annual Reports.

Cost structure analysis, Agricultural Economics Section, AFD.

Monitoring of the banking industry

15. MR. HUI asked: *Since the majority of our population have the habit of depositing their savings in banks, will Government inform this Council on the question of 'troubled banks':*

- (1) *will the Government revoke the licences of these banks before their business comes to the worst? If not, what are the reasons; and*
- (2) *concerning the above-mentioned banks, does the Government have any long-term and fundamental method to improve the situation and to safeguard the interests of the banks' shareholders as well as the tax payers?*

FINANCIAL SECRETARY: Sir, in three weeks time I will be presenting the Budget. In the course of my speech I intend to touch on banking issues generally and the forthcoming new Banking Ordinance in particular. There will then of course be a debate.

Subject to final drafting issues and the approval of the Executive Council, I also intend to present in this Council the new Banking Ordinance in the first half of March. There will be ample subsequent opportunity for a very important debate. I am sure also that the Bill will need to be scrutinised very carefully.

With this general background I hope that Mr. HUI will accept rather generalised replies to his questions. They cannot in fact be answered simply.

As far as the first is concerned, revoking the licence of a bank is not the best way of helping depositors or of maintaining integrity of the system. We are committed to preserving the stability and prosperity of Hong Kong. The need is for the Banking Commission to find out when troubles are coming as early as possible so that together with the management of the bank the commissioner can find a better course. Let me make it clear that I have no present intention of seeking to revoke the licence of any bank.

As far as the second question is concerned, yes, we do. This is the reason why we are introducing the new banking bill which represents the outcome of two years' work. Let it be said, however, that there is no way that we can prevent fraud at the top. Nor is there reason to suppose that shareholders in publicly quoted banks should expect any more care for their position than shareholders in any other companies in Hong Kong. They enjoy the protection of the Companies Ordinance. If a board which is elected by shareholders is either incompetent or fraudulent, the shareholders are at risk.

In general terms there is a clear need for major new legislation. This has been said by the Government many times. The new policies to be adopted have been accepted by all concerned. I do not, however, regard as helpful any view that suggests that in the meanwhile an unstable situation exists. In fact if one considers the turmoil of the past four years it is remarkable how responsibly honest bank managers have directed their affairs. Dishonesty is another question, but no legislation in itself will cure that.

Neighbourhood level community development projects

16. MR. HUI asked: *The voluntary agencies have been urging the Social Welfare Department to look into the underprovision of social services in private residential areas, especially those crowded post-war areas in Sham Shui Po and Western District. Would Government consider these as top priority deprived areas for launching neighbourhood community development projects?*

SECRETARY FOR HEALTH AND WELFARE: Sir, the Social Welfare Department is aware that there are shortfalls in provision of welfare services in some of the older urban areas such as Sham Shui Po and Western District. Apart from the competing demands for funds for other projects, the main difficulty in meeting the planned provision in these districts is in finding suitable premises for setting up facilities such as children's and youth centres.

Neighbourhood level community development projects (NLCDPs) are intended to serve areas where the provision of community facilities and welfare services is non-existent or grossly inadequate. Such areas include temporary housing areas (THA), squatter areas, boat squatter areas and slums. In the past NLCDPs have been mainly established in squatter areas and THAs which are geographically isolated, and which, because of their temporary nature, do not normally qualify for the provision of fully-fledged welfare facilities.

Each year, a number of new NLCDP projects are established to provide welfare services and to foster a sense of belonging among the residents of the more deprived areas. A committee on NLCDPs, including both officials and representatives of welfare agencies is now considering nominations of priority areas for new projects in 1986-87. Whether the older residential areas such as Sham Shui Po and Western District will be accorded priority will depend on the committee's assessment of competing claims from other areas and the availability of funds.

Statement

Public Accounts Committee, Report No. 8—January 1986

MR. S. L. CHEN: Sir, laid on the table today is the Eighth Report of the Public Accounts Committee. This has been prepared following the committee's examination of matters raised in the Director of Audit's annual report which was tabled in this Council on 20 November 1985.

This year's Director of Audit's report has brought into sharp focus an unresolved issue from previous years, which relates to the Director's powers.

In compiling his successive reports it has been the practice for the Director to conduct value for money studies. The Public Accounts Committee is in no doubt of the need for such studies and has implicitly endorsed the Director's right to conduct them by commenting on them in its own reports.

What is less clear are what the boundaries of value for money studies are, or should be.

So as to put this matter beyond all doubt in the future, the committee recommends that there should be an early review of the Director's powers with

the aim of clarifying firstly whether the Director may conduct value for money studies and secondly the boundaries within which such studies should be conducted.

Sir, there is nothing unusual nor surprising in controversy over the auditor's powers. Indeed similar debates have occurred in all those territories which have adopted a similar system to ours. However while the solutions adopted in other territories have some relevance here, they can never be the final determinant. Our solution must have regard to the special circumstances of Hong Kong and to the delicate and unique system of checks and balances whereby accountability to the Legislative Council is maintained on the one hand and the authority of the Administration is upheld on the other. This is a system which has evolved through long years of experience here and elsewhere and we must do nothing precipitate to upset it.

Government Business

Motion

FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE

THE SECRETARY FOR EDUCATION AND MANPOWER moved the following motion: That the Factories and Industrial Undertakings (Asbestos) Special Regulations 1986 made by the Commissioner for Labour on 21 January 1986 be approved.

