### OFFICIAL RECORD OF PROCEEDINGS

立法局會議過程正式紀錄

### Wednesday, 6 December 1995

一九九五年十二月六日星期三

### The Council met at half-past Two o'clock

下午二時三十分會議開始

### MEMBERS PRESENT

出席議員:

THE PRESIDENT

THE HONOURABLE ANDREW WONG WANG-FAT, O.B.E., J.P. 主席黃宏發議員, O.B.E., J.P.

THE HONOURABLE ALLEN LEE PENG-FEI, C.B.E., J.P. 李鵬飛議員, C.B.E., J.P.

THE HONOURABLE MRS SELINA CHOW LIANG SHUK-YEE, O.B.E., J.P. 周梁淑怡議員,O.B.E., J.P.

THE HONOURABLE MARTIN LEE CHU-MING, Q.C., J.P. 李柱銘議員, Q.C., J.P.

DR THE HONOURABLE DAVID LI KWOK-PO, O.B.E., L.L.D. (CANTAB), J.P.

李國寶議員, O.B.E., L.L.D. (CANTAB), J.P.

### THE HONOURABLE SZETO WAH

司徒華議員

THE HONOURABLE EDWARD HO SING-TIN, O.B.E., J.P.

何承天議員, O.B.E., J.P.

THE HONOURABLE RONALD JOSEPH ARCULLI, O.B.E., J.P. 夏佳理議員,O.B.E., J.P.

THE HONOURABLE MRS MIRIAM LAU KIN-YEE, O.B.E., J.P. 劉健儀議員,O.B.E., J.P.

DR THE HONOURABLE EDWARD LEONG CHE-HUNG, O.B.E., J.P. 梁智鴻議員,O.B.E., J.P.

THE HONOURABLE ALBERT CHAN WAI-YIP 陳 偉 業 議 員

THE HONOURABLE CHEUNG MAN-KWONG 張文光議員

THE HONOURABLE CHIM PUI-CHUNG 詹培忠議員

THE HONOURABLE FREDERICK FUNG KIN-KEE 馮檢基議員

THE HONOURABLE MICHAEL HO MUN-KA 何敏嘉議員

DR THE HONOURABLE HUANG CHEN-YA, M.B.E. 黄震遐議員,M.B.E.

THE HONOURABLE EMILY LAU WAI-HING 劉慧卿議員

THE HONOURABLE LEE WING-TAT 李永達議員

THE HONOURABLE ERIC LI KA-CHEUNG, J.P. 李家祥議員,J.P. THE HONOURABLE FRED LI WAH-MING 李華明議員

THE HONOURABLE HENRY TANG YING-YEN, J.P.

唐英年議員,J.P.

THE HONOURABLE JAMES TO KUN-SUN

涂謹申議員

DR THE HONOURABLE SAMUEL WONG PING-WAI, M.B.E., F.Eng., J.P. 黄秉槐議員,M.B.E., F.Eng., J.P.

DR THE HONOURABLE PHILIP WONG YU-HONG

黄宜弘議員

DR THE HONOURABLE YEUNG SUM

楊森議員

THE HONOURABLE HOWARD YOUNG, J.P.

楊孝華議員,J.P.

THE HONOURABLE ZACHARY WONG WAI-YIN

黄偉賢議員

THE HONOURABLE CHRISTINE LOH KUNG-WAI

陸恭蕙議員

THE HONOURABLE JAMES TIEN PEI-CHUN, O.B.E., J.P.

田北俊議員, O.B.E., J.P.

THE HONOURABLE LEE CHEUK-YAN

李卓人議員

THE HONOURABLE CHAN KAM-LAM

陳鑑林議員

THE HONOURABLE CHAN WING-CHAN

陳榮燦議員

THE HONOURABLE CHAN YUEN-HAN

陳婉嫻議員

THE HONOURABLE ANDREW CHENG KAR-FOO

鄭家富議員

THE HONOURABLE PAUL CHENG MING-FUN

鄭明訓議員

THE HONOURABLE CHENG YIU-TONG

鄭耀棠議員

THE HONOURABLE ANTHONY CHEUNG BING-LEUNG

張炳良議員

THE HONOURABLE CHEUNG HON-CHUNG

張漢忠議員

THE HONOURABLE CHOY KAN-PUI, J.P.

蔡根培議員, J.P.

THE HONOURABLE DAVID CHU YU-LIN

朱幼麟議員

THE HONOURABLE ALBERT HO CHUN-YAN

何俊仁議員

THE HONOURABLE IP KWOK-HIM

葉國謙議員

THE HONOURABLE LAU CHIN-SHEK

劉千石議員

THE HONOURABLE AMBROSE LAU HON-CHUEN, J.P.

劉漢銓議員, J.P.

DR THE HONOURABLE LAW CHEUNG-KWOK

羅祥國議員

THE HONOURABLE LAW CHI-KWONG

羅致光議員

### THE HONOURABLE LEE KAI-MING

李啟明議員

#### THE HONOURABLE LEUNG YIU-CHUNG

梁耀忠議員

### THE HONOURABLE BRUCE LIU SING-LEE

廖成利議員

### THE HONOURABLE MOK YING-FAN

莫應帆議員

#### THE HONOURABLE MARGARET NG

吳靄儀議員

### THE HONOURABLE NGAN KAM-CHUEN

顏錦全議員

#### THE HONOURABLE SIN CHUNG-KAI

單仲偕議員

### THE HONOURABLE TSANG KIN-SHING

曾健成議員

#### DR THE HONOURABLE JOHN TSE WING-LING

謝永齡議員

## THE HONOURABLE MRS ELIZABETH WONG CHIEN CHI-LIEN, C.B.E., I.S.O., J.P.

黃錢其濂議員, C.B.E., I.S.O., J.P.

#### THE HONOURABLE LAWRENCE YUM SIN-LING

任善寧議員

### **MEMBERS ABSENT**

### 缺席議員:

THE HONOURABLE NGAI SHIU-KIT, O.B.E., J.P. 倪少傑議員,O.B.E., J.P.

THE HONOURABLE LAU WONG-FAT, O.B.E., J.P. 劉皇發議員,O.B.E., J.P.

THE HONOURABLE LO SUK-CHING 羅 叔 清 議 員

### PUBLIC OFFICERS ATTENDING 出席公職人員:

THE HONOURABLE MRS ANSON CHAN, C.B.E., J.P. CHIEF SECRETARY

行政局議員布政司陳方安生女士, C.B.E., J.P.

THE HONOURABLE DONALD TSANG YAM-KUEN, O.B.E., J.P. FINANCIAL SECRETARY

行政局議員財政司曾蔭權先生, O.B.E., J.P.

THE HONOURABLE JEREMY FELL MATHEWS, C.M.G., J.P. ATTORNEY GENERAL

行政局議員律政司馬富善先生, C.M.G., J.P.

MR CHAU TAK-HAY, C.B.E., J.P. SECRETARY FOR RECREATION AND CULTURE 文康廣播司周德熙先生,C.B.E., J.P.

MR HAIDER HATIM TYEBJEE BARMA, I.S.O., J.P. SECRETARY FOR TRANSPORT 運輸司鮑文先生, I.S.O., J.P.

MR GORDON SIU KWING-CHUE, J.P.

#### SECRETARY FOR ECONOMIC SERVICES

經濟司蕭炯柱先生, J.P.

MRS KATHERINE FOK LO SHIU-CHING, O.B.E., J.P. SECRETARY FOR HEALTH AND WELFARE

生福利司霍羅兆貞女士, O.B.E., J.P.

MR RAFAEL HUI SI-YAN, J.P. SECRETARY FOR FINANCIAL SERVICES 財經事務司許任仁先生, J.P.

MR JOSEPH WONG WING-PING, J.P. SECRETARY FOR EDUCATION AND MANPOWER 教育統籌司王永平先生, J.P.

MR PETER LAI HING-LING, J.P. SECRETARY FOR SECURITY 保安司黎慶寧先生, J.P.

MR CANICE MAK CHUN-FONG, J.P. SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS 規劃環境地政司麥振芳先生,J.P.

## CLERKS IN ATTENDANCE

### 列席秘書:

MR LAW KAM-SANG, DEPUTY SECRETARY GENERAL 副秘書長羅錦生先生

MISS PAULINE NG MAN-WAH, ASSISTANT SECRETARY GENERAL 助理秘書長吳文華女士

MR RAY CHAN YUM-MOU, ASSISTANT SECRETARY GENERAL 助理秘書長陳欽茂先生

### **PAPERS**

The following pape	rs were laid on	the table purs	suant to Standing	Order 14(2):
				, , , , .

