

OFFICIAL RECORD OF PROCEEDINGS

立法局會議過程正式紀錄

Thursday, 19 June 1997

一九九七年六月十九日星期四

The Council met at half-past Eleven o'clock

上午 11 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 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.

THE HONOURABLE SZETO WAH

司徒華議員

THE HONOURABLE LAU WONG-FAT, O.B.E., J.P.

劉皇發議員，O.B.E., J.P.

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

THE HONOURABLE EMILY LAU WAI-HING, J.P.

劉慧卿議員，J.P.

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 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 PHILIP WONG YU-HONG

黃宜弘議員

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

黃偉賢議員

THE HONOURABLE CHRISTINE LOH KUNG-WAI

陸恭蕙議員

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 CHENG YIU-TONG

鄭耀棠議員

DR THE HONOURABLE ANTHONY CHEUNG BING-LEUNG

張炳良議員

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, J.P.

劉千石議員，J.P.

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：

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 NGAI SHIU-KIT, O.B.E., J.P.

倪少傑議員，O.B.E., J.P.

DR THE HONOURABLE HUANG CHEN-YA, M.B.E.

黃震遐議員，M.B.E.

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

田北俊議員，O.B.E., J.P.

THE HONOURABLE PAUL CHENG MING-FUN, J.P.

鄭明訓議員，J.P.

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 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, K.B.E., O.B.E., J.P.

FINANCIAL SECRETARY

行政局議員財政司曾蔭權先生，K.B.E., 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 BROADCASTING, CULTURE AND SPORT

文康廣播司周德熙先生，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.

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, C.B.E., J.P.

SECRETARY FOR SECURITY

保安司黎慶寧先生，C.B.E., J.P.

MR BOWEN LEUNG PO-WING, C.B.E., J.P.

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS

規劃環境地政司梁寶榮先生，C.B.E., J.P.

MR KWONG KI-CHI, J.P.

SECRETARY FOR THE TREASURY

庫務司鄭其志先生，J.P.

MISS DENISE YUE CHUNG-YEE, J.P.

SECRETARY FOR TRADE AND INDUSTRY

工商司俞宗怡女士，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 STEPHEN IP SHU-KWAN, J.P.

SECRETARY FOR ECONOMIC SERVICES

經濟司葉澍堃先生，J.P.

MR KWONG HON-SANG, J.P.

SECRETARY FOR WORKS

工務司鄭漢生先生，J.P.

MRS STELLA HUNG KWOK WAI-CHING, J.P.

SECRETARY FOR HOME AFFAIRS

政務司孔郭惠清女士，J.P.

MR LEUNG SAI-WAH, J.P.

SECRETARY FOR TRANSPORT

運輸司梁世華先生，J.P.

CLERKS IN ATTENDANCE

列席秘書：

MR RICKY FUNG CHOI-CHEUNG, J.P., SECRETARY GENERAL

秘書長馮載祥先生，J.P.

PURSUANT TO STANDING ORDER 4AA, HIS EXCELLENCY THE GOVERNOR, THE RIGHT HONOURABLE CHRISTOPHER FRANCIS PATTEN, ATTENDED 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，接受質詢。

主席：請各位議員繼續站立，等候總督進入會議廳。

秘書：香港總督。

主席：各位議員現可向總督提出質詢並獲得答覆之後，可提出一項簡短之跟進質詢，但由於實在有太多議員想提出質詢，所以只可限於要求闡明該答覆不明之處。李鵬飛議員。

MR ALLEN LEE: *Mr Governor, I do not have a question for you, I just want to say that we have had our differences of opinion with regard to political reform in the past, but that is all in the past, and I just want to wish you every success and good health on your return to United Kingdom. And your party, the Conservative Party, needs a lot of help and I think you could contribute. Bon voyage.*

PRESIDENT: May I just remind Members that this is not the House of Commons!

MR ALLEN LEE: *You did not stop me!*

GOVERNOR: Can I thank the Honourable gentleman for that generous remark and commend him on his perceptiveness. He noted that the Conservative Party in the United Kingdom needs a little help. I hope it is assistance that can be provided this side of the Almighty.

But can I, responding to the Honourable gentleman, say that I think that the way in which he framed his remarks is illustrative of one of the things that has most impressed me as I have watched the political debate and the political dialogue developed over the last five years. There are views which people take in Hong Kong on issues of the greatest and most fundamental importance, views which often differ considerably. But I have been impressed by the way in which the political dialogue in Hong Kong is conducted with moderation and responsibility, and more generosity of spirit here than I have ever witnessed in many other communities.

And the second thing which I believe to be true is that, whatever the views expressed within this Chamber, Members all have the interests of Hong Kong at heart, even though I may occasionally disagree with the way that they seek to stand up for the interests of Hong Kong.

