

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 7 May 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 MRS SELINA CHOW LIANG SHUK-YEE, O.B.E., J.P.

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

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

THE HONOURABLE SZETO WAH

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

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

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

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

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

THE HONOURABLE JAMES TO KUN-SUN

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 ANDREW CHENG KAR-FOO

THE HONOURABLE PAUL CHENG MING-FUN

THE HONOURABLE CHENG YIU-TONG

DR THE HONOURABLE ANTHONY CHEUNG BING-LEUNG

THE HONOURABLE CHEUNG HON-CHUNG

THE HONOURABLE CHOY KAN-PUI, J.P.

THE HONOURABLE ALBERT HO CHUN-YAN

THE HONOURABLE IP KWOK-HIM

THE HONOURABLE LAU CHIN-SHEK

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

DR THE HONOURABLE LAW CHEUNG-KWOK

THE HONOURABLE LAW CHI-KWONG

THE HONOURABLE LEE KAI-MING

THE HONOURABLE LEUNG YIU-CHUNG

THE HONOURABLE BRUCE LIU SING-LEE

THE HONOURABLE LO SUK-CHING

THE HONOURABLE MOK YING-FAN

THE HONOURABLE MARGARET NG

THE HONOURABLE NGAN KAM-CHUEN

THE HONOURABLE SIN CHUNG-KAI

THE HONOURABLE TSANG KIN-SHING

DR THE HONOURABLE JOHN TSE WING-LING

MEMBERS ABSENT:

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

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

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

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE FRED LI WAH-MING

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

THE HONOURABLE DAVID CHU YU-LIN

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

THE HONOURABLE LAWRENCE YUM SIN-LING

PUBLIC OFFICERS ATTENDING:

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

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

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

MR GORDON SIU KWING-CHUE, J.P.
SECRETARY FOR TRANSPORT

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

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

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

MRS RITA LAU NG WAI-LAN, J.P.
SECRETARY FOR BROADCASTING, CULTURE AND SPORT

MRS CARRIE YAU TSANG KA-LAI, J.P.
SECRETARY FOR SECURITY

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

PAPERS

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

Subject

Subsidiary Legislation	<i>L.N. No.</i>
Auxiliary Forces Pay and Allowances (Pensions) Regulation.....	184/97
Ferry Services (The "Star" Ferry Company, Limited) (Determination of Fares) (Amendment) (No. 2) Order 1997	185/97
Tramway Ordinance (Alteration of Fares) (Amendment) Notice 1997	186/97
Electrical Products (Safety) Regulation	187/97
Television (Royalty and Licence Fees) (Amendment) Regulation 1997	188/97
Housing Ordinance (Amendment of Schedule) Order 1997	189/97
Noise Control Ordinance (Exemption from Section 6(1) and (2) (Chek Lap Kok Airport)) Order.....	190/97
Emergency Powers (Extension and Amendment Incorporation) Ordinance (Expiry of Regulations) Order 1997	191/97
Official Languages (Alteration of Text Under Section 4D) (No. 13) Order 1997	192/97

Official Languages (Alteration of Text Under Section 4D) (No. 14) Order 1997.....	193/97
Rabies Regulation (Replacement of Schedule 1) Notice 1997.....	194/97
Travel Agents Ordinance (Specification of Fund Levy) Notice	195/97
Fire Safety (Commercial Premises) Ordinance (19 of 1997) (Commencement) Notice 1997	196/97
Official Languages (Authentic Chinese Text) (Pension Benefits Ordinance) Order	(C) 103/97
Official Languages (Authentic Chinese Text) (The Helena May Incorporation Ordinance) Order	(C) 104/97
Official Languages (Authentic Chinese Text) (Society of Boys' Centres Incorporation Ordinance) Order	(C) 105/97
Official Languages (Authentic Chinese Text) (St. Joseph's College Incorporation Ordinance) Order	(C) 106/97
Official Languages (Authentic Chinese Text) (St. Stephen's College Incorporation Ordinance) Order	(C) 107/97
Official Languages (Authentic Chinese Text) (Hong Kong Society for the Protection of Children Incorporation Ordinance) Order.....	(C) 108/97

Official Languages (Authentic Chinese Text) (Hong Kong Society for the Blind Incorporation Ordinance) Order	(C) 109/97
Official Languages (Authentic Chinese Text) (Society for the Relief of Disabled Children Incorporation Ordinance) Order	(C) 110/97
Official Languages (Authentic Chinese Text) (St. John's College Ordinance) Order	(C) 111/97
Official Languages (Authentic Chinese Text) (St. Paul's College Council Incorporation Ordinance) Order	(C) 112/97
Official Languages (Authentic Chinese Text) (Public Health (Animals and Birds) Ordinance) Order	(C) 113/97
Official Languages (Authentic Chinese Text) (The Hong Kong and China Gas Company (Transfer of Incorporation) Ordinance) Order	(C) 114/97
Official Languages (Authentic Chinese Text) (Public Bus Services Ordinance) Order	(C) 115/97

ORAL ANSWERS TO QUESTIONS

Collision of Catamarans

1. **MRS MIRIAM LAU** asked (in Cantonese): *In view of the occurrence of two accidents involving the collision of catamarans on 15 April this year, will the Government inform this Council:*

- (a) *of the total number of accidents in the past three years involving catamarans steered by masters from mainland China;*

- (b) *given the difference between the qualification requirements of mainland catamaran masters and the criteria for the certification of local catamaran masters, whether the Marine Department has issued guidelines to shipping companies operating routes between the territory and the Mainland requiring the mainland catamaran masters to comply with the guidelines; if so, what the details are; and*
- (c) *how the Government will strengthen the co-ordination of the marine traffic between the territory and the Mainland, as well as enhance the local and mainland catamaran masters' awareness of marine safety in the territory's waters, in view of the increasingly heavy marine traffic flow between the two places?*

SECRETARY FOR ECONOMIC SERVICES (in Cantonese): Mr President,

- (a) There were a total of 23 catamaran accidents involving masters from mainland China in the past three years, of which nine were minor contacts with landing piers, 13 were minor collisions of a less serious nature and one was a more serious collision case. The total number of injuries was 21.
- (b) The qualification requirement of Mainland and local catamaran masters are based on the same criteria set by the International Maritime Organization, including the International Convention for the Safety of Life at Sea, 1974 and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978. Master certificates issued by mainland China, which comply with international standards, are recognized by the Director of Marine.

The Director of Marine has not issued any guidelines to shipping companies operating routes between Hong Kong and mainland China. Shipping companies and masters, both local and from Mainland, are kept regularly informed of the safety standards and conditions of Hong Kong waters through established channels of communication between the department and the shipping industry. These include Marine Department Notices, Guide to Port Entry,

Marine Department Handbook, and Hong Kong Harbour Plan and so on. In addition, the department has regular contacts with mainland maritime authorities and high speed craft and catamarans operators to exchange information on training and certification of officers employed on these craft and to keep them informed of the safety requirements and traffic conditions of the Hong Kong waters.

- (c) The Marine Department maintains close liaison with mainland China maritime authorities and operators and participates in seminars organized by them on crew certification and training, especially those for mainland crew working on board catamarans plying between Hong Kong and Mainland. These seminars have enabled the Marine Department to explain the operational and safety requirements of Hong Kong waters directly to mainland port officials and catamaran operators. In addition, the Marine Department launches marine safety campaigns from time to time to increase the marine safety awareness of the shipping industry and masters who operate in Hong Kong waters.

MRS MIRIAM LAU (in Cantonese): *Mr President, the two accidents involving catamarans in April this year took place under similar conditions when fog was dense and visibility poor. For such conditions, what measures and guidelines does the Government have in place to reduce accidents of collision of these vessels?*

SECRETARY FOR ECONOMIC SERVICES (in Cantonese): Mr President, the accident on the 15 April is still under investigation. Dense fog could certainly be one of the contributing factors. Yet whether the incident involved human error or other factors is still being explored. Hence we are unable to say for sure the cause of the accident at this stage. The Director of Marine will submit a report on the incident in due course.

As a matter of fact, the Marine Department has made a lot of active efforts to prevent marine accidents. These include setting new channels, designating new anchorage, improving pilot services, deploying more manpower and introducing new facilities and control centres. For instance, a new marine traffic control centre has been established in Ma Wan, and similar facilities in

Mirs Bay, Kwai Chung and Green Island are in the pipeline. Apart from the above, a radar station will be set up in Mirs Bay. Ultra high frequency bearing detector will be installed on Kau Yi Chau and Lung Kwu Chau respectively, and more patrol boats will be deployed to cover a wider patrol area. In the long run, the Marine Department has initiated a consolidated study on "Comprehensive Study on Marine Activities Associated Risk Assessment and Development of a Future Strategy for the Optimum Usage of Hong Kong Waters". This is a long-term task. Given our increasingly busy harbour traffic, marine accidents will inevitably increase if we do not actively address the problem. The Marine Department has therefore conducted this consolidated study of its own accord. The several recommendations of the study have had the support of both the Department and the shipping industry. It is our intention to implement these recommendations as soon as possible.

MR CHOY KAN-PUI (in Cantonese): *Mr President, will the Government inform us of the number of catamaran channels between China and Hong Kong and the average number of catamarans plying each channel every day?*

SECRETARY FOR ECONOMIC SERVICES (in Cantonese): Regarding channels, I believe that the major one is between Zhuhai and Hong Kong. As to the number of vessels, there are about 120 catamarans, of which 80 are registered in mainland China and 40 in Hong Kong.

MR ERIC LI (in Cantonese): *Mr President, the written question No. 14 of today was raised by me, as I had the impression that there was an increasing number of mainland-licensed craft operators operating in Hong Kong. From the reply to Question 14, we learn that penalties have been very light over the past three years, the highest being only a fine of \$50,000. May I ask the Secretary for Economic Affairs whether Hong Kong has the authority to revoke the licenses of those mainland-licensed masters who have committed an offense in Hong Kong, or at least to prohibit them from operating a vessel within the Hong Kong waters?*

SECRETARY FOR ECONOMIC SERVICES (in Cantonese): Mr President, in fact, the penalty is not confined to what I have stated in my reply to the written

question of the Honourable Eric LI. It can certainly be more severe. For example, the maximum penalty for speeding is a \$100,000 fine plus imprisonment of six months. As regards Mr LI's question on whether we can revoke a master's license, it would of course depend on individual cases. If a case involves a serious incident, the Marine Department will definitely initiate an investigation. On completion of an investigation, a decision will be made in the light of relevant considerations as to whether a recommendation is required to revoke the master's license. If a recommendation involves revoking the license of a mainland master, the general practice is to send a copy of the investigation report to the mainland port authority concerned for its consideration of implementing the recommendation.

MR ALBERT HO (in Cantonese): *Mr President, Part (b) of the question raises the issue of qualification requirements of craft masters, to which the Secretary for Economic Affairs has given his reply. Yet I would like to ask the Secretary whether the criteria of mainland China and Hong Kong are the same, in terms of navigating rules and safety requirements. If so, given the many special features and needs of the Hong Kong channels, such as their bustling activities and the works that are in progress, do we need to issue some clear guidelines to them, so that they will know where to pay special attention to safety after entering the Hong Kong waters? Should the Secretary consider the need to issue such guidelines? Indeed we already have some existing arrangements and rules, but have they become obsolete as a result of changes in the environment? Do we need an overall review?*

SECRETARY FOR ECONOMIC SERVICES (in Cantonese): Mr President, mainland masters operating in Hong Kong waters certainly need to observe local marine traffic rules. This is something beyond doubt. Although we do not have any official guidelines, we do maintain frequent contacts with the port authorities of our neighbouring areas in mainland China, such as Zhuhai, Shenzhen and even Macau and Guangzhou. We also furnish them with a lot of information, such as Marine Department Notices, Guide to Port Entry, Marine Department Handbook, Hong Kong Harbour Plan and channel information which I have mentioned, to advise them of the traffic condition in the harbour of Hong Kong. We have also organized many seminars to inform mainland craft masters and crews of the situations in the Hong Kong waters. Of course we will conduct regular reviews to identify areas which have room for improvement.

The consolidated report that I have just talked about, for example, is one of the more long-term jobs.

MRS MIRIAM LAU (in Cantonese): *Mr President, I understand that the Marine Department is planning to implement the "International Code of Safety for High-Speed Craft" and the "International Safety Management Code" in future. May I ask the Secretary for Economic Affairs what measures the Marine Department has contemplated to have mainland masters familiarize themselves with those rules?*

SECRETARY FOR ECONOMIC SERVICES (in Cantonese): Mr President, I think my answer is similar to what I have said just now. In fact, we believe the most important thing is for the Marine Department to maintain regular contacts and conduct frequent seminars with the port authorities of mainland China, and to exchange ideas with the shipping companies, their masters and crews. We are now having bi-monthly meetings with different port superintendents and we conduct seminars of this nature frequently. In addition, we release a lot of information to mainland craft masters and crews, including Marine Department Notices and Guide to Port Entry. As regards the new regulations which the Honourable Miriam LAU has just talked about, we will certainly relay such information to mainland masters and their crews through this channel.

PRESIDENT (in Cantonese): There are two more Members on the list and I will draw a line there.

MR ERIC LI (in Cantonese): *Mr President, Hong Kong has the busiest harbour known to the world and we always talk about complying with international safety rules. Yet given the bustling activities in our harbour, I reckon that our accident rate is higher than those of other ports. Is it adequate for us to adopt only the international standard; or do we need a higher standard to cater for the condition of Hong Kong, so as to ensure safety of our waterways?*

PRESIDENT (in Cantonese): I am afraid this question is beyond the scope of the original question and reply. The original question basically talks about catamarans. If your question were about high speed craft, it would still be acceptable; as it now involves safety of the port as a whole, it seems to have

strayed too far from the original question.

MR CHAN KAM-LAM (in Cantonese): *Mr President, our harbour has in effect moved westward. As many high speed vessels are making use of the channel between Tuen Mun and North Lantau to ply between mainland China and Hong Kong, has the Government given any thought to improving the navigation signs in that area, so that craft operators could follow the signs and travel within the proper channel to avoid accidents?*

SECRETARY FOR ECONOMIC SERVICES (in Cantonese): Mr President, actually we have been conducting an on-going sign improvement and arrangement programme, in such areas as port entry under the guidance of a pilot craft and entering or leaving the channel in a more orderly manner and so on.

Mr President, please allow me to make some clarifications on Mr LI's question asked earlier. In fact, our water traffic accidents are not more serious than those of other major ports of the world, such as Rotterdam of Holland. That is to say, the accident figures of Hong Kong are not higher than any of the busiest ports. If we take a look at the accident figures involving various types of craft, not just high speed craft, they were 294 in 1995, 251 in 1996 and 62 in this year up to now. We can see from these figures that accidents are actually dropping despite an increasingly frequent use of our harbour. For instance, the number of vessel trips entering or leaving our port has gone up from about 300 000 to 400 000 today. This can also prove that our standard is already very high. We may say that it is higher than the international standard.

PRESIDENT (in Cantonese): The question is eventually answered.

Strategic Environmental Assessment

2. **MISS CHRISTINE LOH** asked: *Mr President, according to the Strategic Environmental Assessment of the Territorial Development Strategy Review published in December 1995, it is predicted that by the year 2011, the air pollution levels in the Harbour Area and Tuen Mun will be worse than the minimum health levels set by the Government and will have a serious impact on*

the health of the people living in those areas. The above assessment also predicts that the air quality will deteriorate even if the Government adopts the proposed environmental mitigation measures such as implementing the diesel-to-gas scheme, imposing stringent emission standards and tightening inspections on vehicles. In view of this, will the Government inform this Council of the reasons for pursuing the Territorial Development Strategy despite the findings of the above Strategic Environmental Assessment?

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Mr President, I would first of all like to thank the Honourable Member for the opportunity to explain the role of the Strategic Environmental Assessment (SEA) in the Territorial Development Strategy Review (TDSR). As explained in the Editorial Note at the beginning of the SEA document, "one of the principal objectives of the TDS is to protect and enhance the quality of our environment through minimizing the net environmental impacts of new development projects, and maximizing opportunities to improve existing environmental problems". With this in mind, the TDSR aims at formulating a long-term planning framework which will not only be economically robust, but also, among other things, environmentally acceptable."

Put in context, the SEA is a planning tool which assesses the broad environmental implications of various postulated patterns and directions of growth. It helps to identify outstanding environmental issues that need to be further addressed and more importantly, screen out undesirable development options or elements in the options.

The air quality impact assessment in the SEA is based on the assumptions and parameters adopted in generating the development options under the TDSR. Such assumptions include population growth and distribution, the effect of port development in the region on throughput of the Hong Kong port and cross-border traffic characteristics. These factors are uncertain by their nature, and were used for planning scenario studies.

The findings on air pollution levels in Tuen Mun and the Harbour Area by 2011 are based on a high growth scenario as defined in the TDSR which has assumed that Hong Kong's population will be 8.1 million with about four million jobs, and specifically, a more than doubling in goods vehicle traffic between 2001 and 2011. It is obvious that the findings are only as good as the

assumptions and parameters underlying the scenario. Any change in these assumptions will affect the findings accordingly. We should therefore interpret the findings carefully. A continuous monitoring system is also required to assess the implications of changing assumptions, and further studies are necessary to refine the estimates of the magnitude of the problems, including cumulative impacts and to find ways of minimizing the problems. This point has been made clear in both the SEA document itself and the TDSR Consolidated Technical Report.

The Environmental Protection Department has already commissioned a study on air quality modelling with a view to establishing a more refined forecast tool for assessing various impacts on air quality in the territory. The study is scheduled for completion next year. The model would provide a management and information tool to facilitate decision-making on development proposals based on emission levels. A broad environmental assessment of future transport proposals with a view to formulating an environmentally-acceptable transport strategy would also be considered as part of the forthcoming Comprehensive Transport Study 3 (CTS-3) by the Transport Department.

To conclude, Mr President, we will pursue the TDSR as an environmentally conscious planning tool which aims at providing a land use, transport and environmental framework to guide Hong Kong's development into the next century. Members are aware that we have consulted the public on the TDSR findings and recommendations and are now studying and analyzing the public's response. We will no doubt take all views including the environmental concerns into consideration before coming up with a final recommended strategy.

MISS CHRISTINE LOH: *Mr President, I think the Secretary has decided to evade my question altogether. I think the Secretary does not dispute that the Government's own assessment shows that under the high growth scenario in the TDSR, Hong Kong will fail very substantially all the air quality objectives (AQOs). The Secretary says that the Government will plan territorial development in an environmentally conscious manner. If this is the case, can the Secretary confirm, firstly, Hong Kong has now abandoned the high growth scenario in terms of further port extension beyond CT9; and secondly, that the Government has not taken any decision to compromise port-led development growth against public health?*

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Mr President, I think there are problems with the question put to me. The first one, as Miss LOH alleged, is that the TDSR findings said that all old AQOs will be grossly exceeded. I have the assessment here before me, Mr President. If I may refer to the study itself in detail, there is only one parameter, which is nitroxide from industrial and traffic strategies, which is likely to be exceeded. However, I think we should also be a bit more specific on the actual reading of the figures. For the harbour area, the assessment is that the AQO of NO₂ will only be exceeded in 2011 and for Tuen Mun, there should be no problem up to the year 2006.

In addition, the report also says "The exceedence of the AQOs would likely be exceeded in some parts of the territory" and that I have already mentioned about which side of the AQO.

Coming back to the other part of the question, as I mentioned in my principal reply, the Government is now assessing all the comments we have received before deciding on a final recommended strategy and that presumably will also include port development as we develop economically.

The other point to bear in mind, Mr President, is that the SEA done together with the TDSR has made assumptions on current standard practices and technology. With the forecast of time and that is, in about 10 or 15 years' time, one could not rule out at this stage that there would be advances in resources technology and other scientific findings which will help us better meet our targets.

MR WONG WAI-YIN (in Cantonese): *Mr President, the Secretary for Planning, Environment and Lands seems to indicate in paragraph four of his reply that the growth of goods vehicles and container vehicles, particularly in Tuen Mun and Yuen Long, is the primary cause of environmental pollution from traffic. Mr President, we are also very glad to note from paragraph five of the Secretary's reply that the Transport Department will be conducting an environmental assessment under the forthcoming Comprehensive Transport Study 3, with a view to formulating an environmentally-acceptable transport strategy.*

As the Environmental Protection Department has conducted a study and the Transport Department has also conducted another study, I would like to ask how the Planning, Environment and Lands Branch and the Transport Branch as well as the Environmental Protection Department and Transport Department could enhance co-ordination and co-operation in future, so as to reduce environmental pollution caused by traffic?

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS (in Cantonese): Mr President, I can briefly divide my answer into two parts.

First, the Environmental Protection Department is now in the process of making an air monitoring model, and the Transport Department is also proceeding with Comprehensive Transport Study 3. At the same time, the two branches are exchanging officers through the committees concerned and also taking part in monitoring the contents and progress of the study. Therefore we are in the process of exchanging of information.

On the other hand, before formulating the long-term policies concerned, we would certainly need to consider the associated environmental impact. That is why we have obtained funds to proceed with studies on the sustainable developments into the 21st century. The future development of Hong Kong must be sustained. In this study, we hope to formulate, say, a transport policy on transport or traffic which incorporates environmental elements.

DR JOHN TSE (in Cantonese): *Mr President, it has been reported that the air quality in Mong Kok is the worst among all districts of the territory. It appears that subsequent to the removal of the Kai Tak Airport the Kowloon peninsula will see a substantial development, especially a possible relaxation of height limits on buildings. As we all know, higher buildings would render emissions all the more difficult to disperse. In view of this, will the Government make any changes to the planning criteria or planned development?*

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS (in Cantonese): I hope Honourable Members can conceive of such a scenario. Indeed, in future district developments such as that of Mong Kok, we may relax the height limit of buildings. Yet we have not relaxed the gross development ratio of buildings. In other words, buildings may be higher, but at the same time slimmer. Hence we may maintain balanced air ventilation. This is what we

are doing now, because we have also studied this aspect, not just the air quality. We have also considered other supporting infrastructure. For example, in a district like Mong Kok which cannot bear higher density or any more large developments, the problem of higher buildings may actually be solved by the creation of more ventilation corridors in housing construction or through comprehensive planning.

MISS CHRISTINE LOH: *Since the Secretary is good enough to bring the research material, so have I. If he looked down at the level of NO₂ as he has stressed, if anyone is lucky enough to live on the south side of the Hong Kong Island, the unit for NO₂ for the year 2007, Mr President, will only be six. However, if you are unfortunate to live in the harbour area, it will be nearly 43. But if you are so unfortunate, Mr President, to be in Tuen Mun, it is going to be nearly 55 units. The Secretary does not dispute again that the government assessment shows that even if all mitigation measures are implemented, NO₂ will fail.*

Is the Secretary implying just now that the only thing he is relying on would be future development in technology?

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Certainly not, Mr President.

Again if I may go back to the scientific study on this. There are several major assumptions in the SEA. The most important three, apart from technology, are that our policies will remain unchanged for years to come and that our resources for combating environmental pollution will remain unchanged for years to come, and the final one is technology.

If I may refer to the chart referred to by Miss LOH, even the SEA itself has assessed that we should have very little problem in the medium term, that is, up to the year 2006. We do have some time ahead of us and we are considering and are always keeping our eyes open for advances in technology. As a result of the TDSR findings, especially the SEA findings, I do not rule out the possibility that there will be policy changes and additional resources in the Government to combat, for example, this particular problem. One of them of course is the Sustainable Development 21 Study, which I mentioned earlier and that would need a general re-appraisal of our strategies and policies within the

Government.

MISS CHRISTINE LOH: *Mr President, even in the year 2006, according to government information if you are unfortunate enough to live in Tuen Mun, the NO₂ level will fail. It will already be nearly 42 units, what is the Secretary going to do for the people who are going to be living there?*

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Mr President, I think we are actually talking about two slightly off-tangent things here. The TDSR itself recommended a number of strategic growth areas to meet Hong Kong's future population and economic development needs. None of them, I emphasize, is Tuen Mun. So that the TDSR itself in recommending the set of strategic growth areas has already taken into account that there may be problems in areas such as Tuen Mun and therefore we should leave Tuen Mun alone for this sort of development. But the other assumption — I mentioned three major ones — is of course that the existing scenario in Hong Kong will remain unchanged including traffic pattern flows, road network and the rest. So what the TDSR and the SEA do is to provide a screening tool with which we would check out whether there are possibilities for strategic growth areas in Hong Kong and what further mitigating measures or policy changes that the Government should consider in future.

If these factors change in future, the TDSR and SEA findings would also change. So what I can say is that the SEA findings are only true as they are when the studies were made. The other thing, of course, is when we decide actual development parameters for each project, we will require further specific environmental impact assessments including air quality assessment to be made, not just on projects but also on strategic growth areas, and that will take into account whether there can be an overall improvement or mitigating measures to the situation.

Consultation Document on "Civil Liberties and Social Order"

3. **DR YEUNG SUM** asked (in Cantonese): *Mr President, as Honourable CHEUNG Man-kwong will move a motion debate on Public Order Ordinance and Societies Ordinance next week, I accept your decision to limit the scope of my question.*

In early April this year, the Chief Executive (Designate) Office published a consultation document on "Civil Liberties and Social Order" which contains proposals to amend the Public Order Ordinance and the Societies Ordinance and impose further restrictions on the freedoms of procession and association of Hong Kong people. In view of this, will the Government inform this Council:

- (a) whether the existing practice that the police have the discretion to accept a shorter notice of intention to hold a public procession than that prescribed by law is a more flexible arrangement than the requirement proposed in the consultation document that a notice of intention must be given not less than 48 hours prior to the procession;*
- (b) how many notices of intention to hold public processions in which shorter notice than that prescribed by law were received by the police in each of the past three years; and*
- (c) whether the police had encountered any difficulties in carrying out their duties in connection with these processions?*

SECRETARY FOR SECURITY (in Cantonese): Mr President,

- (a) Under section 13A(2) of the Public Order Ordinance (POO), the Commissioner of Police may and shall in any case where he is reasonably satisfied that earlier notice could not have been given, accept shorter notice than the time specified in section 13A(1) of the POO for a public procession. This flexible arrangement is to ensure that the Commissioner of Police can exercise discretion to accept shorter notice.
- (b) The prescribed seven-day notice is given in about 75% of the processions held in the past four years. Only about 25% of them had given shorter notice than that prescribed by the law. Details are at Annex.
- (c) The police have not encountered any insurmountable operational

difficulties in policing such processions so far, given the small percentage of processions with less than seven days' notification and the organizers are generally co-operative in complying with conditions imposed by the police.

Annex

Number of Notifications/Licences for Public Processions

Public Processions (Notifications)

	<i>1995</i> <i>(22-31/December)</i>	<i>1996</i>	<i>1997</i> <i>(1/January</i> <i>-31/March)</i>
No. of notifications of public processions received	15	526	110
Less than 7-day notice	0	117	23

Public Processions (Licence)

	<i>1994</i>	<i>1995</i> <i>(1/January</i> <i>-21/December)</i>
No. of applications for licence for public processions received	394	401
Less than 7-day application	105	103

DR YEUNG SUM (in Cantonese): *Mr President, the proposal requires that a*

48-hour notice be given to the police, the main reason being that the police might be caught unprepared and hence unable to maintain public order. In 1996, there were 117 cases of public processions without giving seven days' notice. Will the Secretary for Security inform this Council whether the police had encountered great difficulties in terms of manpower deployment and traffic arrangement in handling those processions with relatively short notices, resulting in serious problems in maintaining social order?

SECRETARY FOR SECURITY (in Cantonese): According to our experience, such as that in 1996, the answer is in the negative.

MR LEE CHEUK-YAN (in Cantonese): *Mr President, the main reply reveals that the number of cases giving notification of less than seven days was 117 in 1996, and 23 in 1997. Will the Secretary for Security tell us whether he has any information regarding cases giving notification of less than two days?*

SECRETARY FOR SECURITY (in Cantonese): Mr President, the number of cases giving notifications of less than two days or 48 hours is zero in 1997, and two in 1996.

Winton Restaurant Group Labour Dispute

4. **MR CHAN WING-CHAN** asked (in Cantonese): *It is learnt that the Hong Kong Federation of Trade Unions, in handling a labour dispute arising from the Winton Restaurant Group closing down one of its member restaurants, came to the view that the Group had deprived the affected employees of the statutory holidays to which they are entitled, thus breaching the Employment Ordinance. In this connection, will the Government inform this Council whether:*

- (a) *the Labour Department has conducted any investigation into the case; if so, of the number of employees involved and the amount of compensation claimed; and what channels are available to the affected employees for lodging compensation claims;*
- (b) *the Labour Department will institute prosecution against the Group;*

if not, why not;

- (c) the Labour Department will take the initiative to carry out checks to ascertain if other restaurants of the Group have also breached the relevant provisions in the Employment Ordinance, so as to safeguard the rights of the employees concerned; if so, what the details are; and*
- (d) any survey has been conducted to find out if the breaching of the Employment Ordinance, particularly in regard to the provisions relating to employees' right to statutory holidays, is common among employers in the catering industry?*

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

- (a) The Labour Department has been providing conciliation service to help resolve the differences between the employees affected and the management of the restaurant. A total of 220 employees were involved in this dispute. Through conciliation, both parties have agreed on the amount of severance payment and all employees, except two, have collected payment. However, the issue of workers' entitlement to rest days and statutory holiday pay remains unresolved and no agreement has been reached. The workers affected can lodge their claims with the Labour Tribunal. We have no information on the total amount of claims for holiday pay by these employees as such information has not been provided to the Labour Department.
- (b) As the Labour Department is investigating the dispute, we will only be in a position to decide whether or not any action, including prosecution, will be taken after completing the investigation.
- (c) The Labour Department regularly inspects workplaces including restaurants to ensure that employers comply with the relevant provisions protecting employees' rights and benefits under the Employment Ordinance. The Department also investigates

complaints as and when necessary. On operational grounds, it would not be appropriate for us to disclose the details or results of the Department's enforcement measures in respect of this restaurant group or any other individual establishments.