Subject

~~~;	
Subsidiary Legislation	L.N. No.
Civil Aviation (Aircraft Noise) Ordinance (Amendment of Schedule) Notice 1995	539/95
Airport Authority Ordinance (71 of 1995) (Commencement) Notice 1995	540/95
Import (Radiation) (Prohibition) (Amendment) Regulation 1995	541/95
Import and Export (General) (Amendment) Regulation 1995	542/95
Import and Export (Fees) (Amendment) (No. 2) Regulation 1995	543/95
Import and Export (Registration) (Amendment) Regulation 1995	544/95
Ferry Services (Hongkong and Yaumati Ferry Company, Limited) (Determination of Fares) (Amendment) Order 1995	545/95
Leveraged Foreign Exchange Trading (Calls) (Amendment) Rules 1995	555/95
Tax Reserve Certificates (Fourth Series) (Amendment) Rules 1995	556/95

### 立法局 一 一九九五年十二月六日

Tax Reserve Certificates (Rate of Interest)  Notice 1995	557/95			
Prisoners' Education Trust Fund Ordinance (19 of 1995) (Commencement) Notice 1995	558/95			
Official Languages (Amendment) Ordinance 1995 (51 of 1995) (Commencement) (No. 2) Notice 1995	559/95			
Tax Reserve Certificates (Amendment) Ordinance 1995 (99 of 1995) (Commencement) Notice 1995	560/95			
Official Languages (Authentic Chinese Text) (The Hongkong and Shanghai Banking Corporation Limited Ordinance) Order	(C) 115/95			
Official Languages (Authentic Chinese Text) (Tramway Ordinance) Order	(C) 116/95			
Official Languages (Authentic Chinese Text) (Peak Tramway Ordinance) Order	(C) 117/95			
文件				
下列文件乃根據《常規》第 14(2)條的規定而提交會議席上省覽:				
項目				
附屬法例	津公告編號			
《1995年民航(飛機噪音)條例 (修訂附表)公告》	539/95			
《機場管理局條例(1995 年第 71 號) 1995 年(生效日期)公告》	540/95			

《1995 年進口(輻射) (禁止)	
(修訂)規例》	541/95
《1995年進出口(一般)(修訂)規例》	542/95
《1995年進出口(費用)(修訂) (第2號)規例》	543/95
《1995年進出口(登記)(修訂)規例》	544/95
《1995年渡輪服務(香港油蔴地小輪船有限公司) (收費釐定)(修訂)令》	545/95
《1995年槓桿式外匯買賣(造訪) (修訂)規例》	555/95
《1995年儲稅券(第四輯)(修訂)規則》	556/95
《1995年儲稅券(利率)公告》	557/95
《在囚人士教育信託基金條例(1995年第19號) 1995年(生效日期)公告》	558/95
《1995年法定語文(修訂)條例(1995年第51號) 1995年(生效日期)(第2號)公告》	559/95
《1995年儲稅券(修訂)條例(1995年第99號) 1995年(生效日期)公告》	560/95
《法定語文(中文真確本) (香港上海滙豐銀行有限公司條例)令》.	(C)115/95
《法定語文(中文真確本)(電車條例)令》	(C)116/95
《法定語文(中文真確本) (山頂纜車條例)令》	(C)117/95

### Sessional Papers 1995-96

- No. 28 Regional Council

  Hong Kong Accounts for the year ended 31 March 1995
  with Report and Certificate of the Director of Audit
- No. 29 Regional Council
  Annual Report 1994-95
- No. 30 Revised List of Works annexed to the Regional Council's Revised Estimates of Revenue and Expenditure for 1995-96
- No. 31 Revisions of the 1994-95 Estimates approved by the Urban Council during the First Quarter of the 1995-96 Financial Year
- No. 32 Revisions of the 1995-96 Estimates approved by the Urban Council during the Second Quarter of the 1995-96 Financial Year
- No. 33 The Sir Murray MacLehose Trust Fund
  Trustee's Report for the period
  1 April 1994 to 31 March 1995
- No. 34 Sir Edward Youde Memorial Fund Report of the Board of Trustees for the period 1 April 1994 to 31 March 1995
- No. 35 Report by the Trustee of the
  Police Children's Education Trust,
  Police Education and Welfare Trust for the period
  1 April 1994 31 March 1995
- No. 36 Vocational Training Council
  Annual Report 1994-95

### 一九九五至九六年度會期內提交的文件

- 第 28 號 一 香港區域市政局截至一九九五年三月三十一日止的 週年帳目連同核數署署長報告及證明書
- 第 29 號 一 一九九四至九五年度區域市政局年報
- 第 30 號 區域市政局一九九五至九六年度 修訂收支預算附件所載 經修訂的工程一覽表
- 第 31 號 一九九五至九六財政年度第一季 由市政局通過的一九九四至九五年度 財政預算修訂
- 第 32 號 一九九五至九六財政年度第二季 由市政局通過的一九九五至九六年度 財政預算修訂
- 第 33 號 一 麥理浩爵士信託基金受託人報告書 一九九四年四月一日至一九九五年三月三十一日
- 第 34 號 一 尤德爵士紀念基金信託委員會報告書 一九九四年四月一日至一九九五年三月卅一日
- 第 35 號 警察子女教育信託基金 警察教育福利信託基金 受託人報告書 一九九四年四月一日至一九九五年三月三十一日
- 第 36 號 一 職業訓練局 一九九四年至一九九五年度年報

### **ORAL ANSWERS TO QUESTIONS**

#### Review of Pre-vocational School Curriculum

- 1. **唐英年議員問**: 主席先生,總督於一九九五年施政報告中表示,當局 正全面檢討職業先修學校的實用科及工科課程。對此,政府可否告知本局:
  - (a) 需要多少人力和有何部門參與進行檢討;
  - (b) 檢討範疇的內容和進行檢討的時間表分別為何;及
  - (c) 將如何改善職業先修學校的課程,以應付經濟轉型帶來的需求?

#### 教育統籌司答:主席先生,

- (a) 教育署會於短期內對職業先修學校所開辦的課程展開全面檢討。該署轄下三個科,即課程發展處、輔導視學處及學校行政科將會參與這項檢討工作。這次檢討會充分考慮公眾在有關問題上所發表的意見。此外,教育署亦會徵詢各有關機構,包括職業先修學校、香港考試局和職業訓練局的意見。教育署會把檢討結果提交教育委員會及課程發展議會,聽取他們的意見,然後才提出確實的建議,以便日後推行。
- (b) 這項檢討會深入研究現時職業先修課程,是否配合和足以應付本港經濟轉型所帶來的需求,以及與文法學校及工業學校相比,職業先修學校在整個教育制度中的角色及結構。這項檢討預計將在一九九六年年中完成。
- (c) 這項檢討的其中一項工作,是提出建議,以確保職業先修學校提供的課程,能繼續應付因本港經濟轉型,在知識及職業技能方面的不同需求。

唐英年議員問:主席先生,政府可否告知本局,在過去三年內,職業先修學校的學生考入大學的比例為何?又職業先修學校的學生在畢業後能學以致用,從事所讀學科有關的工作的比例為何?根據以上這些數字,政府曾否考慮職業先修學校的未來發展應走向文法中學的道路,抑或繼續以職業培訓為

#### 主導?

教育統籌司答:主席先生,有關職業先修學校學生最近三年入讀大學的確實人數,我現時並無資料。至於有多少學生入讀職業訓練局各間不同的工業學院或科技學院,又或參加學徒或技術員訓練,我暫時也沒有這方面的資料。我稍後會把這些資料整理妥當,然後交給唐議員。(Annex I)

此外, 唐議員提到將來職業先修學校和文法學校的關係, 以及職業先修 學校將來會否有任何重大改變, 以配合香港的經濟轉型, 這些問題都是我們 對課程的檢討中的一個非常重要環節。

主席先生,雖然我們沒有詳細的學生資料,但我想藉此機會告知議員,職業先修學校的學生在中三離開時,有很多參與職業訓練局的學徒計劃;中五離開的學生,也有很多入讀職業訓練局的工業學院;而中七離開的學生,有部分上了大學,另一部分則入讀職業訓練局的科技學院。因此,在這方面來說,職業先修學校實際上起了作用。不過,其作用有多大,以及可否在課程和結構方面加強這方面的作用,則是我們檢討的其中一個最主要目的。

張炳良議員問:主席先生,我的質詢和唐英年議員的差不多,就是政府在檢 討職業先修學校教育時,會否嘗試為整個職業先修學校教育的定位作一個清 楚的界定?因為目前很多青少年都會覺得職業先修教育是次等或技工教育, 但這已經與現在的時代脫節。

**教育統籌司答**:主席先生,我肯定今次的檢討會審慎考慮職業先修學校現時所起的作用有多大;它與職業訓練局的關係,以及它所培養的學生,無論是中三、中五抑或中七離開的學生,在學習技能後,能夠在立即適應經濟轉型需要這一方面所起的作用有多大。以上種種問題,我們都會在檢討中詳細研究。

唐英年議員問:謝謝主席先生容許我第二次提出補充質詢。根據資料,在九二至九三學年和九三至九四學年,分別有51%和66%升讀職業先修學校中六課程的中五職業先修學校學生,在中文科或英文科的會考成績不合格。政府有否考慮將職業先修學校目前初中實用科所佔的40%比率調低?又或曾否考慮延遲把學生分流,以加強其基礎教育的訓練?

教育統籌司答:主席先生,首先,顧名思義,職業先修學校課程的比重當然會較為側重在工業或實用學科方面,所以剛才唐議員提到的40%比率,其實是反映了職業先修學校與文法學校的基本不同之處。剛才唐議員提出的數字,顯示很多職業先修學校學生在會考時,文科的合格率較低,這是事實,這也是我們須檢討的其中一個環節。因為目前我們有一個印象,就是通常學生的文科成積較差時,他們大多選擇入讀職業先修學校。我們會考慮將來職業先修學校在文科方面是否需要加強。不過,如果加強文科方面的教育,我們又要考慮會否影響了職業先修學校的主要角色,即令學生對實用和工業科目具有較文科科目更強的認識,培養他們日後較易參與職業訓練局的課程。這些都是比較複雜的問題,我在現階段未能向議員提供明確的答覆,但我承諾我們一定會在檢討中詳細考慮這些問題。

**PRESIDENT**: Since Miss CHAN Yuen-han is not present in the Chamber, Question No. 2 will be postponed until Question No. 6 has been answered.

It appears that we have to postpone Question No. 3 also.

### CI Holders Refused Visa by United Arab Emirates

- 4. **周梁淑怡議員問**:有關阿拉伯聯合酋長國("阿聯酋")最近拒絕發簽 證給持身分證明書的人士一事,政府可否告知本局:
  - (a) 阿聯酋有否事前知會香港政府,若有,政府有否提出抗議;及
  - (b) 自上述事件發生後,有否採取任何行動,直接或透過英國政府 解決此問題?

### 保安司答:主席先生,

(a) 有關阿聯酋拒絕簽證給本港身分證明書持有人一事,我們曾收到來 自各方面的不同消息。例如今年一月間,阿聯酋一名官員透過駐阿 布扎比的英國大使館,通知本港人民入境事務處,可以接受身分證 明書申領簽證,並且要求本港向該國外交部提交身分證明書樣本。 不過,今年七月間,阿聯酋當局又再透過駐阿布扎比的英國大使館 通知我們,不接受身分證明書申領簽證,理由是身分證明書不能證 明持有人的國籍。我們在七月得知該國的正式立場後,便通過駐阿 布扎比的英國大使館向阿聯酋當局解釋實情,促請該國改變立場。

(b) 我們得知該國最近拒絕簽證給本港身分證明書持有人後,已透過外交及聯邦事務部向阿聯酋的駐英大使提出交涉,並且再次透過駐阿布扎比的英國大使館,向阿聯酋當局提出交涉。負責香港事務的英國外交及聯邦事務部次官韓俊明先生,亦於十一月二十七日訪問該國時,向阿聯酋外交部國務部長提出此事。阿聯酋國務部長已答允盡速處理,而我們亦會繼續密切留意事態發展。

周梁淑怡議員問:主席先生,鑑於目前持有身分證明書的永久居民,如申請 歸化英籍以獲得英國國民(海外)護照約需時九個月,現時又發生阿聯酋事 件,加上無可否認,持身分證明書的人士逐漸感到有困難出現,請問政府有 否考慮盡量縮短英國國民(海外)護照的申請時間,以利便持身分證明書的 永久居民出外旅遊?

**保安司答**:主席先生,如果申請人有特別緊急的需要,可在申請歸化入英籍時,向人民入境事務處同事講述他們的需要,我相信該處同事會協助他們盡早完成有關手續。但歸化入英籍的手續確實需時,所以我相信最好而又快捷的方法,就是盡量透過外交途徑,與阿聯酋有關當局解決這問題,勸服阿聯酋重新接納身分證明書持有人,發給他們簽證。

**PRESIDENT**: I have three names on my list and I propose to draw a line there.

詹培忠議員問:主席先生,我覺得旅遊證件一如人際關係,同樣是互惠互利的。既然阿聯酋給香港如此待遇,香港政府有否考慮開出同樣條件作為回應?若否的話,原因為何?

**保安司答**:主席先生,我不同意詹培忠議員所說,簽證和免簽證與否是一個絕對的互利互惠問題。香港維持一個很開放的簽證入境政策,雖然我們的英

國國民(海外)護照只獲七十多八十個國家免簽證,但我們容許約一百七十多個國家的人士免簽證到港旅遊。採取報復行動,在心理上可能較為舒服,但對於解決這問題是絕對沒有幫助的。我們並不希望報復,而是希望阿聯首當局回心轉意,重新接納身分證明書持有人,讓他們可獲發給簽證。

詹培忠議員問: 主席先生, 我不是說報復, 我只是說互惠互利。

**PRESIDENT**: That is not a question, Mr CHIM.

楊孝華議員問:主席先生,阿聯酋歧視香港的身分證明書,今次並不是第一次。我記得在一九九四年三月,曾經向人民入境事務處提及,阿聯酋當時對"厚本身分證明書"與"普通身分證明書"有不同的處理方法。請問這類事情是否已經獲得澄清?又阿聯酋這次行動是否只針對香港的身分證明書,抑或全世界的身分證明書?

保安司答:主席先生,楊孝華議員不錯在九四年年中曾向我們談及這事,而我們亦收到其他訊息,知道有一宗個別的個案,當時阿聯酋當局拒絕發給持有92頁,即所謂"珍寶型"身分證明書的一名旅客簽證。當時我們也是透過英國駐阿布扎比大使館與阿聯酋當局進行交涉。經過數個月的書信來往和討論,正如我在主要答覆中所說,我們在今年一月接到阿布扎比當局一位官員的通知,說接受身分證明書持有人的簽證申請。但又正如我在主要答覆中所說,至七月時阿聯酋當局突然卻改變決定。至於阿聯酋突然不接受身分證明書作為簽證之用的詳細理由,我們至今仍不十分清楚,因為他們在不同時間提出不同的理由。據我所知,他們目前的決定,並不單止針對92頁的"珍寶型"身分證明書,普通44頁的身分證明書持有人也不獲發簽證。

涂謹申議員問:主席先生,如果能夠透過英國外交部在短期內解決這事,這當然好。但如果在合理時間內仍然沒有進展,請問當局會否因為大部分身分證明書持有人都是中國籍,而他們日後也是中國籍,所以考慮邀請中國政府作出相應的協助,向阿聯酋解釋這事,使現時的身分證明書持有人可獲得方便,以及在過渡九七後仍然獲得同等待遇?

保安司答:主席先生,我不想在這情♥下忖測阿聯酋當局會否在短期內解決這事。我相信要待阿聯酋當局給予答覆,視乎其決定和理據,我們才能決定採取哪些進一步的行動。阿聯酋當局的答覆可能是重新接受身分證明書,把問題解決。

在我們與阿聯酋當局的交涉中,我們已清楚解釋,身分證明書持有人擁有香港的永久居留權,隨時可返回香港;此外,九七年後,他們大多數可獲得香港特別行政區護照以及屆時的永久居留權。

#### Taxi Robberies

- 5. 劉健儀議員問: 主席先生,鑑於近期經常發生的士劫案,政府可否告 知本局:
  - (a) 警方有否一套特別措施,保障的十司機的人身安全;及
  - (b) 運輸署會否考慮批准的士司機在其的士內裝設防盜膠板之類的 保安設備?

#### 保安司答:主席先生,

(a) 的士劫案舉報數字最近確有增加。在本年首九個月內,共有228宗 這類案件,較去年同期上升45%。到目前為止,警方已偵破其中68 宗(共三成),並拘捕66人。

我們十分關注的士劫案急增的情♥,而警方亦採取措施對付這問題。警方已提點在街上巡邏的警務人員,有關的士劫案的最新情報,方便他們特別留意這類案件。此外,警方又在各個的士劫案黑點暗中監視。在的士劫案較嚴重的地區,警方更成立專案小組打擊這類罪案。例如最近在大埔警區成立、由一名高級督察指揮、成員包括兩名警署警長、七名警長及47名警員的專案小組,以打擊這類案件。在過去四個月內,這個小組成功拘捕與近期七宗的士劫案有關的三名罪犯。在今年首九個月內,警方亦曾在較常發生的士劫案的深夜及清晨時分,先後進行15 000次路障行動。

警方防止罪案科亦已與42個的士商會和的士司機聯會,保持密切聯絡。防止罪案科每月向他們提供有關罪案最新趨向的詳細資料,以及罪案黑點名單。警方提醒的士司機,應與控制中心和其他同業經常保持聯絡,一旦覺得乘客有可疑,便應以暗號或暗語通知控制中心或同業,以便他們可以馬上報警求助。

(b) 據我所知,運輸署及警方原則上並不反對的士內裝設這些保安措施。事實上,防止罪案科及運輸署均曾與的士聯會詳細磋商,研究是否可在的士內裝設防止搶劫設施,包括在司機座位裝設防盜膠板、使用車輛追踪器,以及裝設一個暗掣在的士內,讓司機在必要時按下暗掣即可令車頂的的士標誌閃亮,以示向警方求助。防止罪案科又向的士聯會介紹這些防劫設施的供應處。警方剛於本年九月進行了一項問卷調查,徵求的士司機及其聯會對這保安措施的意見。該項問卷調查現已完成,預計可於本月底有結果。當局稍後會向的士聯會提交及商討這些結果。

我們會審慎研究調查的結果,並會繼續密切注視的士劫案問題,以 確保能採取適當措施,保障的士司機的人身安全。

劉健儀議員問:主席先生,答案的(b)段提及的士可以裝設一個暗掣,按下暗掣時會令車頂的士標誌閃亮,但參考鄰近國家在的士上加設的防盜設施,其實當這些防盜閃燈在遇劫而閃亮的時候,的士上的通訊系統會即時接通警方的直接通訊頻道,或者附近的士的雙向頻道。有見及此,保安司可否告知本局,政府會否考慮開放多一些通訊頻道,使遇劫的士司機可以直接通知警方,或者聯絡附近經營的同業,使警方或這些的士司機可以第一時間趕到現場提供協助呢?

保安司答:主席先生,在今年七月,其實我們已開放了15個頻道讓有關人士,包括的士司機使用,他們可以通過這15個頻道與同業聯絡,當然不是所有的士通訊裝置都可以利用這15個頻道,但我希望在本月底,當我們的問卷調查有結果後,警方防止罪案科與的士聯會及有關的同業,會繼續討論如何可以改善這些防劫措施。

### **British Citizenship for BDTCs and BNOs**

6. MISS EMILY LAU asked: In a recent speech to the Hong Kong Management Association, a Preliminary Working Committee member mentioned that the Chinese Government might set up a Special Administrative Region provisional secretariat and a provisional legislature in the territory next year. This has given rise to public concern over a smooth transfer of power upon the change of sovereignty. Will the Government inform this Council whether it will step up efforts to persuade the British Parliament to consider giving full British Citizenship to all citizens in the Colony who are holders of the British Dependent Territories Citizen (BDTC) passport or British National (Overseas) (BNO) passport?

**SECRETARY FOR SECURITY**: Mr President, the Hong Kong Government's position is that British Citizenship should be granted to all Hong BDTCs. We have stated our position clearly on a number of occasions in this Council, including at the debate on a motion moved by the Honourable Emily LAU in October last year.

We will continue to put our position to the British Government, as effectively as we can and whenever the opportunity arises. As Honourable Members are aware, the British Government's position is that the grant of British Citizenship to 50 000 heads of household and their dependents was the right response. It does not accept the case for granting British citizenship to all Hong Kong BDTCs.

We believe that the best way to allay public concern about a smooth transition is to ensure that Hong Kong continues to be the place where Hong Kong people wish to remain. To this end, we will seek to preserve its way of life, its prosperity and stability, and the rule of law; and ensure that the safeguards for these provided for in the Joint Declaration and the Basic Law are honoured in full.

**劉慧卿議員問**: 主席先生,政府在主要答覆中提到,消除市民大眾對平穩過渡的憂慮,最佳方法是確保香港仍是香港人願意留居的地方。不過,政府當

然知道,最近一些領事館接獲的移民申請大幅增加,例如加拿大今年首九個 月的移民申請與去年同期比較,增加了七成。請問政府有否告知英國政府這 些資料,說香港現時可能再出現一個新的移民潮,因為很多人對將來都很擔 心,他們希望有一隻救生艇,有一張護身符,而英國可否在這方面悉力協助 香港人?

保安司答:是否真的再有一個移民潮,我相信還要多觀察一些時間。雖然最近某些國家的移民申請有上升的趨勢,但我們不要忘記,這些數字與四、五年前的數字相比,顯然是"小巫見大巫"。當然,我並不是想貶低這問題的重要性。至於英國政府是否知道這情♥,我相信英國政府也明白香港現時的情♥。不過,我想重複一點,有關香港的英國屬土公民應否獲得英國公民身分,香港政府一向的立場都是認為應該的。

馮檢基議員問:主席先生,如果我沒有理解錯誤,劉慧卿議員的質詢是,那 位預委會成員提到香港可能出現第二個權力中心,而香港人最擔心的就是會 有第二個權力中心。請問香港政府會否.....

**PRESIDENT**: Mr FUNG, you are digressing from the main thrust of the question. Please concentrate on the BDTCs.

馮檢基議員問:這質詢主要是擔心會有大量香港人移民,所以要英國政府給香港人一個移民的權利。請問政府有否辦法,令香港人所擔心的第二個權力中心不會出現?這樣就根本不會出現移民申請增加這趨勢。

**SECRETARY FOR SECURITY**: Mr President, is that a question relating to British Dependent Territory Citizenship or British Citizenship, or is it a question about the issue of a second centre of power? I am not sure what the question is.

馮檢基議員問:主席先生,主要質詢提到,引起香港人擔心的是因為有預委會成員說,中國政府明年或會在香港成立特別行政區臨時秘書處和臨時立法機關。而根據調查,那些人是擔心會出現第二個權力中心.....

**PRESIDENT**: Mr FUNG, you are repeating Miss Emily LAU's question.

馮檢基議員問: 我想作出解釋,因為保安司問我提出的是移民問題還是其他問題.....

**PRESIDENT**: Would you please state your question, Mr FUNG.

馮檢基議員問:這是由於可能出現第二個權力中心,所以引發起移民申請增加。因此,請問香港政府可否確保九七年前,不會有第二個權力中心出現?

**PRESIDENT**: I am sorry, this deviates from the main thrust of the question.

涂謹申議員問:主席先生,我想保安司澄清主要答覆的第一句,即"香港政府的立場,是應給予所有香港的英國屬土公民英國公民身分。"請問如果香港一些英國屬土公民護照持有人同時擁有英國國民(海外)護照,那麼香港政府是否仍然認為應該給予他們英國公民身分?

**保安司答**:主席先生,香港政府在這方面的立場是,英國屬土公民護照持有人和英國國民(海外)護照持有人是沒有分別的。

**DR SAMUEL WONG**: Mr President, is the Administration aware that British passports issued in Hong Kong up to the late 60s or even early 70s, to persons born in Hong Kong, did enjoy full citizenship of the United Kingdom and Colonies? If yes, could this Council be informed how this type of citizenship was taken away from them?

**SECRETARY FOR SECURITY**: Mr President, there were several changes in between 1948 and the current situation. As far as I can recall, the British Dependent Territory Citizens, whom at the time was called Citizens of United Kingdom and Colonies, were first subject to immigration control in 1963 under the Commonwealth Immigration Act. It was further reconfirmed in the 1971 British Nationality Act.

田北俊議員問:主席先生,我相信絕大部分香港人都想留在香港,即使移民外國的,近這一、兩年也有不少回流返港。數年前,英國給了香港五萬個家庭,即二十多萬人居英權,現時已可證明絕大部分取得居英權的人,並沒有離開香港。政府可用這理由跟英國政府商討,說英國給了這麼多香港人居英權也沒有令他們離去,為何英國不給予香港所有英國屬土公民居英權呢?請問政府可否告知本局,在那五萬個家庭當中,有多少個家庭去了英國?

**保安司答**:主席先生,按照我們的慣例,我們不會監察或監視以居英權方案 取得英國公民身分的香港人的出入境情♥,所以我們不備有去了英國定居的 家庭的確實數字。不過,據我們了解,以這方法取得居英權的人士去英國定 居的情♥,似乎不太普遍。

黃震遐議員問:主席先生,香港人因為對九七年擔憂而想移民,實在是一件 很可悲的事。這不可以怪英國,只怪中國政府在香港執行過左的政策。政府 剛才的答覆說得十分漂亮,說香港政府一直的立場是香港人可以有充分的英 國公民權。請問政府除了在立法局說過這一番話外,在過去一年,曾經多少 次向英國政府正式提出這要求?明年又有何計劃,向英國政府提出這要求?

**保安司答**:主席先生,這問題不是數學問題,猶如要列出曾提出多少次,而 越提得多就越有效。大家也知道,總督在九月時曾表明,他會繼續向英國政 府提出香港政府對這問題的立場。至於將來,正如我在主要答覆中所說,我 們在適當時候,會繼續向英國提出這問題。

**PRESIDENT**: Not answered, Dr HUANG?

黃震遐議員問: 我希望政府正式提供一些書面資料,證明確實在官式的情♥ 下,向英國政府提交文件,提出這項要求。否則,可能只是在電台說說便了 事。我覺得香港政府這樣並不是正式向英國政府提出要求。

**保安司答**:主席先生,總督並不是只在電台說說便了事,因為總督最近到英國時,曾直接向英國的有關事務大臣正式重申香港政府的立場。

### **Structural Safety of Buildings**

- 2. 陳婉嫻議員問:主席先生,鑑於近期連續發生多宗建築物(包括建築中 或拆卸中以至現存的建築物)外牆及簷篷倒塌意外,導致多名工人和途人傷 亡,政府可否告知本局:
  - (a) 有否監管建築物結構及建築地盤工業安全的制度;若有,詳情 如何;以及在該制度下,為何仍然出現上述的情♥;
  - (b) 會否檢討現行制度是否存有漏洞;
  - (c) 有否個案顯示公務員在執行該制度方面出現疏忽而遭受政府譴 責或其他處分;及
  - (d) 屋宇署會否考慮公開承建商及業主的資料讓市民知道,使公眾 人士在場牆或簷篷意外發生後,可向有關承建商及業主追究責 任?

#### 規劃環境地政司答:主席先生,

(a) 私人建築物的結構安全及建築地盤的工業安全,都受《建築物條例》和《工廠及工業經營條例》與有關附屬法例管制。《建築物條例》及其規例,規定建築物業主、認可人士、註冊結構工程師及註冊承建商,須負起某些法定責任。《建築物條例》亦規定,工程進行中的建築物及地盤,須符合保障地盤工人和市民方面的健康及安全標準。《工廠及工業經營條例》及其規例,則保障僱員在工業場所,包括在建築地盤及拆卸地盤工作時的安全和健康。這些條

例及規例訂明工地安全及健康的最低標準,亦規定東主及承建商,須為他們的僱員提供安全訓練和防護設備,以及督導僱員工作。

屋宇署及勞工處的人員,會定期巡視各建築物及建築地盤和拆卸地盤。屋宇署人員在巡查時,會查看是否有可能導致危險的情♥,一經發現,便會立即予以糾正。勞工處人員巡視地盤,是要確保承建商及工人遵從法例的規定,如工作情♥可能會引致意外受傷,或有明顯漠視法例的情♥,他們便會提出檢控。

我們亦同時進行有關促進建築物安全和建築地盤安全的宣傳和教育活動,以配合法例的執行。此外,屋宇署、勞工處及職業安全健康局亦會保持緊密的聯繫。

雖然上述工作總是有進一步改善的餘地,但普遍來說,現時對建築物和建築地盤安全的監管是有效的。儘管如此,一些如人為疏忽和錯誤等的因素,也有可能引致意外發生。

- (b) 答案當然是肯定的。政府將定期檢討監管制度,以堵塞任何漏洞,以及使這個制度更具成效。現正由條例草案審議委員會審議的《建築物(修訂)(第3號)條例草案》,就是這類檢討的成果和例子。
- (c) 據我所知,過去兩年,沒有公務員曾在執行建築物及工業安全法例方面,因出現疏忽而遭受譴責或其他處分。
- (d) 屋宇署會應要求,披露發生倒塌事件的建築物的業主和承建商, 以及負責的認可人士或註冊結構工程師的身分。

陳婉嫻議員問:主席先生,剛才有關的司級官員已作答,但我仍有問題要提出。雖然主要答覆說在這些問題上,當局有進一步的改善,但我覺得現時的情♥並非如剛才的答覆所說,例如上次大有街一至三號倒塌後,附近也有一些地盤棚架出現外拱,安全上亦有問題;又例如黃大仙慈雲山第一至三座的清拆,我覺得有關的清拆規例也未能保障其安全。類似這些問題,究竟是人為因素,還是其他因素?這些地盤隨時可能會再發生大有街那樣的意外的。

我還想問一個有關(d)項的問題.....

**PRESIDENT**: Miss CHAN, you are allowed only one supplementary.

陳婉嫻議員:我是接聲規劃環境地政司剛才(a)、(b)、(c)、(d)項的答覆,因 為我不滿意他的答覆,想跟進問一下。

**PRESIDENT**: You did ask four supplementaries and if all Members ask four supplementaries, then we will have to sit here until four o'clock before we finish the questions. Could you just pick one that you regard to be the most important.

陳婉嫻議員:那麼就有關(a)項那一點吧。

規劃環境地政司答:主席先生,如果我沒誤解問題的主旨,便是有關屋宇結構的安全或建築地盤的安全,法例的執行和監督是政府的責任,而且是一定會做的,但除了監督法例的執行外,我們很需要負責人,例如業主、承建商及認可負責人的絕對合作,有這幾方面的絕對合作,才能相輔相成。當然我們會竭盡所能巡察地盤,或加強我們的執法行動,但我相信要保證所有的意外都不發生,有賴各方面人士的合作。

陳榮燦議員問:主席先生,請問屋宇署在樓宇建築及拆卸過程中,所承擔的 責任是甚麼、扮演甚麼角色?如果發現地盤不符合安全指引,會否勒令地盤 停工?

規劃環境地政司答:根據現行的《建築物條例》,如果屋宇署人員巡察地盤時,發覺地盤安全設備不符合標準時,通常會勸諭該地盤的負責人(即承建商)加強這方面的工作,盡量使地盤安全。但如經作出勸諭後仍然無效,則屋宇署可以提出檢控,而且在必要時,我相信屋宇署也會考慮禁止該地盤施工。

**PRESIDENT**: Not answered, Mr CHAN? Are you saying that the Secretary has not answered your question?

陳榮燦議員問: 是的,主席先生,現在有這麼多意外發生,剛才規劃環境地 政司說會勸諭,但勸諭後也只是會提出檢控,並沒有說如何把潛在的危險問 題解決。 規劃環境地政司答:主席先生,我相信我已答覆那問題,便是如果屋宇署的 人員發現安全措施不足,有需要改善時,他們首先會勸諭負責人(即承建商) 加以改善,假如承建商不予改善時,便會提出檢控。

**PRESIDENT**: Mr CHAN was asking whether or not there will be an injunction or a cease work order or such similar schemes. Secretary for Education and Manpower?

教育統籌司答:主席先生,如果你容許的話,我想作出補充。實際上政府非常關注地盤工業安全,所以政府最近接納了工業安全檢討報告的建議,我們擬於本立法年度提出修改現行法例,賦予勞工處長權力,當他發現地盤工作環境不符理想,以致可能危害工人安全時,便有權發出暫停施工通知書。在這方面,可見我們是注視這問題,也會考慮透過立法來改善情♥。

曾健成議員問:現在地盤的安全棚柵長短不一,全港目前有一千二百多個地盤,其中有二百多個是拆卸中的地盤。政府實際上有多少人手巡查地盤?是否每一個地盤在施工前都會巡查?若否,會於展開施工後多久才巡查?