I look forward to seeing the Honourable gentlemen and others in future this side of Paradise, and I hope that I see the Honourable gentleman on return visits to Hong Kong. It did occur to me, watching the forest of arms going up a moment or two ago, that if there are too many questions this morning, perhaps I could come back next month and answer a few more. (*Laughter*)

主席：涂謹申議員。

涂謹申議員：主席，我們有很多重要事情需要發問，如果出現一些與本港事務無關的對話，我相信主席應該要作出裁決，因為很多議員還要提出很多重要的質詢。

主席：涂謹申議員，質詢是甚麼內容，主席並不能決定。

涂謹申議員：但那不是質詢，主席。

主席：若議員把它變成類似質詢的方式，我通常都會接受。李柱銘議員。

MR MARTIN LEE: *Mr President, Mr Governor, what is the biggest regret you have now that you are about to leave Hong Kong? What is the most, the single most, important thing you would have liked to have done for Hong Kong which you could not do?*

GOVERNOR: Perhaps what I would have liked to have done was in the circumstances impossible. But what I would have liked to have been able to do was to convince the leaders in Beijing that there was nothing to worry about in Hong Kong, that they could trust Hong Kong, that they could be relaxed about Hong Kong, that the development of democratic institutions in Hong Kong, living up to the promises in the Joint Declaration, was not a question of planting British

time bombs around the community. It was a question of reflecting the aspirations of the people of Hong Kong, and that they would rise to the challenge of demonstrating with responsibility that they could make those institutions work.

I suspect that after Tiananmen there was always going to be an argument about the last electoral arrangements for Hong Kong unless we were to do precisely what China wanted and try to put in place arrangements with which China would feel comfortable because China would feel that it controlled the outcome. So, may be my ambition, my aspiration, was always likely to be dashed.

But I remember, when I saw Director LU Ping in the autumn of 1992, saying to him, "if you try to accommodate the legitimate interests of people in Hong Kong you won't find it difficult and you won't find them difficult. You will find that they will respond extremely well because people in Hong Kong want the transition to be a success." People in Hong Kong would be irrational if they did not want it to be a spectacular success.

So, that is my main regret. There are one or two others which I could add as postscripts but I hope you will not turn this into a sort of political equivalent of Strauss's last four songs. That was just thrown in in case any of you are musicologists.

主席：葉國謙議員。

葉國謙議員問：總督先生，其實你來港已有 5 年時間，我很同意你在某些方面，例如增加政府部門的透明度，使香港現在擁有一支有效率的公務員隊伍，以及要求政府訂立一些服務承諾等，是取得了一些成就。不過，總督先

生也提出了政改方案，使香港在過渡期內面對非常多困難，加上有資料顯示，你在這 5 年內，大約有五分之一時間離開香港，對民生問題的關注大減。你會否覺得，無論你做了甚麼好事，也不能補償在過渡期內令香港市民產生這麼大的矛盾激化？你會否在離開香港之前一刻作出反省，自己是否有愧於香港市民呢？

GOVERNOR: Well, I note that the spirit of amity and mutual back-scratching is disappearing as the Democratic Alliance for the Betterment of Hong Kong get into their election stride for the 1998 elections, but I would not worry too much if I was the Honourable Member. Doubtless if he loses next time, he will still be able to find a seat in the I think that is what Sir S Y CHUNG would call — advancing the cause of democracy!

I think that the Honourable gentleman will discover, if he compares my time in Hong Kong and the visits I have made outside and the time I have spent outside, that I probably spent more time in Hong Kong and made less visits than my predecessors. But I am quite prepared to, if anybody thinks it would actually be worthwhile to get some poor civil servant who should be doing more useful work, dig out all those figures, not that the Honourable gentleman will take much notice of them even if they prove the point I have just made. But certainly the last time I looked at the figures that is exactly what they showed.

I am very pleased that since I have been Governor of Hong Kong, though not necessarily because I have been Governor of Hong Kong, our Gross Domestic Product has gone up by 30% in real terms, our exports have gone up by 76%, investment by 61%, our fiscal reserves have gone up by 65% in money terms. I am glad that we have spent 32% more on education in real terms, 60% on the environment, 48% on health services, 34% on housing and 88% on social welfare. Where would the Honourable gentleman like me to draw breath?

If he is an investor on the Hang Seng Index, and if he is he is a luckier man than I am, he will be delighted that the Hang Seng Index in 1992 stood at 5 500 and today it stands at 14 200 or thereabouts. So, he will have enjoyed seeing his investments rise in that way. He will also have had, I think, five budgets in a row in which taxes have been cut, spending has gone up and we have increased the amount of money in the reserves. That is a record which I very much hope that, if I ever go back into British politics, I will be able to repeat,

but do not hold your breath.

PRESIDENT: I thought I did all that. (*Laughter*) 劉慧卿議員。

MISS EMILY LAU: *Mr President, I want to join my colleague, Mr Allen LEE, in wishing the Governor well in the future and I hope he will always be welcomed back to Hong Kong in future.*

Mr President, I want to ask the Governor whether he understands that, although the fact that we are now in the final days of colonial rule, there is not much hostility against the British and I think we welcome that. But when he leaves Hong Kong he understands that the people feel very resentful and bitter about being let down by Britain in not giving us citizenship and not doing enough to protect our way of life.

But most importantly, Mr President, I want the Governor to tell us whether he understands that, and understands why people feel that in future, when there are breaches of the Sino-British Joint Declaration and when human rights are being violated, the people generally feel that Britain will not lift a finger to help us. Do you understand, Mr Governor, why people feel like that and do you have anything to say to the people, to reassure them that that is just a misunderstanding?

GOVERNOR: I do understand those emotions, though the Honourable lady would not expect me to say that I think they are justified or always justified, but I do understand those emotions and that is one explanation, I guess, for the way, doubtless imperfectly, I have tried to run this Administration for the last five years.

