

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 9 April 1997

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.

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

THE HONOURABLE SZETO WAH

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

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

DR THE HONOURABLE PHILIP WONG YU-HONG

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 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 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

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

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

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

THE HONOURABLE ANDREW CHENG KAR-FOO

THE HONOURABLE MARGARET NG

PUBLIC OFFICERS ATTENDING

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

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

MR CHAU TAK-HAY, C.B.E., J.P.
SECRETARY FOR BROADCASTING, CULTURE AND SPORT

MR NICHOLAS NG WING-FUI, J.P.
SECRETARY FOR CONSTITUTIONAL AFFAIRS

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

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

MR RAFAEL HUI SI-YAN, J.P.
SECRETARY FOR FINANCIAL SERVICES

MR JOSEPH WONG WING-PING, J.P.
SECRETARY FOR EDUCATION AND MANPOWER

MR PETER LAI HING-LING, J.P.
SECRETARY FOR SECURITY

MR BOWEN LEUNG PO-WING, J.P.
SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS

MR KWONG KI-CHI, J.P.
SECRETARY FOR THE TREASURY

MISS DENISE YUE CHUNG-YEE, J.P.
SECRETARY FOR TRADE AND INDUSTRY

MR LAM WOON-KWONG, J.P.
SECRETARY FOR THE CIVIL SERVICE

MR STEPHEN IP SHU-KWAN, J.P.
SECRETARY FOR ECONOMIC SERVICES

MR KWONG HON-SANG, J.P.
SECRETARY FOR WORKS

MR PAUL LEUNG SAI-WAH, J.P.
SECRETARY FOR TRANSPORT

CLERKS IN ATTENDANCE

MR RICKY FUNG CHOI-CHEUNG, SECRETARY GENERAL

MR LAW KAM-SANG, DEPUTY SECRETARY GENERAL

MRS JUSTINA LAM CHENG BO-LING, ASSISTANT SECRETARY
GENERAL

MR RAY CHAN YUM-MOU, ASSISTANT SECRETARY GENERAL

PAPERS

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

Subject

Subsidiary Legislation	<i>L.N. No.</i>
Consumer Goods Safety Regulation	110/97
Toys and Children's Products Safety Regulation	111/97
Arbitration (Parties to New York Convention) (Amendment) Order 1997	112/97
Official Languages (Alteration of Text Under Section 4D) (No. 6) Order 1997	113/97
Official Languages (Alteration of Text Under Section 4D) (No. 7) Order 1997	114/97
Occupational Retirement Schemes (Preparation of Actuarial Certificates) Rules (L.N. 41 of 1997) (Commencement) Notice 1997	115/97
Occupational Retirement Schemes (Periodic Certification of Registered Defined Benefit Schemes) Rules (L.N. 42 of 1997) (Commencement) Notice 1997	116/97
Official Languages (Authentic Chinese Text) (Bishop of the Roman Catholic Church in Hong Kong Incorporation Ordinance) Order	(C) 33/97
Official Languages (Authentic Chinese Text) (Chater Masonic Scholarship Fund Ordinance) Order	(C) 34/97

Official Languages (Authentic Chinese Text) (China Congregational Church Ordinance) Order	(C) 35/97
Official Languages (Authentic Chinese Text) (Church of England Trust Ordinance) Order	(C) 36/97
Official Languages (Authentic Chinese Text) (Jesuit Order (English Assistancy) Incorporation Ordinance) Order	(C) 37/97
Official Languages (Authentic Chinese Text) (Jesuit Order (Portuguese Province) Incorporation Ordinance) Order	(C) 38/97
Official Languages (Authentic Chinese Text) (Chater (Cathedral and St. Andrew's) Endowment Funds Incorporation Ordinance) Order	(C) 39/97
Official Languages (Authentic Chinese Text) (Brewin Trust Fund Ordinance) Order	(C) 40/97
Official Languages (Authentic Chinese Text) (Li Po Chun Charitable Trust Fund Ordinance) Order	(C) 41/97
Official Languages (Authentic Chinese Text) (Correctional Services Children's Education Trust Ordinance) Order	(C) 42/97
Schedule of Routes (China Motor Bus Company) Order 1997	117/97
Schedule of Routes (Citybus Limited) Order 1997	118/97
Schedule of Routes (Kowloon Motor Bus Company) Order 1997	119/97

Official Languages (Alteration of Text Under Section 4D) (No. 8) Order 1997.....	120/97
Official Languages (Alteration of Text Under Section 4D) (No. 9) Order 1997.....	121/97
Official Languages (Alteration of Text Under Section 4D) (No. 10) Order 1997.....	122/97
Official Languages (Alteration of Text Under Section 4D) (No. 11) Order 1997.....	123/97
Leveraged Foreign Exchange Trading (Fees) (Amendment) Rules 1997	124/97
Non-Contentious Probate (Amendment) Rules 1997	125/97
Official Administrator's Accounts (Interest) (Amendment) Rules 1997	126/97
Official Languages (Authentic Chinese Text) (Daughters of Charity of the Canossian Institute Incorporation Ordinance) Order	(C) 43/97
Official Languages (Authentic Chinese Text) (Chinese Rhenish Church, Hong Kong Synod, Incorporation Ordinance) Order.....	(C) 44/97
Official Languages (Authentic Chinese Text) (Church of Christ in China, Wanchai Church, Incorporation Ordinance) Order.....	(C) 45/97
Official Languages (Authentic Chinese Text) (Daughters of Mary Help of Christians Incorporation Ordinance) Order.....	(C) 46/97

Official Languages (Authentic Chinese Text) (Congregation of Our Lady of Charity of the Good Shepherd of Angers at Hong Kong Incorporation Ordinance) Order.....	(C) 47/97
Official Languages (Authentic Chinese Text) (Broadcasting Authority Ordinance) Order	(C) 48/97
Official Languages (Authentic Chinese Text) (Catholic Mission of Macao Incorporation Ordinance) Order.....	(C) 49/97
Official Languages (Authentic Chinese Text) (Chinese Young Men's Christian Association Ordinance) Order.....	(C) 50/97
Official Languages (Authentic Chinese Text) (China Peniel Missionary Society Incorporation Ordinance) Order.....	(C) 51/97
Air Pollution Control (Construction Dust) Regulation.....	127/97
Travel Industry Compensation Fund (Procedure for Ex Gratia Payments) (Amendment) Rules 1997	128/97
Ex Gratia Payments and Financial Penalty) (Amendment) Rules 1997	129/97
Travel Industry Compensation Fund (Procedure for Ex Gratia Payments) (Amendment) Rules 1997 (L.N. 128 of 1997) (Commencement) Notice 1997	130/97
Travel Industry Compensation Fund (Amount of Ex Gratia Payments and Financial Penalty) (Amendment) Rules 1997 (L.N. 129 of 1997) (Commencement) Notice 1997	131/97

Air Pollution Control (Amendment) Ordinance 1993 (13 of 1993) (Commencement) Notice 1997	132/97
Official Languages (Authentic Chinese Text) (Emergency Regulations Ordinance) Order.....	(C) 52/97
Official Languages (Authentic Chinese Text) (Diocesan School and Orphanage Incorporation Ordinance) Order.....	(C) 53/97
Official Languages (Authentic Chinese Text) (Hongkong and Kowloon Wharf and Godown Company Limited (By-Laws) Ordinance) Order	(C) 54/97
Official Languages (Authentic Chinese Text) (Kowloon Union Church Incorporation Ordinance) Order.....	(C) 55/97
Official Languages (Authentic Chinese Text) (Masonic Benevolence Fund Incorporation Ordinance) Order.....	(C) 56/97
Official Languages (Authentic Chinese Text) (Secretary for Home Affairs Incorporation Ordinance) Order.....	(C) 57/97
Official Languages (Authentic Chinese Text) (Hong Kong Council of Social Service Incorporation Ordinance) Order.....	(C) 58/97
Official Languages (Authentic Chinese Text) (Emmanuel Church Incorporation Ordinance) Order.....	(C) 59/97
Official Languages (Authentic Chinese Text) (Grantham Scholarships Fund Ordinance) Order.....	(C) 60/97

Official Languages (Authentic Chinese Text) (Hong Kong Baptist Church Incorporation Ordinance) Order.....	(C) 61/97
Official Languages (Authentic Chinese Text) (Education Scholarships Fund Ordinance) Order.....	(C) 62/97
Official Languages (Authentic Chinese Text) (Miscellaneous Licences Ordinance) Order	(C) 63/97
Official Languages (Authentic Chinese Text) (Financial Secretary Incorporation Ordinance) Order	(C) 64/97
Official Languages (Authentic Chinese Text) (Kowloon Tong Church of the Chinese Christian and Missionary Alliance Incorporation Ordinance) Order.....	(C) 65/97
Official Languages (Authentic Chinese Text) (Franciscan Missionaries of Mary Incorporation Ordinance) Order.....	(C) 66/97
Official Languages (Authentic Chinese Text) (Caritas — Hong Kong Incorporation Ordinance) Order.....	(C) 67/97
Official Languages (Authentic Chinese Text) (Kowloon City Baptist Church Ordinance) Order.....	(C) 68/97
Official Languages (Authentic Chinese Text) (Director of Education Incorporation Ordinance) Order.....	(C) 69/97
Official Languages (Authentic Chinese Text) (Council of Heep Yunn School Incorporation Ordinance) Order.....	(C) 70/97

Official Languages (Authentic Chinese Text) (Emergency Relief Fund Ordinance) Order.....	(C) 71/97
Official Languages (Authentic Chinese Text) (Council of St. Paul's Co-Educational College Incorporation Ordinance) Order.....	(C) 72/97
Official Languages (Authentic Chinese Text) (Hong Kong Conference of Youth Organizations Incorporation Ordinance) Order.....	(C) 73/97
Official Languages (Authentic Chinese Text) (Diocesan Boys' School Committee Incorporation Ordinance) Order.....	(C) 74/97
Official Languages (Authentic Chinese Text) (Council of the Diocesan Girls' School Incorporation Ordinance) Order.....	(C) 75/97
Official Languages (Authentic Chinese Text) (Diocesan Preparatory School Council Incorporation Ordinance) Order.....	(C) 76/97

