

OFFICIAL RECORD OF PROCEEDINGS

立法局會議過程正式紀錄

Thursday, 21 November 1996

一九九六年十一月二十一日星期四

The Council met at half-past Two o'clock

下午 2 時 30 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 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., LL.D. (CANTAB), J.P.

李國寶議員，O.B.E., LL.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.

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

THE HONOURABLE LEE WING-TAT

李永達議員

THE HONOURABLE ERIC LI KA-CHEUNG, O.B.E., J.P.

李家祥議員，O.B.E., J.P.

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.

黃秉槐議員，M.B.E., F.Eng., J.P.

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

黃偉賢議員

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 WING-CHAN

陳榮燦議員

THE HONOURABLE ANDREW CHENG KAR-FOO

鄭家富議員

THE HONOURABLE CHEUNG HON-CHUNG

張漢忠議員

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 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 ALLEN LEE PENG-FEI, C.B.E., J.P.

李鵬飛議員，C.B.E., J.P.

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 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 HUANG CHEN-YA, M.B.E.

黃震遐議員，M.B.E.

THE HONOURABLE EMILY LAU WAI-HING

劉慧卿議員

THE HONOURABLE FRED LI WAH-MING

李華明議員

DR THE HONOURABLE PHILIP WONG YU-HONG

黃宜弘議員

THE HONOURABLE CHRISTINE LOH KUNG-WAI

陸恭蕙議員

THE HONOURABLE CHAN KAM-LAM

陳鑑林議員

THE HONOURABLE CHAN YUEN-HAN

陳婉嫻議員

THE HONOURABLE PAUL CHENG MING-FUN

鄭明訓議員

THE HONOURABLE CHENG YIU-TONG

鄭耀棠議員

DR THE HONOURABLE ANTHONY CHEUNG BING-LEUNG

張炳良議員

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 LO SUK-CHING

羅叔清議員

THE HONOURABLE MOK YING-FAN

莫應帆議員

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 MICHAEL SUEN MING-YEUNG, C.B.E., J.P.

SECRETARY FOR HOME AFFAIRS

政務司孫明揚先生，C.B.E., J.P.

MR NICHOLAS NG WING-FUI, J.P.

SECRETARY FOR CONSTITUTIONAL AFFAIRS

憲制事務司吳榮奎先生，J.P.

MR DOMINIC WONG SHING-WAH, O.B.E., J.P.

SECRETARY FOR HOUSING

房屋司黃星華先生，O.B.E., J.P.

MR RAFAEL HUI SI-YAN, J.P.

SECRETARY FOR FINANCIAL SERVICES

財經事務司許仕仁先生，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 BOWEN LEUNG PO-WING, J.P.

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS

規劃環境地政司梁寶榮先生，J.P.

MR LAM WOON-KWONG, J.P.

SECRETARY FOR THE CIVIL SERVICE

公務員事務司林煥光先生，J.P.

MR KWONG HON-SANG, J.P.

SECRETARY FOR WORKS

工務司鄭漢生先生，J.P.

MR TAM WING-PONG, J.P.

SECRETARY FOR TRADE AND INDUSTRY

工商司譚榮邦先生，J.P.

CLERK IN ATTENDANCE

列席秘書：

MR RICKY FUNG CHOI-CHEUNG, SECRETARY GENERAL

秘書長馮載祥先生

PURSUANT TO STANDING ORDER 4AA, HIS EXCELLENCY THE GOVERNOR, THE RIGHT HONOURABLE CHRISTOPHER FRANCIS PATTEN, ATTENDED TO ADDRESS THE COUNCIL AND TO RECEIVE QUESTIONS.

總督彭定康先生依據《會議常規》第 4AA 條的規定出席會議，向本局致辭，並接受質詢。

主席：請各位議員繼續站立，等候總督進入會場。

秘書：香港總督。

主席：總督將會就昨天發生的火災及他訪歐之行作簡短聲明，並就其聲明及另一題目，即向聯合國遞交人權報告，回答議員之質詢。各位議員在提出質詢並獲答覆後，可提出一項簡短之跟進質詢，但只限於要求闡明該答覆不明之處。請各位議員舉手示意。李家祥議員。

李家祥議員：總督先生還未發表聲明，是否應讓他先說？

主席：對不起。現在先由總督作出簡短聲明。

GOVERNOR: Mr President, I would like, as you indicated, to begin this afternoon by making a statement and taking your questions on the appalling fire that occurred in Jordan yesterday evening. If there is time and if Honourable Members wish, we can go on later to discuss my recent visit to Europe to lobby for visa-free access, and we can discuss as well the question of human rights reporting. But it is obviously the tragedy which took place in Hong Kong last night which is on all our minds today.