I very much hope that the British Government and Westminster will be able to demonstrate in the coming years that the continuing moral responsibility which Britain, as a co-signatory of the Joint Declaration, has for Hong Kong is real rather than sham. And in that respect, I very much welcome statements by the Prime Minister and the Foreign Secretary in the new administration about Hong Kong.

And I would go on further than that. The British Foreign Secretary has been criticized by some people for saying that British foreign policy should have an ethical framework, and of course he is a distinguished enough politician to know that when you say things like that you are inevitably going to have examples with which it is difficult to pursue a wholly ethical approach to foreign policy issues hung round your neck in years ahead. But, I must say it seems to me a hell of a lot better than saying the opposite, and I very much welcomed the emphasis that he placed on that, and if you place an emphasis on that for foreign policy as a whole, then it has clear implications for policy and for continuing concern about what happens in Hong Kong.

Can I just add one other point — with one or two small and not strictly relevant examples in West Africa or East Africa, Britain has never been obliged by history and treaty to do what it is doing in Hong Kong. In every other example of decolonization, the territory concerned has become independent. The fact that that is not possible in Hong Kong and that one of the freest cities in Asia or anywhere is moving over to the sovereignty of a country which has a different concept of freedom (to put the point diplomatically), that does raise, I believe, for Britain and those responsible for British policy moral concerns which I assume were one of the reasons for the way the Joint Declaration was drafted. What I have never believed is that those moral concerns could be ignored or, having been expressed in the language of the Joint Declaration, could then be diluted or hollowed out.

I think that questions of citizenship, questions of civil liberties protection and the development of democratic institutions will still be at the core of the argument about the discharge of Britain's responsibilities to Hong Kong long after the name of the last Governor has been forgotten.

MISS EMILY LAU: *Mr President, just a short follow-up. When I asked the Governor what he himself will do, I do not know what capacity he will be in in future. May be he could even be Prime Minister. But, whatever he may be doing in future, if and when he sees any violation of the Sino-British Joint Declaration, can he tell the Hong Kong people what he himself will do for us?*

GOVERNOR: My wife just had a suggestion about what I might do. She has been taking a party of schoolchildren around Government House and one little boy said, "Is it true that Mr PATTEN's going to write a book about Hong Kong?" So, she said, "No, he is going to write a book about Asia." So, a little girl in the party put her hand up and said, "Is Mr PATTEN governing all of Asia as well?" That is not my immediate ambition! Indeed, as I am sure the Legislative Council will recognize from my demeanour this morning, I am now entirely beyond ambition.

To be serious, and I make a very personal remark, I have to strike rather a careful balance. I think it would be unfair to Hong Kong, and unfair to my successor and his Administration, if I were to set myself up after a few weeks or months as a sort of ball-by-ball commentator on what happens in Hong Kong, answering every phone call from the London correspondent of the *Oriental Daily*, heaven forfend, and providing a sort of running commentary on what happens in Hong Kong. I just think that would be regarded by people in Hong Kong as too intrusive and a rather careless use of my continuing responsibilities, though doubtless slightly diminishing knowledge of what is actually happening day-to-day in this city.

But on big issues, I hope I will continue to be in a position in which I can speak out in support of Hong Kong as a prosperous and free society; and I am sure it is the case that I will be able to keep in touch with individual members and other members of the community, particularly once I have stopped writing for a living. So, I intend to keep in touch with Hong Kong, but I repeat particularly for the first few months, I think people here would regard it slightly askance if I were to become Hong Kong's roving correspondent.

主席：馮檢基議員。

馮檢基議員問：彭定康總督的任期是由九二年至九七年。我翻查過資料，在九二年時，我的選區深水埗的樓價，是每呎低於 3,000 元，而當時半山區的樓價每呎大約 6,000 元。到了九七年，即 5 年後，現時深水埗的樓價是每呎

6,000 元以上，而半山區則超過 12,000 元，即上升了一倍。我知道通常興建樓宇，土地都是在 3 年至 5 年前批出的，換而言之，即在總督先生剛來港時，他有分參與決定批出土地。很巧合，九五至九六年是推出最少公屋單位的一年。輪候單位由從前的 15 000 個下降至 9 000 個，而私人樓宇單位則由以前的 26 000 個下降至 19 000 個。請問總督先生，出現這種情況，是否由於你太重視政治問題，而忽略了香港人最關注的房屋問題所致？若否，你認為原因為何？現在你快要離開香港了，你建議香港人如何解決房屋問題呢？

GOVERNOR: Well, I am grateful for that speech which tells part, but only part of the story, about housing. Let me deal with the question of prices, and the question of public housing supply and supply in general slightly separately, although they are obviously related.

I just want to make one general point about house prices. I think it is entirely right for the Government and the community to be worried about the continuing rise in property prices, and I think the World Bank report about 18 months ago, which indicated how much more difficult it was for people in Hong Kong on sort of medium salary to become home owners than it would be in other comparable cities, raised the most serious challenges for us on home ownership. Home ownership has gone up while I have been Governor, but not as much, not nearly as much, as I would have liked, and that is partly a consequence of price. It is also partly a consequence of other things as well to which I will come.