He said: Sir, I move the resolution standing in my name in the Order Paper for the approval of the Factories and Industrial Undertakings (Asbestos) Special Regulations 1986, which were made by the Commissioner for Labour on 21 January 1986. In accordance with section 7(3) of the Factories and Industrial Undertakings Ordinance, these regulations have been submitted to you, Sir, and are now referred to this Council for approval. The Labour Advisory Board has been consulted and has endorsed in principle the introduction of these regulations.

The regulations impose duties on the proprietor of an industrial undertaking who uses an asbestos process with the aim of protecting the health of workers employed in that process. Although asbestos is not mined in Hong Kong and the manufacture of asbestos products is very rare and on a small scale, asbestos and asbestos products are used in a number of industries in Hong Kong for the purpose of insulation and fire-proofing.

Unfortunately, there are dangers associated with its use. Inhalation of asbestos dust in sufficient quantities can result in pneumoconiosis in one form or another, and since 1981 workers who have contracted asbestos-related diseases have been eligible for compensation under the Pneumoconiosis (Compensation) Ordinance. Occupational exposure to asbestos dust may arise in the

handling of raw materials or working in any dusty process involving materials containing asbestos and, because of the health hazards involved, many countries in recent years have introduced legislation to control the use of asbestos. These health hazards have also been studied in Hong Kong by the Commissioner for Labour and the result is the set of regulations now before Members.

The regulations prohibit the use of blue asbestos (crocidolite), brown asbestos (amosite) or any substance containing either of these minerals. These types of asbestos are particularly dangerous, but, fortunately, very rarely used in Hong Kong. Spraying of materials containing asbestos is also prohibited because it is a specially hazardous process.

The use of asbestos which is not prohibited is strictly controlled, and the regulations impose a number of duties on a proprietor of an industrial undertaking who uses an asbestos process. He is required to give notice to the Commissioner for Labour of his intention to use such a process. He must use exhaust ventilation equipment in an asbestos process to prevent the entry of asbestos dust into the air, or, where that is impracticable, he must ensure that all workers are provided with, and use, respiratory protective equipment and protective clothing. Where respiratory protective equipment and protective clothing is used, he must ensure that it is properly cleaned and stored when not in use. He must ensure that his plant and premises are kept clean and free of asbestos dust, and that loose asbestos or asbestos waste is received, despatched or distributed in a closed receptacle bearing a warning notice in both English and Chinese. He may not employ a person under 18 years of age in connection with any asbestos process. He must ensure that his employees periodically undergo medical examination, including radiographic examination of the chest, and may not employ them in an asbestos process unless they are certified fit for such work. He must bear the cost of these periodical medical examinations.

A proprietor who fails in these duties commits an offence, and the regulations specify fines varying from \$10,000 to \$30,000, depending on the gravity of the offence. I said two weeks ago in this Council, in reply to a question from Dr. Ho Kam-fai, that I thought the regulations would also provide for corresponding offences on the part of an employee who refused to comply with an instruction given by the proprietor in accordance with the duties imposed on him in these regulations. This point was considered when the regulations were being drafted. It is, in fact, unnecessary to make specific provision in these regulations for this situation because the employee, apart from rendering himself liable to dismissal by his employer, would also be liable to prosecution under regulation 21 of the Factories and Industrial Undertakings Regulations.

I appreciate that many proprietors will need time to install exhaust ventilation systems or acquire protective equipment in order to comply with these regulations. The regulations will come into operation on a day to be appointed by the Commissioner for Labour by notice in the *Gazette* and he intends to bring them into operation on 1 August 1986. In the meantime, a guide to the

regulations will be published and the Factory Inspectorate will launch a publicity campaign to familiarise workers and employers with their contents. The Labour Department has already published a code of practice on the control of asbestos at work, which provides guidelines and technical advice for both employers and workers to prevent asbestos hazards.

Sir, I beg to move.

DR. HO: Sir, these regulations, when enacted, will help to protect the health of industrial workers against inhalation of harmful asbestos dust and fibres. The provisions in these regulations have been so drafted as to take care of most of the worries of those workers being engaged in asbestos processes. Therefore I consider them to be a good piece of preventive legislation worthy of our support.

I am happy to note that my concern about the worker's failure to use the protective equipment and clothing provided by the employer had been taken heed of in the deliberations on these regulations and is satisfactorily resolved by regulation 21 of the Factories and Industrial Undertakings Regulations. However, in order to maximise the effect of these regulations, I would like to see the Government, and the Labour Department in particular, mount a sustained educational and publicity programme to heighten the awareness amongst both workers and employers of asbestos hazards.

Regrettably, breach of these regulations only entails a monetary fine. I wonder whether a custodial sentence in addition to a fine for a repeated offence would make the industrial proprietor more abiding to these regulations, although this may involve an amendment to the main Ordinance.

With these remarks, Sir, I support the motion.

MR. CHENG: Sir, as we are aware, the use of asbestos has been a subject of concern to this Council as well as the general public. Only recently, questions were raised in this Council and representations were made by the public to urge the Government to exercise statutory control.

I am very pleased that the Government has taken prompt action and is now moving that the Factories and Industrial Undertakings (Asbestos) Special Regulations 1986 be approved by this Council.

The purpose of the regulations is to prohibit the use in any industrial undertaking of certain types of asbestos, to prohibit any process involving the spraying of asbestos and to control the use of other types of asbestos in industrial undertaking.

It is intended by the regulations that young persons are not allowed to be employed in any process involving asbestos and workers have to be medically examined before being engaged in an asbestos process and thereafter to be medically examined periodically.

