

OFFICIAL RECORD OF PROCEEDINGS

Thursday, 17 October 1996

The Council met at half-past Two o'clock

MEMBERS PRESENT

THE PRESIDENT

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

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

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

THE HONOURABLE MARTIN LEE CHU-MING, Q.C., J.P.

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

THE HONOURABLE SZETO WAH

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

THE HONOURABLE RONALD JOSEPH ARCULLI, O.B.E., J.P.

THE HONOURABLE MRS MIRIAM LAU KIN-YEE, O.B.E., J.P.

DR THE HONOURABLE EDWARD LEONG CHE-HUNG, O.B.E., J.P.

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHIM PUI-CHUNG

THE HONOURABLE FREDERICK FUNG KIN-KEE

THE HONOURABLE MICHAEL HO MUN-KA

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

THE HONOURABLE EMILY LAU WAI-HING

THE HONOURABLE LEE WING-TAT

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

THE HONOURABLE FRED LI WAH-MING

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

THE HONOURABLE JAMES TO KUN-SUN

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

DR THE HONOURABLE YEUNG SUM

THE HONOURABLE HOWARD YOUNG, J.P.

THE HONOURABLE ZACHARY WONG WAI-YIN

THE HONOURABLE CHRISTINE LOH KUNG-WAI

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

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE CHAN KAM-LAM

THE HONOURABLE CHAN WING-CHAN

THE HONOURABLE CHAN YUEN-HAN

THE HONOURABLE ANDREW CHENG KAR-FOO

THE HONOURABLE PAUL CHENG MING-FUN

THE HONOURABLE CHENG YIU-TONG

DR THE HONOURABLE ANTHONY CHEUNG BING-LEUNG

THE HONOURABLE CHEUNG HON-CHUNG

THE HONOURABLE CHOY KAN-PUI, J.P.

THE HONOURABLE DAVID CHU YU-LIN

THE HONOURABLE ALBERT HO CHUN-YAN

THE HONOURABLE IP KWOK-HIM

THE HONOURABLE LAU CHIN-SHEK

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

DR THE HONOURABLE LAW CHEUNG-KWOK

THE HONOURABLE LAW CHI-KWONG

THE HONOURABLE LEE KAI-MING

THE HONOURABLE LEUNG YIU-CHUNG

THE HONOURABLE BRUCE LIU SING-LEE

THE HONOURABLE LO SUK-CHING

THE HONOURABLE MOK YING-FAN

THE HONOURABLE MARGARET NG

THE HONOURABLE NGAN KAM-CHUEN

THE HONOURABLE SIN CHUNG-KAI

THE HONOURABLE TSANG KIN-SHING

DR THE HONOURABLE JOHN TSE WING-LING

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

THE HONOURABLE LAWRENCE YUM SIN-LING

MEMBERS ABSENT

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

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

DR THE HONOURABLE PHILIP WONG YU-HONG

PUBLIC OFFICERS ATTENDING

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

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

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

CLERKS IN ATTENDANCE

MR RICKY FUNG CHOI-CHEUNG, SECRETARY GENERAL

MR LAW KAM-SANG, DEPUTY SECRETARY GENERAL
MISS PAULINE NG MAN-WAH, ASSISTANT SECRETARY GENERAL

MR RAY CHAN YUM-MOU, ASSISTANT SECRETARY GENERAL

MEMBERS' MOTION**MOTION OF THANKS****Continuation of debate on motion which was moved on 16 October 1996**

PRESIDENT (in Cantonese): This Council is now resumed. We shall continue with the debate on the Motion of Thanks moved by Dr the Honourable LEONG Che-hung. Are there any Members who wish to speak on the motion but have not spoken yet? Mrs Selina CHOW.

MRS SELINA CHOW (in Cantonese): Mr President, the most brilliant achievement of the Governor, Chris PATTEN, over the past few years has undoubtedly been the fact that he has ushered in a political culture characterized by his "personal domination". His gimmick of reaching out for the masses and his attempts to tackle his political opponents with sharp eloquence are all of great magnificence. He has not only outshone past Governors, but has also dwarfed incumbent Members and posed challenges to the Chief Executive (CE) of the future Special Administrative Region (SAR). Do we not see that those who intend to become CE candidates have been busily conducting visits in order to satisfy the expectations inspired by Governor Chris PATTEN?

A shrewd politician of course knows what to avoid and what to emphasize, and he will thus claim as much credit as possible while trying hard to skip any mention of his errors. So, it is small wonder that if we read the policy address and progress report, we will discover numerous praises and expressions of self-boasting. People may ask out of curiosity: What has the Governor, Chris PATTEN, actually done which made him think that he deserved such a big credit? The progress report of his policy address, in particular, is nothing but a running commendation of the Governor's brilliant achievements over the past four years. Figures are all quoted for the sole purpose of testifying to the achievements concerned, and unattained targets are naturally given no mention as a result. What is more, there is absolutely no mention of whether or not these admirable figures can actually represent any qualitative improvement, nor is it mentioned whether the expectations of the Hong Kong people can thus be satisfied.

An initial glance at the high score of 93 marks which the Governor gave himself for the progress of his work will indeed make us think that the Governor really deserves our heartfelt thanks. However, upon in-depth analysis, we will notice that such a score does not represent a fair assessment because it is just a score for some highly selective items of work. We will also notice that our long-term development is under serious threats due to the Governor's "failures" in the three core subjects of "Chinese", "English" and "Arithmetic". Failure in "Chinese" means his lack of success in handling Sino-Hong Kong relationships. I believe that I need not dwell on this as it is already a universally recognized fact in Hong Kong. Failure in "English" means his utter failure in fighting for Hong Kong's interests over some issues for which Britain has a responsibility, such as the right of abode in Britain and the final settlement of the problem of Vietnamese migrants stranded in Hong Kong. Failure in "Arithmetic" means his disregard for the reality of our current economic downturn. He has stubbornly refused to take the advice of the industrial and commercial sector and has taken the lead in pushing up operating costs by repeatedly "bleeding" business-operators, big or small, for their money under the principles of "user pays" and "costs recovery".

Governor Chris PATTEN has achieved absolutely nothing in the three major policy areas mentioned just now, and he is even personally responsible for stirring up mutual suspicion between China and Hong Kong, thus plunging our future into uncertainty. Should we still thank him?

Looking at the macro-political level of governing Hong Kong:

Should we thank him for announcing such a political manifesto which adds background music to the improving Sino-British relationships again?

Should we thank him for taking Hong Kong onto the path of politicization, of dissimulation, and thus of increased internal conflicts and antagonism? Or, should we thank Governor Chris PATTEN for personally enlightening the Hong Kong people on how sophisticated political intrigues can be, thereby enhancing our political wisdom?

Should we thank him for putting 40 hypothetical questions in the policy address which serve to tell the whole world, and to threaten the Hong Kong people, that Hong Kong would surely turn into a "mess" after his departure?

On economic and social issues:

Should we thank him because he has not only refused to take the advice of the industrial and commercial sector on improving our economy, but has also attacked Hong Kong businessmen with eloquent criticisms before the international community? And, while congratulating him on the success of the Governor's Business Council under his leadership, should we also call upon him to report to this Council on the achievements of this little-known Business Council? Or, should we thank him and cheer him for his success in creating a false impression that the interests of the industrial and commercial sector and those of the masses are mutually exclusive?

Should we thank him because he is unable to retain the two-thirds of Force Directorate officers who may leave before 1997 and because he has turned a blind eye to the possible crisis of an experienced management vacuum in the Police Force? Should we also thank him because he has refused to strengthen the establishment of the Police Force as recommended in the police manpower review report, thus causing us to worry about a deterioration in law and order and an increase in triad threats?

Should we thank him for not mentioning anything about how the problem of Vietnamese migrants stranded in Hong Kong can be completely solved in the coming nine months? Should we also thank him for making us forget this obligation which Britain must discharge before the handover of sovereignty?

The political, economic and social issues mentioned just now are one thing. What about livelihood issues, regarding which Governor Chris PATTEN often thinks that he deserves to be proud of? Does he deserve our thanks in this respect?

Should we thank him for his failure to satisfy the housing demand of the grassroots? And, should we thank him for his failure to attain the scheduled target of home ownership?

Should we thank him for his lack of orientations and policy directions concerning our mass transit system? Should we also thank him for ignoring the fact that the long-term planning of our mass transit system should tie in with that of south China, thus depriving Hong Kong of the time and opportunities to partake in the greater development of south China at the quickest possible moment, hence reducing Hong Kong's competitive edge?

Should we thank him for his errors in the public medical services policy, which have led to the overloading of government accident and emergency departments and out-patient services and have prolonged the waiting time of patients?

Should we thank him for his failure to tackle the imbalance between supply and demand in our labour market, thus leading to numerous job vacancies on the one hand and mass unemployment on the other, much to the grievances of employers and employees alike?

Should we thank him for refusing to accept the social consensus on increasing the standard allowance of elderly CCSA recipients, thus plunging thousands of old people in the lower strata of society into the misery of having to lead a life of half starvation?

Mr President, in retrospect, Governor Chris PATTEN's "nattiest" tactic in the past few years was his attempt to put before the people of Hong Kong some highly appealing but impracticable ideas. Such ideas have led the people to believe that some innovative policies which could meet or even exceed their expectations would be implemented. The introduction of a specific tax to meet payments from the Old Age Pension Scheme was one example, and the implementation of his 1992 constitutional reform package in unilateral defiance of the seven diplomatic exchanges between China and Britain was another. At the end of the day, when these fancifully wrapped ideas failed to materialize, it was only natural that members of the public became more disappointed than ever before. But then, every time, Governor Chris PATTEN could artfully shift the responsibility to others. When the Old Age Pension Scheme fell through, he put the blame on the Legislative Council and the people who opposed it. When a political through-train became impossible following the implementation of his constitutional reform package, he said that this was due to the obstacles erected by the Chinese side. How can we help marvelling at his super-technique of shifting responsibility? That said, it is the people in Hong Kong who have to bear and the consequences, should we still thank him?

Mr President, I believe that the long-term well-being of Hong Kong is no longer the concern of the Governor. So, the recently announced policy address should instead be looked upon as a prelude of his plan to make a go at the international political arena in the future.

His policy address sets out a work programme of 10 key ingredients for the CE of the future SAR. Following his example and using him as a negative model, I would like to set out ten "do nots" for the CE:

- do not handle Sino-Hong Kong relationships with an antagonistic mentality; always remain modest but firm;
- do not behave autocratically and let personal opinions override the interests of Hong Kong as a whole;
- do not dissimulate the people of Hong Kong or impair the sentiment that all are in the same boat;
- do not force civil servants to become political and to shoulder political responsibilities; always maintain their required neutrality and efficiency;
- do not yield to the temptation of "stepping out of line" and stir up a world of troubles with demagoguery;
- do not just aim at putting up "political shows" and ignore the work that addresses the practical needs of society;
- do not just implement short-term policies for the sole purpose of pleasing the people and give up long term plans that are beneficial;
- do not disregard the significance of economic issues and the developments of industries and commerce on the excuse of positive non-intervention;
- do not drastically increase government fees and charges just for the sake of increasing the reserves, while not knowing how to put the money into good uses;
- do not make empty promises because the bigger the hope, the greater will be the disappointment.

Mr President, with these remarks, I oppose the motion.

MR CHEUNG MAN-KWONG (in Cantonese): Mr President, what we are debating today is the last policy address under British rule, prepared by Governor Chris PATTEN. Strictly speaking, this is a policy address which has set forth no policy directions, and has thus made it difficult for people to pass any specific comments on it. For that reason, in response to this policy address, I have chosen to make some concluding remarks from the historical point of view. Hong Kong was ceded to Britain one and a half centuries ago as a result of the Opium War. This was not a glorious piece of history. I once raised a point with the Hong Kong Government that Mr Chris PATTEN, being the representative of the British Government in Hong Kong, should really apologize for this shameful event in history as a show of Britain's sincerity in retreating from Hong Kong. However, Mr Chris PATTEN has not done so, and in his policy address, he simply describes Britain's aggression as one of the many activities undertaken by the western powers in China in the 19th Century. This is obviously an attempt to sidestep the important issue, an attempt which displays a lack of courage to face history properly and to shoulder the responsibility for the historical errors committed. To the Chinese people, this cannot be regarded as a glorious retreat.

The part of history which Mr Chris PATTEN wants to face properly is the entire period of 50 years starting from the end of World War II, the very historical period during which Hong Kong moved from post-war ruins to prosperity. During this period, this city of ours moved from poverty to affluence, from backwardness to modernity and from autocratic rule to enlightened government. And, on this very foundation, we have embarked on our journey along the path leading to the milestones of liberty, human rights and the rule of law. We must admit that when assessed from historical perspectives, this period of 50 years is no doubt a period of success. In the course of it, Hong Kong has become a haven where the Chinese people recovered from the sufferings inflicted upon them and established their careers and families. The Chinese people's sufferings seemed to have met with some relief in this borrowed place and borrowed time. Today, on the eve of Hong Kong's return to Chinese rule, and while we are set to reunite with our mother after a separation of one and a half centuries, we are indeed bringing with us some unique achievements, which, in Mr Chris PATTEN's words, include our market economy, the rule of law and civilized social institutions and aspirations.

Today, when we look back at our past, we would be filled with a sense of glory and pride for Hong Kong's achievements. Such achievements have been made possible by the toil and sweat of many of our ancestors and all those from different places who have struggled for Hong Kong in good faith. However, as far as the future is concerned, where exactly is Hong Kong heading for? Whether or not Hong Kong can enjoy another 50 years of prosperity and progress is an uncertainty which cannot be removed from the minds of the people in Hong Kong, for we are indeed facing a major historical change, namely a reunion with China under the concepts of "one country, two systems", "a high degree of autonomy" and "Hong Kong people ruling Hong Kong". Such a reunion is an unprecedented experiment such that it is to be conducted jointly by the 6 million people in Hong Kong and the 1.2 billion people in China. The success or otherwise of this experiment will affect the future and fate of Hong Kong. For that reason, all the Hong Kong people are extremely wary, as if they are skiing on thin ice.

Regarding democracy, liberty, human rights and the rule of law, which are the four pillars constituting the history of civilization, the only one absent in Hong Kong is democracy. Mr Chris PATTEN says in the policy address that his inability to establish a democratic electoral system in Hong Kong is the greatest regret in his job as the Governor. Indeed, this is a grave error within the term of office of Mr Chris PATTEN, but throughout the history of the colony of Hong Kong, Britain has never made any attempts to introduce full-scale democracy in Hong Kong. From the standpoint of Britain, this is something very natural because granting democracy to a colony will be the same as giving its people the ammunition and opportunity to stage resistance. It was not until the eve of Sino-British negotiations that Hong Kong started to slowly develop its system of representative government, and following the conclusion of such negotiations, democracy in Hong Kong has to develop amidst difficulties while being caught inside the gap between China and Britain. Sometimes, it even faces the joint suppression of the Chinese and British Governments, as evidenced by the seven secret letters exchanged between the Foreign Secretary of Britain and the Foreign Minister of China. Therefore, when Mr Chris PATTEN referred to the regret concerned, he was either having a bad memory of history or simply shedding crocodile tears because it was not only the Chinese Government which has suppressed democracy in Hong Kong, but the British Government has done so as well. The people of Hong Kong have created unprecedented economic prosperity, but, politically speaking, they are unable to master their own fate. This is a source of sadness for the people of Hong Kong, and is also a worry which will loom over them in the coming 50 years.

In his policy address, Mr Chris PATTEN puts forward 16 benchmarks for both Hong Kong and the world. Actually, these 16 benchmarks can be summarized into three major points: autonomy of government without any external manipulation; freedom of expression without any suppression; and, self-rule for Hong Kong without any intervention. Autonomy, freedom and self-rule will be the bridge through which Hong Kong will advance into benchmarks laid internationally. But, how can Hong Kong achieve autonomy, freedom and self-rule? I think that the only answer is a system of democracy firmly rooted among the people of Hong Kong. According to Mr Chris PATTEN, his anxiety is not that Hong Kong's autonomy would be usurped by Beijing, but that it could be given away bit by bit by some people in Hong Kong who want to invite Chinese interference in local affairs to protect their personal interests. The point is that if we have an elected legislature, one which is not submissive to whatever China says, then we will be able to enjoy more autonomy and freedom in the realization of "a high degree of autonomy for the people of Hong Kong". That way, we need not fear any surreptitious reports from the dark corners. That way, we need not fear the meddling hand of China which seeks to violate the Basic Law. Public opinions, and public opinions alone, are the only resort and bulwark enabling us to resist the unreasonable intervention of China.

Mr Chris PATTEN is well aware of the power of democracy and public opinions. However, in the face of pressure from China, he is far from being a brave man who "would rather be ashes than dust". He has said explicitly that while the setting up of a provisional legislature is itself a bad idea, the idea that the provisional legislature and the Legislative Council can operate simultaneously is even worse. However, in response to this worse idea, Mr Chris PATTEN has just managed to lash out verbal criticisms instead of launching powerful counter-offensives or taking legal steps to ban the setting up of the provisional legislature. This is nothing but a kind of pretense marked by lip-service. The bible tells of the story of a Roman viceroy named Pontius PILATE who washed his hands before a gathering crowd in order to disclaim responsibility for the crucifixion of Jesus Christ. The present attempt made by Mr Chris PATTEN in the policy address to delimit himself from the provisional legislature is no different from the act of PILATE in terms of hypocrisy. At the end of the day, democracy will still be crucified by dictatorship.

At the end of the policy address, Mr Chris PATTEN mentions one comfort which Hong Kong accords him. He refers to the qualities, beliefs and ideals of the Hong Kong people, which he compares to ashes and spark that burn out in a brilliant blaze and to a superb meteor in magnificent glow. Such an analogy is, to me, reminiscent of a tragic hero. However, wrought in the course of history, the beliefs and ideals of the Hong Kong people will certainly straddle 1997 and open up a grand new era. The short-lived magnificent glow and heroic sacrifices in the wake of burning out a brilliant blaze are certainly not what such beliefs and ideals have sought. For that reason, the vision of the Hong Kong people should stretch beyond 1997, stretch beyond the confines of their own land to reach China. From a long-term perspective, the existence of "two systems under one country" will just be an intermediary stop along the historical road of reunion and transition. In the coming 50 years or even in the more distant future, China and Hong Kong will not be separated by two different systems forever. Instead, through the co-existence, co-prosperity, benevolent interaction and peaceful competition created by the existence of two systems under one country, China together with Hong Kong will bring about a new era for the Chinese people, in which China will be united under a far better system.

Regrettably, even the Chinese Foreign Minister Mr QIAN Qichen holds the myopic historical perspective of segregating Hong Kong and China forever under the concept of two systems. Mr QIAN Qichen said that after 1997, Hong Kong should not hold any political activities similar to the June Fourth mournings which interfere with Chinese affairs. Let us not, for the time being, argue about whether or not the law and the way of life of Hong Kong after 1997 can allow for peace mourning assemblies. What is more important is that the people of Hong Kong are also Chinese people, and as such, they have the right to care about the affairs of their own country, and to voice their opinions about various issues such as the June Fourth incident, the flooding in eastern China, the defence of Diaoyutai and the unification of China. The Chinese Government is now suffering from a kind of June Fourth phobia, but should it then regard all peaceful expression of opinions by the Hong Kong people as intervention in Chinese affairs, even when such activities are good for the country, its people, its democratic development, its affluence and power, and its unification? Is it true that the people of Hong Kong can only abide by the wishes of China in talking more about national unification, less about Diaoyutai and nothing about the June Fourth incident? This is nothing but an "escapist" approach which serves only to alienate the people of Hong Kong from it. This is not conducive to national

unification and is highly undesirable.

What is more, when asked whether the people of Hong Kong would be imprisoned because of their participation in June Fourth mourning assemblies, Mr QIAN Qichen said, "There is no question of this because there are too many people who take part in June Fourth mournings, and no prison is big enough for them." The point is that while saying that those Hong Kong people who participate in June Fourth mournings would not be imprisoned due to inadequate prison capacity, Mr QIAN Qichen has also erected an even bigger spiritual prison for the people of Hong Kong. This means to say that in Hong Kong, where freedom of expression and assembly have hitherto been allowed, he has delineated an ideological prohibition zone for those people in Hong Kong who want to show their concern for their country by taking part in June Fourth mournings. Such an action has substantiated Mr QIAN has given justification to Mr Chris PATTEN's worry. Hong Kong will be "stifled in dry lot" in the course of history, and Hong Kong after reunion could no longer be a bright pearl which ornaments the gigantic dragon in magnificent glow in the course of time.

Today, we have approached the eve of reunion. While we will bid farewell, silently and without any regrets, to the colonial regime that has been governing us for one and a half centuries, we will face our reunion with the motherland in a mood mixed with apprehension and delight. The heart of each and every Chinese person in Hong Kong is beating to the pulse of history, for we are making history. We are well aware of the value of democracy, but before a China with 1.2 billion people, a China with a long record of totalitarian rule, democracy in Hong Kong appears extremely flimsy, neither can it resist communism nor act as a barrier that interlay two systems, and yet democracy is our only resort. In order that the Hong Kong people's desire for democracy can become the common aspiration of all Chinese people, we must cease regarding two systems under one country as our ultimate and final pursuit. Instead, we must strive to bring about a democratic, affluent and powerful China as our ideal. It is of course a good thing for Hong Kong to remain unchanged for 50 years, but it will be a far more better thing if the progress made by Hong Kong in these 50 years can spur China on to the path of advancement. Only then will we be able to write moving chapters for the history of China. Only then will all our fellow countrymen be able to rise in cheers.

Mr President, these are my remarks.

DR SAMUEL WONG (in Cantonese): Mr President, Great Britain has occupied and ruled Hong Kong for some 150 years. Over the past two weeks following the delivery of the last policy address under British rule, as many as 30 to 40 commentaries have appeared in various local newspapers. Of them, a more readable one which is worth to be kept as a clipping is a commentary written by "AI Faan", as published in the Hong Kong Economic Journal on 8 October (Page 22, Financial and Economic News Section). But, of course, the short postscript between AI Faan and our President, Mr Andrew WONG is not to be included. To the 30 to 40 young Members of this Council, I recommend that they should buy a copy of *The Walled City and Sino-British Diplomacy* written by Dr LEUNG Ping-wa, a teacher at Royal Hong Kong Jockey Club Ti Yi College, and read it when they have time. I believe that this book can help them comment on the historical views made in this policy address.

In the spring of 1983, during his stopover in Singapore, the late Mr R C LEE, then concurrently member both of the Legislative and Executive Councils, disclosed that a few months before that, Mr LIAO Chengzhi, a Chinese Communist Party patriarch, had mentioned to him a simple way for handling the return of the sovereignty over Hong Kong. According to Mr LEE, Mr LIAO said, "Just pull down the Union Jack flying over the buildings of the Hong Kong Government and hoist our Five-Star Flag. Then, ask the British Governor to leave, and replace him with a person with yellow complexion, dark eyes and black hair. We can call this person a Mayor, a Chief Executive, or even a Governor." This would be the so-called "Hong Kong people ruling Hong Kong". I really hope that the handover of sovereignty at midnight on 30 June 1997 will be as simple and as uneventful as this, so that the hardworking population of Hong Kong will be able to continue to work hard, to live on, and to pursue their ideals in life. The turbulent days within the past 10 years or so of transition have really worn out the people of Hong Kong. The time we have wasted is money lost. Just look at Martin LEE the barrister, Mariam LAU the solicitor, LEONG Che-hung the medical doctor and Eric LI the accountant. Just imagine how much of their valuable youth has been lost in this Council Chamber!

So much for this digression. Let me now come back to my areas of interest, and comment on the policy address on the three major subjects of education and vocational training, railway development and transport infrastructures, and planning, environment and land.

Education and Vocational Training

The Government is making strenuous efforts to upgrade the quality of education, and emphasis is being laid on the knowledge and skills, such as language ability, civic education and a literacy in modern technology, which our young people should possess in order to meet the ever-changing needs of industries and commerce. This direction is certainly correct. However, I still hope that the government departments concerned will also pay serious attention to the need for moral training for young people, wider propagation of environmental education, encouragement of further studies by working adults and promotion of a more positive learning attitude in tertiary institutions.

I welcome the Government's re-organization of the Vocational Training Council, as this can ensure that our vocational training can keep abreast of the ever-changing needs of our economy. I also appreciate the expansion of the New Technology Training Scheme to cover more types of skills and levels of attainment because this will surely provide more opportunities for working adults to receive training of skills at high level.

Railway Development and Transport Infrastructures

Over the past six months or so, the controversies over the Western Corridor Railway Project (WCR) have greatly affected the summer work schedule of quite a number of my colleagues in this Council. The gross oversights of the Government when proceeding with the work of initial planning, consultancy studies and supervision in the past two years have deferred a solution to the traffic congestion problem facing the residents of Tuen Mun and Yuen Long for almost two more years. The Government simply cannot be excused. I have just received from the Transport Branch its proposed composition for the body to be set up to co-ordinate and monitor the work of railway development. In particular, this body will oversee the co-ordination work in relation to the three Grade A railway projects proposed in the Railway Development Strategy, namely, the WCR, the MTR Tseung Kwan O Extension and the Ma On Shan-KCR Extension. This body is to be set up under the Transport Branch. In fact, I have proposed the setting up of such a body for at least four times in this Council over the past 20 months. Now, my proposal is finally accepted by the Government. I hope that this body can be set up as soon

as possible and that it can work quickly to implement the WCR Project in a way which would satisfy the requirements of "speed, quality and economy".

In the next financial year, about \$7 billion will be spent on the construction of new roads and maintenance of existing ones. This can be considered acceptable, though not entirely satisfactory. At the same time, I also hope that the Government will pay more attention to road maintenance, for the particular reason that since the number of super-heavy goods vehicles using our main roads is always on the increase, many of our main roads are in urgent need of maintenance.

Apparently the policy address has been reluctant to talk about a Central-Wan Chai bypass. Is that because the Government has already purposefully shelved this project in order to avoid touching upon the related reclamation works? However, it must be pointed out that given the congestion between Central and Wanchai which occurs everyday after work from 5pm to 8pm, the construction of a bypass simply cannot tolerate any further delay.

Planning, Environment and Land

The statistical data of the Census and Statistics Department have revealed huge discrepancies in regard to the projections on the Hong Kong's demographic increase. It is estimated that with the approach of the 21st Century, there will be a shortage of 50 thousand residential flats in Hong Kong. This means that a new race between population growth and land supply will soon emerge. The 1996 Consultative Digest of the Territorial Development Strategy Review released by the Government a few days ago is aimed precisely at tackling the pressure of rapid population expansion in the future. This Consultative Digest reviews the issue of how an adequate supply of land can be made available in the next 15 years to cater for the needs of 8 million people in terms of housing, employment and various other facilities. About 70% to 80% of the land vacated by factories which have been relocated northward over the past decade or so has already been used up. The supply of land in the future thus has to rely in the main on new sources, but, urban renewal will also serve as a minor supplement. In this way, it is hoped that a balance between supply and demand can be struck. Reclamation would have been the best way to increase land supply if not because of the criticisms and opposition of some environmentalists. In particular, these environmentalists are most opposed to the reclamation projects inside the Victoria Harbour. As a result, the Government no longer dares to mention anything about those reclamation projects which cover Central, Wan Chai,

Causeway Bay, the area west of Canton Road in Kowloon, and even Kowloon Bay and Green Island west of Hong Kong Island. To obtain land by levelling hills is also not a workable solution because this will only leave behind more precipitous hillslopes, thereby significantly increasing the possible risk of landslide.

So, since our land is scarce while our population is great, it will not be easy at all to open up new sources of land supply! No doubt, the considerable number of property development projects as superstructures above the stations of the airport rail link will provide a slight relief to our acute shortage of land supply. But then, the Government has deliberately neglected two reclamation projects along the Lantau line of the airport rail link. These two projects, once mentioned but now entirely neglected, are for the construction of two new towns — Tai Ho Wan and Yam O. So, upon the inauguration of the airport rail link in 1998, we will notice a highly ridiculous situation — two of its stations will be serving no passengers, and there are simply no residents living around! In contrast, in the case of the \$ 100 billion WCR Project, the Government has already worked out how to accommodate 400 thousand to 500 thousand people in northwestern areas such as Kam Tin and Yuen Long. Why is there such a disparity in treatment? I believe that if we are to solve the shortage of land supply in the short-run, besides targeting at the military sites reclaimed and reconsidering and altering the planned uses of some restricted zones along the border, we should seriously consider whether there is still any need to retain the huge quantity of relatively cheap land slots in the New Territories which are currently designated for agricultural uses. We should also consider whether or not the New Territories should continue to play the role of supplying the small portion of agricultural produce which Hong Kong needs. If the answers are negative, then the planning of land use for all the agricultural lands in the whole of the New Territories will need to be revised so as to see whether such lands can be used for developing medium- or low-density residential units.

For environmental protection, as indicated by the review report of the Environmental Protection Department, no doubt there have been some achievements in improving air quality on the whole and water quality in some cases. Unfortunately, there are still many examples of failures in other aspects, such as the disposal of livestock wastes, reclamation of chemical and industrial wastes, levies on construction wastes and countless others. I hope that the new head of the Department will introduce a new approach and a new style which can bring forth further achievements in the near future.

Mr President, I so submit.

MR LEE WING-TAT (in Cantonese): Mr President, as reported by the media yesterday, when the Vice Premier of China Mr QIAN Qichen spoke to the press earlier on, he stated the need to ban June Fourth mourning assemblies in Hong Kong after 1997 and warned the press not to assail Chinese leaders. Such remarks have not only infringed the relevant provisions in the Joint Declaration and the Basic Law which give freedom of assembly and of the press to Hong Kong after 1997, but they have also served to indicate that the Chinese Government wants to further suppress political activities and freedom of speech in Hong Kong. Now that even these rights which are guaranteed under the Joint Declaration and the Basic Law have been trampled on so blatantly by a state leader, how can the people of Hong Kong still have any confidence in the implementation of these two documents?

The leadership has already given a clear signal that it wants to suppress the rights of the Hong Kong people. At such a time, all those who owe their political positions to their attachment to the Communists, including National People's Congress (NPC) Deputies, Chinese People's Political Consultative Conference (CPPCC) Deputies, Hong Kong Affairs Advisers and Preparatory Committee (PC) members, could either choose to remain absolutely silent or to argue against their conscience for the case of their "northern overlord".

The remarks given by Mr QIAN Qichen at such a point of time can actually serve to convince the people of Hong Kong that they should totally give up two dreams. The first dream is that the Communist Party will be able to perfect itself when China becomes rich and strong. However, China's process of reform and opening up has been going on for nearly 20 years since its start in 1978. Let us just look at how the Communists have been treating powerless intellectuals like WEI Jingsheng, LIU Xiaobo, WANG Dan and WANG Xizhe! The Communist Party, with a total membership of 40 million and the backing of an army of several millions, is simply unable tolerate any voice of dissent. This is even worse than the acts of inquisition on the literacy in the feudal days of China.

The second dream is that those people whose views can be tolerated by the Communists may stand up for the interests of Hong Kong. However, in the case of the present issue, which involves a major basic principle, those NPC Deputies,

CPPCC Deputies and PC members mentioned just now have all hide inside their protective shells. Who among these people is willing to stand up and refute QIAN Qichen's remarks? The people who have disappointed us most are of course the three prospective Chief Executive candidates — TUNG Chee-hwa, YANG Ti-liang and Peter WOO. These three people have been trying to dodge the issues connected with the freedom of assembly, freedom of speech and freedom of the press in Hong Kong. This only serves to reveal that these three people will not have any opinions of their own concerning some major and significant political matters because they have to follow the decisions of Beijing. These three people are literally the "puppet" manipulated by the Communists.