Sessional Papers 1996-97

- No. 81 — Director of Social Welfare Incorporated Statement of Accounts for the year ended 31 March 1996
- No. 82 — Report of the Director of Audit on the Results of Value for Money Audits - February 1997 Director of Audit's Report No. 28
- No. 83 — Securities and Futures Commission Approved Estimates of Income and Expenditure for Financial Year 1997-98

Miscellaneous

White Paper on the Annual Report on Hong Kong 1996 to Parliament

WRITTEN ANSWERS TO QUESTIONS**Suicide Rate of the Elderly**

1. **MR ALLEN LEE** asked (in Chinese): *According to a survey conducted by the University of Hong Kong, the suicide rate of the elderly in Hong Kong ranks second in the world. In this connection, will the Government inform this Council of the following:*

- (a) *the number of elderly persons who had committed suicide in the past five years together with a breakdown of these elderly persons by age and sex;*
- (b) *the causes of the elderly persons committing suicides and the means by which such suicide were committed; and*
- (c) *the measures adopted by the Government to reduce or prevent the occurrence of suicide cases involving elderly persons?*

SECRETARY FOR HEALTH AND WELFARE (in Chinese): Mr President,

- (a) The known suicide death figures of persons aged 65 and above by age and sex in the past five years are as follows:

<i>Sex</i>	<i>1991</i>	<i>1992</i>	<i>1993</i>	<i>1994</i>	<i>1995</i>
Male	101	106	98	121	116
Female	86	109	101	102	94
Total	187	215	199	223	210

It is understood that the study which the Honourable Allen Lee refers to in his question is the one commissioned by Befrienders International. In their report published in February 1997, it is mentioned that the data on the international comparison of elderly suicide should be interpreted with care as they refer to different years and there may be differences in the age and gender distribution of the elderly population of the countries being compared. It is therefore difficult to derive a firm conclusion from the data highlighted in the study that Hong Kong's elderly suicide rate is amongst the highest in the world.

- (b) Suicide is a very complex problem. It is caused by a variety of reasons, including social, psychological, emotional and situational factors. Prolonged illness, death of a loved one, family troubles, frustrations, despair and hopelessness are often the reasons cited for suicide attempts by elderly persons. The suicidal act is usually the climax of a crisis in an individual. No single or simple explanation can cover the wide range of situations that lead to suicide.

The means by which suicide were committed among the total deaths of persons aged 65 and above in 1995 are as follows:

(Suicide and Self-inflicted injury)
Total deaths by cause of death, 1995 (Aged 65+)

<i>Cause</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Suicide and self-inflicted poisoning by solid or liquid substances	3	9	12
Suicide and self-inflicted injury by hanging, strangulation and suffocation	51	27	78
Suicide and Self-inflicted injury by jumping from high place	55	54	109
Others	7	4	11
Total	116	94	210

- (c) Suicide may be prevented if the elderly persons have a more positive outlook and better control of their life. When they are confronted with personal difficulties, it would be most important if their family members can render them with strong emotional support. To supplement family support, it is Government policy to create strong community support network to help address problems of loneliness and depression faced by some elderly people, especially those in crisis. Services being provided include the following:

(i) *Services to promote an active lifestyle*

In 1996-97, there are 196 social centres and 27 multi-services centres for the elderly which offer activities to meet the social and recreational needs of the elderly and to encourage elderly people to widen their social circle. Multi-service centres for the elderly also provide community education programmes to help elderly persons understand various changes accompanying the aging process and face them in a positive manner. In districts where elderly population congregate, Family Life Education workers will include the elderly people as target participants of their programmes. In particular, the elderly people are encouraged to maintain an active lifestyle irrespective of whether they are economically active.

(ii) *Support services for the elderly at risk*

There are 65 Family Services Centres and 344 Medical Social Services Units to assist the needy, including elderly people, to solve their problems. Furthermore, Clinical Psychology Units and counselling unit of multi-service centres for the elderly of the Social Welfare Department, non-governmental organizations and Hospital Authority provide counselling services to elderly persons facing problems or in crisis. In addition, the Department of Health has introduced a pilot Elderly Health Service which places emphasis on health promotion and disease prevention. Clients are encouraged to attend health promotion activities and to adopt a healthy lifestyle. Clients are also provided with annual physical examinations and health screenings for chronic diseases

including depressions. Elderly with symptoms of suicidal tendency will be promptly referred to hospitals.

(iii) *Outreaching services for the elderly at risk*

Where necessary, case-workers of Family Services Centres and Medical Social Workers will reach out to the elderly people who are in need of assistance and support. The Community Geriatric Assessment Teams and Psychogeriatric Teams also reach out to elderly persons in the community who are in need of assessments and/or medical treatments.

The experimental Volunteer Workers Programme, Older Volunteers Programme and Social Networking for the Elderly also bring in the concept of using volunteers to widen the support network and to identify the elderly at risk. Elderly people identified to be in need of professional services will be referred to the appropriate unit for follow-up.

Lantau Link Fireworks Display

2. **MR LO SUK-CHING** asked (in Chinese): *It is learnt that the Government will organize a fireworks display and other large-scale public activities on 27 April this year to celebrate the opening of the Lantau Link. In this connection, will the Government inform this Council:*

- (a) *whether the Government has consulted the public before deciding to organize the fireworks display and other activities mentioned above; if not, why not;*
- (b) *of the estimated amount of public money which the Government has to spend on organizing the fireworks display despite private sponsorship for the event, bearing in mind that the government departments concerned (including the Home Affairs Department, the Marine Department, the Police, the New Airport Projects Co-ordination Office and the Transport Department) have to deploy staff to undertake co-ordination work as well as to maintain public order and regulate traffic flow; and whether the Government has*

assessed if the expenditure involved is "money well spent" when deciding to organize such activities;

- (c) of the total number of celebration activities organized by the Government to mark the opening of the Lantau Link, as well as the specific plan and estimated number of participants in respect of each activity;*
- (d) of the specific plans drawn up by the Government concerning the security and traffic control measures to be adopted in connection with the activities mentioned in the answer to (c) above; and whether the extent of nuisance that may be caused to the public has been fully considered while such plans were formulated;*
- (e) apart from providing entertainment to the public, of the other reasons, including political reasons, for organizing the fireworks display and other large-scale public activities to mark the opening of a highway?*

SECRETARY FOR WORKS (in Chinese): Mr President, the Lantau Link Opening Ceremony is part of a series of ceremonies marking the completion of each of the five projects which form the transport corridor of the Airport Core Programme (ACP) running from Central District to Tung Chung New Town. The specific answers to the question are as follows:

- (a) The application for the staging of a fireworks display as part of the Ceremony was approved after a number of factors, including likely public reaction and safety requirements had been taken into account. When the proposal was first submitted to Government, the Administration's assessment was that this would be acceptable to the community as a whole, subject to satisfactory arrangements being worked out on crowd control, traffic arrangements, and transport facilities in consultation with relevant District Boards and affected local residents.

We started our consultation on a preliminary proposal on crowd control, traffic, and public transport arrangements in early March. So far, three District Boards and the Airport Consultative Committee have been consulted. The general feeling was supportive of the display and specific proposals had been made to improve on the preliminary proposal. We plan to finalize the detailed arrangements in mid April in the light of the views collected during the consultation exercise.

- (b) For the Lantau Link Opening Ceremony, the New Airport Projects Co-ordination Office (NAPCO) is co-ordinating the preparation work. Direct expenses for the Ceremony are in the region of \$7.5 million. These will come out of the funds approved for publicity and public relations for the Airport Core Programme. Staff costs are absorbed by government departments within their current strength and various participating organizations. The fireworks display, at a cost of \$5 million, is sponsored by a commercial enterprise.

Considering the opportunity offered for promoting our international image in being able to complete a substantial part of one of the largest infrastructural projects in the world ahead of schedule and below budget during the final years of transition, and for enhancement of our status as a service centre for infrastructural development and project management, we consider the efforts and resources put in organizing these events very good value for money.

- (c) With the objectives of drawing international and local attention to the completion of the ACP transportation network on time and within budget, and of encouraging community participation in celebrating the completion of a new Hong Kong landmark, NAPCO has been working with various government departments and organizations on a series of events/activities to mark the opening of the Lantau Link:
 - (i) a formal opening ceremony of the Lantau Link on 27 April 1997, preceded by land parade, boat flotilla and flypast and followed by car procession and fireworks display;

- (ii) an international marathon on the Lantau Link and North Lantau Expressway together with a 10-km running event on 4 May 1997; and
- (iii) a Community Chest charity walk along Route 3 and the Lantau Link on 11 May 1997.

Whilst our target is to enable as many people to participate as practically feasible, it is difficult to estimate the precise number of people taking part in these activities. Many factors, such as weather and other attractive events held elsewhere, may well affect the actual number of participants. The following is a rough estimate:

- (i) some 2 400 (1 200 invited guests and 1 200 participants/performers) for the Lantau Link Opening Ceremony and 300 000 spectators who are expected to view the fireworks display along Castle Peak Road;
 - (ii) around 7 500 participants for the running events; and
 - (iii) up to 80 000 participants for the charity walk.
- (d) Events on the Lantau Link will be held before it is open to public traffic. While these events themselves do not take away available road space, traffic diversions on the approach roads are sometimes necessary because of the need to facilitate crowd and traffic control. There will also be additional need on public transport arrangements. In the case of the Lantau Link Opening Ceremony, pedestrianization of certain sections of Castle Peak Road as well as regulation of traffic during the fireworks display along Tuen Mun Road is required. Some inconvenience to affected residents nearby is therefore unavoidable.

Government departments, in particular the Police Force, Transport Department, Marine Department and Fire Services Department, are working together with the organizers concerned to ensure that any inconvenience to affected residents is kept to the absolute minimum.

At the same time, special attention will be paid to public safety, expeditious dispersal of crowd, effective crowd control, and the valuable lessons learnt during the New Year Eve fireworks display at Tuen Mun. As soon as views on the preliminary proposal put forth to relevant District Boards have been collected and examined, we will announce the details in mid April.