- (d) The Labour Department takes vigorous enforcement actions through regular inspection of workplaces and investigation into complaints to ensure employers' compliance with the Employment Ordinance. Such actions cover workplaces in all sectors and trades. We have not conducted any survey to ascertain whether offences of the provisions on statutory holidays under the Employment Ordinance are most common among employers in the catering industry.

MR CHAN WING-CHAN (in Cantonese): *Mr President, in the incident of the Winton Restaurant Group depriving over 200 workers of their statutory holiday entitlement, most workers have been in the employ of the Group for two or three years, or even eight years. Each of them has been denied 23 days' pay per year. Despite strong evidence to substantiate this, Part B of the main reply still indicates that the Labour Department will only decide after completion of the investigation whether or not prosecutions will be instituted against the Group. Since it has been established that the Group had cut back its workers' wages, what else is there to investigate? As most workers are willing to give evidence for the Labour Department, how much longer will it take to complete the investigation and when will we have the outcome?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, the purpose of the investigation is to ascertain whether there are evidences to substantiate the allegation that an employer has deprived its workers of their statutory holidays, and if so, whether such evidences justify the Labour Department taking action, including instituting prosecutions. It is expected that the investigation of the Labour Department will conclude at the end of this month.

MR LEE KAI-MING (in Cantonese): *Mr President, the Secretary for Education and Manpower indicates in his main reply (a) that the workers affected may lodge their claims with the Labour Tribunal. As far as I know, the*

Labour Tribunal can only deal with holiday claims in respect of services of less than one year; cases involving a longer period should be lodged with the Supreme Court. May I ask the Secretary for Education and Manpower whether it is possible to amend the law so that the Labour Tribunal may have jurisdiction to hear all holiday claims?

PRESIDENT (in Cantonese): I am afraid the question has gone beyond the scope of the original question and reply.

MR LEE CHEUK-YAN (in Cantonese): *Mr President, in part (d) of his main reply, the Secretary for Education and Manpower has said that the Labour Department conducts regular investigations. Yet he has added that the Administration is unable to ascertain whether violation of the provisions on statutory holidays under the Employment Ordinance are most common among employers in the catering industry. Since the Government conducts investigations, I cannot see why it does not categorize the complaints and findings of the investigations by trade. If it had done so, I am sure the Government would have come to realize that this is a most common practice in the catering trade. May I ask the Administration whether it is unable to answer this question because it does not have any classification by trade when it investigates into a complaint and inspects a workplace?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, indeed our statistics is not classified by trade. However, we are aware that there seems to be an increase in the number of complaints about violation of the Employment Ordinance in the catering industry. Therefore, we do not exclude the possibility that more efforts will be made in future in this regard to analyze the figures in greater detail.

MR CHIM PUI-CHUNG (in Cantonese): *Mr President, I have two questions. One is put to your good self. In the question of Honourable CHAN Wing-chan, reference was made to a particular restaurant*

PRESIDENT (in Cantonese): Mr CHIM Pui-chung, is it a point of order?

MR CHIM PUI-CHUNG (in Cantonese): *The question has mentioned the name of a particular restaurant which is not completely out of business. Even if it had closed down all of its business, still injustice might have done to it. May I ask whether making reference to a particular company in a question is a point of order?*

PRESIDENT (in Cantonese): Mr CHIM Pui-chung, please be seated. What you have raised is a point of order to which I have to answer.

I did give it some deliberation on receipt of this question. I directed that the name of the restaurant could appear in the question, yet it could only point out that "the Hong Kong Federation of Trade Unions came to the view that the restaurant had breached the Employment Ordinance". Putting forth such a question is the responsibility of the Member who raises it. If it is not the case that the Hong Kong Federation of Trade Unions holds such a view, the Member himself shall be accountable to the Federation. To avoid the misunderstanding that the restaurant has been convicted, I have directed that the word "discovered" be changed to "came to the view". Hence in the process of deliberation this question is entirely in order. Now please raise your supplementary question.

MR CHIM PUI-CHUNG (in Cantonese): *I should accept your explanation, Mr President. But the fact is the name of the company appeared before "the Hong Kong Federation of Trade Unions came to the view". I hope you would take a close look at it.*

I would like to ask the Secretary for Education and Manpower whether it is in any sense an arbitration in place of the court when the Administration gives an answer in the Legislative Council to an accusation of a certain party committing an offense (though I am strongly in support of the well being of the working class) before the Labour Department has made a decision on a case, that is, before the whole case has come to a conclusion?

PRESIDENT (in Cantonese): Mr CHIM Pui-chung, this is also a point of order,

not a question.

MR CHIM PUI-CHUNG (in Cantonese): *Mr President, I have no objection if you wish to reply on behalf of the Administration.*

PRESIDENT (in Cantonese): As the case has not yet come to the stage of awaiting trial, the question itself is therefore proper and in order. As regards whether it is appropriate for the Administration to reply to a question with specific reference to a particular restaurant, the appropriateness is in a political but not legal sense. Now may I ask the Secretary for Education and Manpower to answer the question?

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, I do not think this is a political matter. If you rule that the Administration has to answer this question, the Administration would certainly comply. If Honourable Members take a close look at my main reply and take note of my earlier replies to the follow-up questions, they will know that we have not yet come to any decision on this dispute. For example, in part (b) of the reply, it has been pointed out clearly that the Labour Department is investigating into the dispute and that a decision on whether action will be taken against the Group will only be made after completion of the investigation.

MR LEUNG YIU-CHUNG (in Cantonese): *Mr President, in his reply to another question of this meeting, that is, Question 15, the Secretary for Education and Manpower has provided us with a figure. In 1996, 2 714 cases of employers found breaching the holiday and annual leave provisions were convicted. This reflects that employers breaching the labour laws today, in particular offenses relating to leaves and holidays*

PRESIDENT (in Cantonese): Mr LEUNG Yiu-chung, please wait. Mr James TIEN, is it something about a point of order?

MR JAMES TIEN (in Cantonese): *Yes, Mr President. What we are discussing*

is Question 3 but Honourable LEUNG Yiu-chung is referring to some issues in Question 15. I would appreciate your ruling on this.

PRESIDENT (in Cantonese): Mr LEUNG Yiu-chung, since it is not yet the time for question 15, could you make no mention of the question and say that it so happens that you just come across the figure and raise it?

MR LEUNG YIU-CHUNG (in Cantonese): *Mr President, in any case, it has come to my notice that the situation of employers violating the labour laws is getting more serious recently. In part (d) of his reply, the Secretary for Education and Manpower mentions that the Labour Department inspects the workplaces of various industries. On the one hand, the Secretary tells us that stringent enforcement action will be taken to ensure compliance with the employment provisions on the part of the employers; but on the other hand, we can see that the figures continue to climb. Under the circumstances, I do not know how the Administration enforces the law to the letter to ensure employer compliance. If the Administration had indeed taken action, the employers would not have broken the law. Yet the fact is so many people are breaking the law. How does the Administration take rigorous enforcement action; how does it ensure employer compliance? Have they sent officers*

PRESIDENT (in Cantonese): Mr LEUNG Yiu-chung, please ask your question.

MR LEUNG YIU-CHUNG (in Cantonese): *Mr President, I have been asking questions all the time.*

PRESIDENT (in Cantonese): But you have been expressing your views in the form of asking questions.

MR LEUNG YIU-CHUNG (in Cantonese): *I ask whether the Administration has sent officers to conduct inspections. If so, what are the deployment of manpower and time schedule?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, if Mr LEUNG wishes to obtain the detailed information on regular inspections, such as the manpower involved and number of inspections taken, perhaps I have to give him a written reply later because I do not have such information off hand (Annex).

PRESIDENT (in Cantonese): Two more Members are prepared to raise supplementary questions and I will draw a line there. Mr LEUNG Yiu-chung, are you claiming that your question has not been fully answered. If so, which part?

MR LEUNG YIU-CHUNG (in Cantonese): *Yes, Mr President. He has not answered many of my earlier questions.*

PRESIDENT (in Cantonese): This can best illustrate that you were just expressing your own views.

MR LEUNG YIU-CHUNG (in Cantonese): I hope you will reconsider whether I am putting forth questions to him. If so, you should ask him to reply.

PRESIDENT (in Cantonese): Please point out which parts have not been answered.

MR LEUNG YIU-CHUNG (in Cantonese): *I have asked him how enforcement actions are taken rigorously to ensure compliance of the employers.*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, in terms of ensuring employers' compliance with the Employment Ordinance, our standing practice is to promote publicity work and to carry out

regular inspections. Where there is a need and evidence to prove that an employer has violated the Ordinance, we will take action, including prosecution, against him. Of course, these actions will be taken by the enforcing agency such as the Labour Department. Nevertheless, we cannot say that this can ensure absolute compliance of the employers, which in my opinion is something impossible to attain.

MISS CHAN YUEN-HAN (in Cantonese): *Mr President, the Secretary for Education and Manpower has said that the Administration has been conducting publicity work and carrying out regular inspections to minimize violation of the Labour Ordinance. I find this reasonable. However, the situation of employers in the catering trade cutting back workers' holidays is known to the whole territory. The outbreak of the Winton incident merely presents a solid example of the situation. With the provisions on statutory holidays already in force for such a long time, why does the Administration tolerate this malpractice in such a large trade and not address this particular problem? I want to emphasize, Mr President, that depriving workers of their holidays is very common in the catering trade. Why does it still exist albeit the administration's publicity and inspection work?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, with regard to breaching the Employment Ordinance, breach of the statutory holiday provisions actually takes place frequently in many industries, not just the catering trade. As I have explained earlier, we cannot ascertain that this situation is most common in the catering trade. Nevertheless, we will not exclude the possibility of analyzing the figures in future in light of the complaints received recently.

Furthermore, in light of the peculiar situation of the catering industry, we have, apart from conducting regular inspections, set up a tripartite group comprising representatives of restaurants, the catering trade and the Labour Department, including representatives of staff unions and employer associations, to convene regular meetings to discuss matters of common concern, including of course violation of provisions of the Employment Ordinance, especially those relating to statutory holidays, on the part of employers. As I have said earlier, we are aware that complaints about this have increased and are considering if we need to follow up the issue in future.

MR LEE KAI-MING (in Cantonese): *Mr President, my question raised earlier has not strayed from the original question, because when the Honourable CHAN Wing-chan asked through what channels the employees affected could make their damage claims, the Secretary for Education and Manpower replied that they could lodge their claims with the Labour Tribunal. As a matter of fact, holiday entitlement of the Winton workers involves services over one year, yet the Tribunal could not handle claims for holidays over this length of service. That is why I consider the Secretary's reply inconsistent with the fact. The damage claim should be lodged with the Supreme Court. Is this correct, Mr Secretary?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, Mr LEE's understanding of the limitation of the existing law is correct.

MR LEE KAI-MING (in Cantonese): *Mr President, if my understanding is correct and his answer is wrong*

PRESIDENT (in Cantonese): Please ask the supplementary question that you intended to ask.

MR LEE KAI-MING (in Cantonese): *As lodging a claim with the Supreme Court necessitates a worker to hire a lawyer and to spend a large sum of money, may I ask whether it is possible to amend the law concerned to allow the Labour Tribunal to hear holiday claims for services exceeding one year?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): I am sorry, Mr President. I missed Mr LEE's last sentence earlier. The one-year restriction is stipulated in the existing Employment Ordinance and the Labour Tribunal is also an organization of the Judiciary. We will consider Mr LEE's view in the opportune time. If we come to a conclusion, we will have it discussed in detail at the Labour Advisory Board.

Primary School Electricity and Maintenance Expenses Grant

5. **MR LEUNG YIU-CHUNG** asked (in Cantonese): *In view of the fact that*

in the 1994-95 school year, 25 primary schools in the territory had increased electricity and maintenance expenses relating to the use of air-conditioners in excess of the amount of grant provided by the Education Department, will the Government inform this Council:

- (a) of the details of such expenses exceeding the amount of grant in the above primary schools in the school year concerned; and whether the same situation has occurred in the 1996-97 school year; if so, what the details are;*
- (b) whether other aspects of the operation of the above schools have been affected as a result of the schools using their General Funds to meet the excess amounts;*
- (c) whether, apart from the above 25 primary schools, other schools will also incur electricity and maintenance expenses relating to the use of air-conditioners in excess of the amount of grant; and*
- (d) whether the Education Department will be able to complete the review on the rates of the grant before this summer, so as to ensure that the schools concerned will have sufficient funds to meet the necessary expenses?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, before answering the Member's question, I would like to recapitulate the information contained in my written reply to a similar Member's question in February this year. Under the Noise Abatement Programme, the Government has been installing air-conditioners and double glazed windows in the classrooms, staff rooms and special rooms of public sector schools exposed to aircraft or traffic noise above 65dB(A). These schools are given a recurrent Noise Abatement Grant to pay for electricity charges and routine maintenance. The rates of the grant are kept under regular review to ensure that the relevant schools, by and large, have sufficient funds to meet the necessary electricity and maintenance expenses.

In calculating the level of the grant, we have taken into consideration major elements including electricity charges, the daily average hours of operation, the number of school days per year and the cost of maintenance and repairs.

According to our record, despite periodic adjustments of electricity charges, the average utilization rate has been consistently below 100%. For example, 143 (or 80%) out of the 179 aided schools receiving the Noise Abatement Grant in 1994-95 did not spend in excess of the grant. Therefore, the existing rate is sufficient, by and large, to meet the expenditure of the majority of schools. Let me now respond to the four parts of the question in sequence.

- (a) For the 25 primary schools whose expenditure exceeded the Noise Abatement Grant in the 1994-95 school year, over half of them (18 schools) exceeded the grant by less than 25%, four schools exceeded by 30% to 50%, and the remaining three schools exceeded by over 50%. As regards the situation in the 1996-97 school year, we can only ascertain the expenditure concerned at the end of the term and after the schools have submitted their accounts.
- (b) Although the schools concerned used the General Funds to meet the expenditure exceeding the Noise Abatement Grant, the normal operation of the schools was not affected. This is because Government's existing subsidies for aided schools are sufficient to maintain the normal operation of schools. The General Funds Account is not part of Government's subsidies and its income comes from other sources, for example, donations. Schools have full discretion to use the fund for educational and school purposes, including expenses on above-standard items.
- (c) As stated in part (a) of my reply, the utilization rate of the Noise Abatement Grant for 1996-97 school year could only be ascertained at the end of the term and after the schools have submitted their accounts.
- (d) The Education Department will complete the review of the Noise Abatement Grant before the next school year. As stated in part (b) of my reply, schools can use the General Funds Account to meet the expenditure exceeding the Noise Abatement Grant. Schools can also apply to the Education Department for special approval to transfer the deficit to the School and Class Grant. Whether the Education Department needs additional resources to provide schools with sufficient funds to meet the necessary expenditure will depend on the result of the review.

MR LEUNG YIU-CHUNG (in Cantonese): *Mr President, the Secretary for Education and Manpower has clearly pointed out in his reply that those schools have to use the fund of their General Funds Account to meet such expenses if they exceed the Grant. I consider this unfair to the schools, because their General Funds are not from government subsidies*

PRESIDENT (in Cantonese): Mr LEUNG Yiu-chung, please ask you question.

MR LEUNG YIU-CHUNG (in Cantonese): *But are acquired through donations or other sources. Will the Secretary consider a more appropriate way to abate the problem? As the Secretary has just rightly pointed out, electricity charges are revised annually. Since this situation often recurs, why does the Administration not consider taking a more long-term approach to do away with it?*

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, I appreciate Mr LEUNG's concern which has induced him to raise this question. In fact, I have plainly stated in part (d) of my main reply that we are in the process of reviewing the related grant. The review will take into consideration all factors that may affect the amount of grant. Therefore it would certainly cover variation of electricity charges. We hope that the findings of the review will address the situation as to why related expenditure of certain schools exceeded the grant. I cannot, however, give this Council any specific information or reply before the review is completed.

General Waiting List for Public Housing

6. **MR FREDERICK FUNG** asked (in Cantonese): *Mr President, I am a member of the Housing Authority (HA). The following is quoted from a paragraph of the document paper No. MOC49/97 of the Management and Operations Committee of the HA.*

"At present, applicants on the General Waiting List may, when awaiting the allocation of public rental flats, request that their family members and next-of-kins be included in the list of family members on the application form. Apart from the income limits and other criteria, the eligibility of these families for the allocation of public rental flats depends on whether the majority of the family members satisfy the stipulated residency requirements. In other words, in order to be eligible for the allocation of public rental flats, over half of the family members in the household must either be Hong Kong permanent residents or have at least seven years' residence in Hong Kong." However, according to Article 24(3) in Chapter III of the Basic Law, after 30 June this year, the permanent residents of the Hong Kong Special Administrative Region shall include children of Chinese nationality born outside Hong Kong of Hong Kong permanent residents who are also Chinese citizens. In this connection, does the Government know of:

- (a) the number of applicants on the General Waiting List who are currently not eligible for the allocation of public rental flats, but who will become so eligible after 30 June this year because they will be able to satisfy the requirement that over half of their family members must be Hong Kong permanent residents on account of the above stipulation in the Basic Law;*
- (b) the number of the applicants mentioned in the answer to (a) above who are due for the allocation of public rental flats on 1 July 1997; and*
- (c) the measures that will be put in place by the HA to cope with the situation in (a) and (b) above?*

SECRETARY FOR HOUSING (in Cantonese): Mr President, permanent resident status is not a criterion for the allocation of public rental housing (PRH) flats.

An applicant for PRH must have at least seven years' residence in Hong Kong before he is eligible for the allocation of a public rental flat. If he has a family, then there must be a majority (more than 50%) of family members (including the applicant) with at least seven years' residence in Hong Kong. Children of Chinese nationality born outside Hong Kong of Hong Kong

permanent residents, who will themselves become permanent residents of Hong Kong after 30 June 1997 according to Article 24(3) of the Basic Law, must fulfil the seven years' residence requirement for the purpose of PRH allocation.

As regards Part (b) of the question, since no one will become eligible for the allocation of a public housing flat by virtue simply of become a permanent resident of Hong Kong, there will be no increase in the number of eligible people on account of Article 24(3) of the Basic Law.

On Part (c) of the question, immigration projections are taken into account in our assessment of housing demand and the resulting flat production requirements.

MR FREDERICK FUNG (in Cantonese): *Mr President, I have at hand the paper No. MOC49/97 of the Housing Authority (HA). What I have said just now is a direct quote from this official paper of HA. I also have a copy of the minutes of meeting of the HA held on 10 April, which have recorded that members present at the meeting discussed the issue of eligibility of permanent residents in this paper. As what the paper says is either permanent resident or seven years' residence, which is entirely different from the reply of the Secretary for Housing today, may I ask whether the Secretary is right or the HA is wrong?*

SECRETARY FOR HOUSING (in Cantonese): Mr President, the HA indeed circulated the paper. But as far as I know, it contained a few errors. The HA has subsequently issued an amended version to rectify the error regarding permanent residents. Operationally, however, the HA and the Housing Department have never made permanent residence a requirement for allocation of public housing flats.

PRESIDENT (in Cantonese): Mr Frederick FUNG, are you claiming that your supplementary question has not been fully answered?

MR FREDERICK FUNG (in Cantonese): *Mr President, may I provide more information to elaborate on my previous question?*

PRESIDENT (in Cantonese): Could you please wait? The Secretary for Housing has just replied that the paper has been amended, what is the wording of the amended version?

SECRETARY FOR HOUSING (in Cantonese): Mr President, the amendment concerns revising the wording with regard to Hong Kong permanent residents.

PRESIDENT (in Cantonese): Do you mean deleted?

SECRETARY FOR HOUSING (in Cantonese): Yes, deleted.

MR LEE WING-TAT (in Cantonese): *Mr President, I only want to clarify a question. Since the paper I have at hand is in English, I hope you would pardon me for putting forth my question in a mixed code of English and Chinese.*

Mr President, I have another document at hand, which is the Estate Management Policy Manual of the HA issued in December 1996. It states, "The applicant must be a permanent resident". But in paragraph two of the reply of the Secretary for Housing, it reads, "An applicant for public rental housing must have at least seven years' residence in Hong Kong". Are these two versions in any way different or the same?

SECRETARY FOR HOUSING (in Cantonese): Mr President. operationally the HA does not take Hong Kong permanent residentship as one of the criteria for public housing allocation, but it has made it clear that these people must have seven years' residence in Hong Kong in order to qualify themselves for allocation of public rental housing units. Thank you, Mr President.

PRESIDENT (in Cantonese): Mr LEE Wing-tat, are you claiming that your supplementary question has not been fully answered?

MR LEE WING-TAT (in Cantonese): *Yes, Mr President. He has not answered my question. He is only repeating his answer but not addressing the question.*

What I mean is whether the statement in the policy paper that the applicant must be a permanent resident is in any way different from paragraph two of the Secretary's reply, which only requires the applicant to have seven years' residence.

SECRETARY FOR HOUSING (in Cantonese): Of course it is different literally. As I have said, however, the HA has already issued an amended version after it has spotted the mistake on the document. Thank you, Mr President.

MR BRUCE LIU (in Cantonese): *Mr President, I understand that under the current policy a child born in Hong Kong is eligible for public housing tenancy once he is born. He does not need to meet the seven-year requirement because he is a permanent resident of Hong Kong. I want to ask the Secretary for Housing a policy question. According to the manual quoted by Mr LEE Wing-tat, the current policy requires an applicant to be either a permanent resident of Hong Kong or with at least seven years' residence; whereas according to what the Secretary has just told us, only seven-year residence is required. But as I have pointed out, a child born in Hong Kong is not required to fulfil the requirement of seven-year residence. I would like to ask the Secretary a question. If the wife of a Hong Kong permanent resident in mainland China sneaks into Hong Kong after 1997 and gives birth to a child, is the child eligible for public housing, given the fact that he is born in Hong Kong and hence a Hong Kong permanent resident? If so, whether the existing policy will encourage these people to sneak into Hong Kong?*

SECRETARY FOR HOUSING (in Cantonese): Mr President, I would like to answer this question more clearly. Every child born in Hong Kong is a Hong Kong resident and is regarded as having lived in Hong Kong for seven years so long as his father or mother meets the requirement of seven years' residence in

Hong Kong. Yet a child born outside of Hong Kong, irrespective of how long his parents have lived in Hong Kong, will not be immediately recognized as having met the seven-year residence requirement. There is a big difference between the two situations.

MR FREDERICK FUNG (in Cantonese): *Mr President, before asking my question, I want to produce more written materials because they can support the question.*

On 1 May, I received the document from the Secretariat of the HA saying that the paper was wrong, just as the Secretary for Housing has said. So I telephoned the Secretariat immediately in the hope that they could advise me when and under which document the amended policy was made, and after its formulation

PRESIDENT (in Cantonese): Mr Frederick FUNG, this is not a HA meeting. You say you want to produce some evidence, so please just give the evidence mentioned in your introductory remarks.

MR FREDERICK FUNG (in Cantonese): *Later I received two documents, the two dated between 1979 and 1981. These two papers only require the applicant, that is, the principal tenant, to have resided in Hong Kong for seven years but make no mention of the requirements on family members. So, in the light of the present reply of the Secretary for Housing, has he privately changed the policy of the HA?*

SECRETARY FOR HOUSING (in Cantonese): The answer is simple, Mr President. As Secretary for Housing, I have not privately changed the requirements laid down by the HA. Thank you, President.

PRESIDENT (in Cantonese): Mr Frederick FUNG, are you claiming that your supplementary question has not been fully answered?

MR FREDERICK FUNG (in Cantonese): *Actually what I mean is why his answer is different from the documents of HA.*

SECRETARY FOR HOUSING (in Cantonese): Mr President, I have already answered this question. It is because the wording in the paper was wrong. It was amended afterwards.

MR LEE WING-TAT (in Cantonese): *Mr President, I want to ask a question regarding this Estate Management Policy Manual, in which it says, "All locally born children regardless of age are considered as having met the residence qualification". This means that a child born in Hong Kong, irrespective of age, is considered as having met the requirement of seven-year residence. In other words, even a one-year-old child born locally is regarded as having lived in Hong Kong for seven years; whereas a child born in mainland China is not so regarded, irrespective of whether his father or mother is a Hong Kong permanent resident under the Basic Law. May I ask the Secretary for Housing whether this policy has constituted any injustice or discrimination in practice and whether the Administration has reviewed this situation?*

SECRETARY FOR HOUSING (in Cantonese): Mr President, whether it is discrimination is another issue. In fact, as a matter of policy, the Hong Kong Government has to look after the needs of the people of Hong Kong. I believe that this policy is absolutely right. If there is a need to introduce additional policy changes, it will certainly be a new policy. At the present stage, we do not have such a conception or plan to amend the policy.

PRESIDENT (in Cantonese): Mr LEE Wing-tat, are you claiming that your question has not been fully answered?

MR LEE WING-TAT (in Cantonese): Yes. *I want the Secretary to clarify one point. He has said that the policy is to look after the residents of Hong Kong.*

Does he think that children born in mainland China whose parents are Hong Kong permanent residents under Article 24 of the Basic Law are not Hong Kong permanent residents?

PRESIDENT (in Cantonese): Mr LEE Wing-tat, which part of your question has not been answered?

MR LEE WING-TAT (in Cantonese): *It has been answered, I only want to clarify the question.*

MR BRUCE LIU (in Cantonese): *Mr President, obviously the existing law and policy benefit only the locally born children. The policy imposes differential treatments, and I could even say unfair and unjust treatments, to those children who also have the right of abode in Hong Kong. Will the Government consider reviewing the existing policy so that those children born outside Hong Kong but with the right of abode here could be benefited with early allocation of public housing in future?*

SECRETARY FOR HOUSING (in Cantonese): Mr President, the Government does not have any plan to review this situation at present, but those children who have lived for seven years in Hong Kong will naturally be treated as having met the requirement and be considered.

WRITTEN ANSWERS TO QUESTIONS

Demonstrations, Processions and Petitions

7. **DR PHILIP WONG** asked (in Chinese): *In regard to the demonstrations, processions and petitions which had taken place since the implementation of the Public Order (Amendment) Ordinance, the Hong Kong Bills of Rights Ordinance and the Societies (Amendment) Ordinance, will the Government inform this Council of:*

- (a) *the total number of demonstrations, processions and petitions held in the territory during the following periods:*
 - (i) *from January 1989 to October 1992;*
 - (ii) *from November 1992 to December 1995; and*
- (b) *the activities mentioned in (a) above in which the participants were warned or prosecuted by the police?*

SECRETARY FOR SECURITY (in Chinese): Mr President,

- (a) From January 1989 to October 1992, the police received a total of 1 067 applications for public procession and 2 250 notifications of public meeting. From November 1992 to December 1995, the police received a total of 1 146 applications for public procession and 3 666 notifications of public meeting.
- (b) The police do not keep statistics on the number of warnings or prosecutions arising from public processions and public meetings held in the above periods. In general, there is no indication that the law and order situation has deteriorated during these two periods.

Median Monthly Employment Earnings

8. **MISS CHRISTINE LOH** asked: *According to the findings of the 1996 Population By-census and the Quarterly Reports on General Household Survey published by the Census and Statistics Department, the disparity in earnings between workers in the high income groups and workers in the low income groups has widened in recent years. In this connection, will the Government inform this Council of:*

- (a) *a breakdown of the industry groups in which the median monthly employment earnings had increased in the past five years, together*

with the respective percentages of increase;

- (b) a breakdown of the industry groups in which the median monthly employment earnings had decreased in the past five years, together with the respective percentages of decrease; and*
- (c) the factors contributing to the widening of the disparity between the median monthly employment earnings in the industry groups in (a) and those in the industry groups in (b) above?*

SECRETARY FOR FINANCIAL SERVICES: Mr President,

(a) and (b)

Statistics on median employment earnings broken down by major economic sector as obtained from the Population Census/By-census and the General Household Survey are given in the attached table.

Both sets of figures show a similar pattern of earnings growth amongst the major economic sectors. They indicate that over the past five years, there have been increases in median employment earnings for all major economic sectors, both in money terms and in real terms. In other words, no major economic sector has recorded a decrease in employment earnings over the period, although the extent of earnings increase varies from sector to sector.

- (c) Based on the earnings figures compiled from the Population Census/By-census, the manufacturing sector and the financing, insurance, real estate and business services sector were the two sectors which had distinctly faster cumulative earnings growth than the other sectors between 1991 and 1996, by 91% and 85% respectively in money terms or by 29% and 24% in real terms. The cumulative increases in earnings in the other sectors over the same period were broadly similar, all ranging between 60%-70% in money terms, equivalent to increases of between 10%-16% in real terms.

The significant earnings growth in the manufacturing sector is largely a result of the on-going drive towards skill and job upgrading within the sector. This has been prompted by the efforts of local manufacturers towards higher value-added and more skill-intensive production in the face of strong cost pressures locally, and also facilitated by the availability of outward processing across the border. Along with this on-going upgrading, those employees remaining in the manufacturing sector in Hong Kong have been able to enjoy substantial increases in earnings notwithstanding the continuous decline in overall manufacturing employment in recent years.

As to the financing, insurance, real estate and business services sector, the significant earnings growth reflects the surge in demand for professionals, managers and other specialized personnel within the sector as Hong Kong's role as a major financial and business services centre in the region continues to broaden and deepen. The boom in the property market amidst strong user demand and rising aspirations for home ownership has also boosted incomes in the real estate sub-sector.