Let me tell the Council what we understand to be the latest position. I am sure that the Council will understand that it is difficult at present to be precise about the figures. We are still trying to identify bodies and relate those who were reported missing to the bodies that can be identified. The position as I left to come to the Legislative Council this afternoon was that 37 people have been confirmed killed. There may be two other confirmed fatalities. 78 people have been injured. 39 people have been reported missing, but this number may include some of those whom we already know have been killed but whose bodies have not yet been identified.

As Honourable Members will understand, there are considerable difficulties in identifying the bodies that have been found, many of which have been very badly burned. The Fire Services Department, assisted by forensic experts from the police, are in the process of combing the entire building. It will not be until this lengthy process is completed then we will be in a position to issue final casualty figures.

This is plainly a terrible tragedy..... This is plainly a terrible tragedy. I would like to extend, on behalf of the community, our deep sympathy to the families of all those who have lost their loved ones. Let me pay tribute to Senior Fireman LIU Chi-hung who lost his life battling courageously to save the lives of others. Let me pay tribute also to the great bravery and skill of our emergency services in tackling this disaster. The Fire Services, the police, the Ambulance Service, the Government Flying Service, the Auxiliary Medical Services, the Hospital Authority and the St John Ambulance Association and Brigade worked tirelessly to fight the fire and rescue the victims. Their efforts are still continuing. I wish to pay a special tribute to the Fire Services officers who have behaved with the bravery and dedication which we know and expect from them.

I visited the scene of the fire yesterday evening as well as the hospitals treating the injured, and the Chief Secretary has been there this morning. We saw for ourselves the scale of the disaster and the difficulties facing the emergency services. Our task now is to do everything we can to assist the victims of this fire and to help the families of those who have lost their lives. I have instructed that no effort should be spared to make sure this happens. A press conference will be held at 4.00 pm this afternoon by the Director of Fire Services, the Director of Home Affairs, the Director of Social Welfare and a representative of the Hospital Authority to provide as much information as possible on the fire and what we are doing in its aftermath.

We must also make absolutely sure that we all learn lessons from this tragedy and do everything we can to minimize the risk of it ever happening again in our crowded, congested city. The Director of Fire Services will conduct an immediate investigation into the fire. This investigation will try to establish the cause of the fire and the reasons why so many people died and were injured. Its

preliminary findings will be available within two weeks and we will make public everything that we are legally able to make public at that stage. In the light of these findings, I will decide whether to establish a full commission of inquiry chaired by a judge.

Obviously, what happened last night underlines the importance of one thing, the importance of this Council passing as rapidly as possible the legislation which we have put to it and which it has quite properly been considering thoroughly to tighten up fire safety regulations. The Fire Safety (Commercial Premises) Bill was put to this Council on 29 May this year. When this legislation is in place, it will allow our Fire Services to take action to improve fire safety in places like Garley Building. Those improvements will help to retard the rapid spread of fire on the lower floors of a building like the one in this incident. The bill also contains measures to improve emergency escapes and means of access for fire-fighting and rescue. These will allow the Fire Services speedier access to such buildings.

I am not — I want to make it absolutely clear — criticizing this Council for examining the bill in detail. It is an important bill. But let us now act as quickly as possible to put this legislation onto the statute book so that we can start to implement it on the ground. We will obviously, in the light of this incident and the investigation into it, urgently wish to see whether a further bill is required, for example, to extend the scope of the new legislation specifically into office premises.

Before I take your questions, let me make a final plea. I do hope that in the coming days, all of us will act with the greatest possible sensitivity towards the injured and towards the families of those who have been injured or killed. They have quite enough to deal with already without undue and unwanted intrusions into their grief.

Hong Kong is a great city. It has achieved some of the greatest economic successes known to any city over the last half century, but our life is still marred by too many preventable tragedies. Trying to put in place the sort of regulations which can and do save lives is not a hindrance to Hong Kong's competitiveness, not an intolerable addition to the costs of business in Hong Kong, not an

unnecessary intrusion or interference by the Government. It is merely a recognition of what is required in any prosperous and civilized society to give its citizens the protection in their daily lives which they deserve and which they have a right to expect.