These provisions meet most, if not all, suggestions from the public. I have, therefore, no doubt that workers as well as the public will greatly benefit from the implementation of the regulations.

Sir, I support the motion.

DR. CHIU: Sir, the hazard of asbestosis is often unknown to both workers and proprietors although it is a chronic and insidious disease. There are no significant symptoms at its early stage and most of the time workers are not aware of its ill effect until it is too late. Worse still, once damage is done it is done, it is irreversible and treatment instituted can only prevent further deterioration.

The existing Pneumoconiosis (Compensation) Ordinance is just a remedial measure to enable the victim or his relatives to claim compensation after the damage is done. Prevention is always better than cure. And needless to say, it is far better than compensation.

The spirit of this regulations, which is to impose duties on the proprietor of the industrial undertakings, is a positive step towards the right direction in the promotion of industrial safety and health. And this proposal is to be applauded.

It is hoped that through the enactment of the regulations, the dangers caused by asbestosis can be minimised.

With these remarks, Sir, I support the motion.

SECRETARY FOR EDUCATION AND MANPOWER: Sir, may I thank Dr. Ho Kam-fai, Mr. CHENG, Dr. CHIU for their support in this important set of regulations. With regard to Dr. Ho's point about custodial sentences, the present level of fines was determined having regard to both seriousness, effects and the correspond level of penalty in other sets of regulations. We hope therefore these will be sufficient, but if they prove not to be, we may have to consider more stringent approach.

Question put and agreed to.

First Reading of Bills

REGIONAL COUNCIL (AMENDMENT) BILL 1986

URBAN COUNCIL (AMENDMENT) BILL 1986

PUBLIC HEALTH AND URBAN SERVICES (AMENDMENT) BILL 1986

HONG KONG ARTS CENTRE BILL 1986

Bills read the First time and ordered to be set down for Second Reading pursuant to Standing Order 41(3).

Second Reading of Bills

REGIONAL COUNCIL (AMENDMENT) BILL 1986

THE SECRETARY FOR DISTRICT ADMINISTRATION moved the Second Reading of: 'A Bill to amend the Regional Council Ordinance'.

He said: Sir, I move that the Regional Council (Amendment) Bill 1986 be read the Second time.

Developments since the enactment of the Regional Council Ordinance on 11 July 1985 have made a number of minor changes to the Ordinance necessary. Certain transitional provisions for the period when the Regional Council comes into operation have also been found necessary. The Bill now before Members seeks to make those amendments so that the Regional Council can operate effectively when it comes into being on 1 April 1986.

The establishment of the Regional Council has also made certain consequential amendments to the Urban Council Ordinance and the Public Health and Urban Services Ordinance essential. Those amendments are covered by the Urban Council (Amendment) Bill 1986 and the Public Health and Urban Services (Amendment) Bill 1986 which have both been introduced into this Council concurrently. I will explain the purposes of those two Bills when I move their Second Readings later.

At present the Regional Council Ordinance does not specify when the first meeting of the council shall be held. The Bill provides that members of the council shall meet on 1 April 1986 to elect a Chairman who may then summon and chair a meeting of the council to transact further business.

Two changes to the functions and powers of the council are proposed. Under the Waste Disposal Ordinance, the Director of Regional Services is at present the collection authority for waste in the New Territories, while the Urban Council is the authority in urban areas. The Bill provides that on 1 April 1986 the Regional Council will become the collection authority in respect of the 'Regional Council area' while the Urban Council will continue to be the collection authority in the 'Urban Council area'. Parallel amendments to the Waste Disposal Ordinance will also be introduced. The Bill also makes specific provision for the Regional Council to provide recreational and cultural activities and make charges therefor.

The Chinese name of the Regional Council as prescribed by the Ordinance is '區域議局'. Members of the Provisional Regional Council unanimously agreed at their meeting on 28 June 1985 that the Chinese name of the Regional Council should be changed to '區域市政局'. The proposed change is considered appropriate as the existing Chinese name is too similar to the Chinese name of district boards (區議會) and members of the public may find it difficult to distinguish between the two. The new Chinese name apart from solving this problem will

reflect more accurately the similarity in terms of the nature and the scope of work between the Regional Council and the Urban Council (市政局). The Bill proposes the amendment of the Chinese name of the Regional Council accordingly.

Other minor amendments include provisions to expand the category of public officers who may attend meetings of committees and sub-committees of the Regional Council, and to bring the Ordinance into line with the existing accounting systems and practices of the Provisional Regional Council and those envisaged for the Regional Council.

The Provisional Regional Council has been consulted and has endorsed the proposals in the Bill. The Urban Council has also endorsed the minor amendments to the Waste Disposal Ordinance.

Sir, I move that the debate be adjourned.

Motion made. That the debate on the Second Reading of the Bill be adjourned.

Question put and agreed to.

URBAN COUNCIL (AMENDMENT) BILL 1986

THE SECRETARY FOR DISTRICT ADMINISTRATION moved the Second Reading of: 'A Bill to amend the Urban Council Ordinance'.

He said: Sir, I move that the Urban Council (Amendment) Bill 1986 be read the Second time.

I have reported that minor amendments to modify the Urban Council Ordinance to coincide with the establishment of the Regional Council have been found necessary. The Bill now before Members provides the necessary modification that will bring the Ordinance into line with the Regional Council Ordinance.

The Bill redefines the jurisdictional area of the Urban Council as the 'Urban Council area'. This amendment is required because the existing administrative boundary of the council is different from its electoral boundary. In order to avoid doubt, it is necessary that the jurisdiction of the council should be legally defined in terms of its electoral boundary and that the area under its jurisdiction be called the 'Urban Council area'. This nomenclature has already been used in the Regional Council Ordinance and the District Boards Ordinance. I shall also be proposing a similar amendment to the Public Health and Urban Services Ordinance later this afternoon.