Median monthly employment earnings by sector of main employment

<i>Sector of main employment</i>	<i>From the Population Census/By-census</i>		<i>From the General Household Survey</i>	
	<i>March 1996</i> (<i>\$</i>)	<i>Increase over May 1991</i> (<i>%</i>)	<i>1996</i> (<i>\$</i>)	<i>Increase over 1991</i> (<i>%</i>)
Manufacturing	8,600	91	9,000	71
Construction	9,000	64	10,000	53
Wholesale, retail and import/export trades, restaurants and hotels	8,600	72	9,000	52
Transport, storage and communications	9,800	72	10,000	52
Financing, insurance, real estate and business services	12,000	85	12,000	61

Community, social and personal services	9,300	69	9,500	52
Others	10,000	100	10,500	73

Employment of New Arrivals from Mainland China

9. **MR LEE CHEUK-YAN** asked (in Chinese): *Will the Government inform this Council:*

- (a) *the number of new arrivals from mainland China who were among the territory's employed population, together with the following data relating to these new arrivals:*
 - (i) *the number of these new arrivals among the economically active population;*
 - (ii) *a breakdown of those in (i) above by industry and occupation; and*
 - (iii) *the number of these new arrivals who were unemployed;**in each of the past three years;*
- (b) *given that a good command of the local language is of great importance in securing a job, whether the Government has conducted any survey to find out the number of economically active new arrivals who have language problems; if not, whether the Government will conduct such a survey; and*
- (c) *of the proportion of the new arrivals with less than seven years' residence in the territory who were unemployed to the total unemployed population, in the past year?*

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

- (a) On the basis of the results of the 1996 Population By-Census, there were 169 319 new immigrants from China living in Hong Kong. Out of these immigrants, an estimated 65 000 belong to the economically active population (defined as those aged 15 or above, including both the employed and unemployed), of which 61 169 were employed.

A breakdown of these 61 169 new arrivals who were employed by industry and occupation is at Annex A and Annex B respectively.

Apart from the above, we do not have any other statistics and breakdowns on the number of new arrivals from mainland China among the territory's employed population in each of the past three years.

- (b) According to the 1996 Population By-Census, 142 366 or 91% of the total of 156 383 new immigrants who were above the age of five and were not dumb, could speak Cantonese.
- (c) We do not have any statistics on the proportion of new immigrants with less than seven years' residence in Hong Kong who were unemployed, as compared with the total unemployed population, in the past year. This is because our unemployment statistics were compiled through the quarterly General Household Surveys and do not contain any breakdown of the number of unemployed persons by their years of residence in Hong Kong.

Annex A

Table 1 Working New Immigrants from China by Industry, 1996

<i>Industry</i>	<i>1996</i>	
	<i>Number</i>	<i>%</i>
Manufacturing	15 502	25.3
Construction	4 792	7.8
Wholesale, retail and import/export trades,	26 251	42.9

restaurants and hotels		
Transport, storage and communication	3 290	5.4
Financing, insurance, real estate and business services	4 234	6.9
Community, social and personal services	6 622	10.8
Others ⁽¹⁾	478	0.8
Total	61 169	100.0

Note: (1) "Others" include such industries as "Agriculture and fishing", "Mining and quarrying", "Electricity, gas and water" and industrial activities inadequately described or unclassifiable.

Annex B

Table 2 Working New Immigrants from China by Occupation, 1996

<i>Occupation</i>	<i>1996</i>	
	<i>Number</i>	<i>%</i>
Managers and administrators	5 177	8.5
Professionals	1 102	1.8
Associate professionals	3 163	5.2
Clerks	8 244	13.5
Service workers and shop sales workers	13 477	22.0
Craft and related workers	9 011	14.7
Plant and machine operators and assemblers	5 077	8.3
Elementary occupations	15 489	25.3
Skilled agricultural and fishery workers; armed forces	429	0.7

and occupations not classifiable

Total	61 169	100.0
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Non-Emergency Ambulance Transfer Services

10. **MR LEE KAI-MING** asked (in Chinese): *The Government forecasts that the number of Non-Emergency Ambulance Transfer Services (NEATS) trips will increase by 5% to 10% in 1997-98 as compared with the figure of 383 500 trips in 1996-97. In addition, it has set a target of shortening the waiting time to within 90 minutes in respect of 90% of the transfer services provided. In this connection, will the Government inform this Council:*

- (a) *of the additional resources required in 1997-98 in order to achieve the above target;*
- (b) *given that the target crew number required for each NEATS trip is three members but currently only two crew members are deployed on a number of such trips, of the respective numbers of three-member crew trips and two-member crew trips in the past year; and*
- (c) *whether the department concerned will be able to meet the target of deploying three crew members on all NEATS trips; if so, when such a target will be achieved; if not, why not?*

SECRETARY FOR HEALTH AND WELFARE (in Chinese): Mr President, the Hospital Authority (HA) plans to recruit 18 additional staff and purchase five vehicles in 1997-98 to meet the increasing demand, and to improve the waiting time, for its Non-Emergency Ambulance Transfer Services (NEATS). The requested statistics on three-member crew trips and two-member crew trips made in the past year are not readily available because HA does not record such information routinely.

According to a survey on staffing requirements for NEATS conducted by HA in August 1996, 60% of the trips were found to require three-member crews. These transfers involved patients who had limited independent mobility and required to be carried by the crew members. The remaining 40% of the trips, involving patients who could generally move on their own, were adequately served by two-member crews.

At present, about 60% of HA's NEATS teams are manned by three members. There is no operational need to replace all two-member crews by three-member crews. With the additional resources allocated for NEATS in 1997-98, HA will establish five additional three-member crews. The Government and HA will continue to assess the demand for NEATS, improve performance as necessary and make available sufficient resources for meeting the targets.

Vacant Public Housing Flats

11. **MR LAW CHI-KWONG** asked: *Regarding the problem of vacant flats in public housing estates, does the Government know:*

- (a) of the following data in respect of vacant flats in public housing estates in each of the past four quarters:*
 - (i) the total number of vacant flats;*
 - (ii) the number of vacant flats ready for occupation;*
 - (iii) a breakdown of the number of vacant flats not yet ready for occupation according to the categories of the reasons for such flats being not ready for occupation;*
 - (iv) the number of vacant flats allocated to applicants on the General Waiting List;*
 - (v) a breakdown of the number of reserved vacant flats according to the categories of the purposes for reserving such flats;*

- (vi) *a breakdown of the respective numbers of vacant flats remaining vacant for periods of 12 to 23 months, 24 to 48 months and over four years according to the categories of the reasons for such flats remaining vacant;*
- (b) *of the policy in allocating vacant flats to applicants on the General Waiting List; and*
- (c) *whether the Government will consider allocating the vacant flats to applicants in the priority order as shown on the General Waiting List until the flats are accepted, so as to reduce the number of vacant flats as well as enable those applicants with a low priority on the General Waiting List to obtain a flat sooner; if not, why not?*

SECRETARY FOR HOUSING: Mr President, information on vacant flats in public rental housing estates is as follows⁽¹⁾ :

	1996 (2nd quarter)	1996 (3rd quarter)	1996 (4th quarter)	1997 (1st quarter)
Vacant flats	11 107	10 281	9 204	5 513
Vacant flats ready for occupation	8 085	7 093	6 105	4 297
Vacant flats not yet ready for occupation				
(a) under refurbishment	2 992	3 162	3 074	1 189
(b) under repair	30	26	25	27
Vacant flats allocated to applicants on General Waiting List during the quarter	2 558	1 830	1 836	5 976

⁽¹⁾ All figures refer to the end of the concerned quarter.

Vacant flats reserved for

(a) redevelopment	3 983	2 668	2 548	2 391
(b) clearance	2 123	1 951	1 088	734

Vacant flats left vacant for

(a) 12-23 months	581	216	364	303
(b) 24-48 months	192	3	36	4
(c) over 48 months	7	1	4	2

The Government's policy is to allocate vacant flats in public housing estates as quickly as possible to eligible applicants on the General Waiting List who meet the following criteria:

- (a) the applicant must be at least 18 years of age;
- (b) on allocation, there must be a majority (more than 50%) of family members (including the applicant) with at least seven years' residence in Hong Kong;
- (c) the applicant or his family members must not, during the two-year period prior to the date of registration and up to the date of intake:
 - own or co-own any domestic property;
 - have entered into any agreement to purchase domestic property; or
 - own more than 50% share in a company which owns domestic property; and
- (d) the total household income of the applicant must not exceed the income limits for the concerned family size.

Public rental housing flats are allocated to General Waiting List applicants in accordance with their order of registration and the districts chosen by them. When an offer of flat is declined by an applicant, the Housing Department immediately offers it to another eligible applicant on the General Waiting List

until it is accepted.

Waste Recycling Trade

12. **MR CHOY KAN-PUI** asked (in Chinese): *Mr President, will the Government inform this Council of:*

- (a) the number of operators currently engaged in the waste recycling trade and the state of business in the trade;*
- (b) its policies in relation to the waste recycling trade; and*
- (c) how it will ensure that the trade will operate in a way consistent with the objectives of the environmental protection campaign, so as to facilitate recycling of waste and achieve a reduction in the amount of waste generated?*

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS (in Chinese):

- (a) We understood that in 1996, 450 waste collectors and 150 recyclers and reprocessors were operating in Hong Kong. The majority of these were small enterprises employing less than 10 people. In the commercial and industrial sector over 50% of recoverable waste is actually recovered. By contrast, the domestic sector achieves less than 10% of the potential recovery.
- (b) The Government's policies in relation to the waste recycling trade are consistent with its general policies of not interfering with or favouring particular companies or sectors of commerce or industry. We do, however, facilitate the trade in the following ways:
 - (i) Since 1991, a telephone hotline has been operated by the Centre of Environmental Technology to disseminate information on waste recycling to encourage waste recovery and recycling schemes. In 1996, over 1 880 enquiries were handled.
 - (ii) The Environment Protection Department carries out an annual survey to update its database on waste recyclers. The results

are provided to interested parties to help initiate waste recycling projects.

- (iii) Publicity materials on waste recycling such as information packages, videos and posters are widely disseminated to raise public awareness.
- (c) We have acknowledged for some time that we need to promote greater public awareness to minimize the utilization of finite raw materials and to reduce the amount of waste being dumped in our landfills. In 1994 we commissioned consultants to carry out a Waste Reduction Study.

Following receipt of the consultant's recommendations in 1996 we consulted over fifty organizations involved in waste related issues. After considering the comments received, we prepared a Draft Waste Reduction Plan. We briefed the Legislative Council's Environmental Affairs Panel on the Draft Plan on 6 May 1997 and launched a public consultation exercise, requesting interested parties to send us their comments by the end of August 1997. We will consider any further opinions expressed before finalizing the Plan with a view to launching it in 1998.

The Draft Plan aims to raise further awareness of the need to reduce waste production, to maximize waste recycling, to extend the life of our landfills, and to encourage market-driven solutions to our waste problems.

There are a number of schemes in the Draft Plan which will help the trade to either reduce the amount of waste generated or promote waste recycling. These include the Wastewise and DEMOS schemes, adjustments to land allocation policies, producer responsibility schemes, preferential purchasing schemes, grants for material recovery projects and the recycling credits scheme. We are also examining changes to the Building Regulations and the introduction of disposal charges at landfills and refuse transfer stations.

Expediting Implementation of Land Development Projects

13. **MISS CHAN YUEN-HAN** asked (in Chinese): *Will the Government inform this Council:*

- (a) *whether consideration will be given to the establishment of an authority which will be entrusted with the overall responsibility for all aspects of work relating to land development and the vetting of construction processes, so as to expedite the implementation of land development projects; if so, what are the details; if not, why not;*
- (b) *of the specific details of the Government's proposal to reduce the average length of time required for the drafting of outline zoning plans and the examination of objections to such plans, from the current 22 months to nine months;*
- (c) *of a breakdown of the average length of time required for each stage of the construction process (including the land production, planning, and completion of project stages) in respect of the following project categories:*
 - (i) *public housing,*
 - (ii) *private buildings,*
 - (iii) *Government buildings; and*
- (d) *whether consideration will be given to speeding up the completion of the construction process in respect of the project categories in (c) above; if so, of the expected length of time that can be saved in the construction process of each project category?*

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS (in Chinese): Mr President,

- (a) We have established the Housing Project Action Team (HPAT), chaired by the Secretary for Housing, to help resolve problems involving major projects (200 flats or more). HPAT tackles inter-departmental problems, removes bottlenecks, and ensures that housing related infrastructure is funded and completed on time.

The Lands Department has also established a Land Supply and Redevelopment Section to fast-track projects which will produce 500 or more flats. The Section tackles mainly issues related to land or lease processing.

Moreover, the Financial Secretary has set up a special task force comprising relevant policy Secretaries. The task force will work on new initiatives to expedite the approval process for land development and to ensure land available for public and private housing is fully and quickly developed into housing units.

- (b) I believe the 22-month period refers to the average time taken to complete consideration and hearing of objections by the Town Planning Board (the Board) under the current Town Planning Ordinance. In the Town Planning White Bill published in July 1996, it is proposed that the Board should submit a draft outline zoning plan together with any unwithdrawn adverse representations to the Governor in Council within a period of nine months after the expiration of the plan's publication period. During this nine-month period, the Board has to give consideration to the representations, and if required, conduct inquiries to them. To ensure that the Board can complete the representation process within the nine-month period, the White Bill proposes that the Board may set up Special Committees to conduct inquiries of group inquiries on unwithdrawn adverse representations.
- (c) There is not much difference in the length of time for land production for public and private housing developments and government buildings. The duration depends on the complexity of the area and scale of projects concerned. For strategic growth areas (SGA), the time required under normal circumstances to complete the whole land production process ranges from nine years (for reclamation-based SGA) to about 12 years (for land-based SGA).

The construction lead time for a standard public housing block is 37 months: about nine months for foundation works and 28 months for

the superstructure and fittings. For private housing, the average length of time required for completion of construction is about three years. For government buildings, duration of the design and construction process ranges from four to seven years for major capital projects; and from two to five years for smaller ones.

- (d) To speed up housing development, we have proposed or already introduced measures to improve the planning, land and building processes. For example, the Planning Department will shorten the study process by integrating or combining different studies. The Lands Department has issued a Practice Note for surveyors, solicitors and Authorized Persons in October 1996 setting out revised procedures designed to speed up the processing of applications for land exchanges and lease modifications. The Buildings Department has also allowed applications for approval of plans and consent to commence work to be made in substages which will be processed in parallel.

Since 1994, the Housing Authority has reduced the standard development lead time for Rental and Home Ownership Scheme projects, which covers from planning and design works to piling and building construction, from six years to five years. The Housing Department is currently examining the possibility to further shorten the required process.

For government buildings, increasing the use of Design and Build contract for less complex projects could reduce the design time; and increasing the use of term contracts for small projects could reduce the tendering time.

Marine Safety

14. **MR ERIC LI** asked (in Chinese): *In view of increased hazard for vessels arising from the busy marine traffic in the territory's waters, will the Government inform this Council:*

- (a) *of the number of vessel owners/vessel masters prosecuted in the past year for the breach of relevant regulations involving their vessels,*

together with the highest penalty imposed on the offenders;

- (b) whether the vessel masters frequently navigating outside the territory's waters are required to undergo special training, so as to enable them to become familiarized with the conditions, as well as the speed limits in different locations, of the territory's waters;*
- (c) of the frequency of inspections carried out on the safety devices of each passenger vessel on average; and*
- (d) of the number of cases in the past year involving passenger vessels failing to meet the safety requirements, and the measures adopted by the authorities concerned to ensure that the safety devices of passenger vessels are in compliance with the relevant safety regulations?*

SECRETARY FOR ECONOMIC SERVICES (in Chinese): Mr President,

- (a) In 1996, the Marine Department issued a total of 1 488 summonses involving offences such as the breach of marine traffic rules and pollution regulations, failure to carry the required life saving equipment, and failure to have qualified masters or engineers on board. The highest penalty imposed was a fine of \$50,000.
- (b) Masters and engineers serving on passenger-carrying high speed craft registered in Hong Kong are required to be assessed by the Marine Department officers on their professional skills and operational knowledge before they are permitted to serve on these craft. Masters and engineers serving on mainland high speed craft operating in Hong Kong waters are certified by mainland maritime authorities and recognized by the Marine Department. High speed craft operators are kept closely informed of the safety requirements, speed limits, and traffic conditions of the Hong Kong waters through Marine Department Notices and other Marine Department publications.
- (c) The Marine Department carries out annual inspection of each passenger vessel registered in Hong Kong including its safety

devices. In addition, occasional spot checks are carried out on passenger vessels entering Hong Kong to ensure compliance with regulatory and safety requirements.

- (d) In recent years, Marine Department has not come across any serious violations of safety requirements on passenger vessels in operation. Generally, only minor remedial measures for normal wear and tear are found necessary during annual ship inspection or spot checks.

Protection by Employment Ordinance

15. **MR LEUNG YIU-CHUNG** asked (in Chinese): *A recent survey conducted by a labour organization indicates that among employees in fast food stores and supermarkets who are eligible for protection under the Employment Ordinance (the Ordinance), 40% of them are not able to enjoy statutory holidays and annual leave as provided in the Ordinance, and 60% are not able to enjoy paid sick leave. In this connection, will the Government inform this Council:*

- (a) *whether it has conducted a survey on service industries which are mainly staffed by part-time employees so as to ensure that employees eligible for protection under the Ordinance are able to enjoy their entitled benefits; if so, what the findings are; if not, whether it will consider conducting such a survey;*
- (b) *whether it has organized any activities to promote labour legislation among employees in fast food stores, restaurants and supermarkets over the past three years; if so, what the details are; if not, why not, and whether it will consider organizing such activities in future; and*
- (c) *in the light of the above survey findings, what measures the Government will take to ensure that employees are able to enjoy the benefits provided in the Ordinance?*

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

- (a) We have not conducted any survey designed specifically to find out the extent to which part-time employees of service industries who

are eligible for employees' rights and benefits under the Employment Ordinance have been able to benefit from the relevant statutory provisions. We will consider conducting such a survey if there is such a need in future.

(b) and (c)

The Labour Department has all along been making effort in promoting the awareness of statutory employment rights and benefits amongst employees in all industry and service sectors, including fast food stores and supermarkets. These on-going promotional activities include the following:

- The provision of a 24-hour telephone hot-line enquiry service to explain the statutory provisions on employees' rights and benefits;
- Publicizing the definition of "continuous contract of employment" and the various protective provisions under the Employment Ordinance through the distribution of posters, leaflets and labour relations newsletter;
- Organizing exhibitions, training courses, seminars, talks and meetings for personnel managers;
- Sending letters to employees' unions encouraging their members or employees to seek assistance of the Labour Department if they suspect that they have been deprived of their statutory benefits,
- Writing letters to employers in various trades reminding them of their obligation to provide employees who have a "continuous contract of employment" with the rights and benefits they are entitled to under the Employment Ordinance, as well as the penalties for failing to do so.

In the past three years, the Labour Department organized some 2 500 such promotional activities which attracted about 122 000

participants including both employers and employees of fast food stores, restaurants and supermarkets.

In addition, Labour inspectors of the Labour Department pay regular inspections to workplaces including fast-food shops, restaurants and supermarkets to ensure that employers comply with the Employment Ordinance and employees enjoy their rights and benefits. The Department will investigate any complaints concerning suspected offences of the Ordinance, and take prosecution actions as and when appropriate. In 1996, there were altogether 2 714 convictions for offences against the provisions on holiday and annual leave.

We will step up our enforcement and publicity measures in respect of any industry, including those employing a relatively larger number of part-time employees such as the catering industry, as and when circumstances warrant.

Wide-bodied Aircraft Using Kai Tak

16. **MR HOWARD YOUNG** asked: *Will the Government inform this Council of a breakdown of the proportion of the largest types of wide-bodied aircraft (that is, Boeing 747 and Airbus 330) to the total commercial aircraft, that used the Kai Tak airport in each of the past three years, in terms of the following:*

- (a) the number of flight movements;*
- (b) the estimated passenger capacity; and*
- (c) the estimated cargo capacity?*

SECRETARY FOR ECONOMIC SERVICES: Mr President, the breakdown of the proportion of Boeing 747 and Airbus 330 to the total commercial aircraft, that used the Kai Tak airport in each of the past three years, in terms of number of flight movements; estimated passenger seat capacity; and estimated cargo capacity is as follows:

Boeing 747

Airbus 330

	1994	1995	1996	1994	1995	1996
Number of Flight Movements	42.7%	42.8%	41.4%	0.01%	3.3%	8.8%
Estimated Passenger Seat Capacity	53.7%	53.3%	51.2%	0.01%	3.8%	10.2%
Estimated Cargo Capacity	84.4%	84.2%	83.1%	0.01%	1.5%	4.0%

City University Law Faculty Staff Reshuffle

17. **MISS EMILY LAU** asked: *Regarding the recent staff reshuffle in the Faculty of Law of the City University of Hong Kong and the public remarks by some staff members of the Faculty about the low academic standard of students in the Faculty, will the Government inform this Council whether it is aware of:*

- (a) *the reasons for the recent staff reshuffle, and the steps taken by the Council of the City University of Hong Kong to address the staff problem in the Faculty of Law; and*
- (b) *the findings of an investigation carried out by a committee of inquiry into allegations that the head of the Department of Law had tried to put pressure on a professor to raise the passing rate of students?*

SECRETARY FOR EDUCATION AND MANPOWER: Mr President, as a statutorily autonomous body, the City University of Hong Kong (CityU) has full discretion to deal with internal staff and academic matters as it deems appropriate. As regards the Honourable Member's questions relating to the Law Faculty of the CityU, the Administration has been advised by the CityU as follows:

- (a) The recent staff reshuffle in the Faculty of Law at the CityU was an attempt to resolve management and personnel problems in the Faculty which, apart from threatening the morale of the staff, was in danger of disrupting the normal functions of the Faculty to the extent that it might adversely affect the education of the Faculty's students. The CityU Council was fully briefed on the situation and

gave its unqualified support to the establishment of a high-level Review Panel to undertake a complete review of the Faculty of Law and make recommendations on how the Faculty can best be organized to fulfil its education mission and to take advantage of the opportunities ahead. The Review Panel will be chaired by Dr the Honourable CHENG Hon-kwan, O.B.E. J.P., former CityU Council Chairman. The Panel members are:

- Professor James WHITE, former Dean of the School of Law at the University of Indiana-Indianapolis in the United States of America and Consultant on Legal Education to the American Bar Association;
- Mr Roderick B WOO, J.P., former President of the Law Society of Hong Kong and member of the CityU Council;
- Professor Enoch YOUNG, Professor of Physics and Vice-President for Institutional Advancement at the CityU; and
- Professor Glenn DROVER, Professor of Applied Social Studies and Associate Vice-President for Graduate Studies and Research at the CityU.

The Review Panel is expected to present its recommendations to the President of the University before the commencement of the next academic session in September this year.

- (b) A complaint was lodged by Professor Derek ROEBUCK, former Professor of Comparative Law of the University, in November 1996 against the conduct of Professor Anton COORAY, the Head of Department of Law, to the effect that the latter had tried by himself and through the Course Leader of the Bachelor of Laws Degree and the Internal Moderator of the Contract Law module to persuade him to change the marks which he gave to students who had taken the Contract Law examination in 1996 in their first year of the Bachelor of Laws Degree Course at the University.

In response to the complaint, a Committee of Inquiry was appointed by the President of the University to look into the matter. The Committee comprised Mr Roderick B WOO, J.P., former President of the Law Society of Hong Kong and member of the CityU Council; Professor Alan JEARY, Professor of Building and Construction and Head of Department of Building and Construction of the CityU; and Dr the Honourable Anthony CHEUNG, Head of Department of Public and Social Administration of the CityU.

The terms of reference of the Committee were:

- (a) To investigate into the allegations made by Professor Derek ROEBUCK.
- (b) To determine whether the facts found by the Committee warrant the institution of disciplinary proceedings against any of the parties concerned.

The Committee met four times and heard oral evidence from Professor Derek ROEBUCK and Professor Anton COORAY, in addition to Mr Philip LAWTON, the Course Leader of the Bachelor of Laws Degree; Dr Dhirendra SKIVASTAVA, the Internal Moderator of the Contract Law module; and Mr Ian DOBINSON, Associate Professor of the Department of Law. The Committee had also received written submissions from the Department of Law.

Having considered all the evidence and having deliberated among themselves, members of the Committee were unanimous in their decision. The Committee found that Professor ROEBUCK had been asked to revise the marks that he had awarded to students taking the Contract Law paper.

The Committee, however, concluded that, on balance, this was not improper or irregular, noting that re-marking for reasons of consistency and uniformity was not unusual. The Committee therefore decided that it would not recommend to the President that any disciplinary proceedings should be instituted. The President accepted, without qualifications, the Committee's recommendation

and conveyed it to all the parties concerned by way of a President's notice to the Faculty of Law of the CityU issued on 30 April 1997.

Safe Performance of Imported Vehicles

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

- (a) *of the vehicle models which experienced performance problems over the past three years, and the number of vehicles involved;*
- (b) *how the authority concerned came to know of the performance problems of such vehicles; and*
- (c) *of the legislation currently in force to regulate the import of cars to ensure their safe performance, and the measures taken to strengthen the control in this regard?*

SECRETARY FOR TRANSPORT (in Chinese): Mr President,

- (a) During the past three years, the following models of vehicles were recalled by the manufacturers as a result of performance defects:

<i>Model</i>	<i>Number</i>
Toyota Dyna	1 400
Toyota Coaster	2 390
Toyota Landcruiser	36
Ford Taurus	70
Mitsubishi Pajero	370

- (b) Transport Department was informed of the defects by the Hong Kong agents of the manufacturers concerned, although there is at

present no legal requirement for the agents to do so.

- (c) The safety performance of vehicles is regulated by the Road Traffic (Construction and Maintenance of Vehicles) Regulations and Road Traffic (Safety Equipment) Regulations (Cap. 374). Before a new vehicle type can be registered and licensed, the importer is required to apply to the Transport Department for type approval. In processing the application, the Transport Department checks the vehicle's specifications and carries out physical inspection of the vehicle type to ensure that the requirements in the relevant regulations are complied with. Performance defects are mostly caused by faults in the production process and affect batches of vehicles produced, rather than the type of vehicles. These defects cannot be detected at the type approval stage. However, once performance defects are known and the importer recalls the vehicles, the Transport Department monitors and provides assistance to the recall exercise by issuing notices to owners.

Since 1 April 1997, Transport Department has introduced a new arrangement whereby agents of vehicle manufacturers are required to provide Transport Department with the registration numbers of vehicles which had responded to recall exercises and had their defects rectified. For vehicles that have not responded within a prescribed period, Transport Department issues vehicle examination orders to call up the vehicles for inspection and rectification.

Transport Department is considering the need for amending our law to require agents/importers/manufacturers to notify the Department of any defects which may lead to vehicles having to be recalled.

Damaged Smoke-lobby Doors in Public Housing Estates

19. **DR YEUNG SUM** asked (in Chinese): *Will the Government inform this Council of:*

- (a) *the current proportion of damaged smoke-lobby doors to the total number of smoke-lobby doors in each of the public housing estates*

in the territory;

- (b) the frequency of inspections carried out on the smoke-lobby doors by the management staff of these estates on average; and*
- (c) the number of public housing estates with smoke-lobby doors fitted with door closers?*

SECRETARY FOR HOUSING (in Chinese): Mr President, in April 1997, a survey was conducted by the Housing Department of the condition of smoke doors in all its public rental housing and subsidized home ownership estates. 19% of the total, or 10 400 smoke doors, were found to have defects. Repair work on about half of these doors has been completed, and repair of the remaining smoke doors is continuing and will be completed in a few weeks' time.

Management staff are required to patrol all public rental housing and subsidized home ownership estates at least once daily. Apart from inspecting common areas, patrol staff are instructed to ensure that all smoke doors are kept closed. In estates where smoke doors are frequently left open by residents or where vandalism is common, two or three patrols a day are made. The Housing Department also reminds residents of the importance of fire safety through pamphlets, posters, newsletters, media advertisements and the Estate Management Advisory Committee system.

All smoke doors in public rental housing and subsidized home ownership estates are fitted with self-closing devices.

GOVERNMENT MOTIONS

PHARMACY AND POISONS ORDINANCE

THE SECRETARY FOR HEALTH AND WELFARE to move the following motion:

"That the Pharmacy and Poisons (Amendment) Regulation 1997, made by the Pharmacy and Poisons Board on 9 April 1997, be approved."

She said: Mr President, I move that the Pharmacy and Poisons (Amendment) Regulation 1997 as set out under my name in the paper circulated to Members be approved.

Fees and charges relating to the registration and examination of pharmacists are prescribed under the Ninth Schedule to the Pharmacy and Poisons Regulations made under the Pharmacy and Poisons Ordinance. These fees were last revised in 1994 based on the movement of the Government Consumption Expenditure Deflator. In keeping with the government policy that fees should in general be set at levels sufficient to recover the full costs of providing the services, we propose to revise these fees based on the costing results for 1995-96.

Under section 9A of the Pharmacy and Poisons Ordinance, the Pharmacy and Poisons Board issues certificates of good standing to registered pharmacists who have never been found guilty by the Board of professional misconduct and against whom no disciplinary proceedings are in process. It is necessary to prescribe a fee for the implementation of this service. Under the cost recovery principle, we propose that the fee should be set based on the estimated costing at 1995-96 prices.

The Pharmacy and Poisons (Amendment) Regulation 1997 now before Members seeks to revise the fees relating to the registration and examination of pharmacists and to prescribe the fee for the issue of a certificate of good standing, payable under the Ninth Schedule to the Pharmacy and Poisons Regulations. These fees represent a very small percentage of the total operating costs in the pharmacists' profession. The impact of these fee proposals on consumers should be negligible.

The Amendment Regulation is proposed by the Pharmacy and Poisons Board, which is the authority for the registration of pharmacists and licensing of pharmaceutical products set up under section 3 of the Pharmacy and Poisons Ordinance and its membership is drawn from the pharmacy, medical and academic professions.

With these remarks, I move the motion.

Question on the motion proposed.