Furthermore, if we expect the Chief Executive and the provisional legislature to steadfastly safeguard human rights when enacting local laws under Article 23 of the Basic Law, or if we expect them not to castrate the Bill of Rights, we will be hoping for the impossible.

Over the years, have we not witnessed the repeated occurrence of tragic abuses of human rights in China and Hong Kong? A moment ago, the Honourable Mrs Selina CHOW referred to the Governor's sharp eloquence. The point is that however sharp his eloquence is, the Governor will still be dwarfed by the torture and prisons of the Communists. It is my personal belief that instead of asking for human mercy from the totalitarian ruler, we should strengthen our determination, prepare for the worst, unite with the people of Hong Kong and struggle to protect our own rights. In face of QIAN Qichen's intimidating remarks, the people of Hong Kong should react with even greater courage. I will propose to the Hong Kong Alliance in Support of the Patriotic Democratic Movement in China that after 1997, it should continue to take positive actions to organize June Fourth mournings openly and actively, inviting the people of Hong Kong to take part; it should resist the threats of the totalitarian ruler, defend our rights, and implement the Joint Declaration and the Basic Law.

The next time when Chinese leaders tell the world that the concepts of "one country, two systems", "a high degree of autonomy" and "Hong Kong people ruling Hong Kong" will be implemented in Hong Kong after 1997, what they will receive will be the jeering of the whole world. This is because what Hong Kong is implementing step by step is simply an entirely different system based on "one country, one system", "no degree of autonomy under Communist control" and "Magnates ruling Hong Kong".

Mr President, when there is still a small degree of freedom in Hong Kong, we should voice our opinions loudly, endorse what is right and condemn what is wrong. To WEI Jinsheng, who is now in prison, to LIU Xiaobo, who is now sentenced to reform through labour, to WANG Dan, who will face his trial shortly, and to WANG Xizhe, who has fled to the United States, I want to learn from them, and to pay my tribute to them, for they are the conscience of all Chinese people.

Mr President, let me now switch to discuss housing policies.

The Governor stresses in the policy address that the housing policies adopted in the 1960s, the 1970s and the 1980s must be changed in order to provide housing to those in genuine need and to encourage people with the means to purchase their own homes. The Governor also emphasizes that those housing policies which once suited the social needs in the 1960s, the 1970s and the 1980s have now become outdated.

When the Secretary for Housing, Mr Dominic WONG, briefed Members on the 1996 housing policy commitments, he also repeated the emphasis that the Government should allocate public housing resources to those "in genuine need". Recently, the Director of Housing, Mr J.A. MILLER, also proposed to change the allocation principle for those on the General Waiting List from "first come, first served" to "those in need, first served". His aim is to ensure that poor people and those living in poor conditions can be allocated public housing as soon as possible. The fact that these three high-ranking officials have echoed one another on the public housing policy indicates the Government's determination to change its long-standing policy of providing low-cost housing to the majority of our people.

The implication of the Governor's remarks is that the Government wants to change the long-standing practice of providing low-cost public rental housing to the majority of our people, and to change the nature of public rental housing in such a way that only those in abject poverty can qualify. The trend of "privatizing" housing supply and of encouraging home ownership is evidenced

by the "double rent policy" of 1987, the introduction of the "super well-off tenants policy" in 1996 and the allocation of additional resources for the provision of home-purchase loans to public housing tenants. Recently, it has been reported that the Housing Department will require residents affected by clearance to disclose the assets they own, and if their assets exceed the limit permitted, they will not be resettled in public rental housing units. On the other hand, the proposal of "those in need, first served" in effect means that the eligibility for public rental housing will be tightened by the addition of new conditions on top of the income requirement, and these new conditions include assets owned, existing living conditions and the circumstances of individual families. If this proposal is implemented, even though a family is eligible and is included in the General Waiting List, there is still no guarantee that it can be allocated a public housing unit after waiting for several years. Only families in abject poverty get such a guarantee. If that is the case, public rental housing units will be somewhat reserved for the poorest people in the lowest strata of society, and all others in the lower strata of society, including those on the General Waiting List, will be regarded by the Housing Department as "well-off public housing tenants", "better-off tenants", "super well-off tenants" and "well-off waiting families" which should all be advised or even forced to purchase Home Ownership units or private housing flats. The principle of "those in need, first served" is in fact a disguised move of the Government to reduce its commitment with respect to public rental housing.

The high prices of private residential units and Home Ownership flats have reduced the disposable income of mortgagors after mortgage repayments, and have thus lowered their living standard to a level similar to that of Comprehensive Social Security Assistance recipients. If this situation is allowed to continue, I believe that the living standard of these people who are unable to obtain public rental housing will continue to go down without any hope of improvement. Hong Kong is a place with the eighth highest per capita income in the world. However, it is at the same time experiencing an increasingly serious disparity in wealth: the households belonging to the top 20% income bracket are earning over half of Hong Kong's total income, while the percentage for the bottom 20% is just 4.3%. Although the Government is providing low-cost housing to the majority of the Hong Kong people, the people's housing expenses are still increasing steadily. Today, while Hong Kong is so prosperous and affluent, over half of its wealth is owned by just 20% of its population, and while huge property developers own most of Hong Kong's wealth, the rest of the community have to pay high rentals and high mortgage

repayments. With the incomes they earn, the common people can just manage to repay their mortgage loans and meet their basic needs for food and clothings. And, since they also have transportation and other daily expenses to meet, they are in fact rather hard up all the time. "High land prices, high property prices and high rentals" will only benefit property developers at the expense of the Hong Kong people.

Basically, I agree that we can consider the possibility of giving priority assistance to those in "genuine need". However, I object to the practice of providing public rental housing units to those in abject poverty only. I also object to a curtailment of the Government's public housing commitment with the excuse of helping those in "genuine need". Since the current income requirement for public housing eligibility is so harsh, those who are eligible must necessarily be facing immense difficulties with respect to housing and other daily needs. I understand that owing to the shortage of housing resources, it will be impossible to allocate housing units to all applicants on the General Waiting List immediately. That said, the Government must still acknowledge that all waiting households do indeed have the need for assistance. I propose that the Government should provide rental assistance to all those households on the General Waiting List who are not current public housing tenants in order to alleviate their burden.

Many applicants on the General Waiting List have in fact been waiting for seven or even ten years, but are still not allocated any housing units. I even fear that it may not be at all possible to honour the Governor's pledge of constructing 141 000 public rental units between 1994-95 and 2000-2001. As a member of the Housing Authority, I know that if we are to honour this pledge, we will have to construct as many as 90 000 new rental and Home Ownership units during the last year of the target period, that is, in the year 2000-2001. I have consulted many construction professionals and people belonging to the property market trade, who said this is simply a pledge that cannot be honoured. I also consulted the staff of the Housing Department unofficially, and they said that they were under immense pressure. The target of constructing 90 000 new units in 2000-2001 is, I believe, the first of its kind in history, but it will likely become yet another "grand construction scheme" which cannot be materialized.

If this target really cannot be achieved, the families on the General Waiting List will continue to suffer a great deal. On the other hand, since the Governor

promised last year to reduce the average waiting time from seven years to five years, all of us have hoped that once this pledge is honoured, waiting families can be allocated housing units within a shorter period of time. However, it now looks likely that we will be disappointed once again. The Government has recently announced that as a result of erroneous demographic projections, there will be a shortage of 50 000 units during the four-year period from 2001 to 2004. The situation will be worsened by the huge public housing demand imposed by the legal immigrants arriving from China. Assuming an average construction rate of some 20 000 public rental housing units per year, and given an annual increase of 24 000 households on the General Waiting List, the deplorably long waiting time of eight or even 10 years will probably continue to exist. So, the miserable scenes of "a family of eight sleeping in the same bed and 72 households living in the same unit", which were common in the 1950s, will very likely re-emerge.

Mr President, the housing policies of Hong Kong are plagued with problems, and we have been discussing them for some two decades since 1972 when Sir MURRAY, now Lord MURRAY, was the Governor. 24 years has now passed, but we are still discussing them virtually every year, every month, every day and every hour, so to speak. May I ask Mr Chris PATTEN and the future Chief Executive, "When can we stop our discussion?" The emphasis of the Government's current strategy on private sector housing and its permissive attitude toward private property speculation can do no good to the general public. Although some measures were taken in 1994 to curb property speculation, speculative activities started to re-emerge in 1995 and 1996. What is more, since Chris PATTEN assumed office in 1992, private property prices have tripled. Who have been the beneficiaries? Who else, if not property developers.

Mr President, the Governor's last policy address tells us that it wants to change the policy direction of providing the people with suitable and affordable housing accommodation, saying that the provision of public housing to the majority of the people has become "untimely" in the present-day context. However, he has omitted the point that the economic prosperity and social stability which Hong Kong enjoys today should in fact be largely attributable to the policy of providing low-cost public rental housing units over the past 40 years. The Government's policy reversal today will aggravate the "polarization between the rich and the poor" in our community, thus adversely affecting social stability. I hope the Government and the future Chief Executive can think

carefully before they act and implement housing strategies that are in accordance with the interests of the community at large.

Mr President, I so submit.

MRS ELIZABETH WONG: Mr President, debates on the Motion of Thanks often provide a good opportunity for us all to let off steam.

But never before have there been so many speeches, spiked with so many barbs and delivered with so much undiluted pleasure!

So, it is not fashionable these days to praise an outgoing sovereign power. And it takes a great deal of courage for anyone to do so. For the king is dead, long live the king.

But colonies are really bad things for they denied subjects self-determination and self-respect. They knock at the very roots of human rights and human dignity. British colonies, Chinese colonies, any colonies are bad things. However, whatever the fold of the British Colonial Government, it may be regarded as a government which may be respected but not feared, and certainly not feared, judging from the generous lashings of venom in some of the speeches. It is a government which accepts criticism in good measure and in good grace without wreaking vengeance on its critics, and I just hope that under the Chinese sovereign power next year, Honourable Members can still speak with candour and courage against Chinese leadership, with equal freedom and without being punished.

Although the Government is an all-powerful colonial government and as I said before nobody likes a colonial government, it has, more often than not, sought, I think, to tamper its absolute power with checks and balances achieved by the three pillars of the separation of powers: namely, an independent Judiciary, an elected legislature and an executive-led Government.

It is therefore fair, I think, to suggest that however imperfect the Government is that however imperfect the Governor's October address is and, if all the policy address can be accused of anything at all, judging from the

collective and united bashing of the Governor and the Government, the policy address can certainly not be accused of dividing the people of Hong Kong against China!

And whatever the failures of the Hong Kong Government under the colonial British rule, and indeed there are many failures, the Hong Kong Government will still leave behind an excellent legacy of Civil Service and Disciplined Services which serve the community without fear or favour.

Whatever the faults of the Administration, there is still a legacy of the rule of law which, if maintained, will stand Hong Kong in good stead in the years to come.

Hong Kong's success today is attributable to all of the above factors and to a social-economic infrastructure supported by the dedication of the Administration, by contribution from Hong Kong people and by assistance from China hinterland. Without all of these, Hong Kong will not have had the competitive edge over our neighbours.

Surely, all these will provide a sound foundation on which we can build for the future under the Hong Kong Special Administrative Region Government.

Indeed, I think Hong Kong people have much to thank the Government for. To my mind, it is a "good" administration led by Governor PATTEN. I think I shall run the risk of being blended having supported the Government, but it is only fair to say so.

Yet being just "good" is obviously not good enough. It could have been and could be better! And it is in this latter light that I shall abstain from supporting the motion.

In his address, the Governor declared his personal frustration in the fact that Hong Kong's leadership is not universally or popularly elected and thus legitimized, as in most free societies, through "the test of the ballot box" to use his words. Many people share this "frustration" and argue with conviction that it is entirely within the powers of the British Colonial Government to have removed such "frustration" by initiating reforms to make it possible for a system to be put in place to elect our own leadership through democratic and fair election by universal suffrage.

So it is ironic that Governor PATTEN's 1992 reform package, which came frankly a bit too late and a bit too little, was named and blamed for the "demolition of the legislative throughtrain".

So, Hong Kong can never be the same as in the past. Neither does it wish to be.

Just look at the manifestation of a new phenomenon, the emergence of neo-compatriotism, evidenced by calls for the protection of Diao Yu Tai, and you will get the drift of what I mean.

Many people may feel rejected by Britain. Many more may feel disillusioned with the present.

Equally, many people have found within ourselves an inner strength and a new vigour:

- to achieve a smooth and successful transition;
- to defend democracy;
- to promote human rights;
- to uphold the rule of law; and
- to initiate "one-man one-vote" to elect Hong Kong's own leadership.

Hong Kong's success today is built up over time but, believe me, it can be demolished overnight.

At this historical juncture, it is important for us to learn from the mistakes of the past and to get the transition right. Whilst we cannot change history, it is equally important for us not to cry over spilt milk, but to look ahead and to secure for ourselves a bright future under Chinese sovereign rule.

To that end, let us do what is right. Let us do what is just for Hong Kong. Let us do our level best so as to achieve the twin dicta of "one country, two systems" with the high degree of autonomy under a system of full democratic

participation by the people of Hong Kong.

In the final analysis, unless we care, unless we do our best according to our conscience, we will all deserve the Government we get. And we will indeed get what we deserve.

Thank you, Mr President.

MR PAUL CHENG: Mr President, traditionally, as a mark of respect for Hong Kong's Governors, Members of this Council have given their vote of thanks for the policy address.

I would very much like to follow that tradition this year by giving my thanks. However I find it extremely difficult to do so and I consider myself a "moderate". So why is it that someone like me, a moderate, should feel moved to turn tradition on its head?

It is not just my disappointment that the final Hong Kong policy address of a British Governor was more of an attempt to justify the past, than a rallying call for the community to work together for the future. It is not just my frustration that the Governor, rather than trying to help Hong Kong through this historic transition period, felt compelled to have yet another go at splitting the community, and to take a few more pot shots at the provisional legislature and China.

My conversion from "moderate" to, well, "not-so-moderate" is because, quite frankly, I have had enough of the double-talk, the double standards, and the myth that the Governor seems intent on perpetuating for the benefit of the international arena and his home audience that he is Hong Kong's knight in shining armour:

- The man who tried to give Hong Kong democracy;
- The man who tried to save Hong Kong from the "Chinese bullies";

and, not forgetting the latest addition to his list of heroics,

- The man who tried to save Hong Kong from itself — or at least from the mysterious, shadowy group he likes to refer to as "some people".

And then, there is the Governor's patronizing style. This was the fifth in the series of "Patten Lectures", and was the most condescending of all. If the Governor insists on showing his disrespect for the Council by continually talking down to Members, why should we show him respect?

Perhaps the Governor thinks that by treating Members like infants, he will receive the respect we Chinese automatically show to our parents and elders. But I am afraid that does not quite work in this case.

Of course, in terms of political rhetoric and cunning, we are all infants. And the Governor has certainly made this work to his advantage. He is fond of talking about puppets — the Beijing variety. And yet, all the while, he has been orchestrating his own puppet show here in Hong Kong, playing one group off against another in an attempt to justify his actions, particularly his electoral reforms where his star puppets have really come to the fore, especially on the international stage.

However, judging by many of the views that have been expressed in this Council over the past two days, the puppet-master seems to have got a little tangled up in the strings. Not that it really matters now. The objective has been achieved and the Governor will be able to leave Hong Kong with his international image as a democratic crusader intact, and ready to revive his political career in England.

The world does not have to know the truth. It does not have to know about the British Government's and Governor PATTEN double standards. These are mere details. For example, the fact that:

- Britain did not see fit to introduce democracy for nearly 150 years, but suddenly developed a conscience when the 1997 issue appeared on the horizon.
- The first light of democracy was already here when the Governor arrived. Admittedly, it was far from full bloom, but then Hong Kong was in the very early stages of political development, and a sensible pace of democratic development had already been agreed with China and incorporated in the Basic Law.
- Although the Governor's electoral reform package was clearly

contrary to previous understandings and its spirits, he introduced it amid fierce opposition from China and very often, he liked to give the impression that China objected only when the results of the election were known which, as we all know, is not the case.

- The electoral reforms were passed by this Council by one vote. What the Governor always forgets to mention is that the victory was achieved with the help of three government votes and one abstention — hardly unanimous support.
- Had the Governor left well alone, the "through train" would have continued and there would never have been a provisional legislature. (But, of course, that would have done nothing for the "crusader" image!)

The Governor said in his policy address that he hoped the world will judge Hong Kong not by preconceptions, but by the evidence of what actually happens here. I fully agree with him on that point, but I would also say to him, to the British Government, and to other Western powers to apply the same yardstick and benchmark to China.

Unfortunately, many of the world's preconceptions of Hong Kong have been planted by the Governor himself. In one breath, he talks confidently about Hong Kong's future, and in the next, he raises grave concerns. His lofty list of 16 benchmark questions serves only to reinforce negative preconceptions of Hong Kong, and to sow further doubts and uncertainties both at home and abroad. It is yet another example of the Governor lecturing China on the possible consequences if it fails to abide by agreements it repeatedly says it will honour.

The Governor also makes great capital out of Hong Kong's supposed "level playing field", and warns of dire consequences should that be compromised after 1997. Of course, it is vitally important that Hong Kong preserves a level playing field. But the Governor and the British Government should not be so eager to take the moral high ground on this. People who have lived here in Hong Kong, such as myself, for any length of time know that in Hong Kong's level playing field, there has always been an Orwellian element that all companies are equal, but some companies are more equal than others. What is it they say about people in glass houses?

Elsewhere in the policy address and Policy Commitments, there are a lot of

impressive figures and glowing tributes to Hong Kong's achievements. They are all well deserved.

However, the truth remains that, despite the vibrancy of Hong Kong, the magnificent skyline, our sophisticated infrastructure and business success, we still have a lot more to do to help the elderly and the truly needy; to improve our education systems and facilities; and to train and retrain our workforce to cope with Hong Kong's changing economic structure.

Our housing policy is in urgent need of a comprehensive review. We must ensure that all our citizens can live in dignity and acceptable standards of comfort.

We must also ensure that our citizens can live in a clean and healthy environment, but what have we really achieved in the past four years in terms of improving the environment? It is but a small drop in an increasingly polluted ocean.

On the more positive side, I am pleased to see the Government's continued support for business and its ongoing commitment to maintaining Hong Kong's competitiveness. After all, Hong Kong is a business city, and the livelihood and standard of living of the Hong Kong people depend on us being able to remain an international financial and commercial hub. We must focus on what we do well and continue to enhance our competitiveness as a commercial centre and avoid creating too political an atmosphere — for that would only help further the living standard of Hong Kong people in the wrong way.

We need urgently to identify and develop a niche of our own in the high technology, added value sector in order to help create a more balanced economy — a third leg in the stool after services and tourism.

Initiatives like the Science Park, the fourth industrial estate and even plans for a second Industrial Technology Centre are all basically old promises wrapped in a nice new yellow cover. Nonetheless, I welcome the Governor's reaffirmation of these commitments, and hope we can now stop merely talking about them, and move forward so that they can be implemented expeditiously.

By the same token, with the controversy over Container Terminal 9 now resolved, I hope we can proceed smoothly and speedily to complete the

construction. We have already lost too much valuable time on this vital part of our port development programme.

Furthermore, if we want to stave off the competition from neighbouring ports, we need to start forging ahead with Terminals 10 and 11 — and that means talking seriously with China to ensure that we are all in full agreement (with no room for misunderstanding) on the way forward for this important transitional project.

I was pleased to see the increasing focus on social welfare, and the Governor's acknowledgement of the need to maintain a sensible and affordable balance between increasing assistance for those in genuine need, while avoiding the slippery slope to a welfare state.

The Governor said that public spending currently accounts for only about 18% of GDP, however, I have to wonder how this figure would be affected were we to strip out from our GDP the beneficial short-term impact of our infrastructure projects.

While on the subject of welfare, I would like to take this opportunity to urge all parties to help implement the Mandatory Provident Fund Scheme. It may not be the most favoured choice for some, but our society, our aging workforce, needs it. I hope those thinking of stalling the subsidiary legislation to be put before this Council will have a change of heart. If not, you will be putting at stake the interests of those very people you seek to protect.

In closing, I would like to pick up a point the Governor made about his predecessors. The policy address outlined many of Hong Kong's achievements — past, present and future. Let us not forget that the seeding work for much of the development we see around us today — the new airport, the port development and so on — was carried out by the Governor's predecessors. We should give credit where credit is due. Last but not least, I would like to pay tribute to our very able Civil Service led by the Honourable Mrs Anson CHAN for all they have done to serve Hong Kong people and serve them well.

Mr President, as I understand it, voting on the original motion will take place next week after the policy secretaries have had a chance to speak. I will unfortunately not be in Hong Kong next Wednesday because I have a long standing commitment organized by the Hong Kong Government to speak for

Hong Kong in Scotland. In any event, I would have abstained next week. Thank you, Mr President.

MR RONALD ARCULLI: Mr President, when the Governor said in his policy address this year that his address would be different, little did we know until he finished that Policy Commitments were relegated to an undeserved second place.

I would not have expected the Governor not to place on record the British Government's version of events since 1982. Indeed, the Governor has gone further as he attempted to explain the whys and wherefors of the British Government's actions. Without doubt, the most controversial and damaging event for Hong Kong is the absence of an agreement between China and Britain over the transition of the legislative Council from 1995 to 1999. An event which the British Government has refused to acknowledge.

On the contrary, the Governor said that the failure to agree on electoral arrangements was, and I quote, "in a sense, resolved where it should have been — right here in this Council Chamber". All of you remember that the Liberal Party's proposal was defeated by one vote. History will judge whether that defeat was fair to the people of Hong Kong because the issue was resolved in favour of the Patten constitutional proposals by the three government officials' votes — not exactly in line with the finest of British democratic traditions.

As we all know, it was the lack of an agreement on electoral arrangements that led ultimately to the birth of the provisional legislature — not, as the Government asserts, because of the results of the 1995 elections. Do not forget one important point: there was absolutely no fundamental disagreement over the 20 geographical seats. There might have been disagreement over the single-seat single-vote arrangements but this was not the main difficulty. The impasse was the arrangements for the nine new functional constituencies and the election committee. If you are a fair-minded and open-minded person, the nine new so-called functional constituencies is direct election through the back door. If the British Government was determined to have more than 20 geographical seats, why did it not insist on this in 1990? Why wait till 1995?

Mr President, I also remind colleagues that the seven letters exchanged between the Secretary of State of the Foreign and Commonwealth Office and the

Chinese Foreign Ministers had a significant impact on the Basic Law. But the same seven letters obviously had little influence on the failure to agree on electoral arrangements. Again history and perhaps other papers within the archives of the British Government may tell a different story.

The Governor also mentioned that what happened last September was what Britain and China agreed should have happened in 1984. The Governor referred to a fair election and went on to imply that the protest today was because a fair election produced the wrong result for China. Nothing could be further from the truth. The Governor, experienced a politician as he is, must have known that the legislature for the Hong Kong Special Administrative Region was, amongst other weighty factors, a matter of sovereignty. Had the position been reversed would the British Government have accepted a legislature elected under Chinese sovereignty based on electoral arrangements unacceptable to Britain? Clearly not!

Notwithstanding our opposition to the Patten constitutional package or the election results, the Liberal Party has continuously encouraged dialogue between the Chinese Government and the democrats which obviously include the Democratic Party. We can only do so much and as we all know the Democratic Party has decided not to participate in the Selection Committee or the provisional legislature. We believe that they are letting their supporters down, but that is their choice.

This leads me to the provisional legislature. The Government's, and indeed the Governor's, view of the provisional legislature is clear: one of total non-co-operation. It remains to be seen how this Administration will walk that tightrope of co-operating with the Chief Executive (Designate) and his team designate but not with the provisional legislature. Perhaps the Financial Secretary would answer the question that was neatly side-stepped by the Secretary for the Treasury, namely, will the expense of running the provisional legislature be part of the 1997-98 Budget? And if not, why not?

For the past four years, inside and outside this Council, the Governor has repeatedly told us that those who predict doom and gloom for Hong Kong will be proven wrong, so it makes me wonder whether the Governor has turned a Hong Kong-sceptic overnight or has his faith in the promise for Hong Kong of a high degree of autonomy for 50 years as provided in the Joint Declaration been jolted? Cynics might attribute this erosion of faith to shifting responsibility away from

Britain. In other words, as far as Britain is concerned, it has done her best, including laying the best foundation for an even more successful Hong Kong after the handover. What a clever but diabolical approach: if Hong Kong succeeds, it is Britain's success; if God forbids, we fail, it is our failure not Britain's. Surely, this cannot be Britain's idea of an honourable withdrawal!

Mr President, enough on politics. Perhaps we only need two benchmarks both before and after 1997: the Hang Seng Index and the community's expectations and concerns about housing.

In 1992, the Governor promised to increase home ownership to 60% by 1997, but has failed to do so. The consolation is that after four difficult years which saw substantial increases in property prices the Administration has finally recognized that the fundamental problem lies in the slow production of land and increasing difficulties over urban renewal thus reducing private sector residential flats production.

Let us put the record straight! Apart from slow land production and declining urban renewal projects, delays in lease modification have also contributed to lower private sector production. The Administration must bear sole responsibility because there were clear and early warnings from the property sector. However, during the subsequent witch-hunt under public pressure, it shrewdly passed the blame to speculators which resulted in the so-called anti-speculative measures. Our professional and neutral Civil Service found yet another way of putting more money into public coffers. Yet the Administration has the gall to claim that the sole purpose of the temporary stamp duty arrangements was in the interests of home-buyers. Despite increasing costs for home-buyers, the Administration is not about to give up its new-found money machine as it is now seeking this Council's endorsement to make this temporary measure permanent. On my part, I say enough is enough!

In addition, development and construction is impeded by over-regulation and bureaucracy in planning and building controls and shortage of construction workers. Disappointingly the policy address and Policy Commitments have done little to address these problems. The property sector is aware that the approval process for new building projects has become more time-consuming as government procedures have become increasingly complex.

We now face five major sets of bureaucratic procedures which involve a large degree of duplication. They are: one, the statutory planning procedures

through the Town Planning Board; two, land administration procedures through the Lands Department; three, building plan submissions through the Building Authority; four, environmental approvals under the impending Environmental Impact Assessment Bill and the Town Planning White Bill; and five, the Consent Scheme approvals under the Lands Department. However, in fairness, the Real Estate Developers Association (REDA) have constant dialogue with these Departments and occasionally produced sensible solutions. Indeed, the REDA will seek to seek these dialogues with a view to improving the real situation.

That having been said, I am most disappointed that the Policy Commitments do not create any new initiative to solve these problems. On the contrary, the Planning, Environment and Lands Branch says it intends to revise three sets of planning standards and guidelines in the coming months, namely, those on industrial land, those on open space and recreational facilities, and those on the provision of retail facilities. Would the Administration assure us that any revision will not lead to more complex or stringent regulations? Perhaps as a new initiative, the Administration will finally agree to the REDA's suggestion to form a working group comprising government officials and private sector representatives with a mandate to reduce unnecessary bureaucracy within the system.

Mr President, I shall now turn to the construction sector which is determined to enhance safety. However, it is nonetheless worried about the hasty proliferation of regulations in the name of work safety. This Council passed quite a few bills involving safety last Session, yet we are now told a few more will be tabled this Session. I have repeatedly said that the Administration's approach to work safety is not sufficiently broad. Putting all the responsibility on contractors will not solve the problem because safety is the duty for all, and this means contractors, workers, developers, and professionals alike.

The other problem, that of shortage of construction workers, will be exacerbated by the construction of container terminals, the second runway at Chek Lap Kok, and the 511 000 housing units projected for 1996-2001. The Administration has all the figures including those from the Airport Core Programme Job Centre. The Governor had the courage to promise us better housing, better transport facilities and a better environment, but it seems he does not have the courage to stand up against pressure from the unions over imported labour. The Governor and the Administration must tell the public there is a

genuine shortage of construction workers which will slow down developments. If housing targets, transport facilities and a better environment cannot be achieved, the whole community will suffer for this blunder.

Mr President, I would not want to conclude without making a plea to the Administration to give a thorough review of our building laws and standards. One example of how backward our building laws are is the requirement that all kitchens and bathrooms must have windows. In civilized and developed communities, it is perfectly acceptable to have mechanical ventilation for kitchens and bathrooms. A small change like this will make much better designs for homes. Another area is the safety factor for our building which is, I believe, antiquated. For example, I suspect that you can remove one quarter of the foundation piles in any of our buildings without in any way rendering those buildings dangerous. Yet what does the Administration do? Nothing.

Mr President, these are anything but new pleas. Maybe this last British Administration, with business as usual, may finally wake up to these simple yet cost-effective and design-effective measures.

Mr President, it is a great pity that this debate on the last policy address by a British Governor has brought out such strong disagreement, but such is price of decolonization. But I want to make it plain that all of us are here to serve the people of Hong Kong and whatever our disagreement and however we vote on this motion. I hope we will *never* lose sight of that. With these words, I shall vote against the motion.

MISS MARGARET NG: Mr President, as something of an amateur in public speaking myself, I cannot help feeling some sympathy for the Governor. He has made a long and rousing farewell speech, but then, instead of riding off immediately into the sunset, finds himself here for another nine months. What an anticlimax.

I have no rousing speech to make; since, being native, I can never say goodbye. It is for us, in this Council, and even if we find ourselves one day out of this Council, to continue to do all we can for Hong Kong, to take it beyond the transition into a brand new existence. We will be trying to maintain the institutions that have served it best, and improve upon them. We will be guarding against those trends and acts which might bring harm, albeit

unwittingly, and with the best intention.

The administration of justice is certainly an area of vital importance. It is in the courts that the protection for our rights and freedoms are tested. It is the uninterrupted operation of the common law system that gives local inhabitants as well as overseas investors the sense of security and confidence in the future. The rule of law will be empty if we do not have a system of administration of justice which is efficient, fair, professional, free from all corruption and accessible to everyone.

It is in this regard I find the Administration's proposal to hasten the use of Chinese in the highest level of courts, without ensuring that we are fully prepared for it, a matter of grave concern.

There is no doubt that the greater use of Chinese in court makes the courts more accessible to more people. In appropriate cases, it may increase efficiency. Moreover, when most local inhabitants are Chinese, direct communication with the court in that language is highly desirable.

However, it must be equally recognized, that the adaptation of the common law and its processes into a different language is not a simple matter, and certainly should not be left to chance. We must not compromise the high standard of professionalism which we have enjoyed, and reduce legal arguments to the kind of moral platitudes the mythical Judge Bao is prone to propagate. Take away that professionalism, and we risk losing the confidence of the world.

The use of Chinese in court is sometimes advocated as if it is the easiest thing, that a Chinese-speaking lawyer means a lawyer who can, with only the most informal trial and error, render the law in the Chinese language. All he needs is a glossary of legal terms. I am astonished at such a view. Indeed, no one in Hong Kong can have a clearer appreciation that those who are involved in the translation of the law, how difficult it is to express in Chinese both fluently and accurately the legal concepts and ideas which we have got used to in English. If professional linguists, law draftsmen and practitioners dedicated to the task, putting their heads together, still find this a daunting task, what can have possessed us to expect this instantly from every lawyer and judge?