It is important in particular to dampen down the property market when it becomes excessively over-heated, and that is what we did, I think, successfully in 1994 though some of the measures that we took at the time were criticized. In recent months, we have taken further measures to try to deal with property speculation. We have taken measures which have, I think, helped to prevent speculation through shell companies, which have stopped ballot trading and which have ensured sales are now conducted in a rather more orderly manner than they were.

Having said all that, I do think we have to be very careful. If Honourable Members think that prices going up is a problem, they should just experience the politics of prices coming down. The thing which causes the greatest social instability, and I speak with some political experience of this, is the development

of negative equity in the housing market. So, in any measures that this Administration or future Administrations take to try to moderate the prices in the housing market, I think the importance of investor confidence and the importance of not going too far and depressing prices have to be taken into account. Where people have mortgages which turn out after a year or so to be higher than the valuations they are getting on their property, then you get real social problems and difficulties.

The second point, the answer in the medium- and long-term is exactly the same as it has always been. The argument is that we need to have more land brought forward for housing and more supply of flats. In the six-year programme from 1995 to 2001, we have got over 500 000 flats coming forward, some of them subsidized ownership, some of them rental and some of them ownership on its own. We have also considerably increased the supply of land over the next few years available for housing to 587 hectares.

I do not wish to put any blame elsewhere, but the Honourable gentleman knows that in the early nineties, decisions were taken which actually did not encourage a greater flow of land to come through for housing in the mid-nineties, and we have been trying to correct that.

There are not any simple fixes. Some of the answers will involve the Honourable gentleman supporting things which are going to be politically unpopular among those he wants to vote for him, and it will take a good deal of courage to deal with questions like rental levels in public housing. But that is one of the issues which has an effect, and a considerable effect, on the development of a more open and flexible housing market here in Hong Kong.

主席：鄭耀棠議員。

鄭耀棠議員問：主席，總督先生來港 5 年，被人冠以“為食港督”的美譽，因為他很喜歡吃東西。總督先生可否與本局同事分享一下他對食的心得？也許他可否用一道菜式來形容一下他離別在即的心情？

主席：不是“炒魷魚”便可以了。（眾笑）

GOVERNOR: What an intriguing question! If the Honourable gentleman wants an honest answer, I feel overfed! I have been attending farewell lunches and dinners since the beginning of May. The result of that is that all my good intentions about defying the cartoonist, Fei Pang, and leaving Hong Kong as lean as a twig, all those ambitions, have been set at naught by the generosity of those who have fed me and by the excellence of the cuisine I have been fed. *(Laughter)*

I have scaled some peaks in my eating in Hong Kong. I will long recall, as climbers recall ascending the north face of the Eiger, the lunch I had with Chancellor KOHL at one of our most famous restaurants when all I can say is he did not let Germany down!

涂謹申議員：主席，剛才的答案怎可能是與香港的公共事務有關呢？主席，這樣的質詢你也容許提出，你是否已更改了《會議常規》呢？稍後我們會一同吃飯，這些問題可以留待屆時提出。主席，本局現在應討論公共事務。

主席：涂謹申議員，質詢的內容由議員自行擬定，而答案的內容則由總督自行擬定。至於是否脫離了香港的公共事務，這在我和大多數議員的共識下，若覺得是與公共事務有關，就應該容許提出，這是不可以不容許的。

涂謹申議員：主席，你是否裁決剛才那項質詢是與公共事務有關？

主席：我認為與公共事務是一定有關的。民以食為天，食一定是很重要的。
(眾笑) 夏佳理議員。

MR RONALD ARCULLI: *Mr President, I do not really know what question to ask after the Honourable James TO raised this objection a second time, but I just want to say this, that I think the good wishes that the Honourable Allen LEE has*

extended to the Governor ought to be extended to Mrs PATTEN, who is up in the gallery, and the family.

But having said that, I think from the Governor's elucidation and clear view about the housing market, I hope he is not going to run in my constituency next time round. But that having been said, I just want to ask the Governor what he considers to be his single achievement above all others in Hong Kong during his five-year tenure?

GOVERNOR: I think this community is more self-confident and more prepared to stand up for itself, to put it bluntly. And I think that may be a consequence of the fact that I believe that people should be brought into the debate about their future. When they have been, I think they have made their views pretty clear.

I think that there are other achievements which others deserve greater credit for. I think the way that the Civil Service has retained its professionalism, its integrity and its morale over the last five years is widely regarded in the community as one of Hong Kong's greatest assets. You look around the world, you see civil services which are regarded as butts for jokes. You see civil services which are regarded as channels of corruption. You see civil services which are a bye-word for incompetence. It is very rare to find a civil service which is regarded as one of the main bulwarks that the community has against croney-ism and corruption and inside-tracking and all the other things which could destroy the vitality of this community and could make it a much less decent as well as successful city in the world.

I think the way that the Civil Service has coped with the politics of the transition, the way that the Civil Service has embraced change and the need for greater accountability and openness, the way that the Civil Service and leaders of the Civil Service have gone out and argued their corner and lobbied for support, is admirable. I think there are some former civil servants who should receive some of the credit for that as well. I think the last Financial Secretary was notable in the extent to which, for example, he began the process of taking this Legislative Council into his confidence, and it is an approach which my distinguished and honourable friend has pursued since then.