Under the Ordinance all the Urban Council's powers are currently restricted to the urban areas. This is considered to be unduly limiting. The Bill therefore proposes that in future the Urban Council, like the Regional Council, will only

be restricted to its jurisdictional areas in terms of establishing and maintaining public places and facilities related to recreation and culture. This will allow the Urban Council, for example to arrange sports training camps at the Jubilee Sports Centre. This proposal also permits the two councils to act together, for instance in constructing and running a staff training school. These arrangements are considered highly desirable in terms of providing a full service to the public, cost effectiveness and administrative convenience.

The Waste Disposal Ordinance provides that the Urban Council is the collection authority for waste in the urban areas. The Bill specifies that the council shall function as a collection authority in respect of the 'Urban Council area' under the Waste Disposal Ordinance. The Bill also makes it clear that the council is empowered to provide recreational and cultural activities and to make charges therefor.

Currently, the council's surplus funds can legally be invested only in such investments as the Financial Secretary considers appropriate. The Bill proposes to relax this requirement by allowing the council to deposit money in a licensed bank without the permission of the Financial Secretary. The Bill also specifies that the council is empowered to enter into contracts or engage full time or part time staff.

The Ordinance does not at present assert that the Urban Council is not a servant or agent of the Crown. This has, on occasions in the past, caused confusion as to its status. The Bill therefore removes this doubt by stating that the council is not, and never has been a servant or agent of the Crown. Provisions concerning the membership of the council are also included to bring them into line with those applicable to Members of the Legislative Council, Regional Council and district boards.

The Bill has been considered by the Urban Council and has received its endorsement.

Sir, I move that the debate be adjourned.

Motion made. That the debate on the Second Reading of the Bill be adjourned.

Question put and agreed to.

PUBLIC HEALTH AND URBAN SERVICES (AMENDMENT) BILL 1986

THE SECRETARY FOR DISTRICT ADMINISTRATION moved the Second Reading of: 'A Bill to amend the Public Health and Urban Services Ordinance'.

He said: Sir, I move that the Public Health and Urban Services (Amendment) Bill 1986 be read the Second time.

The Regional Council will come into operation on 1 April 1986. The Regional Council Ordinance provides that the council shall be the authority in respect of matters for which it is to be responsible under the Public Health and Urban Services Ordinance. The Bill now before Members introduces the necessary amendments to enable the council to exercise its powers under the Public Health and Urban Services Ordinance.

Under the Ordinance the power to make subsidiary legislation and to set fees is currently vested in the Governor in Council in respect of the New Territories and in the Urban Council in respect of the urban areas. The Bill will give the Regional Council similar powers to make subsidiary legislation and to set fees for the Regional Council area.

The Bill will also make the Regional Council the authority, in place of the Director of Regional Services, for a wide range of powers and functions under the Ordinance and its subsidiary legislation including the provision of services, the management of facilities, the issuance of licences and so on. As the council will in future perform its functions through the Regional Services Department which will be its executive arm, significant changes in the existing day-to-day working arrangements will not be necessary.

The Bill provides the necessary transitional arrangements to allow officers of the Regional Services Department to continue to perform their present functions until 30 April 1986 by which date the Regional Council will be able to fully assume its responsibility for them. The Bill will also provide that certain contracts made under the present Ordinance and entered into before 1 April 1986 by the Director of Regional Services on behalf of the Government shall, if they are still in force on that date, be deemed to have been entered into on behalf of the Regional Council.

When I moved the Second Reading of the Urban Council (Amendment) Bill, I explained to Members the necessity to redefine the jurisdictional areas of the two councils. Similar amendments to this Ordinance have also been found necessary. It is therefore proposed that the jurisdictions of the two councils under this Ordinance should also be defined in terms of their electoral boundaries, and that the area under the jurisdiction of the Regional Council be called the 'Regional Council area' and that of the Urban Council be called the 'Urban Council area'. Although this proposal will slightly affect the delineation of administrative responsibilities between the Urban Services Department and the Regional Services Department, the effect of this proposal on the operations of the two departments in minimal as the area involved is neither large nor densely populated.

Minor consequential amendments include the changing of the title of the 'Public Health and Urban Services Ordinance' to the 'Public Health and Municipal Services Ordinance' to reflect more accurately the nature of the Ordinance which is concerned with the functions of the two municipal councils (i.e. the Urban Council and the Regional Council).

The Urban Council and the Provisional Regional Council have been consulted and endorsed the proposals in the Bill.

Sir, I move that the debate be adjourned.

Motion made. That the debate on the Second Reading of the Bill be adjourned.

Question put and agreed to.

HONG KONG ARTS CENTRE BILL 1986

THE SECRETARY FOR DISTRICT ADMINISTRATION moved the Second Reading of: 'A Bill to amend the Hong Kong Arts Centre Ordinance'.

He said: Sir, I rise again to move that the Hong Kong Arts Centre Bill 1986 be read the Second time.

The Hong Kong Arts Centre Ordinance, which governs the role and management of the Arts Centre, was enacted in 1974. The Arts Centre itself was formally opened in 1977. Experience in operating the Arts Centre has shown that, while the Ordinance provides a broad outline of the aims and functions of the centre, the detailed provisions in the Ordinance are inadequate. In particular, the provisions relating to the management of the centre are ambiguous and have, on several occasions, led to confusion in managerial responsibilities. Such a state of affairs is not conducive to the efficient operation of the Arts Centre.