主席：請各位議員舉手示意。李家祥議員。

李家祥議員問：總督先生，我想本局所有同事定會和我一樣，支持你向為這場悲劇性大火作出努力的人士，以及消防、警務和醫護人員的英勇和盡責行為致敬，並對死傷者和他們的家屬致以最關切的慰問。但為了盡議員的職責，我仍然要提出一些難於啟齒的質詢，希望總督先生作答。我想提出一項簡單的質詢，請問總督先生昨晚到達災場時，有否參加督導救火的工作呢？

GOVERNOR: No, certainly not. The job is one for the operational commander on the spot. When I visited the scene of the fire, it, I think, appeared to those who had been fighting it that all those who were alive had been got out of the building. When I arrived, the fire was still being fought but I think I am right in saying that there was no indication of any people who were still alive who needed to be rescued. But I am bound to tell the Honourable gentleman that I was impressed as ever by the quiet competence and bravery of those who briefed me about what has happened and who told me what they thought the position was.

李家祥議員問：主席，對於總督先生去災場探問，並向有關的救護人員鼓勵士氣，我是完全理解的。不過，今天我聽到一些市民的意見，說昨晚總督先生以及很多知名人士去災場探望時，剛巧是死傷人數最多的一段時間，不知這是否真確？我可否要求總督先生對這事作出徹底調查，看看是否屬實？同時，日後在類似情況下，有否辦法確保大批知名人士若要到災場探訪時，不會令救護和醫護人員因要幫助那些人士理解情況，而對工作分心？請問有否辦法作出一些較清楚的原則和指示呢？

GOVERNOR: I think that the Honourable gentleman needs to be careful with this line of questioning. Let me tell him what my own position was and remains. I was kept informed during the evening of the tragedy and, shortly after having gone out to dinner, was telephoned with the news of the escalation in the number of those who were apparently injured, was told that the fire itself was under control, that there were no other people waiting to be rescued in the building, and it was suggested that I should go to the hospital and perhaps the scene of the incident. Since I was told that the rescue of people inside the building was no longer at issue, I decided to go to the scene of the tragedy before going on to the hospital.

I would under no circumstances go to a tragedy or, for example, go to a stake-out by the police, if there was an operation being carried on at that time which could affect whether or not people's lives were saved. I think if there were any dignitaries who went, to borrow the Honourable gentleman's phrase, any dignitaries who went to the incident earlier, it would have been in the line of duty.

When I arrived at the scene, for example, the Secretary for Security quite properly was there since it was the men and women for whom he is responsible who were actually dealing with the incident. But he certainly would not, any more than I would, seek to intervene in operational matters. I think there were several visits later on by other people to the hospital and as the Honourable gentleman will know, the Chief Secretary herself visited it this morning. But I am not aware of any case of the operation being hindered by dignitaries at the scene of the accident before I was there. And I repeat what I said to the Honourable gentleman about the timing of my arrival.

主席：涂謹申議員。

涂謹申議員問：主席，總督昨天和在今天的聲明中都提到立法局正在審議的《防火安全（商業處所）條例草案》是直接與現時討論的這宗慘劇有關。不過，事實上，政府在這條條例草案內並沒有提及一般的商業樓宇，這條例草案只涉及 5 類指定用途的處所。因此，政府並沒有就一般的商業樓宇提出這方面的法例。總督這樣說會否給公眾一個錯誤信息，以為政府實際上已提交

建議給立法局審議，但事實上卻不然？我希望總督能澄清這點。

GOVERNOR: Well, let me give that clarification and tell the Honourable gentleman why what I have said is not misleading the public. Why have we introduced the Bill? We introduced the Bill, as the Honourable gentleman will know, following the tragic fire in the bank at Shep Kip Mei in January 1994.

The legislation will cover premises where the fire safety measures no longer meet current standards. The investigation into that fire in 1994 showed that certain types of premises, including banks, off-course betting centres, jewellery and goldsmith shops, supermarkets, department stores and shopping arcades presented particular risks because of their size and the large numbers of people passing through. This legislation has been carefully developed to address precisely those risks.

The legislation covers commercial premises. The fire safety measures necessary for such places are not necessarily the same as those for, say, business or residential buildings, and we will review the need for new legislation to cover other types of premises in the light of the investigation report, as I said in my remarks. So, I do believe that since the bottom floors of the building in question are commercial premises, they would have fallen within the scope of the legislation.