Just add one point. I think that it is inevitable and understandable that so long as the Union Jack flies in Hong Kong, those who represent the future administration talk a good deal about the importance of change. That is understandable. I hope once the change in sovereignty has taken place, they will put a lot more emphasis on continuity and the Civil Service stands at the heart of that.

Of course, there are problems here in Hong Kong. Of course, there are things we have to do better. We have to make improvements in the housing market. There are doubtless points that Mr TO would like to put to me, if he gets in a question this morning. Government is about climbing one hill and seeing other hills ahead of you. But that said, this is a remarkably successful, orderly, well-governed community and I hope that in any development of policy, that point will be taken to heart.

主席：司徒華議員。

司徒華議員問：總督先生，在香港一百五十多年的殖民地歷史中，我是空前絕後的一個人，提出譴責總督的議案，而且議案還獲得通過。現在你將要離開，你對這件事已經忘記；還是引以為榮；抑或仍然耿耿於懷呢？

GOVERNOR: I cannot honestly tell the Honourable gentleman that I have had the terms of the motion framed and hung on my wall. I regard that particular episode in my genial relationship with this body, as part of the openness of Hong Kong's politics these days and part of the development of representative institutions these days. I hope after 1 July that the Chief Executive will not do anything which encourages legislators to condemn him, but I hope if he ever makes a mistake or does anything which legislators want to condemn that they will still be able to do so.

It is, of course, and I do not like throwing this pebble into the otherwise placid pond of this morning's exchanges, an irony that this is probably the only example of decolonization where, after 150 years when finally colonial Administration comes to an end, there is going to be less democracy afterwards rather than more. I mean, everywhere else it has been the other way round.

And I hope and believe that sooner rather than later Hong Kong will resume the comprehensive development in a free and fair and open way of its democratic institutions so that the Honourable gentleman and others can move whatever motion they like.

主席：任善寧議員。

MR YUM SIN-LING: *Mr Governor, do you think the Hong Kong Government's positive non-intervention is a well-planned strategy or just an effect of lazy government?*

GOVERNOR: Well, they do not look particularly indolent to me. I find this whole debate astonishing. I doubt whether the International Monetary Fund (IMF) writes reports about any economy like the ones that it writes about Hong Kong. It regards economic management in Hong Kong as, well, the equivalent of a restaurant getting (going back to food) three rosettes in the Michelin Guide. This is, and has been for years, a community which has shown the rest of the world how to manage the macro economy sensibly.

You read pretty well every think-tank report on economic management in Hong Kong. They say the same thing. Then you get a group of extremely public-spirited businessmen here in Hong Kong who help to finance a report on the Hong Kong economy by a group of Harvard economists who come to the conclusion that the suggestion that the manufacturing base in Hong Kong has been hollowed out, that we have been left with a weak economy, is nonsense, who point out that what we have been doing with less social tension, less political tension, less economic tension than almost any other Asian community, that what we have been doing by trusting in market forces is to move up-market in our added value so that the lower value-added parts of manufacturing and wealth-creation are passed offshore or onto the Mainland.

So, every objective test indicates that this economy has been extremely well run by the light-handed policies of the past. All the indicators tell the same thing. The state of the economy today was not what was being predicted five years ago or 10 years ago or 15 years ago. So, in those circumstances, what would you think? Would you think it was sensible to regard the IMF and the others as talking a load of rubbish, or would you think it was sensible to go on

following a formula which works?

What worries me about some of the proposals put forward which seem to advocate welfare for industry and business but no welfare for individuals, is they risk going in precisely the opposite direction to that in which most other Asian economies are now trying to travel. You look at what is happening in Korea at the moment and the debate there. Where economies have been seen as a sort of joint venture between politicians and businessmen in Asia and elsewhere you inevitably see endemic corruption. And that is what others are trying to move away from. Do we want to live in a community where bank loans are determined for political reasons, where credit is determined by politicians, where commercial decisions are taken by a small, as it were, Hong Kong incorporation of a few business leaders and a few civil servants or politicians? That would be appalling.

So, I think that while there are arguments for science parks, while there are arguments for more industrial estates, while there are arguments for improving our training and retraining as we are trying to do, while there are arguments for more efforts in the labour market to bring people and jobs together, while there are arguments for those sorts of intervention and while there are arguments, above all, for going on trying to improve the quality of our education, I do not believe there is even one centile of an argument for politicians and civil servants in Hong Kong trying to start running the economy. Because I tell you this, what will happen in Hong Kong is what happens everywhere else: they will make a mess of it.

主席：何承天議員。

MR EDWARD HO: *Mr Governor, many people admire you for your talent, extraordinary talent for answering any tough question. I would like to put that to a test. How would you rate, honestly if possible, Great Britain's performance in its 150 years of colonial rule, especially in the development of democracy, and in two sentences? (Laughter)*

GOVERNOR: That is a challenge.

PRESIDENT: Why not one single sentence? Mr Governor.

GOVERNOR: Mmn. Somebody was once, just before I answer the Honourable gentleman's question, a very beautiful woman was once, sitting next to President Calvin COOLIDGE at dinner and she said, "I took a bet before dinner", and Calvin COOLIDGE was not known for being loquacious, "I took a bet before dinner that I would get three words out of you during the course of the meal." And he turned to her and said, "You lose."

PRESIDENT: That is two words only. I think he ought to have said "I love you".