The Bill laid before this Council seeks to clarify the objects and powers of the Arts Centre, and to create a more direct and clearly defined administrative structure for the centre. Specifically, the Bill amplifies the objects of the Arts Centre: these are to foster and encourage the appreciation of, and participation in, the various disciplines of the arts. It underlines the centre's role both as a venue provider and as a promotor of the arts. In addition, it expands the scope of the centre's promotional activities by providing that it may pursue its objectives both in and outside Hong Kong. The Bill also empowers the Arts Centre to act independently in setting its own fees and regulating the use of its facilities.

To provide a more efficient and effective management structure for the Arts Centre, the Bill proposes that the board of governors shall be the sole governing body of the centre. The membership of the board will be expanded. Its composition will also be changed to provide a balance of perspectives, and ensure that the interests of the various bodies involved in the Arts Centre are fully represented in the management decisions of the centre.

There has been some publicity recently about the problems faced by the Arts Centre. Government has on two occasions extricated the centre from its financial difficulties. With the new legislation now proposed, the Arts Centre should be able to function more efficiently as a commercially viable venue operator, and as a promotor of the arts.

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

Motion made. That the debate on the Second Reading of the Bill be adjourned.

Question put and agreed to.

FIRE SERVICES (AMENDMENT) (NO. 2) BILL 1985

Resumption of debate on Second Reading (8 January 1986)

MISS TAM: Sir, this Bill seeks to bring the Fire Services Department in line with the rules and regulations applicable to the Royal Hong Kong Police Force in that any officer who has, by his negligence or default, caused any damage or loss to certain Government properties would be ordered to make compensation to the Government.

Under part I, paragraph (1)(b) of the existing Third schedule of the Fire Services Ordinance (Chapter 95), it is provided that subordinate officers found guilty of an offence against discipline may be punished by the Governor in the form of 'payment by way of compensation for any loss of or damage ... to any Government property' in addition to any of the punishments listed in paragraph (1)(a) of the same schedule. A similar provision exists in respect of members of other ranks except that here the Governor or the Director of Fire Services may order punishment.

Under clauses 3 and 5 of the Fire Services (Amendment) (No. 2) Bill 1985, it is now proposed that the 'punishments' specified in part I paragraph (1)(b) and part II paragraph (b) of the Third schedule should be abolished and replaced by an order for compensation as follows:

- (a) Where a successful disciplinary action has been brought against a subordinate officer or member of other ranks, either the Governor or the Director of Fire Services may order him to pay as compensation a sum of less than one month of his salary.
- (b) Where the damage to Government property is of a minor nature, and no disciplinary proceeding is required, the director may still order an officer to make a compensation payment of less than one month's salary. However, under clause 6 of the Bill, this officer is given the right of appeal against an order made by the director.
- (c) In order to establish a person's liability to make compensation, clause 3 provides that he may only be ordered to pay compensation when the costs incurred by the Government arise as a direct result of that person's negligence or default.

In scrutinising this Bill, some Members of this Council were concerned that a fireman engaged in an emergency operation in the course of his duty should be

held liable for causing damage to his uniform or fire fighting equipment; some were concerned that although the Joint Council on Staff Relations had been informed of the proposals (in 1984) they had given no indication of their acceptance.

An *ad hoc* group was therefore set up to study this Bill. The hon. TAM Yiu-chung and the hon. CHUNG Pui-lam voiced the staff associations' concern that the staff could be asked to compensate for the cost of the equipment and uniforms used and damaged during emergency operations. They also sought assurances that under such circumstances the director would not exercise his power to order compensation.

The *ad hoc* group therefore met with the Director of Fire Services on this issue and we were assured that it would be unlikely that an officer could be held liable in such circumstances because it would be difficult to prove 'negligence or default' on his part. In order to allay the staff's concern the director also arranged for his deputies to meet with the six staff associations and briefed them in Chinese on the content of this Bill. Between the 9 January and 16 January 1986, three meetings were held with the staff associations and as a result the staff associations accepted the proposed amendments, and they are now brought in line with the police force in these practices.

Members of the *ad hoc* group appreciate and thank the director's efforts in reaching an understanding with the staff within a mere 10 days. We were also provided with the minutes of the staff meetings which took place in 1984 and clearly the staff associations were advised of the proposals in this Bill. The *ad hoc* group, however, would wish to see in future a clear indication of whether or not the staff associations accept a proposal, rather than registering mere acquiescence, so that Members of this Council may more accurately assess the response to the consultation exercise.

I am happy that in moving the Second Reading of the Bill the Attorney General has taken note of comments on the inappropriateness of providing a statutory right of appeal against an order of the Governor. I understand that he will move a suitable amendment during the Committee stage of the Bill.

With these observations, Sir, I support the Bill.

ATTORNEY GENERAL: Sir, I thank Miss TAM for her support in this Bill. Her point about the need for adequate consultation with the staff is well taken. On matters of pay and conditions of service the Government does consult with the relevant staff associations and the views they put forward are taken into consideration before decisions are reached. Although on matters to do with discipline, this policy may not always be appropriate. But I can assure Members that staff associations will in all cases be informed of proposed changes to discipline rules and as far as possible their views will be taken into consideration.

Sir, I support the motion.

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 1986

Resumption of debate on Second Reading (29 January 1986)

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).