- (e) Apart from providing an opportunity for the whole community to celebrate the completion of the Lantau Link, our new landmark with the world's longest road and rail carrying suspension bridge, and the objectives mentioned in the response to question (b) above, there is no other reason whatsoever in organizing the various events related to the opening of the Lantau Link.

Yau Oi Estate Subsidence

3. **MR NGAN KAM-CHUEN** asked (in Chinese): *In the light of the subsidence in Yau Oi Estate in Tuen Mun, does the Government know:*

- (a) *of the public rental housing (PRH) estates and Home Ownership Scheme (HOS) estates under the management of the Housing Authority which are situated on newly reclaimed land at present;*
- (b) *whether the Housing Department (HD) has carried out periodic inspections on the PRH estates and HOS estates mentioned in the answer to (a) above, and whether the HD has earmarked funds for tackling subsidence cases that may occur; if not, why not; and*
- (c) *whether, apart from the subsidence in Yau Oi Estate, the HD has come across subsidence cases in other PRH estates and HOS estates in the past three years; if so, of the number of such cases in each of the three years as well as the names of the PRH estates and HOS estates concerned?*

SECRETARY FOR HOUSING (in Chinese): Mr President, there are 60 estates constructed on newly reclaimed land: 24 public rental housing (PRH) estates, 23

Home Ownership Scheme (HOS) estates and 13 Private Sector Participation Scheme (PSPS) estates. Details are at the Annex.

Reclaimed land is subject to settlement. This is allowed for in the design and construction stage of Housing Authority estates. Subsequent soil subsidence should not affect the structural safety of these buildings.

The structural condition of PRH and HOS estates managed by the Housing Department is regularly inspected by professional staff. PSPS and HOS estates managed by private agencies are inspected by qualified people concerned.

For PRH estates, expenditure relating to remedial work as a result of subsidence is met from the Housing Department's funds for general maintenance and repair. For HOS and PSPS estates, such expenditure is charged to the maintenance and repair accounts of the management funds of individual estates.

In the past three years, apart from the incident at Yau Oi Estate, there have been two other cases of ground subsidence in On Ning Garden (Tseung Kwan O) and Siu Hei Court (Tuen Mun).

Annex

List of completed estates constructed on newly reclaimed land

<i>Area</i>	<i>Public Rental Housing (PRH) Estates</i>	<i>Home Ownership Scheme (HOS) Estates</i>	<i>Private Sector Participation Scheme (PSPS) Estates</i>
Chai Wan	Tsui Wan Estate Yue Wan Estate	Yee Tsui Court	Cheerful Garden Walton Estate
Aberdeen	Wah Kwai Estate	Ka Lung Court	
Lantau Island	Lung Tin Estate		
Ma On Shan	Chung On Estate Heng On Estate Yiu On Estate	Kam Fung Court Kam Hay Court Kam On Court	Fok On Garden Fu Fai Garden
Sha Tin	Wo Che Estate	Yue Tin Court	

Sham Shui Po	Nam Cheong Estate		
<i>Area</i>	<i>Public Rental Housing (PRH) Estates</i>	<i>Home Ownership Scheme (HOS) Estates</i>	<i>Private Sector Participation Scheme (PSPS) Estates</i>
Tai Po	Fu Shin Estate Kwong Fuk Estate Tai Yuen Estate	Ming Nga Court Ting Nga Court Wang Fuk Court Yee Nga Court	Sun Hing Garden Tai Po Plaza
Tsing Yi	Cheung Fat Estate Cheung On Estate	Ching Nga Court Ching Tai Court	Serene Garden
Tseung Kwan O	Hau Tak Estate King Lam Estate Ming Tak Estate Po Lam Estate	Chung Ming Court Hin Ming Court Ho Ming Court Yan Ming Court Ying Ming Court Yu Ming Court Yuk Ming Court	Fu Ning Garden On Ning Garden
Tuen Mun	Butterfly Estate On Ting Estate Sam Shing Estate San Fat Estate Wu King Estate Yau Oi Estate	Siu Hei Court Siu Lun Court Siu On Court Siu Shan Court	Chi Lok Fa Yuen Melody Garden Tsui Ning Garden Yuet Wu Villa
Total	24	23	13

Training Visas for Persons from Overseas

4. **MR CHAN WING-CHAN** asked (in Chinese): *Regarding the information provided by the Government to the Legislative Council Panel on Manpower relating to overseas workers taking up employment in the territory for training purposes, will the Government inform this Council of:*

- (a) *the nature and number of posts under the trading and investment, manufacturing, banking and hotel sectors respectively as shown in*

the "training visas breakdown by nature of business"; and

- (b) *the number of applications for extension of stay, the time required for approving such applications as well as the longest period of extension granted, in respect of each category of duration of stay as shown in the "training visas breakdown by duration of stay"?*

SECRETARY FOR SECURITY (in Chinese): Mr President,

- (a) Statistics supplementary to those supplied to the Legislative Council Panel on Manpower for the year 1996 on training visas granted to the businesses of Trading and Investment, Manufacturing, Banking and Hotel, with breakdown by nature of post, are as follows:

<i>Nature of Business</i>	<i>Nature of Post</i>	<i>January-December 1996</i>
Trading and Investment	Accountant	47
	Computer Operator	13
	Engineering	159
	Hotel Management	0
	Hotel Service	5
	Managerial	427
	Marketing Executive	255
	Medical Personnel	2
	Project Researcher	33
	Surveyor	4
	Others	99
	Total	1044
Manufacturing	Accountant	7
	Computer Operator	1
	Engineering	80
	Managerial	81
	Marketing Executive	24

<i>Nature of Business</i>	<i>Nature of Post</i>	<i>January-December 1996</i>
	Project Researcher	14
	Others	13
	Total	220
Banking	Accountant	18
	Computer Operator	11
	Managerial	276
	Marketing Executive	65
	Project Researcher	5
	Surveyor	7
	Others	18
	Total	400
Hotel	Accountant	1
	Engineering	0
	Hotel Management	30
	Hotel Service	52
	Managerial	9
	Marketing Executive	0
	Others	3
	Total	95

- (b) Under the existing policy for entry for training, the duration of training should not exceed 12 months. The majority of training applications last from one to six months. Applications for extension of stay for the purpose of training after the period originally approved are considered on a case by case basis. Each application is considered on its own merits, and the time required for processing each application varies according to the individual circumstances. Statistics on the number of applications for extensions for training purposes are not kept separately from other

types of extensions. Our experience is that the number of such applications is small.

Confirmor Transactions

5. **MR LEE WING-TAT** asked (in Chinese): *Will the Government inform this Council:*

- (a) *of the respective numbers of transactions in uncompleted and completed flats involving confirmors in each of the months since January 1994, their respective proportions to the total number of property transactions in each of the months in question, and the number of confirmors involved in each transaction; and*
- (b) *whether it has conducted any study to ascertain if the recent phenomenon of a large number of property transactions involving confirmors is a reflection of a rising trend of speculation in the property market?*

SECRETARY FOR HOUSING (in Chinese): Mr President, information on transactions involving confirmors, where available, is given in the Annex.

Confirmor is a term commonly used to refer to people who buy a property and then resell it before the actual assignment process for the property is completed. Transactions involving confirmors have usually existed, whether in an up-market or down-market. As there are great risks involved, home buyers should avoid buying from confirmors.

We have examined the recent increase in confirmor transactions. The rise in number gives a broad indication of speculative activity in the residential property market, and may contribute to price increases to some extent. However, upward movement in prices cannot be sustained without regard to affordability, or without a genuine increase in demand from end-users. This can be seen from the increasing number of cases recently where confirmors have reduced prices in order to resell their properties.

The ultimate solution to tackle speculation and soften price escalation lies in increasing land and housing supply, for which the Government has already

announced the plans.

Annex

Number of confirmor transactions (resale before assignment)
involving residential flats

	<i>No. of confirmor transactions</i>	<i>Total no. of transactions in Hong Kong</i>	<i>Percentage of confirmor transactions to total number of transactions in Hong Kong</i>
April-94	823	16 255	5.1%
May-94	557	7 503	7.4%
June-94	384	5 334	7.2%
July-94	257	4 645	5.5%
August-94	264	5 938	4.4%
September-94	262	6 836	3.8%
October-94	330	7 310	4.5%
November-94	377	7 818	4.8%
December-94	107	5 403	2.0%
January-95	148	4 007	3.7%
February-95	136	3 100	4.4%
March-95	291	10 508	2.8%
April-95	208	8 726	2.4%
May-95	268	9 375	2.9%
June-95	169	5 887	2.9%
July-95	195	8 775	2.2%
August-95	160	5 694	2.8%
September-95	123	6 177	2.0%
October-95	106	6 299	1.7%
November-95	154	8 504	1.8%
December-95	148	7 543	2.0%
January-96	145	9 021	1.6%
February-96	151	9 137	1.7%
March-96	212	9 743	2.2%

April-96	234	10 982	2.1%
May-96	352	15 504	2.3%

	<i>No. of confirmor transactions</i>	<i>Total no. of transactions in Hong Kong</i>	<i>Percentage of confirmor transactions to total number of transactions in Hong Kong</i>
June-96	187	9 136	2.0%
July-96	278	12 955	2.1%
August-96	236	9 009	2.6%
September-96	272	11 056	2.5%
October-96	336	14 964	2.2%
November-96	479	16 884	2.8%
December-96	727	17 814	4.1%
January-97	995	18 101	5.5%
February-97	1 137	16 350	7.0%

Speculation in Local Philatelic Market

6. **MR ERIC LI** asked (in Chinese): *Recently, speculation in the local philatelic market has reached fever pitch and many people queue up to purchase new stamps. In view of this, will the Government inform this Council whether:*

- (a) *there are any plans to increase the quantity and frequency of stamp issues;*
- (b) *the service hours of post offices will be extended to facilitate people to purchase new stamps;*
- (c) *the Government will consider adopting a more appropriate sales method or identifying more suitable sales outlets in selling new stamps, as well as improving the safety measures in this regard; and*
- (d) *there were cases in the past two years involving Post Office staff abusing their authority so as to reap profits from stamp sales; if so, of the number of such cases and the measures in place to prevent*

their occurrence?