GOVERNOR: Two sentences? I think that Hong Kong is an astonishing Chinese success story — Sentence One. But I think it is a success story with British characteristics — Sentence Two. I think that to elaborate slightly, I think that what Britain has helped provide, as a result of the accidents of history, is a framework within which people — particularly in the last 50 difficult years in this region, Chinese men and women, ordinary Chinese men and women — have been able to do extraordinary things.

I do not think any fair-minded observer would deny any role for British administrators or the rule of law in what has happened, but equally any British observer, any of my predecessors as Governor, like this Governor, would stand back in awe at what Chinese men and women have managed to do here in Hong Kong given the chance, given the chance to be free in an economic and a political sense.

主席：何敏嘉議員。

何敏嘉議員問：主席，最近數天，報章的熱門新聞是駐港解放軍領導人“闖關”事件。陳佐洱先生說有些報道可能不甚準確。總督先生，我相信你透過你的司級官員，應該可以十分準確地了解這件事。香港市民.....

主席：請你精簡一點。

何敏嘉議員問：.....對這件事很擔心，如果有不守法的事件，日後我們的紀律部隊，無論是警察、海關或人民入境事務處的官員都很難做。總督先生可否告訴我們，在這件事情中，究竟哪些是真，哪些是假？在你領導下的香港政府可以採取甚麼行動，幫助這些紀律部隊維持士氣，並消除市民的憂慮？

GOVERNOR: Can I put the remarks I am going to make into context and some people may be surprised at the stress that I place on the context, but I think it is very important that people should recognize what has been the overall reality of the last few weeks and months.

Since the first detachment of People's Liberation Army (PLA) troops came to Hong Kong to prepare for the arrival of the garrison on 1 July, the PLA have been scrupulous in following all the procedures coming through the border and coming through the check-points. They have handed over scrupulously accurate manifests. They have applied for all the necessary licences, for example, for their telecommunications equipment. None of us have any criticism at all about the overall way in which they have been behaving. And I just want to say that because it enables us, I think, to put one isolated incident in context.

There was one incident which has received a good deal of publicity and I think that the main reason for the incident was candidly a language problem, the difficulty of a Cantonese speaker and a Mandarin speaker communicating as well as they might. Having said that, the customs officials concerned behaved totally properly and I want to make two or three general propositions. Firstly, I repeat, the way that our customs officials, both the junior and the more senior officer, handled this case was totally according to the book and they have my total support for the way they handled it and they have the Administration's total support for the way they handled it.

Secondly, as far as we are concerned, the PLA coming through the border have to continue to follow all the customs and immigration procedures which are laid down. Thirdly, the PLA, like the Governor of Hong Kong, like the Chief Executive of the Special Administrative Region, are subject to the rule of law and that needs to be emphasized as well.

There has been one suggestion in a rather ill-advised and ill-informed editorial in one of this morning's English-language newspapers, that somehow the fact that we have given Customs a list of those PLA vehicles which have CRPs means that we are somehow exempting them from normal customs controls. We are not doing that for one moment. It is still the case that cars have to have a CRP and that they should put the CRP, should put the permit, to be sensible, on the windscreen of the car. The issue of a list of those cars with CRPs is to try to help Customs officials, so that we can all avoid any incidents like this in the future.

I just wanted to say all those things, including the context in which this case had come up, to try to get things into perspective. But there is no excuse for anyone ever at any time claiming to be above the law.

I have been at the airport with people who in the United Kingdom think they are ever so grand, putting them through all the same procedures of body checks, of searching their luggage that everybody else would go through. I go through that at the airport. So should everybody else. It is a similar case. So, I hope that everybody will learn from this case, including the PLA whom I am sure will want to establish a reputation of behaving as good citizens in Hong Kong. I cannot believe that they have any interest in anything else.

何敏嘉議員問：主席，請問總督先生可否澄清，港府或海關是否收到正式投訴？又海關高層、政府高層或海關中層管理人員有否發出指令，解放軍過關時無須檢查？

GOVERNOR: No, there have been no such instructions, and if there were any such instructions I would countermand them immediately, as would the Secretary for Security and any other member of my Administration. There are no instructions to do other than apply the existing customs and immigration

regulations impartially and fairly to everyone, whether they are in the PLA or whether they are in the Girl Guides, and that is the situation which should apply to absolutely everybody.

There was an exchange between experts at an experts' meeting, but that is the only exchange there has been on the subject and the PLA and Chinese experts know very clearly what our view is. I just want to repeat the very first thing I said, that apart from this incident, the PLA have been scrupulous in following the rules and regulations at every point and every turn.

PRESIDENT: The question was, was there a protest letter or complaint letter?

GOVERNOR: I am not aware of a protest letter. I am aware of a protest made at an experts' meeting, and that protest was met in the same sort of terms that I have spoken today.

主席：李家祥議員。

MR ERIC LI: *I would like to join my colleagues to express our good wishes, in particular, I hope that the book that you are going to write will become an instant best-seller. Personally I will look with interest at how you are going to write about China. Mr Governor, you probably agree that when you first started out as a governor five years ago, your knowledge of this part of the world may be somewhat limited. Now, with the new experience that you have now gained and regrettably sometimes at a fair distance with China, given another chance, do you think you could have promoted the whole Sino-British relationship in the role as a governor of Hong Kong in a more delicate and perhaps somewhat successful way?*

GOVERNOR: Or at least only at the risk of having a rather more turbulent relationship with the community in Hong Kong, which I do not think would have been much of a bargain. I think I could have enjoyed a better and more cordial bilateral relationship with China if I had done what the Hong Kong and Macau Affairs Office had wanted. I could have, I daresay, enjoyed one or two trips up and down the Yangtze, which I would have much enjoyed. But I think the price I would have paid would have been to sell out Hong Kong, and I do not think that would have been a price, frankly, worth paying.