MASS TRANSIT RAILWAY (LAND RESUMPTION AND RELATED PROVISIONS) (AMENDMENT) BILL 1986

Resumption of debate on Second Reading (29 January 1986)

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

FIRE SERVICES (AMENDMENT) (NO. 2) BILL 1985

Clauses 1 to 5 and 7 were agreed to.

Clause 6

ATTORNEY GENERAL: I move that clause 6 be amended as set out in the paper circulated to Members for the reasons that I gave when I moved the Second Reading of the Bill.

Proposed amendment

Clause 6

That clause 6(b) be amended in the proposed new sub-paragraph (c) by deleting 'Governor or'.

The amendment was agreed to.

Clause 6, as amended, was agreed to.

LABOUR TRIBUNAL (AMENDMENT) BILL 1986

Clauses 1 to 3 were agreed to.

MASS TRANSIT RAILWAY (LAND RESUMPTION AND RELATED PROVISIONS) (AMENDMENT) BILL 1986

Clauses 1 to 5 were agreed to.

Third Reading of Bills

THE ATTORNEY GENERAL reported that the

LABOUR TRIBUNAL (AMENDMENT) BILL 1986 and the

MASS TRANSIT RAILWAY (LAND RESUMPTION AND RELATED PROVISIONS) (AMENDMENT) BILL 1986

had passed through Committee without amendment and the

FIRE SERVICES (AMENDMENT) (NO. 2) BILL 1985

had passed through Committee with an amendment, and moved the Third Reading of the Bills.

Question put on the Bills and agreed to.

Bill read the Third time and passed.

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT: In accordance with Standing Orders I now adjourn the Council until 2.30 pm on 26 February 1986.

Adjourned accordingly at eleven minutes past 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.

WRITTEN ANSWER**Annex I****Written answer by the Secretary for Education and Manpower to Dr. CHIU'S supplementary question to Question 4.**

Regarding (i), there are currently three speech therapists working in the Medical and Health Department. Regarding (ii), there are plans for expanding the speech therapy service in the Medical and Health Department, into each child assessment centre, specialist clinic with ENT service, rehabilitation centre, and major geriatric unit.

Regarding (iii), the Government is fully aware of the different training needs of speech therapists. The University and Polytechnic Grants Committee has confirmed that the speech therapy course to be launched at Hong Kong University will produce professionally qualified speech therapists for both the medical and educational fields in Hong Kong.

Annex II**Written answer by the Secretary for Education and Manpower to Mr. LEE Yu-tai' supplementary question to Question 5.**

It is difficult to estimate the total expenditure of Hong Kong students studying overseas because tuition fees vary with course, institution and country of study. Living expenses are also determined by these factors as well as by a student's own way of spending and the financial resources and support available to him. In 1985, about 8 600 Hong Kong students went to study in the United Kingdom, Canada, USA and Australia. As a very rough estimate, their tuition fees and living expenses amount to about HK\$657 million per year.

As you are probably aware, the Government is doing what can be done to provide more tertiary places in local institutions. The current target is to provide sufficient first year first degree places for 6 per cent of the mean relevant age group by the end of the 1980s. The proposed third university will further add to this provision in the mid-1990s.

Annex III**Written answer by the Secretary for Education and Manpower to Mr. SOHMEN'S supplementary question to Question 5.**

These scholarships known to us are:

(A) *For post-graduate studies*

- (i) Li Po Chun Trust Fund Postgraduate Scholarship Award
 - Each award will be for a period not exceeding two years. In 1984-85 twelve awards were made ranging from \$20,000 to \$60,000 per annum.

WRITTEN ANSWER—Cont'd

- (ii) Sir Robert Black Trust Fund Scholarships and Training Grants
 - Awards are made normally for periods not exceeding one year. In 1984-85 14 awards were made ranging from \$4,000 to \$30,000.
- (iii) Swire/Cathay Pacific Scholarship
 - The scholarship is offered normally for a period of two years. In 1984-85 one award of \$116,000 was made. The amount covers the student's living expenses, university and college fees and a return passage.

(B) For undergraduate studies

- (i) Prince Philip Scholarships
 - Scholarships are offered for a duration of three years. In 1984-85 two awards were made, ranging from \$1,725,000 to \$2,300,000.
- (ii) Jardine Scholarship Award
 - This scholarship is tenable for periods of three years. In 1984-85 two awards, each of about \$120,000 per annum, were offered.
- (iii) Agricultural Products and Marine Fisheries Scholarship
 - Awards are made normally for a period of one year and can be renewed subject to satisfactory progress. In 1984-85 one new award and nine renewed awards were made, ranging from \$10,000 to \$20,000 per annum.
- (iv) Swire/Cathay Pacific Scholarship
 - The scholarship is offered every two years and is normally for a period of three years. In 1984-85 one award was made. The value of the scholarship was \$34,500 per annum plus university and college fees (approximately \$57,500) and return passage (approximately \$13,000).
- (v) C.W. Chu Foundation
 - Awards are made normally for a period of four years. 15 to 20 scholarships are offered each year ranging from \$78,000 to \$83,800.

Two studentships are also available for undergraduate studies—

- (a) Lee Shau Kee Studentship
 - Two to four places are offered each year for direct admission to Wadham College of Oxford University. Financial assistance may be provided based on the financial circumstances of the applicant's family.
- (b) Ho, Leung, Ho & Lee Studentships for Women
 - Four places are offered each year for direct admission to St. Hugh's College of Oxford University. Financial assistance is not available.