**PRESIDENT**: I am afraid the question strays away from the original question.

MR EDWARD HO: Mr President, according to the Secretary's reply, he seems to say that if there is a problem then everybody else connected with the construction industry is responsible, except the Buildings Department or the government officials. Since the Buildings Department, in the name of the Building Authority, is responsible for approving designs, as well as inspection of building sites, can he please clarify whether in that case the Buildings Department should have some responsibilities; if not, why not?

**SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS**: Mr President, I think I said safety at work is the responsibility of all those concerned, including the Government. The Government has the role of enforcing the law and making regular inspections to ensure that the law is complied with. There is also the responsibility of the authorized persons and the registered contractors who are also responsible for the safety at site.

**PRESIDENT**: Not answered, Mr HO?

**MR EDWARD HO**: No, Mr President, if I may have your permission to just clarify one point, because when I said responsibility I actually meant also liability. Perhaps the Secretary would answer whether the Department will have any liability if anything goes wrong.

**SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS**: Mr President, if an accident happens, for example, the tragic accident we witnessed in 1994 in Nathan Road which killed several persons, an investigation will surely be carried out after that. And that investigation will look into the responsibilities of those responsible for the accident and if necessary, action will be taken.

**MR EDWARD HO**: Mr President, I am sorry, but I do not think he has answered my question. My question is relating to the liability of the government department rather than anybody else. My question is, whether in such an incident, the government department or its agents or officers would have any liability?

**SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS**: Mr President, I believe this will vary from case to case; it depends on the results of the investigation which will be conducted after the accident to ascertain the cause of the accident.

MR RONALD ARCULLI: Mr President, perhaps the Secretary would be good enough to tell this Council whether there has been any case in which government officials have been involved in the approval process of plans or supervision of works or inspections, and which resulted in the prosecution of any government official for a criminal offence?

**SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS**: Mr President, I am not aware of any such case, but I will surely look into it and give

Mr ARCULLI an answer. (Annex II)

### **Improvement of Tuen Mun Ferry Services**

- 3. 何承天議員問: 屯門公路因交通事故而需要全部或局部封閉時,往往 對屯門居民造成極大不便,政府可否告知本局:
  - (a) 有否計劃擴建現時的屯門碼頭,以改善該區的渡輪服務;若 有,何時實施;若否,理由為何;及
  - (b) 有否與香港油蘇地小輪船有限公司商討應變措施,在封路期間 疏導上/下班的大量乘客;若有,詳情如何?

**SECRETARY FOR TRANSPORT**: Mr President, the Honourable Edward HO is right. When there is a major accident on Tuen Mun Road, traffic flow could well be impeded resulting in congestion. When accidents occur, the police try their best to get the traffic moving again as soon as possible. Unless really long periods of delay are expected, the provision of special ferry services would not help because it would take at least an hour to mobilize extra ferries. Traffic on Tuen Mun Road should have returned to normal by then.

The busiest time at the Tuen Mun Ferry Pier is during the morning rush, between 7.00 am to 9.00 am when there are a total of 27 sailings to Central and Wan Chai. There are more than adequate berthing facilities and queuing space to cope with demand. Indeed, there is spare capacity. There is no need, and we therefore have no plans, to expand the Tuen Mun Ferry Pier.

The Transport Department has a 24-hour hotline with all major transport operators and, in fact, contingency plans to provide emergency transport services have been drawn up. Transport operators have been very co-operative. For example, during the partial closure of Tuen Mun Road in late August and early September, because of the danger of landslips, extra ferry services between Tuen Mun and Central were provided. On that occasion, a pontoon was tied to a viewing platform to the west of the Tuen Mun Ferry Pier to provide temporary

facilities. This arrangement worked well and can be adopted again should circumstances so warrant. A special ferry service between Tuen Mun and Tsuen Wan was also provided.

With the temporary closure of one of the six lanes with effect from last Saturday, to facilitate slope stabilization and climbing lane works at Sham Shing Hui and So Kwu Wat, the Hong Kong and Yaumati Ferry Company Limited (HYF) is providing three special ferry trips from Tsuen Wan to Tuen Mun during the evening peak on weekdays. In addition, the HYF has standby arrangements to lay on extra sailings from Central to Tuen Mun to cope with the evening rush should there be such a demand.

**PRESIDENT**: In addition to Mr HO, I have three more names on my list. I will draw a line there.

何承天議員問:主席先生,運輸司在主要答覆第二段裏似乎提到碼頭已夠 大,但我們都知道屯門的陸上交通非常不足,他沒有說到海上交通能否改 善,甚至乎是否因為渡輪班次不夠而顯得碼頭夠大呢?

政府有否計劃促使渡輪公司改善服務,增加班次,而他們有否此權力?如果沒有,有否計劃批出另一專營權,以便由其他有興趣的渡輪公司經營?

**SECRETARY FOR TRANSPORT**: Mr President, when it comes to ferry services, I think the most important consideration is whether or not in fact the commuters wish to take the ferry services. At present, the number of sailings every morning can more than cope with the demand. If we look at the special arrangements that were made, as an example, during the closure of Tuen Mun Road, special services were in fact provided: on the first day when the road was closed, some 34 000 passengers took the ferries to Hong Kong; the capacity provided was over 54 000. On the second day when one of the Kowloon-bound lanes was re-opened and buses were running, the demand for ferry services dropped dramatically to about 10%; there were only about 2 000 passengers. If we look at last weekend and take Monday, 4 December, as an example, again the services provided more than adequately catered for demand.

The HYF is ready to provide extra ferry sailings from Central to cope with the evening rush. But in fact over the last two or three days, this has proved to be unnecessary. So in fact the HYF can meet the demand. There is no question of awarding another franchise at this point in time.

Mr President, can I also say that if we were to expand the ferry pier, this would of course require a lead time of, say, two years. By then, Route 3 (Country Park Section) would be ready and I believe that when the new highway Route 3 is open, congestion on Tuen Mun Road will ease and correspondingly the demand for ferry services would fall.

黃偉賢議員問:主席先生,運輸司在答覆最後一段提到在封路期間,於荃灣 提供渡輪服務往返屯門。剛才運輸司亦強調需求足夠,但乘客似乎並不喜歡 乘搭此渡輪。我想指出,現在這三班渡輪服務是45分鐘一班,六時正一班、 六時四十五分一班及七時三十分一班;然後此船的航行時間為一小時,由荃 灣往屯門需一小時,即基本上最少一小時零四十五分,甚至乎多於一小時四 十五分,才能夠由荃灣返回屯門。請問運輸司用約兩小時時間才能由荃灣返 回屯門,此渡輪服務是否吸引呢?正是服務不夠吸引力,導致剛才運輸司所 說的需求並不太大,因渡輪班次實在太疏。運輸司會否加以檢討,使其成為 一個真正給乘客返回屯門的另類選擇?

SECRETARY FOR TRANSPORT: Mr President, the facts cited by the Honourable Member are quite correct. In fact, the three sailings from Tsuen Wan to Tuen Mun in the evening are by the larger ferries and the capacity provided of course, again, well exceeds demand. Admittedly, these are the slower crafts because the faster catamarans and the hovercraft, during rush hours, have to be deployed on existing services. But again, if we look at the figures over the last two days: on Saturday, only 83 passengers took this service, on Monday, only 210 passengers took the service. But perhaps more to the point, this temporary service was provided as an experiment at the behest of Honourable Members and district board Members; we are experimenting. I am very glad to say that over the last two days, although one of the Tuen Mun-bound lane has been closed, in fact there has been no serious congestion; traffic flow has been normal. This suggests that the demand for a ferry service between Tsuen Wan and Tuen Mun in the evening is not that great. But certainly, the Honourable Member has made a valid point: if faster ferries are available, this may, of course, encourage more commuters.

陳偉業議員問:主席先生,剛才運輸司指出由荃灣往屯門的船隻都較為殘舊,其實,不少由中環往屯門的船都隻都較殘舊。由中環或荃灣往屯門所需的時間,比一般乘搭快速船往澳門或珠海更長,因而乘客的數量並不足夠。 我也理解油 地小輪公司本身也有其限制,但政府會否考慮在現時出現問題的情♥下,如屯門公路部分封閉的情♥下,與其他輪船公司協議安排一些快速的船隻,特別在繁忙時間,由中環及荃灣前往屯門,以紓緩交通壓力?

**SECRETARY FOR TRANSPORT**: Mr President, in fact during rush hours, there are several types of ferries deployed on the Tuen Mun-Central run; there are catamarans which take 30 minutes, there are hoverferries which take 42 minutes, and the ordinary slower larger ferries which take about an hour. So in fact, there is a mixture and even with the existing fleet, as I said in my main reply, the capacity provided exceeds the demand. And as I have said earlier, during rush hours, other ferries have to be deployed on existing routes and, at present, I see no need to approach other ferry companies for faster crafts.

PRESIDENT: Last supplementary, Miss Emily LAU.

劉慧卿議員問:主席先生,由於政府在交通規劃上的錯誤,令屯門居民須忍 受痛苦,因此,剛才有議員亦提出幾點意見。請問政府會否考慮撥出額外的 資源去幫助屯門的居民,以令其每日往返較為方便,因剛才所提到的兩小時 是完全不能接受的,船隻如此慢也可以接受?政府有否考慮在那方面去幫助 他們,例如補貼,以令他們無須負擔高昂的交通費,以及加快往返時間?

**SECRETARY FOR TRANSPORT**: Mr President, I have said many times before that the Administration's policy is not to subsidize public transport fares and that remains our firm policy. Insofar as trying to improve journey times from Tuen Mun to Central and vice versa, several measures have been taken. We have introduced bus-only lanes; I accept that this has helped to a limited degree. There are, of course, as the Honourable Members of this Council know, plans to provide climbing lanes; construction is now in place. By July next year, four of the five climbing lanes at Siu Lam, So Kwu Wat, Ting Kau and at Shum Tseng should be provided. The remaining section at Tai Lam Chung will take a bit longer. Having said that, as I mentioned earlier, there are other long-term

plans to alleviate the traffic congestion, that is, Route 3 and the Western Corridor Railway. But apart from that, there are no immediate plans to lay on additional transport services or to provide other forms of financial assistance.

**PRESIDENT**: I must apologize to Mr Albert HO who has indicated his intention to ask a supplementary using the indicator, so we will take one more supplementary.

何俊仁議員問:剛才運輸司在答覆時指出,倘有意外發生而須立刻安排船隻 作為應變措施,是未必能及時辦到的,因為安排好船隻時,路面可能已經清 理好。對於這點我有些疑問,因為有時意外可能導致塞車兩三小時。運輸司 的答覆第三段提到有24小時熱 ,我相信此熱 是針對突發的意外,此熱 有何作用?若發生嚴重交通意外時,有何種應變措施以疏導進入屯門的居民 呢?

**SECRETARY FOR TRANSPORT**: Mr President, the 24-hour hotline enables Transport Department staff to contact the major transport operators. They, in turn, have contingency plans through which they can mobilize their staff and if necessary, if more buses are required, then ensure that these buses are deployed to the scene as soon as possible.

When it comes to traffic accidents, Tuen Mun Road of course is not the only highway where there are traffic accidents, and if we look at statistics territory-wide, accidents along Tuen Mun Road only account for about less than 2% of accidents throughout the territory. At the scene of the accident, we must rely on the police to come and try to sort things out as quickly as possible, and this they do. And if we look at past statistics, although the Honourable Member is right that on occasions delay may be more than an hour, normally the congestion and the tailback is released within the hour.

### WRITTEN ANSWERS TO QUESTIONS

### **Progressivity of Salaries Tax System**

7. 李家祥議員問:本港的薪俸稅主要由一小部分受薪人士負擔,而薪俸

税制的累進成分極高,政府可否告知本局:

- (a) 有否將本港薪俸稅的累進程度與其他經濟情♥相近的國家,例 如新加坡、台灣和英國等比較;若有,結論如何;及
- (b) 若沒有進行(a)項所述的比較,政府是否會向上述國家索取所需 資料,計算該等國家每十萬工作人口所繳交的薪俸稅款佔總薪 俸稅收益的比例,以比較本港有關的數字;若然,何時會將結 果提交本局的財經事務委員會討論;若否,原因為何?

### SECRETARY FOR THE TREASURY: Mr President,

- (a) Whilst we do keep abreast of developments in other tax jurisdictions, we have not to date carried out any detailed evaluation of the relative progressivity of the salaries tax system of other countries such as Singapore, Taiwan, the United Kingdom and so on vis a vis that of Hong Kong.
- (b) We are seeking the required information from the relevant tax administrations and would aim to submit the findings to the Legislative Council Panel on Financial Affairs when they are available. We would, however, wish to point out that, given the different socio-economic situations, we should take care in interpreting such comparative data.

### **Economic Advisory Committee**

- 8. 單仲偕議員問: 財政司在本年致謝議案的恢復辯論發言時,質疑本局部分議員提出設立經濟發展委員會的建議,原因是現時的經濟諮詢委員會和總督商務委員會已就經濟及有關事宜,向政府提供寶貴的意見及建議。對此,政府可否告知本局:
  - (a) 經濟諮詢委員會是否曾對香港經濟的未來發展方向和如何刺激 經濟與解決失業問題作出討論;若然,有何結論;若否,有何 原因;及

(b) 會否考慮改變經濟諮詢委員會不必向公眾交代與諮詢公眾意見 的運作模式,以增加其問責性與透明度?

### **SECRETARY FOR FINANCIAL SERVICES**: Mr President,

- (a) The Economic Advisory Committee is set up with the remit of advising the Financial Secretary on matters relating to the economy. Pursuant to this remit, the Committee has deliberated on a large variety of economic issues. The trends and prospects of the Hong Kong economy are matters of continuous interest and are reviewed in depth on a regular basis. The unemployment problem is amongst the main current issues that the Committee has had thorough and comprehensive discussions and will continue to be closely monitored. As for measures to stimulate the economy, the general consensus was that ad hoc interventions by the Government would not be effective or could even be counter-productive, and the economy should be left to adjust to cyclical fluctuations through the market mechanism. On measures to tackle the unemployment problem, the Committee supports the Government's approach of enhancing employment counselling, job matching and placement, and retraining and upgrading of skills.
- (b) The present *modus operandi* of the Economic Advisory Committee fits its basic remit very well and there is no reason for change. The Committee consists of experts, professionals and experienced practitioners in a wide range of economic affairs and provides advice to the Administration, which then formulates policy decisions. Public accountability therefore should rest with the Administration and not its advisory bodies.

### Hospital Authority Staff Establishment and Strength

9. 陳榮燦議員問:政府可否告知本局,自醫院管理局於一九九一年成立以來,在該局任職的

- (a) 醫生(只從事行政工作者除外);
- (b) 護士;
- (c) 輔助醫療人員;及
- (d) 相等於公務員薪級表 34 點及以上的行政人員,

接職級分類每年的實際員工數額分別為何?

# **SECRETARY FOR HEALTH AND WELFARE**: Mr President, the information requested is as follows:

	1991-2	1992-3	1993-4	1994-5
Medical Doctors				
Consultant	235	253	291	366
Senior Medical Officer	489	531	548	611
Medical Officer	1 554	1 578	1 703	1 798
Intern/Extern	273	273	283	288
Sub-total	2 551	2 635	2 825	3 036
Nurses				
Nursing Officer and above	2 497	2 493	2 569	2 705
Registered Nurse	7 010	7 383	7 696	8 107
Student Nurse	2 670	2 570	2 436	2 294
Enrolled Nurse	2 934	3 023	3 153	3 294
Pupil Nurse	944	829	915	937
Midwife	141	129	116	100
Non-standard Nurse	83	77	50	37
Sub-total	16 279	16 504	16 935	17 474

#### Allied Health

Clinical Psychologist	20	19	21	35
Dietician	46	48	56	54
Dispenser	473	483	559	606
Medical Laboratory Technician	743	738	769	996
Mould Laboratory Technician	37	30	36	31
Occupational Therapist	212	227	267	304
Occupational Therapy Assistant	173	175	194	209
Pharmacist	81	88	103	127
Physicist	28	29	35	35
Physiotherapist	416	432	471	519
Prosthetist-Orthotist	77	79	84	89
Radiographer	549	558	591	619
Scientific Officer (Medical)	32	32	35	51
Social Workers	65	70	74	99
Others	60	64	64	69
Sub-total	3 012	3 072	3 359	3 843
Administrative Personnel *	179	225	286	346

<sup>\*</sup> This is the total number of administrative staff who have a maximum pay point above point 34 of the Government's Master Pay Scale.

## **Unauthorized Building Structures**

- 10. 陳鑑林議員問:鑑於近日接連發生建築物外牆及簷蓬倒塌意外,政府可否告知本局:
  - (a) 目前有關拆卸中建築物、非法僭建及有危險性的簷蓬數目分別 為何;

- (b) 屋宇署可否抽調人手,優先巡查拆卸中的建築物,及加快清拆 有危險性的僭建物,以保障市民的安全;
- (c) 政府計劃立例要求大廈業主定期向屋宇署呈交驗樓報告,詳情 為何;及
- (d) 本港目前是否有足夠合資格的專業人士應付上述的需求;若 否,政府將有何措施解決該類專業人士短缺的問題?

**SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS**: Mr President, the answers to the four parts of this question are as follows:

(a) There are about 150 demolition sites in Hong Kong at present.

Since no territory-wide survey on unauthorized canopies has been conducted, the Administration does not have data on the number of illegal or dangerous canopies.

(b) To protect public safety, staff of the Buildings Department regularly carry out planned surveys to locate dangerous unauthorized building works (UBW), including dangerous unauthorized canopies. All such structures are cleared once identified. In addition, we will launch an extensive publicity campaign in early 1996 to encourage the public to report suspected dangerous UBW cases to the Buildings Department.

Public safety is the prime concern of the Administration. A dedicated Site Monitoring Team constituting 34 staff was established in the Buildings Department in October 1995. The principal function of the Team is to regularly inspect construction and demolition sites to ensure that proper safety measures are provided. Since establishment, the Team has inspected some 350 sites, and the safety standards of the inspected sites have consequentially improved.