SECRETARY FOR ECONOMIC SERVICES (in Chinese): Mr President, the Post Office has increased the printing quantities of special stamps since later 1996 to cater for the increased demand. It will continue to increase printing quantities to meet known and foreseeable demand from the general public and stamp collectors. The Post Office intends to maintain the present practice of issuing every year five to six special or commemorative sets of stamps and two to three definitive stamp sheetlets to commemorate special events. Although a number of additional sheetlets has been issued in 1996-97, these were in connection with the Hong Kong '97 Stamp Exhibition. There are no plans to increase the frequency of issue in future.

At present, 20 district post offices open early for business at 8 am on the first day of issue of special stamps. For the next issue on Sunday 27 April 1997, the Post Office will open all post office at 8 am. The Post Office is committed to serving all customers who reach post office before their closing time.

In view of the overwhelming response to the past few issues of special stamps and the sale of the remaining stock of definitive stamp sheets featuring the Queen's head, the Post Office is undertaking a thorough review of the arrangements for selling special stamps. One of the objectives of this review is to reduce the need for people to queue. A number of options is being considered, including further extending the advance order service, issuing of special stamps on Sundays as far as possible, balloting in special circumstances and extending quota arrangements to the second and subsequent days of issue, until there is no queuing.

So far, there have not been any proven cases of postal staff abusing their authority so as to reap profits from stamp sales in the past two years. The Independent Commission Against Corruption is currently investigating a number of cases of this nature involving postal staff.

Mock Examinations Run by Educational Institutions

7. **MR CHEUNG MAN-KWONG** asked (in Chinese): *At present, some educational institutions run mock examinations which attract a large number of*

students participating in such examinations. In this connection, will the Government inform this Council of the following:

- (a) whether the running of mock examinations is regarded as a teaching activity and falls within the activities stipulated in the definition of "school" set out in the Education Ordinance, and whether such educational institutions are required to register with the Education Department;*
- (b) if the answer to (a) is in the affirmative, whether there are any of the educational institutions running mock examinations which have not yet applied to the Education Department for registration; if so, whether the running of mock examinations by these unregistered educational institutions is in breach of the relevant provisions in the Education Ordinance; and*
- (c) if the answer to (a) is in the negative, whether the running of mock examinations by these educational institutions is monitored by any government departments, so as to ensure the safety of the students participating in such activities and to protect their rights as consumers?*

SECRETARY FOR EDUCATION AND MANPOWER (in Chinese): Mr President,

- (a) Mock examination is a kind of teaching activity. According to the Education Ordinance, "school" means any institution, organization or establishment which provides for 20 or more persons during any one day or eight or more persons at any one time, any nursery, kindergarten, primary secondary or post secondary education or any other educational course by any means. Hence, any institutions running mock examinations for the above number of persons are required to register with the Education Department.
- (b) and (c)

If institutions running mock examinations fall within the definition of schools as stipulated in the Education Ordinance are found to be unregistered, the Education Department would ask them to register as schools, or would proceed with prosecution against the operators.

Lighting Systems in Road Tunnels

8. **MR CHOY KAN-PUI** asked (in Chinese): *Will the Government inform this Council:*

- (a) *whether the various tunnel companies have devised a set of installation standards for the lighting systems in road tunnels;*
- (b) *whether the existing lighting systems in various road tunnels have posed any safety problems to motorists; and*
- (c) *of the number of traffic accidents occurring in the road tunnels in the past three years which were caused by the design of the lighting systems concerned?*

SECRETARY FOR TRANSPORT (in Chinese): Mr President,

- (a) Standards on the lighting systems in road tunnels are set out in the Public Lighting Design Manual of the Highways Department, and the Transport Planning and Design Manual of the Transport Department to provide guidance to those involved in the planning and design of transport infrastructure of Hong Kong. They specify the design standards, daytime and night time lighting requirements including lighting intensity, luminance of the walls, glare control and avoidance of flicker, emergency lighting, lighting for bi-directional traffic, power supply and other technical controls etc. The lighting systems in all road tunnels in Hong Kong have been designed and installed according to these standards.
- (b) The performance of the lighting systems in all tunnels is regularly monitored by the Transport Department and the Electrical and Mechanical Services Department. There is no indication that the existing lighting systems in road tunnels have posed safety problems to motorists.

- (c) In the past three years, there were no tunnel traffic accidents which were caused by the design of the tunnel lighting systems.

By-law on Fixed Pitches

9. **MR ALBERT CHAN** asked (in Chinese): *It is stipulated in by-law 28 of the Hawker (Urban Council) By-Laws that the Urban Council may, for the purpose of the charging of fees for the use of fixed pitches by licensees, erect a meter at or on each of those pitches. I sent a letter to the Attorney General in February this year enquiring about the matter, and my enquiry was referred to the Urban Services Department (USD) to follow up. The USD has recently sent me a reply saying that "The Urban Council has never set up such fixed pitches. The keeping of the relevant by-law is to enable the Urban Council to have the legal authority to set up such pitches should there be policy reasons to do so, so as to avoid wasting resources in going through the process of re-enacting the relevant legislative provisions." In this connection, will the Government inform this Council:*

- (a) *of the number of legislative provisions that have been enacted before the actual need for such provisions arises, as in the case of the above by-law;*
- (b) *whether consideration will be given to deleting or amending those legislative provisions which have never been invoked over the past several decades; and*
- (c) *whether the enactment of legislation before the need for such legislation arises is in keeping with the spirit of law-making?*

ATTORNEY GENERAL (in Chinese): Mr President, the answers to these three questions are as follows:

- (a) The Administration proposes legislation only when it is necessary to remedy a problem or to prevent an anticipated problem from happening. Therefore, all legislative schemes are introduced in response to a perceived need. However, it is not uncommon for authorities to be given the power to make subsidiary legislation that will supplement the legislative scheme. The powers given to such authorities, either in the principal Ordinance or in subsidiary legislation, need to cater for various possible methods of

implementation. It is therefore inevitable that some powers are not actually utilized.

- (b) The repeal of redundant legislation is an on-going exercise which all policy branches carry out from time to time.
- (c) As was explained in the answer to the first question, legislation is not enacted before the need for it has arisen. There is, however, a practical need for statutory powers to be drafted in such a way as to enable the authority responsible for making, or enforcing, subsidiary legislation to do so effectively. This is not contrary to legal policy.

Income Limit for Public Housing Applicants

10. **MR SIN CHUNG-KAI** asked (in Chinese): *Regarding the calculation of household income of a public housing applicant, will the Government inform this Council whether it is aware if the Housing Authority will consider revising the existing method of calculating the applicant's income, or relaxing the income limit, so that the applicant's immediate family members in China awaiting approval to settle in Hong Kong would be taken into account when assessing his application for public housing?*

SECRETARY FOR HOUSING (in Chinese): Mr President, applications for public rental housing are subject to the eligibility criteria set by the Housing Authority. The main ones include residence requirement and maximum income limits. Only family members of an applicant actually residing in Hong Kong may be included in the application, although other family members on arrival in Hong Kong may be added.

The rationale behind this policy is that scarce housing resources should be allocated to meet the needs of eligible households with family members residing in Hong Kong. Given the high level of demand for public rental housing, the Housing Authority has no intention of reviewing this policy.

Converting Tai A Chau Detention Camp into Holiday Camp

11. **MISS EMILY LAU** asked: *Given the lack of recreational facilities in the territory, will the Government inform this Council whether there are plans to turn the former Tai A Chau Detention Centre for Vietnamese migrants into a holiday camp; if not, why not?*

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Mr President, the South West New Territories (SWNT) Interim Recommended Strategy which was endorsed in 1993, has identified the Soko Islands, including Tai A Chau, as an area for conservation, landscape and coastal protection and with potential for tourist/recreation development including the provision of overnight accommodation.

The SWNT Development Strategy is now under review in the context of the Territorial Development Strategy Review. The feasibility of a holiday camp in Tai A Chau will be further examined in this context.

Commonest Types of Surgery in Public Hospitals

12. **DR HUANG CHEN-YA** asked (in Chinese): *Does the Government know of:*

- (a) *the five types of surgery most commonly performed on patients in public hospitals in the past year; and*
- (b) *the following data in respect of each of the five types of surgery performed in each public hospital in the past year:*
 - (i) *the number of operations performed;*
 - (ii) *the average hospitalization time required and its standard deviation; and*

(iii) *the complication rate?*

SECRETARY FOR HEALTH AND WELFARE (in Chinese): Mr President, the five types of most commonly performed surgery in 1996 as recorded in the following eight public hospitals, namely, Caritas Medical Centre (CMC), Queen Mary Hospital (QMH), Queen Elizabeth Hospital (QEH), Pamela Youde Nethersole Eastern Hospital (PYNEH), Kwong Wah Hospital (KWH), United Christian Hospital (UCH), Ruttonjee Hospital (RH) and Yan Chai Hospital (YCH) are:

- (a) aspiration and curettage of the uterus;
- (b) lower segment caesarian section;
- (c) insertion of prosthetic lens;
- (d) close fracture reduction with internal fixation; and
- (e) unilateral inguinal hernia repair.

Details on the number of operations performed, the average length of stay in hospital and its standard deviation in respect of each of the five types of surgery mentioned above and performed in these eight hospitals in 1996 are shown in the Annex.

The above information is retrieved from the Hospital Authority's (HA) computerized Medical Records Abstract System (MRAS), which has been implemented in eleven HA's hospitals, with full year data available for the eight hospitals mentioned in paragraph 1.

Collating statistics on surgical procedures in the hospitals without MRAS is extremely difficult as it requires professional staff to retrieve and review manually the medical records of all patients discharged in the past year, and each major hospital has between 40 000 to 100 000 discharges each year.

Information on complication rates is not presently captured in the MRAS and is therefore not available. Collating such information manually is more difficult as it requires professional staff to identify whether another co-existing

disease is co-incidental or is a result of the disease itself or of the treatment given.