I think that my view of the last five years is that doing what I have believed to be the right thing and what the British Government has believed to be the right thing has also been the expedient thing as well.

Let me just add this point. I am full of admiration for the economic progress which China has made since the late 1970s. It has been very, very good news for the people of China and it has been very good news for the rest of the world, and it is in all our interests that that economic success story continues. I do not feel obliged by that economic success to believe that I should tiptoe with the greatest show of political correctness around all those political issues which some Chinese leaders regard as sensitive. We do not have bilateral relations with anyone else like that, and I think it is rather dangerous and damaging to have bilateral relations with China like that.

I am wholly in favour of China being a member of the World Trade Organization. I am wholly in favour of China being brought fully into the inner councils of all the most important economic and political organizations of the world. But I think that China should play the international game by exactly the same rules as everybody else, and I realize that that is not a popular thing always to say, but it happens to be my view today. It was my view before 1992 when I had quite a lot of engagement with China and negotiating, for example, the largest concessional financing agreement that the United Kingdom has ever negotiated with anyone with China, and it will be my view after I leave as well. And I shall try to convince other people that that is the sensible way to treat China.

主席：劉千石議員。

劉千石議員問：主席，最近前新華社社長許家屯先生說中共的香港工委，即共產黨要遵守香港的法律，但他又提到，香港工委，即共產黨並沒有登記，所以是一個非法黨。港英政府沒有取締它，是因為有一個強大的中國作後盾，所以只得“隻眼開、隻眼閉”，不碰這個麻煩。請問總督先生可否告知我們，許家屯先生所說的是否事實呢？為何會有一個組織成為了非法黨呢？這種做法有甚麼後遺症呢？

GOVERNOR: I think the community would have found it both provocative and slightly bizarre if I had spent the last five years trying to proscribe the Communist Party. People talk about the importance of facing up to reality. I guess that part of the reality of life in Hong Kong for the best part of 50 years has been that there are communists in Hong Kong operating in the way in which communists customarily operate, underground and in cells and through united-front operations. But I do not think it would have been in Hong Kong's interests for me to try to make that into a witch hunt. I think part of the stability of Hong Kong is that we know when to close one eye.

I happen to think that that is quite good advice for those who come after me, not in relation to the Communist Party, but in relation to some of the things they might not like. Actually, taking a light-handed approach to political issues as well as economic issues has much to be said for it.

So, I remember answering a question from an Honourable lady on these matters on one occasion when she was crusading for the truth, and sometimes we all know what the truth is, but we all know that there is quite a lot to be said for not expressing it.

主席：陸恭蕙議員。

MISS CHRISTINE LOH: *Mr President, I do not think I will pursue that question today. I would also like to thank the Governor for what he has done for Hong Kong and to wish him very well when he leaves Hong Kong. I would just like to thank him specifically for helping to make the Hong Kong Government more open, and one of what he has done is to come before this*

Council once a month for an hour to answer questions and I hope his predecessor will continue to do so.

The Governor earlier on gave a long list of successor, I am sorry I hope your successor will continue to do so — the Governor gave a long list, Mr President, of all the achievements of Hong Kong during his governorship. One of the issues that I am interested in his comment is, at the same time, that the disparity of wealth in Hong Kong has widened. I wonder whether the Governor acknowledges this and what he thinks can be done?

Secondly, the Governor, I think, championed the issue of the old age pension scheme. I wonder whether he thinks that Hong Kong was not properly prepared for that debate which was why it failed, and it is of course something which Hong Kong needs to come back to for a more comprehensive discussion in the future.

GOVERNOR: I was thinking when the Honourable lady was speaking that for my predecessor to come back and answer questions might require a renegotiation of the lease!

First of all, on income or wealth disparities. I confess straight away that though my existing and previous private secretaries have attempted to explain to me the Gini co-efficient, I still have not got the faintest idea what it is or how efficient it is, let alone how co-efficient it is. *(Laughter)*

PRESIDENT: The genie out of the bottle!

GOVERNOR: I do think that most of the figures that are produced and have been produced in recent years have underestimated the impact on the poor and the disadvantaged of increased public spending. Nevertheless, given what has happened to asset values in the last five years, given what has happened to the Hang Seng Index and given what has happened to property prices, inevitably those with properties have done very well, and even an increase in net disposable income for the lower paid may not have helped to bridge the gap between them.

I just want to make two points, one of which is philosophical and one of

which is political. I do not think that governments do terribly well when they concentrate on trying to reduce income differentials and wealth differentials. I think that sort of social engineering is less successful than trying to increase the amount of wealth which is available for everyone, which is by and large the approach that we have taken in Hong Kong.