(c) Owners should have the duty to ensure that their properties are in

proper maintenance condition. The Administration therefore proposes to introduce a mandatory scheme under which owners will be required to have their buildings inspected by professionals periodically. Details of this proposal are still being examined.

(d) There are at present 1 049 Authorized Persons and 363 Registered Structural Engineers in Hong Kong. Demand for their services will be taken into account before the Administration goes ahead with any mandatory building inspection scheme.

#### **Clearance of Rainstorm Aftermath**

- 11. 李華明議員問: 今年雨季期間,暴雨及颱風曾引致多處山泥傾瀉,尤其是在觀塘的鯉魚門及茶果嶺寮屋區,先後發生多次山泥傾瀉及大樹倒下事件。就此,政府可否告知本局:
  - (a) 有何步驟清理山泥傾瀉後倒下來的山泥;及
  - (b) 寮屋區內的樹木在暴風雨吹襲下搖搖欲墜,對居民構成危險, 有何政府部門負責巡查及處理寮屋區內危險樹木的問題?

#### **SECRETARY FOR WORKS**: Mr President,

(a) As a matter of principle, government departments or their agents which are responsible for the slopes have the responsibility to clear away the landslide debris arising from those slopes. However, for landslips which occur in squatter areas, the Highways Department (HyD) will be responsible for carrying out emergency repair as recommended by the Geotechnical Engineering Office (GEO) to remove any immediate danger to the public and clear away associated landslide debris in the course of the emergency repair works. For situations not involving emergency or where the emergency no longer exists, there is, at present, no department explicitly responsible for

clearing debris from landslides occurring in unallocated government land. However, such cases will be dealt with individually and, wherever necessary, appropriate arrangement will be made in each case considering its particular circumstances.

(b) Trees in squatter areas are not maintained or managed by any government department and consequently there is no routine inspection of such trees.

For trees damaged or affected by a rainstorm which may cause danger to residents in squatter areas, the police or Fire Services Department staff attending the scene will do what they can to remove the danger. The Agricultural and Fisheries Department (A&FD), the Urban Services Department (USD) and the Regional Services Department (RSD) will also respond to emergency requests to remove dangling branches of trees which may endanger residents in squatter areas.

#### **Gross National Product**

- 12. 羅祥國議員問:有關政府近年搜集統計數據編製香港 "居民生產總值" 數字一事,政府可否告知本局:
  - (a) 何時會公布該等數字;及
  - (b) 根據本港現時經濟結構的情♥, "居民生產總值"與"本地生產總值"有何主要分別?

#### **SECRETARY FOR FINANCIAL SERVICES**: Mr President,

(a) Based on the latest results of the first round of the annual Survey of External Factor Income Flows, preliminary estimates of Gross National Product (GNP), in respect of reference year 1993, are now available. They were released on 13 November 1995 while the

final GNP estimates will be released in March 1996.

The timetable for releasing GNP estimates is as follows:

#### GNP

#### Release Date

Reference year	Preliminary Estimates	Final Estimates*
1993	Nov 1995	Mar 1996
1994	Aug/Sep 1996	Mar 1997
1995	May/June 1997	Mar 1998
$1996^{+}$	Mar 1998	Mar 1999

- Notes: (\*) To be released at the same time as the final estimates of GDP.
  - (+) As from 1996, the preliminary GNP estimates will be released within 15 months from the reference year.
- (b) GNP is a measure of the total income of residents of a country or territory in a specified period, irrespective of whether the income is earned from investment and employment within the domestic boundary of that country or territory, or outside.

On the other hand, Gross Domestic Product (GDP) is an aggregate measure of the total value of net output produced within the domestic boundary of a country or territory in a specified period. Since production is rewarded by income, GDP also measures the total income arising from such current production, irrespective of whether the factors (that is, labour and capital) for producing the goods or providing the services are owned by residents or non-residents.

Hence, GNP is compiled by adjusting GDP by: (i) adding total income earned by Hong Kong residents from outside Hong Kong, and (ii) subtracting total income earned by non-Hong Kong residents from within Hong Kong.

GNP emphasizes the composition of aggregate income of Hong Kong residents, while GDP emphasizes the composition of aggregate production. They are both useful data, complementary to each other, in supporting economic analyses.

Based on the preliminary estimates of GNP, the total inflow of external factor income in 1993 was HK\$318.4 billion, while the total outflow was HK\$308.5 billion. This resulted in a net income inflow of HK\$9.9 billion. Combining the net income inflow with the latest revised GDP estimate for 1993 of HK\$899.9 billion, the preliminary estimate of GNP for 1993 is therefore HK\$909.8 billion. Given the highly externally-oriented structure of the Hong Kong economy, such substantial external income flows are not unexpected. However, with only a small net income flow, the value of GNP in 1993 was only 1.1% above that of GDP.

## **Promotion of Home Ownership**

13. **DR DAVID LI** asked: A significant but temporary rise in government expenditure on affordable public housing would fulfill the public's aspirations to have their own homes, stimulate the economy, and mitigate the unemployment problem. In this connection, will the Administration inform this Council whether consideration will be given to building more Home Ownership Scheme flats in the short run, whilst at the same time ensuring that government spending is kept within 20% of the Gross Domestic Product (GDP) in the long run?

**SECRETARY FOR HOUSING**: Mr President, need and affordability are the guiding principles in the provision of, and charging for, public housing. We agree that subsidized home ownership schemes play an important role in

promoting home ownership, which in turn fosters a sense of belonging and contributes to social stability in Hong Kong.

Since the introduction of these schemes in 1978, we have been building an increasing proportion of such flats in relation to public rental flats, and the split is now about 50% of each.

We have already announced the target of building 175 000 flats between April 1995 and April 2001 through various subsidized home ownership schemes. We are on course to achieve this target. As a lead time of around five years is required from initial planning to physical completion of flats, it would be difficult to add significantly to this target in the short term.

We are, however, examining ways to increase the production of home ownership flats in the longer term. In fact, we shall consider the future level of provision of all types of housing up to 2006 in the context of our current review of the Long Term Housing Strategy, which will be completed in the middle of 1996.

The Housing Authority's budget is separate from the Government's budget. The construction costs of home ownership flats form part of public expenditure rather than government expenditure, because these flats are funded by the Housing Authority and not directly by the Government. Our Medium Range Forecast up to 1988-99 projects that public expenditure as a percentage of GDP will remain well below 20%.

## **Schools near Dangerous Goods Stores**

- 14. 張炳良議員問: 屯門日前發生運載液化石油氣的貨車洩漏氣體事件後,市民對就讀於危險設施附近學校的學生的安全問題極表關注。就此,政府可否告知本局:
  - (a) 目前有多少間學校位於危險品倉庫附近;
  - (b) 是否會就位於危險設施附近的學校作全面風險評估;若然,評

估將如何進行,而結果將於何時公布;及

(c) 會否就如何制訂疏散及其他應變措施,向該等學校發出特別指引?

#### SECRETARY FOR EDUCATION AND MANPOWER: Mr President,

- (a) There are at present 46 schools which are located near petrol filling stations, liquefied petroleum gas (LPG) storage tanks and other dangerous goods stores.
- (b) All the existing petrol filling stations, dangerous goods stores and LPG installations in Hong Kong are constructed and operated to very stringent safety standards to ensure maximum safety to the public. We consider the current provisions adequate to safeguard the 46 schools in paragraph (a) above, and a comprehensive risk assessment of the relevant facilities located near these schools is not necessary. This notwithstanding, both the Fire Services and the Electrical and Mechanical Services Departments are conducting a thorough check on these installations. In addition, arising from the isolated incident of gas leakage of an LPG road tanker in Tuen Mun on 3 November 1995, the Electrical and Mechanical Services Department is undertaking a review to see whether further safety improvements are necessary.
- (c) Under Education Regulation 38, school heads are required to draw up a practical scheme for evacuation of the school premises in case of fire and to ensure that fire drills, including the use of all exits from the school premises, are conducted from time to time. In case of emergency other than fire, school principals are responsible for the prompt and orderly evacuation of their pupils as necessary, using

similar procedure. A circular on "Measures to be taken in case of leakage of gas" was issued in 1982 to all school heads for compliance. This circular sets out, among other things, circumstances where the emergency services, for example, police and Fire Services are to be called.

## **Median Wage of Local Workers**

- 15. 李永達議員問:政府可否告知本局:
  - (a) 一九七五、一九八五及一九九五年本港工人的薪金中位數分別 為何;及
  - (b) 在上述各年度,一個位於市區私人屋苑的 500 平方呎住宅單位的 平均價格分別為何?

#### **SECRETARY FOR FINANCIAL SERVICES**: Mr President,

(a) The median wage of local workers is as follows:

	HK\$/month
1975	N.A.
1985 (average of March and September figures)	d 2,657
1995 (March figure)	8,691

Notes: (i) Including workers up to the supervisory level.

(ii) The Government started to compile statistics on median wage rate in September 1982. Information on the median

wage rate in 1975 is therefore not available.

Source: Census and Statistics Department

(b) The estimated average price of a flat of 500 sq ft in gross floor area in the urban area is as follows:

	HK\$
1975 (average for the year)	95,000
1985 (average for the year)	300,000
1995 (average up to the third quarter)	1,700,000

Note: Covering flats of all ages, and not necessarily confined to large residential developments the price information on which is not readily separable.

Source: Rating and Valuation Department

## Risk Assessment of Transportation of Liquefied Petroleum Gas

16. **DR SAMUEL WONG** asked: In regard to the recent incident of gas leaking from a liquefied petroleum gas (LPG) tank-truck at Siu Hong Court in Tuen Mun, will the Government inform this Council whether the Government will carry out a quantifiable risk assessment study on the transport of LPG on roads; if so, when the study will be completed?

**SECRETARY FOR ECONOMIC SERVICES**: Mr President, earlier this year, the Government commissioned an independent consultancy to carry out a quantifiable risk assessment study on the transport of liquefied petroleum gas (LPG) throughout Hong Kong by road and sea. The objective of the study is to

assess the risks to individuals, and to society as a whole, of hazardous incidents which might arise from the transport of LPG and what practical measures should be taken to minimize these risks. The study takes nine months and a study report will be submitted to the Government in early 1996. The Economic Services Panel of the Legislative Council will be briefed on the results of the study.

## **Civil Service Fringe Benefits**

- 17. **DR LEONG CHE-HUNG** asked: Will the Administration inform this Council of:
  - (a) the total cost of fringe benefits enjoyed by all civil servants (including the cost of such benefits as pension, vacation, housing, and so on) in 1995-96; and the proportion of such cost to the total basic salary cost of all civil servants in the same year; and
  - (b) a breakdown of the average annual cost of fringe benefits and its proportion to the average annual basic salary cost for 1995-96 in respect of a civil servant in the following categories:
    - (i) directorate pay scale;
    - (ii) upper pay band (master pay scale point 34 and above);
    - (iii) middle pay band (point 10 to 33); and
    - (iv) lower pay band (below point 10)?

#### **SECRETARY FOR THE CIVIL SERVICE**: Mr President,

(a) The main components of civil service fringe benefits are pensions, housing, leave, education allowances and medical and dental benefits. The costs of these benefits are assessed and reflected in the Government's Staff Cost Ready Reckoner. This reckoner is

updated annually to take account of the most current salary revisions and fringe benefits. Some of the fringe benefits such as pensions are not payable until many years in the future in which case the cost is the estimated future liability of pensions now being earned. Some other benefits such as quarters are provided in kind and the cost reflects an appropriate valuation of the quarters provided. According to the 1995 Staff Cost Ready Reckoner, the total annual value of fringe benefits of the entire civil service for 1995-96 is about \$24,450 million or 56.7% of the total annual basic salaries.

(b) A breakdown of the average annual cost of fringe benefits and its proportion to the average annual basic salary for 1995-96 according to the pay bands as requested is as follows:

## (i) Directorate and Equivalent

(annual average salary = \$1,210,130)

	\$	% of salary
Pensions & gratuities	371,330	30.68
Leave	194,310	16.06
Housing benefits	378,260	31.26
Education allowance	25,880	2.14
Other (note 1)	50, 940	4.21
	1,020,720	84.35

## (ii) Upper pay band (MPS Pt 34 to Pt 49 and Equivalent)

(annual average salary = \$610,400)

	\$	% of salary
Pension & gratuities	183,490	30.06

Leave	74,960	12.28	
Housing benefits	173,540	26.43	
Education allowance	9,980	1.64	
Other (note 1)	7,740	1.27	
449,710 73.68 (iii) Middle pay band (MPS Pt 10 to Pt 33 and Equivalent)			
	(annual average salary = \$242,060)		
	\$	% of salary	
Pensions and gratuities	75,000	30.99	
Leave	27,850	11.50	
Housing benefits	22,880	9.45	
Education allowance	3,030	1.25	
Other (note 1)	3,350	1.38	
	132,110	54.57	

## (iv) Lower pay band (below MPS Pt 10 and Equivalent)

(annual average salary = \$130,910)

	\$	% of salary
Pension and gratuities	32,290	24.67
Leave	12,020	9.18

Housing benefits	1,790	1.37
Education allowance	840	0.64
Other (note 1)	3,610	2.76
	50,550	38.62

Note 1: Medical and dental benefits and passages.

## **Privatization of Listed Companies**

- 18. 黃震遐議員問:政府可否告知本局:
  - (a) 過去三年來,上市公司被私有化或自動取消上市地位的數目分 別為何;
  - (b) 上述的個案有多少宗導致小股東投訴;及
  - (c) 有多少小股東直接向證券及期貨事務監察委員會("證監會") 作出該等投訴;證監會有否調查小股東的利益是否受損?

#### **SECRETARY FOR FINANCIAL SERVICES**: Mr President,

- (a) In the three-year period ending 30 November 1995, 13 companies publicly listed on the Stock Exchange of Hong Kong have voluntarily delisted. Of these, five involved take-over action by major shareholders, or what the market has termed "privatized". In addition, there is one case of proposed take-over ultimately not proceeded with. Details are in the Appendix.
- (b) and (c)

The Securities and Futures Commission (SFC) has received a total of six complaints. The Stock Exchange of Hong Kong has not received any complaint, and we have no information of complaints directly lodged with the companies concerned.

Of the six complaints, one was against Lafe International Holdings Ltd. (Lafe). The complaint alleged that the take-over offer price was too low.

The remaining five complaints were in respect of Fountain Set (Holding) Limited (Fountain) which was subsequently aborted. Here, the minority shareholders not only complained about the low take-over offer price, but also alleged that certain shareholders were not independent.

In both the Lafe and Fountain cases, the SFC conducted full investigations. To the extent that the SFC does not pass judgement on the commercial merits of the take-over offer prices, SFC's investigations were restricted to establishing whether all shareholders had been treated equally. In both cases, the SFC concluded that they were.

The SFC regulates all transactions involved in a take-over by ensuring that the parties concerned comply with the relevant provisions of the Hong Kong Code on Takeovers and Mergers. Under the Code, the board of the company being taken over is required to appoint an independent financial adviser to consider the merits of the proposal and give appropriate recommendations to the minority shareholders. It also requires a take-over proposal to be approved by a majority of shareholders in number representing 90% in value of those shares that are voted either in person or by proxy at a duly convened general meeting by shareholders other than the person seeking to privatize the company and persons acting in concert with him. The SFC routinely examines the relevant voting results, and where appropriate, would seek to confirm the independence of the shareholders who voted in the exercise.