Annex

<i>Hospital</i>	<i>Aspiration and curettage of the uterus</i>		
	<i>Number of operations performed</i>	<i>Average length of stay (days)</i>	<i>Standard deviation*</i>
CMC	174	1.30	1.79
QMH	1 335	2.17	1.55
QEH	157	2.36	1.50
PYNEH	639	2.30	1.86
KWH	674	1.65	1.80
UCH	502	2.49	1.68
RH	-	-	-
YCH	-	-	-

<i>Hospital</i>	<i>Lower segment caessarian section</i>		
	<i>Number of operations performed</i>	<i>Average length of stay (days)</i>	<i>Standard deviation*</i>
CMC	347	9.98	7.54
QMH	167	10.79	12.18
QEH	864	9.45	7.08
PYNEH	631	9.28	5.48
KWH	709	9.12	7.03
UCH	612	9.08	4.26
RH	-	-	-
YCH	-	-	-

*Hospital**Insertion of prosthetic lens*

	<i>Number of operations performed</i>	<i>Average length of stay (days)</i>	<i>Standard deviation*</i>
CMC	366	5.77	4.19
QMH	450	2.85	2.47
QEH	57	6.21	7.82
PYNEH	183	2.41	1.83
KWH	186	4.29	3.05
UCH	474	1.77	1.59
RH	-	-	-
YCH	767	1.19	5.13

*Hospital**Close fracture reduction with internal fixation*

	<i>Number of operations performed</i>	<i>Average length of stay (days)</i>	<i>Standard deviation*</i>
CMC	245	24.87	21.18
QMH	336	15.35	13.83
QEH	501	10.75	9.58
PYNEH	306	16.43	22.30
KWH	222	14.48	12.06
UCH	396	14.07	9.54
RH	7	33.43	12.35
YCH	133	28.89	27.50

*Hospital**Unilateral inguinal hernia repair*

	<i>Number of operations performed</i>	<i>Average length of stay (days)</i>	<i>Standard deviation*</i>
CMC	211	4.44	6.83
QMH	93	7.55	9.87
QEH	646	3.85	6.19
PYNEH	255	3.47	2.99
KWH	339	6.04	7.42
UCH	317	3.25	3.82
RH	57	4.63	2.67
YCH	14	6.71	3.38

Note: * Standard deviation measures the amount of spread and variation of the data.

Discrimination against New Immigrants

13. **MR ALLEN LEE** asked (in Chinese): *The findings of a survey conducted by the Hong Kong Psychological Association indicate that the people in the territory generally adopt a discriminatory attitude towards new immigrants from mainland China. In this connection, will the Government inform this Council:*

- (a) *of the activities carried out by the Committee on the Promotion of Civic Education and the Equal Opportunities Commission in eliminating the discriminatory attitude of the territory's people towards new immigrants;*
- (b) *how the Government assesses the effectiveness of the activities mentioned in the answer to (a) above; and;*

- (c) *given that the findings of the above survey also indicate that many people in the territory are of the view that their share of the social welfare benefits has diminished as a result of the arrival of new immigrants, of the respective percentages of the resources allocated by the Social Welfare Department and the Labour Department for providing services to new immigrants out of the total expenditure of these two departments?*

SECRETARY FOR HOME AFFAIRS (in Chinese): Mr President, the Government is committed to providing advice and support to new immigrants from China to enable them to settle successfully in Hong Kong and contribute to our long-term economic and social success. By facilitating their integration into the community, such efforts go a long way in addressing any discriminatory attitude which may exist towards the new arrivals.

My reply to the question is as follows:

- (a) The Committee on the Promotion of Civic Education (CPCE) promotes equal opportunities for all in its human rights education programmes. The programmes aim at bringing home the notion that all human beings are equal irrespective of differences in gender, physical ability, race, family and social status and so on. Apart from such a general message, a specific one aiming at the elimination of discrimination against new immigrants is contained in a story book and story cassette distributed to children and one of the activity plans in the teaching kit distributed to schools. To date, 10 000 copies of the story book and 20 000 copies of the cassette tape have been distributed to children and 2 000 sets of the teaching kit have been distributed to schools. In addition, the CPCE has sponsored, under the Community Participation Scheme in 1996-97, two projects on elimination of discrimination against new immigrants and will sponsor another project on this theme in

1997-98.

The service of the Equal Opportunities Commission (EOC) is available to all — including new arrivals — who suffer discrimination on grounds of gender, marital status, pregnancy or disability. Its publicity and public education activities aim at eliminating discrimination on these grounds and promoting equal opportunities for all. Activities specifically to address discrimination on the ground of an individual being a new immigrant are outside the statutory functions of the EOC.

- (b) The effectiveness of the activities of the CPEC the EOC to address discrimination can be assessed in terms of the changes in the public's attitude towards equal opportunities for all, including new immigrants. Both the CPCE and EOC will conduct public opinion surveys, the results of which will indicate whether any improvement in such attitude has taken place.
- (c) Like all other members of our society, new arrivals are entitled to the same full range of general services provided by the Social Welfare Department and Labour Department. Neither departments keep separate statistics on the proportion of their resources which have been allocated for the provision of general services to new arrivals. Nevertheless, we are aware that some of them may encounter adaptation difficulties and need special assistance. The Government is therefore working closely with other voluntary agencies to provide a host of dedicated services to new arrivals to facilitate their smooth integration into our society as quickly as possible. The Social Welfare Department has been subventing the Hong Kong Branch of the International Social Services (ISS-HK) to provide a wide range of post-migration services. Programmes to help new arrivals begin at the moment they arrive. These include the provision of general enquiry services and assistance at the Hung Hom Railway Station, special orientation programmes, counselling and referral services. In 1997-98, the Social Welfare Department will allocate a total of \$3.53 million to ISS-HK, representing about 0.02% of the total welfare expenditure, \$19,500 million, for

1997-98.

As regards the Labour Department, it has in 1997-98 sought new provision of \$1.66 million (\$2.13 million for full year annual recurrent) for setting up a one-stop Employment Service Centre for New Arrivals. The Centre will provide a comprehensive range of employment service for new arrivals, including the provision of labour market information, counselling on practice and conditions of work in Hong Kong, careers guidance, intensive job matching and job referrals. The new provision, if approved, represents 0.28% of the department's total estimated expenditure for 1997-98.

Property Speculation

14. **MR LEE WING-TAT** asked (in Chinese): *Recently some property developers, when putting up new flats for sale, provide to home buyers a penalty-free mortgage arrangement whereby home buyers will not be required to pay any punitive charges even if they repay the mortgage loan in full within the first year of drawing the loan. In this connection, will the Government inform this Council whether a study has been conducted to examine if such a mortgage arrangement will further fuel property speculation; if so, whether the Government will issue guidelines to property developers and banks requiring them to levy punitive charges on home buyers for early repayment of mortgage loans?*

SECRETARY FOR FINANCIAL SERVICES (in Chinese): Mr President, we are aware of recent reports about banks offering to waive the charges for early repayment of mortgage loans in connection with the sale of a certain new property development. Although no specific study has been conducted, our view is that this could affect the quality of banks' mortgage assets, regardless of whether there is also a stimulating effect on property speculation.

The punitive charges for early repayment are part of the terms and conditions of a mortgage loan between individual banks and flat buyers. It is therefore not relevant to issue guidelines on this matter to property developers. The Hong Kong Monetary Authority (HKMA) is not aware of any authorized

institution actually having reduced or waived charges for early repayment. However, it has taken prompt action to formally advise all authorized institutions of its views on the matter. The HKMA will continue to monitor institutions' mortgage lendings closely to ensure that prudent lending criteria are followed.

Grant to Gay and Lesbian Groups

15. **MISS EMILY LAU** asked: *It is learnt that the Board of Management of the Chinese Permanent Cemeteries under the chairmanship of the Secretary for Home Affairs has recently granted a sum of \$400,000 to three groups in the gay and lesbian community. In this connection, will the Government inform this Council:*

- (a) of the criteria adopted for selecting the three groups to receive the grant;*
- (b) of the purpose for making a grant to the three groups; and*
- (c) whether consideration will be given to providing public funds to the three groups so that they can step up their publicity efforts in eradicating discrimination against the gay and lesbian community?*

SECRETARY FOR HOME AFFAIRS: Mr President, the Board of Management of the Chinese Permanent Cemeteries annually invite applications from welfare, youth, charitable and non-profit making organizations for grants to carry out projects for the benefit of the people of Hong Kong. In December 1996, the Board approved applications for three gay and lesbian organizations and granted to them a total of \$375,000.

The replies to the question are as follows:

- (a) in approving the applications from the three organizations, the Board took into account the objectives of the projects, the target group and number of beneficiaries, the community needs and the track records of the organizations;

- (b) the grants were provided to enable the organizations to provide counselling and support services to the homosexuals and also to organize public education activities with a view to promoting better understanding on sexual orientation and equal opportunities; and
- (c) no public funds have been set aside for the three organizations. However, they and other gay and lesbian groups can apply for public funds, under the Community Participation Scheme operated by the Committee on the Promotion of Civic Education, in order to undertake projects on equal opportunities and elimination of discrimination. Also, the Home Affairs Branch will continue to advise and assist them on applying for funds from various sources. The Branch will also continue with its publicity efforts to promote equal opportunities for homosexuals.

2000 Computer Crisis

16. **DR HUANG CHEN-YA** asked (in Chinese): *At the time when the Year 2000 arrives, computer processors and software which have not been properly adjusted to handle the new year digits may produce data errors. In view of this, will the Government inform this Council:*

- (a) *of the extent of the effects on the following computer systems, together with the up-to-date progress made in adjusting these systems and the expected completion dates of such adjustment:*
 - (i) *the computer systems for traffic light control;*
 - (ii) *the computer systems and software used by the Government;*
 - (iii) *the computer systems for the management of equipment used in the Hospital Authority; and*
- (b) *how does the Government ensure that:*
 - (i) *the computer systems for the management of power stations;*

(ii) *the computer systems for the management of telephone networks; and*

(iii) *the computer systems and software used by various banks in operating their databases*

will not, in handling the new year digits, produce data errors which will affect the economy of the territory and the operation of its financial system?

SECRETARY FOR THE TREASURY (in Chinese): Mr President,

- (a) (i) The Year 2000 problem on computer processors and software will not affect traffic light signals and area traffic computer systems, which will continue to operate in the normal manner beyond 2000.
- (ii) With regard to government databases and computer software, the Information Technology Services Department (ITSD) conducted a preliminary assessment of some 250 computer application systems it maintained in May 1996. About 20% of these systems may be affected by the Year 2000 problem. ITSD has started work to define the extent of non-compliance and to carry out necessary modification to these systems progressively. It will complete all necessary modification work before the year 2000.