MR MICHAEL HO (in Cantonese): Mr President, the Democratic Party and I are in support of the motion. But before the motion was made, I had had some consultations with organizations and groups of the pharmaceutical sector. In the light of their responses, I would like to make some comments on two issues, which are about charges and consultation.

The first issue is about charges. One of the responding organization tells us that, in their opinion, they should shoulder a lower percentage of the overall cost because there are relatively few practitioners in the trade. A glance at the background of the organization reveals that they neither have any representative on the Pharmacy and Poisons Committee, nor have participated in any discussions about cost sharing. I do appreciate that when it comes to cost sharing, many of these professional committees often consider that they should share less. In this regard, I find it necessary to follow up the issue with the Health and Welfare Branch later. I would also like to tell the Administration here not to get too concerned, because I understand that when different professions have to share an item of expenses, each profession would think that they should pay less. Eventually, they may not be able to reach a consensus. Nevertheless, I also think that it is necessary to provide more information to different sectors.

The second one is about consultation. In the paper issued to us by the Administration, it is stated that the Pharmacy and Poisons Committee has conducted consultations and that the pharmaceutical sector is also represented in the Committee. Some other organizations, however, indicated that they had not heard about the issue when consultations were made with the Pharmacy and Poisons Committee. I share the view that to allocate these seats to the organizations without any restriction will eventually fail to achieve a balanced distribution. Mr President, when the Pharmacy and Poisons Ordinance is amended in the near future, I will suggest that pharmacists be allowed to appoint, through electing among themselves, some representatives to the new Pharmacist Management Committee, so that they can make early consultation with related organizations, hospitals and independent practitioners.

Mr President, in the recently enacted Social Worker Registration Ordinance, there are in fact similar arrangements to allow social workers to elect their own representatives. Such arrangements are also found with the Medical Board. I hope that when the Pharmacy and Poisons Ordinance is reviewed, election elements will be introduced into the arrangement of the Pharmacist

Management Committee.

These are my remarks.

SECRETARY FOR HEALTH AND WELFARE: Mr President, I would like to thank the Honourable Michael HO for his suggestions. As I mentioned earlier, the Amendment Regulation is proposed by the Pharmacy and Poisons Board which is the authority for the registration of pharmacists. In this connection, the Board has already consulted the major pharmacist association on this fee revision and has received no objection. As far as I understand, the majority of the members of the different groups of pharmacists mentioned by the Honourable Michael HO are members of the major pharmacist association consulted by the Board. However, I have fully noted the Honourable Michael HO's concerns about representation on the Board and would refer his suggestion to the Pharmacy and Poisons Board for consideration.

Question on the motion put and agreed to.

GOVERNMENT BILLS

Second Reading of Bills

Resumption of Second Reading Debate on Bill

PLACES OF PUBLIC ENTERTAINMENT (AMENDMENT) BILL 1997

Resumption of debate on Second Reading which was moved on 5 March 1997

MRS SELINA CHOW (in Cantonese): Mr President, this Bill seeks to empower the two municipal councils to ban and close any illegal public entertainment places. This is not to be disputed in principle. But if something goes wrong with the department responsible for enforcing the law when it exercises its power, departing completely from reality and commercial considerations during administration, I suspect that it would be open to question or even improper to give such power to the department concerned.

First of all, I would like to tell you some absurd yet authentic incidents. During a licence application by a cinema, officials from the Fire Department made a number of visits. It was noted each time that the exit door did not meet the requirement. When the cinema operator brought in the contractor to examine the door, it was confirmed that the door had met all the requirements for approved installations. So the cinema operator asked the Fire Department again, which replied that the four words written on the door "Press down to open" were inconsistent with those specified by the law and that they should be replaced with "Lift bolt to open". It was an irony as all cinemas in Hong Kong had basically replaced their old bolts with new ones which met the required specifications. To open the new bolt, one has to push it instead of lifting it in the old cumbersome way. In the event of a fire, if people followed the instruction exactly and tried to "lift bolt to open", I am afraid they would be unable to open the door. Officials who go by the book without considering the actual situation are bureaucratic.

The second case is about new cinemas, which always submit their decoration plans in the first instance to the government departments concerned, such as the Urban Services Department. However, the licencing section rarely gives the plan to other relevant departments immediately. Instead, it waits until it has made an inspection when the decoration is nearly complete, before deciding to give the plan to the Fire Services Department and other departments such as the Health Department to study. A well-worded explanation is that this would ensure materialization of the decoration plan. But actually it would delay the whole inspection process for several months.

There is another fact. Out of the six cinemas which have not been licensed yet, only one has a relatively bigger problem. The Fire Department confirmed long ago its compliance with fire prevention regulations. Only the Works Branch found that the cinema operator had illegally built a mezzanine to support an air-conditioner. This resulted in a penalty of \$30,000. Since February 1995 the cinema has been charged 12 times with operation without a licence. Penalties now total \$120,000 with two court appearances pending. I wonder if a licensing body should really adopt such an attitude.

Should this Bill be passed, everyone would consider it unreasonable and potentially hazardous to consumers to allow a public entertainment place to operate without meeting the necessary requirements. Such a view has my full

support. But the question is that the Government does not review what it is doing when public entertainment places fail to obtain a licence. Instead it is shirking its responsibility and blaming operators for the consequences of administrative bureaucracy, incoordinated operation and low efficiency. Is this fair?

Representatives of the Hong Kong Theatres Association, with a membership of 96 cinemas, including the six unlicensed ones, should shoulder part of the responsibility. They did not bring the issues to the attention of Members until it was too late. It was only two days ago that they contacted the Honourable MOK Ying-fan and me, explaining their concerns to us sincerely and earnestly. Since they did not make any request in the past, this Council did not set up a bills committee to look at the different questions raised by them.

I would like to apologize to my colleagues in this Council first because we did not realize that the issue was actually more complicated than we had thought until this late stage of the resumption of the Second Reading debate. So I wish to move that the debate on the Bill stand adjourned so that this Council may have the opportunity and time to consider clearly where the problems lie before deciding whether we should support or oppose the Bill.

Thank you, Mr President.

PRESIDENT (in Cantonese): The Honourable Mrs Selina CHOW has just moved without notice that a debate should now stand adjourned according to Standing Order 30(1).

I propose this question to you: The Second Reading debate on the Public Entertainment Places (Amendment) Bill 1997 should now stand adjourned. You may speak on the new question.

Question on the adjournment of the Second Reading debate proposed.

MR ANDREW CHENG (in Cantonese): Mr President, I have just learned of the Honourable Mrs Selina CHOW's motion. In principle, the Democratic Party shares the concerns raised by Mrs Selina CHOW just now. However, it is very unfortunate that cinema operators did not inform this Council and its Members until so late. Should a similar situation happen again, I think it would certainly

affect the future operation of the Council.

If my memory has not betrayed me, this Bill was discussed by the Panel on Recreation. The views of the elected Urban Council and Regional Council were also sought. We already expressed our views on this Government Bill when the Panel met. Cinema operators never said anything then. At the House Committee meeting the legal advisor of this Council did not find any problem with the drafting of the Bill, either.

Nevertheless, 90-odd cinemas should have considerable influence in Hong Kong. Since the passage of this Bill would greatly affect their operation and structure, the Democratic Party supports Mrs Selina CHOW's motion. However, we would like it to be put on record that we feel great regret at what this has brought us this time.

Thank you, Mr President.

MR MOK YING-FAN (in Cantonese): Mr President, being the representative of the Urban Council, I cannot support the Honourable Mrs Selina CHOW's motion today that the debate should stand adjourned.

The amendment to the law was proposed because we found last year that many cinemas had been unable to obtain a licence after one year of decoration. This is the basis of the amendment proposed by the two municipal councils. The amendment serves to technically enable the licensing authority to strike a balance between public interests and safety and the interests of cinema operators. The amendment will enable the licensing authority to exercise the proposed power only if a cinema still fails to meet licensing requirements one year after the submission of its licence application. The licensing authority may, but not must, exercise the power to close the cinema in question.

Cinema operators did not express their concerns to this Council until very late, as was noted by the Honourable Mrs Selina CHOW earlier on. Actually it was only yesterday afternoon that they raised them to us. However, they were present and voiced their opinions at the meeting of the Panel on Recreation. Yet they only talked about issues concerning implementation. For example, they expressed queries and misgivings about implementation by the Fire Services

Department and the Works Branch. Our final conclusion at the meeting was that these procedural questions could be resolved through co-ordination among different departments. So we proposed at the House Committee meeting last Friday that it would be unnecessary to set up a bills committee. The proposal was unanimously adopted at the meeting. So I think it would contravene the procedure of this Council if we were to adjourn the debate today and set up a bills committee.

Secondly, I would like to inform you of a new development. A member of the Urban Council will propose at the monthly meeting next Tuesday that a cinema applying for a licence should be issued a provisional licence during the decoration period so that no cinema would operate without a license. Of course, we do not know if the motion will be carried or not. But the Honourable Andrew CHENG has just said that the Democratic Party will basically support it. I believe my colleagues at the Urban Council will make reference to the issue of provisional licences to restaurants. I believe it is very likely that the motion will be carried.

In view of the foregoing, I hope that Mrs Selina CHOW will look at the fact that the two municipal councils are also elected bodies. Moreover, the proposed amendment is only a technical one. I hope that everyone will support the Bill.

Thank you, Mr President.

MR NGAN KAM-CHUEN (in Cantonese): Mr President, I have reservations about the Honourable Mrs Selina CHOW's motion that the debate should stand adjourned.

As a Member of the Regional Council, I am in favour of passing the Public Entertainment Places (Amendment) Bill 1997. The Regional Council is responsible for licensing all public entertainment places in the New Territories. As the Honourable Mr MOK Ying-fan has mentioned just now, the amendment in question serves as a deterrent. It would give the licensing authority a killing last resort in enforcing the law if these public entertainment places should commit repeated offences.

What Mrs Selina CHOW mentioned earlier on were procedural issues, which could be resolved in an administrative manner. I recall reference to the issue of provisional licences during discussion at the Panel on Recreation. The

issue of provisional restaurant licences has set a precedent. The two municipal councils have already got the message. Departmental staff will consider how to improve the procedure in this aspect.

This Bill had the support of Regional Council Members when they were consulted. Under such circumstances, we will not support the motion that the debate should stand adjourned.

Thank you, Mr President.

PRESIDENT (in Cantonese): The question now is that the Second Reading debate should now stand adjourned. The Honourable Mrs Selina CHOW, do you intend to speak in response?

MRS SELINA CHOW (in Cantonese): Mr President, first of all, I must apologize to the Honourable MOK Ying-fan and the Honourable NGAN Kam-chuen, and make an explanation. The motion that the debate should stand adjourned was actually the result of my discussion with my colleagues just now. That is why I did not have the opportunity to explain to Mr MOK and Mr NGAN. It was so sudden that they might have been caught unprepared.

However, I wish to make an explanation. Both of them have just said that the issues involved are only technical ones which could be rectified soon. But according to information provided by the Hong Kong Theatres Association and collected during a survey last year, none of the cinemas completed in the last five years was able to obtain its licence within nine months. So we can imagine how anxious they are because of the provision in the Bill, which stipulates that a public entertainment place may be closed if it cannot obtain a licence after one year. In fact, no cinema can obtain a licence within nine months. It takes some of them over a year or two years to get licensed. Surely they are worried. Some of these cinemas are big ones. So it cannot be denied that there are problems. Should we still pass the Bill when we know that there are problems?

The Honourable MOK Ying-fan has just mentioned provisional licences. I support the issue of provisional licences. This, after all, is one way to solve the problem. But the Urban Council has not adopted it yet. Nor do we know whether such a policy will be implemented. There would still be fears if we

were to pass the Bill today.

It is not really fair to say that the cinema operators did not raise their questions earlier. They did raise them. But perhaps they could not find the proper channels. They went to the Complaints Division of this Council to express their opinions. They also submitted their views to one of our panels. But they did not know that they could ask us to set up a bills committee to study their questions in depth.

I think we can spend some time on the issue and need not be obliged to pass the Bill today. It does not mean that we are bound to oppose the Bill. We may eventually accept the Bill within a very short time after scrutinizing it, although we are not sure of the outcome of it. Maybe we fully accept the Bill without any objection.

But it is undeniable that the mechanism of implementation needs improvement. I believe everyone will agree that it is wrong to deny a licence to a \$10 million cinema after nine months and to impose repeated penalties. So I hope you will agree to my request that the Second Reading debate should stand adjourned so that we may resolve the issue within a very short time.

Thank you, Mr President.

Question on the adjournment of the Second Reading debate put and agreed to.

BUILDINGS (AMENDMENT) BILL 1997

Resumption of debate on Second Reading which was moved on 23 April 1997

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

Bill read the Second time.

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

NOISE CONTROL (AMENDMENT) BILL 1997

Resumption of debate on Second Reading which was moved on 9 April 1997

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

Bill read the Second time.

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

MERCHANT SHIPPING (COLLISION DAMAGE LIABILITY AND SALVAGE) BILL**Resumption of debate on Second Reading which was moved on 9 April 1997**

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

Bill read the Second time.

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

Committee Stage of Bills

Council went into Committee.

BUILDINGS (AMENDMENT) BILL 1997

Clauses 1 to 5 were agreed to.

NOISE CONTROL (AMENDMENT) BILL 1997

Clauses 1, 2, and 3 were agreed to.

MERCHANT SHIPPING (COLLISION DAMAGE LIABILITY AND SALVAGE) BILL

Clauses 1 to 11 were agreed to.

Schedules 1 and 2 were agreed to.

Council then resumed.

Third Reading of Bills

THE SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS reported that the

BUILDINGS (AMENDMENT) BILL 1997 and

NOISE CONTROL (AMENDMENT) BILL 1997

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

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

Bills read the Third time and passed.

THE SECRETARY FOR ECONOMIC SERVICES reported that the

MERCHANT SHIPPING (COLLISION DAMAGE LIABILITY AND SALVAGE) BILL

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

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

Bill read the Third time and passed.

MEMBERS' MOTIONS

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

MR RONALD ARCULLI *to move the following motion:*

"That in relation to the Air Pollution Control (Construction Dust) Regulation, published as Legal Notice No. 127 of 1997 and laid on the table of the Legislative Council on 9 April 1997, the period referred to in section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) for amending subsidiary legislation be extended under section 34(4) of that Ordinance to the sitting of 14 May 1997."

MR RONALD ARCULLI: Mr President, I move the motion standing in my name on the Order Paper. The Regulation aims to control dust emissions from construction work that has dust emission potential. At the House Committee meeting held on 25 April 1997, Members agreed to form a Subcommittee to study the subsidiary legislation.

To allow the Subcommittee time to study the Regulation, Members agreed at the same meeting that the expiry date for making amendments to the Regulation be extended to 14 May. Although the Subcommittee has concluded its work prior to today, we were not able to put forward amendments agreed between the Administration and the Subcommittee due to the lack of time. The extension sought in the motion standing in my name will allow the Subcommittee to do so.

Mr President, I beg to move.

Question on the motion proposed, put and agreed to.

PRESIDENT (in Cantonese): Two motions with no legal effect. I have

accepted the recommendations of the House Committee as to the time limits on speeches for the motion debates and Members were informed by circular on 5 May. The movers of the motions will each have 15 minutes for their speeches including their replies, and another five minutes to speak on the proposed amendments. Other Members, including the movers of the amendments, will each have seven minutes for their speeches. Under Standing Order 27A, I am obliged to direct any Member speaking in excess of the specified time to discontinue his speech.

WELFARE FOR THE ELDERLY

MR CHAN WING-CHAN to move the following motion:

"That, as the problem associated with the ageing population in Hong Kong is becoming more serious and as the problem of poverty among the elderly has aroused grave concern in the community, this Council urges the Government to immediately increase the Comprehensive Social Security Assistance payment to the elderly, expeditiously formulate a comprehensive policy for the elderly and increase the allocation of resources, in order to meet their needs in areas such as finance, housing, medical care, residential care services, community support and settlement in the Mainland etc., so as to enable them to enjoy life in their old age."

MR CHAN WING-CHAN (in Cantonese): Mr President, I move the motion as set out under my name in the Order Paper.

"Welfare for the elderly" is not a new topic. However, this old topic has been brought up again because the spirit of taking care of the elderly and loving them as advocated by "taking care of one's own aged parents first and then extending the same care to the aged people in general" is always refreshed despite the passage of time. Notwithstanding repeated debates on "welfare for the elderly", repeated requests by Members and repeated undertakings by the Government, the elderly have not been provided with proper welfare yet. So I must reiterate my appeal to the Government to expeditiously formulate a comprehensive policy for the elderly. I am going to speak on the overall welfare for the elderly. The Honourable Miss CHAN Yuen-han and the

Honourable CHENG Yiu-tong will speak respectively on retirement protection, community support and suicide committed by the elderly. The Honourable NGAN Kam-chuen will speak on settlement in the Mainland by the elderly and the Elderly Living Standard Fund.

Mr President, there are many problems in the Government's present policy for the elderly. There are no overall and forward looking considerations. Nor can it provide immediate assistance to elderly people in urgent needs.

There are at present about 630 000 elderly people aged over 65 in Hong Kong. They represent 10.1% of the population. This number is expected to exceed 700 000 in the next five years. If we lower the benchmark for old age to 60, we will have an elderly population of 890 000. The Government should find a proper solution to this growing problem associated with the ageing population. Moreover, poverty among the elderly has aroused grave concern in Hong Kong. This is also the crux of the problem associated with the elderly. For example, several elderly people living alone died in cold weather early last year. The number of elderly people committing suicide is also growing every year. This truly reflects the need to improve hostel services for the elderly

PRESIDENT (in Cantonese): Please hold on, Mr CHAN Wing-chan. Mr Bruce LIU, is it a point of order?

MR BRUCE LIU (in Cantonese): Mr President, should a Government official be present to listen to what Members say during a debate in the Council?

PRESIDENT (in Cantonese): There is no such requirement. Mr CHAN Wing-chan, please continue.

MR CHAN WING-CHAN (in Cantonese): especially the elderly who live alone and who are physically weak, thus requiring long-term care. With their limited savings, they have to cut down on clothing and food. Lacking balanced nutrition, they are prone to illnesses. I think the Government should immediately increase the Comprehensive Social Security Assistance (CSSA)

payment for the elderly by \$300 to \$500 to improve the quality of life for elderly CSSA recipients. Many senior citizens are physically weak and they fall ill easily. Most of them have chronic illnesses such as heart disease, skin disease, bronchitis, lung disease and, the most unfortunate of all, kidney disease. There is thus a need for the Government to conduct a comprehensive review on its current policies to relieve the elderly of their financial burden.

Should the Government fail to implement a retirement protection scheme for everyone, how can elderly people in the lower strata have adequate savings to enjoy life in their twilight years? To enable the elderly to live in dignity, the CSSA standard rate should be increased to one-third of the median personal income and this is indeed not an excessive demand. At the same time, I support raising the old age allowance to \$800 and removing the absence rule. Of course, it would be ideal in the long run to establish a pension system in the form of, say, an "old age pension" plus a mandatory provident fund, so as to safeguard the living of the elderly in their twilight years.

Over 60% of the elderly singletons, numbering over 100 000, live in terrible environment in bedspaces, rooms partitioned by boards and cage structures in private buildings, on roof tops and at back lanes. There are over 20 000 applicants for "elderly units" provided by the Government. They have to wait for two to three years on average. Each unit is usually shared by two to three people, which often results in conflicts caused by "difficulty in getting along with one another". Quarrels among elderly people sometimes lead to tragedies. If they apply for "separate units" or units in the urban area, they have to wait even longer. This calls for a review of the allocation policy for "elderly units" with a view to solving the problem of inadequate allocation and lengthy waiting time.

There is no central health care system for the elderly in Hong Kong. There are very limited, if any, specialist medical services for them. Elderly people who have fallen ill have to wait, on average, three to four hours for an appointment at out-patient clinics. Such a long waiting time may make them feel even worse. A minor illness can become a severe one. As the saying goes, "prevention is better than cure", the Government should enhance health care services for the elderly by providing regular body checks and basic health education for them. There should be at least one health care centre for the elderly in each district. There should also be outreaching medical services and escort services. Those who consult private practitioners and practitioners of traditional Chinese medicine should be given a medical grant. Besides, the

Government should also strengthen specialist out-patient services for the elderly and review the need for nursing beds for the elderly.

Moreover, the actual demand of homes for the aged is always larger than supply. Because of the inadequate supply, the average waiting time for admission to government or subvented homes for the aged is 16 months. The waiting time for admission to subvented care and attention homes is even as long as 32 months. They are old and ailing like a candle flickering in the wind. How many three-year sessions can they wait? It is clear that the Government's policy for the elderly can never provide immediate assistance for those in urgent need. I suggest that in addition to speeding up the construction of more homes for the aged, the Government should buy extra places to shorten the waiting time.

The Government has always considered that people should be responsible for looking after their elderly parents. It does not find it a right thing to take over this responsibility of the family out of the public coffer. It claims that there will be community care when people help each other in their neighbourhood. This is rather high-sounding, but there is no actual assistance or co-ordination from the Government. We are only told that there is enough protection for the elderly. Though problems associated with the elderly have always aroused public concern and criticism, the Government never tries to find out, in a serious and thorough manner, where the problem lies and what the elderly need.

Because of physiological factors, elderly people's mental ability degenerates and their perceptive ability also declines. Probably because of their intense pride and stubbornness, few elderly people know how to seek help by themselves. I have contacted many elderly people who need help but who simply do not know how to apply for the CSSA. So I think our policy for the elderly should not continue to rely only on a centre-based or referral system. Positive efforts should be made to reach the elderly who live alone, who are physically weak, who have difficulty in moving around, who know little about social services or who are passive. In this respect, the outreach teams for the elderly really deserve our praise, but it is a shame that there are only two subvented outreaching teams for the elderly. The Government does not get the effectiveness of the service into perspective. Under the pretext of implementing a social networking scheme for the elderly, it has refused to include outreaching service for the elderly in the comprehensive expansion programme. In fact, volunteers of the scheme cannot take over the role of outreach social workers.

The Government should strengthen outreaching service for the elderly, install a free emergency alarm for elderly singletons and provide comprehensive social support services for the elderly.

I have recently proposed a motion about helping elderly people settle in the Mainland and introducing a medical grant. I do not want to repeat what I have said. However, I wish to point out that three Members from the Federation of Trade Unions have recently met with the Financial Secretary. During that meeting I made two proposals in person to the Honourable Ronald TSANG. Firstly, improvement should be made to the present arrangements for the elderly seeking medical service. Secondly, resources should be appropriated in the 1998-99 Budget for the explicit purpose of giving a medical grant to elderly CSSA clients who have settled in their native place, so that the plan may be carried out effectively to help those in need.

To sum up, the Government should formulate a comprehensive policy for the elderly and immediately set up an implementing mechanism. An independent central policy co-ordination committee for the elderly should be established for interdepartmental and overall planning, formulation, organization and monitoring of the work carried out by government departments and district bodies concerned, so as to avoid duplication of services and wasting resources.

In fact, the comprehensive policy for the elderly should go further than meeting their needs in finance, housing, medical care, residential care services, community support and settlement in the Mainland. It should also satisfy their psychological needs. On this, I recall a theme song of a television series in the past. Perhaps I will now read out a few lines of the lyrics. I will not sing them out because I have not had the President's approval. (*Laughter*) "You can always own the clouds and the refreshing wind. You cannot force your demand for concern and mutual love. Do not force it. Wait forever. Should pain be inevitable, I would bear it still heading forward, from young days to old age, from young days to old age." Mr President, these few lines of the lyrics truly reflect what elderly people in Hong Kong think. They are old now. What they expect is concern and love. I wish to appeal to the Government not to make unrealistic remarks or even lie in the face of facts to fool the elderly again.

Mr President, with these remarks, I move the motion. Thank you, Mr President.

Question on the motion proposed.

PRESIDENT (in Cantonese): The Honourable Frederick FUNG has given notice to move an amendment to the motion as set out in the Order Paper circularized to Members. I propose a joint debate on the original motion and the amendment.

Council will now proceed to a joint debate on the original motion and the amendment. I propose to call on Mr Frederick FUNG to speak and move his amendment now. When I propose the question on the amendment, Members may speak on the original motion and the amendment.

MR FREDERICK FUNG's amendment to MR CHAN WING-CHAN's motion:

"To delete "immediately increase the Comprehensive Social Security Assistance payment to the elderly,"; to delete "," after "residential care services", and substitute with "and"; to delete "and settlement in the Mainland"; and to add "; and also urges the Government to introduce the following measures to improve the welfare for the elderly by: (1) increasing the Comprehensive Social Security Assistance (CSSA) payment to one-third of the median personal income, which is approximately \$2,900; (2) raising the asset limit of CSSA applicants to \$100,000; (3) allowing elderly CSSA recipients, who have settled in places outside Guangdong province in the Mainland, to continue to receive standard CSSA payment; and (4) providing elderly CSSA recipients, who have settled in the Mainland, with the same free medical services which they used to enjoy in Hong Kong" after "to enjoy life in their old age".

MR FREDERICK FUNG (in Cantonese): Mr President, I move that the Honourable CHAN Wing-chan's motion be amended as set out in the Order Paper.

Mr President, may I ask my fellow Members whether they have ever imaged what their life will be like when they are 65? Will they be drinking red wine and playing golf at leisure? Most members of the public, however, can only hope that after retirement they will still have three meals to enjoy each day and join some recreational activities at leisure. They will find their wish realized if they can, for example, have tea with a few of their buddies in a

restaurant, play chess in the park or more luxuriously, afford a trip abroad.

However, there are now 100 000 elderly people in Hong Kong who are Comprehensive Social Security Assistance (CSSA) recipients. They receive only \$2,000 each month, which is not even enough to cover their basic living expenses, let alone going to the restaurant every day. These elderly people, like others, worked hard for Hong Kong's economic prosperity when they were young, but end up in poverty in their old age.

As a matter of fact, in 1994 the Legislative Council requested Prof MacPHERSON of the City University of Hong Kong to conduct a survey on the adequacy of public assistance rates. According to the report, adequate CSSA payment should be an amount enough to maintain the minimum acceptable living standard in line with the general lifestyle in Hong Kong. The basic rate then proposed for an elderly singleton was \$2,300. Please note, fellow Members, that the rate was proposed in 1994. That level was even higher than the rate of about \$2,000 in the 1997 Budget! We can see that elderly CSSA recipients still have to face figures in red in 1997. It is very obvious that elderly people are having a hard time and they need to reduce their expenses by cutting down on clothing and food.

Regarding the debate in this Council today, the Hong Kong Association for Democracy and People's Livelihood (ADPL) and I do favour and support Mr CHAN Wing-chan's original motion. Why do I propose an amendment then? The reason is that I find the original motion focusing too much on principles. Very often we see government officials responding to similar motions by reading out a long list of figures. It seems they want to convince us Members that the Government has fulfilled our requests or has even done more than what we want. So we feel the need to include some practical proposals which are in full conformity with the principle of the original motion and which will gain the support of most Members. This will enable us to make more specific demands so that the Government cannot shirk these responsibilities at will. I have added four specific demands to the original motion. I hope that the Government will give serious attention to the issue of welfare for the elderly and listen to public opinions. Instead of being evasive, the Government should effect specific improvements. Actually these four demands have been discussed for a long time at the Panel on Welfare Services and have gained the approval of many of the panel members.

The ADPL has made four demands regarding welfare for the elderly. First, the CSSA standard rate for the elderly should be increased to one-third of the median personal income, which is \$2,900 this year. Second, the asset limit of CSSA applicants should be raised to \$100,000. Third, elderly CSSA recipients who have settled in places outside Guangdong Province in Mainland China should continue to receive the CSSA payment. Why should places outside Guangdong Province be specified? Elderly people who have settled in Guangdong Province can now continue to receive the CSSA payment, so I do not have to include Guangdong in my amendment. Fourth, elderly CSSA recipients who have settled in the Mainland should be provided with the same free medical services as they used to enjoy in Hong Kong. Mr MOK Ying-fan, another member of the ADPL, will elaborate on these four demands in detail.

I believe most people know that sufficient nutrition is very important to the human body. People, the elderly in particular, should care for the nutrition value of their diet to keep themselves in good health. Given the living standard in Hong Kong, the current standard CSSA payment of \$2,000 is insufficient to cover even minimum expenses, let alone nutritious food. According to a survey conducted by the Kei Oi Centre last year, 70% of elderly CSSA recipients living alone got less than 852 calories from their food. It is generally known that elderly people need at least 1 200 calories every day in average. Moreover, it was also found that over 80% of the elderly ate less fruit and vegetables than they should. It is clear that the standard CSSA payment is so low that the elderly recipients are forced to cut down on clothing and food, and thus suffer from malnutrition.

In view of the social development and a general rise in the living standard in Hong Kong, the ADPL demands that the asset limit of CSSA applicants be raised from \$35,000 to \$100,000. In fact, CSSA applicants should be allowed to keep some assets for real contingencies. Judging by the present standard in Hong Kong, the current limit of \$35,000 is very inadequate. That is why I have made this proposal.

Mr President, I so submit.

Question on the amendment proposed.

MR LO SUK-CHING (in Cantonese): Mr President, the Hong Kong

Government has never adopted a policy in support of the poor, and therefore poverty in the lower social strata is aggravating. Poverty among the elderly is especially worrying and has aroused our sympathy. Fortunately, with the resumption of sovereignty over Hong Kong by China, members of the team designate of the Special Administrative Region (SAR) Government have started to study improvements to the policy for the elderly. Of the views expressed by the public, I think some are constructive and worth our careful consideration. These views include setting up an elderly services fund, giving preferential treatment to people who live with their parents, reviewing the mandatory provident fund scheme and making use of resources in the Mainland to look after the elderly.