A listed company can seek voluntary delisting through the relevant Listing Rules of the Stock Exchange of Hong Kong. Under these Rules, a delisting proposal requires approval by a majority of shareholders in number representing 75% in value of those shares that are voted either in person or by proxy at a duly convened meeting of shareholders at which the directors, chief executive and any controlling shareholder or their respective associates do not vote. Furthermore, a reasonable cash offer must be made to all the independent shareholders. Other than this, the SFC regulates all the transactions involved in the delisting in the same way as a take-over.

## Appendix

## Voluntary delistings in the three-year period ending 30 November 1995

Companies privatized (5):	Month/year
Evergo International Holdings Company Limited	12/93
Novel Enterprises Limited	01/95
B+B Asia Limited	05/95
Paliburg International Holdings Limited	08/95
Lafe International Holdings Limited	11/95
Companies with alternative listings (8):	
The News Corporation Limited	10/92
Tiphook Plc	05/94
Jardine Matheson Holdings Limited	12/94
Jardine Strategic Holdings Limited	12/94
Mandarin Oriental International Limited	03/95
Hong Kong Land Holdings Limited	03/95
Dairy Farm International Holdings Limited	03/95
London & Pacific Insurance Company Berhad	10/95
Privatization aborted (1):	
Fountain Set (Holdings) Limited	10/95

#### Control of Pollution near Mai Po Nature Reserve

- 19. 謝永齡議員問:有關米埔自然保護區附近后海灣及深圳河的污染問題,政府可否告知本局:
  - (a) 過去三年,共運用多少資源以改善后海灣的水質;
  - (b) 當局有何計劃及行動改善后海灣水質及濕地,使米埔免受污染;以及已有多少資源用於該等用途;
  - (c) 政府有否與深圳有關當局合作,防止米埔自然保護區受污染; 若有,進度如何及有何具體計劃;及
  - (d) 政府在米埔設立緩衝區時是基於甚麼準則來釐定緩衝區的面積,及有何措施確保最基本的緩衝區面積得以保留?

# SECERTARY FOR PLANNING, ENVIRONMENT AND LANDS: Mr President,

- (a) The resources that have been allocated to improve the water quality of Deep Bay in the past three years are as follows:
  - \$175 million on new sewerage and sewage treatment and disposal facilities;
  - \$656 million in *ex gratia* allowances to livestock farmers who choose to cease farming rather than comply with new pollution control requirements;
  - \$7.2 million in capital grants to livestock farmers for the installation of pollution control equipment;
  - \$46.2 million on personal emoluments and \$3.9 million on departmental expenses to pay for the enforcement of controls over pollution caused by effluent discharges, chemical wastes and livestock wastes.
- (b) We will continue to enforce the relevant pollution control legislation

vigorously. Specific steps include the following:

- (i) The continued application of the livestock waste control scheme in the Deep Bay catchment. We estimate that we will spend a further \$230 million on *ex gratia* payments and capital grants over the next few years.
- (ii) Spending a further \$1,300 million to provide new or improve existing sewerage and sewage treatment facilities in the catchment.
- (iii) Continue work on the development of a regional control strategy for Deep Bay. Consultants were commissioned in July 1995, at a cost of approximately \$12 million, to carry out this work. The study will be completed in mid-1997.

The resources devoted to the planning stages of the above programmes cannot be quantified because it involves input from a large number of government staff at various levels in different departments.

- (c) The Hong Kong - Guangdong Environmental Protection Liaison Group was established in 1990 to provide a forum to discuss environmental protection issues of mutual concern. Kong and Guangdong authorities recognized at a very early stage that proper environmental management of Deep Bay should be accorded a high priority. This being so a joint water quality monitoring exercise began in October 1993, whereby both sides carried out co-ordinated monitoring of water quality in the waters of the Deep Bay catchment falling in their respective jurisdictions. The programme has just been concluded and a report will be submitted to the Liaison Group in January next year. Group has also agreed that it is important to determine the assimilative capacity of Deep Bay and then to derive a control strategy to ensure that that capacity is not exceeded. It has been agreed that Hong Kong will take the lead on this issue. The study referred to in (b)(iii) above is therefore initiated.
- (d) The purpose of the buffer zone is to help protect and conserve the Mai Po Nature Reserve and the sites of special scientific interest. In

determining the coverage of the buffer zone, we have taken into account the following factors:

- (i) In accordance with the precautionary principle, the buffer zone covers an area as large as practicable to ensure that the Mai Po Nature Reserve and Inner Deep Bay are protected and conserved as a natural habitat to enhance and sustain the wildlife in the area.
- (ii) No important ecological habitats should be left as isolated islands and should be linked with one another.
- (iii) In the immediate vicinity of Deep Bay:
  - (1) only land uses devoted to conservation management of the wetland areas and environmental education are permitted;
  - (2) semi-natural habitats such as fish ponds and gei-wais are preserved; and
  - (3) natural features and scenic qualities are conserved.
- (iv) In the wider area adjacent to (iii), an effective buffer should be created between the Mai Po Nature Reserve and Inner Deep Bay on the one hand and the built-up areas on the other by:
  - (1) preserving fish ponds in the wider area;
  - (2) controlling building development;
  - (3) protecting the overall amenity and water quality of the area; and
  - (4) preserving the rural setting.

The buffer zone is protected by law under the Town Planning Ordinance. The relevant Outline Zoning Plans have designated areas in the buffer zone as, respectively, "Conservation Area", "Site of

Special Scientific Interest" and "Recreation" as appropriate. In Buffer Zone 1, that is, the area referred to in (iii) above, no development other than that devoted to conservation management and environmental education is allowed. In Buffer Zone 2, that is, the area referred to in (iv) above, no development which may pose a threat to the environment and ecology of the area is allowed. The Town Planning Board has issued guidelines to provide guidance to the public on the protection of the buffer zone.

## **Rainstorm Warnings**

- 20. 黃偉賢議員問: 目前紅色暴雨及黑色暴雨警告訊號都是根據全港平均 雨量而發出的,但新界西北區及北區很多時經過連場大雨,而有關暴雨警告 訊號尚未發出前已出現嚴重的水浸情♥。有見及此,政府可否告知本局:
  - (a) 會否因為新界低窪地區經常容易出現嚴重水浸的情♥而考慮發 出分區警告;若否,原因為何;及
  - (b) 若(a)項答案為否定,政府有何其他措施可讓長期面對水浸威脅 的村民能及早獲知水浸警告?

**SECRETARY FOR SECURITY**: Mr President, the rainstorm and flood warnings are now well established as territory-wide warnings. They are based on predicted and actual rainfalls throughout the territory as a whole. In addition, we have introduced siren warning systems in five particular flood-prone areas. These systems, in Tan Kwai Tsuen, San Tin, Kwu Tong, Tak Yuet Lau and Tai Tau Leng, automatically activate when local conditions produce a significant risk of local flooding.

We will continue to investigate options to develop further flood warning systems which take into account local needs and which would enhance the current rainfall and flood warning systems.

## **First Reading of Bills**

**CRIMES (AMENDMENT) BILL 1995** 

PNEUMOCONIOSIS (COMPENSATION) (AMENDMENT) BILL 1995

NOISE CONTROL (AMENDMENT) BILL 1995

ROAD TRAFFIC (AMENDMENT) (NO. 2) BILL 1995

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

**Second Reading of Bills** 

#### **CRIMES (AMENDMENT) BILL 1995**

THE ATTORNEY GENERAL to move the Second Reading of: "A Bill to amend the Crimes Ordinance."

He said: Mr President, I move that the Crimes (Amendment) Bill 1995 be read a Second time.

The purpose of the Bill is to codify the preliminary offences of conspiracy, attempt and incitement.

These offences, which are generally referred to as the preliminary offences, form an important part of the criminal law. They provide sanctions against those who are engaged in activities preparatory to objectives which are prohibited by law. In Hong Kong, the law governing these preliminary offences is based almost entirely on judicial precedents. That law is in certain respects unclear and lacking in precision.

In March 1994, the Law Reform Commission published a report recommending the codification of the preliminary offences, based largely on relevant legislation in the United Kingdom. Such a codification would result in the following benefits:

- it would enhance accessibility in that it would no longer be necessary to consult a large number of cases to find out what the law was;
- it would be more comprehensible to lawyers and non-lawyers alike; and
- it would be more certain in its operation.

In addition to setting out the law in legislative form, the Commission recommended its amendment and improvement in two key areas. First, the defence of impossibility (which at present can lead to anomalous results) should be abolished in respect of all three preliminary offences. And secondly, the common law offences of conspiracy to corrupt public morals and outrage public decency should be abolished.

The Commission's proposals followed extensive consultation within the legal profession, the Judiciary, the tertiary institutions and law enforcement agencies.

Mr President, there was clear support for the recommended codification of the offences of conspiracy, attempt and incitement and for the abolition of the common law offences of conspiracy to corrupt public morals and to outrage public decency. The Bill now before the Council seeks to implement the recommendations in the Law Reform Commission's report.

## Conspiracy

Let me say briefly what these preliminary offences mean and the proposed codification of the relevant laws. I deal first with the offence of conspiracy. The offence of conspiracy at common law consists of an agreement between two or more persons to effect some unlawful purpose. The Bill's provisions for the codification of the offence of conspiracy are set out in new sections 159A - 159E under clause 2 and are based on the provisions in Part I of the English Criminal Law Act 1977. The more significant provisions provide for:

- a statutory definition of the elements constituting the offence of "conspiracy" is set out in new section 159A(1). Essentially, it is an agreement between two or more persons to do an act amounting to or involving an offence. The Law Reform Commission considered that such a definition gives a greater degree of clarity to the law and recommended its adoption;
- Secondly, the abolition of the two common law offences of conspiracy to corrupt public morals and conspiracy to outrage public decency. This is dealt with in new section 159E(1). The Law Reform Commission recommended the abolition of these offences on the grounds that they were "of extreme and uncertain width", were "largely subjective and could evolve into means of suppressing unpopular or religious beliefs". In addition, it was pointed out that the offences served little purpose as they had not been employed in recent years, if at all. There were in any case existing statutory provisions which adequately dealt with obscene public performances, displays and publications.

## Attempt

I turn to the offence of attempt. A person attempts a crime if he takes more than preparatory steps towards the commission of that crime. The Bill's provisions for codification of the offence of attempt are based on the English Criminal Attempts Act 1981 (as amended) and the draft criminal code contained in a report entitled "A Criminal Code for England and Wales" published by the English Law Commission. They provide for:

- a definition of "attempt" as an act which is more than merely preparatory to the commission of an offence. This is contained in new section 159H(1). The definition gives flexibility. It is designed to be wide enough to cover two varieties of cases:
  - \* First, where a person has taken all steps which he believes to be necessary towards the commission of a crime, as when a person fires a gun at another and misses; and
  - \* Secondly, where a person has taken some further step to

complete his crime, assuming he has the necessary mental element to commit it. An example would be where the defendant has raised a gun to take aim but has not squeezed the trigger.

- that, where it is an offence to do something recklessly, it will also be an offence for a person to be reckless in attempting to do that thing. For example, since it is already an offence for a man to have intercourse with a non-consenting woman if he realizes that she may not be consenting, it will also be an offence for a man to attempt to have intercourse in such circumstances; and
- thirdly, the retention of the offence of attempt to conspire. The English Law Commission has cited a good example of a charge of attempt to conspire: where A agrees with B to commit an offence and B is a police informer who tries to prevent the offence from being committed, there is no completed conspiracy because B lacks the necessary intention. However, A has done all he can to conspire and does have the necessary intention. There is in such a case no reason why A should not be guilty of an attempt to conspire. The Law Reform Commission recommended the retention of this offence.

#### Incitement

The offence of incitement takes place when one person seeks to persuade another to commit a crime. The provisions for codification of the offence of incitement are based on clauses in the English Law Commission Draft Criminal Code. The more significant provisions provide for:

- Firstly, a statutory definition of the offence of incitement set out, in new section 159M(1); and
- Secondly, the retention of the offence of incitement to conspire as recommended by the Law Reform Commission because of its importance in the context of triad crime, which relates to long-term

conspiracies such as those involving gambling, prostitution and drugs.

## Defence of impossibility

In respect of each of the three offences, the Bill removes the defence of impossibility, in line with the Commission's proposal. New section 159H(3), for instance, deals with that defence in relation to attempt and addresses the situation where the offender has the necessary guilty mind to commit an offence but because of some facts of which he is ignorant or about which he is mistaken, the result he intended could not be achieved, or if it could be achieved, would not give rise to the crime he intended to commit. Under current law, for instance, a would-be pickpocket who attempts to steal from an empty pocket could plead the defence of impossibility. The Bill proposes to remove such a defence, on the basis (as argued by the Commission) that "it leads to the acquittal of individuals who would otherwise be considered a danger to society".

The Bill is part of an on-going process in my department of keeping the criminal law under constant review and reform to ensure that it is more accessible, comprehensible, consistent and certain.

Mr President, I commend the Bill to this Council.

Question on the motion on the Second Reading of the Bill proposed.

Debate on the motion adjourned and Bill referred to the House Committee pursuant to Standing Order 42(3A).

## PNEUMOCONIOSIS (COMPENSATION) (AMENDMENT) BILL 1995

THE SECRETARY FOR EDUCATION AND MANPOWER to move the Second Reading of: "A Bill to amend the Pneumoconiosis (Compensation) Ordinance."

**教育統籌司致辭**:主席先生,我謹動議二讀《1995年肺塵埃沉著病(補償) (修訂)條例草案》。 我們在本年較早時完成肺塵埃沉♪病補償計劃檢討。本條例草案的目的,是因應檢討結果而對計劃作出多項改善。

首先,我們建議另設一項每月為數2,100元的補償金,作為對傷病和喪失生活情趣的補償,並訂明計劃所包括全部合資格的肺塵埃沉№病病患者,不論他們喪失的工作能力被評定為達到何種程度,均可按月領取這筆2,100元的補償。目前,雖然計算補償金額的程式已包括2,100元的補償,但沒有指明是作為對傷病和喪失生活情趣的補償,而實際發放的金額,則是按照喪失工作能力的程度來計算。因此,在現行計劃下的肺塵埃沉№病病患者中,只有約3.5%可悉數領取2,100元。所以,我們這項建議將會大大改善補償計劃,因為所有合資格的肺塵埃沉№病病患者,均可領取2,100元,作為對傷病和喪失生活情趣的補償。受惠人士將包括超過半數在現行計劃於一九九三年實施後,選擇加入計劃的肺塵埃沉№病病患者。他們現在不能領取這筆為數2,100元的補償的任何部分,是由於被評定為沒有進一步喪失工作能力。我想藉此機會告知各位議員,我們經常調整僱員補償的金額。我會在下星期動議通過決議案,將傷病和喪失生活情趣的補償,由2,100元增至2,570元。補償額經調整後,合資格的肺塵埃沉№病病患者,便會獲得更多補償。

第二,肺塵埃沉№病判傷委員會在評估病患者喪失的工作能力程度時,我們建議應給予判傷委員會一些彈性。根據現行條例,肺塵埃沉№病病患者喪失工作能力的程度,是完全根據肺功能受損程度而評定的,而肺功能的受損程度,則是按病患者在進行呼吸量測試時,驗得的最大肺活量數值計算出來。儘管我們認為應該繼續採用最大肺活量測試,來評估肺塵埃沉№病病患者肺功能的受損程度,但我們亦認為,鑑於病人的健康狀ை各有不同,判傷委員會在進行評估時,應有一定程度的彈性。因此,我們建議授權判傷委員會,在有需要時,除了考慮最大肺活量測試的結果外,還可考慮其他肺功能檢驗,或有關病患者喪失肺功能程度的臨床診斷結果,以及可以調整根據最大肺活量測試結果而評定的喪失工作能力程度,以不超過5%為限。我們亦建議,如果肺塵埃沉№病病患者因同時患有其他疾病,例如中風或曾接受氣管造口手術,因而完全不能進行最大肺活量測試,則判傷委員會應有權視乎情學需要,根據其他的臨床檢驗結果,評估病患者喪失肺功能的程度。

第三,鑑於幫助肺塵埃沉ᢧ病病患者身心康復,與肺塵埃沉ᢧ病補償基金委員會資助推行教育、宣傳及研究計劃去預防有關疾病,同樣重要,我們建議把肺塵埃沉ᢧ病補償基金委員會的職能,擴大至包括進行和資助康復計劃。

我們又建議參照補償基金委員會的經驗,對計劃的運作作出下列的改善:

第一是關於支付醫療費用。根據現行條例規定,肺塵埃沉ы病病患者未及領取申索的醫療費用便已去世,這些費用,包括醫療診治和醫療用具的開支,會全部發還給肺塵埃沉ы病病患者的遺屬,不論他們實際上有否支付醫療費用。我們建議,倘若這些費用是由他人代為支付,則應發還給該名人士。所謂他人,可以是病患者的家屬、親戚、朋友或任何提供醫療設備的人士。因此,這項修訂將可改善現行的規定。

第二是關於肺塵埃沉№ 病病患者的遺屬在等候發放死亡補償金時,每月獲發的臨時補償金。目前,臨時補償金須平均發給死者的遺屬。我們建議,臨時補償金應按照條例所規定發放其他補償金的同一比率,發給死者遺屬。這個做法將會符合臨時補償金條文的原意,就是發給肺塵埃沉№ 病病患者遺屬的臨時補償金總額,不應超逾他們可領取的死亡補償金總額。此舉亦可避免因現行條例有兩種不同的發放制度,以致出現多付款項的情♥。

為了推行上述有關肺塵埃沉№ 病補償計劃的改善建議,我們會向本局財務委員會提交建議,要求提供8,000萬元的有息貸款,給肺塵埃沉№ 病補償基金委員會,以免委員會因實施改善建議而出現現金周轉問題。此外,我們亦有需要將石礦產品及價值超過100萬元的建造工程合約的徵款率,由0.3%提高至0.4%,以便補償基金委員會有足夠款項履行長遠的承諾。我準備在本條例草案通過後,根據條例第36條動議本局通過決議案,實施提高徵款率的建議。

謝謝主席先生。

Question on the motion on the Second Reading of the Bill proposed.

Debate on the motion adjourned and Bill referred to the House Committee pursuant to Standing Order 42(3A).

## **NOISE CONTROL (AMENDMENT) BILL 1995**

THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS to move the Second Reading of: "A Bill to amend the Noise Control Ordinance."