涂謹申議員問：主席，總督已作出澄清，指出政府現時提出的 5 類處所並不包括一般的商業樓宇。我的跟進質詢是，總督會否認為不用等待那個全面的調查報告？事實上，政府多年來都知道舊式商業大廈存在這方面的問題。坐在我身旁的黃秉槐議員過往多年也曾就這方面撰文表達意見，所以是否一定要等待報告發出後，還要經過法官調查委員會研究，政府才會作出考慮；抑或現時開始已可考慮這方面的立法？

GOVERNOR: Let me be extremely restrained in my reply. While we have been discussing this legislation, I am not aware that the Government has been pressed to get on with things more rapidly. I am sure, perfectly understandably, the pressures on the Government have been to make sure that we are not demanding too much of commercial premises in a short time. Perhaps what we need to do with issues like this is to strike a sensible balance. We want to put in

place proper regulations and we want to do it as rapidly as possible. Of course, it is quite proper for this Council and others to be able to comment on the adequacy of the regulations we are seeking to put in place, but I do not think we should be in a position in which before tragedies happen we want too much discussion, and after tragedies happen we do not want any. What we have to do is to make sure that we put in place sensible arrangements which are properly considered and which can prevent tragedies like this happening.

主席：吳靄儀議員。

MISS MARGARET NG: *Mr President, I would respectfully join the Governor in his appeal to the community not to intrude into the grief of the families of these fire victims. However, I am also concerned that, because this is a commercial building and people caught in it are people working wage-earners, therefore these families may be in some immediate financial worries.*

Has the Administration been doing anything to make discreet enquiries as to whether easy relief might be brought to the families of these victims? Thank you, Mr President.

GOVERNOR: Can I thank the Honourable lady for the first remark that she made, which I am sure the whole Council would endorse and which I hope will be taken account of by everyone in the community, by all sections of the community over the coming days and weeks. It is an important issue. I am not going to be any more specific than that, but I hope people will take what I have said and what the Honourable lady has said to heart.

Secondly, she is entirely right about the importance of not only counselling in providing psychological support, but also counselling in offering financial support if it is required. A package of assistance is available from emergency relief funds, including injury grant, disability grant, burial grant and death gratuity. We can also provide assistance to families in need with child care. So there is a range of financial support which is available, and I can assure the Honourable lady that we will be going into a little more detail about that in the press conference that will be held at 4.00 pm.

I think there is a real problem in any community when a tragedy like this happens — and it is a problem which I have discussed today with the Chief Secretary — and that is how you make sure that the relatives of those who may have been injured or killed, who may have a family member missing, are kept as informed as possible in circumstances where information is partial, is not complete and is changing all the time as you learn more about a tragedy which has taken place. It is very difficult to get it right, but we have to try even harder than we are at the moment.

主席：梁智鴻議員。

DR LEONG CHE-HUNG: *Mr Governor, we are in grief, just like you, about what happened in the Garley Building yesterday, and I am sure Members of this Council would join you and also be very appreciative of your concern for not only the victims but also the staff who have been working very hard to do their best. What we should really be looking for are lessons that can be learned so that hopefully such accidents or incidents will not happen again.*

Now, Mr Governor, you mentioned that a bill which was introduced into this Council some time in May, if it has taken effect, may well have prevented to a certain extent such incidents as the one happened yesterday. I do hope that, Mr Governor, you are not implying that had this bill been passed by this Council earlier, this would not have happened. Because I am sure you would understand that there is a certain machinery in this Council for scrutinizing bills, and that every bill introduced to this Council is as important as any other one and that Members of this Council have been working very diligently to achieve that certain direction. And I have to say this simply because I do represent the House. Thank you.

GOVERNOR: Can I remind the Honourable gentleman of what I said, because I went out of my way to avoid, I hope, sounding as though I was putting any

criticism on the Council for quite properly considering this measure thoroughly. I said the Fire Safety (Commercial Premises) Bill was put to this Council on 29 May this year. When this legislation is in place, it will allow our Fire Services to take action to improve fire safety, and so on, and I said that earlier that the Council had been quite properly considering the bill thoroughly.

Let me also remind the Honourable gentleman of what I said in response to his Honourable friend. I think we have to strike a nice balance between before something happens, thinking we have got all the time in the world, and after it happens, thinking we must rush at it. This is not a moment when any of us should be criticizing one another on these matters. We have got to work together to get a decent, properly considered set of regulations in place.