To help improve the living standard of the elderly, the Government has readily accepted good advice. Measures to help elderly people settle in the Mainland came into effect on 1 April this year. This is a welcomed move. Nevertheless, the Hong Kong Government and its counterpart in the Mainland must hold negotiations on some of the specific arrangements to solve existing problems. With the back-up of Mainland China, if Hong Kong makes good use of the resources in this hinterland, where rents and other living costs are lower, elderly people can lead a better-off life in China than in Hong Kong with their limited Comprehensive Social Security Assistance (CSSA) payment. However, since the implementation of the new measures, only 41 elderly CSSA recipients have shown willingness to settle in the Mainland. Hence these measures must have some inadequacies which prevent elderly people from making the move. Medical services are of the greatest concern. With their body functions gradually degenerating, trips to and from hospitals and clinics appear to be an inseparable part of their life. Some of them even need long-term treatment or medication. Consultation in a general outpatient clinic in Hong Kong only costs some \$30 a day while hospitalization costs \$60. Medical charges in the Mainland, however, range from less than a hundred dollars to several hundred dollars. This is too expensive for them. Some elderly people, therefore, worry that they cannot afford the charges if they are hospitalized after their settlement in their native place. That is why they dare not return to their native place hastily to get settled.

To solve this problem effectively, the authorities concerned should take out medical insurance that cover the treatment of these elderly people in Mainland China. I suggest that the Government should discuss with insurance companies about the mechanism of issuing medical cards and take out insurance

on the elderly people who are eligible for CSSA and who are settling in the Mainland. Would this be considered as giving out free lunch? Would this increase government expenditure? I do not think so. As these people would no longer depend on medical services in Hong Kong, it would mean savings in government resources, though implicitly. Besides, medical costs in the Mainland are lower than those in Hong Kong. As a responsible government, the Administration should continue to help those Hong Kong people who are leading a difficult life.

Moreover, I suggest that the Government should seriously consider discussing with the authorities concerned in the Mainland the building of care and attention homes and nursing homes in areas adjacent to Hong Kong such as Shenzhen and the Zhujiang delta. It should also encourage private or voluntary agencies to carry out these projects and finance them. This will provide better medical services for the elderly people settling in the Mainland. This will not only ease the pressure caused by the demand for housing and medical services in Hong Kong, but also bring the limited resources into greater play. This will soon allow elderly people who have been waiting for years to have homes where they can live in peace and contentment.

The Honourable TAM Yiu-chung, a member of the Executive Council of the SAR Government, has recently mentioned his discussion with local governments in the Mainland about building care and attention homes specially for elderly people from Hong Kong who have settled in the Mainland. This would make good use of resources in the Mainland and provide more necessary facilities to encourage elderly people to settle in the Mainland. Moreover, since many elderly people have got used to the life in Hong Kong, I suggest that the Government should encourage local voluntary bodies to provide them with social workers and counselling so as to help them solve problems at the early stage of their settlement in the Mainland.

With longer life span of the people, the problem associated with the ageing population will become more serious. In the long run, it will exert greater pressure on medical and welfare services. If the problem were not dealt with properly, it would affect Hong Kong's ability to provide these services. A positive solution would be a good retirement protection system, which Hong Kong has been lacking. The setting up of the mandatory provident fund, being brewed for quite some time, has given rise to much controversy. I hope the SAR Government will improve the scheme as soon as possible.

Finally, I wish to stress another point, namely, the traditional family ethic. Modernization in Hong Kong has resulted in traditional Chinese families being gradually replaced by small nuclear families. To respect and take care of the elderly has become a practice of the past. The responsibility of taking care of these elderly people, who have sweated and toiled for Hong Kong's economic prosperity and social advancement, should be shouldered not only by the Government and the community but preferably also by their children and grandchildren or relatives and friends, so that they may live with dignity in their twilight years.

Mr President, I so submit.

MR LEE KAI-MING (in Cantonese): Mr President, I welcome the debate on the Honourable CHAN Wing-chan's motion on welfare for the elderly. As regards the Honourable Frederick FUNG's amendment, he has given more specific details to the demand for more welfare for the elderly without running counter to the spirit of Mr CHAN's motion. I also support Mr FUNG's amendment.

Everyone knows that there is no retirement protection system in Hong Kong. Workers who have contributed to the prosperity of the community find nothing in their possession in their old age. It is natural that there is grave public concern for the poverty of the elderly.

Though the Government has allocated more resources to social welfare in recent years, the increase has still fallen far behind the economic achievements of Hong Kong. The Financial Secretary is proud of our gross domestic product per capita of US\$24,500 and the surplus of some \$150 billion. That Hong Kong has remarkable wealth and achievements is indeed joyful news, and the Government should adopt the financial principle of spending what is collected from the people on the people. But it is a shame that the Government is extremely stingy as far as resources for the poor and the elderly are concerned.

According to international standards, public assistance level should not be lower than one-third of the median wage. According to a Census and Statistics Department report, the median wage in the third quarter of 1996 was \$9,350. That means the Comprehensive Social Security Assistance (CSSA) payment

should not be less than \$3,116, one-third of the median wage. It is a shame that the standard CSSA payment of \$2,060, which has been adjusted recently according to inflation, is far below the international standard.

Hong Kong can boast of its economic achievements in the world, but its social welfare is below the minimum international standard. While we have massive wealth, we are mean to the elderly. This situation is a shame to a civilized community, and it is against international justice, too.

During the Budget debate, Members of the Council unanimously demanded an increase in the CSSA standard rate. Organizations outside the Council also unanimously demanded better social welfare. Has the Government turned a deaf ear to us? If not, why is there no action?

The Secretary for Health and Welfare and the Financial Secretary should wake up and listen to the public opinion after today's debate. Repent and be saved. May Buddha preserve us.

Mr President, with these remarks, I support the original motion and the amendment.

MR LEUNG YIU-CHUNG (in Cantonese): Mr President, as the Honourable CHAN Wing-chan has said, the subject of today's debate is indeed an old one. Though it is an old subject, Members have brought it up again today. This reflects that the Government has all along turned a deaf ear to the issue. It has never dealt with the problem seriously. It also reflects that despite a lack of attention by the Government, there are still people who have set their minds on the issue and who have continued to fight for better welfare for the elderly. They have continued to exert pressure on the Government. I wish to tell the Government that if the issue were not resolved, there would still be people exerting pressure on it, before and after the transfer of sovereignty. I hope that the Government can face up to reality and consider how to improve the welfare for the elderly.

However, it is a pity that the issue raised in Mr CHAN Wing-chan's motion today is too vague. Many of his views have been discussed. Moreover, it is regrettable that he has given us the impression of staying put, without going further with specific progress. So I hope the mover of the original motion will

make more specific proposals for our reference. One of our friends among Mr CHAN's colleagues is formulating a policy on welfare for the elderly for the Special Administrative Region (SAR) Government. I hope that he will make public as soon as possible the information he has collected and the suggestions he has made, so that we may discuss them. I think it would be meaningless if he only put forward suggestions to the SAR Government after consultation. If he is indeed doing it for the sake of the elderly, I hope that he will make public new suggestions for our reference. If he really does it, I think it will be a big step forward in the area of welfare for the elderly.

Mr President, the issue of welfare for the elderly has been discussed many times. So I do not want to repeat what I have said. Nor do I want to repeat in detail the questions some Members have just raised. Today I wish to focus on the problem associated with elderly women. The great majority of women over 65 are illiterate or semi-illiterate. They have always been family-centred, so they lack social experience. Even if they have worked before, it was mainly factory work or work they took home to do. Such work has faded out in Hong Kong. Thus, even if they still have working ability, they cannot work again. They, therefore, are faced with great difficulties.

Moreover, in the light of social changes, there are many differences between elderly women and elderly men. The former are in a worse situation. So I hope the Government will give them special attention.

First, elderly women have devoted all their energy to their children. When their children grow up and leave home, the women find their life becoming meaningless and spiritually empty.

Second, traditionally the woman is not the main source of family income. Her husband is responsible for all the expenses of the family. If the husband does not have any savings, the woman will find herself in financial difficulty. She would be completely helpless in case of emergency.

Third, elderly women have a low self-image because they think that they are uneducated and are useless in their old age. They would rather die than live. So they give themselves up, paying no attention to their physical and mental health. They do not fight for their rights and interests. Even though they find the Comprehensive Social Security Assistance (CSSA) payment inadequate, they just eat less or eat something cheap, paying no attention to nutrition. As a result, they are physically weak and fall ill easily. It is even likely that they develop

suicidal tendencies easily.

Fourth, we often hear news that scoundrels specifically prey on elderly women and cheat them of all their savings or CSSA payment. These scoundrels find elderly women an easy target because they probably know that elderly women can be cheated easily for lack of social experience.

Of course, elderly men can also find themselves in such situations. But elderly women are more likely to face those situations. So I hope the Government will face up to the issue and, if possible, conduct a survey specifically on elderly women to find out if what I have said is true. If it is true, the Government should do more for them. For example, as I have just noted, elder women may be in greater financial difficulty than elderly men. The Government should look for ways to help them. The Government may, for example, help them apply for the CSSA and study the possibility of strengthening the community supporting network to involve elderly women more in the community. This may broaden their scope of awareness and, in particular, vigilance against unlawful elements. If their spouses pass away, help can be given to them to tide over their difficulty, so that they may have a higher self-esteem and live a healthy life with dignity in their old age.

Mr President, most of our older generation have a hard time. Enjoying prosperity and advancement here in Hong Kong today, we have \$300 billion reserves. We all hope that the elderly will live a life of sufficiency in their remaining years. I do hope the Government can truly put elderly people's livelihood in perspective. We know that if we really deploy more resources to let the elderly enjoy their remaining years, substantial Government expenditure will incur. But I believe Members here will not oppose greater expenditure for them when we have such huge reserves. I hope the Government will give more attention to this issue.

Mr President, I so submit.

MR LAW CHI-KWONG (in Cantonese): Mr President, the Democratic Party is fully supportive of the motion proposed by the Honourable CHAN Wing-chan today, in particular his appeal to the Government to immediately increase the Comprehensive Social Security Assistance (CSSA) payment to the elderly. During the recent Budget debate, the Democratic Party called on Members to take substantial actions to urge the Government to effect an immediate increase of \$300 in the monthly CSSA payment to the elderly in the 1997-98 Budget. It

is a shame that though most Members agreed that the CSSA payment to the elderly should be increased, they were unwilling to take further action other than verbal support. It was most unfortunate that as a result, the chance of an immediate increase in the CSSA payment vanished when this Council almost reached a consensus.

I do not want to be critical again as regards whether there is a need for the Honourable Mr Frederick FUNG to amend the motion. If too much is said, I will feel bored, too. Nevertheless, I cannot but note that the Democratic Party does not support deleting "immediately" from "immediately increase the Comprehensive Social Security Assistance payment to the elderly". However, three of the four Members from the Hong Kong Association for Democracy and People's Livelihood voted against the Budget during the Budget debate because of the Government's refusal to increase the CSSA payment to the elderly. So I can only assume that Mr FUNG's deletion of "immediately" was a careless one.

I must also state the Democratic Party's stand on Mr FUNG's amendment on the amount of the CSSA payment. Mr FUNG has proposed increasing the CSSA payment to the elderly to one-third of the median personal income, which is \$2,900. If we adjust the amount as proposed by Prof MacPHERSON in his report according to inflation, we will also come up with \$2,900. Based on this, the Democratic Party supports this point. However, we have to point out that the current median personal income is almost \$10,000, one-third of which should be about \$3,300 instead of \$2,900.

There is another point that I wish to raise. The original motion starts with "as the problem associated with the ageing population in Hong Kong is becoming more serious". I am not comfortable with that. Though it is true that the ageing population is rising, I do not agree that "the problem" is becoming more serious". I sincerely hope that we will not regard the elderly as a problem. Moreover, we should not always say "the problem associated with the elderly is becoming more serious" or "more and more serious". I feel that this will make elderly people uncomfortable. It sounds as if we considered them a burden or a problem that we must solve. I believe this is not what we mean. Instead, we think that the elderly have made their contributions to the community and our economy is well developed, so we should help them lead a retirement life in dignity. I think we should use words showing respect for the elderly. We should not look at them as a problem all the time.

Furthermore, I wish to remind everyone of one thing, namely the remark "becoming more serious". As a matter of fact, if we take note of the statistics published by the Census and Statistics Department recently, we should find that the upward trend of the ageing population will slacken gradually in the next 10 years from the current 4% down to 1% each year. Only when those born after the war, which ended in 1945, reach 65 will the upward trend of the ageing population rise rapidly to 4-5%. When there is still a little time before that level is reached, we should not describe the situation as "serious".

Despite the foregoing, services for the elderly have proved very inadequate in the past in areas such as hostels for the elderly, community care and medical services. They can be described as "seriously inadequate". So we should not treat it lightly when the increase in the ageing population has slackened a little bit. Instead, we should take the opportunity to make up for the shortage of services so that the elderly may enjoy reasonable services and live in dignity not only now but also in the next decade or so.

The Democratic Party has actually expressed views on improving welfare for the elderly on many occasions. There will be too much repetition if I bring them up again now. We agree to most of Mr Frederick FUNG's amendment and Mr CHAN Wing-chan's original motion. We support the original motion and the amendment.

Thank you, Mr President.

MR CHOY KAN-PUI (in Cantonese): Mr President, the more advanced a society is, the healthier people are and the longer they live. The local population is continuously ageing, but the Government lacks a good policy for the elderly. The services concerned have fallen behind demands in the community. Of the nearly 900 000 people aged over 60 in Hong Kong, 100 000 are Comprehensive Social Security Assistance (CSSA) recipients. With their monthly CSSA payment, they can only make ends meet by cutting down on clothing and food. It is disappointing that the Government, with its huge reserves, is so mean to these elderly people, who have contributed to Hong Kong's prosperity. I hope that apart from considering increasing the CSSA payment, the Government will improve existing medical and health services, care and attention home services and community services.

To ease the pressure on the territory arising from the problem associated with the elderly, the Government implemented a scheme in April this year to help elderly people settle in Guangdong province. However, only a few dozen elderly people have participated in the scheme. Though they can continue to receive the CSSA payment, the scheme is unwelcomed because other measures have not come into line yet. They are especially concerned about medical costs and the loss of eligibility for public housing and hostels for the aged upon their return to Hong Kong in case they cannot inadapt to the environment. The root of the problem is that despite the introduction of the scheme by the Government, the Social Welfare Department has not studied carefully all aspects involved in its implementation. Nor has it discussed with the civil administration departments in the Mainland how they can assist in the scheme.

I suggest that the Government should make proper use of adequate land resources and cheap labour in the Mainland. It should make positive efforts to discuss with the civil administration departments in the Mainland about the establishment of care and attention homes and homes for the aged, so as to provide the elderly with cheap and quality medical services. On the other hand, I hope that some voluntary bodies in Hong Kong will provide them with settlement information, psychological counselling and family counselling to help them settle down as soon as possible. I believe that with proper co-ordination between the Hong Kong Government and the Mainland authorities, the elderly will have more confidence. The desired effect will be achieved when more elderly people settle in the Mainland.

Mr President, though the community has the responsibility to take care of the elderly, the Government has been very passive. The Hong Kong Progressive Alliance attributes the serious problem associated with the elderly to the lack of proper retirement protection and the dwindling of the traditional family responsibility. So the Government must formulate a long-term policy and adopt an active approach to tackle the root of the social problem.

The younger generation is only interested in freedom and pleasure. The mentality of showing filial obedience to one's parents and attaching importance to the family is gradually diminishing. People are afraid of their parents' nag and control. As the saying goes, "It is nice to see each other but difficult to live together." When people get married, they are generally unwilling to live with their elderly parents, who are then forced to live alone. These elderly people need the care of the community. Some of them may even find themselves in

financial difficulty and must live on the CSSA payment. It is therefore especially important to educate the younger generation in their thinking so that they may reaffirm the traditional Chinese values and respect and take care of the elderly. I suggest that the Government should couple publicity with incentives. For example, an allowance could be given to people who purchase flats to live with their parents. Those who live with their parents could be allocated public housing earlier. Those who have dependent parents could have a further tax allowance. This might relieve the financial burden of young people who are in fulfilment of their obligations to their parents.

Regarding retirement protection, 70% of people in Hong Kong are not protected. The Government has never done its best when it comes to its retirement policy, which has been fluctuating. The mandatory provident fund scheme is still in the process of formulation and has not been finalized yet. Moreover, there are still many problems with the draft mandatory provident fund scheme. It cannot solve problems now facing the elderly. So I suggest that the Government should review the mandatory provident fund scheme and consider introducing an "old age pension".

Mr President, I so submit.

MR NGAN KAM-CHUEN (in Cantonese): Mr President, as an old saying goes, "Take care of one's own aged parents first and then extend the same care to the aged people in general". Is there anyone who has no parents? How can one be hardhearted enough to watch one's parents still living unhappily in hunger in their old age?

Mr President, there are many problems with the policy for the elderly implemented by the Government. It not only lacks overall and forward-looking considerations, but also fails to provide immediate assistance to elderly people in urgent need. My colleague, the Honourable CHAN Wing-chan, has already talked about its deficiencies in detail. My focus will be on the settlement of elderly Comprehensive Social Security Assistance (CSSA) recipients in the Mainland and the "Elderly People's Living Standard Fund" advocated by the Democratic Alliance for the Betterment of Hong Kong (DAB).

The cost of living index in Hong Kong is very high, so elderly people simply cannot live on the meagre CSSA payment. Though elderly CSSA

recipients can now choose to settle in the Mainland to enjoy their remaining years, the absence rule on Old Age Allowance recipients, which has not been abolished yet, proves to be a deterrent to some elderly people who intend to return to their native places. What is more, the Government currently has no concerted measures to give assistance or policy support in such areas as household registration, medical care and residential arrangements to those elderly people who choose to settle in the Mainland. They have therefore been discouraged from making a move.

The DAB urges the authorities to consider increasing the allowance, with medical subsidy added to it, and take into account the possibility that the elderly people settling in the Mainland may have to pay additional high medical and hospitalization fees. The authorities may consider taking out for them medical insurance with Mainland coverage. Another possibility is to co-operate with the welfare or civil administration departments in the Mainland in setting up a "village for the aged", where medical, social and residential services will be centralized. To solve the housing problem confronting elderly people, the authorities may also take the initiative to buy places in the homes for the aged in the Mainland for this group of people and give positive assistance to agencies interested in building hostels in the Mainland.

In order that these elderly people, who have made contributions to the prosperity of Hong Kong, may enjoy their twilight years, the DAB urges the Special Administrative Region (SAR) Government to set up the "Elderly People's Living Standard Fund" as soon as possible. This will provide the elderly people in need with cash allowance. We suggest that the SAR Government should allocate \$15 billion to set up a seed fund. The annual income derived from the interest, which will amount to \$1,125 million on the basis of an average 7.5% return, would provide additional resources for those elderly people with the most urgent needs. This would improve their living standard. The benefits are as follows:

- (1) Each elderly CSSA recipient would get \$500 more each month as living improvement grant and medical subsidy. Our calculation shows that this would incur an expenditure of about \$590 million.
- (2) 2 600 places in homes for the aged would be bought immediately for elderly people in need. This would reduce the waiting time for care and attention homes. Our calculation shows that this would

incur an expenditure of about \$170 million.

- (3) Elderly people in urgent need would be provided with special services immediately. We suggest that the balance should be spent on developing a community network to establish and promote new services in community care.

Moreover, we request that the Government should increase the Old Age Allowance to \$800 and abolish the absence rule as soon as possible. The Government should, at the same time, consider setting up a "village for the aged" by the Housing Department to centralize the resettlement of elderly people in need. This would provide a better living environment. Besides, the Government should consider expanding the scope of services of existing community centres for the elderly by upgrading them to multi-purpose service centres, so as to provide the elderly in the territory with medical, community care and recreational services.

To improve medical services for the elderly, the Government should introduce a medical grant for the elderly so that they can consult practitioners of traditional Chinese medicine and private practitioners. Moreover, there should be more medical funding for the elderly. A special department should be set up to plan health services for the elderly. There should be at least one health centre for the elderly in each of the 18 districts in the territory.

It is the opinion of the DAB that with the ageing of the population, the problem associated with the elderly will inevitably be more serious. (Though the Honourable LAW Chi-kwong has just said that we should not use the word "serious", I think we must give proper attention to this issue.) The authorities should take precautions. To solve the problem associated with the welfare for the elderly, a proper social security system must be established, in addition to support from the Government. As early as 1995, the DAB started to advocate actively a "double-tier social security plan". Under the plan, basic protection would be provided by an "old age pension" with secondary protection provided by a central or private provident fund.

Some people may query the need to establish an "old age pension" while the implementation of the mandatory provident fund scheme is in full swing. But these people have forgotten that any social security plan must cover everyone, including those who have retired, those who will retire very soon and the

disabled. The current mandatory provident fund scheme simply cannot materialize this principle. If an employee has reached 55 when the mandatory provident fund scheme is launched, he will receive about 10% of his monthly pay each month on his retirement at 65, regardless of the socio-economic environment. Based on the median monthly income of 1996, the monthly payment will be about \$1,000. How can they possibly live in dignity in old age with that amount? What is more, those who have retired are simply not covered by the mandatory provident fund scheme. So the DAB strongly advocates the establishment of an "old age pension" outside the mandatory provident fund scheme.

"Ascend a height to enjoy a distant view." Welfare for the elderly calls for huge resources. The Government must take a broad and long-term view to enable the public to enjoy their remaining years in dignity.

With these remarks, I support Mr CHAN Wing-chan's original motion.

MR MOK YING-FAN (in Cantonese): Mr President, today many Members have, as if by prior agreement, talked about the scheme whereby elderly people will continue to receive the Comprehensive Social Security Assistance (CSSA) payment after their settlement in Mainland China. I also wish to express the views of the Hong Kong Association for Democracy and People's Livelihood on this issue. I hope that the Secretary for Health and Welfare, having learned that many Members support the scheme but have found many problems in its implementation, will think seriously about improving the scheme as soon as possible, so that it will be implemented successfully and win the support of the elderly.

As the saying goes, "Leaves go back to the roots when they fall." According to traditional Chinese thinking, it is desirable to enjoy one's remaining years in one's native place. Objectively speaking, the elderly have a practical need to do so.

Take the case of an elderly man who lives alone in Hong Kong but who has relatives and friends in his native place. If he stays in Hong Kong alone, he will have no one to take care of him. So it will be much better for him to return to his native place, where his family will take care of him and where several generations live together and he can enjoy his remaining years. Moreover, the

living standard is lower in the Mainland than in Hong Kong. With the current CSSA payment, life is very difficult for those staying in Hong Kong; they have to cut down on clothing and food. But if they return to their native place, they will enjoy a higher living standard and live in dignity.

Thus, the Hong Kong Association for Democracy and People's Livelihood (ADPL) and I support in principle the "Portable CSSA Scheme for Elderly Persons Retiring to Guangdong Province" (Portable CSSA Scheme) implemented by the Government in April this year. But I think there is room for improvement in the scheme. According to the scheme, the Social Welfare Department will only let elderly CSSA recipients residing in Guangdong Province receive their payment and long-term supplement. However, the scheme does not cover rents and the existing special grants such as transportation fees, social activities grant, Chinese New Year grant, special diet fee and special care fee. Another major drawback of the scheme is the restriction on the place of residence. Elderly participants in the scheme can only take up residence in Guangdong Province.

As a matter of fact, though most elderly CSSA recipients have their ancestral home in Guangdong Province, some others came from other provinces in China. They have also contributed to Hong Kong's prosperity. So the ADPL and I think that on the principle of fairness and practicality, the Government should discuss with the Chinese authorities concerned extending the Portable CSSA Scheme to other Mainland provinces. This would enable elderly people in need in other provinces to receive assistance as well.

Moreover, the Government has not made any arrangements regarding medical services for elderly CSSA recipients who have moved to the Mainland. I believe this is where the problem lies. This is why the scheme has proved unpopular among the elderly and aroused many concerns. At present, CSSA recipients receiving treatment from Health Department clinics and Hospital Authority hospitals are exempted from medical fees. Elderly CSSA recipients who have moved to the Mainland do not have household registration there. Nor are they covered by medical insurance in the Mainland. When they fall ill and need treatment, they will be regarded as Hong Kong and Macau compatriots, who have to pay high medical fees. They just cannot afford such high expenses. This is a practical issue. If the Government only depends on the Red Cross to

send elderly people back to Hong Kong for treatment, I believe the long trip will easily worsen their illnesses. Besides, the high administrative cost would simply make the arrangement unrealistic. This would by no means satisfy their medical needs. Actually when we sought their opinions on the scheme recently, the elderly told us that this worried them most. If they were to return to Hong Kong by themselves to seek treatment, neither transportation arrangement nor a grant would be available from the Social Welfare Department. How could they afford the trip between Hong Kong and Guangdong? So I suggest that to cover their medical expenses, the Social Welfare Department should give a medical grant regularly to elderly people returning to the Mainland in the form of a lump sum or take out medical insurance on them in the Mainland.

Of course, I support the broad principle adopted by the Social Welfare Department in relaxing the absence rule governing elderly CSSA recipients. But the specific arrangements of the scheme are far from satisfactory. We suggest that the Government should discuss with other Mainland provinces shortly to arrange for elderly CSSA recipients to continue to receive their monthly payment after they take up residence in other parts of China. This would enable more elderly people in need to take up residence in other provinces in the Mainland other than Guangdong.

I believe the Portable CSSA Scheme implemented by the Government is intended to help those elderly people who live in Hong Kong alone but who have relatives and friends in the Mainland so that they may have a chance to enjoy their remaining years. The scheme would also ease the pressing demands for social facilities. I believe the public and the elderly will be "delighted to hear and see" some improvements to the scheme.

Mr President, so I submit.

MISS CHAN YUEN-HAN (in Cantonese): Mr President, because of the nature of my work, I often come across people who are going to retire and people who have retired. There is a big change in life for these people. Very often when I talk to them, I can feel that they have mixed feelings. On the one hand, they are

happy. On the other hand, they are worried. They are happy in that after working hard for several decades, they have finally reached or approached retirement age. That means they can have their own time under their control and they can do what they like. But they are very worried at the same time. Without work, their sources of income will dry up on retirement. How can they make a living? Even though some of them have savings, they do not know if the savings can last their remaining years. We have found that elderly people who are not receiving the Comprehensive Social Security Assistance (CSSA) payment are in a more difficult situation than the CSSA recipients.

Mr President, we also hear very sad remarks besides facing the mixed feelings of these people who have retired or who are going to retire. They say that people should not live too long a life in Hong Kong. On the surface of it, this is an acrimonious remark directed to themselves. But if we think about it carefully and then look at the Government's policy, we will find that it is not an unreasonable remark.

Look at today's Hong Kong in the 1990s. There is still an absence of a retirement protection system for everyone. Besides, social security is inadequate here. Our social welfare is almost inverse proportional to our economic development. There are now elderly people everywhere who have no one to depend on in our community. We can find quite a lot of elderly people aged over 70 who still have to work for a living. This is a big satire as Hong Kong is such a developed city.

Mr President, my colleague, the Honourable CHAN Wing-chan, has proposed a motion on this topic again today. Despite discussion on countless occasions in the Council, including motion debates and panel meetings, where many suggestions have been made, our Government is like an old ox which is unwilling to be dragged up a tree. In this situation, we cannot but start another debate with the hope that this and the future government will pay heed to the poverty of the elderly.

Mr President, I would like to focus on community support. Members of the public are concerned about the poverty of the elderly. As a few elderly people died during a cold spell at the Spring Festival two years ago, the Government hastily implemented or expanded the so-called "community

supporting network" last year. We can see that the Government depends to a large extent on volunteers or voluntary bodies in the community to do the work. I think such work represents a step forward and is effective. But the efforts are obviously inadequate to really solve the problem confronting the elderly in the community, especially those living alone.

As mentioned by Mr CHAN Wing-chan earlier on, there are only two outreaching service teams for the elderly through the territory. It is obvious that the two teams cannot help all elderly people in need. So I think the Government should do more in this area. The Government cannot assume that all social problems have been solved by last year's allocation to expand the community network for the elderly. This is not true. Very often I see something suddenly go wrong with the "elderly at risk" who still have no one to depend on. There are many people in our society who are concerned about them, especially in long vacations. So I think the Government should consider the existing community network as a whole. Based on what has been done, it should look and listen carefully to find out the current situation of the elderly. It should also help them solve their problems when they are in difficulty. Such a network should not be limited to private and public housing. I think we have to broaden our vision in order to truly help those elderly singletons.

Moreover, Mr President, many elderly people live in private housing. They spend a large part of their income on housing. Of course, the Government may say that they can apply for the CSSA if they are in difficulty. But the fact remains that many of the elderly people living in private housing have not applied for the CSSA and are paying the rent out of their savings. We do not know whether it is because of their ignorance of the CSSA or other factors, such as the whole application procedure, which we have always criticized and which they have found embarrassing, that they have not applied for the CSSA.

Under this situation, how can the Government help them? The Federation of Trade Unions (FTU) suggests that the Government should help them pay their rents if these elderly people, who are not CSSA recipients, are in difficulty. Of course, these problems could be solved easily if we implemented an "old age pension" scheme. But since we do not have such a scheme now, will the Government consider helping them in this respect? Of course, a solution aimed at the root of the problem would be the implementation of an "old age pension" scheme, which would assure them of assistance in case of difficulty.

Mr President, on this point, I wish to stress again that the FTU proposed this scheme as early as the early 1990s. As my colleague, the Honourable NGAN Kam-chuen, has just said, even if the Government introduced the mandatory provident fund scheme today, it could not remove the financial troubles facing those who have retired or who are going to retire. To find a real solution to the problem and to help elderly people who have retired, the Government should implement as soon as possible a comprehensive retirement protection scheme similar to the one proposed by the FTU in the early 1990s.

Mr President, with these remarks, I support the original motion. Thank you.