It must be also recognized, that Chinese comes more naturally for certain cases, and less so in others. In criminal cases or when dealing with factual

evidence, using Chinese may present less difficulty, although we must not assume that this is always the case. But what is proposed is not confined to such cases. The policy commitment before us is that Chinese will be introduced in the High Court for criminal proceedings in January next year, and by March extended to civil proceedings. By July, Chinese may be used in the Court of Final Appeal. Sometime before that, presumably, Chinese may be used in the Court of Appeal.

Given this schedule, where is the supply of judges and practitioners to deal with cases in Chinese? If Chinese is to be used at a party's election to do so, with a public being irresponsibly fed the idea that he can choose either language freely, what is the demand the courts are expected to cope with? Further, will it mean the rapid rejection of non-Chinese speaking lawyers and judges, and proficiency in ordinary Chinese will replace legal expertise as the priority qualification?

Mr President, I urge the Administration to be realistic and responsible. I urge a careful approach, an honest assessment of how well-equipped we are to proceed, so that each step is taken only after adequate preparations. I urge, simultaneously, that systematic preparation be launched as soon as possible — by which I do not mean just teaching judges how to write judgements in erudite Chinese quoting edifying ancient texts, but the thorough discussion of fundamental concepts of the common law and how they may best be expressed in Chinese. This discussion should be held with judges, academics and practitioners so that a common understanding is forged as far as possible. If we can do this well, then we will not only preserve the common law system in Hong Kong; Hong Kong will have made a unique contribution to the development of law in the Chinese speaking world.

The same principle goes for the translation of laws. A huge amount of manpower and funds in the Attorney General's Chambers is being expanded on this. His paramount concern appears to be to complete a translation of all Hong Kong laws in time for the transition, without regard for the practical value of such an exercise, or how impracticable it is in the circumstances to expect the high standard of legal drafting to be met. Certainly no one whom I have met, including lawyers and judges, have found the Chinese text comprehensible. At the end of the day, the whole thing may just be a white elephant, with no actual benefit to the public at all. Indeed it may do harm, when these texts are used in real-life litigation.

This obsession with things to Chinese should give place to a dedication to professionalism. It should be the Attorney General's aim for those in his chambers to achieve the highest quality, and set for them the highest standards. Otherwise localization can never be a true success.

I find it amazing that far more manpower resources are devoted to the study of Chinese law, computerizing the China Law Database, and offering training to Chinese lawyers, than to those studies, training, database which would strengthen the understanding of the common law among Hong Kong lawyers and government officials.

The administration of justice requires that we are equipped with the necessary laws. In this respect, the localization of United Kingdom legislations which hitherto has underpinned our legal system is of great importance. But even laws essential to the fundamental right of personal liberty such as the United Kingdom Habeas Corpus Act, remain of uncertain status. The Honourable Miss Emily LAU has referred to legislation arising from Article 23 of the Basic Law. Mr President, where is our priority? How can we be so busy publishing China Law Quarterlies, when laws protecting the rights of the individual in our own system are left unattended?

The most disappointing area in the administration of justice is legal aid. This should be the working end of the rule of law, the assurance that ordinary people will have access to the courts. Yet here there is the least progress. It is under the threat of the Administration that no other or better proposal would be forthcoming that this Council passed the law to establish a non-independent Legal Aid Services Council. In spite of the fact that it is in its terms of reference that this Council should study the feasibility of an independent legal aid authority, its Chairman has been reported to say that this is a matter of secondary importance.

But, Mr President, we must seriously look into the provision of legal aid. How can the Administration hold out on one hand, that the greater use of Chinese will make the law more accessible, while on the other, restrict legal aid, knowing that without the help of a legal representative, the ordinary citizen will find most legal processes an intimidating mystery?

If we were serious about the administration of justice, we must encourage people to seek legal aid. We must eliminate undue delays and unreasonable

restrictions on the scope of legal aid to give help where help is sorely needed, such as providing legal representatives for the child and for the guardian in care and protection proceedings, and for the deceased's family at inquests. We must adopt a caring attitude towards applicants and clients, and become keen on customer satisfaction and effective publicity. The establishment of an independent legal aid authority remains an urgent matter, because many of the present discouragements for better services are inherent in the fact that legal aid is run by a government department.

Broadening the access to the courts is the best assurance for the appreciation of the rule of law. Why is it not regarded by the Administration as an important preparation for the transition?

Mr President, as Hong Kong hurtles towards 1 July 1997, many people believe that the best way to prepare for the transition is to become as purely Chinese as possible — or at any rate, appear as Chinese as possible. So it is with the policy commitment: for "Preparation for the Transition", one may as well read "How to be Chinese". This is fundamentally wrong. The transition is not just about being Chinese, it is about Hong Kong people governing Hong Kong. It is about keeping Hong Kong's systems unchanged and separate from those of the Mainland. It is about taking responsibility for the autonomy which is entrusted to us in the Joint Declaration and the Basic Law.

The question is not about how to be Chinese. The question is what makes Hong Kong, Hong Kong. For this uniqueness is what we are enjoined to maintain, so that Hong Kong can best play its role and make its contribution not only to China's modernization or to international trade, but to the Chinese civilization, to the development of the world. Mr President, Hong Kong will have its place in history, and we will help earn its place for it by developing the best of what is "made in Hong Kong" from goods to people to institutions.

The great debate of what makes Hong Kong, Hong Kong has begun. With his address to his Council, the Governor has, in his usual modest way, contributed his mite to it. He thinks what makes Hong Kong so wonderful is superior British systems harnessed to Chinese elbow grease. I do not agree. He thinks that what characterizes Hong Kong people is their origins as refugees in search for freedom and their rights. I do not agree.

I would say that, not forgetting our historical background, what makes Hong Kong, Hong Kong is the generations which have grown up in it and with it,

and hankering for no other place on earth, have made this place their own, have made this place work to achieve their own ambition by serving the needs of others, by always choosing the best of the world, and irreverently adapting each to Hong Kong's own use. And Hong Kong's future lies in remaining proficiently bilingual and bicultural, always open to outside influence, always looking for choice and never settling for the second best.

Just for illustration, we have frequently been told in the course of the business of this Council, that such-and-such a provision in a bill or such-and-such a policy proposal is to be recommended because it is the same in Britain, that such-and-such a state of affairs is all right for Hong Kong because it is no better in the United Kingdom. Almost every time I would reject this as any reason for accepting, and almost every time, my colleagues would ask for the practice or provision in other countries of the world. We have always endeavoured to understand and compare, and choose what is most suitable for Hong Kong. Where none is satisfactory, we have invented our own.

So let us follow through with this same spirit, with even greater insistence the closer the transition draws. There is a great deal to be done in the coming months and years. So let us do it. I thank the Governor for his good intentions. For I am sure, however his words may sound, that they were kindly meant. The only quarrel I pick with him is on the provisional legislature. Since he is being so frank and unreserved, why does he and the British Government still insist on calling a clear breach of the Joint Declaration by some fancy name? Why not call a spade a spade?

Thank you, Mr President.

MR DAVID CHU: Mr President, the 28th and the last British Governor of Hong Kong two weeks ago delivered the most colonial speech of them all at just about the end of the colonial era. Some of his remarks reveal to me that after more than 150 years the colonial mentality has not changed.

Most Councillors, including those ordinarily sympathetic to the British, have dismissed the address as "patronizing", "insensitive", "divisive" and "schizophrenic". I must be polite and not repeat those words. We should turn something negative into something positive, an insult into a challenge. We should try even harder to unite and prove to the world that we can thrive without British tutelage.

Our Governor has listed 10 points for gauging our success and 16 points for measuring our degree of autonomy based on his criteria. All of those wonderful attributes and nostrums he cites are contained in our Basic Law and are second nature to us. Our future does not depend on what the Governor thinks, but on what each and everyone one of us does.

Permeating the Governor's assessment of our future chances is his pronounced colonial airs. Such a "papa knows best" attitude is outdated and demeaning. The fact that our Governor is out of sync with our culture, with the way we live, is exposed by his meteoric metaphor. Falling stars are gravely inauspicious in the Chinese mythology.

I will not quibble with niggling elements in his policy address because they are by now largely forgotten. Our city is too busy striving for success to mire in the ramblings of anyone. I will touch on several broad themes on which the Governor may ponder at his leisure in retirement.

The first regards co-operation. I remember vividly the Governor four years ago proclaiming that one of his chief obligations was full co-operation with China to effect a smooth and successful transition. Under his tenure, however, such co-operation has been scant and, when achieved by direct British orders, grudging. I am not even talking about the provisional legislature which by the way is not hypothetical but as real as the sun in the sky. I am talking about help from his government in regard to the Preparatory Committee which is mentioned in the Joint Declaration. I am talking about co-operation in regard to the proposed Western Corridor Railway project and Container Terminals 10 to 13. I am talking about unilateral decisions being taken by his government which should rightly be left to the Chief Executive and his team designate and about other future policies being pre-empted. The Governor asks us to "trust" him, but trust is just a five-letter word unless it is demonstrated through sincerity.

The last colonial policy address extols the rule of law. We all agree and indeed we need no lecture on the subject. But I find it curious that the crucial matter of the executive-led Government should be omitted in his speech. If the lapse is unintentional, we can let it rest. But if it is indicative of the Governor's stance of subordinating the executive to the legislative branch, then it must be thrashed out in the open. How can anyone pledge continuity up front and then

go about ushering in a sweeping, fundamental constitutional change for our future behind our backs? Four years ago, upon assuming his post, the Governor insisted that he had no "hidden agenda". Now we know better.

I agree that some Hong Kong businessmen may be lobbying China for their personal interest as he has insinuated. Businessmen lobbying a government is not immoral nor rare. It goes on, despite his denial, in the United Kingdom. Our businessmen used to lobby the British Government just as our politicians do or did. Some of our businessmen also donated to the Conservative Party's war chest. I hope I am not being disrespectful to His Excellency by reminding him of talks in Hong Kong that the retirement of his predecessor was engineered by the intense lobbying of a British hong.

By now, it is apparent that our Governor is not only out of sync with the Hong Kong public mood. He seems to be out of sync with the British Government's own reconciliation with China. This *detente* is seen in the visits to China by the British Foreign Secretary and the Deputy Prime Minister. This *detente* is underscored by the cordial relationship between the local British garrison and the commander of the future Chinese garrison. This *detente* is confirmed by British naval vessels calling on a Chinese port. This *detente* is absent in his policy address.

Nevertheless, as tactless as his speech is, it has helped us focus more on the question of leadership. The question is not idle either as we contemplate the nomination of our future Chief Executive. Leadership at its most basic means rallying the people to a cause and fostering unity, a unity of purpose. On the former, the Governor has tried but has not delivered. This is not his fault since he listens to a different drum from one of our own. We accept that his allegiance is to Britain and he is here to discharge his duty to the Queen and country. On the latter, he has done just about the opposite by dividing our community with some of his programmes and most recently with his farewell policy address.

A great leader transcends piques and places the public interest above and beyond his own personal feelings. This sadly is a quality that our Governor lacks. In his insistence on pushing through unilaterally with his political "reforms", he had turned the issue into a private, futile crusade. Even now, with the matter settled and with the provisional legislature a reality, thanks to him, he is still inciting the people to resist the inevitable. For those who must live with

the consequences of his intransigence after he is long gone, this is plain unfair.

Leadership is also about being pragmatic, earnest, responsible and sensible. Those who aspire to it must show the willingness to sacrifice a little face to advance the people and help them overcome adversity. I am, we are, disappointed that there is no evident grace nor magnanimity in the policy address. Since a vacuum in leadership exists today, we have all the more reasons to depend on ourselves without British guidance. This is perhaps a good thing because decolonization entails self-reliance. Self-reliance begets pride and dignity which are sometimes scarce commodities under colonial rule.

In recent years, particularly the past few weeks, I have witnessed a surge of self confidence. The feedback from the media and the City Forum against the Governor's address convinces me that we know exactly where the credit for our success lies. The credit lies with us and the institutions we have built and paid for in Hong Kong. It lies with reform in China which has opened up fresh opportunities. It lies in our free trade with the world in goods and ideas. It lies with our able Civil Service. It lies in our own moral aversion to corruption. It also lies in our tolerance for other cultures and peoples and our intolerance for injustice by gender, by age, by race, by colonial condescension.

We legislators are also hit with a barrage of motion of thanks amendments. These amendments are redundant, rhetorical and therefore irrelevant. They dilute the impact of the original motion and cloud its intentions. I cannot support them nor dwell on them. The points they attempt to make have been made in this Council and there is no reason to rehash them here and now.

I thank our dedicated and diligent Civil Service, of which the Governor is the commander, for tiding us over the difficult times when it too is beset with uncertainty. I agree with the Governor that our future is promising, thanks to ourselves. But even in my most charitable spirit, I cannot find enough reasons to thank the Governor for his policy address which is defamatory, inflammatory and, I repeat, colonial in its arrogance. I am, however, very thankful that he will be returning to England soon as we sing in one voice "God Save the Queen" ... for the last time.

Thank you, Mr President.

MR LO SUK-CHING (in Cantonese): Mr President, the last Governor's so-called last "policy address" should not be seen as a guiding principle for the administration of Hong Kong. Rather, it should be seen as a political manifesto by means of which the colonial ruler praises and glorifies himself.

The Governor has used such a large sum of public money to complete the "policy address" just to defend himself for what he has done since he took office. As such, tax-payers' money can be said to be wrongly spent.

The real face of colonialism

The Governor has attributed the success of Hong Kong, the hard work of Hong Kong people and the fruit borne as a result of the unceasing efforts made by the Chinese to British colonial rule, and deliberately toned down the Chinese factor. In spite of his view that "Governors have lived for Hong Kong", political propaganda and slogans of politicians can never cover the facts. Let us see how the colonial history of Hong Kong began. It was the result of the Opium War which broke out after British opium traders brought with them opium that poisoned the Chinese in return for crates of silver. For the past hundred years or so, successive Governors have, for the sake of safeguarding the interests of Great Britain, tried their very best to protect the interests of British businessmen in Hong Kong.

Under the Royal Instructions, the Governor of Hong Kong should owe allegiance to Britain and take instructions from the King or the Queen of Britain. In 1843, when POTTINGER was appointed by London as the first Governor of Hong Kong, he submitted a proposal for governing Hong Kong and the proposal was in fact prompted by British financial syndicates in Hong Kong. At that time, all the British-financed hongts demanded to have a say in the administration of Hong Kong. Right from the beginning, representatives of these syndicates have served as Unofficial Members of the Executive and Legislative Councils (UMELCO). It was only after some time that some representatives of Chinese compradors, who received education in Britain and the United States, were incorporated. In the 1970s, Governor MacLEHOSE, after his assumption of duty, realized that this old style of colonial rule was not going to work anymore. As a result, he began to introduce social elites such as professionals and scholars into the UMELCO. It was only until the last 10 years, after Hong Kong has entered into a transitional period, then the two Councils, particularly the Legislative Council, experienced some changes. Nevertheless, representatives of the major British-financed consortia, such as the Hong Kong and Shanghai

Banking Corporation and the Swire Group, are still sitting on the Executive Council to ensure that British interests are being protected.

The so-called "Democracy, Rule of Law and Human Rights"

The policy address cried out loudly for democracy, the rule of law and human rights. In the past eight or 10 years, the colonialists, who adopted high-handed administration for the past century, transformed themselves drastically into cheerleaders promoting democracy, human rights and the rule of law. To the general Chinese living in Hong Kong, this can be said to be a sheer miracle, as we look back on Hong Kong's past history of democracy, rule of law and human rights. In fact, there is no need for us to check against history in detail. For those middle-aged or elderly compatriots living in Hong Kong, they would have a personal experience of this.

In the 1950s, the Hong Kong Government passed the Journals and Societies Ordinance in order to curb the propagation of communism. Any societies formed without approval were deemed to be illegal. While licences for magazines and agencies could be suspended at any time, the Administration could also at any time prohibit the publication of any newspapers and search any newspaper offices. This was the so-called "freedom" in Hong Kong. In the 1960s, a member of the public was beaten to death while he was in police custody. Although two police officers were sentenced to jail for eight years, but they were subsequently acquitted on appeal. The police did not even have to bear responsibility for this incident. This was the so-called "rule of law" in Hong Kong. In the 1970s, demonstrators fighting to protect the ownership of the Diaoyu Islands were met with bloody suppression by colonial police officers. This was the so-called "human right" in Hong Kong. Even up till now, all successive Governors in Hong Kong were appointed by Britain and Hong Kong people were never consulted. The Governors appointed could also refuse to assent to any bills passed by the Legislative Council. This is the so-called "democracy" in Hong Kong.

Why has colonial governance in Hong Kong over the past 30 years become more civilized? This is because after the occurrence of two social disturbances in the 1960s, the British learned that colonial governance was not going to be effective anymore. More importantly, China, which is adjacent to Hong Kong, is growing stronger and stronger. Why did the British-Hong Kong Government hurriedly pursue democratization and localization of the civil service over the past 10 years? This is because China is going to resume sovereignty over Hong

Kong.

The so-called "successful transition" is intended for extension of colonial governance

It is not Britain's concern as to whether Hong Kong can achieve a smooth transition according to the target set down in the Sino-British Joint Declaration, rather it is concerned whether Hong Kong can achieve a "successful transition" in accordance with the target set by Britain. What is considered a so-called "successful transition"? The Governor has hinted in the policy address that although, constitutionally speaking, Britain is going to leave, he still hoped that British colonial governance could remain. The Governor pointed out that the end of Empire rule elsewhere has meant the beginning of independence of the place concerned. Hong Kong, however, will not live up to Britain's expectation. For historical reasons, for the existence of a strong China, for the deep national sentiments that Hong Kong people cherished for their motherland, Britain's attempt will prove to be futile. Nevertheless, Britain has refused to give up. It tries in every possible way to turn Hong Kong into an independent political entity. This is the real motive for Britain's hasty pursuit of democratization and localization of the civil service in Hong Kong in recent years.

Legal Basis of the Legislative Council

Mr President, in his policy address, the Governor went on talking endlessly to defend his constitutional reform package again. He also misled the public again into believing that the term of office for the Legislative Council in the current session should be four years, and that there was no reason why it should not be allowed to serve out the full term of four years.

As everyone knows, this Council exists under the political structure of the British-Hong Kong Government in accordance with two constitutional documents, the Letters Patent and the Royal Instructions. In terms of legal status, these two documents override any piece of local law, including the electoral law. The legal effects of these constitutional documents will cease with the cessation of colonial rule. Like the term of office of the Hong Kong Governor, the term of office of the Legislative Council will automatically expire as well. Ironically, those politicians who keep advocating the spirit of the rule of law have deliberately turned a blind eye to such legal basis and once again cheated the public. What credibility has the Governor got as the highest person

responsible for the British-Hong Kong Government? It is even stranger that up till now, apparently not a single legal institution that claims to defend the rule of law as its own responsibility have stood up to point out the legal fallacy.

The Provisional Legislature

According to the Basic Law, the executive authorities, the legislature and the judiciary should be put in place upon the establishment of the Hong Kong Special Administrative Region (SAR). As Britain has unilaterally acted against the agreements reached by the seven diplomatic letters by derailing the "through train", the Hong Kong SAR is left with no alternative but to set up a provisional legislature to ensure that the SAR can operate smoothly in accordance with the Basic Law. If it is felt, for political reasons, that there is no need to set up a legislature soon after the SAR came into existence, and there is no need for the executive authorities to report to the legislature, how could Hong Kong maintain a legal system in future?

Everyone will agree that the Chief Executive (Designate) and his team cannot wait until the SAR is formed on 1 July 1997 to start operating. For the same reason, the SAR legislature cannot wait until 1 July to start operating. To facilitate a smooth transition, a lot of work for the preliminary stage and preparatory work in connection with legislation will need to be commenced before the formation of the SAR. Of course, these preliminary work should not interfere with or replace the work of the existing Legislative Council. Hong Kong will not, and should not, have two legislatures existing at the same time.

Confrontation instead of co-operation

When Governor PATTEN came to Hong Kong to take office on 9 July 1992, he claimed that he intended to establish a good working relationship with China to enable Hong Kong to achieve a smooth transition. However, what actually happened has proved that this was only empty talk. Just on the contrary, under his governance in the past four years, Hong Kong saw the worst Sino-British relationship. Because of his confrontational policy, matters relating to the transition of Hong Kong have met with tremendous difficulty. If the Chinese side has not, for the interests of all concerned, taken into consideration the prosperity and stability of Hong Kong society and the well-being of the 6 million Hong Kong compatriots, it would be difficult for China and Britain to have reached agreement after agreement over the past four

years.

Prospects for Hong Kong

Mr President, with less than nine months to go, Hong Kong would wear a completely new face. According to the Basic Law of the SAR, Hong Kong will, under the guiding principle of "one country, two systems", implement the concept of "a high degree of autonomy" and "Hong Kong people ruling Hong Kong". Hong Kong will have its own Chief Executive and no one will again be allowed to arbitrarily send a foreigner to rule Hong Kong without consulting Hong Kong people. The executive authorities, the legislature and the judiciary will truly act as checks and balances among themselves instead of having the Governor, a colonial ruler, to monopolize all powers. The democratization progress in Hong Kong will then proceed gradually in accordance with the provisions laid down in the Basic Law and the actual social environment of Hong Kong. Hong Kong will be vested with independent judicial power, without the need to eventually listen to the Privy Council that belongs to the colonial ruler. Hong Kong will never again be forced to pay for the expenses of garrison stationed in the territory or make contributions for military purposes at the request of the colonial ruler. Hong Kong will have its own independent professional and accreditation system. The human rights of Hong Kong residents will be fully safeguarded by the relevant provisions applicable to Hong Kong as contained in the two international covenants on human rights. Hong Kong will keep its original economic system, maintain an independent finance, function as a separate customs territory and formulate monetary and financial policies of its own. Hong Kong will maintain its status as a free port and implement a free trade policy and a free financial system. Hong Kong will be able to develop relations with various countries in the world, regions and relevant international organizations in areas such as trade, finance, shipping, communications, tourism, culture, sports and so on under the name of "Hong Kong, China".

Hong Kong will have a bright future.

Mr President, the ending of the policy address has revealed the Governor's regrets. Indeed, he should feel regret, for "Several flies have hit against the wall, making some noises, desolute, sad and sobbing". It is time for the Union Jack to vanish. The regrets expressed by the Governor in his policy address are but sobs of the colonial ruler.

Mr President, I so submit.

MR BRUCE LIU (in Cantonese): Mr President, as the Chinese saying goes, "Only when a person is dead can he be accurately evaluated."

In his self-profession, Governor Chris PATTEN claims that "Governors have lived for Hong Kong." Of course, this has explicitly indicated that Governor PATTEN is of no exception and he has really lived for Hong Kong. I am not an evil-minded person and, of course, I will not demand that Governor PATTEN to reach the phase that succeeds "living for Hong Kong".

However, at the debate held yesterday, many Members commented on the merits and demerits of the Governor from the perspective of "evaluating the performance of a person when the person is dead". Showing no mercy at all, many of them severely criticized the Governor's policies.

I have said in the parliamentary group of the Hong Kong Association for Democracy and People's Livelihood (ADPL) that we should publicly give Governor PATTEN a fair appraisal.

As far as policy administration is concerned, I think there are three areas worthy of recognition for the efforts that Governor PATTEN has made:

First, making strenuous efforts to build up a friendly image of "getting in touch with and listening to the mass"

Of the former 20-odd Governors, none of them did better than Governor Patten in terms of the building up of a friendly image. I have often seen the photograph of Governor PATTEN drinking herbal tea when I went to herbal tea shops to have herbal tea. I believe that you, Mr President, should have also seen that picture.

Governor PATTEN has also visited some temporary housing areas (THAs). During a visit to the Choi Chuk THA in Chuk Yuen, Wong Tai Sin, he suddenly went into a toilet to take a look. It seems that the Governor has taken this surprise move in order to project a friendly image. However, it was later found that the toilet was very clean, or actually, unprecedently clean. Presumably, the staff of the Housing Department has done something "smart". Although the Governor was suspected of having put up a "show", at least he took the initiative

of building up a friendly image by getting in touch with the people.

I hope the future Chief Executive of the Special Administrative Region (SAR) will also take the initiative to get in touch with the people and listen to their views by paying more visits to the districts without fear of eggs, toilets and petitions.

Second, making strenuous efforts to establish an open political culture

Of the successive Governors, Governor PATTEN has been bombarded most severely by the public and the Chinese side. Given his weight, he will probably not be a medal winner in the sports arena, but in terms of the record of the number of scoldings he received from the Chinese side and the public, he will definitely be a medal winner.

Regardless of whether the position and strategies of the political reform package of his first policy address are correct or not, at least the Governor has tried his very best to promote a democratic political system for the people of Hong Kong. He was even branded as "a guilty man handed down in history" as a result. I hope that the future Chief Executive would at least make an effort to speed up the democratic development in Hong Kong by giving assent to, after 1997, the Legislative Council's amendment of the Basic Law for the purpose of speeding up the pace of democratization.

During the regime of Governor PATTEN, the entire community has been mobilized to go through a severe test of democratic row. That period can be said to be a golden opportunity for civic education. In my opinion, Governor PATTEN should be given a credit for enhancing people's concern about the prospects of Hong Kong and other areas.

Third, making strenuous efforts to publish the Policy Commitments and Progress Reports

In so doing, the public and this Council will have a basis to keep on supervising and urging the Government.

Yesterday, some Members criticized Governor PATTEN's farewell policy

address for lacking in substance in terms of policy administration. I think this comment is extremely unfair.

I believe that if the Governor reads out the Policy Commitments and Progress Report word by word, the above criticisms will be proved unfounded. The quality of a policy address should be judged by its contents instead of its length. I hope that the Policy Commitments and Progress Report presented by the future Chief Executive of the SAR to this Council will be even more concrete and far-sighted. This can spur the Government on and, at the same time, encourage public monitoring. These are the three areas that I think Governor PATTEN is worthy of recognition in terms of his policy administration.

Having said that, I am going to take my turn to level severe criticisms in respect of three areas at Governor PATTEN's policy administration.

First, the disparity between the rich and the poor was further aggravated during the administration of Governor PATTEN and he has no excuse to shirk his responsibility. The motion moved by the Honourable Frederick FUNG was carried by 40 votes to six votes in this Council last week. I hope the Government could really heed our views and take positive action to study the policy for eradicating poverty.

The Government should adopt the guiding principle of "minimizing suffering" instead of focusing its attention on the policy of "maximizing happiness".

Bearing this sense in mind, I am extremely dissatisfied with the policy and philosophy outlined in paragraph 78 of the policy address. I hope that Governor PATTEN can "understand that the past is beyond recall, but the future is still within his grasp; and having not dwindled far astray, he could still return to his right track." To express my dissatisfaction with paragraph 78, I am going to mark a big "cross" against paragraph 78.

Second, in terms of the formulation and implementation of housing

policies, Governor PATTEN can be said to be a total failure. This is the area that the grass roots express the greatest dissatisfaction in respect of the Governor's policy administration.

The Governor also knows how to shirk responsibilities, behaving just like the letter "A". In the sixth paragraph outlining the 10 key elements in relation to the work of the future Chief Executive, he points out that: "In particular, it will require courage and vision to shift the direction of our housing policies so that we provide decent accommodation more rapidly for those in real need Housing policies that were right for the sixties, seventies and eighties look less appropriate today." I cannot agree more to the Governor's view that it requires courage and vision to shift the direction of our housing policies. Does the blunder made in our housing policy indicate that Governor PATTEN lack the required courage and vision? I would like to make up a prayer resembling that of St. Augustine for Governor Chris PATTEN, the Secretary for Housing and the future Chief Executive: "I pray to the Lord to give them the courage to change those elements in the housing policies that require changes; I pray to the Lord to give them the patience to tolerate those elements in the housing policies that could not be changed because of objective restrictions; however, I pray to the Lord to give them the wisdom to differentiate the two." Regarding the ADPL's views on the housing policies, the Honourable Frederick FUNG will give his supplementary comments later.

Third, the biggest blunder made during the governorship of Governor Chris PATTEN is his failure to enable the "through train" to reach the terminal safely, thus forcing the "through-train" to put on the brake on 30 June 1997 and be replaced by a "provisional legislature". Regardless of whether Governor PATTEN's political reform package is right or wrong, good or bad, the absence of a "through-train" is definitely a historical regret, judging solely from the consequences of the Sino-British row. Such a regret is visible in the Governor's policy address, albeit not very clearly. In any case, vis-a-vis the goal of a "successful transition", the absence of a "through-train" cannot, in whatever sense, be said to be "successful".

In a nutshell, the merits and demerits of Governor PATTEN can be described as "one-third a success, one-third a blunder, and overall regrets."

Having said that, I share the view that Governor PATTEN is, in any case,

the "least bad" among all the successive Governors. He is the one who makes the greatest efforts in promoting an open government. He is also the one who is criticized most severely. I believe Governor PATTEN will also be the most unforgettable governor in the colonial history of Hong Kong.

I hope that Governor PATTEN will not be disheartened. Despite of all the scolding he got from Members of this Council, I have just given him some recognition. I hope that he could stay happy and healthy to continue with the work that is outstanding in Hong Kong. To be optimistic is one way to stay happy and healthy. Hence, I would like to present a poem to Governor PATTEN:

"Life abounds everywhere, but what should be it like?
Should be like a swan feather that lands on snow;
Claws may sometimes leave traces on soil,
but what directions can a feather show?"

As long as one has done his best, he should have a clear conscience in spite of the incessant criticisms he receives.

These are my remarks.

MR LEE CHEUK-YAN's amendment to DR LEONG CHE-HUNG's motion:

", but since the British Government has all along been adopting colonial governance as well as refusing to pursue full democratization in the territory, thereby unreasonably depriving the people of Hong Kong of their democratic rights, this Council expresses deep regret".

MR LEE CHEUK-YAN (in Cantonese): Mr President, I move that Dr the Honourable LEONG Che-hung's motion be amended as set out under my name on the Order Paper.

Mr President, at the beginning of the 15th century, the Founder of the Qing Dynasty, NURGACI, submitted to the heavens "Seven Gnawing Regrets", in which he unleashed his resentment under the topics concerning his state, people's livelihood and exploits. After more than 200 years' of ups and downs in its history, the Qing Dynasty ceded Hong Kong to the British Empire.

With the ending of more than one and a half century of colonial rule, Governor Chris PATTEN delivered his farewell policy address. The main message conveyed by the entire policy address is that Hong Kong's success is attributed to Britain and the policy address also serves to tell the whole world that Britain has tried her very best to safeguard the interests of the people of Hong Kong, in the hope that it can win international acclaim. It is obviously the wish of the Governor to, prior to the withdrawal of Britain, pay himself a compliment. My amendment today aims at nailing his lie to the counter so as to allow history to make a fair judgment. In this last debate on the policy address, I will, from the perspective of Hong Kong people, sum up the colonial rule and express regret at the British Government's long-term suppression of Hong Kong's democratization, with a view to putting my comments on record.

Today, I have to express "Seven Gnawing Regrets" to condemn colonial rule that lasted for more than a century:

The First Regret: the British Government betrayed the democracy in Hong Kong. Let us settle this "anti-democracy account".