But, but differentials can become so substantial that they create political problems and social turbulence. The fact that we have managed to avoid that in Hong Kong, unlike other Asian communities, suggests perhaps that we have not got things much too wrong. But when people start talking about issues like unemployment, labour importation, health and safety at work, when they start talking about issues like Comprehensive Social Security Assistance payments, when they start talking about issues like provision for the disabled and those at the bottom of the heap socially, when they start talking about those things as though any of that represented some awful lurch into socialism, then they make me worried.

A successful community like this should be concerned about ensuring that the disadvantaged, the disabled, the lower paid, have a fair crack of the whip, have a fair go in our society. And if part of the step backwards in democratization, if part of that process is to forget about those who have the least in society, then it will be very bad for Hong Kong's social stability.

Let me just say one thing about the old age pension. The Secretary for the Civil Service, as he then was not, and the Governor of Hong Kong, but particularly the Secretary for the Civil Service in his then job at employment, labour, affairs, did I think quite a good job in trying to explain to people why our then old age pension scheme was a cracker, why it was a very good bargain for Hong Kong, why it could be afforded prudently, and I am afraid that the Legislative Council and the community as a whole did not seem to agree with us. Well, the community did but the Legislative Council did not. I think that is more or less how it turned out.

We thought that what we were proposing was prudent. We thought that it was affordable and we thought that it would make a decent and immediate effect on the standards of living of the elderly, and particularly the elderly poor. Now, there were some in the Council who argued for a level of old age pension which we thought would have been imprudent. There were others who regarded what

we proposed as being an appalling example of welfare socialism.

So, we are now committed to a different course, and I hope, to the successful implementation of a mandatory and private scheme. It has some disadvantages in comparison with the old age pension which we suggested, namely, that it does not address the problem of the needs of the elderly in the here and now and those will continue to pose a challenge to the Administration. We have addressed them with the provision of more benefit and the provision of more services, but it may be that in due course the community will think that as well as having a mandatory scheme it will have to re-visit the question of some basic pension. I do not know. But that will be an issue for my successor, and I hope that if and when he tackles it, there is a little more unanimity on one side of the argument or on the other. A little more unanimity than was the case when Mr LAM and I were arguing about these things.

PRESIDENT: Dr LEONG Che-hung has the last question, and Mr Governor, you have the last word.

DR LEONG CHE-HUNG: *Mr President, as this is the last time the Governor will grace this Council and this is the last session of his very much sought-after Question and Answer Session, I would like, with your permission, to say a few words on behalf of the House, and I am sure I will not meet any objection from my friend, Mr James TO.*

Mr Governor, there has been a lot of controversy in this Council politically and otherwise between yourself, the Administration and Members of this Council, and even amongst Members of this Council. To most of us, this is a healthy move and I think this is what pluralism is all about.

But be that as it may, we are all here to serve Hong Kong and its people. Whether or not you have done a good job is obviously a matter of opinion and no doubt history will make its decision. But there is no doubt in my mind that you have done what you think is the best for Hong Kong. As George ORWELL has said, you can never please everybody all the time.

Mr President, as a good Chinese and I think most of us in this Council are, I would like to repeat the words of a very senior Member, Mr Allen LEE, in extending to you on behalf of this Council best wishes and bon voyage to yourself,

Mrs PATTEN and your family. Of course, that includes Whisky and Soda!

Mr President, it has been said that parting is such a great sorrow, and perhaps I would like to end with a happy note by asking two questions. The first one is that, what are your most happy moments in Hong Kong other than being over-indulged on F and B? And secondly, what would you have done if you had been the Prime Minister in the last five years? Obviously, you can say this is, for the time being, a hypothetical question. Thank you.

PRESIDENT: I think the astrologers put it at two years.

GOVERNOR: First of all, can I apologize that I have not had the opportunity of answering a question from the Honourable Member, Mr TO, but if I ever find myself in a legislature again answering questions, and that is for one reason or another, I guess, debatable, I hope the Honourable Member will be there as well and will be able to ask me one of his usually searching questions.

Let me add one point about the generous remarks which the Honourable gentleman made. When I hear debates in this Chamber, or when I read arguments and about controversies in the press of Hong Kong, my overwhelming reaction is that pluralism in Hong Kong, whatever the short-term problems and arguments may be, will be around long after authoritarianism has been forgotten about.

When I hear debate about Asian values suggesting somehow that people in Hong Kong and elsewhere in Asia are not interested in the values of a pluralist society, I just look at what happens in Hong Kong day by day by day. We have had arguments about democratic development and civil liberties in Hong Kong and I am sorry about that, and those arguments in a way go right back to the late 1970s. But I have got absolutely no doubt at all that in 10, 15, 20 years' time, this will be a more democratic society and that it will be a free society. And that is what I say to every journalist from every newspaper who comes to see me. That is what I believe passionately, and if I did not believe that I might as well jump out of the window. Hong Kong's future is going to be determined by the people of Hong Kong, and those who believe in freedom and those who believe in democracy are in my judgment on the winning side.

What would I have done if I had been Prime Minister in the United Kingdom for the last five years? I think as things have turned out, I would have appointed myself Governor of Hong Kong! (*Laughter*)

ADJOURNMENT AND NEXT SITTING

休會及下次會議

主席：按照《會議常規》，本席現宣布本局休會，並宣布本局於一九九七年六月二十三日星期一上午 9 時正續會。

Adjourned accordingly at fifteen minutes to One o'clock.

會議遂於下午 12 時 45 分休會。