MR WONG WAI-YIN (in Cantonese): Mr President, today we are discussing an old topic again, which is naturally the problem associated with the elderly. We can say that this is the most debated topic in the Council. I believe there is a motion debate here on the problem associated with the elderly almost every year. So I have found today that some Members' interest seems to have worn out already. Very few Members are present for the debate and not many have spoken. There are even individual parties which do not feel like saying anything.

Mr President, the last few years saw many sad reports in the media on the problems associated with the elderly. The elderly and many groups concerned about elderly people's welfare, rights and interests have been taking different courses of action to urge the Government to improve welfare or services for the elderly. Academics have carried out studies on the problems associated with the elderly. For example, the study on Comprehensive Social Security Assistance (CSSA) conducted by Prof MacPHERSON caused an extensive public debate. A lot of work has been done by members of the public, Councillors, organizations and post-secondary institutes. But it is a shame that the Government has responded with repeated delaying tactics. Studies are often considered to have been conducted improperly and issues are said to require further understanding and studies. The Government itself also conducts its own studies, one after another. Now this Council and members of the public have reached a consensus that the CSSA payment to the elderly is seriously inadequate. We hope that the Government will increase it by \$300 immediately to satisfy elderly people's urgent needs. It is a shame that the Financial Secretary has said

again we have to wait for the Government to conduct another study to find out why so few elderly people have applied for the CSSA and why they have not used up the CSSA payment. So the Government has said again that another study is needed. It is not known if there will be more delaying tactics afterwards.

Mr President, the Government stressed that there had already been considerable expenditure on welfare for the elderly and matters relating to the elderly over the last few years. But I have always been critical of such a self-deceiving statement by the Government, which is only playing with numbers. Very limited resources were actually allocated for the welfare for the elderly in the past. Take for example the CSSA payment, which was known as public assistance payment. Instead of being adjusted according to inflation every year, the amount of payment remained the same for many years in the past. It was not until a few years ago that annual adjustments were introduced. It used to stand still but began to take a step or two forward in the last few years. Already the Government says that it has done a lot. I do not think so. Though it has taken a step or two forward, it cannot make up for the distance lost when it stood still in the past. There are relatively more resources allocated for welfare and services for the elderly now than before. But they still fall far short of demand.

We place particular emphasis on the CSSA payment to the elderly because in the absence of proper retirement protection, many elderly people cannot make a living when they stop working. Most elderly singletons live on the CSSA payment. Actually this Council and non-government bodies have been fighting for a central provident fund system for roughly 20-30 years. Today we are still waiting for the Government to enact subsidiary legislation on the mandatory provident fund. It is not known when this retirement protection system, which is imperfect as well as worrying, will be implemented. This system may not be able to provide protection. There is a possibility that the contributions of some employees will come to naught. In the future elderly people may still need to rely on the CSSA payment.

Mr President, the Government's policy on services and welfare for the elderly can be described as a policy of "squeezing toothpaste". When there is great pressure from public opinions, it will "squeeze" out more resources. When there is less pressure, it will let go and stop "squeezing". Such a policy is indeed very unfair to the elderly. We can say that they are now leading a life close to abject poverty. Many elderly CSSA recipients do not know how to

apportion the payment properly. They have to divide one meal into two and even eat leftovers. I believe everyone is well aware of these problems. Why is the Government still apathetic, being unwilling to increase the CSSA payment to the elderly by \$300 despite its some \$300 billion reserves?

Mr President, actually many years ago three organizations concerned about the elderly, namely the Association for Rights of the Elderly, to which I belong, Old Age Society and Elderly Rights League, jointly requested the Government to set up a central committee for the affairs of the elderly. Responsible for policy co-ordination and formulation as well as resources allocation, the committee should be under a high-level official such as the Governor or the Chief Secretary. Welfare for the elderly is not limited to cash assistance and hospitalization services. It should cover housing, employment and medical care as well. Since these issues involve a good number of policy branches and government departments, they must be dealt with by a central co-ordination or planning committee.

Mr President, finally I only want to say that the first debate I took part in when I joined this Council at the end of 1991 was on services for the elderly. Let me quote the words of late Sir Edward Youde, "Hong Kong owes its economic prosperity today to the hard work of the elderly yesterday." So the elderly today should enjoy our economic achievements. I wish to appeal to the Government to increase the CSSA payment to the elderly by \$300 immediately so that at their age they may have something to rely on, someone to depend on, a place to live in, peace to cherish and happiness to enjoy.

Thank you, Mr President.

PRESIDENT (in Cantonese): I propose to call on the Honourable CHAN Wing-chan to speak on the amendment. Mr CHAN, your time limit is five minutes.

MR CHAN WING-CHAN (in Cantonese): Mr President, in respect of the Honourable Frederick FUNG's amendment to my motion, unlike the Members who moved the original two motions at last week's debates, I am not going to wage a severe attack and have a brush with him. Mr FUNG, you may set your mind at ease.

Before I became a Member of this Council, I had already known that Members of this Council frequently moved amendments to their colleagues'

motion and Mr FUNG is of course an old hand in this, but so far, everybody is getting along well enough without any trouble. For instance, when I first joined the Council, I moved a motion to reduce sewage charges and trade effluent surcharges. At that time, three Members moved amendments to my motion, namely Mr FUNG of the Hong Kong Association for Democracy and People Livelihood and Mr John TSE and Mr LEUNG Yiu-chung of the Democratic Party. Since these three Members made lengthy speeches on their amendments, my motion was rejected by a bare majority and failed to help the affected trades and people. My motion was rejected, so I made continued efforts. I also realised that while I spoke on behalf of my electors, expressed their appeals and tried to get achievement, success could not be "hurried through" simply by means of one or two motion debates. I had to work both inside and outside this Council continuously, and more importantly, to obtain consensus of Members of this Council. I was a bit happy when all major political parties and Members joined hands in voting down the Government's proposed large increase in water charges, sewage charges and trade effluent surcharges half a year later, to the relief of the people and the concerned trades.

Mr President, I welcome the four items of amendment moved by Mr FUNG. Three of these four items are included in my original motion whereas the fourth one is exactly the same as what I put forward at the motion debate on 26 February. I hope all colleagues will support my original motion as well as Mr FUNG's amendment because the four items of his amendment are in line with, and not contrary to, what I am aiming at.

These are my remarks. Thank you, Mr President.

SECRETARY FOR HEALTH AND WELFARE (in Cantonese): Mr President, welfare for the elderly has been a concern shared by this Council, different sectors of the society and the Government. Not too many Members spoke on this motion today. I hope this does not mean that they no longer show as much concern for this issue now as they did before. In view of our ageing population, it is a pressing task to formulate a comprehensive policy for delivery of good services to the elderly.

The objective of the Government's policy relating to the elderly is that elderly people can live with their families and enjoy their old age at home. I

believe, all will agree that elderly people will have physical and psychological changes as they grow older. Their needs in various aspects may be different from what they needed when they were young. We must appreciate carefully their needs. No matter how good are the services provided by the Government or voluntary organisations, what elderly people need most throughout is their families' concern and care. I paid visits to quite a lot of elderly people. Some of them are single, but a number of them have children and grandchildren. I saw many family photos pasted onto their walls, but owing to various factors, they cannot live with their sons and daughters under one roof and are not visited frequently by their children. Although they need not worry themselves about clothing and food, but inevitably they feel their loneliness and solitude. Therefore, I always believe that to the elderly, there is no substitute for the care and love from their family members. In fact, the traditional concept of love and respect for the elderly is deeply rooted in Hong Kong's society. It is upon this that our policy for delivery of services to the elderly is based.

Housing

The Honourable CHAN Wing-chan moves a motion today on various needs of the elderly. First, I would like to discuss with you on the housing problem of the elderly. As I have mentioned before, the Government's policy is to encourage the elderly to live with their families for as long as possible and enjoy their old age at home. The Housing Authority's housing allocation policy also embodies this policy objective. To encourage young families to look after their older members, the Housing Authority offers some priority schemes through which families living with their parents or older members may apply for earlier allocation of public housing. For instance, families living with elderly people during application may be allocated public housing three years earlier.

At the same time, we are also concerned about the housing needs of the elderly who live in private housing with poorer environment. The Government will encourage and assist them to apply for public housing. The Housing Department sets up housing information centres in Yaumati, Tsuen Wan, Wan Chai and Hung Hom. The fifth of this kind will also be open in Sham Shui Po in the middle of this year to make it convenient for the elderly to enquire about matters relating to public housing.

Tax Concession

In addition to public housing allocation, the Government also encourages taxpayers, in its revenue policy, to bear the responsibility to live with and maintain their parents. For many years, taxpayers who live with their parents are allowed tax concession. In 1997-98, dependent parents allowance amounts to \$27,000 and a further \$8,000 is allowed for those living with their parents.

Medical Support

As far as medical support is concerned, the average life-span of Hong Kong people is getting longer, and generally speaking, the health condition of local elderly people is still not bad. But inevitably when one grows older, there are more chances of health problems, resulting in higher demand for medical services. At present, people aged 65 or above are the majority users of our public medical and health services. In 1996, more than 4 million people used the general out-patient clinics of the Health Department, of whom 30% were patients aged 65 or above; whereas over 40% of the users of the hospital beds under the Hospital Authority were patients aged 65 or above. The specialist clinics under the Hospital Authority also have many patients aged 65 or above.

In recent years, we started to set up outreaching medical support. The Hospital Authority has set up community geriatric assessment teams and psychogeriatric teams to conduct health assessment and provide appropriate treatment for the elderly living in care and attention homes. At present, we have eight community geriatric assessment teams and eight psychogeriatric teams. An extra community geriatric assessment teams will be set up this year to strengthen outreaching health care support for the elderly.

Mr CHAN Wing-chan has also mentioned that prevention is better than cure. Therefore, the Health Department launched a pilot scheme in 1994 by setting up elderly health centres to provide body examination and health education on such areas as food and nutrition to elderly people. There are now seven elderly health centres. The Health Department has recently studied the pattern and effectiveness of these services and is considering positively whether integrated preventive and curative services can be provided in general out-patient clinics.

Residential Care

In the past five years, there was a considerable growth in the public expenditure on elderly services. This year, we will spend \$12 billion on financial assistance, medical support and social welfare for the elderly. The actual growth is 7.5% when compared with the expenditure of last financial year. In respect of community support service, there were 197 day care centres for the elderly five years ago, but now there are 305 centres. Residential places are also increased considerably, with over 9 600 places for the elderly, more than doubled when compared with the figure of 1993.

Some Members have also raised the question why there are still over 20 000 people on the waiting list for residential care despite such a considerable growth in residential places for the elderly. As I explained to Members on various occasions, the waiting list does not necessarily reflect the genuine need for elderly services accurately. A large number of elderly people want to be "insured". They are worried that they may not be given a place immediately when their need for residential care really arises. Therefore, they apply well in advance. In this circumstances, there are more and more people on the waiting list.

I very much agree that welfare for the elderly requires long-term and comprehensive planning. While residential care service was growing rapidly in recent years, I also notice that the need of elderly people has changed with their higher education level and the economic changes of the society. The planning ratio and service pattern formulated several years ago on various kinds of services need to be reviewed. We have commissioned a consultative study on the demand of the elderly for residential care and community support. It is expected that the study will be completed in coming July and we will make corresponding improvements according to the recommendations.

The Honourable Miss CHAN Yuen-han has mentioned that there are many so-called "elderly at risk" now. They may receive little care from their families or friends, and live by themselves in our community. To address the need of these elderly people, we develop a series of community support services, such as elderly centres, Elderly Volunteer Programme, volunteer programme, visiting health teams for the elderly and the "Social Networking for the Elderly" project, which was implemented in October last year. It is hoped that all these can help these elderly people enjoy their old age in a community familiar to them.

The Honourable LEUNG Yiu-chung has also mentioned problems associated with women. Although there are no scientific surveys and

information on the varying needs of men and women, from my observations during visits to elderly centres, elderly homes, hospitals and other organisations, I feel that many women are more optimistic and better at spending their leisure time, developing their abilities and seeking a full and bright life. Usually they are superior to men in handling living expenses and daily domestic chores.

Increase of Comprehensive Social Security Assistance (CSSA) Payment to the Elderly

Finally, I would like to respond to the amendment moved by the Honourable Frederick FUNG. We are aware of the utmost importance of secured means of living to the elderly. We are also aware that financial support for the elderly should come from three sources: personal savings, maintenance from family members and contributory form of retirement plans. The CSSA Scheme is mainly intended to give assistance to the elderly who have difficulties in their living but without any other means of financial support, and help them to meet their daily basic expenses.

As regards to the CSSA payment to the elderly, different sectors of the society generally focused, in the past few months, on discussions on the inadequacy of the standard CSSA payment only, but ignored a very important point. The elderly CSSA recipients are entitled to free medical service in Government clinics and hospitals under the Hospital Authority.

In response to Mr FUNG's proposal of increasing the CSSA payment to one-third of the median personal income, I would like to present a figure. Now an elderly person receives more than \$3,000 a month on average, which is, in fact, very close to one-third of the median personal income. More importantly, the linking up of the CSSA payment with median personal income will basically change the computation method of the CSSA payment. This measure leaves much to be desired and warrants careful consideration indeed.

All Members have mentioned that we have to put retirement schemes into implementation as soon as possible. I very much agree to this. The Government is actively preparing for the Mandatory Provident Fund Scheme. But now I would like to emphasize again. The CSSA Scheme is a non-contributory welfare scheme. It is definitely not a retirement scheme and we should not measure the amount of the CSSA payment against payments provided

by retirement funds.

Nevertheless, we are also aware that each scheme should be reviewed regularly according to the social situation. Therefore, we are conducting a study on elderly CSSA recipients so as to know clearly their actual financial situation, their expenditure as well as their understanding of the CSSA Scheme.

Besides, we will also conduct a study on the low-income elderly people who are not receiving the CSSA payment. Its purpose is to understand the extent of their knowledge about the CSSA Scheme and their reasons for non-application.

These two studies are to be completed by this summer. We hope to collect some data which will help us ensure that the CSSA Scheme gives appropriate assistance to the eligible elderly people.

Portable Comprehensive Social Security Assistance (PCSSA) Scheme

Many Members have mentioned the PCSSA Scheme, which has already been in force on 1 April as scheduled. As I explained to Members of this Council on 26 February, the purpose of this scheme is to offer another option to the elderly CSSA recipients in Hong Kong so that they may retire to their hometown in Mainland for settlement as they desire.

Since the PCSSA Scheme is a new initiative, we must proceed step by step and learn by experience. Therefore, I made a pledge at the motion debate on 26 February that a detailed review would be conducted after the implementation of the scheme for a year, with a view to improving the scheme. For the time being, I will not respond to individual comments made by several Members today.

Conclusion

The latest population figure published recently shows that the local population is ageing. By 2016, elderly aged over 65 will account for 13% of the local population. I very much agree that we must look squarely at this issue and take appropriate measures correspondingly. As I have just pointed out, the need of the elderly will vary due to different factors. Therefore, we are conducting surveys and studies on the demand of the elderly for financial assistance and services. Upon completion of these studies, we will earnestly consider how to

further improve the elderly services.

Mr President, before concluding my speech today, I would like to reiterate that elderly people do not equally suffer from poverty and ill health, and they may not necessarily feel lonely. In fact, many elderly people in Hong Kong live a healthy and happy life, especially those who can live with their families, being looked after by their family members on the one hand and playing a continued active role in the family on the other hand. In addition to a comprehensive policy on caring for the elderly, all members of the society have to take up their responsibility to maintain their parents and show care and concern for them, so that every elderly person in the territory can enjoy a happy and contented life in their old age.

Thank you, Mr President.

Question on the amendment put and agreed to.

PRESIDENT (in Cantonese): Mr CHAN Wing-chan, you are entitled to your final reply and you have three minutes and 18 seconds out of your original 15 minutes.

MR CHAN WING-CHAN (in Cantonese): Mr President, I am very grateful as ten Members have spoke on this issue. This shows that we all wish to give thought to the elderly people, work for their interests, and urge the Government to implement fully the elderly policy and improve the care for the elderly people in need.

The Secretary for Health and Welfare has just presented a list of figures, but many people in the society still criticize its inadequacy. The public and Members alike think that the Government should do better in the area relating to the welfare for the elderly. As the Secretary has just said, it will be much better if elderly people are looked after by their families. Of course, it will be the best if they have a happy family. But how do we get more resources to care for the elderly singletons? The Government's reply simply evades this crucial point and takes up some minor issues. We hope the Government will formulate a comprehensive policy for the elderly, especially elderly CSSA recipients who need immediate attention. I hope the Government will earnestly carry out the

elderly welfare policy well.

Mr LEUNG Yiu-chung has just said in his speech that my original motion is vague and lacks initiative. He may have failed to listen to my speech clearly. My motion is to urge the Government to allocate more resources to resolve fully the issues relating to the welfare of the elderly, such as the problem of poverty of the elderly, and provision of housing and medical care for them. My motion is like a complete meal with fish, meat, vegetable as well as savoury rice. There may also be a dessert if the Government really gives thought to the elderly. Hence if Members have analysed my motion carefully, they will find it very substantive. I also hope that the Government will put my motion into implementation carefully.

Thank you, Mr President.

Question on the motion, as amended by Mr Frederick FUNG, put and agreed to.

IMPLEMENTATION OF MOTHER-TONGUE TEACHING

MRS SELINA CHOW to move the following motion:

"That this Council supports the Government's adoption of measures under the Firm Guidance on Secondary Schools' Medium of Instruction to expeditiously implement fully the policy of mother-tongue teaching which has already been put in place for nearly a decade, so that secondary school students will be able to learn more effectively in their everyday language; furthermore, in order to make up for the environment of mother-tongue teaching in which students may be less exposed to the English language, this Council urges the Government to strengthen the teaching of the English language in secondary schools so as to enhance the basic proficiency of local students in using English as the second language to complement their pursuit of further studies and future careers, thereby helping the territory to establish its advantageous position as a bilingual society and to maintain its competitiveness in the international business community."

MRS SELINA CHOW (in Cantonese): Mr President, while I move this motion,

some people may query, "Why do you, Selina CHOW," have a foot in the domain of others" for no reason at all? What have you to do with mother-tongue teaching? Why do you raise this motion debate?" First of all, I would like to explain in response to these queries.

Being a parent, I have been showing concern and interest, in this Council, for education. Since the 1980s, I have spoken on the importance of languages and bilingualism, pre-primary education, teacher training and so on, and strove for the abolition of Junior Secondary Education Assessment.

As regards mother tongue-education, I have experienced a long course of mental changes. Being a product of the English-medium secondary school, I was initially not keen on mother-tongue teaching. But in the late 1980s, I joined the Education Commission (EC) and participated in the drafting of its Report No. 4. Then I started to realise the absolute necessity of mother-tongue teaching.

As a matter of fact, many secondary schools claim that they use English as their medium of instruction. In fact, they just "sell horse-meat as beefsteak" and virtually use a mixture of Chinese and English. As a result, the language in use is imbued with Hong Kong characteristics, that is, a mixed code, which is neither Chinese nor English and deficient to both. Eventually, students fail to reach the learning standard they should have attained in non-language subjects, whereas their proficiency in Chinese and in English both decline, and they "fall between two stools".

Some people may ask, "What is wrong with having a mixed code as the language of Hong Kong which integrates Chinese and Western elements?" With an insight on the fundamental differences in the thinking process between Chinese and English languages, we will see the endless troubles caused to our future generations. We can hear the young people nowadays apply English grammar in their use of Chinese while their English is no more than a word-to-word translation from Chinese. When one gets used to such a confusing language, it is impossible at all for one to come back to the basis of proper use of Chinese and English languages.

In fact, all of us are well aware of this unhealthy situation and such situation has gone on for a very long time. But the Government lacked determination and there were also various mental blocks or pressure from our

society. As a result, despite the affirmation of mother-tongue policy in the Education Commission Report (ECR) No. 1 in 1984, few people were willing to take the risk of reality to attain the ideal of education.

As preference of English over Chinese was prevailing in the society, most schools, regardless of their competence in English teaching, did not seek changes lest the intake of better-quality students would be adversely affected. Even though some schools did make changes in pursuit of the ideal, their efforts eventually ended in complete failure due to the policy of indulgence adopted by the Government under the pretext of freedom.

The former principal of Carmel Secondary School was recently interviewed by newspapers and appeared in a current affairs programme on television. He is Rev CHEUNG Tsz-kong, a former colleague of this Council. We think of this former principal, who has left Hong Kong for some time, because he took the lead to tackle the problem six to seven years ago. He implemented mother-tongue teaching in the school where he was the principal, but eventually became a victim of the Government's lack of determination in implementing mother-tongue teaching.

Carmel Secondary School switched back to an English-medium secondary school three years later. Rev CHEUNG's efforts to implement mother-tongue teaching can be said to end in a failure. The fault, however, was not mother-tongue teaching itself. It was all due to the parents' adamant preference of English over Chinese and the Government's lack of determination to implement a mother-tongue teaching policy. Without the Government's backup, other schools' favourable response and parents' support, Rev CHEUNG's plan was called off.

For more than 10 years, the Government has been passing the "buck" of mother-tongue teaching to schools and keeping out the matter on the pretext of giving independence and flexibility to schools. This practice of "passing the buck" and shirking responsibility does not provide schools with a suitable environment, so schools dare not make changes voluntarily to become Chinese-medium secondary schools, for fear of meeting with the same fate as Carmel Secondary School. Hence, they would rather be fence-sitters than martyrs. But this mentality, for more than 10 years, has turned into a burden on our next generation, causing serious harm to them.

I was a member of the Education Commission when the ECR No. 4 was

drafted, and so was the Honourable SZETO Wah. I recall clearly that during the discussions on mother-tongue teaching, pressure came from politics, the market, teachers and schools.

Politically, Hong Kong is a British colony. One can hardly expect the Hong Kong Government to take the lead in a high profile to replace English with mother-tongue. Besides, Hong Kong's destiny after 1997 is uncertain. The discussions on whether mother-tongue teaching should be implemented was unfortunately muffled in political colours, and an objective consideration from a mere educational point of view was hindered.

In the market, parents thought that their children would have a better future if they could enrol in English-medium secondary schools. Furthermore, only students taking a two-year matriculation course offered by an English-medium secondary school were eligible to apply for the University of Hong Kong, where English was the medium of instruction. Parents who wanted to send their children to study abroad also held a similar view. Moreover, considering their children's career prospect, the parents would, of course, choose English-medium schools as well. Schools had to cater to parents' wishes.

As regards teachers, those who were competent to use English as the teaching medium would naturally think that changes were unnecessary. Teachers who were not competent to teach in English but had already got the job would not admit their incompetence. Hence many teachers confronted the change by sticking to their established practices. Unless the Government implements mother-tongue teaching on a mandatory basis, teachers would prefer to continue using the existing medium of instruction, that is, the mixed code.

I have just mentioned the difficulties encountered by schools. They had to take into account the parents' preference of English over Chinese and market pressure. How dare they change their operational strategy casually?

In view of the pressure from different fronts, schools "selling horse-meat as beefsteak" continued to survive and do harm to our younger generations.

What startled me most was that, during a heated debate within the Education Commission, while all members realized the undesirability of the situation, when it came to the decision on actions, some educators unexpectedly proclaimed that being a free territory, Hong Kong would neither get used to nor

accept compulsion. Having heard this view, the Government was more than happy to pass the "buck" of such an important policy to schools. Today, seven years later, if a firm guidance were not adopted to ensure the implementation of the policy, I would have to ask, "How many seven-years more are we going to wait for? How many students will have their learning opportunity sacrificed by us?"

When the Government announced a month ago the introduction of the Firm Guidance to implement mother-tongue teaching, some people said the Government was pressing for the policy too hastily. The consultative document proposes to implement the Firm Guidance in the next school year and there is still a year or so to go, but they say that the move is too radical. I find what they say both ridiculous and annoying.

It is also thought that to allow some English-medium secondary schools, upon approval, to maintain teaching in English is intended to create an elite caste and prestigious schools.

If we affirm the important role of English language in Hong Kong's bilingualism, and if some students are capable of learning in English and some schools are competent to adopt English as their medium of teaching, why should they not be allowed to exist? I heard some prestigious schools treat this matter as a conspiracy. They suspect that the Government intends to drive out and exterminate them. In fact, it is essential for the Government to remove such worries of the schools concerned and really achieve the aim of education by enabling both Chinese-medium and English-medium schools to accomplish equally good results.

Moreover, Hong Kong is an international city and it is impossible for it to do away with English learning. Indeed Chinese and English languages can go along well on a dual-track. The Government must show its determination to maintain the standard of English and take measures to strengthen English learning in Chinese-medium secondary schools. If so, the standard of English will not decline. In fact, the ECR No. 6 published in March last year states clearly that more native English-speaking and Putonghua-speaking teachers will be employed and intensive English courses will be established in both Chinese-medium and English-medium secondary schools commencing this school year.

As long as the Government takes substantive concerted action to give parents confidence, under mother-tongue teaching, students' learning abilities can be improved, and schools can also strengthen English language training to ensure that their students' overall standard of English will not decline, and hopefully rise, and the mental blocks of their parents will also be removed more easily.

Mr President, a very important factor for implementing mother-tongue teaching is the quality of teachers. In fact, this involves two aspects, namely language proficiency and teaching competence.

At present, many teachers and schools reject assessment on the language proficiency of serving teachers. I think this is an act of deceiving others as well as oneself. In fact, only through assessing the teachers' language proficiency can schools judge whether their teachers are competent in using English as the medium of instruction.

Mr President, the Honourable Henry TANG will, on behalf of the Liberal Party, expound his views in details to affirm the importance of English. The Honourable Mrs Miriam LAU will speak on worries of some English-medium schools. The Honourable Howard YOUNG will propose some measures which the Government should adopt while implementing mother-tongue teaching.

To sum up, I hope all Members will support my specific standpoint on mother-tongue teaching and my request to the Government as described in my motion.

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

Question on the motion proposed.

PRESIDENT (in Cantonese): Dr LAW Cheung-kwok has given notice to move an amendment to this motion as set out in the Order Paper circularised to Members. I propose that the motion and the amendment be debated together in a joint debate.

Council shall debate the motion and the amendment together in a joint debate. I now call on Dr LAW to speak and move his amendment. After I have proposed the question on the amendment, Members may express their views on the motion and the amendment.

DR LAW CHEUNG-KWOK's amendment to MRS SELINA CHOW's motion:

"To add "in view of the generally low standard of Chinese and English among local students," after "That,"; to delete "supports the Government's adoption of measures under the Firm Guidance on Secondary Schools' Medium of Instruction" and substitute with "urges the Government"; to delete "so that secondary school" and substitute with "so as to enable"; to delete "will be able"; to delete "in their everyday language; furthermore, in order to make up for the environment of mother-tongue education in which students may be less exposed to the English language, this Council urges the Government to strengthen the teaching of the English language in secondary schools so as to enhance the basic proficiency of local students in using English as the second language to" and substitute with "; this Council also urges the Government to substantially increase the allocation of resources to improve teacher training and teaching facilities and enhance the proficiency of students to become biliterate and trilingual (Putonghua, Cantonese and English), which will"; to delete "future"; and to delete ", thereby helping the territory to establish its advantageous position as a bilingual society and to maintain its" and substitute with "and at the same time, strengthen the territory's"."

DR LAW CHEUNG-KWOK (in Cantonese): Mr President, I move the amendment standing in my name in the Order Paper to the original motion of the Honourable Mrs Selina CHOW.

It is an indisputable fact that local students' proficiency in Chinese and in English has been on the low side in recent years. The question is how to improve this situation and what measures should be taken. I think the motion on "implementation of mother-tongue education" and "strengthening of the teaching of English language", which Mrs Selina CHOW moves now, can really arouse the concern of local people over this issue. There are two main points in my amendment to the original motion today.

First, I think, under the implementation of mother-tongue (Cantonese) education policy, we should not only urge "the Government to strengthen the teaching of the English language in secondary schools" but also enable our students to be "trilingual and biliterate" (Cantonese, English and Putonghua).

Second, in order to achieve the objective of "trilingual and biliterate", it is

very important to substantially increase the allocation of resources and even draw on our financial reserves. The Government should not delay adopting measures to improve language education on the pretext of insufficient funding. To avoid the Government's constant procrastination, I emphasize in my amendment the necessity of "substantially increase the allocation of resources".

The consultative document on Arrangement for Firm Guidance on Secondary Schools' Medium of Instruction issued on 27 March proposes full implementation of mother-tongue teaching in 1998. The Hong Kong Association for Democracy and People's Livelihood (ADPL) and I approve of the implementation of mother-tongue teaching on a comprehensive scale and on mandatory basis. Not only the major direction of mother-tongue teaching should be affirmed, the Government must also implement mother-tongue teaching resolutely.

The ADPL and I propose several approaches to be adopted in the process of implementation:

- (1) to identify the most effective means for teaching Putonghua and English in Hong Kong;
- (2) to recruit and train a large number of Putonghua-speaking and English-speaking teachers;
- (3) to provide appropriate refresher courses and training for teachers of Chinese and English languages;
- (4) to provide more support to language teachers by reducing their teaching workload and teacher-student ratio, as well as suitably improving their pay scale and promotion prospect, and compiling high-quality textbooks and reference books;
- (5) to cultivate students' interest in Chinese and English by organising more activities such as contests in verse speaking, writing and calligraphy, book exhibitions and reading award schemes; and
- (6) to allocate more resources to school libraries for procurement of books and sophisticated audio-visual equipment.

We think, not only the secondary schools' language standard should be

raised, the universities should also introduce a graduate language proficiency test to ensure the language proficiency of the their graduates upon graduation.

It is learnt that at present, only 45% of the English language teachers in secondary schools have received formal English language training. The Government should look squarely at this situation, reinforce the training of English language teachers and improve their working environment, so as to attract more language experts to join the teaching profession. We also know that many Chinese language teachers have not undergone formal Chinese language training either.