As far back as in 1855, Governor Sir John BOWRING had already suggested to open the election of the Legislative Council to the British. The people of Hong Kong, regardless of race, could also enjoyed voting rights by donating ☐ 10. However, this proposal was turned down by the British Government. In 1926, representatives of strikers involved in the Guangdong-Hong Kong big strike, which was backed by ZHOU Enlai, asked for the introduction of "one person, one vote" elections. Again, the request was turned down, and what had ultimately been agreed was that the first ethnic Chinese would be appointed to the Executive Council.

In 1946, Governor Sir Mark YOUNG suggested the setting up of the Urban Council in which two thirds of the seats would be returned by direct election. However, as the saying "like son, like father" goes, Mr LO Man-kam, the father of Mr LO Tak-shing, who is now a prominent personality in support of elitist rule and in opposition to direct election, was then a dominant figure in opposition to Sir Mark YOUNG's pursuit of democratization. Eventually the proposal was aborted and everything remained the same.

During the period from 1946 to 1982 when colonies all over the world gained independence and were democratized one after the other, the

democratization process of Hong Kong has not been started yet. It was only when Sino-British negotiations over 1997 commenced did the British-Hong Kong Government introduced the concept of constitutional reforms in 1983. I imagine, if there were no 1997 issue, the British Government would not have even taken this first step. Would you, Governor Chris PATTEN, feel ashamed for Britain of this prolonged deprivation of Hong Kong people's democratic rights? Do you think it was too late when Britain began to stand firm on its democracy front in 1992 and the democratic reforms implemented were so scanty?

However, what is most detestable is the hypocritic attitude taken by the British Government during the Sino-British negotiations over the Sino-British Joint Declaration in 1984. The most thorny part in reaching an agreement over the Joint Declaration was making an agreement over the arrangement of the political system. At that time, the Chinese side requested that the legislature be constituted by a combination of elections and selections while the Chief Executive of the future Special Administrative Region (SAR) be selected through consultations. Yet the British side demanded that both the legislature and the Chief Executive be elected. When Sir Geoffrey HOWE (now Lord HOWE) later met WU Xueqian in Beijing, WU accepted that the legislature be constituted by elections though he has not given a clear definition to the term "election". In spite of this, Sir Geoffrey HOWE has already considered that he had done his job. At that time, the definition of "election" was not the concern of the British side. It only hoped to muddle through and get the support of the Parliament. And with the word "election", they hoped they could mislead the world into believing that Hong Kong would enjoy democracy in the days to come. It was even more disgraceful for Britain to distort the meaning of "election" by its action when China and Britain were still on the negotiating table.

Before reaching an agreement, the British-Hong Kong Government published the *Green Paper on Representative Government in Hong Kong*, in which the method of "functional constituency election" was proposed. According to the explanation given in paragraph three to Article 21 of the *Universal Declaration of Human Rights*, "election" means "universal and equal suffrage". This is the basis of Western democracy. However, the "election" method proposed by the British-Hong Kong Government is not in line with the *Universal Declaration of Human Rights*. As such, Governor Chris PATTEN, is not qualified to set down the benchmark for democratic elections, which is one of the 16 benchmarks he has proposed. What is more, he should not say, against

his conscience, that the election held in 1995 was a fair one. According to the standard set by the *Universal Declaration of Human Rights*, functional constituency election could never be described as a "fair" election. The word "election" appeared in the Joint Declaration was thus tainted by the functional constituency election proposed by the British-Hong Kong Government. And democracy was thus betrayed again. When the United Kingdom Parliament debated the Sino-British Joint Declaration, Richard LUCE, on behalf of the British Government, replied to the Parliament that, "We accept without reservations that we should, from now to 1997, establish a government based on democracy." The Sino-British Joint Declaration was subsequently endorsed by the United Kingdom Parliament but the issue concerning the distorted definition of election was intentionally or unintentionally left out. The government based on democracy, as mentioned by Richard LUCE, has never appeared.

In his policy address, the Governor attempts to shine the shoe of British parliamentary democracy by quoting the words of Nelson MANDELA, the President of South Africa. However, he deliberately leaves out one sentence from what MANDELA has said, which is more important. According to MANDELA, "Although Britain is the home of parliamentary democracy, that democracy imposed upon our people a poisonous system, resulting in harms." The role played by the United Kingdom Parliament in Hong Kong's democratization process is equally disgraceful. At the same time, it undermines the well-being of the people of Hong Kong.

Democracy was betrayed the first time in 1984, and the second time in 1987. The promise made by the British-Hong Kong Government to introduce direct election in 1988 did not materialize and was postponed to 1991. As Members may recall, the British-Hong Kong Government staged a "consultation show" at that time but while the result was still pending, the Executive Council has already approved that direct election would not be introduced until 1991. At a Joint Liaison Group meeting, Sir David WILSON (now Lord WILSON), on behalf of the British side, has also agreed to delay all major constitutional reforms. I believe all our allies who are now sitting in this Chamber and were in support of the direct election in 1988, would equally feel being cheated like me. In the *Fall of Hong Kong*, there is a scene about the meeting between the Honourable Martin LEE and Sir Geoffrey HOWE and the insistence of Mr LEE on introducing direct election in 1988. Mr LEE did not know that he was being cheated, and it had already been clearly stipulated in the Joint Liaison Group that there would be no direct election in 1988. The "consultation show" was staged after the Executive Council has given its approval. Regarding this "consultation

show", as is put by the Governor in his policy address in quoting an American lawyer's remarks to the jury, "And these are the conclusions on which I base my facts."

Recently, a new interpretation emerged regarding the constitution of the legislature by election as provided by the Sino-British Joint Declaration. A provisional legislature selected by 400 people could also be regarded as falling within the definition of election. Although Governor Chris PATTEN, on behalf of the British side, object to the establishment of a provisional legislature, he has not indicated that such a freak creature as the provisional legislature is in breach of the Sino-British Joint Declaration and the Basic Law.

According to XU Wenli, a pro-democracy pioneer in China, "the key to democratic universal suffrage hinges on whether the screening of candidates is in the hands of the electorate." This is the principal point advocated by XU Wenli in his "1980 reform". But now Hong Kong people are not even entitled to screening candidates in 1997. A retrogression in democracy as such really sends a chill to our hearts.

The Second Regret: the Governor furiously accuses the people who "surreptitiously appeal" to Peking of giving away Hong Kong's autonomy. However, the Governor must admit that the British Government is solely responsible for this. Prolonged hindrance to democratization in Hong Kong has created a "privileged class" which, by means of "shoe-shining", sycophancy and showing an opposition to democracy, enjoys its privileges.

The previous Executive and Legislative Councils with appointees sitting on them were the breeding ground of this "shoe-shining political culture". However, the British Government may have forgotten that the supreme doctrine of "shoe-shining political culture" is "to shine only the shoes of those in power". Since the one in power has been changed from British to Chinese, the targets of shoe-shining should of course be changed accordingly. For this reason, the "batteries" will serve the new regime in just the same strenuous way as they served the British-Hong Kong Government. Such a "shoe-shining political culture", which was fostered by Britain, is most fearful of democracy because once there is democracy, "shoe-shining" will be of no avail. Therefore, they spared no effort to betray the democracy in Hong Kong, which includes opposing direct election in 1988 and the political reform package of Governor Chris PATTEN. AUNG SAN SUU KYI once said that, "What corrupts people is not power but fear. Those who control power corrupts for fear of losing power. Those who are controlled by power corrupts for fear of the whip of power."

"Shoe-shining political culture" corrupts.

Regarding the amendment I move this time, some people criticize me as expressing both thanks and regrets. But I feel that this precisely reflects my attitude. A majority of Members from the Liberal Party and the Democratic Alliance for the Betterment of Hong Kong said that, "There is nothing to thank the Governor for." I, for one, think there are two things to be thankful of. First, the Governor is not afraid of being branded as "a guilty man in history" and he dared to say "no" to China. Of course, you may well say that this is because he is a British but at least he compares favourably with the past Governors in this aspect. Second, it is he who brought a new political culture into being. The "shoe-shining political culture" is now on the wane in Hong Kong and can only take effect in Beijing. Anyone who wants to play a part in the political arena of the territory must face up to the people. For this reason, I would like to express my respect for the Honourable Allen LEE for his taking part in direct election.

My amendment does not mean to register regret just for the sake of so doing. I just want to tell the whole world that Hong Kong people are not just capable of making money, but are also determined to fight in pursuit for democracy and dignity. Also, on the termination of colonial rule, I hope the Chinese Government will not repeat the mistakes made by Britain by inheriting Britains' disgraceful ruling tactic of averting democracy. At the moment, China is fiercely suppressing the democratization process in Hong Kong by means of the Basic Law and it has even declared yesterday that it would strip Hong Kong people of their patriotic rights to commemorate the June 4th incident. Apart from this, China also attacked our freedom of speech and of the press. "Hong Kong people ruling Hong Kong" and "A High Degree of Autonomy" have become castles in the air. I appeal to the Chinese Government with utmost sincerity to allow Hong Kong people to choose the Chief Executive and legislature through a "one man, one vote" direct election system, thereby giving full play to the pledge of giving Hong Kong people a high degree of autonomy. In so doing, history will highly appraise the post-1997 performance of China and she will in turn win international applause. More often than not, honour and disgrace hinge only on a change of thought.

What I have said so far forms the major rationale for moving the amendment. Now I will come to the remaining five regrets.

The Third Regret: the intentional implementation of colonial apolitical education in Hong Kong by the British Government over the 100-odd years has nurtured millions of "political sheep". For a long time, they were subject to "political manipulation". As a result, those consortia with vested interests are able to monopolize the fruit of prosperity of Hong Kong.

The Fourth Regret: it was until 1990 that the British Government published the Bill of Rights. However, the track record of human rights on the part of the British Government is nothing to boast about. In 1972, campaigners trying to protect the Diaoyu Islands were beaten up by the police. In 1979, the boat dwellers were arrested and charged with illegal assembly. This year, the peaceful demonstrators petitioning against the negligence of labour benefits in the toy industry were charged with misconduct and so on. All these show the limitation on the freedom of assembly. To me, the refusal to allow the Complaints Against Police Office to gain its independence is also a major regret.

The Fifth Regret: today is the International Day for the Eradication of Poverty. I would like to protest one more time against the Government for not implementing the Old Age Pension Scheme and raising the Comprehensive Social Security Assistance (CSSA) payment for the elderly to \$2,700. Moreover, the massive importation of foreign labour since 1989 and the delayed implementation of the Employees Retraining Scheme have resulted in the drop of the quality of life of the "wage-earners" and the widening of the gap between the rich and the poor. However, in his farewell policy address, Governor Chris PATTEN can be said to have been rendered speechless about the important issues as aforementioned concerning labour and the people's livelihood.

The Sixth Regret: the poor performance of the British-Hong Kong Government in respect of the improvement on the people's livelihood and welfare is closely related to its unreasonable "public fiscal philosophy", such as the "low taxation system", that "the rate of growth of government expenditure cannot exceed that of the economic growth", that "public spending cannot exceed 20% of GDP" and so on. The Government's public fiscal philosophy has prevented significant improvements on reforms to our social welfare, which should have been implemented years ago. Sometimes, departments providing different services even have to compete for resources under the restrained growth of

expenditure.

The Seventh Regret: the failure of the government's economic policy has given rise to adjustment failures of industries today and led to unemployment of workers and so on. In the early 1980s, the Government published a study report to advocate industrial diversification. Unfortunately, the Government was forced to shelve the proposal in the face of global economic recession and the problems relating to Hong Kong's future. As a result, the manufacturing industry is suffering from a decline nowadays. Another faulty economic policy is that the Government insists on maintaining a high land price policy. Consequently, prices of residential units and factories rocket and the general public is forced to pay exorbitant rents. Factory owners also give up their industrial ventures and convert their industrial premises to other forms of property for investment one after another.

The above are my "Seven Gnawing Regrets" over the British Government's colonial rule in Hong Kong over the past hundred-odd years.

With these remarks, I move my amendment.

Thank you, Mr President.

Question on the amendment proposed.

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Dr LEONG Che-hung as amended by Mr LEE Cheuk-yan be approved. The motion as amended is that this Council thanks the Governor for his address, but since the British Government has all along been adopting colonial governance as well as refusing to pursue full democratization in the territory, thereby unreasonably depriving the people of Hong Kong of their democratic rights, this Council expresses deep regret." The debate will now begin, does any Member or public officer wish to speak on the amendment? Dr LEONG Che-hung.

DR LEONG CHE-HUNG (in Cantonese): Mr President, I rise to speak against the amendment. But first of all, I must clarify that I am not opposing the viewpoints of the amendment, neither am I saying that the amendment does not reflect the feelings of a large number of people in Hong Kong. In fact, in the speeches I made during the debate, I have mentioned a number of times that the amendment intends to reflect the frustrations of people in Hong Kong.

Mr President, traditionally, the debate on the Motion of Thanks serves as a forum each year for Members to respond formally to the Governor's policy address. The debate does not require colleagues to thank or praise the Governor. (Indeed, this principle has been manifested by speeches made in these two days.) Rather, the debate provides an occasion for colleagues to comment on or criticize the way the Government plans to administer Hong Kong.

Under a debate of this generality, colleagues may in fact criticize on, make proposals or raise opposition in connection with the direction, content and implementation methods of any policies. In other words, colleagues can discuss anything under the sun.

Nevertheless, pursuant to paragraph 6 of the Standing Orders of the Legislative Council, Members may move amendments at any time to the motion of thanks before the debate on it ends without notice. If we ignore this principle, and obstinately move amendments in accordance with the rule, it is possible for us to add our grievances in respect of any social, economic, political, livelihood or democratic development issues at the end of the wording of the Motion of Thanks for further debate though such issues may have been repeatedly discussed from the same old angle a thousand times. Does this mean that the debate can go on endlessly for a number of days?

Furthermore, if a Member stands up to move an amendment, other Members will have no alternative but to speak on the amendment. Is it the same as deterring other Members from expressing their views on other issues of concern to the Hong Kong people? Will this go against the original intention and spirit of this debate? Is it really necessary to make use of an amendment to achieve an aim which could actually be achieved by means of a debate on the original motion?

In the light of this cardinal principle and in order to allow my colleagues to speak freely on the issues of their concern, I oppose any amendment.

Thank you, Mr President.

MISS CHRISTINE LOH: Mr President, I support Mr LEE's amendment. I want to express my admiration for his creativity in giving us an opportunity, in this "last fling" vote of thanks, to tell Britain in no uncertain terms that Hong Kong's political system is not more representative today because of Britain's lack of commitment in 155 years of colonial rule.

I have heard the Governor say that ultimately, it will be history which will judge Britain. I do not think we have to go backward in order to look forward on this one. The present speaks for itself. Hong Kong does not have a representative system of government.

Why? The British excused themselves during the 1950s by saying that there was no demand in Hong Kong for change. Since 1967, however, Britain absolves itself by highlighting the China factor. In that year, the Minister of State with responsibility for the colony, Judith HART, stated at an adjournment debate in the United Kingdom Parliament that:

Hong Kong is in a completely different position from any other of our Colonies. For international reasons alone, there are problems in planning for the usual orderly progress towards self-government. Because of Hong Kong's particular relationship with China, it would not be possible to think of the normal self-government and not possible, therefore, to consider an elected Legislative Council.

Thus, the China factor became the enduring rationale for the absence of democratic reform in Hong Kong. In 1972, after China asked the United Nations Special Committee on the Declaration on Decolonization to remove Hong Kong and Macau from its decolonization agenda, Britain responded immediately by dropping the description "colony" from official-speak, and replacing it with the word "territory".

In place of genuine representation, the Hong Kong Government created a

web of advisory and consultative committees, and made appointments to these bodies, as well as the legislature and the Executive Council. These structures and the local appointees gave a semblance of legitimacy to colonial rule.

It was pitiful that until this decade, education and politics in schools was positively discouraged. The British colonial civil servants had their own ideas of what was good for the people of Hong Kong. They believed in strong executive rule — well, of course, they would, would not they? Mr President, — and, they believed that the Administration was in the best position to make decisions for the people.

That attitude from some quarters in London was even worse. That attitude can be seen when retired British diplomats tell Hong Kong people not to complain too loudly about China, otherwise China's instincts might lead to regrettable results for Hong Kong. How low they must look upon the colonial subjects when they can tell them that acquiescence and appeasement are good for them?

So what is the legacy of colonialism? The colonial culture is one where the rulers see themselves as inherently superior. That is why we are fed up with listening to British ministers coming here and not saying anything to us. They become oblivious to the fact that they can be deeply insulting to those whom they rule. That culture creates a local elite which is very conscious of where power emanates from. Those who are most influenced by this culture, least want to openly criticize the power source for fear of losing favour. That was the case in the past as far as Britain was concerned and today, of course, power emanates from Beijing.

Let me take an example. Everyone in this Council who has spoken about the provisional legislature agrees that it is totally undesirable. But some go on to justify it by saying China has no choice because of Britain is pushing for reforms not agreed to by China. Why can they not just say the provisional legislature is undesirable because it is not in Hong Kong's interests? Why take China's side? Why not take our own? Why not take Hong Kong's side?

In a colonial culture, the rulers cultivate a pool of local people to support the power structure by appointing them to public bodies. Those who are less reliable to support government policies are discarded, and more reliable appointees found. Reliability, therefore, is often more important than ability.

Such a system of patronage still pervades the government appointment system today. This is why the Administration finds it so hard to justify appointments to these bodies, and abhors the idea of appointments being vetted by this Council. Britain never saw fit to change this system in a fundamental way; and China wants to inherit it as unchanged as possible.

So, what have we got today in terms of a political culture after years of active official cultivation of elitist politics, and the conscious official discouragement of mass interest in the political decision-making process?

First, those who have traditionally been given positions of influence are often uncomfortable to share influence with people who owe their legitimacy to the ballot box. Many among the "old school" do not like competitive, electoral based, politics. For example, the candidates running for Chief Executive — all from the "old schools", I may say, — want to bring back the appointment system to district boards and municipal councils. Furthermore, none of them seem to think the idea of the provisional legislature is a problem. They appear to have zero appreciation that the people of Hong Kong will be disfranchised.

Secondly, without cultivating meaningful participation, many Hong Kong people behave like bystanders to the political process. People have not rushed out to vote because they do not believe voting matters very much. This is not their fault. They are not, after all, allowed to vote in the Government. That meager vote is going to be further diluted by the reintroduction of the appointment system at district and municipal levels.

Hong Kong people still need to further deepen their understanding of politics. For example, many people do not link the electoral process to the legitimacy to govern. Last week, I was invited to address a group of university students on human rights. When we discussed people's civil and political rights, I asked them whether they thought democracy meant all legislators had to be directly elected by universal suffrage. They had no problems with that question. They all said "yes". I then asked them whether they thought the head of government — that is, the Chief Executive, — should also be directly elected. About two-thirds thought so. The rest was not very sure. Then I asked them whether they thought elected representatives should be allowed to make up the Government and take on the reins of power. Only about a quarter of them responded. The rest just said they did not know. They were not sure that this was a new idea.

Mr President, it is not very meaningful to elect all members of the legislature when elected representatives are not able to form the Government. In the pursuit of the "ultimate aim" of universal suffrage, provided in the Basic Law, let us not forget to insist that there must be a political structure and system put in place which enable elected representatives to form the Government one day.

How will we get there from here? That is the challenge for the future. Political leaders will need to stimulate Hong Kong people's interest in the political process, so they will no longer want to be mere bystanders, but be participants instead. Our future success in this area will be due to our own efforts — no thanks to Britain. History will judge Britain poorly for holding Hong Kong people back from political life out of its own preconceptions, preoccupations and prejudices.

Mr President, I support the amendment.

5.00 pm

THE PRESIDENT'S DEPUTY, DR LEONG CHE-HUNG, took the Chair.

MR MARTIN LEE: Mr Deputy, may I, with respect, suggest that you should not chair this part of the proceedings which is on the amendment of Mr LEE Cheuk-yan because you have spoken against it.

DEPUTY PRESIDENT: Thank you, Mr LEE. I have just considered what you had mentioned from the note you handed to me. I think, in that case, I will call for a temporary suspension of the sitting until the President returns.

Sitting suspended at 5.05 pm.

5.15 pm

THE PRESIDENT resumed the Chair.

PRESIDENT (in Cantonese): the Council will now resume. Dr Anthony CHEUNG.

DR ANTHONY CHEUNG (in Cantonese): Mr President, the Democratic Party agrees with the amendment moved by the Honourable LEE Cheuk-yan.

As a matter of fact, Hong Kong did not have a piece of glorious history during the past hundred years or so when it came under British rule. Nor did it enjoy such a beautiful time as described by Governor PATTEN in his policy address.

In the policy address, the Governor only reports on the good side of British rule while hiding the bad, and glorifies British governance. Of course, we are not saying that we should disapprove of everything which took place during these 100 years or so when Hong Kong came under British rule, or all those systems and policies that were put in place during this period. Of course, some of them have been beneficial to our past development and we should keep them. But just as Mr LEE Cheuk-yan said earlier on, during these 100 years or so, the British have never really brought democracy into Hong Kong. Today, we are beset with numerous difficulties in fighting for democracy during these final days of colonial rule. I believe that Britain must bear an inescapable responsibility in history.

This year's policy address is the last one presented by Governor PATTEN, and also the last one presented by the Governors sent by Britain to this colony. For this reason, we deem it necessary that a conclusion should be drawn in respect of the history of colonial governance.

My other colleagues of the Democratic Party have indeed expressed the views and criticisms of the Democratic Party on the history of colonial rule in the speeches they delivered yesterday and today. Therefore, I am not going to repeat them here.

What I want to say is, during the past hundred years or so, Britain has not really exercised its responsibility to pursue a democratic system in Hong Kong. After 1997, Hong Kong will become a Special Administrative Region under the

sovereign rule of China. Judging from the present situation, the road leading to democratic development will be extremely rugged. Nevertheless, the Democratic Party will, as usual, fight for universal suffrage for the legislature and in the selection of the Chief Executive so as to put "Hong Kong people ruling Hong Kong" into actual practice, ensure a "high degree of autonomy" for Hong Kong after 1997 and implement the rule of "one country, two systems".

Mr President, the amendment moved by Mr LEE Cheuk-yan this time has set a precedent for amending a Motion of Thanks. The Democratic Party is of the view that the objective of the debate on the Motion of Thanks in respect of the Governor's policy address is, from the perspective of parliamentary tradition and procedure, for Members to comment on and criticize the government's past performance and its future administrative policies. Of course, Members may indicate their position by making comprehensive voting when the final vote is taken. However, we hold that the nature of the Motion of Thanks should be different from that of a general motion debate moved by Members. If amendments can be made to the Motion of Thanks, which subsequently leads to discussions on specific policies and measures, such kinds of amendments can go on endlessly and may cause great confusion. As a matter of fact, the Democratic Party can move an amendment by including its political platform into the Motion of Thanks to express our expectations and demands in respect of policy administration. Although we share our views with some of the amendments or the content and spirit of the amendments proposed by some Members, we think that as a matter of procedure, such kinds of amendments should not be encouraged. If Honourable Members wish to offer specific criticisms against Government policies or administration, they can actually make use of Members' motions to conduct another debate.

During the discussion held yesterday afternoon among the Democratic Party, the Honourable LEE Cheuk-yan and the Honourable LEUNG Yiu-chung (as we were aware that Mr LEUNG Yiu-chung intended to move an amendment earlier), we have exchanged with them the views of the Democratic Party in this respect. We are also aware that the amendment which the Honourable Frederick FUNG had intended to propose has been rejected by the President. After discussing with Mr LEE and Mr LEUNG, we understand that Mr LEUNG has no intention to move his amendment anymore. As the Democratic Party has initially expressed that it would throw its support when Mr LEE Cheuk-yan first indicated his intention to move an amendment, the Democratic Party finally decided that it would only support the amendment moved by Mr LEE today.

Mr President, I so submit.

MR LEUNG YIU-CHUNG (in Cantonese): Mr President, the British Empire was before long known as the Empire where the Sun never sets and British nationals could be found all over the world. However, times have changed and people can trace the past glory of the British only from the war trophies kept in the British Museum. Perhaps, there is still one thing the British people can be proud of and, that is, the British system of parliamentary democracy and the rule of law which are still taking root in many corners of the world.

Against this background, the Governor delivered his last policy address two weeks ago, summarizing British colonial rule that has spanned more than a hundred years, listing out in detail the achievements of the British and praising their benevolence to the people of Hong Kong. The Governor, however, has delivered a wrong obituary to the wrong people at a wrong time. If Governor Chris PATTEN delivers a speech of the same content to his fellow countrymen after colonial rule formally ends, his listeners will certainly be moved or even stand up and cheer. However, after these "three wrongs" have been made, the Governor's delivery of the policy address is just like putting cosmetics on this corpse of colonial rule. These cosmetics, however, have failed to cover the nationalistic frustration and class hatred, old and new, of the Hong Kong people. It is precisely for this reason that we are faced with no alternative but to get even with colonial rule.

Of course, I agree with the Honourable LEE Cheuk-yan's amendment to the Motion of Thanks, which is meant to expose and purge the British for depriving the rights of the Hong Kong people to democracy. However, I still consider this inadequate, because to the grassroots level in general, these 150-odd years of colonial rule is a history of blood and tears, recording how the colonial government collaborated with capitalists and representatives of consortia to suppress the working class. Just because of this, I intend to, on the basis of the amendment moved by Mr LEE Cheuk-yan, move another amendment that reads: "enabling capitalists and representatives of consortia to monopolize political power and formulate policies to protect their own interests without regard to the livelihood of grassroots people, this Council expresses deep regret." The Democratic Party, however, has indicated that if I move another amendment, they would abstain from voting for all amendments (including the amendment of Mr LEE Cheuk-yan which they have originally decided to support). As many of my friends and Members indicated to me that they hope that the amendment of

Mr LEE Cheuk-yan could be passed, I was left with no alternative but to withdraw the amendment 1 originally proposed to move. To this, I feel very sad and extremely regretful!

In any case, Mr President, history tells us that the taipans of Jardine did make suggestions to the British imperial government to force the Qing government to cede Hong Kong Island in a bid to protect the economic interests of the British businessmen in the Far East region, thus formally raising the curtain of colonial history in Hong Kong. Subsequently, this colony came into being for the purpose of safeguarding the interests of the capitalists and the consortia. This also signified that this was the principle applied by the colonial government as the overriding governing principle.

In 1845, British businessmen, objecting to the taxation policy of the then Governor Mr DAVIS, made a snitch to Britain and fought for the right of participation of the British, especially British businessmen, in Hong Kong's politics. Up till 1849, Mr BONHAM succeeded as Governor and appointed two British taipans as Legislative Councillors, thus formally opening the door that led to the sharing of political power among British businessmen and colonial officials. Subsequently, Mr NG Ting-fang was appointed as the first Chinese Legislative Councillor in 1880; and two British businessmen were for the first time appointed as Unofficial Members of the Executive Council. Prior to the 20th century, the political setup in which colonial officials and capitalists monopolized the political power has already taken shape.

Such a political setup remained unchanged in spite of the recognition of such values as democracy and human rights by various countries in the world after the end of the Second World War. On the contrary, we discover that the closer one is to the core of power, the more he is of the world of capitalists. In 1965, out of the nine Unofficial Members in the Executive Council, the highest authority in Hong Kong, six came from the commercial sector. In 1986, there were even seven capitalists out of the eight Unofficial seats. It is worth noting that throughout colonial history that has spanned more than a hundred years, there has never been an Executive Councillor representing the interests of the grassroots. It was not until the commencement of the era of Sir David WILSON that the proportion of capitalists in the Executive Council began to shrink, but the main reason is not that the colonial government has repented of its misdeeds, but rather the nucleus of power has shifted from the Lower Albert Road to Zhongnanhai in Beijing.

In the policy address, the Governor pointed out that some people appealed

surreptitiously to Peking to reverse the decisions taken in the interests of the whole community for the sake of their own interests. Such behaviour should certainly be reprimanded by all the people in Hong Kong. But it seems that the Governor has forgotten a fact and that is, such a behaviour is but a trick commonly employed by those people under a non-democratic colonial system. Just imagine, if it is not because of those people who, for the sake of their own interests, lobbied the British-Hong Kong Government in private, causing the abortion of the constitutional reform and a number of improvements on our livelihood, the development of Hong Kong today should have already been quite different. However, what is more disgusting is that those people who have long been monopolizing political power and occupying a supreme position over the grassroots have even go so far as to unanimously criticise the Governor for causing dissimulation among the people of Hong Kong. It is virtually tantamount to a thief calling another person a thief, which is both ridiculous and saddening.

Mr President, in the above detailed description, I highlight in particular the monopolization of political power by capitalists because, in my opinion, the allocation of interests are stark competitions of power. While Hong Kong is enjoying economic growth over the years, it really puzzles us as to why there are still so many people living in poverty and so many families facing economic hardships. Actually, the answer is evidently clear. It is because capitalists and representatives of consortia have long been monopolizing political power to implement policies that safeguard their interests. As a result, the livelihood of the grassroots is not being taken care of.

Quoting the word of Alexis de TOCQUEVILLE, the Governor tried to outline his policy of governing Hong Kong and one of the statements he quoted was to give people "the assurance of reaping the benefit". After that, the Governor listed a whole lot of figures to substantiate the economic achievements of Hong Kong. Nevertheless, after searching through the 97 paragraphs contained in the policy address with a microscope, I still could not find any figures that show that the general public is sharing the prosperity of Hong Kong. These omissions are not coincidental. The colonial government and representatives of consortia have all along been ignoring the contributions made by the grassroots to the prosperity of society. Similarly, they will never ask if it is possible for members of the public, especially the grassroots, to share the fruit of success. Actually, whether the public can enjoy the economic benefits is simply not the concern of the colonial government.

PRESIDENT (in Cantonese): Mr LEUNG Yiu-chung, I would like to remind you that you can only speak on the question we are now discussing, but not on your original proposed amendment.

MR LEUNG YIU-CHUNG (in Cantonese): Mr President, I will try to connect my speech with Mr LEE Cheuk-yan's amendment.

PRESIDENT (in Cantonese): Mr LEUNG Yiu-chung, you should not just try to, you have to.

MR LEUNG YIU-CHUNG (in Cantonese): I will continue with my speech, please remind me if I am not doing so.

Since Mr PATTEN assumed office, the Gross Domestic Product (GDP) has nearly increased by 1/4, but the personal median income has increased by less than 10%.

PRESIDENT (in Cantonese): Mr LEUNG Yiu-chung, would you please speak on the amendment of Mr LEE Cheuk-yan? Otherwise, please deliver your speech again when this Council debates on the original motion or the amended motion.

MR LEUNG YIU-CHUNG (in Cantonese): Mr President, I wonder whether my understanding is wrong or not. The amendment of Mr LEE Cheuk-yan is to reprimand the Hong Kong Government for not giving democracy to the people of Hong Kong. The speech I delivered just now is to point out the consequences of not having democracy in Hong Kong. I support Mr LEE Cheuk-yan's amendment and I want to point out why we need to have a democratic system. It is for this reason that I list out the above figures.

PRESIDENT (in Cantonese): Mr LEUNG Yiu-chung, I am not questioning whether your argument is right or wrong, but whether what you are delivering is on your original proposed amendment or on the entire Motion of Thanks. I suspect your script is along these lines and so is your speech. In other words, I will not rule whether your argument is reasonable. I will only rule whether you

are speaking on the question under discussion.