主席：陳偉業議員。

陳偉業議員問：總督先生，我想在座各位議員都很關心這次災情，並對消防處和其他政府部門的英勇表現十分讚賞。不過，很多同事，甚至市民，在傳媒或電視上看到救火情況後，不禁有一些疑問。我無意指摘或質疑消防處當時處理的方法，但我對於香港處理這些發生在密集地區的大型災難時，在儀器設施等方面是否足夠，存有疑問。我不是質疑，只是覺得有疑問。因為我們看到有很多人在窗前等候了一段長時間，才獲得拯救，而且只有很少雲梯進行拯救行動。同時，很多火頭在一段頗長的時間內也沒有消防喉向着噴水。這樣給人的感覺是，究竟我們這個擁有龐大儲備的政府，有否向我們的消防隊伍提供足夠的儀器和設施，使其在密集地區和高空救援方面展開拯救工作？就這事件進行檢討時，請問總督先生會否要求同時檢討這問題，以確保日後如發生類似的災難，香港的消防隊伍有足夠的設施進行必需的救援工作？

GOVERNOR: The Honourable gentleman mentioned the scenes on television, and of course one reason why this tragedy will have made such an impact on so many people is that those graphic pictures that people saw on television of people waiting to be rescued, and of the brave operations of the Fire Services and others.

I think it is dangerous, and I am glad the Honourable Member avoided the trap, for any of us until there has been a full investigation to jump to conclusions about operational issues, about the availability of equipment, and so on. But let me make two points to the Honourable Member. The fire was reported, I am advised, at 4.48 pm and the Fire Services were at the scene within three minutes. They sent in all 86 appliances and 460 firemen to the scene. In addition, they provided 75 ambulances and 236 ambulancemen.

I asked the Director of Fire Services specifically this morning whether they had enough equipment, enough appliances on the spot, and he believed that they had had enough on the spot. But obviously, that is something which he will want to review and others will want to review when they look at the detail.

I can assure the Honourable gentleman that if it is clear from this enquiry that we need to spend more on equipment, on appliances, then we will have no hesitation in doing so, and I think I can speak with the authority of having the Financial Secretary next to me. You cannot cut costs or cut corners when you are faced with a tragedy like this.

Can I add something that I should have said when I was asked a question, quite properly, by the Chairman of the House Committee? The Chairman represents the Medical Functional Constituency and I saw many of his members — some of whom I am sure voted for him, some of whom may not have voted for him — working last night. I had seen similar scenes after the tragedy involving the children at Sha Tin a few months ago. I did not — ah, the Honourable gentleman has left — stay long enough to get in the way of those who were seeking to bandage the injured, to give them the initial cosmetic care they needed for burns or certainly to get in the way of those who were working very hard in the Intensive Care Unit. But every Honourable Member, the Honourable Member saw it for himself as well, every Honourable Member who had been in the Queen Elizabeth Hospital last night, and I am sure the same was true in Kwong Wah and elsewhere, would have been very impressed by the number of those working, by their dedication and hard work, by their energy and professionalism. We have in Hong Kong a medical service of which we can be very proud.

陳偉業議員問：主席，謝謝總督先生的答覆，表明政府會優先和特別考慮在資源方面，如果真的有需要的話，改善消防設施。但最終的檢討結果可能需一段很長時間才能完成，如果消防處就設施方面的檢討能較早完成的話，政府會否優先考慮這方面的問題，而不是等待這次災難的整體檢討結果呢？

GOVERNOR: Well, if it becomes apparent very quickly in the review that there is a real problem of equipment we will, of course, have to address that very rapidly. But I think what we first of all need to do is to get the report within the next fortnight. It may well be the case that, as happened with the Lan Kwai Fong tragedy at New Year 1992-93, we will feel and the community will feel that there should be a full commission of enquiry under a judge. But I thought it was right, first of all, to get the facts as quickly as possible, and if those facts suggest courses of action which we should take very rapidly, then we will not hesitate to do so.

主席：周梁淑怡議員。

周梁淑怡議員問：主席，首先我希望總督先生知道，作為剛才提及的那個條例草案委員會成員，我剛在今早向委員會主席、涂謹申議員，以及與我們一起工作的有關部門和決策科致意。因為我覺得一條如此複雜的條例草案能在這麼短的時間內便可以解決所有實際問題，大家得到共識，作出決定，我相信大家都十分滿意。我想告訴總督先生，不是以前有太多討論，其實是有適當的討論，而問題現時才得以圓滿解決。他知道這點後，可能會比較放心。