He said: Mr President, I move that the Noise Control (Amendment) Bill 1995 be

read the Second time.

3.56 pm

**PRESIDENT**: Is it a point of order, Mr LEE?

**MR MARTIN LEE**: An absence of quorum, Mr President.

**PRESIDENT**: We shall proceed to count the Council.

After the President had directed that Members be summoned, a quorum was then formed.

**PRESIDENT**: Council shall resume.

**SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS**: Traffic noise is a major source of noise pollution in Hong Kong. While planning is the most effective means of preventing the problem, control on the noise from vehicles at source is equally important. However, the existing control on vehicle noise is limited and confined only to the mandatory installation of silencers on exhaust pipes. This measure is inadequate in reducing the noise levels of vehicles with inferior noise performance. It is therefore considered necessary to impose stringent but appropriate noise standards on vehicles at the registration stage.

Consequently, I propose to adopt Japanese and European noise emission standards as these are the most stringent in the world. Adoption of these standards enables Hong Kong to keep up with international standards and prevent importation of vehicles with inferior noise performance. In the long run, as old vehicles are replaced by new ones which meet the standards, noise pollution from vehicles can be minimized.

The proposed control will be integrated to form part of the "Motor Vehicle Type Approval" process which currently covers road worthiness and exhaust emission requirements. A noise certification report issued by vehicle manufacturers will be required for each type or model of new motor vehicle

before the model can be registered in Hong Kong. The proposed control scheme will not have a major economic implication as over 90% of the new motor vehicles are already able to meet the proposed noise emission standards. On the other hand, imported used vehicles will need to be individually tested at competent testing centres to ascertain that they meet the stipulated emission standards.

The noise emission standards to be applied to newly registered motor vehicles are prescribed in the Noise Control (Motor Vehicles) Regulation, an advance copy of which has been distributed to Members for reference. This Regulation will be tabled before this Council in early 1996 for the proposed control scheme to commence in March 1996. To make this Regulation, the Noise Control Ordinance and the Road Traffic Ordinance have to be amended to empower the Director of Environmental Protection to prescribe the noise emission standards and the Commissioner for Transport to refuse registration of vehicles which do not meet the stipulated standards. These amendments are enshrined in the Noise Control (Amendment) Bill 1995 and the Road Traffic (Amendment) (No. 2) Bill 1995. I will talk about the Road Traffic (Amendment) (No. 2) Bill 1995 separately when I move its Second Reading.

The Noise control (Amendment) Bill seeks to elaborate on the regulation-making power of the Secretary for Planning, Environment and Lands under the Noise Control Ordinance to enable specific regulation to be made to control noise emission from motor vehicles for the purposes of first registration under the Road Traffic Ordinance. Under such regulation, the Director of Environmental Protection could be authorized to provide for the application of international or local noise emission standards and test procedures for control, to exempt certain motor vehicles from any requirements of the regulation, and to provide for the acceptance of other standards which are as stringent as or more stringent than the stipulated standards.

Traffic noise is a major cause of environmental nuisance and has an adverse impact on the quality of life. With increases in traffic flow, more stringent noise emission controls are necessary to minimize such pollution. I urge this Council to give this Bill a favourable consideration.

Thank you, Mr President.

Question on the motion on the Second Reading of the Bill proposed.

Debate on the motion adjourned and Bill referred to the House Committee pursuant to Standing Order 42(3A).

### ROAD TRAFFIC (AMENDMENT) (NO. 2) BILL 1995

THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS to move the Second Reading of: "A Bill to amend the Road Traffic Ordinance."

He said: Mr President, I move that the Road Traffic (Amendment) (No. 2) Bill 1995 be read the Second time.

I expained, in the context of moving the Noise Control (Amendment) Bill 1995, details of the proposed scheme to require newly registered vehicles to meet noise emission standards. To effect the scheme, a link has to be established between the Noise Control Ordinance and the Road Traffic Ordinance.

The Road Traffic (Amendment) (No. 2) Bill 1995 provides this link. It empowers the Commissioner for Transport to refuse first registration of motor vehicles which do not comply with the noise emission standards specified in the Noise Control (Motor Vehicles) Regulation to be made later.

I look to Members for support of this Bill which is necessary for the implementation of noise emission standards on newly registered vehicles.

Thank you, Mr President.

Question on the motion on the Second Reading of the Bill proposed.

Debate on the motion adjourned and Bill referred to the House Committee pursuant to Standing Order 42(3A).

#### EMPLOYMENT (AMENDMENT) (NO. 4) BILL 1995

Resumption of debate on Second Reading which was moved on 2 November

#### 1995

## Question on Second Reading proposed.

李卓人議員致辭;主席先生,《僱傭(修訂)(第4號)條例草案》主要建議 將違反勞工法例的最高罰款額提高二至十倍,職工會聯盟對此表示支持。但 在支持之餘,我們質疑提高罰款額的有效程度。因為提高最高罰款額並不代 表法庭的判罰會相應提高,或判罰可提高至一個嚴厲程度,足以阻嚇違法僱 主不再違法。

兩年前曾有一宗沒有支付分娩津貼的個案,法庭只判罰款500元。現時政府一直高喊要收回成本,我相信在這宗案件中,只判罰500元,根本連政府檢控工作的成本也不能收回。以我自己的粗略估計,一般的罰款個案只是判罰大約最高罰款額的一成。如果只判罰最高罰款額一成的數額,更遑論判罰監禁。我覺得即使提高罰款額,也不能起足夠的阻嚇作用。另一方面,勞工處對於檢控工作一直都不太積極。在很多違法事件中,真正提出檢控的可說是少之又少。

因此,我謹此促請政府,第一,要加強檢控。如果勞工處正視所有違法事件,並加以檢控,我相信會起阻嚇作用。第二,政府應促請律政署對於罰款額偏低的個案進行上訴,相信這樣可以提醒法庭,讓他們知道社會人士並不接納太低的罰款額。第三,向司法界反映意見,希望他們更加重視這方面的檢控工作,這樣可以對僱主起阻嚇作用。我希望司法界在考慮個案時,判罰的嚴厲程度可足以阻嚇違例者。

最後,我希望提醒教育統籌司,除了提高罰款額外,有些條例草案,包括防止歧視職工會的條例草案,當局本來答應在九五年年中提交本局審議的,但我們至今仍未看到該條例草案何時可以提交本局,我希望當局盡快處理。另一方面,在上一屆立法局會期內,教育統籌司曾經承諾在九六年盡快提交關於分娩保障的修訂條例草案。我希望政府盡快落實這兩件事。

謝謝主席先生。

田北俊議員致辭:主席先生,當局今次修訂《僱傭條例》各項罰款,工商界如工業總會和總商會是原則上支持的。因為我們認為在僱用300萬"打工仔"的僱主當中,實際違反這法例的僱主並不多。

不過,我想提出一點,就是增加的罰款原來牽涉百多條香港法例,我相信大部分僱主並未能了解。其中包括分娩保障、支付工資、遣散費、長期服務金、有薪假期等,而今次調整罰款額涉及76條,很多從5,000元增加至5萬元,也有很多從1萬元增加至10萬元。例如分娩保障方面,如果在女性僱員發出分娩假期通知後終止其僱傭合約,罰款額從1萬元增加至10萬元。主席先生,我並不反對這加幅,但我只想提出,那些中、小型公司的僱主,可能"一腳踢"處理公司事務,他們是否清楚知道當局今次大幅增加罰款呢?我希望政府通過這項條例草案後,會設法使這類中、小型公司僱主了解這項法例。大型公司可能設有人事科,該部門主管當然會熟讀這百多項法例,了解罰款額的加幅,例如在僱員病假領取疾病津貼期間,如果被人停止僱用,僱主當然應該受罰。不過,以前並不用罰錢,現在卻要罰款10萬元。我不肯定中、小型公司的僱主是否知道今日立法局要通過這法例。

因此,我希望政府在通過提高罰款額後,讓香港所有僱主真正知道刑罰已經加重。否則,以今日的經濟情♥,很多中、小型企業的經營都會發生困難。我不是認為他們應做出這些違法行為,我只想指出,如果他們犯錯受罰後,會否令他們經營出現困難;又或令他們破產而須遣散其他員工呢?

主席先生,我謹此陳辭,支持修訂。

涂謹申議員致辭:主席先生,我想提出數點。

第一,我們同意增加最高罰款額,但問題是,即使最高罰款額增加,關鍵每每在於我們的執行部門,今次是勞工處沒有注視刑罰的輕重。如果一些案件判罰太輕,就應該向律政署尋求覆檢,使上訴法院能發出一些新的指引性判罰原則。這樣在長遠來說,就能令刑罰更加合理。因此,當局不應只是增加最高罰款額。當然,我們可以期望在增加了最高罰則後,裁判司在作出判決時,會顧及新的增幅,知道這是立法的意願。但當其行使酌情權時,實際上也須顧及案例。如果一些判罰真是明顯偏低時,執行部門往往忘了運用這個途徑,讓律政司可以透過覆檢機制,提醒司法部門作出一些新的指引性案例,令以後的刑罰可以合理地相應增加。

第二,剛才李卓人議員說有些判罰過低,我是同意的。但有一點我卻不十分同意,就是罰款低至一個程度,是無法收回成本。我並不同意這個概念。有多少人巡查,甚至司法人員要有多少時間審案等應與罰款無關。如果還要判罰堂費時則有關連,因為堂費是司法機構的成本,但不可以把罰款變成收回成本的原則。

第三,我同意田北俊議員所說,當局增加罰款後應公告周知,使小商戶,特別是那些不太大的公司僱主真正知道。因為我們立法的精神是,即使增加了罰則,但最希望的還是他們不要違法,希望能起阻嚇作用。如果要他們不違法,便要他們認識罰則的嚴重程度,他們才會不做。因此,我希望當局會加強宣傳,特別是今次大幅增加罰則後,更有必要進行宣傳工作。

**教育統籌司致辭**:主席先生,我想簡單回應剛才各位議員就這項修訂條例草案提出的建議。

首先,我想回應田議員和涂議員所說,如果我們通過了這項條例草案,就應該加強宣傳,令僱員和僱主都清楚明白很多違例事項的最高罰則已經增加。這實際上是我們修訂《僱傭條例》的其中一個主要精神。因為我們除了定期檢討,令最高罰則符合通貨膨脹因素外,在很多個別違例事項上,增幅實際上相當大。大幅增加罰則主要是希望能起阻嚇作用。因此,我絕對同意應加強宣傳,我們亦會與勞工處處長研究。

田議員也提到,中、小型企業的僱主可能不太清楚這情♥,又或最高罰則可能過高。但在某一程度上,加強宣傳已經可以令他們明白違法可能引致的後果。此外,法庭判罰時,法官會考慮個別案件的僱主和僱員情♥,然後才作出判決。說到這點,我想一提剛才李議員和涂議員都有提到的問題,就是在有些案例內,法庭判罰的罰款較最高罰則低很多,可能引起很多的關注。在這方面,我們可以做兩件事。第一,我們以後會密切留意,如果有個別案件是我們認為法庭判罰過低的,我們會徵詢律政署的意見,看看是否需要申請覆核。第二,是在不違反司法獨立這大原則下,我們可與律政署研究,看看可以透過甚麼適當的渠道,反映出一般社會人士認為法庭就某些違例事件所作出的判例或罰款可能沒有充分反映他們對這件事的關注。當然,我必須強調,我們要與律政署商量這事,看看有否適當的渠道,反映這意見。同時,司法獨立的大原則是絕對不能違反的。

此外,李議員也要求我們加強檢控。我也很同意這點,亦希望在人手容許的情♥下,加強巡查檢控,因為這實際上能配合要令僱主不會違反《僱傭條例》的精神。

最後,李議員促請政府記♪,政府以前曾承諾會就《僱傭條例》作出一些修訂,包括有關歧視工會等事項。我只可以說我現在得悉李議員的意見,並會積極研究我們在這方面的進度。

謝謝主席先生。

Question on the Second Reading of the Bill put and agreed to.

Bill read the Second time.

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

### LAND REGISTRATION (AMENDMENT) BILL 1995

# Resumption of debate on Second Reading which was moved on 15 November 1995

Question on the Second Reading of the Bill proposed, 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.

#### EMPLOYMENT (AMENDMENT) (NO. 4) BILL 1995

Clauses 1 to 8, 10, 11 and 14 to 30 were agreed to.

Clauses 9, 12 and 13

教育統籌司致辭:主席先生,我謹動議修訂條例草案第9(1)條、第12(1)條 及第13條,修訂內容一如提交各位議員傳閱文件內所載,建議在委員會審議 階段進行的修訂。這些修訂屬技術性質,是要修訂條例草案的中文本。

為了同一理由,我亦動議依照上述文件所載,在附表指定的條文內,加

入第24A及第24B條。

這些修訂是將 "recklessly" 的中文翻譯,由 "罔顧實情"改為 "罔顧後果",並在《僱傭條例》中文本內 "僱主"、"承判商"及"次承判商"三個名詞之前,加上"任何"這兩個字。謝謝主席先生。

Proposed amendments

#### Clause 9

That clause 9(1) be amended, in the proposed section 31P(2)(b), by deleting "實情" and substituting "後果".

#### Clause 12

That clause 12(1) be amended, in the proposed section 31ZE(2)(b), by deleting "實情" and substituting "後果".

## Clause 13

That clause 13 be amended, in the proposed section 33(4BA) and (4BB), by adding "任何" at the beginning.

Question on the amendments proposed, put and agreed to.

Question on clauses 9, 12 and 13, as amended, proposed, put and agreed to.

New clause 24A "實情" substituted by "後果"

New clause 24B "任何" added

Clauses read the First time and ordered to be set down for Second Reading pursuant to Standing Order 46(6).

教育統籌司致辭:主席先生,我動議新訂的第 24A 及 24B 條,內容一如提交各位議員傳閱的文件所載,應予二讀。

Question on the Second Reading of the clauses proposed, put and agreed to.

Clauses read the Second time.

教育統籌司致辭:主席先生,我動議新訂的第 24A 及 24B 條,應增訂於本條例草案內。

Proposed additions

#### New clauses 24A and 24B

That the Bill be amended, by adding —

## "24A. "實情" substituted by "後果"

The sections set out in Schedule 1 are amended by repealing "實情" wherever it occurs and substituting "後果".

### "24B. "任何" added

The sections set out in Schedule 2 are amended by adding "任何" at the beginning.".

Question on the addition of the new clauses proposed, put and agreed to.

#### New Schedules 1 and 2

Schedules read the First time and ordered to be set down for Second Reading pursuant to Standing Order 46(7).

教育統籌司致辭:主席先生,我動議新訂的附表 1 及 2,內容一如提交各位議員傳閱的文件所載,應予二讀。

Question on the Second Reading of the new schedules proposed.

New schedules 1 and 2 read the Second time.

教育統籌司致辭:主席先生,我動議新訂的附表 1 及 2 應增訂於本條例草案內。

Proposed additions

# New schedules 1 and 2

63(5A)(b) 63B(2)

That the Schedule be amended, by adding —

"SCHEDULE 1 [s. 24A]

SCHEDULE 2 [s. 24B]

15(2)

43D(4)

43E(2)

43H(4)

43I(2)".

Question on the addition of the new schedules proposed, put and agreed to.

# LAND REGISTRATION (AMENDMENT) BILL 1995

Clauses 1 to 10 were agreed to.

Council then resumed.

# **Third Reading of Bills**

THE SECRETARY FOR EDUCATION AND MANPOWER reported that the

# **EMPLOYMENT (AMENDMENT) (NO. 4) BILL 1995**

had passed through Committee with amendments. He moved the Third Reading of the Bill.

Question on the Third Reading of the Bill proposed, put and agreed to.

Bill read the Third time and passed.

THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS reported that the

# LAND REGISTRATION (AMENDMENT) BILL 1995

had passed through Committee without amendment. He moved the Third Reading of the Bill.

Question on the Third Reading of the Bill proposed, put and agreed to.

Bill read the Third time and passed.

### MEMBER'S MOTION

**PRESIDENT**: Member's motion. I have accepted the recommendations of the House Committee as to the time limits on speeches for the motion debate and Members were informed by circular on 4 December. The mover of the motion will have 15 minutes for his speech including his reply; other Members will have seven minutes for their speeches. Under Standing Order 27A, I am required to direct any Member speaking in excess of the specified time to discontinue his

speech.

# MR CHEUNG HON-CHUNG to move the following motion:

"鑑於近年青少年自殺個案日增,且自殺問題出現年輕化趨勢,本局促請政府採取積極和有效的措施,包括檢討現時有關的施政方針和青少年服務,進行全面的前瞻性研究,預防和解決青少年自殺問題。"

**張漢忠議員致辭**:主席先生,我動議按照議事程序表,通過在我名下提出的 議案。

自殺不是解決問題的方法,自殺很多時都是一時的衝動,如果事前可以 聆聽和輔導,情♥是可以避免的。成年人自殺的因素相當複雜,但多數都是 有動機,但青少年自殺往往只是為了雞毛蒜皮的小事,其中的例子有一個五 歲的小朋友,因為弄濕了校服;兩星期前在天平 的一個小朋友,因為改了 成績表等,在大人眼中,這些都是小事,小朋友卻以為無法解決,而選擇自 殺,以為這樣便可以解決問題了。今日集中探討,不是尋求青少年自殺的原 因,而是要剖析青少年為甚麼選擇以自殺的方式來解決問題,從而制定有效 的措施,包括檢討現時有關的施政方針和青少年服務,進行全面的前瞻性研 究,預防和解決青少年自殺問題。

今個學年,開始至今僅僅三個月,已有九宗青少年自殺個案,其中死亡的有五宗,涉及年齡由五歲至17歲,而大部分輕生者為小五至小六學童。雖然本港的青少年自殺比率較其他國家略低,美國每10萬人有12人自殺,新加坡有3.7人,本港則為2.2人,但本港自殺者的年齡大多數介乎10至11歲,更有年幼至僅五歲的學童,這與其他地區相對則十分驚人,是值得深切關注的。

記得我在自己的童年時,"自殺"的字眼從不在我的詞彙中出現。即使遇到困難、挫折,亦從未想過自殺,"自殺"只是成年人才會做的事。以往社會物質貧乏,青少年絕少有自殺情♥出現;現今在物質豐富的文明社會,竟然有五歲大的兒童也走上自殺絕路,是否反映了現時社會親子關係出現了危機?是否只重物質而忽略了愛護和關懷?一個只有十歲的輕生學童留下遺言稱:"我先離去,請代照顧爸爸媽媽",短短幾個字,令人難以相信是出自一個還需愛護和照顧的十歲兒童的遺言。他們表面上的言行看似成熟,但心智發育仍未健全,往往做出與他們年齡不相符的舉動。青少年是否在缺乏

完整的家庭生活,心靈空虛、脆弱、朋輩關係疏離的情♥下,一旦遇到困難時,感到無助及無望之餘,便選擇自殺為解決問題的途徑?

主席先生,近年來的自殺問題出現年輕化的趨勢,各方面都有責任,包括家庭、學校和社會。而政府方面目前欠缺有系統和完善的青少年政策,較早前訂立的青年約章,今年已是第十年,但都只是說話多於實際行動,流於紙上談兵,對解決青少年問題,沒有太大的幫助。

主席先生,首先我們從家庭方面去看青少年自殺問題。單親、破碎、雙職家庭,因為謀生而忽略了對子女照顧,我理解他們的處境。但作為父母者卻有不同的藉口:"我很忙,實在抽不到時間陪子女。"又或者"我賺錢,都是為了頭家。"又或者"我已經請了補習先生、女傭照顧他們,我完全盡了責任。"更有甚者"他要甚麼有甚麼,應滿足的了,算好的了。"等等,而從未真正關心、了解子女在成長過程中所遇到的困擾。我認為,在今天文明的社會,為人父母者,除加強與子女的溝通外,更要發展個人關係,一如朋友般,互相信任,聆聽子女的心聲,成為子女傾訴的對象。在他們遇到障礙時,那怕是一點小事,如能及早發現加以援手,悲劇是可以避免的。

學校教育更不應忽視。學校應加強與家長的聯繫和溝通,班主任可定期會見家長,雙方探討學童的學業及成長中發生的問題,不要互相推卸責任。當發現有問題時,可即時予以輔導,更要讓學生明白到,學校與家庭的聯繫是生活的一部分。

目前的教育制度,只侧重於學術性的教育,完全忽略了人性的教育。很多學校過於要求學生在學術上的表現,缺乏了德育及自我肯定的教育,故此,民建聯認為有必要增設生活教育專科科目,並列為必修科目,着重協助學童的心理健康的發展。本人認為應改變社工的形象,可用其他名稱取代之,例如可稱為"生活教育主任"。社會上整體認為需要接受社工或訓導主任輔導的學生,一定是表現較差的,而學生亦有所抗拒。學校要約見家長亦認為自己的子女出了問題,如此,令學生那怕是遇到小問題,也不够亦不願向社工、師長、父母求助。同學之間亦未必能互訴心聲,即使有同學遇上困難,同學間亦未必懂得如何相助和輔導。結果小小的問題困擾,有學問在沒有得到關懷支持的情學下,選擇自殺輕生。因此,增設生活教育專科是必要的。雖然教育署提供多項教材予學校,以增強學生克服困難的能力,但由於現時中、小學的課程十分緊迫,老師根本無法再抽出課堂,甚至課以外的時間,向學童提供德育的課程,更何》向學童講解生命的意義呢?加

上教育署亦只是以"呼籲"方式,希望學校多舉辦有關家庭生活教育的活動,但在課程緊迫的情♥下,根本並沒有很多學校認真聽取該等"呼籲"。

民建聯認為要向學童提供家庭生活教育,要學童理解生命的意義,便必 須令學校利用正常的課堂時間,提供有關生活教育。我們促請教育署應積極 考慮在中、小學課程中,增設生活教育的專科科目。現時中、小學的課程太 過着重中、英、數等學科訓練,完全沒有照顧到學童心理健康的發展。相信 只有將生活教育列為一個正式的學科,配以課程設計、教學輔助器材、書本 教材等,才可令學童的心理健康得以正常發展。

我建議新增的生活教育科目,要協助學童如何正確宣洩不滿的情緒。根據調查發現,小學教育制度甚少為學童提供適當的宣洩渠道。學童如沒有渠道發洩心中不滿的情緒,長此下去,很可能會有抑鬱的徵狀,更可怕的是會使學童走上自殺的絕路。

民建聯認為生活教育的科目,亦要協助學童建立健康的自我形象。據我們了解,小學學童的自我形象愈低,產生自殺念頭的機會便愈高;自我形象愈高,便愈有能力應付各種難題。我們相信如果日常生活教育科目,能教導學童正確建立自我形象,可有助學童增加應付生活上各種困難。

學校教育還有重要的一環,就是盡快落實 "一校一社工"目標。也許 "社工"這名稱可因應我上述建議,改稱為 "生活教育主任"。民建聯亦要 求政府增撥資源,以期盡快達致 "一校一社工"的目標。雖然教育署已實施 若干措施,以加強老師處理學童自殺問題的能力,但由於現時老師的工作量 很大,老師往往有心無力,故此,增加學校社工人手,使更多學童獲得社工 的協助,是有必要的。而最重要是為學校提供足夠的社工人手,使老師發現 有自殺傾向的學童時,可立刻加以援手,社工便能及早給予該學童適當輔 導,避免自殺事件出現。

我曾經與部分社工討論有關社工人手問題,發現現時社工的工作繁重, 一名學校社工在同一時間內,除了要處理70宗個案外,亦要在校內負責數項 課外活動。即使達致"一校一社工"的目標,紓緩學童情緒的服務亦未必有 顯著的改善。他們認為每間學校最少要有兩名社工,可想而知,如果政府還 不增撥資源,增加社工人手的話,有自殺傾向的學童便難以獲得應得和足夠 的輔導。

最後,社會也有不可能推卸的責任。傳媒及青少年刊物的宣傳手法實有 檢討的必要。前者為了加強收視效果,渲染了自殺輕生者的報導;後者為了 經濟效益,以"出版、言論自由"為藉口,不顧社會責任,向青少年宣揚個人主義和不知所謂的英雄主義,以及灰暗的人生觀。政府可以做得到的是,制定一套道德觀念指引,令無良的出版商有所收斂。社會需要有豐富的健康精神食糧,向青少年灌輸積極的人生觀,從而令他們了解生命的意義。

我們覺得政府應在傳播媒介廣泛宣傳,加強家庭教育。當然,政府無可能強迫家庭做任何事情。可以做的只是,除了家庭教育外,亦要加強學校與家庭的溝道。

主席先生,總結而言,遏止青少年自殺的發生,需要整體社會的配合,包括以上種種的因素,而最重要的是,要求政府增加資源去落實我們提出的建議。增設生活教育專科及落實"一校一社工"的目標,使青少年有健康的人生觀,從而達到預防和解決青少年自殺問題。

主席先生,我謹此陳辭,動議議案。

# Question on the motion proposed.

**張文光議員致辭**:主席先生,自殺,無論是甚麼人,永遠都令人難過和震撼,何♥是風華正茂的青少年。更何♥,青少年自殺的風氣已經持續了很多年,至今仍未止息,整個社會彷彿都束手無策,令人憂心。

幾年前,大家對於自殺,只尋求一些簡單化和表面化的解釋。傳媒的焦點,只集中在"誰人應該對自殺事件負責"。彷彿找到了負責人,就天下太平,自殺事件就再不會出現。而第二天的報紙上,會出現一些未經驗證、駭人的標題,傳媒不自覺地扮演着未開庭審判的法官。有時報導的是局部的事實;有時卻是片面的原因,越來越多人懷疑,青少年要結束自己的生命,原因是否可以這樣簡單,這樣表面?

主席先生,我絕對不是將責任歸咎於傳媒,因為這絕對是不公平的。無數的個案使我深信,青少年自殺,原因千絲萬縷,甚或互為因果,可以是家庭、學校、朋友、自我性格、社會因素,更可以是這些因素的總體。有一位學者曾說,"在追究年青人自殺的原因時,簡單而明顯的原因,只是一些方便的藉口去痳痺社會的傷口。最接近和最直接的原因,未必是最重要的原因。有自毀傾向和行為的青少年,多是經過長期和多種壓力和困擾後,在一

些輕微的刺激下全面崩潰。如果將這最近的壓力事件看成是自殺主因,只會 誤導大眾和妨礙對事情的進一步了解。"

主席先生,到底年青人在作出種種例如割手腕等自毀行為,繼而作出令人心痛的最後一步時,心中盤算着甚麼不能解決的問題呢?是否年輕的生命真是沒有出路呢?如果在自殺前一刻,有人能夠聆聽他們的問題,為他們開解,生命是否能夠挽回呢?

年前的一項民間調查,發現一般青少年的傾訴對象,超過七成是朋友或同學。本來這個數字不值得奇怪,青少年成長各有天地。但值得我們注意的,是和父母傾訴的青少年,相對地少得驚人,少得令人感到擔憂。受訪的青少年,會對母親傾訴的,十個中勉強有一個;對父親傾訴的,20個中才得一個,數字遠遠低於社工。而教育署經過長期對青少年自殺研究的結果,發現很多的自殺個案,都與家庭有着很大的關係。

以家庭作為青少年最大的避風港的概念,已經受到嚴重的沖擊。我們不說單親家庭、破碎家庭、問題家庭,即使那些雙職工的家庭、人際關係極冷漠的家庭、或經常吵鬧的家庭,生活在其中的青少年,何嘗不是有着傷心和難過呢?使家庭成為溫暖和幸福所在,是針對青少年自殺風氣蔓延而開設的一個很關鍵和重要的救生網。我過去曾呼籲:"爸爸媽媽要多些回家吃晚飯",就是要重新重視家庭和人倫的價值。用耐心和時間,聆聽子女的心聲,勝於任何事後的補救和悔恨。

其次是學校。教育制度、學校管理、老師態度、功課和考試壓力、甚至 是學校約見家長,都可以變成自殺的觸發點。個別學童可以是很脆弱的,幾 乎一擊即破。青少年階段,正正就是學童階段,亦是最多愁善感的階段,他 們極為需要用感情與人溝通和交流。可惜,香港的教育制度,很多時將教育 當作生產;將學童當作機件;將老師當作工具,整個教育制度缺乏人性的一 面。當制度變得冷漠,變得沒有人情味時,學校便變成老師和學生的衝突 場。

還有,就是我先前曾說的關於傳媒的問題。我完全尊重新聞自由,但我 也期望傳媒同時承擔教育青少年的社會責任。在這幾年間,我發覺當傳媒越 是大幅及激情地報導青少年自殺行為時,在相同的一段時間內,便越多發生 青少年自殺的行為。而且,傳媒由於激烈的競爭,難免要在極短時間內尋找 原因,並且報道出來。於是,一些片面的原因,有時便成為該次自殺的焦 點。但是這些所謂原因,有時並不一定準確,反而成為誤導或傳染自殺風氣的起點。這是大家所始料不及的,也是我們從自殺的傷痛中必須汲取的教訓。

主席先生,本人謹此陳辭,支持議案。

DR LEONG CHE-HUNG: Mr President, although much has been said already and I am sure there will be some more to be said by Members on the incidence of adolescent suicide, I would like to add two further figures to even highlight the problems.