WRITTEN ANSWER—Cont'd**(C) For secondary studies**

- (i) Scholarships tenable at United World Colleges
- Awards are made normally for a period of two years. In 1984-85 nine awards were made, ranging from \$56,000 to \$73,000 per annum.

Other than the above, the following scholarships are also available to Hong Kong students for post-graduate studies—

- (i) Noel Croucher English Studies Scholarship
- This scholarship was established by the Royal Society of St. George in honour of the late Mr. Noel Croucher. Awards are made either for one or two years depending on the length of the course. There is only one award (either new or renewal) each year. In 1984-85 the award was for the renewal of a scholarship. The value of the scholarship was \$86,250 per annum.
- (ii) Croucher Foundation Fellowships and Scholarships
- The Croucher Foundation was founded by the late Mr. Noel Croucher in 1979. The fellowships and scholarships are offered normally for a period of two or three years. In 1984-85 11 awards were made ranging from \$55,550 to \$82,000.
- (iii) Sir Adam Thomson Scholarships
- The scholarship scheme was established by the British Caledonian Airway Ltd. in 1984. Two scholarships, each lasting for one year and tenable at the Sussex University, are offered each year. The scholarships cover air passages to and from Britain, tuition fees and part of the living expenses.

Annex IV**Written answer by the Secretary for Education and Manpower to Mrs. FAN'S supplementary question to Question 5.**

No detailed statistics are kept on the services provided by the Overseas Students and Scholarships Section. According to records available, some 24 000 counselling contacts were made in 1985 and there were about 22 000 telephone enquires.

One seminar on education in the United Kingdom was jointly organised with the Hang Seng Bank. This seminar was publicised in the press, on radio and television. Invitation had also been sent by the Overseas Students and Scholarships Section to individual students who had applied through the section and were accepted to study in the United Kingdom.

WRITTEN ANSWER—*Cont'd*

Annex V

Written answer by attorney General to Mr. LEE Yu-tai's supplementary question to Question No. 7.

I am now able to confirm that there are no special restrictions on visitors from Yugoslavia. Such visitors are of course required to apply for visas in the usual way.

Annex VI

Written answer by Secretary for Health and Welfare to Dr. CHIU'S supplementary question to Question No. 8.*Mental Health Service***Table 1**

	<i>Castle Peak Hospital</i>	<i>Kwai Chung Hospital</i>
1985 Occupancy rate	111%	104%
1985 Doctor: bed ratio*	1:74	1:47

* Castle Peak Hospital has a large number of long-stay patients requiring less medical and nursing care than patients in Kwai Chung Hospital. This factor explains the difference in the doctor: bed ratio.

Table 2

<i>Referrals for assessment in 1985</i>	<i>Number</i>
From courts and probation officers	725
From the police	428
From injury compensation boards	21
From the Social Security Appeal Board*	12

* This figure relates to 1984-85

Annex VII

Written answer by Secretary for Health and Welfare to Dr. Ho's supplementary question to Question No. 8.*Half-way Houses***Table 1: Demand, Provision and Shortfall of half-way house places**

<i>Year</i>	<i>Demand</i>	<i>Provision</i>	<i>Shortfall</i>
1985/6	1 090	267	823
1989/90	1 160	1 165	45

WRITTEN ANSWER—*Cont'd*Table 2: *Planned Projects*

<i>Project</i>	<i>Target date of completion</i>	<i>Capacity</i>
Sun Chui Estate, Sha Tin	Feb 1986	40
Chun Shek Estate, Sha Tin	Mid-March 1986	40
Pok Hong Estate, Sha Tin	June 1986	40
Kwong Fuk Estate, Tai Po	June 1986	40
Shan King Estate, Tuen Mun	June 1986	40
Shek Lei Estate, Kwai Chung	July 1986	40
Lower Wong Tai Sin Estate	Sept 1986	40
Wan Chui Estate, Chai Wan	Nov 1986	40
Lei Tung, Aberdeen	1987-88	40
Chuk Yuen Estate, Wong Tai Sin	1987-88	40
Hin Keng Estate, Sha Tin	1987-88	40
Yiu On Estate, Ma On Shan	1987-88	40
Tsui Lam Estate, Junk Bay	1987-88	40
Kung Lok House, Kwun Tong	1987-88	120
Tsing Yi Estate, Tsuen Wan	1988-89	40
Lei Cheng Uk Estate (Redevelopment), Sham Shui Po	1988-89	40
Nam Cheong Street, Sham Shui Po	1988-89	120
Tai Pak Tin Street, Tsuen Wan	1988-89	120
Tsui Ping Road, Kwun Tong Estate (Redevelopment)	1989-90	40
		1 000*

* 72 of these places will re-provision existing places; a further 30 existing places will be phased out by 1989-90.

Annex VIII**Written answer by Secretary for Health and Welfare to Mr. LEE Yu-tai's supplementary question to Question 8.***Mental Diseases*

The major causes of mental diseases are well documented in medical literature and the experience in Hong Kong is no different from elsewhere. The Medical and Health Department has a comprehensive system for recording data on psychiatric in-patients and compiles an annual report providing a statistical analysis of the data collected. On the basis of these reports the major causes of mental diseases are:

WRITTEN ANSWER—*Cont'd*

- (a) Vulnerable personalities—Schizophrenics constitute almost two thirds of the psychiatric in-patient population.
- (b) Organic conditions—
 - (i) Diseases or degeneration of the brain which cause dementia;
 - (ii) Toxic—infective bodily conditions which may give rise to a confused state of mind;
 - (iii) Drug abuse or excessive indulgence in alcohol which may cause drug or alcoholic psychosis.
- (c) Poor socio-economic environment—About half of the patients admitted to psychiatric institutions are unemployed. In many of these cases unemployment is the cause of the mental illness, in others it is an effect of the illness.
- (d) Stress, which is responsible for the development of neurotic illness— stress is likely to be related to family problems or problems associated with work or study. It may also be due to physical ill-health or disabilities.
- (e) Adverse childhood experience—a number of patients come from broken homes or have experienced prolonged parental separation during their childhood.