剛才總督先生說他昨晚到達火災現場時有一位 “operational commander”，即“行動總指揮”。請問昨晚的行動總指揮是誰？我提出這項質詢的理由是，以往若發生緊急事故，緊急事故統籌中心會負責統籌所有前綫和後援的救災部門，因為有好幾個部門都是與救災有關的。自今年六月開始，這個緊急事故統籌中心改為“緊急事故監察及支援中心”。請問總督先生，昨晚發生悲劇時，這個所謂統籌中心有否發揮作用？若否，我想知道在整個救災行動中，誰是總指揮？我完全無意批評昨天各個部門的負責人員，他們全已盡努力做到很好。不過，在一場這麼嚴重的災難中，一定要有

一名總指揮統籌各方面不同的工作，請問昨天是誰負責這工作？如果昨天沒有總指揮，請問在這次檢討中可否深入考慮設立總指揮一職，日後萬一不幸再需要不同部門作出類似協調時，會有一名總指揮負責統籌工作？

GOVERNOR: Can I first of all say once again that I think the Honourable Member and I are at one in recognizing that important pieces of legislation cannot simply be ushered through the Legislative Council on the nod. They require thorough deliberation and discussion in the Council. As I said to the Honourable gentleman, I think we need to strike a sensible balance.

On the second point, perhaps I can let the Honourable lady know exactly how this emergency was handled in terms of departmental co-ordination in due course. It is obviously one of the issues that will come out of the investigation. We do regularly review our emergency arrangements and carry out tests of them from time to time. We did so only recently. So I think we are capable of handling emergencies pretty well, though we can always do better.

In this particular case, when I arrived on the scene, the Director of Fire Services and the Secretary for Security were both on the spot. There were senior police officers on the spot, and of course the District Officer. But the actual fire-fighting was under the command of one of the Director of Fire Services' senior deputies. I do not think there was a problem of co-ordination between the various emergency services, but I can let the Honourable lady have a detailed reply to that in due course. (Annex)

周梁淑怡議員問：其實以往當這些悲劇發生時，大家都知道有關部門一定會盡全力救人，這是必然的，但問題經常出於統籌方面。我希望這次檢討能集中研究這問題，看看如何作出配合，以免出現混亂情況；而且在資料發放方面也可一致，使大家對整件事可以安心一些。我希望這次檢討會將特別着重研究這問題，因為以往大家對這方面都有意見。

GOVERNOR: Those are important issues that we must look at. But can I just say one thing to the lady about information? I think one reason why awareness of the number of fatalities was so limited earlier in the evening was that nobody had provided anything like accurate estimates of those who were missing. It was only, I think, very late that the full figures for those who were missing were

brought to our attention.

Another difficulty with accuracy of information is the one I mentioned in my statement, the problems of identification of very badly-burned bodies. But we must learn from our experiences, of course, in the hope that we do not need to deal with these things again. But in human society that, alas, is very rarely the case.

主席：楊森議員。

楊森議員問：主席，剛才幾位同事都提出有關火災的質詢，香港市民也很關注這件事。不過，我想轉一轉話題，問問近期警方的表現。我想提出兩件事，第一，我想問總督先生，是否已制訂政策，日後人們到日本領事館請願，無論記者和請願人士只准許 20 人在場？這是最近的規定，請問這會否妨礙記者的採訪工作？第二，日前會展中心外只有二十多三十名請願人士請願，但警方卻竟派出三、四百名警務人員。請問中方有否正式向你提出要求進行這樣的防備？又你會否覺得在整件事中，警方反應過敏，因為警務人員曾衝入人群，導致場面比較混亂？

GOVERNOR: I would like to take those two points separately and dwell a little longer on the second of them, making as I do so one or two points which I hope the Council and some outside the Council will take to heart over the coming months which may be occasionally difficult.

The first question — the Japanese Consulate. Police officers responsible for protecting the Consulate must decide how best to carry out their duties, having regard to the circumstances in the building, for example, what is happening there, the physical constraints imposed by the building and the mood of those who are seeking, for instance, to petition in the building. They cannot be entirely unmindful of what has happened in that building in the past.

I think, if I may say so, that if Members of this Council want this city to retain its international reputation, to retain its links with other communities overseas, then they should be aware of the importance of protecting the consular facilities of other communities here in Hong Kong. I do not wish to relate this comment to conduct by any Honourable Members or to any particular incident,

but I do think that it is particularly important for those who make the laws to abide by the laws in a full-hearted spirit.

Now let me turn to the second of the Honourable gentleman's questions. The policing of every event, while I am Governor, will be entirely a matter for the Hong Kong Police, and it will be a matter for the judgment of the Commissioner of Police operating within the law, operating according to the Bill of Rights, exactly how any operations under his command are carried out.