MR LEUNG YIU-CHUNG (in Cantonese): I am not talking about whether you consider my argument is right or wrong. I only wish to say I speak to support the amendment of Mr LEE Cheuk-yan to reprimand the Hong Kong Government for not giving democracy to Hong Kong people.

PRESIDENT (in Cantonese): Then please deliver your speech along these lines.

MR LEUNG YIU-CHUNG (in Cantonese): Since the Hong Kong Government has for a long time failed to give democracy to the people of Hong Kong, the personal median income has only increased by less than 10% in spite of the fact that the GDP has increased by 1/4 since Mr Patten assumed his office. Such a situation

PRESIDENT (in Cantonese): Mr LEUNG Yiu-chung, I wonder if you really understand the amendment of Mr LEE Cheuk-yan? His amendment is to add ", but since the British Government has all along been adopting colonial governance as well as refusing to pursue full democratization in the territory, thereby unreasonably depriving the people of Hong Kong of their democratic rights, this Council expresses deep regret" after "That this Council thanks the Governor for his address". The speech you delivered just now, however, is to make a general comment on the Motion of Thanks and the administration of Mr PATTEN. If you are not going to speak on the question, I could only request you to sit down and I will invite you to speak again when the debates on the original motion and the amendment resume.

MR LEUNG YIU-CHUNG (in Cantonese): Thank you, Mr President. I would like to speak a few more sentences.

PRESIDENT (in Cantonese): Please speak on the amendment.

MR LEUNG YIU-CHUNG (in Cantonese): Mr President, today, in making this early account on the wrongdoings of the colonial government, we have no wish to target at Mr PATTEN. On the one hand, we hope to write a history closer to the reality in order to be fair to the people of Hong Kong, and more importantly, we hope that through a review on the termination of an era, we will be guided towards a better future.

If you ask me what the colonial governance has contributed to Hong Kong, I will say, without any reservations, that it has taught all the people at grassroots level that they must fight a long battle to gain back the rights they are entitled to and their democratic rights from the colonial power, especially from those people who have monopolised political power for a long time. In the face of the more powerful post-1997 ruling class as well as the great retrogression that will come about in democratic development and social policy of Hong Kong after 1997, the grassroots must spare no efforts in their continual strive for a democratic and just society.

Mr President, these are my remarks.

PRESIDENT (in Cantonese): Do you support the amendment, or

MR LEUNG YIU-CHUNG (in Cantonese): Do I have to indicate now?

PRESIDENT (in Cantonese): When you speak on this motion, you naturally wish to indicate whether you support it or not. But it seems that you were speaking in support of your original proposed amendment.

MR LEUNG YIU-CHUNG (in Cantonese): Sorry, I cannot hear quite well about what you said. Could you please repeat?

PRESIDENT (in Cantonese): I allowed you to speak a few more sentences because you were speaking on the question. However, it seems that all along you were speaking in support of your original proposed amendment.

MR LEUNG YIU-CHUNG (in Cantonese): I did not do so afterwards. I spoke to support Mr LEE Cheuk-yan's amendment in the latter part of my speech.

PRESIDENT (in Cantonese): In other words, you support Mr LEE Cheuk-yan's amendment.

MR LEUNG YIU-CHUNG (in Cantonese): Mr President, I would like to ask whether I must indicate if I support Mr LEE Cheuk-yan's amendment now?

PRESIDENT (in Cantonese): No, you can choose not to declare your position. You are free to do so.

MR LEUNG YIU-CHUNG (in Cantonese): Then I choose not to declare my position.

PRESIDENT (in Cantonese): Does it mean that you were not speaking entirely on Mr LEE Cheuk-yan's amendment just now, am I right?

MR LEUNG YIU-CHUNG (in Cantonese): No, I was speaking on Mr LEE's amendment.

MR YUM SIN-LING (in Cantonese): Mr President, in this year's policy address, the Governor resorts to this usual boasting of certain areas in which Hong Kong received high praises and deliberately omitting some of the administrative blunders made by the British colonial government over the years. For this reason, I would like to particularly point out three of the errors that have been made.

The first one is the positive non-intervention policy. In the financial and services sectors which employ a relatively small number of employees, this policy

PRESIDENT (in Cantonese): Mr YUM Sin-ling, please speak on the question.

MR YUM SIN-LING (in Cantonese): Sorry, Mr President. According to my understanding, the amendment of the Honourable LEE Cheuk-yan consists of two parts. The first part concerns about the adoption of colonial governance and the refusal to implement full democratization in the territory. I am focusing on some of errors made in respect of colonial governance. May I know if this is all right?

PRESIDENT (in Cantonese): Please go on.

MR YUM SIN-LING (in Cantonese): Thank you. In the financial and services sectors which employ a relatively small number of employees, this policy has proved successful, but it has somewhat been a failure in the industrial sector in which more people are employed. Today, Hong Kong's industrial technology lags far behind that of the other three small dragons, and our industries have failed to be upgraded or transformed. Challenged by low labour cost of nearby regions, Hong Kong experiences a relatively high rate of unemployment. In the property market, the Hong Kong Government has proactively limited the supply of land, which is in essence an active move to boost land prices in order to reap profits. Yet, on the other hand, it positively allows property developers to act according to their hearts' content, making Hong Kong between the rich and the poor

PRESIDENT (in Cantonese): Mr YUM Sin-ling, although the beginning of the motion reads "the British Government has all along been adopting colonial governance in the territory", the conclusion is "thereby unreasonably depriving the people of Hong Kong of their democratic rights". Please stick to the question instead of commenting on the policy address in general.

MR YUM SIN-LING (in Cantonese): If that is the case, I will reserve my right to speak later.

MR IP KWOK-HIM (in Cantonese): Mr President, regarding the unprecedented move taken by some Members to amend the Motion of Thanks to the Governor's policy address, the Democratic Alliance for the Betterment of Hong Kong (DAB) does not intend to speak on each amendment in detail.

The DAB attaches great importance to the pursuit of democracy. However, in view of the fact that the premise of the motion is to support the expression of thanks to the Governor's policy address, which runs against the DAB's stand in respect of this policy address, the DAB will oppose the amendment moved by the Honourable LEE Cheuk-yan.

Thank you, Mr President.

MR BRUCE LIU (in Cantonese): Mr President, I speak on behalf of the Hong Kong Association For Democracy And People's Livelihood (ADPL) to support the Honourable LEE Cheuk-yan's amendment. We should give Members an opportunity to move amendments to the motion, but the criticisms we make and the vote we take should be focused on the content of the amendments only. Why? Because it is clearly stipulated in Standing Order 6(6) that amendments to this motion may be moved without prior notice to the President. Obviously this represents Members' right to speak. But why has such right been written have taken due in the Standing Orders? I believe this is because our Standing Orders were written reference from some of the parliamentary procedures of western democratic parliaments, the purpose of which is to allow Members to move amendments to the Governor's policy address when necessary. I think such a need has arisen today because today's debate is a historical one. This policy address is the last one concluding the British colonial governance for more than 100 years, and we should somehow draw a conclusion at this historical moment. Such a historical conclusion has its historical significance at a time when, as I have said, such a need has arisen.

Over the past 150 years of colonial governance, the British Government has not tried its best to establish a democratic system that takes root in Hong Kong. Why do I say so? This is because actually the British Government, during its past hundred years of governance in Hong Kong, has had ample time and opportunities to introduce democracy gradually. However, the British Government has chosen not to do so during the past hundred-odd years. It was only during the last 10 years that it decided to pursue democratization in Hong

Kong. Yet it has chosen to pursue democratization hurriedly instead of slowly and gradually for better results. On behalf of the ADPL, I have to express our deep regret for the mistake made by the British Government and put that on record. Throughout the past hundred years or so, the British Government has all along been returned by democratic elections. Yet, being such a government, it has failed, during most of its time in Hong Kong, to grasp the golden opportunity to pursue democratization. This has only reflected one fact and that is, basically, the British Government does not have the good intention of taking the initiative to pursue democratization in Hong Kong. These are my remarks.

PRESIDENT (in Cantonese): Does any other Member or public officer wish to speak on the proposed amendment?

Before I put the question to vote, I would remind Members that once a vote is taken, irrespective of whether or not Mr LEE Cheuk-yan's amendment is agreed, the Council will have taken a decision on Mr LEE's amendment. Under Standing Order 23A, no further motion shall be moved in relation to that question during the current session. This means that if Mr LEE's amendment is agreed, although a Member may move an amendment to the motion amended by Mr LEE, no amendment which is substantially the same as Mr LEE's amendment may be moved because this Council has already made the same decision.

If, on the other hand, Mr LEE's amendment is not agreed, the door remains open for Members who are contemplating moving amendments to Dr the Honourable LEONG Che-hung's original motion. Again, any such amendment must not be inconsistent with the decision taken earlier. This means that no amendment which is substantially the same as Mr LEE's amendment may be moved.

I now put the question to you and that is: That the amendment moved by Mr LEE Cheuk-yan be made to Dr LEONG's motion.

Question on the amendment put.

Voice vote taken.

THE PRESIDENT said he thought the "Ayes" had it.

MR JAMES TIEN: Mr President, I call for a division.

PRESIDENT (in Cantonese): Council will proceed to a division.

PRESIDENT (in Cantonese): I would like to remind Members that they are now called upon to vote on the question that the amendment moved by Mr LEE Cheuk-yan be made to Dr LEONG Che-hung's motion. That means the following wording is to be added to the original motion: but since the British Government has all along been adopting colonial governance as well as refusing to pursue full democratization in the territory, thereby unreasonably depriving the people of Hong Kong of their democratic rights, this Council expresses deep regret.

Would Members please register their presence by pressing the top button and then proceed to vote by choosing one of the three buttons below?

PRESIDENT (in Cantonese): Before I declare the result, Members may wish to check their votes. Are there any queries? The result will now be displayed.

Mr Martin LEE, Mr SZETO Wah, Mr Albert CHAN, Mr CHEUNG Man-kwong, Mr Frederick FUNG, Mr Michael HO, Miss Emily LAU, Mr LEE Wing-tat, Mr Fred LI, Mr James TO, Dr YEUNG Sum, Mr WONG Wai-Yin, Miss Christine LOH, Mr LEE Cheuk-Yan, Mr Andrew CHENG, Dr Anthony CHEUNG, Mr Albert HO, Mr LAU Chin-shek, Dr LAW Cheung-kwok, Mr LAW Chi-kwong, Mr LEUNG Yiu-chung, Mr LIU Sing-lee, Mr SIN Chung-kai, Mr TSANG Kin-shing, Dr John TSE, Mrs Elizabeth WONG and Mr YUM Sin-ling voted for the amendment.

Mr Allen LEE, Mrs Selina CHOW, Mr Edward HO, Mr Ronald ARCULLI, Mrs Miriam LAU, Mr Eric LI, Mr James TIEN, Mr CHAN Kam-lam, Mr CHAN Wing-chan, Miss CHAN Yuen-han, Mr CHENG Yiu-tong, Mr CHEUNG Hon-chung, Mr David CHU, Mr IP Kwok-him, Mr Ambrose LAU, Mr LO

Suk-ching and Mr NGAN Kam-chuen voted against the amendment.

Mr CHIM Pui-chung and Mr LEE Kai-ming abstained.

THE PRESIDENT announced that there were 27 votes in favour of the amendment and 17 votes against it. He therefore declared that the amendment was carried.

PRESIDENT (in Cantonese): As Mr LEE's amendment to Dr LEONG's motion has been approved, Council will now continue with the debate. I now propose the question to you and that is: That the motion moved by Dr LEONG Che-hung as amended by Mr LEE Cheuk-yan be approved.

I would remind Members that those Members who have spoken on Dr LEONG's motion may not speak again on the motion as amended. The debate will now begin, does any Member wish to speak? Mr TSANG Kin-shing.

MR TSANG KIN-SHING (in Cantonese): Mr President, this is the final year of colonial rule. Even you, Mr President, are speaking in Cantonese in this Chamber. This is undoubtedly a sign of our impending reversion to Chinese rule.

The Governor, Mr Chris PATTEN, has delivered the fifth policy address since he took office. From the wording of the policy address, it can be clearly seen that it is no longer an ordinary policy address. Mr PATTEN has only concentrated on his "personal feelings and views" about the future development of Hong Kong. Certainly, some parts are laudable, while some others are open to question.

"A dying man utters kind words while a dying bird makes a plaintive whine". Undeniably, the policies and views on the administration of Hong Kong put forward by the departing last colonial Governor, although not absolute "truths", can indeed serve to alert many a stubborn Hong Kong people.

Mr President, despite what I have just said, there are numerous repetitions

and implications in the Governor's policy address that Hong Kong's success in the past is to a great extent based upon the British colonial rule. For those who are born and brought up in Hong Kong, this view of the Governor would make them feel shameful and ambivalent. If I were a British, I would even have an extreme sense of guilt and regret, because colonial rule has already fully demonstrated "might and autocracy" besides failing to remedy its mistakes in the past; it has also failed to do its best for the Hong Kong people.

Although Mr PATTEN stresses that Britain has "moral and political" obligations towards Hong Kong, and that everything would remain unchanged for 50 years, but in reality, at what time has Britain ever performed such obligations since the coming into effect of the Sino-British Joint Declaration? When has Britain ever said "no" when confronted with the strong stances of China? When has Britain ever stepped forward bravely simply to defend the long term interests of the Hong Kong people?

The fact that Britain pays only "lip service" to the so-called moral and political obligations has been fully reflected in the Hong Kong democratization issue, and even more so in respect of the arrangements for the right-of-abode in Britain. Faced with the might and pressures from the Chinese side, Britain, as we can see, only keeps on making concessions and flinching, and acting at the beck and call of China, with its political and economic interests as its main concern. "Deserting the people of Hong Kong and betraying the people of Hong Kong" has already become a usual trick of Britain.

Mr PATTEN may regard this incorrect, for after he has assumed office, he seemed to have adopted an unyielding position and said "no" to the Chinese side. But, is this too late? Should he only say "no" after almost 10 years from the formulation of the Joint Declaration and the Basic Law? And, the Governor has betrayed Hong Kong people on the question of the Court of Final Appeal. In regard to the establishment of the provisional legislature, he did not dare, all in all, to declare the provisional legislature an "illegal entity". Does this not show once again that "all crows are black"?

To be frank, I must say there is a change in the national policy of Britain, and it now emphasizes more on an "honourable retreat" than it did before and on atonement for the mistakes made in Hong Kong in the past. Is this "spring in the eleventh hour" helpful to Hong Kong people? Before ending his policy address, Mr PATTEN reminded Hong Kong people to assert their autonomy and

to fight for democracy strenuously. But has he reflected on what Britain has done for these people who live under colonial rule? Will he simply pass the ball back to Hong Kong people on the eve of retreat? Or is he leaving us to fare ill or well on our own?

In the old days when Hong Kong was under colonial rule, the British Government in Hong Kong, in a bid to ensure the legality of its rule, brought about inequalities of "power, wealth and social status" and let the rich have all the say in Hong Kong so that they can protect the interests they were already enjoying, and enjoy free political and economic lunches. At that time, capitalists strongly opposed the democratization of Hong Kong as well as direct elections in 1988. They supported the Basic Law which was conservative and undemocratic. For since they have already gained power easily, it was pointless for them to take unnecessary risks.

Now, Mr PATTEN still fails to learn from bitter past experiences and to incorporate equality, justice and pluralistic views into political and economic affairs. He is only intent on the non-humanized position of mainstream economics in the West. Although such behaviour may be taken as some sort of political propaganda, it cannot, in fact, practically and thoroughly meet the needs of social development.

Mr President, as the spokesman of the Democratic Party on vocational safety and health, I would like to reiterate our position and views on the relevant parts of the policy address. I believe Mr PATTEN would also be ashamed of the incessantly increasing number of industrial and non-industrial accidents since he took office and about which he could do nothing. Since 1995, when a comprehensive review of industrial safety in Hong Kong was conducted, there were serious errors in the direction and policies of the Government. The Charter for Occupational Safety, work suspension notices, notices urging for improvements, supervision of hand-dug caisson works and safety committees were mostly cosmetic measures, or even measures having a fine start but poor finish.

To completely solve the problem of industrial safety and health, we must (1) strengthen law enforcement to impose heavy penalties on employers who break the law; (2) emphasize the involvement of an intervening role of the Government in industrial safety and health; (3) have the Government setting an example in putting a stop to hand-dug caisson works; and (4) put in more resources to enable the Government and the relevant departments to effectively carry out law enforcement, training and supervision.

Last evening, I listened to the speech made by the Foreign Minister of the State Council, QIAN Qichen, on "one country, two systems", which is to be taken as a response to the 16 benchmarks set by Mr PATTEN. His speech has told everyone that "one country, two systems" existed in name only. The freedom of thinking, of speech and of assembly of the public will be controlled.

I recall that Mr DENG Xiao-ping has said: "In Hong Kong, you can criticize the Communist Party because it would not fall in the face of criticisms." Mr DENG used the example of criticizing the Communist Party to describe what is meant by "one country, two systems". But what Mr QIAN said indicated clearly to us that "one country, two systems" has ceased to exist except in name.

Among our colleagues, there are many Preparatory Committee members, and many are going to assist the future Chief Executive, and become members of the future provisional legislature. They have been criticizing Mr PATTEN to their hearts' content for the past two days. Today, we enjoy the freedom of speech in Hong Kong and we do not have to worry about facing revenge afterwards. We can criticize leaders, and point out their mistakes. But Mr QIAN Qichen said last evening that we could not criticize leaders or advocate such behaviour. The political future and prospects of Hong Kong are in the hands of these colleagues. What will you people do?

In the past few months, those so-called pro-China people who love Hong Kong and our nation observed a minute of silence for Mr David CHAN Yuk-cheung, who died in the Diaoyutai Movement. But did they dare to express their views? Their anguish have been suppressed by power from the north, and they could only swallow their anger. In fact, everybody can see that the north wind has arrived before 1997. Do the candidates for the office of the Chief Executive of the Special Administrative Region (SAR) have the courage to ask with confidence whether there will be genuine freedom of speech after 1997?

Mr PATTEN and the British Government have not discharged their duties in respect of the Sino-British Joint Declaration, the idea of "one country, two systems", as well as that of "remaining unchanged for 50 years". They do not have the courage to say "no" to China, although they know too well that many issues have not been set out in the Basic Law.

Up to now, the British Government in Hong Kong still lacks the valour to say "no" in regard to the provisional legislature, and it would even have to make preparations for the future SAR. As such, I really hope that on 1 July next year, the SAR team and the provisional legislature team can stand here, as we do today,

and air their views, criticize the country and point out the mistakes of the leaders. This is going to be a blessing to all the Chinese and to the people in Hong Kong. But Mr QIAN Qichen pointed out that leaders could not be criticized. Therefore, I do not see what else could the Chief Executive and members of the SAR provisional legislature do when confronted with difficulties in the future except swallowing their anger.

All along, people in Hong Kong and people in China have been cherishing the hope that the representatives in the National People's Congress and members of the Preparatory Committee would convey the views of people in Hong Kong. But, while WEI Jingsheng has been put in jail, WANG Dan will soon be sentenced and WANG Xizhe has been forced to step down and leave China, what have the Preparatory Committee members done? Although I, TSANG Kin-shing, have to step down and leave this Council in 1997, I can still go to sleep complacently because I have not done anything against my conscience. However, I am convinced that those Hong Kong representatives in the National People's Congress, members of the future legislature and the Chief Executive will be given a fright when someone knocks at their door in the middle of the night because they do not know when they have made mistakes, offended the leaders or when they will be arrested. Could they have any peace of mind?

Now, speaking up till this juncture, people in China and people in Hong Kong, if you dare not voice your views, there will only be dead silence in China.

Thank you, Mr President.

MR AMBROSE LAU (in Cantonese): Mr President, the fifth policy address of the Governor is the last one published under British rule. It stands to common reasoning that the Governor should be reluctant to part with Hong Kong and that he should sincerely pray for Hong Kong. However, it is most disappointing that the Governor, in all anomaly, proposed the 16 benchmarks which cast doubts on the future of Hong Kong, and alleged that some people in Hong Kong were consistently appealing surreptitiously to Beijing, who have been giving away, bit by bit, the autonomy of Hong Kong. I find this very disappointing.

As the Governor stated that he would speak in more personal terms and coupled with his flowery rhetoric, this policy address appears special and full of literary grace. Speaking about the relationship between the rhetoric and

contents of the policy address, I recall the remarks made by LI Tu, a Chinese literary writer in the Sung Dynasty. He said, "It is not difficult for a piece of writing to be rhetorical but it is difficult for it to be simple; it is not difficult for it to be circumlocutory but it is difficult for it to be straightforward; it is not difficult for it to be flowery but it is difficult for it to have substance." Regrettably, the policy address, despite its literary elegance, has displayed too much sophistry and hypocrisy that it lacks simplicity; is so full of innuendoes that it fails to be direct and sincere; and the play with grand words and phrases is so excessively that it lacks substance.

According to YANG Xiong, a Chinese literary writer in the Han Dynasty, "When a man of integrity made an obscure comment, he must have verified its clarity; when he made a deviated comment, he must have verified its relevance; when he made a major comment, he must have verified its small details; and when he made a trivial comment, he must have verified its significance" (quoted from "Fayan"). If the Governor can have his allegations verified, the comments he made could have been considered comments made by a man of integrity, but if the Governor fails to verify his allegations, his comments would be, just as what YANG Xiong had said, "made without verification, hence are nonsense."

Mr President, the policy address also alleged that some Hong Kong people have appealed surreptitiously to Beijing, and this will draw Chinese officials into matters which should clearly fall within the autonomy of Hong Kong. In saying so the Governor has driven a wedge between Hong Kong people and the Chinese Government. We all know that as the return of Hong Kong to China is drawing near, it is natural for Hong Kong people to enhance communication and understanding with the Chinese Government. We should be happy if the Chinese Government listens more often to the views of Hong Kong people on such matters as their rights after 1997 and preparations for the establishment of the Special Administrative Region (SAR) Government. To name a few, the appeal for leniency on issues of immigration and nationality of Hong Kong people after 1997, the protection of the rights of Hong Kong people who are caught in "unfinished flats" deals in the Mainland, the stepping up of efforts by the Mainland to combat cross-border crimes, the prevention of granting approvals wantonly for Chinese officials to come to Hong Kong after 1997; and besides, to reflect views on the candidates for the election of the Chief Executive, the rule of confidentiality in the Preparatory Committee and the Selection Committee, the strengthening of infrastructural coordination between the

Mainland and Hong Kong and so on. These are moves to enhance communication between Hong Kong people and the Chinese Government. That the people of Hong Kong actively expressing their views on their own rights and on matters pertaining to the smooth transition and that for the Chinese Government to accept the views of Hong Kong people are conducive to the smooth transition and the maintenance of stability and prosperity. However, the innuendoes made by the Governor will undermine the initiatives of the Hong Kong people to strengthen communication with the Chinese Government and will sow dissension between Hong Kong people and our compatriots in the Mainland, thereby alienating their relationship.

Mr President, the policy address even sets out 16 benchmarks for the world to gauge whether the two systems can co-exist and thrive within one country. I would like to raise two points in this regard. First, in suggesting these benchmarks, the Governor has adopted a presumptuous attitude and usurped credits from others' achievements. Secondly, the suggestion of these benchmarks revealed a neglect of the Chinese Government's consistent policy on Hong Kong, spreading anxieties on the future of Hong Kong and sowing distrust towards the Chinese Government.

Paragraph 44 of the policy address reads, "..... and in these unique circumstances Britain sought to negotiate with China a treaty which would guarantee the survival here of those values which have made Hong Kong successful and have given it a market economy, the rule of law and the institutions and habits of civil society. Britain also sought to secure for Hong Kong in the future the same degree of autonomy in social and economic matters that it enjoys today." This remark carries a very clear implication that the principles of "one country, two systems" and "a high degree of autonomy" to be implemented in Hong Kong in future are secured by Britain for the Hong Kong people. Therefore, in paragraph 89, the Governor, in all seriousness, raised the question of whether the 16 benchmarks relating to the maintenance of the original system and a high degree of autonomy in Hong Kong will be met with intervention from Beijing. Regardless of what the Governor subjectively thinks, the objective consequence is that suspicion, division and contradiction will be created among people in Hong Kong.

In adopting a presumptuous approach and usurping credit for others'

achievements in the policy address, the Governor has misrepresented the reality. According to Mr LU Ping, the Chinese Government had already reaffirmed the policies of "one country, two systems", "Hong Kong people ruling Hong Kong" and "a high degree of autonomy" prior to the commencement of the Sino-British talks on the future of Hong Kong. As soon as the negotiation started, the Chinese delegation had laid these principles on the negotiation table. Therefore, unlike what someone has suggested, it was not the British who secured these principles for Hong Kong people. Moreover, I note that in her memoirs, "The Downing Street Years", Mrs Margaret THATCHER, the former Prime Minister of Britain, has stressed that: "The problem of Hong Kong was solved because DENG Xiaoping had put forth the principle of "one country, two systems."" I am indeed at a loss as to why the Governor has ignored the explicit historical facts and said that it was the British who had made attempts to reach an agreement with China on the principles relating to "one country, two systems", which were in fact proposed by the Chinese Government, and that it was the British who had sought to secure these principles for Hong Kong? It is undesirable that the Governor should adopt a presumptuous approach and usurp credits for others' achievements. Worse still, after the Governor's presumptuous move, it is ridiculous to see that he has even claimed to be the guardian angel of this "one country, two systems" concept.

However, Mr President, it seems to me that the Governor was not seeking to ridicule himself in so doing. His intention is to undermine the confidence of Hong Kong people and the international community in the future of Hong Kong. Let us take a closer look at these 16 benchmarks. Each of them starts by stating the pledges that the Chinese Government has expressly made to Hong Kong in the Joint Declaration and the Basic Law. But, the Governor asked skeptically, "Is this really the case?" in relation to each of these pledges, rocking the confidence of Hong Kong people and the international community in the relevant pledges of the Chinese Government. Nonetheless, we all know that the pledges of the Chinese Government are not only intended to safeguard prosperity and stability in Hong Kong but also to contribute to the modernization of China and the great plan of its unification in future. If we understand this, we can be sure that the dissemination of anxieties and distrusts spread by the Governor through the 16 benchmarks is not simply intended to make others see the light, although he is dizzy himself. In fact, he has an ulterior intention.

Mr President, the policy address ends with a quotation from a poem by

Jack LONDON, suggesting that Hong Kong has always lived by the credo that "I would rather be ashes than dust". While I very much admire the Governor for being knowledgeable and having a retentive memory of classical works, the lines of this poem quoted regrettably showed misunderstanding on the part of the Governor of the wishes of an overwhelming majority of the people in Hong Kong. Hong Kong has all along been an economic metropolis where a great majority of the citizens hopes to live and work comfortably, in contentment and to get along with others harmoniously. They do not want to be "ashes" or "brilliant blaze". If this terrible misunderstanding, having been fueled by the Governor, is to become the order of the day, thus prompting Hong Kong people to become invariably antagonistic, to create conflicts and to hold onto individualism and heroism in such a way that "ashes" and "brilliant blaze" highlight their credo of life, then stability, prosperity, democracy and the rule of law will consequently be lost.

It is the hope of people in Hong Kong that the Government will develop the economy successfully and improve the people's livelihood. However, in the policy address, the Governor has not made effective and specific suggestions on these issues that citizens are concerned about. Considering the fact that the Governor is frequently out of town and that he could only spend limited time on his work in Hong Kong, it is easy for us to understand that even though the Governor may intend to solve the problems relating to the people's livelihood and the economy, he simply does not have the time to do so. As Members of this Council have already stated the various problems in respect of the people's livelihood, our society and economy that the Governor has failed to tackle, I do not intend to dwell on them again here.

Now that Hong Kong is undergoing economic restructuring, if the Hong Kong Government does not come up with a way to effect adjustment and control in an effort to cushion the setbacks brought about by the outward relocation of industries, it will jeopardize the development of the service sector in the territory as well as the ability of our economy to strike a balance and bear risks. In this respect, I think the Government must study how to upgrade the level of local industries to pave the way for their development towards high technology, high value-addedness and high quality, and towards the opening up of new markets. I would urge the Government's Task Force on Services Promotion to map out a clear and complete range of proposals for development to tie in with the work of the Trade Development Council so that, when advancing towards the 21st century, Hong Kong can still maintain the vitality of its service sector and continue to play the important role of a service hub in the Asian Pacific region.

The Governor has repeatedly claimed that democracy should be developed. The District Board is not only the pioneer of representative government in Hong Kong, but also an important element of a democratic political system. Being a Legislative Council Member returned by the District Board, I express deep regrets over the failure of the Governor, during his term of office, to come up with any policy to strengthen the functions of the District Board or enable District Board Members to give full play to their roles in the development of the representative system of government.

Mr President, I originally had high expectations of this last policy address of the Governor and intended to give it my sincere blessings because, after all, many things that are "last" deserve to be cherished sincerely. Yet, very regrettably, this last policy address hardly incorporates anything worth mentioning in respect of the Government's policies for the next nine months. In addition, it even made arbitrary allegations and spread anxieties on the future of Hong Kong. At this critical moment of time, undermining the confidence of Hong Kong people and the international community in the future of Hong Kong and impairing the smooth transition and stability of Hong Kong, as well as the prosperity of the territory is unacceptable to most the greater majority of the people in Hong Kong. Therefore, I have no alternative but to vote against the last policy address under British rule in Hong Kong. Thank you, Mr President.

DR JOHN TSE (in Cantonese): Mr President, it can be said that this year's policy address has not touched upon environmental protection. In fact, public support for environmental protection is the most crucial. I wonder how many members of the public and Legislative Councillors have the habit of using handkerchiefs like me. The aim of environmental education is to let the public put knowledge into practice. However, at present, such education is severely lacking. As this is the last policy address presented by the Governor, I would like to conclude and review on the Governor's environment protection policies adopted since 1992 up to now.

By the end of last year, the Government proposed the Diesel-to-petrol Scheme which was extensively objected to. In his policy address this year, the Governor still cannot provide effective solutions to control vehicular emissions. In fact, the main culprit of air pollution now is the aging fleet of heavy diesel vehicles. The Government is simply intent on prosecuting the law-breakers but it fails to provide vehicle owners with technology which helps to reduce emissions. Obviously this can only treat the symptoms instead of curing the

disease, and this fails to effectively improve the air quality in Hong Kong. Moreover, it is shown in several policy addresses, published between 1994 and now, that the plan for the introduction of less polluting fuels has still remained at the stage of research, showing the Government's lack of the required sincerity and perseverance to put the plan into practice. To effectively reduce air pollution, simply putting a control over number of vehicles is not enough. The construction of more roads and the expedition of the development of the mass transit system is indispensable. The Democratic Party therefore urges the Government to build the Tseung Kwan O/Ma On Shan rail link without delay, in order to improve air quality in the entire territory.

Secondly, the Government's efforts in improving indoor air quality, reducing toxic air pollution and controlling polluting industries have still left much to be desired.