Preventive measures undertaken in the mental health field include the following:

- (a) Mental health education programmes organised by Government departments and voluntary agencies with the object of encouraging people to cultivate good mental health, improving their ability to cope with stress and alerting the public to problems associated with drug and alcohol abuse;
- (b) The provision of psychiatric services in general hospitals which facilitates liaison between psychiatrists and other specialists, thus enabling mental conditions arising from bodily diseases to be reduced or detected earlier;
- (c) Financial and other assistance including advice on employment provided by social work officers;
- (d) Counselling services provided both in family services centres and by the Mental Health Service of the Medical and Health Department; and
- (e) Provision of a 24-hour hot-line service manned by psychiatric staff, as well as out-reaching services provided by community psychiatric nurses and social workers.

WRITTEN ANSWER—*Cont'd*

Annex IX

Written answer by the Secretary for Security on behalf of the Attorney General to Mr. HUI Yin-fat's supplementary question to Question No. 10.

In recent years, on the advice of the Action Committee Against Narcotics (ACAN), the Government has developed a comprehensive programme of anti-narcotics preventive education and publicity with three main objectives:

- (a) to warn the public about the dangers of drug abuse;
- (b) to prevent young people from getting involved in drugs; and
- (c) to encourage existing drug addicts to come forward for treatment.

To achieve these objectives, the Government has taken two main lines of attack.

The first is directed at the community. It is designed to warn the general public and parents in particular about the dangers of drugs and to enlist their active support in combating the drug problem. To this end, the Government has for many years attached a great deal of importance to the anti-narcotics campaign. In September 1985 the Government launched a publicity campaign urging parents to report drug peddling activities in their neighbourhoods and to prevent their children from falling a prey to drug pushers.

The second is directed specifically at young people. In February 1984, the Government established a School Talks Team to give drug education talks to secondary school students aged between 12 and 15 in Form I to Form III classes. These talks are aimed at giving students a good understanding of the drug problem and the dangers of drug abuse. Mindful that some young people may be used to act as couriers in return for monetary award, the School Talks Team has made a point of explaining the penalties for drug offences and warning students not to get involved in drugs. To date, a total of 504 talks have been delivered to 150 000 students in 288 secondary schools. Apart from giving school talks, the team also visits boys and girls homes and delivers similar talks.

While the object of forming the School Talks Team is to reach all young secondary school students before some of them leave school at the age of 15 after the nine-year period of compulsory education, those who have left school at this early age are considered to be more vulnerable to undesirable influences than those still attending school. To reach out and assist these early school leavers, the Government has since 1984 arranged, through the Hong Kong Council of Social Service, a series of seminars for outreach social workers with a view to enlisting their active support in discouraging young people at risk from starting on drugs or getting involved in drugs.

WRITTEN ANSWER—*Cont'd*

Other projects directed specifically at young people include: the ACAN Youth Volunteer Group, the Youth Against Drugs Scheme and the Students Against Drugs Movement. The ACAN Youth Volunteer Group is designed to back the Government's efforts by providing assistance to anti-narcotics campaigns, youth camps and family carnivals. The Youth Against Drugs Scheme is aimed at encouraging, through financial support, student and youth groups to plan and to implement their own programmes with an anti-narcotics message. The Student Against Drugs Movement was launched in October 1984 to encourage school students to participate in activities which would increase their awareness of the dangers of drug abuse.

To sum up, the Action Committee Against Narcotics is well aware of the importance of preventing young people from getting involved in drugs and is always looking for ways to develop and improve its preventive education and publicity programmes. But any new ideas for the committee to consider are always most welcome.

Annex X**Written answer by the Secretary for Security on behalf of the Attorney General to Mrs. FAN'S supplementary question to Question 10.**

It would be extremely difficult to eliminate such black spots completely because almost by definition they tend to be places where drug activities persist irrespective of action to enforce the law.

Drug black spots occur in districts with the greatest density of population, particularly in such older parts of the urban area as Wong Tai Sin, Kwun Tong, Sham Shui Po, Kwai Chung, Shau Kei Wan and Chai Wan because in these places are the largest markets for drug traffickers. Many smaller locations within these districts and elsewhere in Hong Kong assume the status of black spots, for example parks, playgrounds, markets, back alleys and the like. These black spots are known to the police and are the subject of particular attention. Measures to restrict or eliminate drug activities in these areas include an increased police presence by beat or mobile patrols and by calling in local Special Duty Squads, with greater use of powers to stop and search.

Apart from increased action to enforce the law, urban redevelopment projects to improve the environment play a significant role in removing certain black spots. Generally speaking, in recent years drug activities in many of these black spots have been satisfactorily curtailed. Having said that, while a sizeable market exists, drug traffickers will continue to move their activities to new locations, albeit in generally the same area, to meet the demand. Thus the work of the police is never ending.

WRITTEN ANSWER—*Cont'd*

To sum up. I would simply reiterate that both districts and individual locations which might be classified as black spots are well known to the police and will continue to be the subject of sustained enforcement action. But to eliminate them completely, other than by means of redevelopment, is an almost impossible concept.