Apart from the ITSD, six other government departments develop and maintain their own computer applications and have their own IT staff. The Year 2000 problem would affect about half of these 310 applications. These six departments, with the advice of the ITSD, are also taking active steps to address the problem and complete the necessary modification of their systems before the year 2000.

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- (iii) The Asset Management System of the Hospital Authority, a computer system used for the management of assets including equipment, is already Year 2000 compliant. Therefore, there is no need for any programming adjustment to the system to deal with the Year 2000 problem.
- (b) (i) The power companies are aware of the possible impact of the Year 2000 problem on their computer systems and are implementing measures to address the problem. The companies have advised that they will implement corrective measures by early 1999. The Director of Electrical and Mechanical Services will monitor the progress of the companies in implementing the measures, with a view to ensuring normal supply of electricity beyond 2000.
- (ii) The Year 2000 problem will not affect the operation of computer systems controlling telephone networks, which is not linked to the "year" field. As regards the impact of the change of the "year" field on the billing and other administrative systems, the Government will remind public telecommunication service operators to take necessary steps to prevent consumers from being affected by billing or other types of errors due to the field change.
- (iii) The Hong Kong Monetary Authority (HKMA) drew the Year 2000 problem to the attention of both the Hong Kong Association of Banks and the Deposit-taking Companies Association in 1996. In January 1997, the HKMA wrote to all authorized financial institutions enquiring about the progress on the action they had taken to deal with the problem. Of the responses received, some institutions have confirmed that they are already Year 2000 compliant while the majority of the institutions are progressing towards Year 2000 compliance.

The HKMA will continue working closely with the two Associations to promote awareness among authorized financial institutions of the need to tackle the Year 2000 problem. The HKMA is planning to step up its monitoring efforts with a view to

ensuring all authorized institutions will be Year 2000 compliant by December 1998. Where necessary, it may require institutions to submit details of the measures which they have taken, or will be taking, in dealing with the problem. HKMA will monitor the implementation of such measures through their on-site examinations.

Ferry Services between Convention and Exhibition Centre and Hotel Areas

17. **MR HOWARD YOUNG** asked: *In view of the impending opening of the extension of the Hong Kong Convention and Exhibition Centre (HKCEC) and the concentration of hotels in certain areas near the Kowloon waterfront, will the Government inform this Council whether it will consider offering franchises to the territory's existing ferry companies to operate both regular and event-related ferry services between the HKCEC and Tsim Sha Tsui and between the HKCEC and Tsim Sha Tsui East; if not, why not?*

SECRETARY FOR TRANSPORT: Mr President, the opening of the extension to the Hong Kong Convention and Exhibition Centre (HKCEC) will generate some additional traffic. However, it is not envisaged that the increased demand will be sufficient to support a new ferry service in addition to ferry routes presently being provided by our two ferry franchisees. The Government therefore has no plans to introduce a regular ferry service from the HKCEC to Tsim Sha Tsui or Tsim Sha Tsui East.

On existing services, the Star Ferry Company Limited operates a ferry service between Tsim Sha Tsui and the Wan Chai Ferry Pier from 7.30 am to 11 pm daily. There is ample spare capacity on this service. It takes only about three minutes to walk from the Wan Chai ferry pier to the HKCEC. The Hongkong and Yaumati Ferry Company Limited also operates ferry routes from Wan Chai to Hung Hom and to Tuen Mun. In addition, there is a Mass Transit Railway (MTR) service between Tsim Sha Tsui and Wan Chai. The Wan Chai MTR Station is connected to the HKCEC by a covered walkway.

We appreciate that there may be a need for special arrangements to cater

for large-scale functions at the HKCEC, especially those which last beyond the normal operating hours of regular ferry services. We will consider arranging special event-related ferry services if necessary.

Potentially Hazardous and Substandard Slopes near Schools

18. **MR CHEUNG MAN-KWONG** asked (in Chinese): *At the Legislative Council sitting on 5 June last year, I raised an oral question on potentially hazardous slopes and substandard slopes situated within or in the vicinity of school boundaries. In this connection, will the Government inform this Council:*

- (a) of the schools which still have hazardous slopes within or in the vicinity of their boundaries, and how the number of these schools compares with that provided by the Administration in its reply to the above question last year;*
- (b) of the slope maintenance works in connection with the schools mentioned in the reply to (a) above, which will be completed before the onset of the rainy season this year; and in regard to those slope maintenance works in connection with those schools which are not expected to be completed before the rainy season this year, of the reasons for such works not being completed on schedule and the specific timetable for their completion; and*
- (c) whether, under the Government's current policy on carrying out maintenance works on hazardous slopes, high priority will be given to maintaining hazardous slopes in the vicinity of schools; if not, why not; and of the categories of maintenance works on hazardous slopes which have to be carried out as a matter of priority?*

SECRETARY FOR WORKS (in Chinese): Mr President,

- (a) We have completed a selection exercise in January this year for all slopes affecting the 435 schools on the list provided by the Education Department last year. Detailed studies on the selected slopes are now underway and substandard cases have been identified from some of the completed studies. As the detailed studies progress, more substandard cases may be discovered.

In June 1996, five schools were known to be affected by substandard government slopes. Slope upgrading works at four of these schools have been completed. Another eight schools are now known to be affected by substandard government slopes making a total of nine cases.

Regarding private slopes, 14 schools were known in June 1996 to be affected by substandard private slopes and served with Dangerous Hillside (DH) Orders. Works at two of them have been completed. Another six schools are now known to be affected by substandard private slopes and have also been served with DH Orders, making a total of 18 cases.

- (b) The completion dates for the contracts for substandard public slopes are shown in the attached Table 1. Works have commenced on six of the nine cases, mostly since end 1996, and two of them are expected to be completed in this month. Works on the remaining three will commence in the coming months.

The detailed works programmes and the expected completion dates for the substandard private slopes identified are at Table 2. In all cases, DH Orders have been served and are at various stages of compliance by private owners. In the interim, private owners and their consultants are required to step up slope maintenance and perform any necessary temporary protection works to reduce potential hazard.

Slope upgrading works involve stabilization and improvement works which are more complicated than normal maintenance works. The study, ground investigation, design and construction of these

upgrading works take time and it is not possible to complete them all before this rainy season. As an illustration, typical upgrading works for a slope would require nine to 18 months works on site after completing the necessary study, investigation and design. For private slopes, more time is required for sorting out the land status, the subsequent appointment of Authorized Persons and tendering for the upgrading works.

- (c) The Government has significantly increased its rate of output of upgrading works in recent years. High priority has been given to tackling slopes affecting schools as announced in our 1996 Policy Commitments. We are now proceeding in full force to implement this commitment.

The Government will monitor the progress of upgrading works to private slopes as far as compliance with the DH Orders is concerned. In view of the high priority policy, an Inter-Department Meeting comprising representatives from the Education Department, Civil Engineering Department, Buildings Department, Housing Department and Architectural Services Department is in place to monitor and advise on the progress of work involved.

Table 1

Schools affected by Government Slopes which are Being Upgraded or Pending Upgrading Under the Current LPM Programme

<i>No.</i>	<i>Name of School</i>	<i>Commencement Date of Works</i>	<i>Scheduled Completion Date</i>
1.	FMO Sam Mun Tsai New Village Primary	October 1996	April 1997
2.	Choi Wan St. Joseph's Primary School	August 1997	January 1998
3.	Bradbury Junior	October 1996	January 1998
4.	Lingnan College	October 1996	August 1997
5.	* Cognitio College	December 1996	December 1997

6.	Queen Elizabeth School	December 1996	April 1997
7.	Ko Lau Wan Fishermen's School	June 1997	May 1998
8.	Li Sing Primary School	July 1997	November 1997
9.	Sir Ellis Kadoorie School	April 1997	October 1997

* School also reported in June 1996 list.

Table 2

Schools affected by private slopes in respect of which Dangerous Hillside Orders have been issued under section 27A of the Buildings Ordinance

<i>No.</i>	<i>Name of School</i>	<i>Progress of Works or Studies</i>	<i>Expected Date of Works Completion</i>
1.	*St. Louis School	Temporary protection works completed. Detailed design submitted.	early 1998
2.	*The True Light Middle School of Hong Kong	Works proposal being finalized.	mid 1997
3.	*Wah Yan College, Kowloon	Temporary protection works completed. Preliminary report submitted.	mid 1998
4.	*Diocesan Boys' School	Temporary protection completed. Detailed design under preparation.	end 1998
5.	*SKH Stanley Village Primary School	Investigation in progress.	end 1998
6.	*Po Leung Kuk Perching Tsang Primary School	Detailed design under preparation, lease condition under modification, may affect design option.	mid 1998

7.	*St. Basil's School	Works in progress.	mid 1998
8.	*Kiangsu and Chekiang Primary School	(1) Works for first slope in progress	(1) mid 1997
		(2) Investigation for second slope in progress	(2) mid 1998 Note 1

<i>No.</i>	<i>Name of School</i>	<i>Progress of Works or Studies</i>	<i>Expected Date of Works Completion</i>
9.	*St. Paul's Co-education College	Authorized Person (AP) appointed. Ground investigation work in progress. Predicted completion date of investigation report in Mid-1997.	Note 2
10.	*TWGH's Lee Ching Dea Memorial School	AP appointed. Tendering procedures for proposed ground investigation work completed.	Note 2
11.	*The Building Contractors' Association School	AP appointed. Tendering procedures for proposed ground investigation work completed.	Note 2
12.	*The True Light Middle School of Kowloon	AP appointed. Tendering for ground investigation works in progress.	Note 2
13.	Raimondi College	AP appointed. Ground investigation proposal approved.	Note 2
14.	SKH St. James' Primary School	AP appointment in progress.	Note 2
15.	Cognitio College	DH Order issued on 28 January 1997. Works already started.	end 1997
16.	Marymount Secondary School	AP appointment in progress.	Note 2

- | | | | |
|-----|--|--|--------|
| 17. | Caritas St. Paul Prevocational
School Cheung Chau | Order served on 13 March 1997.
AP appointment in progress | Note 2 |
| 18. | Buddhist Chi Hong Kindergarten | Consent to commencement of works was
issued. | Note 3 |

Note 1: Apart from the first slope reported in June 1996, a separate DH Order has been issued in respect of a second slope facing Kin Wah Street.