In relation to the Strategic Sewage Disposal Scheme and the "polluter pays" principle implemented by the Governor in order to reduce pollution of the sea and to improve the water quality in the territory, the Democratic Party thinks that these are sound measures and their adoption should be encouraged. Regrettably, the Government has oversimplified environmental protection to the levying of charges. As a result, the Scheme merely embodies an environmental protection concept but not in deed. There has not been any marked improvement in water quality after sewage charges have been collected. Recently, the Government has again proposed an increase in sewage charges. The Democratic Party hereby urges the Government to inject more capital into the Scheme, extend the period for recovery of costs, conduct a comprehensive review on the trading fund, enhance its transparency, open up new sources of income and reduce expenditure. Otherwise, the Democratic Party will continue to oppose the increase in sewage charges.

Mr President, the Government has been using landfills as a way of waste disposal in Hong Kong in the past. But, owing to an excessive increase in waste and the abuse of such a way, the expected life span of the three strategic landfills in the New Territories has drastically reduced from the original 40 or 50 years to 17 years now. Besides, the Governor has indicated that the "polluter pays" principle would be implemented and that "landfill charges" would be collected from private companies using the landfills. However, the proposal has still not been put into practice even after two years, so it can be seen that the Government has made a total failure in this aspect.

Of course, we should appreciate the fact that the relevant department has conducted a "Waste Reduction Study" to remedy the situation. However, the Government has not been actively reducing industrial waste and constructing a central incinerator. The Democratic Party urges the Government to construct a number of high technology incinerators as soon as possible to relieve the burden of the landfills.

In respect of nature conservation, available information shows that the number of Chinese white dolphins living in Hong Kong has declined from more than 200 to around 80. Although it is said in the policy address that Sha Chau and Lung Kwu Chau are designated to be a marine sanctuary for the conservation of Chinese white dolphins, the most ironical fact is that the Sha Chau dumping area is right nearby, and the pollutants in the mud will be released when the mud is dumped there. How can we protect the Chinese white dolphins, the mascot of the Special Administrative Region, through this way?

In regard to education and publicity on environmental protection, the Governor has done some work in setting up the Environment and Conservation Fund and the second environmental resource centre. However, there is still much room for improvement. Environmental protection education in schools is still highly insufficient and the publicity on large-scale environmental protection campaigns like "using less plastic bags" has not achieved much. All these show that the Government has to conduct a comprehensive review on the strategies for education and publicity on environmental protection.

Last year, the Government proposed the voluntary energy-efficiency labelling scheme for household refrigerators and household air-conditioners, but the result was not satisfactory. The Government should consider turning the scheme into a compulsory one in order to obtain better results. Besides strongly promoting the energy efficiency scheme, the Government should also review the existing phenomenon that the two power companies are supplying excessive power. According to our information, the reserved capacity of the China Light and Power Company Limited exceeds 50%. The Democratic Party urges the Government to review the existing scheme of control and formulate a long-term energy saving package as soon as possible so as to avoid energy wastage.

On the other hand, achievements attained by the Governor in the introduction of the concept of sustainable development and the formulation of

the Environmental Impact Assessment Bill should be affirmed. In fact, the Governor had once been the Minister of Environment in the United Kingdom, and he should have a deeper understanding of and make a greater undertaking towards the implementation of environmental protection policies. Mr PATTEN has probably spent too much time on wrangling with the Chinese side and has therefore overlooked the problem of environmental protection after he has assumed office. In a nutshell, I would give 40 marks to the Governor for his performance in respect of environmental protection, in other words, he failed.

Mr President, I would now turn to talk about children's rights because their basic rights have often been neglected. Children have not been enjoying the best interests and priority in respect of the provision of services or resources. The Government has not accepted any of the recommendations made by the United Nations Committee on the Rights of the Child. I think the Government should review the existing legislation without delay, thoroughly implement the principles of the Convention on the Rights of the Child, and also set up a Committee on the Child to monitor the implementation of the relevant legislation.

Every year, about 20 children die of accidents caused by negligence or a lack of care. We know that a five years old child was seriously burnt two days ago after being left unattended at home. This reflects that not enough efforts have been made by the Government to prevent the neglect of children and that the Convention on the Rights of the Child is not thoroughly implemented in Hong Kong.

Although the Government has promised that it will provide more child care centres and occasional child care places besides setting up multi-disciplinary committees on child abuse, these are not sufficient. At present, there is a serious shortage of supporting facilities and publicity, so the relevant facilities have not been extensively utilized.

Mr President, it is not anything new to learn that children at school age who have just arrived from China fail to find places at schools and to adjust to life in Hong Kong. Obviously, the Education Department has been slow in giving them support, and it has not done enough to help them integrate into our society.

Mr President, due to insufficient knowledge about sex, many children have

been victimized. However, the Government has not played an active role in promoting sex education. Children are not taught how to prevent sexual assault and obviously, their teachers have not received adequate training. I hope that the Government can be more active in implementing sex education in future.

Mr President, if one says that children are the underprivileged, then disabled children at school age are those who need even more assistance because their basic right to receive education has often been neglected. Not much improvement has been made in the quality of special education for many years and the students of special schools have been seriously deprived of the services they need. Even worse, disabled children already studying in ordinary schools will not be given the necessary support. I hope the Government can allocate more funds to improve special education and implement the recommendations in the Review Report of the Board of Education.

Mr President, I would finally turn to talk about the issue of suicide. Every year, 20 children die after having committed suicide and the issue of children suicide has long been ignored. In addition, every year, about 250 to 300 elderly people also die by committing suicide. The issue of suicide is indeed very serious in Hong Kong. However, both the policy address and the policy commitments have only given little coverage to the issue. We should bear in mind that life is invaluable and it is pressing for the Government to provide various kinds of facilities to prevent suicide. I am glad that the Government is willing to develop a support network for elderly people. Yet, this is not enough as it still needs, as a co-ordinating measure, an increase in Comprehensive Social Security Assistance and the outreaching services for the elderly.

Mr President, in a nutshell, I am of the opinion that the Governor can score only 20 marks for his performance in protecting the basic human rights of the underprivileged.

I so submit.

MR ERIC LI (in Cantonese): Mr President, "Peter PAN is the captain of the Lost Boys. He leads children to boundless adventures in Neverland, an island between asleep and awake." Mr President, these few lines are not quoted from poetry. They are comments that I made on 22 October 1992 in response to the first policy address of Governor PATTEN.

1. *Stay awakened and work earnestly to better oneself*

These comments reflected my concerns on the constitutional package proposed by Governor PATTEN at the time. Undoubtedly, four years ago, at a time when the people of Hong Kong felt perplexed in the face of the forthcoming reversal to China, the arrival of a powerful Governor, who also brought with him a breakthrough in political development, was indeed on the spur of the moment a novelty and fantasy to the people of Hong Kong. But, after all, a tale-like political notion should never have been taken seriously. "The Lost Boys in Neverland" can refuse to grow up, but politicians in Hong Kong must be awakened to reality and work earnestly to better themselves, thereby opening up a way ahead for Hong Kong.

In the 1992 debate, I opined that the most serious drawback in Governor PATTEN's constitutional package was the obvious attempt to dissimulate the different levels in the community having different interests so as to enable the powers-that-be to rule easily by dissimulation with the use of its strong executive-led authority. What is more, while people with different backgrounds in the territory have the right to speak, they are nonetheless prevented from securing comprehensive experience in political administration to resolve conflicts among Hong Kong people and to run the administration of Hong Kong. Under the circumstance, by 1997, "Hong Kong may have a whole school of politics full of students but none will graduate when class ends."

Over the last four years, a more open and more accountable government, the Performance Pledges, the Progress Reports and the Policy Commitments are obvious improvements which this Council should recognize positively. Besides, Governor PATTEN has also nurtured for Hong Kong many politicians and senior civil servants who are both eloquent and familiar with the operation of the democratic framework and who respect public opinions and justice. This is also a remarkable achievement. Yet, real authority has never been out of the hands of the Governors appointed by Britain. Grassroots do not have the good fate of sharing it. Nor do the capitalists. In fact, all politicians have never had the chance so far to genuinely share the authority to administer Hong Kong.

2. *Face the way ahead squarely and break away from entanglement*

I have a great deal of feelings from my personal participation in the work

of the Preparatory Committee of the Special Administrative Region (SAR). As the planning work for the transition is progressing at a high speed, the elite from various sectors in the community have long settled down to get prepared to play a part in the specific preparations. In this process, I would not say that everything proceeds in the way we wanted it to be, for in fact, inevitable confrontation and compromises emerged as a result of the difference in political concepts in China and Hong Kong. Yet, the decision-making process is genuine and features participation. In view of Hong Kong people's enthusiastic response on the contest for the SAR Chief Executive Designate and members of the Selection Committee, I am no longer skeptical about Hong Kong people's sense of mission, their ability to attain autonomy and their confidence.

A partial election has not put the historic selection of the first SAR Chief Executive in the shade. The next two and a half months will see the formation of the team to administer Hong Kong and the provisional legislature, which are to be made up of Hong Kong people. The people of Hong Kong need tilt their heads only slightly to look ahead to see clearly the new track leading to 1997. They do not need me to remind them that we have a firm hold over "tomorrow's agenda". So why bother to remain entangled in "yesterday's business"?

Following Chinese President JIANG Zemin's advice for Britain to "see through all worldly things" and act in the light of the long-term interests of China and Britain, the two countries have started to break away from unnecessary entanglement in their working relationship and go back onto the normal track. It is only natural that Governor PATTEN, being a heavy-weight politician, should personally take the judgment of history seriously or even consider it necessary, in his position, to defend Britain's way of beating retreat from Hong Kong, hoping to preserve a modicum of honour. The people of Hong Kong are not heartless people and they may not necessarily find it unacceptable to show the Governor greater generosity. Regrettably, the incumbent Governor has gone a step too far in placing "production orders" to the Team Designate condescendingly and painstakingly flaunt the achievements of Hong Kong under British rule by comparing Hong Kong with a "superb meteor". This has inevitably given an impression that the policy address of Governor PATTEN has overstepped its authority. I think if LI Bai, the "celestial poet" in the TANG Dynasty, were alive, he might have responded to the Governor in this way:

- * Living without a fame among the motley crowd,
Why should one be as lofty as the moon or cloud?

Of ancient talents who failed to retire, there's none
But came to tragic ending after glory's won.
Have you not heard of Zhang Han who resigned, carefree,
To go home to eat his perch with high glee?
Enjoy a cup of wine while you're alive!
Do not care if your fame will not survive.

* *Extracted from "300 TANG POEMS: A New Translation".*

The people of Hong Kong, pragmatic as they are, do not care whether or not they can gain universal acclamation. All they aspire to have is a peaceful place where they can live comfortably. Now that the political whirlwind has subsided, it is hoped that our "vessel" will weather the storms and sail with the wind and water smoothly in the next 200 days, without having to "drift" or "lie at anchor" before we can reach the shore of the motherland.

3. *Routine proposals with no originality; be ready to accept good advice*

Although I would describe the other parts of the policy address as "routine proposals with no originality", there are still positive messages and practical proposals. If we draw a comparison between the achievements and mistakes made over the last four years, the Civil Service as a whole should feel proud of the overall result.

Being a Legislative Council Member representing the accountancy profession, I would like to thank the Governor for taking vigorous steps to bring forth the amendment of the Professional Accountants Ordinance, thereby enabling members in the profession to run their business as limited companies, giving recognition to the highly self-disciplined professional status of the Hong Kong Society of Accountants, and intimating a willingness to take concrete actions such as strengthening co-ordination and co-operation, improving the level of business ethics and fostering an integral management concept and so on. I would also like to thank the various government departments for readily taking good advice by accepting almost all of the many suggestions that I put forward during the year when I was in office, in particular, the statutory amendments and suggestions made by the Public Accounts Committee. Regarding the pre-emptive coverage made by certain newspapers about the only item in which the accountancy profession and the Government still differ, that is, requiring

accountants to report any suspected unlawful acts by their listed clients, I still adopt an open attitude and hope that the Government will, as it has always been, identify with flexibility a solution acceptable to both sides.

4. *Establishment of fund to help setting up business is beneficial to all sectors*

The Honourable LAW Chi-kwong mentioned the emerging problem of employment among youngsters. Being the Chairman of the Commission on Youth, I have repeatedly and openly urged the Government in this Council to set up a fund early to help the setting up of business. I have long noticed that this will not only help youngsters who face financial hardships in their employment, but will also serve as a means to preserve the continuing entrepreneurial spirit in Hong Kong which requires continuous updating. I have done some research into this issue recently and found that the Hong Kong Productivity Centre had studied this problem in as early as October 1990 and even drawn a positive conclusion. The conclusion is provided that assistance from the banking sector is forthcoming and that a group of public-spirited businessmen could act as honorary advisers, such a fund will indeed be practicable in Hong Kong. Regrettably, after the circulation of the report in the Government, no follow-up action has been taken and the matter is left unsettled. It is my hope that after this debate, the Government can actively study the feasibility of setting up a fund to help young people to set up their business.

5. *Eradicate poverty and share the fruit together*

This year is the United Nations "International Year of the Eradication of Poverty" and this morning I attended and spoke, in the capacity of the new Chairman, in the forum on poverty held by the Hong Kong Council of Social Services. Perhaps it is useful to share my views with Members. The Governor and senior government officials invariably take pleasure in publicizing the economic achievements of Hong Kong and all people, be they businessmen, Council Members and "wage earners", are aware that the per capita Gross Domestic Product of Hong Kong is US\$23,200, which has already overtaken that of the British and is catching up with the Americans. However, there were in fact 8.3% of the local workforce, or 250 000 workers, earning less than \$4,000 last year. From the statistics published by the Hong Kong Council of Social

Services this morning, the number of poor households — those who have difficulties to afford even basic expenses and necessities — is as high as 250 000. This appalling figure represents 15.5% of the total number of households in Hong Kong or 650 000 people, which accounts for 11% of the total population.

Let us not question the accuracy of the statistics. The survey report also pointed out that the structural reasons for the aggravation of poverty very often included the drastic increase in housing expenses. The lower growth rate of overall wages or even negative growth in some industries, the number of unemployed workers, the increasing number of single-parent families, the aging population and so on are matters that the Government should address squarely and expeditiously.

In fact, many of the existing policies of the Government have already served the purposes of redistribution, providing assistance for the poor and ridding off poverty. To name a few, government policies in respect of housing, education and medical services. The question therefore lies in whether these policies are sufficient and whether the beneficiaries are those most in need. Does the Government have any policy which makes citizens of Hong Kong become impoverished? How far are citizens affected, for instance, by the sluggishness in the net production of housing which pushes property prices upwards, government departments carrying out their work separately in their own way in the short term, the concurrent adoption of the "user pays" principle for a host of public services and so on? On this day of the "International Day for the Eradication of Poverty", the Government should address the issue by earnestly reviewing these inappropriate policies and studying the feasibility of injecting more resources.

6. *Citizens and Civil Servants taking concerted effort to work for a better tomorrow*

In the debate on the motion of thanks in 1994, I said, "A loyal and quality Civil Service" is the most valuable asset for a smooth transition and to go beyond 1997. Recently, the replacement of the Prime Minister of Japan has taken place at an interval of less than one year on an average, whereas in Thailand, do we not notice the many instances of coup d'etats? Though the statesmen in these countries are frequently replaced, yet the economy and people's livelihood in these countries remain stable. Therefore, the role the Civil Service plays in ensuring stability is as plain as a pikestaff.

As 1997 draws near, the pressure that every and each citizen face cannot be taken as minimal. Almost every family is consequently required to make sacrifices and adapt themselves to changes in varying degrees. Looking back on what we have gone through over the last four years, I believe they can reflect that the important factors contributing to the success of Hong Kong include the tolerance, perseverance and adaptability of Hong Kong people.

In the next few months, we may expect a smooth transition in this journey of historical significance. The honour should go to those Hong Kong people who have devoted their efforts and made contributions. I hereby express gratitude for the Civil Service as a whole and in the meantime, I am more than happy to bear witness in history to those persevering people who have toiled for Hong Kong.

MR JAMES TO (in Cantonese): Mr President, in his police address, the Governor has said that an important factor in Hong Kong's success is its respect for human rights and the rule of law. Whether explicitly or implicitly, he has said that the British have left us the tradition of the rule of law and respect for human rights. Of course, the Governor expects that we would enjoy less of these after 1997 and he is therefore "recording these for future reference" now. But as to his claim that Hong Kong has been fully enjoying human rights and the rule of law under British rule, I cannot agree to it at all. Brushing aside events that took place long ago, let us look at the incident that took place in 1967. The protest staged by SO Sau-chung against the Star Ferry's fare increase of five cents was merely an anti-fare-increase protest. The whole protest was conducted in an absolutely peaceful and rational manner and there were only one to two participants. However, it was severely suppressed by the British Hong Kong Government. The severity of the suppression was no less than that imposed by the Chinese government on the campaign launched by TONG Zeng in defense of the Diaoyu Islands. In another incident in defense of the Diaoyu Islands in 1971, the police again lashed out an armed suppression just because of the site used. In 1990, YEUNG Sum and LEE Wing-tat and some other people were prosecuted for using loudspeakers. In view of all these, how can we say that we have had a history of respect for human rights? As to my colleagues in this Chamber today who have many years of experience in organizing social movements and have launched social movements in the 1970s and 1980s, how many of them have not been followed by the police officers from the Special

Branch?

Even so, I still find Hong Kong a place where the rule of law and human rights are now being respected. The tradition left by the British is still valuable. However, in respect of matters involving the fundamental contradiction of British rule, the authorities would absolutely not be lenient. In the past, Hong Kong people have also demonstrated their courage and perseverance in challenging the authorities and in striving for room for survival. Moreover, their efforts made in fighting for these have given Hong Kong greater freedom, more openness and higher respect for human rights. The Governor unilaterally said that the British have left us a legacy of human rights and the rule of law. This would mislead us into believing that these are to be bestowed by the authorities such that we should beg the future authorities for their favour and for giving us more room. I want to say that democracy and human rights have never been bestowed on us; they are what Hong Kong people should enjoy after making persistent efforts in striving for them.

In the past, the Chinese government suppressed the democratization of Hong Kong, intervened in the internal affairs of Hong Kong, threatened to emasculate the Bill of Rights and reinstated the colonial laws. If China have done all these in order to engage Britain in a political struggle, to achieve a spiritual victory claiming that China had proven its ability to stand up as a powerful country, I want to tell China: the British will leave eventually and we have already known in 1984 that China would win.

However, if, during this transition period, China adopts various policies which disregard the will of Hong Kong people and strategies intended by the Chinese leaders to control Hong Kong, and implements them under the pretext of an anti-British struggle, then, after the departure of the colonial Governor, this colonial ruling system will be left intact and it will perhaps become even more conservative, what then is the difference between our being a colony or not?

I hope the Chinese government will understand that the British will leave very soon and, before or after 1997, the Chinese Government is facing and will face the same people in Hong Kong. If it can only take back the sovereignty but not the heart of people, what material significance does such a spiritual victory has?

Concerning the specific security policy, a very significant component of

the security system of Hong Kong is the Hong Kong Police Force. There are still traces of the colonial police in the present day Hong Kong Police Force. Of course, I do not think it is necessary for the police to change even the way they march into one of the Russian style just because 1997 is approaching. Now in the face of 1997, when Hong Kong people have to theoretically become their own masters, the Police Force, once the force supporting colonial rule, should have its colonial ruling component removed. One of the items involved is the former Special Branch before its reorganization. What the Special Branch did in the past were equivalent to "intervening in domestic politics" in modern-day political term. The secretive operation carried out by the government departments to intervene in the political environment of society was exactly the way in which the Dongchang (an espionage agent) in the Ming Dynasty operated, which is not tolerable in any democratic country. The Government has basically completed the reorganization of the Special Branch. However, the present Security Wing is not monitored at all and the public is totally unaware of the difference between the work of the Security Wing and that of the former Special Branch. We earnestly call on the Government to make available to the public more information on the operation of the Security Wing so as to allow the public to effectively monitor the operation of the Security Wing.

Another item requiring essential change is the status of the Police Force in the constitutional system of Hong Kong. At present, the Police Force is directly responsible to the Governor. The Secretary for Security is of the same ranking as the Commissioner of Police and there is a relationship of mutual co-operation between them, but the Secretary for Security does not have controlling power over the Commissioner of Police. What other departments have such an arrangement? This is totally a colonial arrangement and this management framework is not found in other policy branches. To implement a really democratic political system in which elected representatives and civil officials would rule Hong Kong, the present arrangement of having the Commissioner of Police to take direct orders from the Governor must be changed.

In the face of 1997, many new internal arrangements have to be made by the police and many formerly non-existent functions have to be added in order to tie in with the approach of 1997. One knottiest example concerns who should enforce Article 23 of the Basic Law concerning the crimes of sedition, subversion and the like. The Basic Law provides that the laws in this respect have to be enacted by the Hong Kong Special Administrative Region (SAR) on its own. Our analysis at this stage is that the enforcement of such laws should be taken up by the Hong Kong police instead of the Public Security Bureau or the State Security Bureau of mainland China. The police should make some

preparations in advance before considering how to handle the related work.

Statistics show that the crime rate is declining now, in particular, the situation of armed robberies has been greatly improved as compared with that in 1991 and 1992 when armed robberies organized by people from Guangdong province, mainland China were the most rampant. There has also been an obvious decline in the number of cross-border crimes such as car theft and smuggling with super high-speed boats. The improvement in this respect is actually brought about by the stepping up of actions against serious crimes by the police forces on both sides of the border. We find the efforts and results made by these police forces very encouraging. However, the arrest of YIP Kai-foon several months ago and the number of illegal guns and weapons seized these two months made us realize that the situation will soon revert to that in 1991 in no time if our efforts slacken.

Despite the success in cracking down on crimes, the problems concerning the quality of the police are indeed worrying. Police officers are every now and then reported to be heavily in debt, corrupt and involved in criminal offences. We have to deal with the black sheep of the police harshly and we should not tolerate them. Concerning the recent news which are worrying, I hope that the police can carry out a thorough investigation into the matter and prescribe remedy to the case as soon as possible.

The problem of Vietnamese migrants (VMs) which has troubled Hong Kong people for over a decade is now dawning. The Government says that at the present pace, it is expected that the VM problem can be solved by July 1997. Until the end of last month, over 12 000 VMs were still stranded here. Over 1 000 VMs were repatriated in September this year. If everything runs smoothly, all VMs should have been repatriated by July 1997. But I still find this very worrying. First of all, the identity of over 4 000 VMs has yet to be verified by the Vietnamese authority before the formalities of repatriation can be completed. Besides, there are 1 000 VMs whose identity have been verified, but because they have been found to be relatives of the 4 000 VMs just mentioned, they cannot be repatriated under our policy. As the ceremony of the transfer of sovereignty over Hong Kong will take place in July 1997, large numbers of foreign tourists and guests will come to Hong Kong, and the police will be fully mobilized at that time. If several battalions of police officers from the technical units have to be deployed to carry out the orderly repatriation of the VMs while one or two battalions have to be on call at that time, surely the

number of policemen to be deployed will be inadequate. We have to set a target at a date other than June or July next year, and we have to repatriate all VMs by February or March 1997 so that there will be sufficient police officers in charge of security at the ceremony of the transfer of sovereignty.

As regards those VMs who have already been classified as refugees, there have recently been rumours that the Hong Kong Government has yet to rule out the possibility of repatriating them and it is claimed that this is in line with international practice. What I have to say is that this arrangement is made against humanity and justice and it is absolutely unacceptable. I hope that the Secretary for Security can clarify to the public the Government's standpoint on this matter and I think that Britain should take in all the refugees stranded in Hong Kong.

A consultation report on surveillance and interception of communications was published by the subgroup for privacy issues of the Law Reform Commission (the "Commission") in March this year. The consultation period has long expired. The Government has indicated in the brief report on the policy address that it will publish the concluding report of the Commission by the end of this year. I will wait for three more months and I hope that the Government is not employing delaying tactics. Otherwise, the Democratic Party will move a Members' Bill to delete Section 33 of the Telecommunication Ordinance and replace it with an Interception of Telecommunication Bill by the end of the year. The Democratic Party's amendment comprises the proposal that legislation should be enacted to require government departments, just as when they are applying for a search warrant, to file first an application for an interception warrant with the court which has to be approved by the Judiciary before intercepting telephones and other telecommunication devices so as to protect an individual's privacy from unreasonable intrusion.

The situation of the abuse of power by police officers is worsening. In particular, there have been cases in which the police have forced confession with violence and there has even been a report on the death without cause of a detainee in a detention centre. Obviously, we need a complaints investigation mechanism independent of the police so that the complaints against police officers can come under independent investigation. In the policy address, the Government only made use of the upcoming establishment of an Independent Police Complaints Council (IPCC) to evade the most important part and also the crux of the problem that the mechanism for complaints against the police should

be independent. I find this disappointing and regrettable, but I will still continue with my efforts to make preparations for moving an amendment to the IPCC Bill to give the IPCC greater power in the review of complaint cases.

Moreover, I am also very disappointed that it was not mentioned in the policy address when will the Police and Criminal Evidence Act of the United Kingdom be introduced into Hong Kong. I recall that back in 1992, the Commission has already studied the relevant issue and suggested introducing the said British Act into Hong Kong. The power of arrest concerns under what circumstances and for what reasons can the police arrest a person. It has significant relationship with the public's basic human rights and is an important piece of legislation preventing power abuse by the police. I hope that the Government can introduce this Act into Hong Kong as soon as possible.

It has also been mentioned in the policy address that the right of abode and the immigration issues concerned are yet to be fully resolved and the Government hopes to be able to resolve all the relevant issues before 1 July 1997. I also hope that both the Chinese and the British governments will reach an agreement and confirm it by legislation as soon as possible.

Under the principle of "one country, two systems" and "Hong Kong people ruling Hong Kong", I hope that the Hong Kong Government can insist that all those who are now eligible for, and those who have already obtained, the right of permanent residence, including those who have returned to Hong Kong after emigrating to other countries and those who are permitted at the discretion of the Director of Immigration to stay in Hong Kong, will not lose this identity after 1997 as a result of the handover of sovereignty. This provision should be based on the principle of the protection of the freedom to enter or leave Hong Kong and there should not be any pre-set restrictions such as the loss of the status of permanent residents after having left Hong Kong for a certain period of time. If that is the case, what then is meant by the term "permanent"?

Concerning the identity of the 7 000 to 8 000 ethnic minorities in Hong Kong after 1997, it has yet to be clarified by the Hong Kong Government and the Chinese Government as to whether the Chinese Government will regard them as Chinese nationals or foreign nationals and whether they can enjoy the right to consular protection after 1997. The policy address has also mentioned nothing about their right of abode in Britain for which they have fought for years. Both legally and morally, the Hong Kong Government has the responsibility to question the British government whether it intends to forsake them and let them

become stateless people, or let them live in Hong Kong as second or third class people. Is that an honourable departure recognized by the international community? I hope that the Hong Kong Government will look squarely at this issue.

As regards the accountability of the Independent Commission Against Corruption (ICAC), up till today, the Operations Review Committee of the ICAC is a very important body under the ICAC. Up till now, there is not even one Legislative Councillor in the Committee. Just imagine this, before the Legislative Council was fully elected this year, the Committee has formerly comprised members who were popularly elected Legislative Councillors. However, at this time when the Legislative Council is fully elected, there is not even one Legislative Councillor serving in the Committee. I want to ask the Government whether it find that not even one of the 60 Members is trustworthy?

The papers on urban redevelopment can be well described as "coming out only after having been called for tens of thousands of times". In the past, the Government had an attitude of "positive non-intervention" towards urban renewal, it hoped to put in the minimum resources, and depended solely on the private developers to effect urban renewal. However, an investment as such which hopes to yield huge profits with little capital is unavailable. The Government's unwillingness to put in resources causes little progress to be made in respect of urban renewal. For private developers to undertake the reconstruction of private buildings, it is necessary to solve the problem of the title to the buildings on the one hand, and to take care of the resettlement of the tenants on the other. Under many circumstances, having considered their commercial interests, private developers will find that it is too costly to effect urban renewal and it would be more profitable to purchase new plots at auctions or newly reclaimed areas. The announcement of the establishment of the Urban Renewal Authority by the Government can be considered as the first step forward. But, before the Government makes a pledge as to how much land would be allocated to the Housing Authority each year for resettling the tenants and how much money would be allocated to the Rehabilitation Fund, the progress of urban renewal is still unknown and we should not be happy so soon. Out of the private building redevelopment projects, only 10% are participated by the Land Development Corporation and most private developers are unwilling to shoulder the responsibility of resettlement. Should the Government fail to assist the private developers in resolving the resettlement problem arising from the development of private buildings, there will not be any progress in urban renewal.

Unless the Government allocates extra land to the Housing Authority to resolve the resettlement problem, otherwise, there will be "no hope for urban renewal" will not be achieved if we merely rely on the private developers to effect urban renewal alone. These are my remarks.

MR FREDERICK FUNG (in Cantonese): Mr President, on behalf of the Association of Democracy and People's Livelihood, I would speak on the policy address in respect of housing. The policy address this year has not mentioned much about people's livelihood. Just as the Governor wishes, I have studied the Progress Report and the Policy Commitments carefully. However, I have found that the picture the Governor portrayed was very different from reality, and that the Government did not give a clear account of the new social problems that we are now facing. If we listen to but the story presented by the Government, we would certainly think that the Hong Kong people are leading a happy life. Although the Progress Report has clearly presented to us how far the Government's undertakings have been realized while the Policy Commitments have given us an idea of the principles behind the Government's policies, it is regrettable that the Government has not sincerely addressed the problems which are of immediate concern to the people. The ample statistics found in the policy address could not help us resolve the difficulties pertaining to our livelihood, poverty still haunts us like ghosts.

I have recently visited the Nam Cheong area in Sham Shui Po district. Sham Shui Po has all along been regarded as a district of the low income groups while Nam Cheong is the poorest area of the district. Over 40% of the households there earn less than \$6 000 and a single flat accomodating five to six households is but a common phenomenon. I am saying five to six households, not five to six persons. Nevertheless, their total income might even be less than that of a sandwich class family. They have to live frugally to make ends meet to the extent that they are unwilling to spend money to repair a dripping roof or any faulty electrical appliances. To ordinary families, these are fairly disturbing problems that have to be tackled. But to these people who do not have sufficient income, after paying for food and accommodation, they would not have any money left to tackle the problems mentioned just now. All they can do is to put up with the situation because they simply do not have the chance to get enough money to tackle the problems. As a result, their living environment has fallen to a level which cannot be regarded as human.

It is an undeniable fact that Hong Kong has become more and more affluent and decent flats can be found everywhere. Besides, more and more flats are being constructed by the Housing Authority under the Home Ownership Scheme and the quality of such flats is improving continuously. However, to numerous families, moving into such flats is still beyond their affordability. Their earnest hope is that the Government would construct more public rental housing. Although the Governor has undertaken to reduce the average waiting time for public rental housing to five years by 2 000, it seems that the Government now intends to further reduce, or confine, the scope of beneficiary to the needy only.

The idea of according priority to the needy under the public housing policy can, in principle, be supported. Recently, however, before the announcement of the long-term housing strategy, the Government has continuously given empty talks and made no mention of the fact that less and less public rental housing estates are being constructed. This has aroused suspicion as to whether the Government is trying to shift the community's attention by focusing discussion on the proposals which lack substance, so as to conceal the fact that public rental housing units are in short supply, as well as to suppress the ideas which call for improvements in the public housing policy and for an increase in the number of public housing units to be constructed. The Government considers the interaction between the private property market and the households the most ideal mechanism to satisfy the housing needs of the people. As such, it has assumed a secondary role and would only provide assistance for those who cannot support themselves. If the Government formulates its housing policy in the light of this spirit, it is obvious that under the future public housing policy, only the extremely impoverished groups of the community would be eligible for public housing. Worse still, they have to go through rounds and rounds of vetting process before they can move into a public housing unit. Under such circumstances, public housing estates would turn into a place where poor families congregate in future.