In a study done by two famous psychiatrists in the United States in 1993, it was reported that the incidence of adolescent suicide in the United States had risen by more than 200% compared with a general population increase of 17%. Whilst it may be said that it is not proper to directly compare this with Hong Kong, we have to bear in mind that Hong Kong has been becoming more and more internationalized and the lifestyle, and even thinking, of our adolescents have become more and more westernized.

The other figure that I would like to bring to the attention of Members is that, according to a local report, some 461 suicide cases of persons below 25 years old have been heard by the Coroner during the years of 1986 to 1992. This is obviously an underestimation of the overall problem, for those which were heard by the Coroner were successful suicides. There must be much more that have not reached the Coroner's office, having fortunately halted before a complete suicide had taken place.

Mr President, much has also been said of the background behind adolescent suicide ranging from postulated risk factors such as psychiatric disorders, poor self efficacies, poor problem-solving skills, sexual/physical abuses, substance abuses, even violent rock music, divorces in family, unemployment and even phases of the moon. I would, however, like to add one very important point which my honourable friend, Mr CHEUNG, has already made, and that is, there are examples and literature in the psychiatric studies to indicate that suicide attempt commonly follows publicity about suicide. Confirmed cases of copycat suicide in which children and adolescents have committed suicide following and using identical methods as those portrayed in books or movies have been reported. Bearing this in mind, it is, therefore, most

important that the media should take note of this during their reporting.

Mr President, I would like to express a few thoughts that Members of my constituency would like to contribute. Recent reports of studies by members of my constituency in the psychiatric field indicated that whilst the risk factors of suicidal adolescents are not exactly like those of the Western countries, certain factors are obvious. Psychiatric disturbance ranks highest, of course. Experience shows that about one third of the suicidal subjects have depressive disturbances. Many show anti-social behaviour. Inter-personal conflicts and the lack of families or friends comes next, and some 39% among students committing suicide showed recent disciplinary or academic problems.

It is said, therefore, that perhaps three areas should be considered. Firstly, primary preventative programme and overall education which include the introduction of school curriculum in areas that would help to support students to stand up to failure of personal expectation. Other curriculum inclusions that could help to solve social competency building, problem-solving skills and self-efficacy enhancement and basic mental health education are also vital in helping the adolescents to withstand the risk factors that they may be so exposed to.

Secondly is secondary preventative methods by identifying youths who are at risk. Examples have shown that those youths who are more vulnerable to risk factors could be identified even through simple questionnaires and assessment. Obviously, this must be done with extreme caution to prevent stigmatization and sensitization of those high-risk subjects.

I welcome the Government's Student Health Service Scheme which also includes mental health status assessment. At the same time, I would recommend that non-sensitive questionnaires be included in student assessment to subtly identify high-risk groups with suicide attempts and to give them the necessary counselling before it is too late.

The third way is tertiary prevention through intervention. Two areas must be addressed. Firstly, there must be ways to tackle crisis. Hotline services to help solve crises have been suggested, but these must be backed by proper and adequate mental health services support to make them effective.

Secondly, experience has shown that those who have attempted suicide are likely to do it again. Active therapeutic intervention to this group is essential, although it is in no way an easy task as they are usually notoriously non-compliant to any treatment. Yet, there must be sufficient professionals both for the screening service and for the follow-up, as well as adequate co-operative machinery for children screened to have even the slightest mental health problems that should best be dealt with at the earliest possible time.

With just one clinical psychologist attached to the new Student Health Service Scheme which serves some 86% of primary school children, one wonders how effective can our students' mental health be taken care of. The Hong Kong Medical Association has in the last few years done considerable work in conducting talks at schools in a bid to help students face stress in different situations. More must of course be done by the Government, schools and non-government organizations on educating the parents on means of proper parenting and communication with their children. It is only through such provision of supportive network for them to fall back onto and to enhance their skill to solve problems that these youths would not go to self-destruction, be it substance abuse or suicide.

Mr President, while the medical profession is always ready to tackle those who have committed suicide by reviving them, we believe that prevention is always better than cure.

With these, I support the motion.

馮檢基議員致辭:主席先生,青少年是社會的棟樑,我們未來的主人翁,我們寄望於青少年,但是近年來越來越多青少年走上自殺之路,而且是年紀越來越輕的,使我們十分痛心和惋惜。在痛心和惋惜之餘,我們會問,為何會這樣呢?他們為何要自殺呢?當我們心情平復時,我們還會問,該怎樣辦呢?如何可以防止青少年自殺呢?

我認為青少年自殺的原因很多,亦可能很複雜。其實家長、老師和朋友,甚至學校、政府和傳媒,都可能有關係。對於青少年自殺和近年來這趨勢越來越嚴重的原因,我們不打算在此作詳細討論。反之,我要求香港人,甚至是立法局議員在今天作出反省,究竟今天香港的父母花了多少時間去關

# 立法局 一 一九九五年十二月六日

懷和了解他們的子女呢?師長有否開導學生,與學生溝通,盡這方面的責任呢?傳媒報導社會的新聞和問題時,帶來了一些甚麼社會風氣呢?政府為青少年自殺問題出了多少力、多少資源、做了多少事呢?當然,我認為青少年本身也需要反省一下。自殺是否可以解決問題呢?既然有勇氣和膽量去死,為何不敢面對現實,克服困難,解決問題呢?

有關青少年自殺問題,我覺得應先由青少年開始說起。我覺得應該加強青少年對死亡觀念的教育,糾正一些自殺可以解除痛苦、解決困難、死亡後可以減輕別人的負擔、自殺是英雄行為等等的錯誤觀念。我們應該對青少年灌輸一些有關生命的價值和生命的重要性的觀念。此外,也應鼓勵青少年將他們的困難和困擾告訴家人、朋友、教師和社工,讓其他人在知道他們的問題後,能夠加以協助,以及最要的是,能夠分享他們的困難和困擾。我覺得最重要的是他們要勇於與家人、老師、社工和朋友等一起面對壓力,解決問題。

其次,是對青少年的支援和關懷。根據多項研究顯示,家庭關係惡劣是青少年自殺的重要原因之一。事實上,家庭是孕育青少年成長的最重要基地。父母的關懷愛護,是青少年最重要的精神支柱,所以強化家庭的支援功能,鼓勵父母子女之間的溝通和互相關懷,使家庭成員可以分享大家的心事,彼此勉勵和支持,我覺得這對於青少年的心理發展是有很重要和積極的意義的。

除了上述兩點外,政府有需要向青少年和家長進行教育、宣傳和推廣。 此外,我支持張漢忠議員的議案所說,政府應採取更積極和有效的措施,解 決青少年自殺的問題,其中包括全面檢討現時的政策和服務是否足夠。此 外,民協還有以下數個觀點,希望與各位同事分享。

第一,檢討現時的"填鴨式"教育制度,減少要求青少年學生背誦和強記,而應該加強學生在批判思考和分析判斷方面的訓練。一方面可以紓緩學生沉重的學習壓力,另一方面也可以培養青少年有成熟而理性的思維。

第二,對於社會上有特別需要幫助的學生,例如家庭有問題、單親家庭、經濟有困難的家庭等等,政府應投入更多資源,給那些學生多些輔導和協助。

第三,教育署應加速在學校成立家長教師聯會。透過家長日、學校諮詢會的渠道,加強家長和學校的溝通。民協鼓勵學校成立家長會,使家長能夠參與校政。一方面既可以改善學校教育的質素,又可以加強學校對學生和家長的了解。此外,如果能夠有社工參與家長會的話,則可以發揮更大的作用。

第四,有關傳媒方面,近來我們看到部分傳媒在報導青少年自殺事件時,有推波助瀾之嫌。對於自殺事件的報導,非常細緻,繪形繪聲。我覺得這樣的報導形式有渲染和傳染的作用,使更多青少年模仿同樣的做法。因此,我覺得傳媒應該檢討對於青少年事件的新聞報導手法。

第五,增加學校的社工。我希望能夠達到"一校一社工"的比例。民協認為現時大約兩間學校才有一名社工的比例嚴重不足,令不少有需要輔導的學生求助無門。因此,我們希望政府能夠增加社工的人手,達到"一校一社工"的比例。同時,也應盡快研究以專業社工代替目前小學輔導老師所擔任的學生輔導工作。

最後,民協要求政府成立獨立部門,專門研究青少年事務,負責研究和 草擬青少年的政策。在適當的時候,就個別的青少年問題提出政策建議。

青少年是我們社會的棟樑,青少年自殺無疑令我們的社會棟毀樑斷,將來更會屋毀人亡。自殺問題不獲正視,社會早晚會承受惡果。家人、教師和青年人需要檢討,政府作為負責社會的機關,更加義不容辭,責無旁貸,應 與我們一起反省這個問題。

本人謹此陳辭,支持張漢忠議員的議案。

MRS ELIZABETH WONG: Mr President, thank you. I would like to share with Members of this Council what I learned last week at an Asia social policy forum involving many countries discussing items such as child, youth suicide and the importance of the family. I think it is so important that I want to share with you some proposals also.

Youth and child suicide is an indictment of our society. It illustrates a failure of our policy, a failure not only of our education policy but also our social policy. At the United Nations Year of the Family, "family" is defined as the smallest unit of democracy. Elsewhere also, no matter whether you come from any culture, family is regarded as the basis of individual well-being and the well-being of future generations.

Now, a year later in 1995, we still have a motion debate on youth suicide, child suicide, because of the many, many tragic cases. We need to focus. To focus requires a united approach. We need to keep the importance of the family in everybody's consciousness. We need to test every new policy, no matter whether it is environmental policy, financial policy, or what policy, against its impact on the well-being of the family.

The true impact of any policy must be worked out scientifically and I think from what I can read in a lot of paper reports, either in this Council or outside, it is unconscionable that many of us in high positions in the Government do not even regard family as important. To quote a case in point, it is, I suggest, unconscionable for the Director of Audit, who is a government official, to say in his Audit Report that single parents should be encouraged to work, to dump their kids in the care of others so as to keep their expenditure lean and mean, to save money. This is unconscionable because it does not save money necessarily. It simply stores up problems for the future.

I ask you, Mr President, if an important government official or government department should forget the importance of the welfare of the family, what hope is there to keep our families together? What hope is there for keeping our children in the well-being surrounding of a social environment?

Elsewhere, when we talk about protection of families, or when we talk about environment, we talk about the cost of environment in terms of the financial cost if we destroy our environment. There is a move afoot internationally to devise what we call not "green GDP", but "family GDP", which is the cost of any policy to be tested in the long term against the cost of the destruction of family, or family well-being. In other words, the cost of any policy must be examined in relation to its impact in the immediate and long terms on family members.

Unless this is done, we are doing things piecemeal. We are talking about increasing social workers and all that, but I think in any policy, all the policies in the Government, we should assess the long-term implications for the family in the same way as it is important to assess the long-term financial implications. Social implications are just as important as financial implications.

This is the point I want to share with this Council because this is very much the concern not only of Hong Kong but many Asian nations, without which we will forever be loitering in discussion which has no future, which has no outcome, which will continue to enable us to blame each other, to look around for a scapegoat. We should be working together. We should be working with the media. The importance of the media should never be underestimated. They can help with the cohesion of the family. They can help to work to make society more beautiful.

This is a proposal, Mr President, I hope the Government will respond and consider. Thank you.

張炳良議員致辭:主席先生,近年來,青少年自殺而致命的個案日增,在過去五年來,有超過七十多宗,而且出現年輕化的趨勢。這個現象的確引起社會很大的關注,也是今天張漢忠議員提出議案的原因。我相信不少議員在發言時的觀點和角度都是差不多。我同意這個問題非常嚴重,毫無疑問,在這方面我們會有共識。

對很多人來說,包括為人父母者,青少年自殺是很難理解的。我們相信青少年的自殺行為,並不單是一些個別和單純的行為,其背後實存在一些很複雜的社會性因素及價值觀的內在影響,而這些因素往往是錯綜複雜、糾纏不清的,例如家庭關係不和、性格問題、學業問題、人際關係等。這些原因通常是互相影響的,不能抽象地處理,而受困擾的社會關係,往往是導致青少年自殺的前因。青少年自殺問題當然應受到社會重視,不過,如何解決卻不是簡單的事,不能依賴單一方面的處理便可以,也不是在追究責任,將責任放在某一方面便能解決問題。

我同意很多先前發言的議員所說,我們應以一個積極和開放的態度,為 青少年創造一個寬鬆的生活環境,明白他們在生活上所遇到的困難。因為每 一個生命的摧毀,對社會來說都是一個重大的損失。我們重視青少年自殺的 問題,不獨是那些自殺而喪失生命的個案,更應同時關注到一些青少年以自 殺式行為,即使是非致命,對身體造成傷害,包括過度服食軟性藥物。這些 自殺或自毀傾向雖然沒有造成直接的人命損失,但成為青少年自殺行為的一 個誘因,的確令人關注。

在一九九二年,教育署成立了一個專責小組,研究青少年的自殺問題, 並提出了一些措施,包括加強教師處理學童自殺的能力、增強學生克服困難

# 立法局 一 一九九五年十二月六日

的能力、加強對家長的支援,及最後為教育署的輔導人員提供支援訓練。誠然,這些措施確是一些應有的取向,而政府在過去幾年來,在這些方面也下了不少工夫。但我們認為,這些措施已實行了數年,現在是該由政府進行一個全面性評估的時候了,看看專案小組在九二年提出來的措施和方案,究竟是否已能起了成效。如果有缺失,是否該因應這個新的趨勢,作出必要的改善。

主席先生,據香港浸會大學兒童發展研究中心最新的研究調查顯示,香港青少年的"自我形象"偏低,諸如讀書成績差、操行欠佳、不懂交際等。當他們遇到不快樂的事情時,亟需親人從旁支持、鼓勵及傾訴,但卻往往得不到家人的關心和愛護,因此,他們在學校或其他場合所認識的朋輩,漸成為他們傾訴的對象,而不想與家長溝通。他們往往在缺乏深思熟慮下,作出一些衝動而可怕的決定。而另一方面,在青少年眼中的學校,只是一個提供"硬性學習"的場所,他們甚少會主動與學校的輔導教師及社工傾談。在缺乏渠道將壓抑的情緒宣洩下,他們可能會以自殺或自我傷害的方法來"解決"問題,以達到解脫和控訴的目的。

因此,如果我們正視這個問題,應着眼於如何發揮教師和家長這兩方面的作用。教師與家長之間的溝通亦同樣重要,以達到相輔相成的效果。近年來,面對種種的學生問題,學校教育已不能單靠學校和教師的努力,家長所擔當的角色也相當重要。一些學校已響應成立由家庭與學校合作事宜委員會鼓吹的家長教師會這類組織,以增加彼此的溝通。但現時並非所有學校都設有家長教師會,主要困難包括教師的工作量大、教師缺乏這方面的培訓工作、家長缺乏興趣、時間和對教育問題缺乏充分的理解。因此我們建議政府應該:

- 1. 加強對家長教師會的宣傳,讓家長及教師清楚知道家長教師會成立 的目的、工作性質、職責、效果及其重要性,從而激發和增加教師 與家長合作的信心;
- 2. 加強對教師在職的訓練及支持,提高教師與家長互動的能力與技巧;
- 3. 給學校增添資源,以減輕教師的工作量,讓教師有更多的時間與學生和家長接觸,聽取學生的心聲;
- 4. 為家長安排一些有關的教育活動,以提高家長引導子女的能力及效果,讓家長成為子女最佳的支援,有助於他們建立積極的人生觀。

另一方面,傳媒報導對學童及青少年自殺具有一定的影響力。剛才數位 同事已提到這點,我不打算重複。

總括而言,要預防及解決青少年自殺的問題,我們認為教師、校方、家長,甚至社會各方面都需要共同努力,為青少年營造一個積極的生活環境, 令他們能建立一個正面的人生觀。

主席先生,我謹此陳辭,支持議案。

**劉健儀議員致辭**:自今年九月開課迄今的過去兩個多月內,先後已發生七宗學童自殺的不幸事件,使社會大眾,特別為人父母者擔憂不已。何以原本應該是天真爛漫、不識人間愁苦的孩童,會步上自絕的不歸路?這確是令人費解,更加令我們焦慮!到底我們社會犯了甚麼的過錯?出了甚麼的亂子?我們能否找出原因,對症下藥?這是我們整個社會,包括政府和大眾非常關心和急於解決的問題。

我認為,青少年自殺絕非簡單的社會問題,更不應視作為個別偶然事件 而掉以輕心。接二連三令人痛心的悲劇出現,我覺得在在向我們顯示一個嚴 重急切的訊號。我們要立即處理及採取一切行動,以預防青少年自殺的發 生。

要達到此目的,我覺得需要多方面的努力及合作,包括政府、學校、家庭及社會大眾等力量的配合。當然,政府的積極及主導行動,例如調配有關資源及制定有效措施,在此關鍵時刻,至為重要。

要有效解決青少年自殺問題,我覺得首先必須研究及找出造成青少年自殺的可能成因。我認為主要原因可能有如下幾方面:

- 青少年面對多方面的壓力,例如功課、擇友、感情等問題,而不知 道如何紓解;
- 2. 青少年未獲得父母的關懷及愛護。這可能是基於父母要出外工作賺 取生計,又或父母本身不懂得如何關懷及教導子女所引致;
- 3. 青少年受到傳媒對自殺事件的大事渲染所影響,而在潛意識之中埋

下連自己也不覺察的自殺傾向念頭;

4. 青少年缺乏人生目標,因而對生活感到枯躁乏味。

要對症下藥,我覺得我們應從三方面№ 手:

## 短期措施

從社會心理學來看,人類是群體動物,人類之間的行為是互相影響的。當自殺行為經傳媒廣泛報導後,小部分人可能會不自覺地受到感染而作出類似的行為。實際事例亦顯示,在這些報導後,青少年自殺事件會接二連三發生。事後會有人歸咎學校、家長或者傳媒,但問題既然發生,歸咎誰對誰錯亦無補於事,不如向前看,共同攜手解決問題。

社會人士要求傳媒低調報導學童或青少年自殺事件,以免帶來負面影響。不過,亦有社會人士擔心此舉會妨礙新聞自由。

新聞自由固然重要,但大眾傳媒亦應肩負教育大眾的功能及社會責任。 傳媒大肆報導及任意渲染青少年自殺,對任何人都不會帶來好處。

因此,我建議從事新聞工作的人士尋求共識,考慮制定守則,自律地不再大肆報導青少年自殺個案。我希望這個建議不會被視為侵犯新聞自由。目前法例亦有不容許傳媒報導在兒童法庭審理的個案,目的何在?都是為了保護我們寄以厚望的青少年。我相信傳媒寧願自律,也不希望以立法加諸自己身上。

### 中期方面的措施

1. 加強學校社工或輔導主任

政府應撥出資源,使每間學校均設有輔導主任,專職負責照顧學生功課以外的一切問題及行為,例如情緒和心中抑悶等困擾。

#### 2. 加強心理輔導服務

政府亦應有足夠的臨床心理學家,接受由學校或青少年團體有關人士每當覺察出有異樣思想及行為的青少年個案時,作出轉介,從而

給予這些青少年及時的心理輔導,化解他們的鬱結。

## 3. 加強家庭生活教育

很多時子女感到與父母存有鴻溝,彼此無法溝通,所以我們建議政府應加強家庭生活教育,使家長能得到有關知識及技巧,正確地關 懷及管教子女。

### 長期方面的措施

# 1. 家庭方面

鼓勵及勸導為人父母者多關心及愛護子女,不可單以"為口奔馳"這藉口,便輕易逃避管教子女的神聖責任。只要父母拿出至誠,顯露骨肉真情,那怕是日間忙碌非常,但晚上放工回家後總可騰出些許時間(不在乎長短,只在乎習以為常)與子女溝通傾談,閒話家常,及早紓解子女的任何困擾。

對於那些不懂得應付問題子女的父母,政府應該提供適當的輔導及協助,讓有關父母可以及早面對問題,盡快與子女建立良好的親子關係。

#### 2. 社會方面

政府及社會團體應鼓吹良好的社會風尚,及努力建立正確的人生價值觀,使青少年有所遵從及嚮往。當然,移風易俗非朝夕之事而需長時間的努力,但我們總得開步朝這方向邁進。

一個社會的強弱興衰,有賴人才的培養,而青少年是任何社會的無價寶藏,我們實在有責任讓其接受良好教育及在幸福中成長,好使其日後再將才幹回饋社會。故此,我希望大家能努力攜手,拿出勇氣及決心,及早解決青少年自殺這嚴重的社會問題。

主席先生,我謹此陳辭,支持議案。

葉國謙議員致辭:主席先生,今時今日為人父母,的確不易做,除了要照顧子女的物質需要外,對他們的心智發展更要加倍關注。近年來,青年人自殺風氣之盛,使許多人感到震驚。其實任何年代,每一個青年人都會遇上相同

的問題,例如讀書壓力、家庭煩惱等,為何今天的青少年在面對這些問題時,竟以死作解決?他們何以會這樣不珍惜自己的生命?

據有關資料顯示,青年協會自九三年七月設立青年輔導熱線以來,總共收到70萬個求助電話,當中包括三百多個有自殺傾向的個案,而求助的數字之中,六成以上是年齡介乎11至20歲的青少年。而浸會大學的一項調查顯示,被訪的四千多名小四至中三的青少年當中,超過一成是經常有想過自殺的。從這些數字來看,現今青少年心中確是有不少解不開的結,而且他們大部分是沒有信心去處理發生在自己周圍的問題。

造成時下青少年自殺個案驟升,原因絕非三言兩語可以解釋。隨着社會發展,青少年愈早熟,面對的壓力就愈多。圍繞青少年身邊的家庭、學業、感情各方面問題,都為他們帶來困擾。

家庭方面,特別是一些新市鎮的家庭,父母往往忙於工作,而且大部分需要遠赴市區,因而疏忽了家庭生活,缺乏與子女溝通的時間,使這些青少年即使有鬱結,亦不知向誰傾訴,困擾根本沒有紓解。在徬徨無助又苦無出路的情♥下,唯有想到解除問題而非解決問題,正如俗語所謂「一死了之」,自然就無須再煩惱了。

除了家庭外,學校的功課壓力、考試壓力、父母對子女學業上的期望, 亦使青少年承受不少壓力。青少年在面對學業上的挫折時,為了逃避師長、 親人的責備,就想到以死作為解脫。

青少年是社會棟樑,我們實在不忍見到青少年自殺的悲劇繼續發生。要 遏止青少年自殺個案上升,最重要是令青少年有正確的人生觀,讓他們了解 生命的意義和可貴。當然,亦必須透過各種方法,令青少年受困擾的情緒得 到合適的疏導,令他們在作出自殺的決定前,會思考到其他解決問題的方 法。

要達到這些目的,學校教育扮演了相當重要的角色。多年來,香港的學校普遍推行"填鴨式"教育,着重的是"催谷"學生的成績,對青年人待人接物的處世態度、對建立整體自信心、對解決困難的技巧等各方面的德育培訓相當缺乏。再者,目前的教師教學任務亦相當繁重,在照顧學生情緒困擾方面,即使教師能抽出時間,亦未必有專業知識提供協助。民建聯建議教育署應增強對在職教師或教育學院學生對學生輔導的訓練,特別是如何及早發

現自殺傾向的學生,教導學生面對困難等,以加強教師處理青少年自殺傾向 的能力。在課程安排上,教育署應考慮加以改革,加強學生德育課程,向他 們強調生命的意義,亦要減低他們的功課壓力。

主席先生,幫助有自殺傾向的青少年,社工界和教育界的責任同樣重要,可謂相輔相成。目前,由於資源缺乏,大部分學校無法做到"一校一社工"的安排,使許多受情緒困擾的學生,未能得到社工及時輔導,這是釀成悲劇的其中一個因素。因此,政府必須增撥資源、增加人手,包括學校社工、臨床心理學家和教育心理學家等,使問題青少年可被及早發現,並為他們提供輔導服務。

除社工和教師外,家長是幫助青少年解決問題的不可或缺人物。教育署應協助各中、小學校成立家長及教師協會,並提供資源及專業性輔助,加強學生家長的溝通和聯繫。

此外,有關傳媒對青少年自殺的報導,其負面影響不容忽視,傳媒切勿 渲染有關自殺行為。有專家指出,青少年自殺一般都具有模仿性,所以我希 望傳媒在這方面能多加關注。

本人謹此陳辭,支持議案。

**蔡根培議員致辭**:主席先生,總督於今年的施政報告中雖有提及青少年和學童的教育問題,例如擴充學額和學校設施等,但卻完全忽視了德育方面。目前政府的教育政策,並沒有就學童的心理發展作出具體的計劃。不少青少年問題,例如濫用軟性毒品和現在流行的嗅吸天拿水,甚至學童自殺等問題,政府都沒有作出適當的回應。

香港實施九年免費教育,我們社會期望所有青少年都能有標準的文化水平。然而,德育的最高理想是否已被遺忘了?我們下一代的價值觀似乎不能達到我們的期望。青少年當中,缺乏正當人生觀的,比比皆是;輕視自己生命的,亦時有所聞,更遑論提高個人修養,貢獻社會。

從青少年自殺個案中,可見大部分的成因都與家庭問題有莫大關係。在物質泛濫的社會,家庭的溝通可能更難,又或者被寵壞了,當遇到困難便不懂得如何面對。如果他們是來自破碎家庭,問題往往更嚴重。要知道,成長中的青少年最易受到朋輩影響,父母和老師應作出適當的輔導。我們可能仍記得因為被指偷去一個名牌書包的學童,以及因為被同學取笑改了一個女性

# 英文名字而自殺的學童吧!

政府在這個問題上,採取相當消極的態度,似乎把這個責任完全推往家庭和學校方面。毫無疑問,在青少年成長的過程中,家庭與老師,特別是父母擔當着最重要及最前線的角色。因為經濟及生活壓力,往往令父母忽視了對子女的責任,或者是有心無力。

社會日趨複雜、資訊泛濫,也使學校老師在培養學生方面增加不少困難和壓力。部分使命感日漸薄弱的老師,更只會專注知識傳授,而忽略了對學童德育的培養。政府在這方面應採取一個更積極的態度,採取有效的措施,投入更多的資源,加強宣傳,鼓勵家長和老師更重視及履行他們的責任。

在學校方面,政府除了加強德育課程和減低教師與學生比率以外,更應 大幅增加資源,加強學校社工的人手。目前,一位中學社工在要兼顧兩、三 間學校學生的情♥下,對學童的輔導工作,實在起不了甚麼作用。

此外,本人藉此提出一點有關傳媒的責任感問題。目前,傳媒在報導方面有一種頗為不正常現象,雖然這仍屬極少數現象,就是報導時為求增加吸引力和收視率,以揭人私隱、煽情、渲染為目的,置公眾利益及觀眾讀者的知情權於不理。

本人認為,傳媒方面亦應負起一種使命感,對報導自殺事件應避免過份 渲染,避免對青少年有不良影響。相反,應把自殺作為一負面教材,以警惕 青少年,珍情自己的生命。政府在尊重新聞自由的大前提下,或可考慮研究 訂定一些明確指引,或鼓勵傳媒自行制定一些自律原則,以免傳媒嘩眾取寵 及過份煽情,造成對社會風氣的負面影響。

主席先生,本人謹此陳辭,支持議案。