I have not, am not today and will not give the Commissioner of Police any instructions about how to do his job. We have an outstanding police which is extremely well led, and as far as I am concerned, that is the end of the matter. I would not instruct the Commissioner of Police how to do his job any more than I would seek to intervene in the affairs of the Attorney General's Department and his independent decisions.

Now, let me go on from that. It is the case that before the meeting at the Convention Centre, we had representations, as one might have expected, from Chinese officials about the importance of security during the visit to Hong Kong of Mr QIAN Qichen and Director LU Peng. I hope that they will realize that they do not really need to advise us of matters like that. Provided that we know when guests are coming, we will do everything possible to look after their security.

But it is not surprising that they got in touch with us because exactly the same would have happened if we had been having the Secretary of State from the United States or the Canadian Prime Minister or other distinguished visitors. They would have got in touch with us as well. But we would, of course, have said to them "you can trust us, you can leave it to us", and that is exactly what we say to representations from China.

So, any policing of any demonstration over the coming months will be determined by our police operating under their own command and not being subjected to political influence or political pressure from anyone.

One last point. I very much hope that people in Hong Kong will continue to exercise their freedoms in the mature and responsible way which has characterized expressions of public concern, sometimes public grief, sometimes

public anger, over the years. I think that the rest of the world should be impressed by the mature and moderate and restrained and responsible way in which a community which has faced some very substantial issues in the last few years, has discussed those issues and occasionally has protested and demonstrated about those issues.

I hope we can continue to earn that reputation for moderation over the coming months, just as much as I hope passionately that nobody in the future will ever seek to constrain the rights and freedoms which are given people under the Bill of Rights, and apparently are given them under the Basic Law.

楊森議員問：謝謝主席。剛才總督先生提到在日本領事館的請願行動，事實上，有關人士及後已作出公開道歉，而我覺得這道歉是恰當的。我也認為領事館是一個很特別的地方，相信以後市民會留意這點。總督先生剛才提到《人權法案》，也提到日後類似事件會交由警方處理，並希望市民在請願時能夠冷靜。不過，我希望總督先生也會考慮到，如果香港社會以後出現了警察使用過分暴力的情況，相信這個形象會不利香港這個自由社會。我們其實已實施了《人權法案》，我希望總督先生不要只站在一方看事情。因為我也曾參與請願示威行動，我自己也知道怎樣去控制自己，所以我希望總督先生要從兩方面去看這件事。警方拍攝了很多當時的現況，他們有很多錄影帶，我希望總督先生看看，如果認為沒有問題就最好，否則，應從中加以檢討，猶如今次處理火災事件般。我覺得這是一個平實的要求，如果總督先生沒空，可以找一名可信賴的助手看看警方怎樣對待請願示威者。警方把他們重重圍困，用鐵欄圍着，連上洗手間也不可以，足有三重的警察。我很同意總督先生說香港有《人權法案》，我也很同意他說香港是一個開放的城市，我們請願時要克制，但我希望他同時也看看銀幣的另外一面，今次警方處理的方法，有否出現過分敏感的情況？請問總督先生可否花時間看看那些錄影帶？

GOVERNOR: I will certainly consider that suggestion by the Honourable gentleman, but I do not believe that looking at the tapes would affect what I have said about the Commissioner and the police.

If I can add one point, I greatly respect the dignified way and the eloquent way in which the Honourable gentleman makes points about which he feels passionately strongly, and some of those points we share. I think that his

leadership should help to ensure the moderation and responsibility which I have mentioned.

I hope that some of those who advise Chinese officials and some of those who seek to do so on a more permanent basis, apparently, will advise Chinese officials on how to encourage moderation and restraint in Hong Kong. I think some Members of this Council are taking curious decisions about how best to convey that advice, but I dare say, that is a matter which they will be able to live with and their consciences, presumably, will be able to live with.