The Government advocates a *laissez faire* policy with minimum intervention. In fact, under this policy, resources could neither be distributed reasonably nor utilized effectively. As a result, the rich will become even richer whereas the poor will become more impoverished, which will consequently result in a monopoly of the economy by capitalistic corporations. At present, while 52.8% of the community's total income are from the 20% highest income households in Hong Kong, the 20% lowest income households only take up a

mere 4.3% of the total income. If the Government does not readjust its policy but continue to strengthen the role of the private property market, I am sure that the situation in Nam Cheong area will spread like epidemic to other places and eventually jeopardize the stability of our society.

The Government consistently holds that with the 141 000 public housing units and the 16 000 flats for the sandwich class to be constructed between 1995 and 2 001, and supplemented by a means test which will result in the release of some public housing units, the problems of public housing could be resolved and improvements made, and then the average waiting time could in turn be reduced to five years. However, many of the new public housing units are in fact redevelopment units, that means a large number of old estates have to be pulled down before the new flats could be constructed. Between 1995 and 2 001, some 78 000 new flats will be constructed after the old estate buildings have been demolished, but some of these flats will have to be set aside to rehouse the affected families. After making allowances for various kinds of necessary needs, I think it will be nothing short of a tale from the Arabian Nights if the pledge of five years can be attained by that limited number of housing units completed as mentioned just now. The idea of according priority to the needy that the Government has just abruptly proposed may perhaps create a delusion that would cause the number of applicants to drop and the undertakings to be realized in turn. Given the existing deficiency of insufficient supply of public housing units, the ultimate effect of such an idea would deprive a group of people on the Waiting List, who are in rather straitened circumstances and are within the low-income groups, of the chance to be accommodated in public housing.

The policy address pointed out that the Government will continue to further proceed on the basis of the 1988 long-term housing strategy with the private property market playing the lead and home ownership as the objective. Such being the case, those in the lower class who hope to settle in public rental housing are placed in a secondary position. We can now see the adverse effects brought about by such a policy, for it not only reverses objectives but also points towards a wrong direction. The rise in property prices has reached a level so unreasonable that the concurrent existence of homeless people and vacant flats have become typical features of Hong Kong's housing situation. Although the long-term housing strategy is still in the course of formulation, I think that judging from the market-led mentality cherished by government officials and the fact that the Government still has to safeguard the interests of a few leading

consortiums, the chance that the Government would come up with a housing policy which will bring new hopes to the lower class is rather slim. However, I believe that the Government will eventually taste the bitter fruit of such erroneous policies someday. By then, Members of this Council and the general public will work in concert to impose pressure on the Government. Only then, I believe, will the Government be aware of the need to revise its policy. That would be the only chance that changes could be made to the policy. I believe that such a time will come very soon. Mr President, with these remarks, I express my dissatisfaction with the erroneous housing policy of the Hong Kong Government.

MR CHAN KAM-LAM (in Cantonese): Mr President, the people of Hong Kong once hoped that in his last policy address, Governor Chris PATTEN would set out his directions in governing Hong Kong during the coming 270 days. Regrettably, his policy address has just served to arouse more political disputes, and we simply cannot observe any policy directions that are worth discussing.

This is understandable because for a long time already, Mr Chris PATTEN has lost all his interest in concentrating on the livelihood issues which the people of Hong Kong care so much about. Many international political commentators have described Governor PATTEN as an offshore Governor. Indeed, people who are observant should have noticed that Governor PATTEN has in fact been away from Hong Kong for a total of 288 days over the past four years! If he had visited other places to work for our well-being, to develop our markets, and to publicize our superb investment environment, no one would have raised any objections. However, as we all know, Governor PATTEN's outside visits in recent years have all been conducted for the purpose of increasing his political assets. He has been travelling far and wide to "speak ill of Hong Kong", thus aggravating the doubts of the international community about the future of Hong Kong. Let us not mention his less recent visits, and simply look at his tour to the United States and Canada in May this year. During his stay there, he accused Hong Kong businessmen of betraying Hong Kong. For that comment alone, will foreigners still think that Hong Kong is a place with a superb investment environment? They will instead ask such a question: Is Hong Kong a messy place with uncertain prospects, or is it a prosperous, democratic and advanced community?

Since even the Governor of Hong Kong himself has been trying to

"fiercely stab the people of Hong Kong in the back", how can Hong Kong be expected to maintain a good international reputation? Lucky enough, the people of Hong Kong has owed their high repute in the international community to nothing else but their own integrity, industry, intelligence and credibility, and such a repute will not be easily damaged by the malicious remarks of Governor PATTEN. Paragraph 84 of the policy address says in no uncertain terms, "The international verdict on Hong Kong remains pretty good. According to the latest report from the World Economic Forum, we (Hong Kong) are the second most competitive economy in the world." And, the self-satisfied Governor even attributes these achievements to the policy of positive non-intervention adopted by the Government. If this has really been the case, then there is all the more reason for us to commend and acknowledge the efforts made by the people of Hong Kong and the business sector, who have created wealth for Hong Kong and established its international status without any government assistance.

Today, we notice that in his policy address, Governor PATTEN is playing the same old trick of shooting at the people of Hong Kong secretly. Why has he done so? We should still remember that at one time in the past, the Hong Kong Government was criticized by the community as being a lame duck, but these comments have been totally refuted by the Governor. At that time, some radicals in the community frequently criticized the British administration in Hong Kong for behaving like a lame duck, for kowtowing to Beijing and for yielding to the Chinese side. On the other hand, public opinions pointed out that if the Hong Kong Government insisted on refusing to co-operate with the Chinese side, it would still become a lame duck because it would not be able to do things well or get things done. This time around, when Mr PATTEN kicks at some Hong Kong people in Paragraph 94 of the policy address, he has unknowingly revealed that his foot is really that of a lame duck! Just who have appealed secretly to Beijing? Just who have lobbied Beijing behind closed doors because their personal interests have been adversely affected? And, just what decisions, taken in good faith by the Government of Hong Kong in the interests of the whole community, have been overruled? I suppose the people of Hong Kong will definitely want to know. Sure enough, members of the public will naturally be even more interested in knowing how the Governor has safeguarded and clung to the principle of autonomy.

In Paragraph 93, Governor PATTEN says that his greatest frustration in his job as the Governor is that he has not been able to put his personal view of Hong Kong's best interests to the test of the ballot box. Why has he failed to decide and act on his own to implement his view of Hong Kong's best interests? I suppose the main reason is that he is a lame duck.

Governor PATTEN has been praised by some people as highly articulated and eloquent. However, in this policy address, he has shown himself to be self-contradictory and nonsensical over a number of points. For example, while he regretted that China and Britain have failed to reach any agreement in 1992-93 on electoral arrangements, he suddenly said that the disputes concerned were resolved according to the procedures in the Legislative Council; while he stated that the Sino-British disputes in this respect actually owed their origin to the implementation of commitments within the parameters of the Basic Law, he suddenly argued that the disputes have nothing to do with any violations of the Joint Declaration and the Basic Law. The obvious fact is that Mr PATTEN has all along been trying to free himself from the dilemma which he himself has created. Why is it that the disputes which China and Britain have failed to resolve between themselves could eventually be resolved in the Legislative Council of Hong Kong? Why is it that it must be for the British Government and a Governor appointed by Britain to implement the democratic developments promised under the Basic Law?

Mr PATTEN's constitutional reform package contains elements which contravene the Sino-British Joint Declaration and the Basic Law. So, how can it be argued that such a package has nothing to do with any violations of the Joint Declaration and the Basic Law? Mr PATTEN says, "Everything we have done has been in line with the undertakings solemnly accepted by Britain and China." However, may I ask Mr PATTEN, "Have you ever read the seven diplomatic letters on electoral arrangements exchanged between the Foreign Secretary of Britain and the Foreign Minister of China? Where have the solemn undertakings and diplomatic credibility of the British Government gone?" Mr PATTEN also says, "(The Legislative Council election) in September last year was what Britain and China agreed should happen in 1984." May I ask Mr PATTEN, "Where in the Sino-British Joint Declaration of 1984 can we find any mention of your Legislative Council election package which is guilty of triple-violation?" In case Mr PATTEN has never read the Joint Declaration, let me tell him this: in Section I, Annex I of the Joint Declaration, entitled "Elaboration by the Government of the People's Republic of China of its Basic Policies regarding Hong Kong", it is only mentioned that "the legislature (of the Hong Kong Special Administrative Region) will be elected". Mr PATTEN also says, "Had we agreed to an unfair election, we might have received some people's blessing." May I ask Mr PATTEN, "During the Sino-British negotiations in 1992-93, was the fairness or otherwise of the election the bone of

contention?" There are thousands of election methods in the world. Is the "triple-violation" package designed by Mr PATTEN today the fairest of all?

No, PATTEN is a man who likes to first draw his conclusions before producing his facts. That is why he designed his constitutional reform package according to some predetermined election methods he had in mind! He has negated the need for negotiations over transitional matters, and he has also negated the need for convergence for our political system. As a result, he has now started to worry, and to doubt whether the alternative set of electoral arrangements he designed will be able to work along his predetermined course. Although Mr PATTEN knows only too well that he cannot do anything about the affairs of Hong Kong after 1997, he still insists stubbornly, "We shall closely monitor the state of affairs." And, he even wants to draw in the intervention of the international community!

As soon as the current Legislative Council commenced, people immediately started to talk about its four-year term. And, because Mr PATTEN once remarked during a Governor's Question Time of this Council that the provisional legislature might be able to find some legal backing in the Constitution of China, people felt at one time that the Hong Kong Government has repented of its attitude toward the provisional legislature. Regrettably, even up till now, Mr PATTEN is still saying that there is no reason why the current Legislative Council should not be allowed to serve its full four-year term. The point is that all the Members present in this Chamber today will not believe what Governor PATTEN says about the four-year term.

Mr PATTEN's continued insistence on his erroneous position of opposing the provisional legislature has already become an obstacle standing in the way of Sino-British relationship. The provisional legislature has in fact been forced into being by Mr PATTEN's attempts to impair Sino-British co-operation. It is purely wild thinking for Chris PATTEN to hope that his continued inco-operation will be able to stop the operation of the provisional legislature. The provisional legislature will be set up according to legal procedures. It will operate according to legal procedures. This is a reality which Mr PATTEN and his followers cannot alter. All kinds of attempts to challenge the work of setting up the Special Administrative Region (SAR) and the operation of the provisional legislature are doomed to failure.

In 260 days' time, Hong Kong will return to the arms of its motherland.

As long as they support Hong Kong's reunion with its motherland and are willing to uphold the Basic Law, all people in Hong Kong are welcomed to contribute positively to the prosperity and stability of the territory, be they the past beneficiaries of British colonial rule or its current favourites. If Mr PATTEN really wants to live for the long-term interests of Hong Kong, he should do what he can to ensure a smooth handover, instead of sowing the seeds of instability for the SAR by erecting various obstacles and dissimulating the people of Hong Kong.

Regrettably, the policy address of Mr PATTEN has given us yet another disappointment: besides showing a reluctance to effect a full co-operate with the Chinese side on the setting up of the SAR, he has, with overtones of distrust, set out 16 benchmarks to cast doubts on the work of the future SAR Government. Are these benchmarks really the international benchmarks as described by Mr PATTEN? Or, are they just the topics for a farce written, directed and performed by Governor PATTEN himself? And, will Mr PATTEN agree to our applying these benchmarks to gauge the performance of his home government in Britain? Right here in this Chamber, the dozens of Members who spoke during the past two days all applied clear benchmarks of their own to gauge the policy address. I am afraid that even those Members who used to be Mr PATTEN's staunch supporters would have to express their regrets even if they thank him for the policy address.

With respect to the policy address itself, I really do not think that it contains anything worth mentioning. Even if there was any, we would think that the credit should belong to our civil servants, who have always remained efficient and highly professional. I hope that in the coming 200 days or so, Governor PATTEN can allow our civil servants to work in an environment with less political pressure so that they can co-operate fully and sincerely with the future Chief Executive and his/her team without fear or worry. In the final analysis, although the policy address was announced in this Chamber, everyone knows very well that the Governor's intended audience are not Members of this Council, for instead, he wants to convey his message directly to the world through foreign media coverage, because only those people who do not know Hong Kong well will fully sympathize with his grievances and believe in his blandishments.

Mr PATTEN also tries to show off his literary knowledge in the policy address, as evidenced by the poetic quotes sprinkled all over it. He has gone so far as to ignore the relevance or otherwise of such quotes, for he has asked the people of Hong Kong to become ashes and spark with him. This is really

beyond our comprehension!

Mr President, please allow me to conclude my remarks today by citing a Tang poem: "Behind the mountain the sun is setting while the waters of Yellow River rushes toward the sea. To a higher position we must ascend if we want to see what lies ahead a thousand miles away." This means to say that Mr PATTEN's presence in Hong Kong is just like the setting sun, and all the pledges he made to the people of Hong Kong in the past few years will rush out to the sea like the waters of Yellow River. But we, the 6 million people in Hong Kong, must elevate our position so that we can see further and work for a beautiful tomorrow.

Mr President, I so submit.

MR ALBERT CHAN (in Cantonese): Mr President, after more than two days' debate, I deeply feel that Mr PATTEN is an outstanding leader and performer. This is because the subject of the debate in these two days is not the policy address but Mr PATTEN himself. Some colleagues might have spoken for him while some against him, yet all their speeches are targeted at him. Many Members have quoted verses from poems as the concluding remarks of their speeches, and they were in fact following the style adopted by Mr PATTEN.

The title of the 1996 policy address is "Hong Kong: Transition". But regrettably, Mr PATTEN has neither laid down specifically how the Government would assist Hong Kong nor formulated any specific measures to help Hong Kong people to acquire a smooth transition. The recent political situation in Hong Kong is changing drastically as the handover date is becoming more and more imminent. Inevitably, people would worry whether the policies and decisions as promised in the policy address could have a smooth transition as well. But as a representative of the people, I, as well as other Members of the Democratic Party, would still study carefully the progress report and the policy commitments submitted by the Government and express our opinions. I will express the Democratic Party's stance and recommendations on aspects like public works, town planning, land and so on.

Slopes

Among all other public works, I think the one that is most pressing and

having the most far reaching repercussion should be slope related works. In the 1995 policy address, the Governor promised that \$1.3 billion would be earmarked for improving the potentially dangerous slopes. But in reality, this amount of money is only sufficient for examining and improving the 10 000 slopes as contained in the Register of Slopes compiled in the year 1977-78. Meanwhile, the Geotechnical Engineering Office (GEO) has estimated that there are at least 25 000 slopes which are not yet included in the register. According to GEO, at least an addition \$5 billion is required to complete the examination and improvement works on those 25 000 slopes. However, the Government has made no commitment in this year's policy address. This is very regrettable! Over the past years, the Democratic Party has from time to time urged the Government to allocate more resources for slope examination and strengthening works. Unfortunately, the Government would only increase resources for such works when serious accidents have occurred. We are disappointed by the Government's attitude that it will do nothing until things have become very urgent.

On the other hand, the resources earmarked by the Government is for examining and improving man-made slopes only. In relation to natural slopes, specific improvement plan has yet to be formulated. I have pointed out time and again that natural slopes are in fact a time bomb which nobody knows when it would explode. If the Government continues to turn a blind eye to it, the innocent people will be victimized when it explodes. On behalf of the Democratic Party, I urge the Government again to increase manpower and resources so that the GEO can adjust its priority and approaches in dealing with natural slopes, with a view to improving the safety of the natural slopes, especially those near the roads and the residential premises, in the earliest opportunity, so that the lives and properties of the people could be safeguarded.

Land

According to the Territorial Development Strategy Review recently published by the Government, it is estimated that the local population will reach

7.5 million to 8.1 million by 2011. The Government has projected that the existing capacity for development can only cater for the needs of 6.5 million people. It is estimated that there will be a shortage of 50 000 to 100 000 housing units during the period from 2001 to 2005. This is a serious problem. The occurrence of such a problem is due to a projection of the population in 2011 made earlier on. As the size of the population has been inaccurately projected as 6.5 million only, it led to a shortage in housing supply. A mistake in population projection has resulted in shortage of housing. The Government has proposed in its Territorial Development Strategy to increase the land development density and to convert some land for residential purposes in order to increase the number of residential units. The Democratic Party is of the view that, in the long run, the Government must adopt a more prudent and careful approach to project the size and composition of the population so that discrepancies will not be too great and make it impossible for future developments to cope with the actual needs.

To solve the problem of short term land shortage, the Democratic Party opines that the Government must remedy the delays in administrative procedures concerning land matters. Further, it should fulfill its pledge by increasing manpower in the Lands Department so as to expedite lease modification and land exchange applications in order to provide an additional 2 000 units every year.

The Democratic Party would like to suggest the Government consider adopting the following measures to increase land supply in the short term, with a view to solving the housing shortage problem. Such measures include: (1) to spare no effort in proceeding, with no delay, with the project of property development over the airport railway stations, in particular the development of Tung Chung Stage 3, the Tsing Yi Airport Railway Station Coverage and the land on Cheung Kwan O extension, all of which are strategic development sites with potentials for development; (2) to complete the land use planning for Kai Tak Airport and the reclamation area nearby as soon as possible so that after the airport has been relocated in 1998, works can start right away for building more housing units so that a new community of not less than 50 000 people can be developed there in five to seven years' time; (3) to increase housing production in Tseung Kwan O, but this proposal is contingent on the completion of the Tseung Kwan O extension by 2002 because with the new extension, the outbound traffic in that area could be greatly improved and the density of development could be adjusted upward. We expect that to have an addition of 10 000 to 15 000 housing units; (4) to expedite the development of Northwest New Territories especially Yuen Long and Kam Tin, with a view to creating new land reserves

and building more flats in the interim to alleviate some of the pressure on housing.

We hope these four suggestions can solve the housing shortage problem in the coming five to 10 years and also lay down a sound foundation for long term development. But I have to point out that before these recommendations are put into effect, the Government should make proper arrangement in infrastructure, transport network and flood prevention.

Reclamation

According to the Government, before the end of 2001, about 3 000 hectares of land will be needed for port and related facilities as well as other urban uses to accommodate 1.6 million people. The Government suggests that one way to get new land is through reclamation. Because of the great controversy over reclamation of the Victoria Harbour, the Democratic Party is of the view that there should be a review on the reclamation project as well as a plan to protect our natural harbour and view.

Planning

Mr President, another problem is concerned with the Town Planning Ordinance. The Governor has promised in last year's policy address that the Town Planning (Amendment) Bill would be presented to this Council during the 1995/96 session. But so far only a White Bill has been presented. The Government has also indicated that it would not amend the Town Planning Ordinance until 1998. The Democratic Party is greatly disappointed at the Government's failure to submit a Blue Bill to this Council. The Government has expressed that the Bill would be introduced in 1998. By that time, the provisional legislature would be in operation. As the provisional legislature is not an elected body and is without public backing, it should not deal with such an important ordinance in which enormous interests are involved. The Democratic Party therefore urges the Government to submit a Blue Bill regarding the Town Planning Ordinance in this session so that the outdated provisions in this piece of legislation can be amended as soon as possible.

Urban renewal

Another subject I would like to discuss is urban renewal. Yesterday both the Honourable SIN Chung-kai and the Honourable James TO discussed this subject in their speeches. I share with their views. Last year's policy address has given no coverage to urban renewal and was therefore being severely criticized by various sectors. In this year's policy address, the Government has promised that it will grant two hectares of land to the Housing Society for the development of 2 000 additional flats to provide rehousing for the Land Development Corporation's (LDC) redevelopment projects; and it will select a pilot project of linked sites in late 1996. But I must point out that redevelopment projects for the "seven streets" in Tsuen Wan and the "five streets" in Kennedy Town have been delayed for years and residents there have suffered a lot of environmental nuisance, which has already developed to an extent beyond toleration. The Democratic Party urges the Government to expedite the LDC projects in these two districts in order to improve people's living conditions. The deteriorating environment in the older districts has made it obligatory for the Government take up its responsibility for environmental problems. In order to expedite the redevelopment projects for older districts, the Government should increase the subsidy for urban renewal in terms of financial incentives and concessionary land grants so that redevelopment projects can become more attractive while problems in older districts can be solved as soon as possible.

Sports

Besides the abovementioned points, I would like to speak on the sport development in Hong Kong. Hong Kong has won its first gold medal in this year's Olympic Games and everyone is overjoyed at this achievement. After the climax has subsided, should we not reflect on why Hong Kong, after having participated in the Olympic Games for years, has to wait until 1996 before we can win our first gold medal?

In fact, we have a lot of advanced sport grounds and facilities in Hong

Kong. The 1995 European Footballer of the Year, Mr WEAH, praised the outstanding quality of our football pitches, but he did not comment favourably on the level of football game in Hong Kong. I think Hong Kong could not win the first gold medal until today mainly because our relevant systems are not in good co-ordination. As we all know, the two municipal Councils own most of the sports grounds in Hong Kong, but their duties do not include the systematic training of talented sportsmen. As a result, the facilities have never been put into full use and thus resulted in wastage.

To improve the quality of our sportsmen and enhance their level of capacity to compete, the Government has to formulate comprehensive training programmes. I suggest that the terms of reference of the Urban Council and the Regional Council be extended to include the training of athletes at grassroots level. In addition, the Hong Kong Sports Institute and the Hong Kong Sports Development Board should be made responsible for the training of elite sportsmen. A clear demarcation of duties can ensure that our resources and talents will not be wasted. Without reforms in this area, I believe we may have to wait for another 100 years before we will be able to get the second gold medal.

Conclusion

Mr President, the British rule will come to an end in 200 days or so. Although the Governor said in his policy address that the Government would run its business as usual in the coming nine months, under extensive pressure from the Chinese side or China's "echo" or "mouthpiece", the Government's authority would still be attacked from time to time. We are concerned whether the Government can effectively exercise its rule and fulfill its pledges in the policy address. Nevertheless, in such a prosperous society as Hong Kong, the underprivileged and the new immigrants from China are still in a plight and urgently need our assistance. I hope the Government will offer them more assistance so that our society will become a much warmer place to live.

Mr President, I so submit.

MR YUM SIN-LING (in Cantonese): Mr President, in this year's policy address, the Governor resorts to his usual boasting of certain areas in which Hong Kong has won high praises and deliberately omitting some of the administrative blunders made by the British colonial government over the years. For this reason, I would like to particularly point out three of the errors that have

been made:

Positive non-interventionism

In the financial and services sectors which employ a relatively small number of employees, this policy has proved successful, but it has somewhat been a failure in the industrial sector in which more people are employed. Today, Hong Kong's industrial technology lags far behind that of the other three small dragons; and our industries have failed to be upgraded or transformed. Challenged by low labour cost of nearby regions, Hong Kong experiences a relatively high rate of unemployment. In the property market, the Hong Kong Government has proactively limited the supply of land, which is in essence an active move to boost land prices in order to reap profits. Yet, on the other hand, it positively allows property developers to act according to their hearts' content, making Hong Kong a place in which the disparity of wealth between the rich and the poor the worst among the 24 most affluent countries or places in the world. What a shame!

A working system relies on consultancies

The Hong Kong Government is used to spending a huge amount of taxpayers' money on the service of technical or non-technical consultancies to do the work that should have been done by government officials, and these officials are just too happy to shirk their responsibilities. But Hong Kong has, as a result, lagged behind the other three dragons of Asia in many aspects in terms of infrastructure development or policy. One of the reasons is that most consultancies are not local companies, and they do not have any common goal to share with Hong Kong. The biggest beneficiary of hiring consultancies *en masse* must be the British consortia which pocketed large amounts of local taxpayers' money.

Semi-closed operation of advisory bodies

Over a long time, the Government has adhered to an elitist standard of its own in appointing members of various advisory bodies, even the Executive Council, thereby denying the public of any participation. Normally, these bodies' operate with little transparency and, when problems arise, would refuse to release the information in question, thus making it impossible for the public to monitor their operations fully. A recent example is when colleagues of this

Council demanded the Government to open up some of these boards and committees for grassroots representatives to take part in, the Government reacted as though it were being faced with a major threat. We think that elitism is incongruous with the tide of democratization. Hong Kong should abandon as soon as possible the elitist advisory system which only listens to agreeable views, open up the operations of all advisory bodies and provide the Legislative Council with any document when required to.

In respect of individual policy areas, I have the following views:

1. Support for the business and industrial sectors

Over the past decades, the Government's refusal to provide support to any industry and reluctance to attract technologies or investments from overseas have indirectly contributed to the relatively higher rate of unemployment today. Now, the Government has forgotten the justifications it had advanced in the past and implemented measures that are favourable to the business and services sectors. Since these measures are useful, we are not opposed to them. However, we urge the Government to look over its shoulders and provide proper support to industries, for example, by setting up an industrial investment promotion council to study how best to attract investments by certain overseas industries or companies with the best of Hong Kong conditions (such as concentration of medium-skilled labour, advanced development in information and communication, high efficiency of air transport, shipping, insurance and import and export services, the huge market of mainland China, support from small scale manufactories in Hong Kong and upstream of the Pearl River Delta, convenient banking facilities for settlement of exchange and securing finance, potential capital raising opportunities in the financial market, middle-level management and accounting personnels who are fully bilingual in Chinese and English, and so on), thus creating job opportunities. While the science parks of the other three dragons of Asia have already been in successful operation for a quarter of a century, our own science park is still slow in emergence. Instead of cudgelling its brains to find ways to support the business sector, why does the Government not go ahead with a more comprehensive promotion of industrial investment by using various means, including tax concessions, to

attract investments by medium or high technology companies? Or, it may provide incentives for local young people to start their own undertakings, or provide local small to medium-sized enterprises with horizontal investment and development opportunities.

2. Recreation and culture

The local broadcasting industry is finding it increasingly difficult to run their business in the face of stronger competition from neighbouring countries or regions. The broadcasting policy drawn up by the Government is still oriented, financially, towards "breaking even by compensating one area with revenue from another", disregarding market and technological developments. The Government says it will support the business sector on the one hand and vectors off in the opposite direction on the other. That is really perplexing. The Government has also boasted in the policy address that Hong Kong is one of the most important and most prolific film production centres in the world. However, the policy direction it has put forth seems to help overseas film companies more than it does local ones, while ignoring the real demand of local film companies. Moreover, the allocation of funds for art and sports development is incommensurate with Hong Kong's status in terms of its per capita GDP which is higher than that of Australia, Canada and Britain. It is just like someone who although lives on good food, is stout and healthy and who has a huge fortune, yet his garments do not fit him well.

3. Employment

The industrial investment promotion measures are merely medium-to-long-term means to create jobs. The short term measures include approving less expatriates to work in Hong Kong, expanding the Employees Retraining Scheme to include more trades, and improving both the quality and quantity of the training courses, or perhaps to include training for starting of small businesses. Also, the funding for the Vocational Training Council and the Employees Retraining Board should be increased, and overseas experts should be employed for the training of labour or skilled workers in demand on the international market in order that skilled

labour can be exported, or that Hong Kong people can be trained to start some innovative enterprises, and so on.

Mr President, although Hong Kong is successful in many areas, there are also many administrative shortcomings and deficiencies accumulated over the past. It is just like a student who is reading 10 subjects with very high scores in seven of them. The Governor should not always pride himself on the subjects which he scored high marks while purposely makes no mention of those with low or even zero scores. Indeed, in certain areas, positive non-interventionism has achieved zero scores. If positive non-interventionism is a panacea, is it not the same as anarchism? I hope that the Governor will do something in the rest of his days to make good these deficiencies inherited from the past. These are my remarks. Thank you, Mr President.

MR ALBERT HO (in Cantonese): Mr President, the Governor has just delivered his last policy address during his term of office, as well as marked a conclusion to the hundred years plus British colonial rule before it will come to an end. Before the premature termination of this session of the Council, we are here to have an quasi-annual debate of the policy address for the last time. From what I heard in the last two days, many colleagues were actually voicing their political standpoints instead of responding to the policy address. To me, this is understandable. It is because under the circumstances, Honourable Members are more concerned with the overall political picture than the administrative policies in the coming nine months. As such, my speech will mainly cover some political issues but I will also spare some time on the administrative aspect and the policies regarding human rights.

Mr President, I recall that between 1983 and 1984 when the Sino-British Joint Declaration was about to be announced, people in Hong Kong were full of mixed and contradicting feelings. On the one hand, many compatriots were delighted with the termination of the colonial rule and the return to the motherland. They cherished high expectations of the implementation of a "high degree of autonomy" and "Hong Kong people ruling Hong Kong democratically". But on the other hand, many of them, because of their personal experience, have profoundly uneasy impressions towards China's autocratic rule and its record of human rights deprivation, towards the corruption and degeneration of the Mainland officials, and towards the poignant experience of the cultural and armed struggles in the Mainland over the past decades. All these have given rise

to anxieties and a confidence crisis among the public at that time.

Nevertheless, judging from the debate during these two days, we find that after 13 years in this transition period, not only is this kind of mixed and contradicting feelings still in existence, but it is probably even intensified. To those people who used to attaching themselves to the centre of the regime, the problem may be rather simple. They may feel that with the change of the times, the boss is about to be changed, and what they have to do is only to recognize the "new boss", pledge allegiance to him, cut off any linkage with and even turn against the old boss immediately. When they feel that their positions in the future new regime are secured and that their own interests protected, they can set their hearts at ease and be full of confidence again.

However, to many of those who are in support of rejoining the mother country, and to many of those who are all along against the injustice of colonial policy, they firmly believe that the success of "one country, two systems" will rely on Hong Kong being built on a political and social system that upholds democracy, the rule of law, protection of human rights and freedom as well as social justice. However, when we turn north and open our eyes wide to look at our own country today, we can only see clouds of high-handed politics covering the sky: a lot of conscientious and faithful dissidents like WEI Jing-sheng are being wrongly thrown into prison again for political reasons; leaders of student movements who are young and full of ideals like WANG Dan are being prosecuted with "unwarranted" charges and it is very likely that they will have to waste more time in prison; LIU Xiao-bo and WANG Xi-zhe are persecuted only because they peacefully exercised their freedom of speech to criticize the government, the former has been sentenced to reform through labour while the latter has been forced to seek refuge abroad. We are in full support of the reversion. But at this time with the approaching of the handover, when we see the various kinds of perverse acts in the Mainland, how can we not sigh for the future of our mother country or not feel worried about the future of Hong Kong?

Some people say that we are over-worrying because the domestic and external policies of China are always different. Besides, they say that with the implementation of the principle of "one country, two systems" in Hong Kong and the protection from the Sino-British Joint Declaration and the Basic Law, people in Hong Kong should set their hearts at ease. However, we have to again open our eyes wide and see clearly whether those Hong Kong people who are going to be chosen under the Basic Law to rule Hong Kong will really defend our human

rights, freedom and the rule of law, as well as defend the righteousness of our society to the extent that they will contend with the Central Government. The establishment of a provisional legislature is obviously running against the Constitution, even so, not a few persons, knowing clearly the background but disregarding their own dignity and the sanctity of the rule of law, still fight among themselves for the best positions. In the absence of any laws, rules or regulations, and when the capacity of voters has not yet been identified, the nomination for the position of Chief Executive has already commenced. In fact, no sensible person would believe that this is a genuinely fair and objective election. Who does not know that the so-called "selection" is actually a kind of window-dressing publicity work for the person handpicked by the Beijing Government, and the so-called Select Committee is but a tool established for creating the "result"? With such a start for returning such a batch of leaders to rule Hong Kong, how can the people in Hong Kong have the kind of confidence mentioned by the Honourable Allen LEE?