In a nutshell, in order to improve the standard of language education in the territory, we think the implementation of mother-tongue teaching on a mandatory basis is essential. We have to upgrade students' quality and teachers' standard, popularize language learning in our society, intensify family guidance to children, enhance the role of the media in promoting language education, improve teachers' working environment and terms of employment, and compile high-quality reference books.

With these remarks, I move the amendment.

Thank you, Mr President.

Question on the amendment proposed.

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

MR CHEUNG MAN-KWONG (in Cantonese): Mr Deputy, as in other regions and countries, it is naturally right and proper and indisputable for Hong Kong to implement mother-tongue teaching. However, being a colonial society, Hong Kong has had its education hindered for a quarter of a century by English teaching. The education system aims at cultivating a small colonial elite. In other words, the success of English elitist education in the past was achieved at the expense of the educational interests of most students. At this time, when the colony has come to an end, the change in its language education policy from English instruction to mother-tongue teaching is not only a political move but also, more importantly, an educational need. Only through mother-tongue

teaching can students benefit most from the universal education system. Students can then understand what is actually taught by teachers. They will not only learn the knowledge and English words on the textbooks but also know how to make use of the knowledge acquired for independent thinking.

It is never easy to change prevailing practices and customs. What is more, English has its economic and academic significance as it is an international language. Therefore, the worries of parents and the public at large are entirely understandable and must be considered squarely. If Hong Kong's mother-tongue teaching is to achieve success, the English proficiency of students must also be raised concurrently. This will provide them with good command of both Chinese and English to meet the needs for future studies, career and competition. Our society's confidence in mother-tongue teaching can then be boosted and Hong Kong's language education can tide over this difficult period of transition.

However, looking squarely at worries does not mean that they are of utmost significance and mother-tongue teaching should be denied. Some people suggest that mother-tongue teaching will lead to a decline in the English proficiency of students. This is a one-sided statement. If we are willing to face up to reality, we will see that students' proficiency in both Chinese and in English declines concurrently although English teaching is popular. Students nowadays do not start with learning the contents of a subject. Instead, they just do a lot of spelling. What purpose does it serve when a student knows only the spelling of the terms, and some students even have no interest in spelling at all? The only way to cope with this reality is to implement mother-tongue teaching, so that students can acquire knowledge more smoothly and spare more time to learn English properly, and thus have a good command of Chinese and English when they leave school.

Another worry is whether mother-tongue teaching can dovetail into post-secondary education, in which English is predominately adopted as the teaching medium. In this respect, the following issues have to be considered. First, only about a quarter of all students can receive post-secondary education, including sub-degree courses. These students are elitists and through proper training, they should be able to meet the English language requirement for post-secondary education. Second, even if mother-tongue teaching is implemented, the Hong Kong society will still attach much importance to English learning. Therefore, the English standard of students as a whole may rise rather

than decline, and a broad foundation for post-secondary education will be formed. Third, schools should provide more subject-based English bridging courses for Form 5 students entering matriculation classes or for matriculated students entering universities, so that these elitist students can have a smooth transition. Fourth, it is equally important that Hong Kong needs university students with their proficiency in Chinese, English and Putonghua up to standard. Mother-tongue teaching helps students enhance their proficiency in Chinese and Putonghua, which is necessary for the Hong Kong society and its status as an international city geared to the needs of China and its participation in the international community .

Lastly, I must say something fair to the Education Department, which is forced to apply the Firm Guidance on medium of instruction. The Education Department did frequently advise schools which took in students who were able to learn in mother-tongue only to switch over to mother-tongue teaching in the interest of their students. Many schools, however, feared that the quality of their student intake might be adversely affected after switching to mother-tongue teaching. As a result, our society is full of "pseudo English-medium secondary schools", which use English textbooks and set examinations in English but use a mixed code in the classroom. This is the major reason for students' failure to learn Chinese and English properly. The Hong Kong Professional Teachers' Union, which I represent, reacted to the above situation and proposed a "Mother-tongue Charter" project, hoping that schools would make decisions out of their professional autonomy instead of following the principles imposed by the Government, and switch over to mother-tongue teaching together. Unfortunately, the response was just lukewarm. Everybody said that the change had better be implemented after the issuance of the Firm Guidance by the Education Department in 1998. Now the Firm Guidance has come out, but it becomes the subject of criticism, saying that administration interferes with education. Such criticism is oblivious to the historical background of the guidance and is therefore unfair.

Mr Deputy, as Dr LAW's amendment does not support the Education Department's Firm Guidance, which I consider an absolutely necessity at the present stage, the Democratic Party rejects Dr LAW's amendment and supports Mrs CHOW's original motion.

MR HOWARD YOUNG (in Cantonese): Mr Deputy, I approve of today's motion, which is in support of Government's adoption of the Firm Guidance on Secondary Schools' Medium of Instruction.

The local secondary school students confront numerous subjects and for some subjects, especially those on technology and biology, they have to confront a large number of words of which they can "make neither head nor tail". Indeed this adversely affects their learning progress. To force students to learn in a foreign language may not necessarily enhance their command of that language. At present, the proficiency of Chinese and English among students at primary, secondary and tertiary levels varies but on average it is much inferior to that of thirty to forty years ago. There are many causes for the decline in language proficiency. One of them is the use of a mixed code of Chinese and English in the classroom; and students find it difficult to master the correct grammar of these two different languages, and thus get confused.

In fact, mother-tongue teaching has been in force in Hong Kong for many years and the result is obvious to all. We wonder whether the Education Department has ever drawn up any plans to identify areas for improvement through reviewing at appropriate time the various existing measures in support of mother-tongue teaching.

I think, first, the Government has to address the problem with local parents' long-standing preference of English over Chinese. Article 9 of the Basic Law stipulates that both Chinese and English are Hong Kong's official languages. Both Chinese and English are official languages in the United Nations, but Chinese is a language used by the largest number of people over the world. Why is Chinese language not given its proper status in a society where 98% of the population is Chinese? The time is gone when English was the only official language and Chinese was ignored. Today, Chinese language should enjoy the same status as English.

The Government has to enhance publicity and convince parents that Chinese language is no inferior to English in its significance. Children sent to so-called "English-medium secondary schools" which use Cantonese as medium of instruction will not definitely have better prospect than students enrolling in Chinese-medium schools. The Government should expeditiously organise courses on mother-tongue teaching, and encourage schools and teachers to

participate.

"A handy tool makes a handy man". The Education Department must discuss with textbook suppliers and encourage them to publish Chinese textbooks and reference books of good standard and high quality as aids to mother-tongue teaching. Schools which implement mother-tongue teaching should be allowed to introduce technical terms of individual subjects to junior secondary students.

The Government should also help students and parents plan for the transition of secondary students whose are taught in mother-tongue to tertiary education, in which English is the teaching medium. Without such efforts, it would be very difficult to convince parents to send their children to secondary schools which implement mother-tongue teaching.

Of course, while paying attention to strengthen mother-tongue teaching, the Government should not neglect the importance of English language. Hong Kong is an international, financial, economic, aviation and navigation centre, and the most popular tourist destination in Asia as a whole. So English-speaking people are indispensable in Hong Kong. Let us take tourism as an example. If people in the tourist industry speaks English, they can communicate with overseas travellers easily. In recent years, as the number of tourists coming from Taiwan, China and South-east Asia has increased continuously, people engaged in tourism who speak Chinese and additionally Putonghua will be in a more advantageous position.

In this respect, I would like to make a few suggestions. First, the Government should allocate sufficient resources to schools implementing mother-tongue teaching for them to employ native English speaking teachers, strengthen training in English conversation, provide students with more opportunities to listen and speak idiomatic English. Second, the Education Department should organise, jointly with the press, television, radio and community centres, contests relating to English, such as writing and story telling, so as to promote publicity and incite students' interest in English.

Mr Deputy, China and Japan implement mother-tongue teaching. I notice that they can also train up people who have excellent command of foreign languages. Hong Kong people have been studying English for many years, so we should grasp our advantageous position in this respect, continue to bring up people who are outstanding and proficient in languages, and enhance our edge in

competition in the international business community.

Mr Deputy, I support today's original motion. Since the amendment does not support the Arrangement for Firm Guidance on Secondary Schools' Medium of Instruction, as mentioned by the Honourable CHEUNG Man-kwong just now, but we cannot ignore the role of English language, we cannot accept the amendment.

MR SZETO WAH (in Cantonese): Mr Deputy, non-mother-tongue teaching is the most traumatic brand ever stamped on colonial education. Of course, vulnerability does not lie in our education but in our social system as a whole. Chinese language is not given its due social status and has been discriminated against. The colonial history is coming to an end soon. We must have a new and good beginning. Apart from the implementation of mother-tongue teaching, the vulnerability should also be looked squarely at.

In 1979, as the University of Hong Kong (HKU) no longer requires a pass in Chinese language as a prerequisite for admission, Chinese language campaign was triggered for the second time. This campaign had three objectives: (1) to improve the social status of Chinese language; (2) to implement mother-tongue teaching; and (3) to improve teaching of Chinese and English languages.

At that time, I listened to three speakers' at a seminar. Though 18 years has passed, those speeches still ring in my ears.

The first speaker was Professor LEUNG Kam-tim of HKU. He said that he was a graduate of Pui Ching Middle School, which adopted mother-tongue teaching, and he later went to France to further his studies. He had had no knowledge of French before. He studied French for a year in France and then entered university. Though he had to spend an extra year to study French, he had already had a good foundation in the academic subjects in a Chinese-medium secondary school. This was really worth by comparison.

The second speaker was a garment worker. As he said, he had studied English for 14 years from kindergarten to Form 5. His command of English was not good, and so was his performance in other subjects. After graduation, he could only do physical labour. He had studied English for 14 years, but he could only use four letters of the English alphabet: S, M, L, and XL for small,

medium, large, and extra-large sizes respectively. How much of his precious young age had been wasted by non-mother-tongue teaching!

The third speaker was a parent, who was an intellect. He said that should a branch of science have to be learnt through a foreign language in a country or a region, it would be difficult for that subject to be rooted and promoted there, let alone its further development and advancement.

In 1982, the Administration appointed a visiting panel to conduct a study on Hong Kong's education. A sentence in their report reads, "Hong Kong is doomed to fail by adopting English as medium of instruction. There are two reasons. First, Hong Kong implements nine years free compulsory education. Second, to the majority of the people, Chinese is their first language and Hong Kong is a society with Chinese as its first language."

Fifteen years has passed. The youth of two more generations have laid wasted. Here I request the education authority of the future Special Administrative Region to read this report.

Some people set mother-tongue teaching against foreign language studies. These people know nothing about education and confuse the public. I would like to make the following suggestions on foreign language learning.

Firstly, we should know clearly that learning English language and learning the contents of various subjects by means of English are totally different. Under English teaching, various subjects are learnt through English. Of course with more exposure to English, some students can become more proficient in English, but this will adversely affect the learning process of the subjects. A more serious consequence is that those students who are not proficient in the foreign language will be adversely affected. Not only will their learning of various subjects be affected. More seriously, they will be fed up with their studies and school life, and implanted with a sense of defeat which may cause endless harm to their life. If mother-tongue teaching is implemented, the burden and pressure on various subjects will be reduced. Furthermore, with improvements in the curriculum, teaching materials and teaching method of English, students can learn the language better and their proficiency in it will be raised.

Secondly, the issue is how many people should learn it and how much

should be learned. It can be regarded as maltreatment to require every child to learn English up to a level exceeding the ability of the average school students, for example, to require almost all junior secondary students aged about 11 or 12 to learn various subjects through English. Students in Japan start to learn a foreign language in their junior secondary school days, after they have completed primary education. The public in Japan at large do not have high proficiency in foreign languages, but Japan still maintains her international position as a leading economic and trading power. Japan does very well in translation. Some books written in foreign languages have their Japanese translation published eight to ten days after the publication of the original texts. Her post-secondary foreign language colleges are run very successfully. On the contrary, what is the economic situation of the Philippines, although it may not be an Asian country where English is the most popular language? We should count Singapore out because English is its first language. To reduce the average student's burden in learning English and to strengthen post-secondary foreign language colleges in training translators are experience worth drawing from Japan.

Thirdly, English should be taught and learnt as a second language. English is the second language of almost all local students, but so far English has been taught mechanically as the first language and its effectiveness is very doubtful. This is like forcing common people who only take jogging as fitness exercise to undergo tough training of sprinters or marathoners. This will not help them keep fitness. Instead, it will do harm to their health and they may even become terror-stricken at "jogging".

With efforts over a long time, mother-tongue teaching is going to take a turn. Having been engaged in educational work for 40 years, I am very delighted.

Mr Deputy, these are my remarks.

MR LEUNG YIU-CHUNG (in Cantonese): Mr Deputy, in the early 1970, the Green Paper of the Education Commission already pointed out the need to resolve the issue of medium of instruction. Unfortunately this issue has been dragged on for a quarter of a century. It was only early this year that the Education Department (ED) published the Arrangements for Firm Guidance on Secondary Schools' Medium of Instruction. In fact, the ED started to encourage schools to implement mother-tongue teaching in 1986, but schools which

voluntarily change to implement mother-tongue teaching are still in the minority. The arrangements announced by the ED this time are undoubtedly a step forward in the implementation of mother-tongue teaching. We must, however, point out that despite the advocacy of the ED on mother-tongue teaching for many years, no remarkable success has been achieved. Of course, many complicated and thorny issues are involved. These issues cannot be solved simply by an administrative instruction because there is something wrong with the policy itself.

First, in order to implement mother-tongue teaching effectively, we must resolve the issue of some parents' preference of English over Chinese and their desire to have their children enrolled in English-medium secondary schools. To address this situation, ED has made a compromise by allowing some schools in which English can be adopted as the medium of learning and teaching to continue conducting classes in English. At a glance, this proposal seems to satisfy both parties. While most secondary schools are to implement mother-tongue teaching on a mandatory basis within a short time, some students who have higher proficiency in English are allowed to continue learn in English. But the proposal and measures of the ED give us the impression that only "smarter" students can enter English-medium schools. Will this approach, on the contrary, intensify parents' preference of English over Chinese?

Secondly, the measures of the ED only focus on the medium of instruction in secondary schools and it makes no mention of post-secondary education. Of course, post-secondary colleges should have autonomy in teaching and the ED cannot stipulate administrative instructions to compel them to implement its language policy. But if post-secondary colleges still predominately adopt English as the medium of instruction, how can parents who are concerned about their children's education set their mind at ease and let them enter Chinese-medium secondary schools? In fact, should the ED and post-secondary colleges think about their co-ordination? The Firm Guidance on medium of instruction published by ED fails to provide clear and specific answers to these questions.

On the other hand, as the wordings of the original motion and the amendment show, both Members seem to recognise that mother-tongue teaching can strengthen or enhance students' learning abilities. I have reservation in this respect. Of course, many studies say that mother-tongue teaching is directly related to academic performance. But I want to point out that academic

performance and learning abilities are two different things and should not be confused with each other. Undeniably, teaching in an everyday language will enable students to absorb effectively the knowledge taught in various subjects. It is very useful and very helpful but learning abilities, including analytical power, critical thinking and creativity, do not necessarily have positive relationship with the absorption of knowledge. If students have no interest in the subjects, whatever language adopted as the medium does not help the situation.

Some people think that students' low proficiency in English makes them fear English teaching, thereby lowering their interest in learning. It is suggested that mother-tongue teaching can heighten interest in learning, but I think this seems to be evading the fundamental and actual question. First, English language is not fearful. What do students fear? Do they have no interest in the subjects? What do they actually fear? They fear that the subjects are unrelated to everyday life and they do not know the purpose of learning them. In such circumstances, they cannot develop an interest in the subjects.

In fact, Mr Deputy, I have been a mathematics teacher in secondary schools for 18 years and have taught classes from Form 1 to Form 7, from using English textbooks to Chinese textbooks, from adopting English as medium to Chinese as medium. Now we teach in Chinese and use Chinese textbooks, but I do not see a substantial rise in students' standard, great improvement in learning and more interest shown in the subject. Why? The cause lies on the fact that mother-tongue teaching does not definitely produce these effects. Indeed, our curriculum, teaching method and whether we can arouse students' interest in what they are learning are the most important issues.

Therefore, Mr Deputy, though I agree, in principle, to the implementation of mother-tongue teaching, I think we cannot resolve all the issues simply by an administrative instruction carried out by the ED. We cannot think that the implementation of mother-tongue teaching can resolve the issue of education as a whole and enhance students' learning abilities and promote their interests. Since we facing a great reform, why do we not make a reform to the whole educational system? Why do we not make a review of our education as a whole, including teaching method, curriculum and even the subjects themselves? I think, if we only implement mother-tongue teaching alone, we will still fail. I am not optimistic. Meanwhile, in certain subjects, mother-tongue teaching may be very good, but in certain subjects, we cannot say that teaching in the other

language must be bad. Therefore, I think if we have to do something, we must do it on a full scale and cannot just compel certain parties to do it; and the existing arrangement of requiring certain schools to act is especially inappropriate.

Mr Deputy, as I have just said, I agree in principle to the implementation of mother-tongue teaching, but if we only focus on mother-tongue teaching again without considering other aspects, I think what we are discussing today will be useless.

Thank you, Mr Deputy.

MR IP KWOK-HIM (in Cantonese): Mr Deputy, as an educational worker engaged in education for many years, I have my sentiments for the topic of today's motion. Discussions on medium of instruction, in fact, was first raised in the Green Paper of the Education Commission in 1972, and yet they were dragged on for nearly a quarter of a century until now, when the Government adopts a "decisive" policy and decides to put mother-tongue teaching into implementation. After all, it is something we regret and no less than a shame to the educational sector.

Over the past 150 years, preference of English over Chinese has been the general tendencies in the society of Hong Kong as a British colony. Most people think that graduates of English-medium secondary schools are superior to their counterparts from Chinese-medium school as further studies and careers are concerned. As a result, mother-tongue teaching is not welcomed in schools and confronted with resistance from schools and parents. Up to 1996, there were only 74 secondary schools implementing mother-tongue teaching, which accounts for less than 20% of the total number of schools in Hong Kong. The former principal of Carmel Secondary School, Mr YEUNG Tsz-kong, who implemented mother-tongue teaching in his school, eventually had to resign. I believe this incident is still green in many people's memory. Mr Deputy, in fact, academic researches conducted both internationally and locally on teaching point out that mother-tongue teaching is most conducive to students' absorption of knowledge. In particular, when junior secondary schools change to mother-tongue teaching in some subjects, the performance of their students is obviously enhanced. Therefore, implementation of mother-tongue teaching

should be a policy which must be enforced, in order to resolve the issue of lowered interest in learning and poor performance on the part of students.

Over the past years, mother-tongue teaching has not yet been implemented in schools on a territory-wide basis. In view of this, we anticipate that the Firm Guidance on medium of instruction issued by the Education Department this time, for the implementation of mother-tongue teaching on a mandatory basis and the exercise of sanctions against schools for non-compliance, will meet many obstacles, especially parents' resistance and worries that their children's English standard will be lowered, thereby affecting their future studies and careers.

Undeniably, under mother-tongue teaching, students' exposure to English language may decrease correspondingly. But in fact, there is no absolute correlation between English as a medium of instruction and students' proficiency in English. During the implementation of mother-tongue teaching, attention should also be paid to students' standard of English. The key is whether there are quality teachers and sophisticated teaching methods in English language classes. Therefore, the Education Department should allocate more resources to schools so that Chinese-medium secondary schools can improve their learning environment for English. At the same time, it should subsidise extra-curricular courses such as English conversation and English writing, so as to raise our students' proficiency in English.

Mr Deputy, in order to implement mother-tongue teaching successfully, apart from allaying the worries of parents, the Education Department should also provide schools with additional support, especially in teacher training, so as to enhance the quality of language teachers. Native speakers of a language do not necessarily know how to teach in that language. If their language is not up to standard, how can they teach students properly? Then they will do more harm the younger generation and run counter to the original intention of mother-tongue teaching. Therefore, the Education Department should organise some short courses for serving teachers to enhance their competence in mother-tongue teaching. Only by improving teachers' quality can mother-tongue teaching be implemented effectively. Besides, in the face of serious shortage of Chinese textbooks, the Education Department should provide assistance to publishers of Chinese textbooks and reference books so that they can publish quality books in large quantities. I believe this will facilitate the implementation of mother-tongue teaching with minimal efforts to achieve optimum results.

Mr Deputy, for many years, the Democratic Alliance for the Betterment of Hong Kong supports the implementation of mother-tongue teaching. I think mother-tongue teaching is favoured with a view mainly to improving the quality of education and the efficiency of teaching and learning. Secondly, it reflects changes in Hong Kong society and gets rid of the unreasonable phenomenon of Chinese being treated as the second-class language for over 100 years. Mother-tongue teaching is not intended to suppress English learning or belittle the value of English. On the other hand, as Hong Kong is an international city and financial centre, the future Special Administrative Region should uphold the policy of attaching equal importance to Chinese and English languages in order to realise Hong Kong's characteristics as an advanced international business city under China's sovereignty and maintain her competitiveness in the Asian-Pacific Region.

Mr Deputy, these are my remarks.

MR HENRY TANG (in Cantonese): Mr Deputy, we have talked a lot about the merits of mother-tongue teaching and had much discussion on how and when to implement mother-tongue teaching. As a member of the business sector, I would like to focus on how to ensure the improvement of students' proficiency in English while adopting mother-tongue teaching.

The business sector and many parents alike share the same worry that switching to mother-tongue teaching would reduce students' exposure to English, thus resulting in deterioration of their proficiency in the foreign language. This is an inevitable misunderstanding because the government's colonial education policy has led to an English-dominant civil service establishment, and as a result, civil servants are not ashamed of any grammatical mistakes made in their written Chinese.

To change this concept, the government must, apart from publicity, take more specific actions to prove that mother-tongue teaching will not degrade English standards. In the opinion of the business sector, the recruitment of native-speaking English teachers will definitely be a good way to improve the English proficiency of students. However, this year, only 13 secondary schools, representing 13% of the 100 in the quota, have ultimately joined the Native-speaking English Teachers Scheme introduced in 1996 as recommended by the Education Commission Report No. 6.

Surveys conducted by the Education Department clearly point out that as a result of the employment of native-speaking English teachers, students' proficiency in English has actually improved. There are several main reasons for the low participation rate. In the scheme, native-speaking English teachers are recruited in local terms of service, and in the absence of any housing allowances, it is difficult to attract expatriates to teach in Hong Kong from abroad. Moreover, different cultural background between Chinese and Western teachers will give rise to problems of co-operation and communication. Furthermore, schools shrink back for fear of additional administrative burdens.

English is of much need and importance in Hong Kong, which is an international commercial city. With the opening of the mainland market, Putonghua has become an essential tool at work, too. In view of the above, "biliterate and trilingual" training must be given to students.

I consider it necessary to model on the Singapore Government in this aspect. Though citizens of Singapore are ethnically Chinese, Malays and Indians, there is no confusion in the use of languages and their language proficiency is more than adequate. In a language test for children from a number of countries held last year, Singapore was among the best, whereas Hong Kong ranked below the top 30. This is mainly because the Singapore Government has done better than its Hong Kong counterpart in the area of language policies. It starts the three-tier streaming from primary schooling and emphasizes bilingualism, with English as the *interlingua* and Chinese, Malay and Tamil as other streams. Moreover, students are grouped into three grades based on their academic achievement. Recently, it has considered introducing the fourth stream with mother tongue as the first language.

In Singapore, English is the main medium of instruction, so the English proficiency of its students is generally high. Their proficiency in Chinese, however, is not bad because the Singapore Government has adopted the merits of Chinese teaching of mainland China and Taiwan by introducing from the two places the techniques of Chinese teaching, importing expatriate teachers and sending teachers to pursue further studies in China and Taiwan. At the same time, they also adopt Putonghua teaching positively for the purpose of using one single language in both conversation and writing, to reduce frequent switches of languages in learning.

Undoubtedly, adoption of the above method in Hong Kong will definitely lead to a series of political considerations and the import of expatriate teachers may trigger another dispute on labour importation. I nevertheless wish to stress that a confusion in language policies would directly affect our students' edge in competition in the international market in future, and deterioration in the quality of the workforce would also directly affect the present status of Hong Kong as an international centre of finance and trade. I hope that the Government and the education sector, in formulating language policies, can put aside all political factors and give prime consideration to the quality of students.

Finally, I would like to touch on some problems of compatibility that would arise as a result of the adoption of mother-tongue teaching. It is hoped that the Education Department will be more flexible in its guidance, particularly on some new technical and science terms. It is hard to imagine how the computer terms HTTP and ISDN, when translated in full into Chinese, can be easily understood. Without such flexibility, our students will have to encounter the difficulties in learning basic English terms again in their senior secondary or university years.

Apart from the terms used in the classroom, in the market there are insufficient Chinese editions of supplementary teaching materials such as reference books and computer software for students. That being the case, under the Firm Guidance, should we abandon the existing supplementary teaching materials? I believe this is absolutely not the purpose of promoting mother-tongue teaching! I believe that the Education Department, while enforcing the "Firm Guidance", should also provide schools with a solution to those problems.

Mr Deputy, I so submit.

DR YEUNG SUM (in Cantonese): Mr Deputy, I speak to support mother-tongue teaching. Through my observation in my teaching career of nearly 20 years, I have found that basically, students with good command of languages would not be seriously affected by the medium of instruction, whether it be mother tongue or English. However, many of the students whose proficiency in languages is low will encounter difficulties in learning when the medium of instruction is English. As they do not understand the lessons conducted in English, many students show no interest in learning. Since the medium of instruction is

English, they get poor results in other subjects, apart from bad grades in English. As a result, most students are afraid of learning, and their initiative to attend classes is markedly crippled. Consequently, both teaching and learning have met with great difficulties. The implementation of the nine-year free education system has also been denounced time and again.

Actually, many students have been discouraged from learning mainly because of the medium of instruction and not of the nine-year free education itself. The nine-year free education has virtually supplied the Hong Kong society with a large number of talents because of the equal chances thus created in education.

Mr Deputy, the medium of instruction has been a topic of argument for a long time. The Government has all along adopted a non-intervention policy to allow schools to choose their own medium of instruction without imposing any rigid rules. Under this laissez-faire policy, many schools, for their own sake, ignore their students' learning ability and their interests in education by continuing to use English as the medium of instruction. In view of the poor response of students, many schools have no alternative but to adopt a mixed code in teaching.

Schools adopt this deceptive approach solely for enrolling better students. To them, it seems not very important whether the majority of the students are capable of accepting English as the medium of instruction. Moreover, parents do not want to go into this matter seriously either. They in general believe that the use of English as the medium of instruction in schools is the one and only way to enhance proficiency in English. They therefore choose schools that adopt English as the medium of instruction.

Mr Deputy, the Hong Kong Government's persistent laissez-faire language policy has given rise to the above problem. Now the Hong Kong Government, by proposing the Firm Guidance, has taken a more positive attitude than it did in the past.

Mr Deputy, I share the view of Amy TSUI, a linguist of the University of Hong Kong who supports mother-tongue teaching. In her opinion, mother-tongue teaching has great impact on two fronts.

Firstly, mother-tongue teaching can enhance students' power of thinking

and help them develop the ability to think and analyze independently. Mr Deputy, many studies have in fact proved this point. Findings of surveys reveal that language proficiency and analyzing power are very closely related. Actually, students in general write incoherently not because of their low language proficiency, but because of their inability to think and analyze logically. Should students be able to develop their ability to analyze and think independently by considering thoroughly the matters in question, it is sure that they can write well without any big problems.

At present, students at large have to rely on learning by rote and memorizing model answers because of their relatively weak powers to analyze and think independently. Judging from the above, we can see that learning by rote is the only thing students can do, despite their reluctance to do so. It is believed that the situation will continue if there is no attempt to find a way to improve students' ability to analyze and express themselves.

Secondly, to many students, using English as the medium of instruction will affect their self-image and confidence. The findings of a large number of surveys reveal that using English as the medium of instruction will cause worries and misgivings about English on the part of many students. In the classroom, many students dare not ask questions in English, so the teacher is very often the only person who talks on the subject and there is little or no discussion or exchanges between the teacher and the students. In general, classes become monotonous mainly because students lack the confidence to ask questions in English.

Mr Deputy, all in all, the use of English as the medium of instruction has exerted a great influence on most students. It affects students' self-image and impairs their confidence as well as their ability to think critically.

Mr Deputy, it is no easy task to successfully carrying out the Hong Kong Government's Firm Guidance owing to the great resistance from students and parents. There is a general belief among parents that the chance of their children to enter university and become professionals can be enhanced if English is used as the medium of instruction in their schools. They believe that the adoption of mother-tongue teaching will lower the English proficiency of their children. In view of the above, how to change parents' attitude towards mother-tongue teaching is of vital importance.

Actually, some comparative surveys have confirmed that the implementation of mother-tongue teaching will not affect the English proficiency of the students, provided good arrangements are made to facilitate the learning of English. Nonetheless, it is quite impossible to change the impression of parents on mother-tongue teaching in one move. However, I am sure that parents' attitude can be changed in future as long as there are right goals and more publicity and evidences.

In addition to taking parents' attitude in consideration, schools have to look squarely at the learning ability and education interests of most students. In education, students' education interests always come first, and the interests of schools should never be placed on top of the students'.

Of course, the Hong Kong Government should allocate more resources to schools that adopt mother-tongue teaching as an incentive to encourage more schools to join the practice. Moreover, it should enable those schools to maintain their standard of English at a reasonable level with appropriate resources.

Furthermore, regarding university studies and career prospects, corresponding incentive measures should be adopted to meet the social needs of mother-tongue teaching, instead of hindering its development.

Lastly, Mr Deputy, it is also necessary to face squarely the adaptability of teachers. In the past, teachers in general adopted the mixed code in teaching. Proper training is essential for encouraging teachers to teach in their mother tongue.