**謝永齡議員致辭**:主席先生,為免誤導公眾,我想先指出兩個誤解。

誤解一: 青少年自殺比其他年齡組別為多

事實上,老人自殺率較青少年高出11倍。

誤解二:教導自殺課題會引起自殺的行為

不少人以為教導自殺課題會引起模仿,帶來更多的自殺行為。就如很多人以為性教育增加青少年的性知識,會引發更多性行為一樣。其實,外國已經有很多研究顯示,防止自殺及死亡的教育,對降低自殺念頭與自殺行為,有顯著的幫助。

主席先生,接下來我想談談政府在防止自殺方面所扮演的角色。

# 空有口號

教育署強調,近年大力推動的"學校本位的輔導方式"是一項防治學童 自殺的根本方法。一九九二年推行至今,除了多給1,000元的活動資助以及 舉行幾個研討會外,具體內容不大明顯,難怪予人空有口號之感。

# 沒有資源的投入

政府在防止青少年自殺問題上的資源並不足夠。目前八百多間小學中只有194名學生輔導教師,而四百多間中學中只有250名學校社工,顯見專業的學校社工與輔導人員的數目仍然不夠。

## 支離破碎

教育署過去幾年來在防止青少自殺問題上,還做了不少工夫,但由於欠缺一套常設性的機制,專責並統籌學童自殺的防治工作,使防治工作顯得支離破碎。零碎的講座與簡單的宣傳,其實都不會有多大作用。

### 對非政府機構的服務沒有支援

目前,本港的防止自殺服務是由非政府機構提供,該類服務亦沒有得到政府資助。我曾經針對這些機構做過一項調查,發現約90%的機構存在經費不足的問題,50%表示欠缺專業人員支援。沒有足夠經費與專業支援,當然會影響他們服務的成效。

由此可見,政府在防止青少年自殺問題上的角色,是被動和模糊不清的,甚至連一個資源協調者的角色也做不到。

主席先生,要解決青少年自殺問題,本人有以下建議:

第一,成立防止自殺服務及資源中心,提供多元化及全方位的專業性支援服務,包括資訊的提供、教職員的訓練以及進行有關研究等。

第二,每校成立常設性的危機處理小組,對於及時介入並善後處理學童 自殺及企圖自殺所造成的危機,有很大幫助。希望當局正面考慮這建議,並 加強監管危機處理小組的運作。

第三,強制學校教職員接受"察覺自殺訓練"。其實,防止學童自殺, 我們不能只靠老師,校內所有教職員工都有責任。從校長、教師、校工甚至 接送學童的司機,都有需要接受"察覺自殺訓練",好讓所有與學童有接觸 的人,都能及時發現有自殺行為的學童,並給予他們幫助。

第四,增加專業輔導人手。我不希望政府以"學校本位的輔導方式"為藉口,來替代專業的學校社工與輔導人員,並把輔導工作的擔子推到校長和老師身上。增加學校社工和輔導老師的人手,仍是我們爭取的目標。每一間學校應有至少一位老師接受專業的"自殺介入訓練"。

第五,檢討課程,加入察覺自殺的課題及死亡教育。目前,教育署提供 學童的解決困難能力的教材,多是在正規課程以外的方式來教導。教育署實 在應對現行課程加以檢討,強制性地在中學課程加入察覺自殺的課題,幫助 學童能察覺出有自殺行為的同學,而向老師及有關方面求助。

主席先生,根據外國大量研究顯示,傳媒對自殺事件的顯著及浪漫化的報導,往往會給有自殺傾向的青少年帶來模仿效應。因此,傳媒對自殺事件的報導,應作謹慎處埋,不官作過份渲染,以免造成模仿效應。

主席先生,最可惜的是,其實自殺事件是可以避免的。在六十多個國家 及地區中,香港的自殺率排行25,這並不光采。政府應拿出更大的魄力去解 決問題。最後,本人謹向各位新聞界的朋友作出呼籲,希望他們可以謹慎處 理自殺事件的報導,以免造成模仿效應。

主席先生,本人謹此陳辭。

# 5.31 pm

THE PRESIDENT'S DEPUTY, DR LEONG CHE-HUNG, took the Chair. Mr Martin LEE drew the attention of the President's Deputy to the absence of a quorum.

**PRESIDENT'S DEPUTY**: I would proceed to count the Council. I now suspend the sitting and order that Members be summoned.

A quorum was then formed.

### **PRESIDENT'S DEPUTY**: Council shall resume.

**周梁淑怡議員致辭**:代理主席先生,今天我們要討論的是一個悲哀的問題。 我們看到近年來社會上呈現着自殺年輕化的趨勢,近五年每十萬名學生人口中,有多至2.7%學生自殺,年齡最少的只有八歲,平均年齡則為17歲。青少年象徵着一個社會的希望與將來,代表了朝氣與生命力,在這階段選擇去自我毀滅是多麼可悲啊!

造成青少年不重視生命的因素,未必能三言兩語地去簡化。不同的家庭和環境,會產生不同的變數,但每當悲劇發生,以下的幾個主因卻往往存在。

大都會生活愈來愈個人化,人際關係日漸疏離。有很多父母都顧着出外 謀生,青少年的思想情緒寄託,不外乎是電視和電腦給予他們眼前的訊息。 他們處於成長的轉捩點,累積著物質和精神的選擇,而在先進的商業社會是 不斷增加的。沒有親人從旁支持,灌輸正確價值觀和人生態度的話,結果有 可能使他們在感到孤獨無助時,興起自殺之念。

剛才有很多同事都提到,近期浸會大學一項調查顯示,年青一代覺得沒有人愛護、沒有人傾談。在遇到挫折時,自殺便是一種"解脫"。事實上,除了很多父母沒有察覺兒女的需要、沒有令家庭建立一個安全庇護所的感覺之外,社會上實在不易找到一個能被青少年接受的正面生命價值的訊息。甚至連政府的宣傳短片,也是採用一些天王巨星在影片中的"英雄式了斷"的片段。雖然短片附上語重心長的口號,但我相信青少年接收的是前者較為直接和強烈的訊息。

曾經有位教師朋友向我講述一些有自毀或自殺傾向學生的感受。他們認為根本沒有甚麼人和事是值得他們留戀的,甚至覺得自己即使死了,也沒有人為他們着緊和傷心。時下一些青少年喜愛玩電子遊戲機,在輸了一局時出現的一句"Game Over",漸成了他們思想的一部分,以為生命也一樣,可以自殺解脫了之後便另玩一局,沒有甚麼大不了。

我總覺得,人生在世,要活得有價值,就逃不了"需要",有"需要"

# 立法局 一 一九九五年十二月六日

就會珍惜。這包括需要其他的人,而至愛的,當然就需要最甚。相對來說, 要滿足人家的需要,也使自我感覺存在有價值。

前者是情,後者是義,是維繫人與人之間深厚關係的要素。可惜今天的 青少年,卻常缺乏兩者的經歷。取而代之的不過是短暫的感性刺激,生活在 沒有太多值得留戀和回味的日子之中。

這個由先進社會所衍生的問題,我看不到政府騰出很大的空間去糾正。 反而是為人父母者要在這個年代,認識到輔助兒女的責任不單止在學校和政 府。因為在青少年長大的關鍵歷程中,如果父母不願花精神時間去化解這些 潛在危機,過後只會是徒呼遺憾。

據我觀察所得,最影響成長中青少年的,並不是直接的說教,而是潛移 默化的榜樣。父母和朋輩的行為,才是誘導他們思想和成長的最大力量。

主席先生,我們往往忽略了香港強而有力的大眾傳播媒介,對我們的青少年有多大的影響。近期有一位資深的新聞從業員指出,現時有一些形同新聞專題的節目,只着重誇張、激情的片段內容,可謂是"新聞垃圾"。在這個劇烈競爭、凡事講求收視率和銷量的傳播界,上述現象可說是一個惡性循環。我堅信傳播媒介在製作節目時,一定要有社會良心和責任,仔細評估他們所廣播的一切,是否對市民大眾,尤其是不斷吸取新事物的青少年有積極的激勵,建立進取的人生觀。

試想想,在電視不斷追求最大群眾支持的大目標下,到底有多少個節目除了刻意娛樂青少年外,也試圖針對他們的需要和疑問去創作的?

在教育制度沒有灌輸生命價值觀和處世態度的現實下,傳媒可以帶領社會風氣的角色是非常吃重的。我較早時向有線電視作出建議,鑑於他們擁有自由度較大的廣播時間,應該可以考慮為青少年設立一類熱線節目,由一批具備健康形象和開放態度的主持人和心理輔導專家,接聽青少年的來電,讓他們說自己的困難、處境和希望,從而給予輔導和意見。

雖然這種節目不能代替家人的關心和支持,可是此舉卻可發揮另一種外在的效力,使青少年多一個渠道,抒發他們抑鬱的情緒,培養他們對自己處境的客觀分析,減低他們因孤獨感而產生的無助痛苦,更可以使成年人醒覺,要聆聽、了解和尊重青少年的思想,培養雙向的溝通。

雖然我認為政府很難直接防止或解決青少年自殺的問題,責任落在所有

有教育功能的社會結構上,包括家庭、學校和傳媒,但政府透過資助和正面 的宣傳,也可以扶植一些有意義和有影響力的意念和活動得以實現,特別在 協助問題家長或青少年方面,如熱線電話及外展工作,都是有用的。

代理主席先生,本人謹此陳辭。

**黃震遐議員致辭**:代理主席先生,我想說一些研究香港青少年自殺問題的資料,令我們可以診對症,下對藥,解決青少年的自殺問題。

其實,香港大學已經做過好幾次這方面的研究。精神科的鍾醫生等人曾經研究過青少年企圖自殺的原因;最近何醫生等人又研究過一九八六年至九四年間的461名自殺死亡的青少年,發覺他們的報告皆脗合。基本上,他們發覺這些青少年七成是有精神問題,尤其是憂鬱性精神分裂、離群或使用毒品,但其中只有三成曾獲得醫生治療,而在十歲至19歲的青年中,四成自殺的學生事前曾受家庭或學校因素所困擾,可見大多數青少年自殺前,其實是有跡可尋的。此外,青少年自殺是有一些特點值得我們留意:單親家庭的兒女自殺率較高,而十至24歲的自殺少女,三成曾與男友同居,顯示家庭因素極為重要;而四分之一非在求學階段自殺的青少年,其實正在失業,這個失業率是遠遠高過同年齡的失業率。這些資料顯示出一個清楚的政策方向:

第一,應該加強父母、教師對青少年心理問題的認識,及早將顯示有心理問題的個案轉交專業人士協助。教育署應該為教師安排課程,加深他們認識青少年的心理;

第二,這些青少年往往不願意接受心理輔導,因此學校必須加強社工人手,確保這些青少年得到輔導,以及保持跟進;

第三,醫管局必須要有足夠的、專門提供給青少年的精神科服務,除了一般的服務之外,更應有急性病情的處理小組,去迅速接見病人及提供治療,這些精神科的單位更需要有足夠的社工做診後的跟進,令青少年的確得到長期的治療。曾經自殺不遂然後再度自殺的青少年,有三成其實是在一個月內再次企圖自殺,由此可見,對自殺不成功的青少年必須保持高度警戒的監察,以防止悲劇重演。我們極須檢討目前這項服務是否足夠;

第四,單親家庭自殺率較高顯示政府須對單親家庭提供輔助;

第五,同居、離開學校後又找不到工作,這些皆與自殺有關,可見這些 青少年也是亟需援助;

第六,最後一點,也是最值得我們深思的問題,是香港的青少年自殺問題其實主要是一個婦女問題,今天多位發言的議員沒提到此點,但我們須特別強調此點,主要是婦女問題。香港的男青年自殺率,其實是世界第二低的,但女性的自殺率確是偏高,而無精神病癥狀的少女自殺前,很多時給人的印象是乖乖女,學校和家庭事前都認為無理由自殺。很多人提到功課壓力、自信心不足、家庭關懷不足或社會變化等,但為何少女要自殺,少男卻較少自殺呢?這是值得我們思考的。

因此,我們要問一問,究竟少女自殺是否根本是一個婦女角色的問題,會否少女所謂乖,其實是她們的心理長期受到壓抑,不可將自己的期望說出來,不將自己的煩惱表達給家人及學校知道;而電視劇裏面,男性受到壓力時是會反抗,而女性卻會自殺,這種角色的塑造,會否令到香港的女性選擇自殺的道路呢?當她們不能再承受壓力,又無法做反叛的角色時,唯有一死了之。這個文化問題是值得我們思考的,因為現在除了香港之外,少女自殺率最高的是新加坡和中國這類華人較多的社會。我們必須進一步研究以及從女性的社會角色來考慮。但從政策的角度來考慮,明顯不可單靠其他服務預防少女自殺,而是需要增加家庭內部溝通,以及增加少女的自我肯定能力。

代理主席先生,當然更加多的研究,尤其是對於女性角色的研究是很有價值的,但是,實際上已有很多資料關於自殺的原因,而對政策的需求也很清晰,因此,政府應該將這些政策推行得更好、更徹底,而不是侃侃空言,敷衍了事。我謹此陳辭,支持議案。

陳鑑林議員致辭:代理主席先生,

不能讓不利青少年成長的因素滋長下去

我們今天除了呼籲本局同事,支持民建聯張漢忠議員今天的議案辯論外,更希望社會公眾能真正正視這個問題。

青少年自毀行為是由很多個原因累積而成,所謂"冰封三尺非一日之寒",我們實在不能再坐視不理,讓不利青少年成長的因素滋長下去。

# 家庭生活質素下降

近數十年,香港市民的物質生活有所改善,但是今天香港新一代身處的家庭生活質素,卻有下降的趨勢,家庭內和諧、關切和互相支持的氣氛,似乎日趨淡薄。家庭暴力事件屢屢發生,離婚案件急速上升,因離婚或家庭變故而產生的單親家庭,亦因此增加。再者,因移民和經商等原因而導致家庭分散兩地,也是引致家庭組織鬆散和破碎的原因。

家庭對於青少年而言,應該是一個安全、溫暖和可靠的支持網,可是,家庭作為一個支援系統的功能已經"大打折扣",父母對子女的承擔亦有被推向外界機構的趨勢,可惜,青少年身處的社會環境卻是充滿壓力!人生經驗和應變能力都不足的年輕人,特別容易瀰漫着無奈的失敗感,在此情♥下,不單止是出現了青少年自毀的行為,更有犯罪、吸毒、離家出走等問題接踵而來。

不過,我相信大多數年輕人,都能以不同的方法去克服或紓緩身受的壓力,但我最擔心的是一小撮受壓力最大,又得不到足夠支持的人,最後會放棄希望,並以一死來交換一個不可能的"突破"。我希望社會大眾及政府當局不要再迴避問題的真正原因,不要只着眼於浮面的表因。

# 需要有一個綜合治理的概念

代理主席先生,今年是聯合國國際青年年十周年,記得十年前政府曾給 予社會人士、青年人及青年工作者很大的期望,期望一項適合本地的青年政 策及一個負責協調及統籌的機構的出現,好讓社會有一個對青年事務尋求共 識的機制,一個有力推行工作的機構,但是十年後的今天,換來的只是一紙 沒有制約性的《青年約章》。

如果我們真的要建立一個關懷的社會,真的要青年人明白社會人士對他們是有期望的,願意支持青年人發展的,我們就應該下定決心,在青年事務工作上,不要再只是擺出一個"修修補補"的姿態,各個部門及"非政府機構"不應再各自為政了。

適時檢討,制定政策

青少年自毀行為及其他青少年問題,實在是觸及多層次及跨階層的課題,我們需要有一個"綜合治理"的概念,並應該就有關的各項問題進行全面和前瞻性的研究,以及制訂可行的方針。

最近就《青年約章》的實踐進行檢討時,大部分簽署約章的團體均提出 一個訴求,就是目前缺乏一個協調機制,來協助各簽署者為同一的青年發展 目標而努力。

代理主席先生,我認為香港政府作為一個有為的政府,一個關心青年發展的政府,現在正是時候,就我們整體青年工作及青年事務委員會的組成及職權作出檢討,並讓公眾作出討論。

代理主席先生,本人謹此陳辭,支持議案!

MISS MARGARET NG: Mr Deputy, children old enough to contemplate suicide are old enough to be consulted on their views on suicide. As I listen to so many speeches from grown-ups on what they think are causes of youth suicide and what ought to be done, I long to hear what the young have to say. When one after another of us speak on the effect of media stories on suicide and their influence on the young, I long to hear what the young read and think about what they read.

I think I would make only one point. Let us lose no time to hear the opinion of the young. If they have not yet been consulted, I urge the Administration to do so without delay. If such consultation had already been done, I urge the result to be published and seriously considered. I am very interested to hear of various studies on the young and their feelings. However, we are still long on morals and short on facts. Further, although we study them and analyse them and profess to help them, we do not seem to consult them and ask them to help us understand. I suggest it is high time we do it.

Mr Deputy, I agree the problem of youth suicide must not be ignored but I believe before we form any firm views on policy, we should consult those whom the policy is aimed to help.

Mr Deputy, with these short words, I support the motion.

羅致光議員致辭:代理主席先生,青少年自殺的問題很多時都吸引了傳媒及公眾的關注,雖然在數字上遠較其他人士(如老人)的自殺率為低,但由於一般人都會覺得小小年紀,放棄大好的將來與寶貴的生命,實在是可惜。其他立法局的同事,已談到不少有關青少年自殺的數字及成因的分析,所以我亦不再重複。不過,我亦想提供一些有關青少年熱線的數字,使我們可以對現♥多些了解。

香港青年協會在過往兩年提供了"青年熱線之關心一線"。兩年以來,收到的電話共超過70萬個,平均每日超過1 200個,數字可算驚人。但是,由於資源所限,每日可以處理的電話只有70個,只及總數的6%,在可處理的個案中,兩年來一共有342個有自殺傾向的個案,年齡11至25歲的約佔70%。主要導致有自殺傾向的問題為家庭關係、戀愛及精神健康。值得我們留意的是:年齡越輕,受到家庭關係問題影響的便越大。

就減少青少年自殺的問題,我有四項意見,我相信與其他立法局的同事 大致相同,較為重要的是:

第一,家長教育:我們需要考試才能領取駕駛執照,教育子女遠遠比駕 駛汽車為困難,但卻是成年人的基本權力,無須執照。請不要誤會,我 不是要求立法發牌,但是,我們應該重視家長教育,促使他們了解青少 年的需要,建立良好的兩代關係,協助子女成長,更重要的,是成為一 個可信的傾訴對象。

第二項意見,我希望擴展熱線服務:上述數字反映現時的熱線服務遠遠 未能滿足需要,使到大部分需要協助的青少年得不到即時的輔導。一方 面由於青少年喜歡"煲電話粥",二是由於電話輔導能給予青少年保密 的安全感,因此擴展青少年熱線服務是必須的。

第三項意見是關乎學校社工:剛才很多同事都說到爭取 "一校一社工"已有多年,政府的社會福利諮詢委員會亦同意有關的建議,但政府至今仍未有意以此為目標。我們不是指增加社工便可以解決所有的問題,而是在現♥下,連基本的社工功能亦難以發揮。因為社工留在學校的時間不多,大部分學生都未知道誰是社工,更談不上有自殺傾向時,找社工求助。可能他們自殺時,社工正在其他的學校。一校一社工便可以加強社工與學生的關係,讓學生知道誰是社工,在他們有需要時,社工是可以協助他們的。

第四個項意見是關於教師與學生的比例:與青少年接觸較多的是學校的老師。但依現時的師生比例,老師要處理現在教學的工作已是十分困難,再要與學生建立良好的關係,協助他們解決由於學習所帶來的其他情緒問題,便更加困難了。改善師生比例,不但可以改善教學質素,更可以給予學生更多時間與老師接觸,使他們得到適當的輔導,適應學校生活。

代理主席先生,本人謹此陳辭,支持議案。

黃偉賢議員致辭:代理主席先生,剛才很多局內的同事都就青少年自殺的問題,說了青少年本身的責任、學校的責任、家庭的責任,以至社會人士、政府及父母的責任等等。我會簡單地以一個新市鎮作為例子,道出新市鎮的家庭所面對的困難,和政府提供援助的不足。我會用最新的新市鎮作為例子,即元朗的天水圍。

新市鎮的特色,一般而言,是公屋比較多,所以年青核心家庭也較多,子女比較年幼。這些新市鎮公屋家庭的教育程度普遍較低,新移民也較多。這些無論從香港或九龍市區遷入新市鎮居住的居民,或從大陸遷移來香港的新移民,他們都有一個共同的特色,就是與原來的支援網絡脫離,遠離了他們原有的支援網絡。如果他們遇到問題,以往住在市區,可以打一個電話,附近的親友便會來協助他們照顧小孩等等,陪他們數晚也可以。但一旦他們搬到一些新市鎮,遠離了原有的支援網絡,加上交通不便 一 大家都知道屯門公路交通情♥是多麼的使人感到不滿,想請親友入天水圍探訪,真是難似登天。人人說到天水圍都眉頭皺,入去一次半次還可以,若要入去一個星期來照顧小朋友,我相信親友難以這樣做,交通時間亦構成問題。

這些家庭一旦遇到問題時,他們往往不知道如何尋求援助。數年前,元 朗區議會亦進行過一項調查,調查新市鎮家庭遇到困難時,多數人會向甚麼 人求助?調查發現原來大部分市民,即新搬進來的市民,都不懂向社會福利 署求助。他們找左鄰右里協助,但鄰居關係如未能打好,可能對他們的問題 亦掉以輕心。

代理主席先生,以天水圍為例,新市鎮家庭另一個特色,丈夫一般都要 出市區工作,因為交通路程遙遠,他們早上五時多起床上班,晚上塞車要 八、九時才回到家中。吃飯後,可能稍稍看一下電視,便要睡覺,因為翌日 清早還要起床。這不是"空口說白話",事實有調查結果證明。這些家庭的 丈夫,因為長時間在外,一切生活上的壓力便落到太太身上,太太為了打理 家務、照顧子女,甚至要撲學校、找補習、督促子女溫習功課,凡此種種問題,一個婦女未必能應付得來。有時,太太等丈夫回來,想跟他談談,丈夫說倦了,不談了。她要承受所有壓力,但又不懂如何找一些援助、幫忙。於是,久而久之,這些婦女常常精神比較緊張,容易拿小孩、子女發洩,父母與子女的親子關係自然日漸疏離,亦形成婦女愛以賭博來發洩情緒,所以,新市鎮內的"大耳窿"活躍程度相當高。

代理主席先生,我接着想說的是當這些家庭有問題時,我們希望他們向 社會福利署("社署")求助。現時我手上有元朗區社署人手的數字。九一 年社署家庭服務部有15位社工,當時處理的個案共803宗,平均每個社工處 理53.5宗個案;九二年有12個社工,處理830宗個案,平均處理69.2宗個 案;九三年,天水圍開始入伙,有13個社工,處理989宗個案,平均每個社 工處理76.1宗個案;九四年,14個社工處理1 269宗個案,平均每個社工處 **理90.6**宗案;九五年,19個社工處理1 866宗個案,平均每個社工處理98.2 宗個案。五年間,每個社工的工作量培增,由53宗個案增加至98宗個案,增 加了一倍工作量,社工人手卻一直偏低。所以,我剛才特別強調社署是有責 任的。天水圍的人口在兩年內增加了,再加上元朗區,增加了超過15萬人 口,但社工人手只增加了數位,須負責的個案超過了每個社工所能承擔的工 作量,自然形成社工工作壓力大,以致可能處理一些個案時未能付出太多時 間,或處理得不夠深入,甚至可能沒辦法處理這麼多個案。有些比較輕微的 個案,可能不會開檔案,跟當事人談過後,便勸他回家再忍讓。這些被輕視 的個案,可能引發了很多悲劇的出現,當然,衞生福利司稍後會說除家庭服 務部外,還有家庭生活教育、青少年服務中心等,但不要忘記,這些服務多 數提供予一些比較健康的家庭,我們須要提供直接和快捷的援助。所以,有 一句說話: "每個不幸的故事都來自一個不幸的家庭",但社署如能及時提 供援助,我相信能夠減少很多不幸的故事。

謝謝代理主席先生。

李家祥議員致辭:自一九八五年舉辦的國際青年年之後,八六年我獲委任加入中央青年事務委員會,現在是青年事務委員會的主席。這十年來,我與青年事務工作差不多是分不開的,如果說要申報利益,要盡說哪些委員會是我有份的話,我想今晚說到九時也未必能說完。我今天原本沒有打算發言,並非因為我不關心此事,而是近三年來,我已就同一題目無數次的公開過我的立場,只不過因為昨天晚上為準備今天的帳目委員會會議工作至深夜,沒有準備任何的講稿,故此原本不想發言,但聽到很多議員就這件事發言後,似乎對青年事務工作有很多誤解,或者掌握資料有欠準確,所以我覺得假如不

站起身說幾句話,就似乎對不起大家。

首先,陳鑑林議員提到中央青年事務委員會當時向政府提交報告,表示香港社會強烈要求一個協調性的中央統籌部門,這說法是絕對錯誤的。當時社會上的社工、教育界人士及向中央青年事務委員會表達意見的人,均很清楚表示不希望在青年工作上,出現任何統籌性的架構,而引致社會工程的效果,大家都希望有個協調機制,可以透過其他方面進行協調,絕非由一個政府機構去管轄或者統籌香港所有的青年工作,這方面是一個很大的差別。但我亦須承認,當時亦有建議制訂青年政策,因此後來出現了《青年約章》。在青年政策方面,事實上,現時政府有不少政策分散由不同的政策科負責,而且近幾年不斷獲得補充,亦跟隨《青年約章》;作為一個政策的目標來說,是發揮了協調作用。

關於整體的青年事務,於一九九二年二月,我在本局提出動議辯論,獲 得全局上下所有政黨,包括民建聯,全力支持這《青年約章》,所以,今天 來說,民建聯(亦是約章的簽署人)覺得那約章沒有功效,我感到比較驚奇, 尤其是他們也有派員參加我們最近的檢討,亦提供了很多有用的意見。我同 意大家應該繼續爭取制訂青年政策,但這與青少年自殺問題是兩回事。有關 青少年自殺問題,青年事務委員會於九三年明確向政府提出幾項具體建議, 政府也悉數採取了。第一,我們當時認為政策不是只由政府單方面做事,最 重要是家長要配合,青年人本身要成熟,而其他如社工、非政府機構等都要 參與,然後才可幫助到青年人。由於政策只可管限政府,卻不可以促使其他 人配合,所以,如果以約章形式進行的話,所有人包括父母也可參與,我覺 得這是一個更能促進全面參與的方法。當然政府亦有做它很清楚要做的工 作,政府稍後會說,所以,我不想重複。我們當時的建議包括加強青年的家 庭生活教育,要求教署製作有關生命有意義的宣傳片,這全部都實行了,唯 一與民建聯所說不同的 一 剛才我與張漢忠議員說過,是他們要求強制性 進行,現在並非強制性,分別僅此而已。我們亦要求設立青年熱線;羅致光 議員剛才也說過。那熱線是我們要求設立,而政府亦調撥了600萬元進行 的;不單那條熱線,港台亦有自己一條熱線,每星期六晚,大家只要開着收 音機便可聽到青年人的聲音。

除此之外,我們亦呼籲傳媒不要高調報導這類自殺事件,並為此召開了一個研討會,邀請記協和媒介的代表與我們商討,討論會之後,他們自己制訂指引,並且予以公布,希望傳媒和同業約束有關報導,切勿誇大、誇張。只可惜兩、三年後,若干個別傳媒好像已忘記此事,將這類事件再次渲染報導,分別亦只是這點而已。

最重要的一項建議是,我們希望在青年人自殺或者輕生這問題上,政府應該有積極的協調。在政策協調上,政府於兩年前應該成立一個職責很清楚的委員會,幫助所謂邊緣青年人,照顧他們的特別需要,由衞生福利司擔任主席,我亦是委員之一,也有行政局成員和社工界很多代表作委員。我不說這委員會的工作,因為到現時來說,有關工作仍然是積極進行,包括很詳細深入的研究。現在有機會的話,吳靄儀議員可以前去青年事務委員會的資源中心,不但會發現有很多關於她所說的青年人自己發表的意見的研究,也會找到黃偉賢議員所說的調查,以及其他很多關於這些問題的調查。黃震遐議員也有提及教育署委託大學所撰寫的研究報告,凡此種種,不勝枚舉。

我們並未因此而自滿,我們仍在做更進一步的調查和深入研究,這是委托《突破》機構為我們做的,不過尚未有結果,所以我沒有辦法詳述。如果問青年人的意見,很簡單,青年人告訴我們自殺是很愚蠢、很不成熟的行為。如果我們真的支持青年人的話,我覺得應該同意青年人在這些調查所說的話,不要接受其他青年人無緣無故摧毀自己的生命,有些青年人可能真的有病,青年人做這些事,社會上不應該將責任推卸給其他人,其他人要盡量幫助他們。最後,應該向青年人傳達強烈的訊息,不要當自殺是應該做的行為,而應將其看作是不成熟的行為。謝謝代理主席先生。

生福利司致辭:代理主席先生,我很高興今午可藉這機會,向議員解釋政府現時及今後會採取甚麼措施,以應付青少年自殺問題。我們和你們一樣,對這些悲劇感到非常關注,並承諾會竭盡所能,以防止這類事件發生。

不過,在介紹我們目前的工作及計劃之前,我想先列舉一些數字。根據 死因研究庭的數字顯示,過去幾年,19歲及以下的青少年自殺個案並沒有持 續上升。這方面的數字時有增減。在一九九一年,青少年自殺個案有19宗; 一九九二年增至38宗;到一九九三年,則下降至28宗;但一九九四年又回升 至37宗;今年十一月三十日為止,則有26宗。

為了讓各位議員可從另一個觀點去了解這個問題,我想將香港的情♥與其他國家作一比較。我們手邊的最新數字指出,在一九八六年,日本每100000名青少年中,就有16.5宗自殺個案,美國12宗、新加坡3.7宗,而香港過去五年的平均數字則為1.8宗。

這些統計數字只能作為有用的參考資料。任何數字都說不上是低的。即 使只有一宗青少年自殺個案,亦已太多了。

### 防止自殺的措施

現在讓我簡述一下政府在預防青少年自殺及補救措施方面所提供的廣泛 服務。這些服務大致可分為兩類:即分別由福利及教育界提供的服務。

在社會福利方面,社會福利署及非政府機構均有提供補救及預防服務。 家庭服務中心的個案工作者、中學校內的社工、外展社會工作者、兒童及青年中心的專業青少年工作者、醫務社會工作者及臨床心理學家,都有提供輔導及支援服務。此外,本港亦設有多條電話熱線,例如由香港青年協會開辦的"關心一線",讓年青人有機會向受過訓練、並且關懷他們,但又不相識他們的輔導人員傾訴及求助。當局是認同青年熱線的功能和價值,故此,我們已開始資助該條電話熱線。

有多位議員特別關注學校社工服務,並且要求將這個服務擴展,其實我們在改善學校社工服務方面做了不少工作。單單在過去三年,我們已增設了99個學校社工單位,並已於一九九四年至九五年度達致白皮書所訂目標,即每2000學生有一名學校社工,這較原定時間提前了一年。

至於學生有較多問題的學校,我們已將這個人手比率減半,即每1 000 名學生有一名學校社工。我們在下一個財政年度再增設22個學校社工單位, 屆時會有逾100間學校因人手比率提高而受惠。

議員認為這項服務是很重要的,因為可以幫助年青人解決問題,對於這 些意見,我們完全贊同。正因如此,我們明年會擴展這項服務。

張漢忠議員建議將學校社工改名為"生活教育主任",以改善學生和家 長對學校社工的印象,以免覺得是自己或子女出了問題,才接受社工的輔 導,而因此不願意主動接觸他們,雖然我沒有接到這方面同樣的提議,但我 亦樂意考慮一切可以協助青少年尋求專業輔導的設施,我會將意見交由社會 福利署去研究和跟進。我也非常支持黃錢其濂議員所提到有關家庭的重要 性。

至於預防措施方面,我們的主要目的,是協助父母建立一個可以扶持子女的家庭環境,加強父母與子女間的溝通,使年青人遇到困難時,可以向父母傾訴及求助,而非透過自殺去逃避問題。由家庭生活教育工作者,以及家庭展能及啟導中心舉辦的活動,有助我們達致這個目標。最了解青年人本身問題的,往往是他們的朋輩,因此,我們在兒童及青年中心及小組工作部等

組織,亦已成立多個互助小組及朋輩支援小組。

但我們必須不斷努力支援各有關人士,包括家長、社工及青少年本身,而扶持青少年是最重要的。為此,社會福利署已印製了一本名為"我要活下去"的漫畫冊,目的是向青少年傳播一個信息,清楚說明自殺並非解決問題的方法。該署在本年首六個月內,已為青少年及其家庭舉辦了超過260項活動,包括研習班、宿營、電影欣賞、話劇比賽等。此外,亦為社署職員及非政府機構的工作人員,開辦特別在職訓練課程,內容包括"如何處理有自殺傾向的青少年"及"處理有自殺傾向的當事人"等。

由於很多年青人的大部分時間都放在學校方面,我們在教育範疇亦做了很多工作。教育署為各小學提供學生輔導教師或學生輔導主任;而中學則設有學生輔導教師。他們舉辦多項輔導活動,以小組形式幫助學生解決學習或行為方面的問題。此外,亦為那些在人際關係或家庭方面有較複雜問題的學生,提供個別輔導。如有需要,他們會將學生轉介給教育心理學家、學校社工或社會福利署,以便接受更專業的輔導。此外,這些學生輔導人員亦為全體學生舉辦輔導活動,目的是鼓勵他們採取積極的態度,以及提高他們的學習興趣和自尊。

近年來,教育署亦為教師和學生輔導主任舉辦特別座談會、研習班和訓練課程,讓他們可以及早察覺學生的種種問題,並設法防止學生走上自殺之路。此外,該署亦已製作一些錄影帶、輔導教材和宣傳短片,以鼓勵學生更多與教師及父母討論個人問題。

張議員也提到要為學童提供家庭生活教育,並建議在中、小學中增設日常教育的專科科目,教育署在這方面已做了很多工作,協助學童建立積極的人生態度,和如何應付情緒的問題,例如教育署製作,並分發給學校有關"珍惜生命"的錄影帶。又如"我對生命無悔"和有關討論的指引,教育署也定期寄給各學校。有關發展性和預防性的資料,題材是很多的,教育署並製作和分發各學校一套關於父母與子女相處的教材,這個教材是在一九九三年十一月派發給中學,一九九五年五月再發給小學。這些工作,無論在社會福利或教育方面,都旨在加深我們對青少年的了解,明白他們的想法和需要,使我們懂得如何協助他們更有效地應付生活上的壓力。

## 有關措施的檢討

現在我想討論議案措辭中提到,要求政府檢討有關的施政方針及青少年 服務。在某程度上,我們會經常檢討這方面的工作,確保我們可以最佳方法 去滿足社會不斷轉變的需要。

兒童及青年福利服務統籌委員會於一九九三年成立,由我本人出任主席。委員會其後亦成立了邊緣青少年服務工作小組,由社會福利署署長出任主席。工作小組的成員包括非政府機構和政府各有關部門的代表,負責探討現今青少年問題、及建議如何處理這些問題。工作小組已就青少年自殺問題進行研究,並建議推行多項措施,包括:

第一,成立一個專責小組,重新研究兒童及青年中心的設施。我們認為,如果希望青少年不再流浪街頭,或涉足容易學壞的地方,我們就要令這些中心更具吸引力。因此,該小組現正檢討這些中心的佈置及設施,並建議如何作出改善,使其更合潮流。

第二,檢討目前由政府及非政府機構設置的多條青少年電話熱線。現時,一個專責小組已研究出一套共通數據記錄系統,以便有效地整理及分析青少年致電熱線時所提供的寶貴資料。專責小組亦會研究如何改善宣傳工作,使面對困惑中的青少年或那些只需一個傾訴對象的青少年,都知道應致電何人求助。

第三,透過各區總福利主任及非政府機構的不斷努力,大力推動朋輩間 的支援作用。

不過,我們亦不時進行較正式的檢討工作。舉例來說,在青年服務方面,我們先後在一九八七及九四年,就外展社會工作服務,進行了兩次檢討。檢討工作有以下目的:

第一,探討青少年的需要及問題;

第二,研究有關服務能否滿足這些需要及解決青少年的問題;及

第三,評估將來是否需要擴展服務。

根據上述檢討的結果,我們在完成第一次檢討後,已增設六支外展隊,並致力在未來三個財政年度,每年再增設兩支外展隊。成立這些外展隊,是 考慮到現今青少年所面對的問題更趨複雜,以及外展服務可有效地鑑定哪些 青少年需要幫助,和防止問題惡化下去。 在一九九二至九四年期間,當局檢討了兒童及青年中心服務,確保我們的政策目標切合時宜,而這些中心的組織結構和服務,亦能夠迎合青少年的需要。檢討所得出的結論是,這些中心應在處理青少年問題方面,採取所謂"全人"的服務模式,即照顧到青少年生活的每一個層面。為此,當局建議調派各類專業人員到中心服務,讓兒童及青年中心的青少年工作者、學校社工、外展社工和家庭生活教育工作者互相合作,為青少年提供支援和舉辦各類活動。我們已成立了十支外展隊,並會在一九九六年年底檢討他們的工作成效。

在教育方面,教育署已在一九九二年四月成立學生自殺問題專責小組, 負責對該部門處理青少年自殺的程序進行持續檢討,並研究有關個案,盡量 找出可能的成因,以及建議採取適當的補救及預防措施以作跟進。

最近,我們已展開兩項有關青少年自殺問題的研究計劃,並聯同高等教育學院和醫管局進行另一項研究。研究計劃的目的,是希望蒐集更多資料及對問題有更深認識,從而更有效地提供服務。首項研究由邊緣青少年服務工作小組負責,透過委託一個由海外及本地專業人士組成的研究小組,制定有效辦法,以便及早發現可能有問題的青少年,使我們可以在問題未出現或惡化前,協助他們解決本身的需要。另一個研究計劃是由教育署負責,目的是研究如何利用朋輩的支援和生活技能的訓練,去預防學生自殺事件。第三項研究計劃,旨在探討朋輩間的自殺事件,對青少年造成的心理及其他負面影響。研究結果可更有效地協助我們輔導心理上曾受這些影響的青少年。上述三項計劃將於明年中至明年底的一段時間內完成。吳靄儀議員也提到,須要認識青少年自己的心聲,我可以很確實地答覆她,這類研究計劃中,將會令青少年有機會去參與和收集他們的意見和心聲。

最後,我想談談由李家祥議員出任主席的青年事務委員會,在處理青少年自殺問題方面所作出的寶貴貢獻。在一九九一年,委員會向社會福利署和教育署提供多項建議,其中包括推廣家庭生活教育和學生輔導計劃,以及加強家長與子女間的溝通。這些建議已全部由政府當局付諸實行。

委員會提到的另一要點,就是大眾傳播媒介在報導青少年自殺事件時,應該更加克制,盡量避免過分渲染。多位議員也提到這點,我們也同意這點是非常重要的,教育署已經在一九九二年向傳媒機構發出一封信,呼籲他們與社會各界人士共同參與,向年青人傳達積極的訊息,以幫助解決學童自殺的問題。我知道教育署現正考慮再去信有關的機構,重申當局的呼籲,協助

解決問題。

從我以上所說,可以清楚見到政府正竭盡所能,採取多項積極措施去處理青少年自殺問題,並且不斷檢討及修訂我們所採取的措施。不過,單憑我們本身的力量,是不能達致這個目標的。我們需要家長、教師、社工、新聞界朋友和本局議員,以至整個社會的支持。每個人都有責任去幫助本港青少年解決本身的問題,使他們長大後能夠成為好市民,為香港的美好前途奠下穩固基礎。謝謝代理主席先生。

THE PRESIDENT resumed the Chair.

**PRESIDENT**: Mr CHEUNG Hon-chung, you are now entitled to reply and you have three minutes 50 seconds, out of your original 15 minutes.

張漢忠議員致辭:主席先生,若謂香港青少年自殺問題嚴重,相信是沒有人會有異議的,聽過立法局各同事的發言後,我發覺大家的方向是一致的,就是要求政府檢討現時的施政方針,為青少年服務增撥資源進行全面的前瞻性研究,預防及遏止青少年自殺的風氣。雖然大家在細節方面有不同的意見和方式,但並不會阻礙我們向政府爭取增撥資源去解決青少年問題。

民建聯是《青年約章》簽署團體之一,絕無反對之意,只是覺得應更加進取,制訂一些可行措施,包括設立協調的機制,同時,民建聯也沒有否定青年事務委員會的工作,尤其在生活教育方面,大家是不謀而合的。但青年事務委員會提到生活教育是一個非必修的科目,由學校自由推行,但很多學校由於課程緊迫而沒有推行。因此,民建聯希望能將生活教育列為必修科,以便在學校裏推行,而學校社工亦隨着這科目的引進,可易名為"生活教育主任",以改變形象。因此,青年事務委員會的工作與民建聯的見解是很相符的。

根據英國一份學術性的調查研究,低調處理青少年自殺的報導,確實可減少連鎖性的自殺事件出現。因此,我藉此機會呼籲傳媒在報導青少年自殺事件時,切勿過份渲染。

主席先生,本人謹此陳辭,呼籲各位同事支持本人的議案。

Question on the motion put and agreed to.

# ADJOURNMENT AND NEXT SITTING

**PRESIDENT**: In accordance with Standing Orders I now adjourn the Council until 2.30 pm on Wednesday 13 December 1995.

Adjourned accordingly at twenty-six minutes to Seven o'clock.