Furthermore, before the establishment of the Special Administrative Region (SAR) Government and the implementation of the Basic Law, quite a number of Preparatory Committee Members and Preliminary working Committee Members, who regard themselves as the elite for ruling Hong Kong in the future, have already ignored public opinions and the Sino-British Joint Declaration. They openly announced that the Bill of Rights upheld by the public has to be subject to reduction, the law reforms introduced for the purpose of the Bill of Rights be revised, and the draconian colonial laws be reinstated, which would in effect bring us back to the colonial rule in the 1970s. Apart from this, while the Hong Kong people are still in the midst of anxiety in regard to the legal interpretation of Article 23 of the Basic Law concerning the offences of sedition, treason, subversion, secession and so on, Mr LU Ping, Director of the Hong Kong and Macao Affairs Office, even openly gave an annotation to it by pointing out that it was illegal to give any statement advocating secession. More astonishing is that Mr QIAN Qi-shen, Foreign Minister of China, who always appears to be rather unbiased, gave a surprising remark yesterday that Hong Kong should not organize any political activities directly interfering in the internal affairs of the Mainland. When answering the questions raised by the press, he frankly pointed out that the assemblies and demonstrations in commemoration of the June 4th Incident are examples of such activities. He has neglected the fact that such assemblies and demonstrations symbolized exactly the social freedom and freedom of speech treasured by the Hong Kong people. Foreign Minister QIAN also pointed out that the media should not raise

personal attack against the Chinese leaders. Then, what is personal attack? Does it include severe criticisms? From his yardstick, would such be regarded as personal attack? Mr President, it is surprising that the leader of a state can raise a vague political issue at will and immediately pose considerable pressure and threat to the freedom and human rights of the people in Hong Kong.

As a matter of fact, one kind of horrible experience under the autocratic rule is that the leaders can at their will give any oral instructions and orders that can override the law and the established policies of the Government. Even more frightening is that the wicked underlings will execute the orders with a mentality of "rather to be Left than to be Right". As a result, the scope of many things can be extended indefinitely. They may, as they please, bring any unwarranted charges against the dissidents, thus giving rise to a white terror that anyone who criticizes the Government or the state leaders may be held with "literary inquisition".

Mr President, the various worries and anxieties of the Hong Kong people that I have just mentioned is an honest and sincere reflection of the reality. The British Government seems to be quite at a loss with what to do at the present moment and feels uninvolved with a lot of matters on which I will expound later. If the British Government had not adopted the wrong policies in the first instance and rendered Hong Kong unable to establish a comprehensive democratic system today, I believe that the many undesirable results would not have occurred and that Hong Kong would not have kept in such an inextricable dilemma today. But of course, I do not mean that we have to be pessimistic and give up all hope at the present moment. We deeply believe that no matter how bad the situation will become, people in Hong Kong as well as the Chinese compatriots should still fight on firmly, positively and eagerly for democracy, human rights and righteousness. We think that it all depends on human efforts. If everybody feels the same about it, not only is there hope for Hong Kong, but there is also hope for China.

Mr President, at this moment when Governor Chris PATTEN is heading for departure from his office and many voices of criticism have targeted against him ruthlessly, I have to sincerely thank him for some important contributions that he has made for Hong Kong during his term of office. It is because he has indeed worked to establish, comparatively speaking, the most democratic Legislative Council in the history of Hong Kong during his term. Although this Legislative Council is short-lived, at least the Hong Kong people can prove that

an elected and rather democratic legislature is not something frightening, that it can be managed by the people here, and that it is beneficial to as well as feasible in Hong Kong. During his term of office, Governor Chris PATTEN has also put his greatest efforts in improving the structure of the Government and the Civil Service system, and in moving towards a development of higher transparency and accountability. It is also undeniable that he has set an example of introducing a more open political culture. We hope that our Civil Service will treasure valuable experience as such. I must also express my admiration and gratefulness to the Civil Service for its ability to maintain professional efficiency of a high degree and independence in the face of such significant changes and of the innovative breakthrough from tradition.

Before the British will withdraw from Hong Kong, there are of course a lot of undertakings yet to be accomplished. I am also worried that such could be done even on the date of retreat. It is impossible for me to clearly list them out here one by one, so I will only mention a few more important ones. First, it is about how the two international covenants on human rights will continue to be implemented in Hong Kong after 1997. In regard to this, the United Nations Human Rights Committee has already claimed that human rights protection will not be lost with the transfer of sovereignty. We are now expecting the British and the Hong Kong Governments to tell us how to ensure that this kind of protection could continue to be effective. We also request that if the Chinese Government or the SAR Government refuse to submit reports and attend hearings after 1997, the British Government has the obligation to urge the United Nations Human Rights Committee to amend the rules and regulations to the effect that the Human Rights Committee could later on accept non-government reports submitted from the Hong Kong public and hold hearings on the basis of the views provided.

In regard to the work for a comprehensive legal system, I have to particularly point out the recent cases involving the ethics of judges. As a matter of fact, I have deeply thought about it and have discussed it with many judicial and legal professionals. We think that the judiciary of Hong Kong should formulate a Code of Judicial Ethics so that the courts and people of the legal profession can have clearer guidelines on ethics. In fact, for the time being, many of these guidelines are dependent on the Common Law. However, we hope that before the end of the transition, such kind of code can be completed so as to render our judiciary more independent and sound.

The third point of our concern is the progress of the use of Chinese in courts. This is highly important no matter it is viewed from the implementation need of the Basic Law or from the consideration of public interests. The progress of this program is indeed very slow and this is extremely disappointing to me. Up till now, Chinese has only been used in two High Court cases. I have to remind the Government that according to the Basic Law, any litigant has the right to use Chinese in court and this is a constitutional right. Therefore, the judges cannot refuse their request for using Chinese in the trial. On the other hand, according to our existing legislation, both the Chinese and English versions of the laws are equally authentic. The judge should consult both versions in order to decide which interpretation is more reasonable and more compatible with the context. Under the circumstances, I opine that the courts should prepare themselves without delay for the implementation of a bilingual system. I think that the Government should allocate more resources to this aspect.

Finally, I must emphasize that the most critical mistake made by Britain before its retreat is its failure to establish a locally rooted democratic system in Hong Kong. This failure has left much profound impact on Hong Kong. This failure will be given a proper and fair assessment of the British Government in history. This failure will let Britain know that she has left a page of disgrace in her own history of colonial rule in the midst of cheers for a superficially honourable retreat. Nonetheless, after the reversion, Hong Kong people should still strengthen themselves and make unremitting efforts to strive for their own future.

These are my remarks. Thank you, Mr President.

DR LAW CHEUNG-KWOK (in Cantonese): Mr President, in this last policy address of his, the Governor has neither presented any long term planning nor shown sufficient concern for Hong Kong. I am extremely disappointed about that. In recent years, the Government's planning in regard to both economic and social policies has been rather inadequate, as a result, its administrative target of providing sufficient and appropriate services to the Hong Kong people is being severely affected. Take demographic projection as an example. In 1993, basing on the data collected in the 1991 census, the Government projected that the population by the year 2006 would be around 6.3 million. However, the population has already reached this figure by the end of 1995. According to

the latest projection made by the Government, the population by 2006 should be 7.3 million. Within a short period of two to three years, the difference between the medium term and long term population projections of Hong Kong could amount to one million people, representing a discrepancy of approximately 15%. This is indeed unacceptable as the long term planning of the Government is being affected in areas such as the services and facilities provided by the Government regarding housing, education, medical care, transport, causing them to become highly insufficient.

When explaining how scientifically the figures of the demographic projections were being worked out, the government officials concerned mentioned that factors like Hong Kong's birth rate, mortality rate, age structure, marital status, family trend, immigration ordinances, immigration trend and so on have already been taken into consideration. However impressive they sounded, such can simply be ignored in reality.

On the other hand, the Government's income and expenditure are directly related to resources allocation. Over the years, the Government has all along been very conservative in regard to fiscal estimates. For the recent five years, the actual surplus has exceeded the Government estimation by \$50 billion. In the 1992 Budget, the Government estimated that the financial surplus by 1995 would be \$78 billion. However, the actual surplus then was as high as \$150 billion. The Government's over-conservative financial policy is highly detrimental to people's livelihood and social aspects which are in great need of improvement. I emphasize again that such include services and facilities which concern housing, education, medical care, transport and so on. I hope that the last financial budget to be announced under the guidance of the Governor could redress this serious shortfall.

Besides, the Governor's failure to attain sufficient knowledge concerning economic restructuring has also rendered him unable to formulate appropriate long-term economic policy to deal with the situation.

In the last policy address, the Governor mentioned that the productivity of the Hong Kong population has been growing by an annual average of 4.5% since 1985 and concluded that the economy of Hong Kong was prosperous and the working population has benefited a lot. At that time, I queried how much the Governor knew about labour productivity. On 17 January 1996, I asked the Administration about the changes of labour productivity in various trades in

these recent 10 years and the reasons for the changes. The Administration answered that in recent years, the annual growth of labour productivity of the manufacturing industry in Hong Kong was about 10% on an average, and between 1982 and 1992, the actual annual growth in regard to electrical and electronic products was 15% on an average. However, according to the actual wage indices on industrial classification compiled by the Government, the index of the manufacturing industry, for example, has dropped from 100 in September 1992 to 95 in September 1995.

In a normal economic system, the growth in the actual wage of the work force and the changes in labour productivity should keep pace with each other. However, the two figures mentioned above tell us that the actual wage rates of the manufacturing industry and the changes in labour productivity as calculated by the Government are actually developing towards opposite directions. Perhaps Hong Kong's economy has already developed into an abnormal and unreasonable state. Otherwise, the Government must have made a very serious mistake when calculating labour productivity, particularly that of the manufacturing industry. It is highly dangerous should the Government adopt a wrong or "at least" misleading idea of the local labour productivity to interpret and formulate plans for the long term development of our economy.

With the phasing out of the manufacturing industry and the rise of the service industry targeting at the local market, the tendency towards monopolistic operation in certain trades is becoming more and more serious. Although the Government flaunts that it is launching a fair competition policy, the Governor only keeps it to the mouth but not to the heart. In the such cases as the Container Terminal 9, bank interest rate agreement, changes in shareholding situation of Cathay Pacific Airways Limited and Hong Kong Dragon Airlines, as well as the franchise of Hong Kong and China Gas Company Limited, I can hardly get a glimpse of the "fair competition" policy.

The Consumer Council is about to complete a report on the overall competition environment in Hong Kong. I expect that the Administration will give a formal reply to it around April 1997. Here, I would like to seriously ask the Governor to undertake the formulation of a comprehensive "Fair Trading Law" and the establishment of a "Fair Trading Commission" before he leaves Hong Kong, so that the Hong Kong economy can continue to develop under a fair and just competition environment and that the people's livelihood could be improved as a result.

These are my remarks. Thank you.

THE PRESIDENT'S DEPUTY, DR LEONG CHE-HUNG, took the Chair.

MR WONG WAI-YIN (in Cantonese): Mr Deputy, many people criticize the Governor's policy address this year as lacking in initiatives. In fact, it is not surprising at all that there is nothing new in the last policy address by the last Governor. My focus will be on the Democratic Party's views regarding the transport policy. Since many commitments made by the Government over the last four years have not been materialized, we can actually compile this year's Policy Commitments by just gathering them together as highlights. In fact, the Governor, Mr PATTEN, has scored an absolute zero in improving Hong Kong's traffic. All along, he has not made much effort to actively seek solutions for the traffic congestion problem. He has neither the incentive to invest more resources into developing a sound transportation system, nor a long term and comprehensive strategy to meet the future transportation demands of Hong Kong.

The Governor delivered his first policy address in 1992, the title of which was "Our Next Five Years: The Agenda For Hong Kong. In that policy address, he had put forth a five-year development plan cum objectives on the economy, education, welfare, housing, environment, public order and constitutional development of Hong Kong. However, what was missing was transport. Was it because the Governor was ignorant of the local traffic problem from the very beginning? Or was it because of the negligence of the officials in the policy branch concerned, resulting in the Government's failure to draw up a long term development plan on transport infrastructure? Later, owing to the protests and criticisms raised by different sectors, the Governor finally mentioned about his commitments on transport policy in his 1993 policy address. He pointed out that "good transportation is crucial to our quality of life and prosperity." He has caused to be designed an extensive road building programme in which he promised to conduct different study programmes for seeking solutions to the traffic problem, and to formulate a transport infrastructure strategy to co-ordinate with the future development of Hong Kong. In 1994 and 1995, the Governor highlighted the transport needs of northwest New Territories and the traffic congestion problem as the most urgent tasks under the transport policy. Regrettably, all these promises are only "blank cheques" to please the public. Many improvement measures and plans are still caught in the studying, consideration and reviewing stage, and no actual progress can be seen. I am really very disappointed and frustrated about this. In the 1995-1996 Progress

Report, among the various undertakings on the transport policy, five items were under review, three had encountered some slippage and nine were behind schedule. If we arrange the achievements in a reversed order, the transport policy will certainly occupy the first or second position (that is, the first from the last or the second last position). Before the Governor delivered his last policy address, I had already not harboured high hopes. When he actually drew a conclusion on the achievements of the Government in these few years, not a word was mentioned on transport. Was it indeed impossible even for the Governor to find out what Hong Kong has achieved in the area of transportation in these years and he has therefore just skipped it?

Commitments delayed time and again

In 1990, the Government published the White Paper on Transport Policy in Hong Kong and pointed out, *inter alia*, "Our compact size and difficult terrain means that it is virtually impossible to provide (a lot of) roads. Priority must be given to the mass carriers, especially the off-street modes to reduce pressure on the road system." The Paper also went on to explain that railway transportation can foster the development of urban centres, as well as the new towns in the New Territories. Then in December 1994, the Transport Branch announced the "Railway Development Strategy" in which three railways, namely, the Western Corridor Railway, the Mass Transit Railway (MTR) Tseung Kwan O Extension and the Ma On Shan Railway, were listed as priority programmes and targeted for completion in or before 2001. However, in the 1996 Policy Commitments now, the Administration said that "they will speed up planning of the three priority projects". No substantial commitments have been made so far regarding these projects. The Western Corridor Railway proposal has become a very controversial subject and drawn fierce criticisms from different sectors, thus preventing any further progress of this project. Besides, the lack of careful planning by the Transport Branch has denied proper preparation for the requisite large scale land resumption exercise. As a result, the Western Corridor Railway project cannot be carried out as scheduled, let alone to be completed by 2001. It seems that no one has to be held responsible for all these mistakes, but those who will suffer are the 800 000 residents living in the northwest New Territories. In addition, it is reported that the MTR Tseung Kwan O Extension has to be delayed pending the approval of the Special Administrative Region (SAR) Government. Also, it has been announced that the Ma On Shan rail link has to be reviewed before any decision can be reached. It is indeed worrying that even proposals accorded high priorities have to end up this way. I believe an accountable

Government should make firm commitment on the above three railway projects and account to the public clearly about their timetables and completion dates. It should not try to delay the projects for an indefinite period on all sorts of excuses, otherwise, the creditability of the Government will be completely lost.

In fact, it appears as though it has become characteristic of the Transport Branch to delay their projects. During the past several years, it is commonplace to find projects conducted in slow progress, and some projects are just empty talks with no concrete plans. Examples include the following:

- (1) the three high priority railway projects mentioned earlier on;
- (2) the additional climbing lanes in the uphill sections of Tuen Mun Road to be constructed by July 1996;
- (3) the ferry capacity between Tuen Mun and the urban area to be increased by a further 10% by 1996;
- (4) a consultancy to be commissioned in 1996 to examine the requirements for an Electronic Road Pricing (ERP) system; and
- (5) the work on the Third Comprehensive Transport Study to be started in 1996.

Regarding the "Park-and-Ride" Scheme, and the feasibility study on introducing bus-only lanes on a territorywide basis are also empty talks only. The former has to wait until 1997 when suitable sites will be identified to conduct the experiment, and the latter is still being studied and the study will be completed in early 1998 the soonest.

All these commitments have been delayed.

Therefore, Mr President, I would like to point out that all the above-mentioned items are measures and study plans formulated by the Government to solve the two major transport problems in Hong Kong: to meet the transport needs of the northwest New Territories and to solve the traffic congestion problem. The continual delay of these projects implies that Hong Kong's traffic congestion will keep on deteriorating, and it explains clearly at the same time why transport in Hong Kong has seen little improvement in these

recent years.

With the long term measures delayed, the Government has proposed, as short term measures, to deter private car ownership through fiscal means, for example, increasing First Registration Tax and the annual licence fees of private vehicles, as well as raising the cross-harbour tunnel toll on private vehicles and taxis. However, all these measures have not been supported by the public, and as a result, could be implemented. Facing such a situation of "losing both means at one go", the Government is at its wits' end in solving the traffic congestion problem in Hong Kong.

Questioning the "user pays" principle

An efficient transport system is conducive to and has a great bearing on maintaining Hong Kong's economic prosperity and improving people's livelihood. I therefore think that the Government must actively develop the local transport infrastructure. However, the attitude of the Government is just the opposite, for the growth in expenditure on transport policy has been negative over the past two years — the rationale cited being the "user pays" principle. Under this principle, the Government will be responsible only for the provision of the basic transport infrastructure, for example, the construction of roads and the provision of land and so on, with the development of huge investment projects left to the consortiums. While I of course do not oppose private consortiums participating in the development projects, I must emphasize that the consortiums should play a supplementary role only. The Government should not shirk its responsibility, or even reduce its expenditure on transport infrastructure development. If the Government relies solely on the consortiums for development, public expenditure on transport services will keep on increasing, while the protection for their interests and rights will be diminishing. It is because the objective of the consortiums in developing transport projects is to make profits, and under such a prerequisite, the charges on transport services will definitely be high. Also, since there is no government participation in these projects, the users have to pay for the private consortiums' daily operational expenses, interest on the loans and profits, in addition to the cost of capital investment. Under such circumstances, the burden of transport expenditure on the public will become heavier and heavier, while on the contrary, the Government will be alleviating its undertaking in this area. The Government has stated time and again that this

practice, which requires no direct investment by the Government, will reduce the burden on taxpayers. But the truth is, every citizen now has to pay more on transport. I am indeed doubtful whether the burden on taxpayers could really be reduced as asserted by the Government! However, I am dead certain that the Government's commitment will be diminishing.

The "user pays" principle has now changed transport services into a consumption, or even a business for the consortiums to make profit. I think the Government must review "this principle", and delineate clearly the principle and scope within which the "user pays". It should not expand this principle without any limit, leading to an increasingly heavy burden on the public.

Inescapable Duty of Mr PATTEN

The traffic congestion problem in Hong Kong has not been improved in the past few years. Whatever difficulties cited by the policy branch in explaining the incessant delay in either development programmes or studies are exactly obstacles that can actually be foreseen — a blatantly obvious indication of the Transport Branch's incompetence. However, we all understand that the Government have to follow the Governor's directive on the allocation of resources and the general direction of development. As mentioned above, the Governor did not put transport under his five-year plan when he first arrived at Hong Kong, and the Government's expenditure on transport policy is experiencing a negative growth every year. The inactive attitude of the Governor together with the incompetence of the policy branch has contributed to the aggravation of the traffic congestion problem in Hong Kong. I hereby urge the Government to increase funding for transport policy in the coming years' budgets. It is hoped that the traffic congestion problem can be eased with the injection of more resources. I hope traffic condition in Hong Kong could gain great improvements when the various railway projects are completed.

Mr Deputy, I would like to spare a little time to talk about a point in the whole policy address which I have the deepest feelings. In paragraph 94 of his address, the Governor said that, "My anxiety is this: not that this community's autonomy would be usurped by Beijing, but that it could be given away bit by bit by some people in Hong Kong." Just one utterance — "appealed surreptitiously to Beijing", and many people acted as if they have been electrocuted and immediately denounced Mr PATTEN fiercely for his allegation

that some people had made a snitch to Beijing. In fact, why would such an utterance hurt them? Why have they responded so strongly? It is because it poked the chink in their armour and sliced open their masks. In the eyes of the people in Hong Kong, once the Beijing Government wags its baton, some people in the pro-China camp will immediately declare their stance, while some others will be too frightened to make any noise, with some others even stepping forward as the the Chinese Government's mouthpieces. It has once been said that the behaviour of some people in the pro-China camp is even more leftist and extremist than the Chinese officials in Beijing, and this in fact will cause a great deal of anxiety among Hong Kong people. Actually, what is most worrying is that while the Chinese side stresses from time to time the paramount importance of "one country, two systems", a "high degree of autonomy", "Hong Kong people ruling Hong Kong" and "stability, prosperity and stable transition", their words and deeds have continuously undermined the confidence of Hong Kong people and destroyed the "high degree of autonomy and stability and prosperity" in Hong Kong. In view of such ideologies towards the end of British rule, what else can we say but to sigh?

Mr Deputy, in addition to drawing a lot of criticisms and comments, the Governor's policy address has also induced many colleagues into poetic reverie. In these two days' debates, some colleagues have written a few poems while others quoted and made extracts from existing ones. I cannot help but recall a poem in "The Story of the Stone" which is called "The Birds Into The Wood Have Flown". The context of the poem goes like this:

"The office jack's career is blighted,
The rich man's fortune now all vanished,
The kind with life have been requited,
The cruel exemplarily punished;
The one who owed a life is dead,
The tears one owed have all been shed.
Wrongs suffered have the wrongs done expiated;
The couplings and the Sunderings were fated.
Untimely death sin in some past life shows,
But only luck a blest old age bestows.

The disillusioned to their convents fly,
The still deluded miserably die.
Like birds who, having fed, to the woods repair,
They leave the landscape desolate and bare."*

Mr Deputy, these are my remarks.

Note*: The above poem is quoted from the translated version of "The Story of the Stone" by David HAWKES.

MR HOWARD YOUNG (in Cantonese): Mr Deputy,

Constitutional Affairs

Within the five years since Governor Chris PATTEN has taken up his post, the biggest blunder he has made is the political reform package introduced in 1992. Such a package has resulted in the failure for my 60 honourable colleagues in this Council to ride the "throughtrain" to 1997 and has led to the formation of the provisional legislature, which was meant to avoid a temporary absence of a legislature. The Government should no longer criticize the provisional legislature for its lacking in legal basis any more. Instead, it should provide as far as possible any necessary assistance and resources for it. After all, it is Governor Chris PATTEN who started everything, and the provisional legislature has become a reality.

I was glad to learn that the Government has indicated it would provide assistance for the Chief Executive to facilitate the preparation work for the establishment of the Special Administrative Region (SAR) Government. I think the provisional legislature, which will work closely with the Chief Executive, should likewise be given assistance. Besides, according to the press, candidates running for the Chief Executive all deem it necessary to establish the provisional legislature.

The Government should allocate more resources to spread the message that Hong Kong is going to have a "smooth transition" and that the way of life for Hong Kong people will remain unchanged. It should also try its best to rectify

certain negative impressions concerning Hong Kong. To establish a good impression of Hong Kong among international communities would be relevant to the livelihood of the local community. For example, more job opportunities would be created in the tourism industry. On the contrary, a bad impression will bring about negative effects not only on people's livelihood but also in the local economy. As such, a sum should be set aside for the Chief Executive (Designate) to conduct activities pertaining to public relations to send out the message of a "smooth transition" and "everything remaining unchanged" to the international community.

Permanent residence and conditions for entry visa

Regarding the permanent residence in Hong Kong, it is an important issue but not everyone is clear about it yet. There are also some important issues that have not yet been mentioned, such as conditions for entry visas to be issued to foreigners after 1 July 1997. Hong Kong people going on a trip outside Hong Kong or foreign tourists visiting Hong Kong will all be affected by these two issues. Spending involved by tourists and in outbound trips every year would amount to billions of dollars. We must clarify these two issues as soon as possible. This is because, in the first place, the peak season for Hong Kong people to travel abroad starts from June and that for foreign tourists visiting Hong Kong; from October; and secondly, travelling is not the kind of activities that could be started "right after enrollment". Long distance tours, in particular, often need forward planning that usually takes a year or even longer time to make. So the earlier the matter is clarified, the better.

Immigration Department

To cope with the long queues in front of the entry and departure counters at the airport, the Immigration Department must deploy more staff members there. The entire Hong Kong community and I should be glad to see such long queues in front of the immigration counters as they provide evidence that each day a huge number of tourists are attracted to Hong Kong. However, if Immigration staff members are required to work so hard all the year round, their health condition would be affected by the heavy work pressure. As such, improvements should be made. The Immigration Department has recently formulated some measures to alleviate the situation. I hope such measures could be tried out and implemented at the most needy place, the existing airport

at Kai Tak, so that when the new airport at Chek Lap Kok will start to operate, such measures would be running at their best. As the first impression that foreign visitors have on Hong Kong people is affected by the experience they gain at the Immigration counters, the work pressure on Immigration staff members must be eased so that they could be encouraged to maintain a courteous manner all the time.

Aviation

After a period of relative silence, remarkable development concerning the air services agreements has been attained. The number of signatories has increased to 15. I was worried once that the talks with the Philippines would progress very slowly, but in the end all problems were solved. Hong Kong and the Philippines are closely tied. In addition to geographical proximity, the large number of Filipinos in Hong Kong is another important factor. So it is worthwhile to put in more efforts to reach the agreement. I hope the agreement with Britain and those with other countries could also be reached as soon as possible.

The entire tourism industry, the airlines in particular, are looking forward to the long-awaited new airport at Chek Lap Kok with excitement. While the entire industry is expecting all sorts of benefits from the new airport, airlines, however, might be the only "victims". I am referring to the "landing fee" (the fee for landing and taking off), which will be doubled or tripled, as well as other changes relating to the use of the airport. Different bodies and institutions are users of the airport, but only airlines are required to pay the landing fee. If the "landing fee" for the new airport is, as rumoured, twice that for the existing airport, and if new items are added to the charge list, airlines may have to pay at least three times the amount they are paying now. Is this fair? The Administration should conduct a review on this issue. It should understand that although airlines are the users of the services for landing and taking off, the general public as well as other business sectors are the ultimate beneficiaries.

I need to point out here that while emphasizing the "users pay" principle in various occasions, the Government has failed to recognize that not only the user but also the various sectors of the community would be benefited. Recent examples which are obviously controversial are licence fees for television

broadcasters and that for hotels, as well as sewage charges. In fact, it is not the business operators but the viewers, tourists and consumers who are benefited from the licences. That the administrative costs involved in licensing are paid for by licensees may be acceptable, but the costs involved in monitoring the business should be shared by all who are benefited from the industry. Let me stress, "users" should not be confined to operators, for the ultimate beneficiaries are the consumers.

Tourism

As the new airport is remote from the urban area, the tourism industry is concerned about their employees' communication to and from the new airport. In view of its extensive scale, the new airport would require a substantial increase in the number of employees working for the airlines, public officers, representatives from hotels and travel agents, as well as staff members of the Tourist Association and duty free shops. The transportation need involved is, therefore, something we can ill afford to ignore. Perhaps some of the employees may move to Tung Chung or other parts of Lantau Island, but the majority of the rest may need, for various reasons, to commute between the new airport and their homes in the urban area. The Government must formulate plans carefully to tackle the housing and transport problems to be brought about by the new airport and to work out solutions as soon as possible.

Broadcasting, Culture, Sports

Miss LEE Lai-shan, "Queen of Windsurfing", has proved at the centennial Olympics that Hong Kong athletes are no "junk stuff". The Government should therefore prove that it will not treat them as such. The newly established Allocation Trust Fund enables the Government to allocate a maximum of \$8 million in the light of the contributions from society. Hence, athletes who are capable of attaining good results for Hong Kong in international competitions but are unable to devote all their efforts to this course due to various reasons can now be relieved from financial worries at the least. Of course, comprehensive and thorough training programmes are required to enable the athletes to develop their potentials and to do their best for the Hong Kong SAR in international competitions. Very soon, Hong Kong will take part in major world athletic events as a SAR. It will then need to allocate sufficient resources to provide training for the talents so that new heights might be reached in the sports history of this SAR.

Welfare Policy

At long last, the Government have accepted the proposal made by the Liberal Party and allow the elderly persons on Comprehensive Social Security Assistance (CSSA) who have chosen to reside in Guangdong Province to receive CSSA payments there. Nevertheless the Liberal Party felt that the policy address has covered too little on welfare for new immigrants. The Liberal Party deems it necessary for the community to pay special attention to the problems relating to social development and adaptability that the new immigrants from Mainland China are now facing.

The Government should allocate more resources to ensure that new immigrants from China can obtain the welfare services they need in order to help them integrate into the local community.

The Liberal Party thinks it is necessary to review the welfare services and the system of allocation of subsidy to institutions in Hong Kong. Although reforms are important, it must be done without affecting the quality of services provided to the welfare recipients. The Liberal Party is worried that the proposed Unit Grant Approach would cause non-Government organization to focus on quality only and lose sight of quantity when providing social service, thus resulting in the loss of experienced welfare workers and, in turn, the drop in the quality of social welfare services. Such a consequence is detrimental to the community. The Government must think twice on the matter.

With a rising divorce rate, single-parent families have constituted yet another social problem for Hong Kong. Resultant problems such as rising juvenile delinquency rate, unmarried mothers, and suicidal youths are time bombs in the present day society.

The Liberal Party is disappointed that the Government has failed to face these problems squarely or to provide supporting social services for the above-mentioned target groups.

Medical and Health Services

As regard medical and health services, the Liberal Party thinks that

proposals made in the policy address showed neither improvements nor new ideas. On the contrary, it was silent on new problems, such as the imbalance between the demands for public medical services and that for private medical services. As a result of this imbalance, patients with more means are competing for public medical services with those who have less. The Government should reset its service objectives to ensure that patients with lesser means can receive free and effective medical services.

On the other hand, the Government has also ignored those health problems commonly found in a modern society, such as obesity among children. The average body weight of Hong Kong children is exceeding the standard weight of normal and healthy children. The Liberal Party proposes that the Government take proper actions to introduce preventive education programmes and remedial measures to stop the problem from deteriorating.

As regards the low utility rate of health centres for the elderly, the Government must conduct a review to find out the causes and to revise its measures concerning medical and health services for the elderly as well as the allocation of resources.

Mr Deputy, these are my remarks.

THE PRESIDENT resumed the Chair.

PRESIDENT (in Cantonese): I now invite Dr LEONG Che-hung to speak for the second time and to move that the debate on the Motion of Thanks be adjourned, so that public officers could speak on the motion in the sitting on next Wednesday.

Dr LEONG CHE-HUNG (in Cantonese): Mr President, I move that the debate on this motion as amended be adjourned.

Question on the adjournment of the debate on the amended motion proposed, put and agreed to.

ADJOURNMENT AND NEXT SITTING

PRESIDENT (in Cantonese): In accordance with the Standing Orders, I now adjourn the Council until 2.30 pm on Wednesday, 23 October 1996.

Adjourned accordingly at twenty-seven minutes past Eight o'clock.