Note 2: Date of completion depends on ground investigation which has not yet started or has not been completed.

Note 3: Repair works will take approximately four months, however, commencement of works is subject to resolution of land status complications, since part of the proposed works extended outside lot of school.

* School also reported in June 1996 list.

Arrangement for Sales of First-day Cover and Commemorative Stamp Issues

19. **MR LEE KAI-MING** asked (in Chinese): *The sale of the remaining stock of definitive stamp sheets featuring the Queen's head by the Post Office on 18 March this year attracted many people to queue up overnight outside four post offices. The long queues had not only caused inconvenience to pedestrians, but also left behind a large amount of garbage. An elderly man in his seventies collapsed and died whilst queuing up to purchase stamps. In this connection, will the Government inform this Council whether:*

- (a) *a review of the above incident has been conducted by the Post Office; if so, what the results are; if not, why not; and*
- (b) *the Post Office will consider adopting the registration and ballot arrangement in future sales of first-day cover and commemorative stamp issues, so as to save people the trouble of queuing up for long hours?*

SECRETARY FOR ECONOMIC SERVICES (in Chinese): Mr President, having regard to the increasing demand for special stamps in recent months, the Post Office has implemented a series of measures, including increasing the printing quantities of stamps, opening some 20 district post offices at 8 am on the day of issue of special stamps, introducing the Local Standing Order Service for advance ordering of the year's stamp issues, and extending the advance order service for first day covers to include stamp sheetlets and sets of stamps.

In view of the overwhelming response to the past few issues of special stamps and the sale of the remaining stock of definitive stamp sheets featuring the Queen's head, the Post Office is undertaking a thorough review of the arrangements for selling special stamps. One of the objectives of this review is to reduce the need for people to queue. A number of options is being considered, including further extending the advance order service, issuing of special stamps on Sundays as far as possible, balloting in special circumstances and extending quota arrangements to the second and subsequent days of issue, until there is no queuing.

Abandoned Vehicles

20. **MR WONG WAI-YIN** asked (in Chinese): *Will the Government inform this Council:*

- (a) *of the number of vehicles abandoned in the streets and open spaces which were disposed of by the relevant authorities in the past three years, and of the methods used in disposing of these abandoned vehicles;*
- (b) *whether the authorities would recover the expenses involved from the owners concerned after disposing of these abandoned vehicles; if so, whether any difficulties were encountered in recovering such expenses; and whether, in the past three years, there were any owners of these abandoned vehicles who were not approached for the recovery of the expenses involved and, if so, of the number of such owners and the reasons for not recovering the expenses from them;*

- (c) *of the total expenses incurred by the Government in the disposal of these abandoned vehicles, and the amount of expenses recovered from the owners concerned in the past three years; and*
- (d) *of the measures adopted to deter vehicle owners from abandoning their vehicles in the streets and open spaces?*

SECRETARY FOR TRANSPORT (in Chinese): Mr President,

- (a) Where a vehicle is found abandoned on a road, as defined in section 107 of the Road Traffic Ordinance (Cap. 374), or a vehicle is left on the road in such a way that it contravenes the Ordinance, the vehicle is liable to be removed. A notice will be issued to the owner to give a specified period for claiming the vehicle. If the vehicle is claimed, the owner is required to pay removal fee and storage charge. If the vehicle is not claimed when the specified period expires, it will be considered as property of the Government and may then be disposed of either by auction or scrapping. Vehicles abandoned on government land are dealt with under section 6 of the Crown Land Ordinance (Cap. 28). A notice will be issued requiring the owner to remove the vehicle within a specified period. If this is not complied with, the vehicle will be considered as property of the Government and may similarly be disposed of by auction or scrapping.

The number of vehicles abandoned in streets and open spaces which became the property of the Government and disposed of by auction or scrapping in the last three years are as follows:

	<i>Disposed by Auction</i>	<i>Disposed by Scrapping</i>	<i>TOTAL</i>
1994	38	1 349	1 387
1995	59	1 404	1 463
1996	25	632	657

- (b) Unclaimed and abandoned vehicles which become the property of

the Government are disposed of by auction or scrapping depending on the potential value of the vehicle. The Administration does not normally seek recovery of removal or administrative costs as costs from owners incurred may be recovered from the revenue from auction or scrapping.

- (c) The administrative and removal costs and the revenue from disposing of abandoned vehicles in the last three years are as follows:

	<i>Administrative and Removal Cost (HK\$)</i>	<i>Revenue from Disposal (HK\$)</i>		
		<i>Auction</i>	<i>Scrapping</i>	<i>TOTAL</i>
1994	111,320	215,900	539,600	755,500
1995	501,600	679,670	564,400	1,244,070
1996	247,720	279,490	268,600	548,090

- (d) The Transport Department operates two Abandoned Vehicle Surrender Centres which offer free disposal service for unwanted vehicles. To encourage owners to dispose of their unwanted vehicles properly, the owners can get a pro rata refund of the annual licence fee if the licence of the concerned vehicle is still valid for 60 days or more. Over the past three years, a total of 1 177 such unwanted vehicles were surrendered.

GOVERNMENT BILLS

First Reading of Bills

ADMINISTRATION OF JUSTICE (MISCELLANEOUS PROVISIONS) (NO. 2) BILL 1997

HOUSING (AMENDMENT) (NO. 2) BILL 1997

TRANSFER OF SENTENCED PERSONS BILL

AUXILIARY MEDICAL SERVICE BILL

CIVIL AID SERVICE BILL**NOISE CONTROL (AMENDMENT) BILL 1997****MERCHANT SHIPPING (COLLISION DAMAGE LIABILITY AND SALVAGE) BILL**

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

Second Reading of Bills**ADMINISTRATION OF JUSTICE (MISCELLANEOUS PROVISIONS) (NO. 2) BILL 1997**

THE ATTORNEY GENERAL to move the Second Reading of: "A Bill to provide in relevant local legislation for the retirement and resignation of Supreme Court judges or District Judges, to require that a Justice of Appeal should also take the Oath of Allegiance and the Judicial Oath after his appointment as such, and to provide that the oath of office of a member of the Judicial Service Commission can also be administered by a commissioner for oaths."

He said: Mr President, I move that the Administration of Justice (Miscellaneous Provisions) (No. 2) Bill 1997 be read the Second time. The Bill aims to make provision in local legislation for the retirement and resignation of Supreme Court judges and District Judges. The opportunity is also taken to make a number of technical amendments relating to the administration of oaths of office to avoid problems that would otherwise arise on and after 1 July 1997. Mr President, I shall now outline the main provisions of the Bill.

Firstly, the present provisions for the retirement and resignation of Supreme Court judges and District Judges are contained in Article XVIA(1), (2) and (3) of the Letters Patent. As the Letters Patent will cease to apply to Hong Kong after 30 June 1997, these provisions need to be incorporated into local legislation. Clauses 3 and 4 of the Bill amend the Supreme Court Ordinance and the District Court Ordinance respectively to incorporate the provisions currently in the Letters Patent.

Secondly, section 17 of the Oaths and Declarations Ordinance provides that all judges and judicial officers specified in the Third Schedule to the Ordinance shall take the Oath of Allegiance and the Judicial Oath as soon as possible after their appointment. There is, however, no provision at present for a Justice of Appeal to take such oaths after appointment. As Justices of Appeal will need to take oaths following their appointment to the Judiciary of the Hong Kong Special Administrative Region (SAR), clause 7 amends Part 1 of the Third Schedule to provide that a Justice of Appeal should also take the oaths after appointment.

Thirdly, section 7 of the Judicial Service Commission Ordinance states that members of the Commission shall on first appointment take an oath of office administered by a judge. The Judicial Service Commission will be retitled the Judicial Officers Recommendation Commission on 1 July and new appointments will be made to the Commission. When it holds its first meeting on 1 July 1997 to recommend the appointment of the Chief Justice of the Court of Final Appeal, no judges will have been appointed in the SAR. A practical solution is required for this practical problem. In order to facilitate the administering of the oath of office to members of the Commission at that meeting and on future occasions, clause 8 amends section 7 of the Ordinance to enable a commissioner for oaths, in addition to a judge, to administer the oath.

Fourthly, clauses 2, 5 and 6 contain consequential amendments to the Supreme Court Ordinance, the Pension Benefits (Judicial Officers) Ordinance and the Hong Kong Court of Final Appeal Ordinance respectively.

Mr President, I commend this Bill to this Council for early passage into law.

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

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

HOUSING (AMENDMENT) (NO. 2) BILL 1997

THE SECRETARY FOR HOUSING to move the Second Reading of: "A Bill

to amend the Housing Ordinance."

SECRETARY FOR HOUSING (in Cantonese): Mr President, I move the Second Reading of the Housing (Amendment) (No. 2) Bill 1997.

The Bill introduces technical amendments to the Housing Ordinance. First, it provides for an additional fine for the false declaration of income and assets to the Housing Authority. Second, it enables the contracting out of premium assessment work to the private sector.

To ensure that the scarce housing resources will benefit people in genuine need, statutory declarations are required on various occasions. In order to strengthen the deterrent against making false declarations to the Housing Authority, an additional fine of three times the rent undercharged is proposed under clause 6 of the Bill.

Purchasers of Home Ownership Scheme and Private Sector Participation Scheme flats may sell, let or otherwise dispose of the flats in the open market after the expiry of a 10-year resale restriction period, subject to the payment of a premium. At present, assessment of the prevailing market value of flats for the purpose of premium payment is made by the staff of the Housing Department. As the number of applications for premium assessment has been increasing and the trend is expected to continue, the Government proposes to allow the Director of Housing, under clause 4 of the Bill, to contract out the assessment work to the private sector, as necessary. This will help to contain staff growth within the Housing Department and maintain an efficient standard of service.