主席：曾健成議員。

曾健成議員問：主席，首先我讚揚總督、布政司和保安司昨晚的表現，他們為那群前綫人員打氣，以起鼓勵作用，這是肯定的。一個開明的社會、一個有人性的社會的政府一定會這樣做。我想把話題轉回現時政制的發展方面。總督彭定康先生過去數年一直鼓吹以民主選舉方式去發展香港未來的政制。可是，在一個名為“地方行政十五周年”的場合中，政務總署署長劉李麗娟女士公然說了一番話，說委任議員花了很多錢在社會上；由委任制度產生的議員是很好的，願意出錢出力。不知是否越近九七，政府就會朝向北京，“轉軚”支持委任制，時光倒流呢？我想請總督先生給我一個答覆。

GOVERNOR: No, that is certainly not the Administration's policy. When we first proposed to have wholly-elected district boards and Municipal Councils, or pretty well wholly-elected, I remember being told this would produce disasters in the districts and in the city and the New Territories — one of those many disasters which are much advertised as bedmates of democracy but did not happen to appear to show up. I go round the district boards with great regularity and they seem to me to be in extremely good spirits and doing an extremely good job.

As it happens, I was fortunate enough to be able to entertain at lunch yesterday all the Chairmen of the District Boards and we discussed some of their problems with Shelley LAU, who has done a marvellous job in increasing the enthusiasm with which the district boards work together to promote grassroots representative government. If the Honourable Member were to look a little to his left, he would see somebody else who was able to share my hospitality

yesterday.

And let me add one thing to the Honourable gentleman. I saw Shelley LAU in the middle of last night at a hospital and I saw her this morning having clearly been up all night, and I saw her at the Sha Tin disaster, the fire on the hill, and I have seen her again and again helping the families of the children who were burnt on that occasion, and I will not hear a word against Shelley Lau.

曾健成議員問：主席，總督先生說劉李麗娟女士曾多次為遇到山火和災難的人請命，這是她的職責所在。問題是她說那些委任議員有錢，我怕這意味着九七年後有錢人便可以擔任議員，而這與總督先生推行的一人一票選舉制度相違背。總督先生的下屬這樣做，是否意味他已無權無勢，眾叛親離，再不能任他指揮？而他的下屬這樣做是否意味着要靠攏新政權？

GOVERNOR: Well, I cannot think that if one was trying to move closer to the new sovereign power you would make speeches extolling the democratic credentials of billionaires and millionaires. How would that move you closer to the future sovereign power?

To be serious, I have not seen Shelley LAU's speech. If she was commending the work that in the past was done by many appointed members of district boards, then I would join her in that. If she was commending the work done by appointed members of Municipal Councils, I would commend her in that. But I am sure, like me, she recognizes the important developments in grassroots democracy which have taken place in the last few years.

And as for the suggestion that she was only doing her job, well, she was doing her job in a sense, but she happens to be one of those people who does her job 25 hours a day, and I am extremely proud to have her in my team, and any Chief Executive after 1997 who has a few Shelley LAU's in his team will be equally lucky.

主席：民協也有機會可以發言。廖成利議員。

廖成利議員問：主席，我知道政府備有危險斜坡的統計數字，請問政府有否關於類似嘉利大廈會出現危機的多層大廈的統計數字？如有的話，政府日後在通過條例草案後，可針對那些大廈作具體的執法行動。

GOVERNOR: I think, and I believe it is fairly fundamental to the Bill. We have statistics and information about the age of buildings, and that will help us bring the provisions of the Bill into operation in sequence. But I do not think we have the sort of statistics which would be directly comparable to those we have on dangerous slopes. But I will look at that and see first of all whether I am right. If not, I will let the Honourable gentleman know. Secondly, if I am right, I will see whether there is anything we should do about it.

廖成利議員問：世界上很多現代化城市都曾發生沖天大火災，事後他們會集合經驗，跟進檢討怎樣作出改善，或建議一些預防措施。請問政府會否參考這些措施，在報告中制訂全面預防沖天大火災的政策，以避免類似事件發生？

GOVERNOR: Yes, as I said earlier, we must see what lessons can be learnt from this appalling tragedy and take what measures we can. All of us know that it is impossible in this world to prevent all tragedies, but there are some tragedies which society should be able to do more to prevent. There are some tragedies this society should be able to do more to prevent. I very much salute the work that a number of Honourable Members in this Legislative Council have done, for example, to increase health and safety at the place of work. We are still trying to catch up there with things that perhaps should have been in place a little earlier.

As for fire prevention, there is more that we can do, more that we must do and I hope that the future of this great city will not be marked and marred quite as frequently by tragedies which should be prevented in a civilized, successful,

prosperous and decent community.

ADJOURNMENT AND NEXT SITTING

休會及下次會議

主席（譯文）：按照《會議常規》，本席現宣布本局休會，並宣布本局於一九九六年十一月二十七日星期三下午 2 時 30 分續會。

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

會議遂於下午 3 時 36 分休會。