In addition, the Bill proposes to make three technical amendments. For the avoidance of doubt, clause 3 clarifies the Housing Authority's power to require tenants to pay different levels of rent, depending on their total household income or total household income and assets. Clause 5 clarifies the Housing Authority's power to require tenants to furnish particulars regarding their total income, or total income and assets. In view of the lengthy process involved in the verification of assets particulars, clause 7 extends the time limit for prosecuting the offence of making a false declaration to six years from its commission or one year after its discovery, whichever period expiring first.

Thank you, Mr President.

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

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

TRANSFER OF SENTENCED PERSONS BILL

THE SECRETARY FOR SECURITY to move the Second Reading of: "A Bill to make provision for the transfer between Hong Kong and places outside Hong Kong of persons detained in institutions by virtue of orders made by courts in the exercise of their criminal jurisdiction; and for matters incidental thereto or connected therewith.."

He said: Mr President, I move that the Transfer of Sentenced Persons Bill be read a Second time.

Transfer of sentenced persons (TSP) is an important area of international co-operation in law enforcement. The purpose of transferring sentenced persons to their own countries to serve their custodial sentences is to facilitate their rehabilitation, by returning them to an environment free of language and cultural barriers and where their friends and relatives can visit them on a regular basis.

Hong Kong's arrangements for the TSP are at present provided for by the Council of Europe Convention in relation to the Transfer of Sentenced Persons and the United Kingdom/Thailand Agreement in relation to the Transfer of Offenders. These agreements signed by the United Kingdom have been extended to Hong Kong, but they cannot continue to apply to Hong Kong after 30 June 1997. With the agreement of the Chinese side in the Sino-British Joint Liaison Group (JLG), we are establishing our own bilateral arrangements with other jurisdictions for the TSP which will remain in force beyond 30 June 1997. However, we cannot bring any of our new bilateral arrangements into operation until there is an implementing legislation.

The main purpose of the Bill is to provide the appropriate legal framework to enable Hong Kong to implement our new TSP agreements with other jurisdictions. Without this legislation, it will not be possible for Hong Kong to transfer sentenced persons to and from Hong Kong in accordance with the new TSP agreements after 30 June 1997. Nor, equally important, will we be able to continue the detention of prisoners who have already been transferred pursuant to the existing arrangements.

The proposed legislation follows broadly the United Kingdom legislation which is currently applied in Hong Kong. Key features of the legislation include:

- both the receiving and sending jurisdictions as well as the sentenced person must consent to the transfer;
- the conduct in respect of which the sentenced person is imprisoned must be criminal in both jurisdictions; and
- any adjustment to the sentence by the sending jurisdiction (for example, by way of pardon, reduction of sentence) must be given effect to by the receiving jurisdiction.

The Chinese side of the JLG confirmed agreement to the localizing Bill at JLG XXXIX held on 21 March this year. We need now to ensure that the localized legislation can take effect as soon as possible before the handover. I therefore urge Honourable Members' urgent consideration and support for the Bill. The early enactment of the Bill would enhance the international community's confidence in the continuity of the rule of law in Hong Kong and our criminal justice system. It will also be of benefit to the prisoners affected.

Thank you, Mr President.

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

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

AUXILIARY MEDICAL SERVICE BILL

THE SECRETARY FOR SECURITY to move the Second Reading of: "A Bill to provide for the establishment and regulation of the Auxiliary Medical Service and the Auxiliary Medical Service Cadet Corps; and for connected purposes."

He said: Mr President, I move that the Auxiliary Medical Service Bill be read a Second time.

I will also introduce the Civil Aid Service Bill, which is very similar to the

Auxiliary Medical Service Bill, to Honourable Members later today.

The two Bills seek to introduce updated legislation for the Auxiliary Medical Service (AMS) and the Civil Aid Service (CAS) to reflect their modern functions.

The Essential Services Corps Ordinance was enacted in 1949. The main objective of the Ordinance and its subsidiary legislation was to establish units of trained persons capable of assisting in the Government's response to natural disasters or other emergencies. The AMS Unit was established in 1950, and the CAS Unit was established in 1952, both under this Ordinance.

At its inception, the AMS was intended essentially as a standby medical unit for emergencies whilst the CAS mainly carried out civil defence duties. With the passage of time, the units have expanded their activities into non-disaster related areas. They provide supplementary resources to augment the regular forces, both in times of emergency and in other situations.

The Essential Services (AMS) Corps Regulations and the Essential Services (CAS) Corps Regulations are too generalized for the requirements of today. They do not describe the current operational functions of the AMS and the CAS; nor do they provide for the training and other activities of their members and cadets. We therefore propose to introduce separate and updated legislation for the Services.

The purpose of the two Bills is to provide for the establishment of the AMS and the CAS in order to replace the AMS Unit and the CAS Unit currently established under the Essential Services (AMS) Corps Regulations and the Essential Services (CAS) Corps Regulations respectively. The provisions of the Bills include the constitution and functions of the Services, calling out and performance of voluntary duties, disciplinary matters, and the establishment of the AMS Cadet Corps and the CAS Cadet Corps.

The Legislative Council Panel on Security was briefed on 2 December 1996, and supported the proposal to introduce separate legislation for the AMS and the CAS. Early enactment of the Bills will be welcomed by members of the AMS and the CAS, who have contributed, and will continue to do so in the future, so much in support of the regular forces' efforts to maintain public order and safety of the community.

I urge Honourable Members to give the Bills speedy consideration.

Thank you, Mr President.

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

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

CIVIL AID SERVICE BILL

THE SECRETARY FOR SECURITY to move the Second Reading of: "A Bill to provide for the establishment and regulation of the Civil Aid Service and Civil Aid Service Cadet Corps; and for connected matters."

He said: Mr President, I move that the Civil Aid Service Bill be read a Second time.

This Bill is very similar to the Auxiliary Medical Service Bill which I have introduced to Honourable Members earlier. It seeks to introduce updated legislation for the Civil Aid Service (CAS) to reflect its modern functions. The key features of this Bill have been explained in my speech on the Auxiliary Medical Service Bill.

The CAS has done and will continue to do much to augment the regular forces to the benefit of our community. I urge Honourable Members to give this Bill speedy consideration.

Thank you, Mr President.

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

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

NOISE CONTROL (AMENDMENT) BILL 1997

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

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS (in Cantonese): Mr President, I move that the Noise Control (Amendment) Bill 1997 be read the Second time.

Percussive piling is a very noisy construction operation and which generates significant impact on its surrounding areas. At present, the Noise Control Ordinance prohibits percussive piling from 7 pm to 7 am on weekdays and any time on general holidays. During the permitted hours, percussive piling is controlled through a permit system which restricts its duration. The technical criteria for the issue of permits are set out in a Technical Memorandum.

Of all the percussive piling hammers used, diesel, pneumatic and steam hammers are the noisiest. Diesel hammer is the most commonly used equipment, constituting over 80% of the piling permits issued. However, the high level of noise it produces, and the dark smoke it emits, make its use in the built-up areas very disturbing. On the other hand, pneumatic and steam hammers, though sparingly used, also cause serious noise nuisance.

Overseas experience has demonstrated that hydraulic hammers are quieter alternatives for piling operations in Hong Kong. We have, in collaboration with the Hong Kong Construction Association, completed a series of piling tests. The results showed that hydraulic hammers are technically practicable in our geotechnical conditions and are two to nine Decibels quieter than diesel, pneumatic and steam hammers under the same site conditions. They are also more amenable to further noise reduction devices such as acoustic shrouds.

To keep in line with our policy objective to promote the use of the best practicable environmental technology available, we propose to gradually phase out the use of diesel, pneumatic and steam hammers by progressively tightening the noise emission criteria they are required to meet to obtain a permit. To implement this proposed arrangement, amendment to the Noise Control Ordinance is necessary to provide the legal basis for imposing more stringent noise criteria on the noisy hammers. A new provision is therefore proposed to allow the Technical Memorandum on Noise from Percussive Piling issued under the Noise Control Ordinance to set out different noise criteria for different types of percussive piling devices.

We intend to implement the control in four stages commencing early 1998. The construction industry has been fully consulted and they are agreeable to the proposed controls. The Administration will also take the lead to promote the use of hydraulic hammers in public works and housing projects by stipulating

this as a contractual requirement from 1 July 1997 onwards.

The proposed control scheme will help reduce the noise impacts from percussive piling by promoting the use of quieter alternatives. I urge Members to give this amendment Bill favourable consideration.

Thank you, Mr President.

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

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

MERCHANT SHIPPING (COLLISION DAMAGE LIABILITY AND SALVAGE) BILL

THE SECRETARY FOR ECONOMIC SERVICES to move the Second Reading of: "A Bill to make provision relating to merchant shipping with a view to enabling certain Conventions to be carried into effect."

SECRETARY FOR ECONOMIC SERVICES (in Cantonese): I move that the Merchant Shipping (Collision Damage Liability and Salvage) Bill be read a Second time.

The Bill has two main purposes. It seeks to localize part of the United Kingdom Maritime Conventions Act 1911 and to extend to Hong Kong the new International Convention on Salvage 1989, which came into force last year.

The United Kingdom Maritime Conventions Act 1911 currently extends to Hong Kong two international conventions: the International Convention on Collision Damage Liability and the International Convention on Salvage 1910. However, since the International Convention on Salvage has been replaced by a new Convention in 1989, the Bill seeks only to localize that part of the United Kingdom Act which deals with the International Convention on Collision Damage Liability and to replace those provisions in the Act relating to the 1910 Convention on Salvage by the 1989 Convention.

To implement the International Convention on Collision Damage Liability, clauses 3 to 7 of the Bill set out the rules on the division of loss in cases of

damage or loss caused by the fault of two or more vessels, and the rules on the liability of the owners of the vessels which caused the loss of life or personal injuries. The general principle, provided by the International Convention, is that the liability of the owners of the vessels involved shall be in proportion to the degree in which each vessel was in fault.

Clause 9 of the Bill seeks to implement the International Convention on Salvage 1989 to Hong Kong. The text of the new Convention is set out in Schedule 1 to the Bill. It stipulates the duties of the salvor, the owner and the master during the course of a salvage operation. It also requires every shipmaster to render assistance to any person in danger of being lost at sea. To implement this requirement of the Convention, the Bill makes it an offence for any shipmaster failing to render assistance so far as he can do so without serious danger to his ship and persons thereon.