Mr Deputy, all in all, I support mother-tongue teaching because English teaching will affect the self-confidence and analyzing power of a great number of students. However, in adopting mother-tongue teaching, parents' worries, retraining of teachers, incentives given to schools and enhancing students' chance of employment and further studies all deserve our concern.

Mr Deputy, with these remarks, I support the motion.

MR CHOY KAN-PUI (in Cantonese): Mr Deputy, with the return of Hong

Kong to China, the pace of the implementation of mother-tongue teaching has been hastened. The Education Department has issued the Arrangements for Firm Guidance on Secondary Schools' Medium of Instruction to point out clearly that starting from the next year, there will only be some 90 schools using English as the medium of instruction, whereas the other secondary schools will be compelled to adopt mother-tongue teaching. Over the past decade, the Government has all along recommended mother-tongue teaching but has not forced for its implementation. As Hong Kong is returning to China, mother-tongue teaching should be compulsorily implemented in line with the territory's actual needs, in addition to the basic political factors. In fact, it is just natural for any country to adopt mother-tongue teaching. It is therefore right and proper for Hong Kong, a territory of China, to use Chinese as the key medium of instruction. In the past, a large number of problems arose because of the use of English as the medium of instruction under the colonial education system. Though many English-medium schools use English textbooks, the quality of learning has been impaired because of insufficient qualified teachers to teach in English. The compulsory use of a foreign language as a means of learning has seriously affected students' academic performance. Neither Chinese nor English can the students benefit from. They fall between two stools, and become victims with low language proficiency, poor academic results and lower education standard. Previous studies have adequately proved that the adoption of mother-tongue teaching benefits students most, for it enables students to acquire knowledge, understand and express more easily so that their interest in learning can be stimulated to get twice the result with half the effort.

Certainly, it was not easy to implement mother-tongue teaching in the past under the colonial rule, because of the obstruction from the Government as well as the need to face the pressure exerted by the social concept of preferring English to Chinese and parents' worries. Over the past century or so, Hong Kong, under the British colonial rule, has formed the concept of preferring English to Chinese with the existence of the incorrect notion that "it is shameful for not knowing English, but no one would laugh at someone who does not know Chinese" and some people even take pride in their ignorance in Chinese. It was the practice of the past to focus on the candidates' proficiency in English in the recruitment and assessment of civil servants. The Chinese proficiency of quite a number of civil servants was not up to standard. Since the Hong Kong Government, the largest employer of the territory, has adopted such a recruitment policy, other organizations in the private sector have naturally followed suit. Moreover, Hong Kong is an international economic centre. Students with

higher proficiency in English would have better job opportunities, higher pay and better promotion prospect than their peers who are more proficient in Chinese. In addition, a large number of students had to go abroad for further studies in the older days due to the small number of university places in Hong Kong, and students with higher proficiency in English had an edge over the others. Students sitting for the University of Hong Kong entrance examination were not required to take Chinese Language. All these factors have led to a situation in which students in English-medium schools have a better chance of further studies, employment and promotion than their peers from Chinese-medium schools. Parents with high expectations for their children naturally prefer to send their children to English-medium schools. They now worry that the implementation of mother-tongue teaching will affect the future of their children. Therefore, while implementing mother-tongue teaching, we have to stress and improve the opportunities of further studies and future career prospects for those students in receipt of mother-tongue teaching.

Mr Deputy, to adopt mother-tongue teaching throughout, it is necessary to work both ways by correcting the concept of preference to English and looking squarely at mother-tongue teaching on the one hand and not to overlook the training given to students to enhance their proficiency in English on the other. With the return of Hong Kong to the motherland, the chances of using Chinese will increase accordingly. If the Special Administrative Region Government can take the lead to support the use of Chinese and review the benchmark requirements for employment and further studies, I believe that the concept of preferring English to Chinese will gradually be corrected. Moreover, as Hong Kong is one of the major international economic centres, training given to students to enhance their proficiency in English is important. In fact, implementation of mother-tongue teaching is not tantamount to lowering the students' proficiency in English, for the language used in teaching is merely a medium of learning and not the end of it. There is no contradiction between the two. On the contrary, if mother-tongue teaching is implemented properly, students' learning ability and academic standards will be markedly enhanced. Undeniably, as a result of the adoption of mother-tongue teaching, students will be correspondingly less exposed to English. In order to promote students' proficiency in English, the Government should allocate more resources for English language training given to students and improving the quality of English teachers.

In additon to strengthening public education to allay parents' worries, the

Education Department should also solve the problems with co-ordination between teachers and curricula by formulating a comprehensive plan for teachers to carry out mother-tongue teaching appropriately. With these efforts, mother-tongue teaching will definitely be effective. Mr Deputy, the implementation of mother-tongue teaching is an irresistible and inevitable trend.

Mr Deputy, with these remarks, I support the original motion.

DR ANTHONY CHEUNG (in Cantonese): Mr Deputy, the long-standing non-mother-tongue teaching adopted by schools in Hong Kong is the outcome of colonial politics. However, the proposal to adopt mother-tongue teaching as a rapid "language" switch is not due to Hong Kong's forthcoming return to China. Though better results on both teaching and learning brought by mother-tongue teaching were fully affirmed as early as 1984 in the Education Commission (the Commission) Report No. 1, the Education Department has, over the past 10 years or so, adopted a quasi-laissez-faire policy. The statement "let individual schools determine by themselves whether to adopt mother-tongue teaching" rounds the whole thing off. The matter has been delayed for too long as the Arrangements for Firm Guidance on Secondary Schools' Medium of Instruction was not issued until now. I think this is extremely unfair to the thousands of students victimized by not adopting mother-tongue teaching over the past years. Nonetheless, it is "better late than never", so it is still necessary to issue the Firm Guidance now.

We have to implement mother-tongue teaching not only because many of our schools fail to adopt English language teaching effectively. Despite their names suggesting that they are English-medium schools, many schools in fact "cry up wine but sell vinegar." They adopt a mixed code of both English and Chinese as the medium of instruction in the classroom, rendering the students at a loss as to what to do in class and creating many learning difficulties for them. As a result, they fail to learn either language well.

We have to implement mother-tongue teaching not only because learning in mother tongue facilitates understanding, expression and asking questions on the part of students, and thus conducive to acquiring knowledge in various subjects. Nor is it only because adopting English as the teaching medium will make students who are incompetent in English (that is, most students) lose interest in learning. Professor Amy TSUI of the University of Hong Kong has pointed out

aply that mother-tongue teaching is (1) conducive to the development of thinking and analytical abilities, as well as enhancing language proficiency and (2) instrumental to students in gaining confidence and establishing self-image. It is a long-standing problem that under the so-called English-medium teaching, students of low English competence encounter not only learning difficulties, which will drain their interest in learning, but also doubts about their own value. Undoubtedly, English teaching has produced a number of elite students highly proficient in English. However, they only account for a small number of the students. It is too high a price to sacrifice the education of most students.

Mr Deputy, studies conducted by a large number of experts reveal that mother-tongue teaching is conducive to improving students' academic performance.

The preliminary findings of a longitudinal assessment study carried out by the Education Department from the 1994/95 to the 1996/97 school years show that schools adopting Chinese as the teaching medium performed better than their English-medium counterparts in language-loaded subjects such as Geography, History and Science. Moreover, an internal review conducted by school sponsoring bodies in the Catholic diocese which took the lead in adopting mother-tongue teaching also reflects that students, after receiving mother-tongue teaching, have obtained better results in public examinations.

Nevertheless, many schools and parents still consider the abandonment of English and adoption of Chinese as the teaching medium will definitely lead to students' lower proficiency in English. This is in fact a conjecture only. To most students whose proficiency in English is low, the adoption of a mixed code comprising Chinese and English under the name of English-medium teaching would only make them fear and resist English. Their ability to use mother tongue will also be weakened.

Many schools have succumbed to the so-called "market pressure" and therefore refused to switch over to adopting mother tongue teaching. A small number of secondary schools did try to use mother tongue in teaching. However, in the absence of supports from parents, those schools had to carry out the plan single-handedly, and the quality of the students enrolled became lower because of the switch to mother-tongue teaching, so they had to backtrack at last. After this Firm Guidance was issued, some schools still told the press recently that they would maintain the "tradition" of English-medium teaching to remove

parents' worries. It appears that resistance from the school die-hards remains strong.

Mr Deputy, the original spirit of "school-based management" dictated that intervention by the Education Department over schools' teaching arrangements should not be wantonly accepted. Nevertheless, the harm done to students by not adopting mother-tongue teaching can no longer be intolerated. Since many schools are unwilling to take the lead to switch to mother-tongue teaching under the idea that the "pioneers will sacrifice", the enforcement of the Firm Guidance is the only way to help achieve a "synchronized" switch by all the schools.

Though the Firm Guidance issued by the Education Department allows some schools to apply to the Department for exemption from adopting mother-tongue teaching, I hope the Department should be strict in considering those cases applying for "exceptional treatment" by checking whether the English proficiency of the teachers and students concerned is high enough for teaching and learning in English. More importantly, the Department, prior to giving approval, should require the school authorities to produce sufficient educational evidence and data to show that adopting English as the teaching medium in the school will be more conducive to the learning of their students. By doing so, the "exceptional" cases will not become deliberate boycotts against the mainstream. If the Education Department approves a school's evasion of using mother-tongue teaching only on the basis of the English proficiency of the teachers and students, it will encourage some schools to keep on giving teachers and students rigorous English language training in a bid to get exempted from the mother-tongue teaching system. This is not a good thing.

Mr Deputy, of course, we should not overlook the importance of students' proficiency in English while adopting mother-tongue teaching. In fact, Hong Kong, as a city facing the world, must maintain its advantageous position in the English language, so it is absolutely necessary to strengthen English language training in basic education, instead of giving students unduly intensive training in English when they enter university. The Democratic Party supports the establishment of the subject-oriented teaching by using English as the second language in the schools all over the territory.

Finally, we are of the opinion that the essence of the original motion moved by the Honourable Mrs Selina CHOW is to confirm the desirability and urgency of mother-tongue teaching. The amendment made by Dr the

Honourable LAW Cheung-kwok actually shifts from this key point, removes the necessity of the Firm Guidance and focuses on the direction of the so-called biliteracy and trilingualism of students. Of course, we agree to this biliterate and trilingual direction. However, from the point of a motion debate and on the premise of respecting the objective of the original motion, we consider Dr LAW Cheung-kwok's amendment retrogressive as far as the issue of mother-tongue teaching is concerned. Therefore we cannot support it.

Mr Deputy, these are my remarks.

THE PRESIDENT resumed the Chair.

MRS MIRIAM LAU (in Cantonese): Mr President, many studies have come to the same conclusion that mother tongue is the most effective medium of instruction. As the Honourable Members who made their speeches just now have clearly pointed out the positive effects of adopting Chinese as the teaching medium on students in their learning and academic performance, I will not repeat them. Nevertheless, since the Education Department published the consultation paper on Arrangements for Firm Guidance on Secondary Schools' Medium of Instruction, I have noticed that English-medium schools show some worries. The Government must look squarely at their worries to avoid adversely affecting the implementation of mother-tongue teaching.

Some secondary schools point out that there are no grounds for the Education Department to assess whether teachers and schools are qualified for adopting English as the teaching medium, and they consider this a distrust in teachers and schools. However, if the general opinion is that schools under the name of English-medium teaching but adopting a mixed code in reality should not be allowed to exist any longer, it is necessary to find an effective way to get rid of them. If we do not let other organizations assess the schools, we cannot convince the public that the situation of "crying out wine while selling vinegar" will be totally eradicated. Moreover, under the condition that parents at large still prefer English to Chinese, it is doubtful if the schools are willing to switch voluntarily from English-medium to Chinese-medium. In view of the above, it is a relatively desirable arrangement for an organization other than schools to conduct the assessment and this task is of course the responsibility of the Education Department.

In addition, some people query why it cannot be made compulsory for all secondary schools to adopt mother-tongue teaching in one move. They think that in so doing, we can totally avoid taking the medium of instruction as the criterion to grade schools. While seeking changes, we still have to respect history and school traditions. English-medium schools which are sufficiently capable of teaching in English should be exempted from adopting Chinese-medium teaching. Moreover, there is no need to deprive the right of the students who are really competent to learn in English. On the contrary, those students should be nurtured and provided with a proper learning environment to help them attain high proficiency in English to further enhance the edge of Hong Kong in competition in the international business community.

Though I affirm the effects of mother-tongue teaching, I do not want to see that one day, the majority of students will have to view the world, contact and link with foreign countries through translated books. So, while students are receiving mother-tongue teaching, the Government must strengthen their training in the English language so as to establish Hong Kong's advantageous position as a bilingual society.

The worries are the result of either misunderstanding or suspicion. A number of English-medium schools view the Government's determination to adopt mother-tongue teaching with the "conspiracy theory". They worry that the Government will make use of harsh assessment benchmarks to "drive away" English-medium schools so as to ban "elite" schools. Nonetheless, it is inevitable that students' language proficiency varies, so it is necessary to set a standard for assessing schools, that is, for assessing students' language proficiency. The most important thing is whether this standard is fair and objective. As students' language proficiency varies, the emergence of the so-called "elite" schools is inevitable. "Elite" schools does not equal to schools excel in English. There are "elite" schools among both English-medium schools and Chinese-medium schools. I cannot see how the Government can ban "elite" schools and hence indirectly lower students' standard with the assessment benchmark.

Though English-medium schools may be excessively worried, it is nevertheless necessary for the Government to clarify the misunderstanding to remove their unnecessary worries. The Education Department must therefore make the assessment benchmark better known to the public to let everybody know how the assessment will be made, what kind of objective standard will be

adopted in the course of assessment and if there will be any mechanism for appeal. Since some schools worry that individual staff members of the Education Department may adopt different assessment benchmarks while carrying out school inspections, the Government must introduce a package of independent mechanism for appeal with credibility to avoid the situation that some English-medium schools with capable students and teachers are classified as the schools ineligible for adopting English teaching, and also to avoid denying their access to lodging an appeal.

Mr President, with these remarks, I support the motion of Mrs Selina CHOW.

MR AMBROSE LAU (in Cantonese): Mr President, adoption of mother-tongue teaching was proposed as early as 1972 in the Education Green Paper. In the mid-1980s, several reports prepared by the Education Commission also stressed this issue. However, the Government has in fact given it much discussion but done nothing. It is introducing the Arrangements for Firm Guidance on Secondary Schools' Medium of Instruction hastily when Hong Kong will soon return to China. The Firm Guidance proposes that all public secondary schools, except the 90-odd secondary schools with prior approval to continue English-medium teaching, should adopt mother-tongue teaching compulsorily starting from September 1998.

Mr President, on the face of it, this move of the Government appears to be "politically correct" by adopting mother-tongue teaching urgently in conformity with the return of Hong Kong to China. However, this kind of dramatically implemented compulsory measure will only create doubts and confusion among the publishers, teachers, students and parents alike. This does not facilitate the smooth transition of education policies.

Mr President, if Hong Kong wants to overcome all the disadvantages of colonial education on its return to China, it will have to nurture a large number of graduates so that they will be competent in both mother tongue and a second language such as English, equipped with comprehensive basic knowledge, capable of analyzing, criticizing and thinking independently, creative and having a sense of national pride. Under the long-standing colonial education system in the past, only a small number of outstanding people were nurtured through elitism. The majority of the graduates were not proficient in English and failed

in mother tongue. Whilst still worshipping English language and despising their mother tongue, they were poor in knowledge and incapable of thinking independently. What should be done to change this phenomenon?

Mr President, I think that to change this phenomenon, we have to establish two principles in the first place. The first one is the principle of non-politicization and the second one is the principle of progression. The principle of non-politicization means that the implementation of mother-tongue teaching should not be considered from the point of "political correctness". Though the long-standing colonial education has created the preference for English over Chinese, in implementing mother-tongue teaching, we should not go from one extreme to the other, for this extreme approach will only produce adverse effects. In adopting mother-tongue teaching, consideration should be given to students' acceptability, the situation of teachers and market demand on the one hand, and the wishes and choices of students, parents and schools on the other.

The principle of progression means that mother-tongue teaching should not be carried out compulsorily in haste. At present, some schools, despite their names as English-medium schools, actually devote 90% of the time to using Cantonese as the medium of instruction. Some of the schools which agree to the objectives of mother-tongue teaching but are unable to abandon English language teaching all of a sudden, have adopted a mixed-medium mode, that is, using textbooks in English for certain science subjects and using Chinese as the medium of instruction on subjects like History and Geography. If schools having different conditions are required to have an across-the-board switch over to mother-tongue teaching, there will apparently be questions as to whether the number and quality of language teachers can meet the requirements or the textbooks written in Chinese can cater for the need.

Mr President, according to the principles of non-politicization and progression regarding mother-tongue teaching, I propose:

- (1) As far as mother-tongue teaching is concerned, there should be a transition period for strengthening the preparatory work, say three to five years, when all the schools in Hong Kong will adopt Chinese language teaching starting from Secondary One, but individual subjects can be taught in English. However, no school should be exempted from mother-tongue teaching so as to avoid an education

tendency of preferring English to Chinese in disguise.

- (2) In implementing the policy of mother-tongue teaching and emphasizing both English and Chinese, it is an important prerequisite for the Government to allocate more resources to recruit quality Chinese and English teachers. At present, the phenomenon that some schools which are English-medium schools in name but adopting Cantonese as the medium of instruction in reality is due to the lack of qualified English teachers.
- (3) It is necessary to step up the compilation of good quality Chinese textbooks and to improve the framework of secondary school subjects. As mother-tongue teaching helps students understand and acquire knowledge easily, the time spent on the lessons of different subjects and self-study under mother-tongue teaching can be shortened, and the remaining time can be used for strengthening the learning of English.

Mr President, following the principles of non-politicization and progression to implement mother-tongue teaching is the only road to earnestly carrying out mother-tongue teaching and maintaining Hong Kong's competitiveness in the international business community.

Mr President, these are my remarks.

MR CHAN KAM-LAM (in Cantonese): Mr President, the objective of teaching is to pass on knowledge. Of course, the language of which a student has the best command should be chosen as the medium of instruction. It is a universally accepted principle that using mother tongue as the medium of instruction will produce better result than using foreign languages. However, Hong Kong, as a Chinese community, has for a long time abandoned mother tongue and compelled students to accept English, a foreign language they cannot master well, as the medium of instruction. This has all along become the laughing-stock of the education sector.

There is a belief that the ruler of a colony uses his own language in his colony's education system to place himself in a position of prominence and assimilate the people under his rule so as to reduce ideological and political

conflicts. This way of saying is not groundless.

We are of the opinion that in the past, although the Government knew very well that mother-tongue teaching was more effective and in line with the ideal of education, it did not make mother-tongue teaching compulsory under the pretext of non-intervention in schools' choice of the medium of instruction. In fact, this is a move disregarding the interests of students.

To us who have all along been supporting mother-tongue teaching, the Government's way of implementing the policy of mother-tongue teaching in the past gave us an impression of being overcautious and not doing its best.

The Hong Kong Government proposed the so-called incentive measures in 1986. In 1990, it proposed in a report the "language streaming" policy which was severely criticized by the education sector in general as "neither one thing nor another". Recently, the Arrangements on Firm Guidance on Secondary Schools' Medium of Instruction (the Guidance) was issued. Though some progress has been made, it is still not thorough enough.

This time, though the Guidance issued by the Education Department (the Department) is called a "firm" one, it still allows schools, through proof of the capability of their students and teachers, to apply to the Department for special approval to use English as the medium of instruction. We consider that according to the classification made by the Department, the students who are under the category of capable of learning in English may not necessarily obtain better learning results from English-medium teaching than mother-tongue teaching. On the contrary, they may have to pay higher price to achieve the same learning results. It is however a pity that in accordance with the Firm Guidance issued by the Department, the power of choosing the medium of instruction falls into the hands of the schools. A large number of schools, owing to the long-standing social phenomenon of "preferring English to Chinese", and the experience that individual schools such as Carmel Secondary School, which once adopted mother-tongue teaching, was regarded as "a pioneer who sacrifices", will definitely be proud of "being able to use English as the medium of instruction" and will not adopt mother-tongue teaching.

In view of the above, I think that unless the Hong Kong Government

carries out a thorough "across-the-board" measure to make it compulsory for all the schools under the subsidies of the nine-year free education policy to adopt mother-tongue teaching without any exception, mother-tongue teaching will never be a success. Even after the implementation of the Guidance under which the majority of the schools are "compelled" to adopt mother-tongue teaching, parents and students will still aim at entering English-medium schools and the students under mother-tongue teaching will still be regarded as second class students. Schools may even have to use more resources to conduct psychological counselling in this area. This is the same situation as the streaming teaching being adopted now, that is, in one single grade, some are English-medium and some Chinese-medium classes.

Moreover, the Democratic Alliance for the Betterment of Hong Kong is of the opinion that if the Government wants to implement mother-tongue teaching successfully to win support among people, it is imperative to make parents and the public understand that adopting mother-tongue teaching is not tantamount to abandoning English. Just the other way round, mother-tongue teaching is an important measure to promote the "biliterate and trilingual" policy. Of course, this goal cannot be achieved simply by the Guidance or by some superficial publicity. The Hong Kong Government must allocate more resources to improve teacher training and facilities for English, Putonghua and Cantonese teaching. This is particularly the case, for according to the findings of a survey conducted by the Department earlier, nearly 10 000 primary and secondary school teachers in the territory have not received any specialized training on English and Chinese, and among them, as high as 50% are English language teachers. We can thus see that stepping up teacher training brooks no delay.

Mr President, the public has all along mistaken that after adopting mother-tongue teaching, students will be less exposed to the English language, resulting in a drop in their English proficiency. This is seriously wrong because some educators have already pointed out that there is no direct correlation between students' competence in English and English language teaching.

We nevertheless view that after adopting mother-tongue teaching, students' language barrier in learning other subjects will be removed and they can concentrate more on learning and hence perform better. In fact, students' standard of English depends on their attitude towards learning English as well as

the teaching method adopted, not on whether English is the medium of instruction.

Hong Kong students have all along been receiving "spoon-fed" education which degrades their academic results. According to a recent survey, most secondary and university students in Hong Kong are incompetent in languages. This should arouse our pressing concern and full implementation of mother-tongue teaching is therefore of great urgency.

Mr President, these are my remarks.

PRESIDENT (in Cantonese): I now invite Mrs Selina CHOW to speak on the amendment. Mrs Selina CHOW, you have five minutes.

MRS SELINA CHOW (in Cantonese): Mr President, mother-tongue teaching is the core and crux of today's debate. My original motion points at the prevalent social argument of whether the Government should ensure the implementation of mother-tongue teaching on the basis of the Firm Guidance. Another key point is, while the mother-tongue teaching policy is affirmed, what attitude should be taken towards the English language. Dr the Honourable LAW Cheung-kwok, in his amendment and speech made today, fails to fix a position for the centre of the issue and lacks the courage to state clearly his stand on the argument. In his amendment, the support for the Firm Guidance indicated in my original motion has been taken out. Hence there is no specific and clear-cut demand on the Hong Kong Government. The motion has become ambiguous and vague. These are exactly the shortcomings of the Government in the past: lacking determination and having only policies but no actions.

Furthermore, Dr LAW Cheung-kwok, in his speech made just now, talked about "bilingualism and trilateracy", but in his amendment, he talked about "biliteracy and trilingualism". Nonetheless, neither "bilingualism and trilateracy" nor "biliteracy and trilingualism" is the core of today's discussion. While implementing mother-tongue teaching, what the public and parents are concerned about is whether a drop in students' English proficiency will undermine Hong Kong's status and the learning standard of our next generation.

The amendment fails to address this worry. He has nevertheless raised the issue from a realistic world level to a very ideal state. He stated that students should become "biliterate and trilingual". Who would not agree to this? However, is this goal easy to achieve? This amendment has neglected the consideration of the order of urgency of language education in Hong Kong. It also fails to express to the Government this Council's affirmative requirement of English language under the major premise of the implementation of mother-tongue teaching. If the amendment is carried, it will be of little significance and value for this Council's to specifically and emphatically point out the direction of mother-tongue teaching to the Government. Dr LAW, in his amendment and speech, did not give prominence to the issue of mother-tongue teaching. He merely made use of the amendment to express his wishes on the way the education system of Hong Kong should improve, and in his speech, he stated only in a few words about the issues in the education system that should be improved. In view of the above, I hope that colleagues will oppose Dr LAW Cheung-kwok's amendment because only by doing so can there be a chance to support my original motion.

Thank you, Mr President.

PRESIDENT (in Cantonese): Dr LAW Cheung-kwok, is it a point of order?

DR LAW CHEUNG-KWOK (in Cantonese): It is a point of order. I seek elucidation because Mrs Selina CHOW misunderstood some of my remarks as well as the stand of the Hong Kong Association for Democracy and People's Livelihood.

PRESIDENT (in Cantonese): This is not a point of order. If you consider that Mrs Selina CHOW just now misunderstood a certain part of your remarks, please point out which part it is.

DR LAW CHEUNG-KWOK (in Cantonese): She misunderstood that we totally failed to include in the amendment and my remarks mother-tongue teaching which is a key point. I only want to point out that in fact, in the first sentence of our amendment

PRESIDENT (in Cantonese): By "entitled to explain", it means to explain the meaning of the part of your remarks that she misunderstood.

DR LAW CHEUNG-KWOK (in Cantonese): She mistook that our amendment did not regard mother-tongue teaching as the key point of this debate. If she has read the wording of the amendment, I, apart from deleting the first sentence,

PRESIDENT (in Cantonese): Dr LAW Cheung-kwok, you are not entitled to speak again to refute certain parts of what Mrs Selina CHOW just now said. However, you can elucidate the part of your remarks that have been misunderstood. If Mrs Selina CHOW, in her speech, said something that misunderstood certain parts of your remarks, you can point those parts out and state their real meaning, but you cannot discuss what the original meaning of your amendment is unless you point out which part of your remarks has been misunderstood by her.

DR LAW CHEUNG-KWOK (in Cantonese): Yes, I am sorry. Mr President, she mistook that our amendment totally fails in focusing this motion debate on compulsory mother-tongue teaching. We disagree with this because just at the beginning of my remarks,

PRESIDENT (in Cantonese): Dr LAW Cheung-kwok, I would like to repeat that to elucidate in order, you can only elucidate the part being misunderstood, that is, the part of your remarks being misunderstood. This does not mean that you are allowed to have one more chance to refute her argument.

DR LAW CHEUNG-KWOK (in Cantonese): Yes. Simply speaking, she misunderstood that we did not regard mother-tongue teaching as

PRESIDENT (in Cantonese): Dr LAW Cheung-kwok, I do not mean that. What I mean is, which sentence you just now stated has been misunderstood by

Mrs Selina CHOW?

DR LAW CHEUNG-KWOK (in Cantonese): She totally failed to hear what I had said and this is what she misunderstood me.

PRESIDENT (in Cantonese): Dr LAW Cheung-kwok, in that case, please resume your seat. I cannot do anything if you are unable to point out which part of your remarks has been misunderstood.

SECRETARY FOR EDUCATION AND MANPOWER (in Cantonese): Mr President, first of all, I would like to thank the Honourable Mrs Selina CHOW for moving this motion. As a model parent who loves her children and is anxious that they are provided with quality education, and as a distinguished member in the industrial and commercial sector who has excellent command of the English language, the Honourable Mrs Selina CHOW has explained in detail her reasons for "firm" support of mother-tongue teaching. This is a matter to which we, parents in particular, should attach great importance. I would also like to thank all the Honourable Members who spoke in support of Government's implementation of the mother-tongue teaching policy.

As mentioned in the motion, the Government has encouraged schools to adopt mother-tongue teaching for more than ten years. As early as 1984, the Government accepted the recommendations in the Education Commission (the Commission) Report No. 1 and formulated specific policies for encouraging schools to adopt mother-tongue teaching. We hope that students can establish a solid foundation in language proficiency in a single-language environment to enable them to easily master and acquire knowledge in various subjects and have a good command of Chinese and English.

In 1986, the Government, in accordance with the recommendations in the Education Commission Report No. 2, increased the allocation of resources to schools adopting mother-tongue teaching to ensure that these schools could maintain their standard in English.

In 1990, the Government adopted the framework of language policy in education recommended in the Education Commission Report No. 4. Under this framework, students were grouped according to their abilities to learn in Chinese or English on the basis of an objective assessment in Primary 6. This method helps schools choose the appropriate medium of instruction for students according to their needs. Parents could also choose schools suitable for their children with reference to their performance in the assessment.

In his 1994 policy address, the Governor reaffirmed the Government's determination to implement the policy of mother-tongue teaching. He also stated that the Education Department would, in the 1997-98 school year, issue clear guidance to all schools on their appropriate medium of instruction.

In Report No. 6 issued in 1996, the Commission supported the Education Department to publish its advice on the medium of instruction to individual schools in 1997 for implementation in 1998. The Report also suggested that the Department should clearly specify the sanctions for non-compliance to ensure that schools follow the Department's recommendations.

In this context, the Education Department recently issued a consultation document on Arrangements for Firm Guidance on Secondary Schools' Medium of Instruction which proposed that, except for schools with prior approval, all local public sector schools should, starting with their Secondary 1 intake for the 1998/99 school year, progressively adopt Chinese as the medium of instruction. This measure is to implement an established policy and is in no way "too hasty" or "sudden" as described by some people.

There is consensus among Honourable Members and educators on the merits of mother-tongue teaching. That is, the use of the students' everyday language in learning can help them in their understanding and expression, as well as in raising questions and acquiring knowledge.

What is more significant is that mother-tongue teaching can enhance students' abilities in thinking and analysis, as well as their language proficiency. Language and thinking are closely related. It is not effective to have the majority of students to learn various subjects in English which they are not able to command as they have to double their efforts in order to learn those subjects. If students do not understand what they hear and read, they will naturally be

unable to organize and explore the subject content, or develop the ability to think independently. Therefore, forcing them to learn in English would only increase their learning difficulties, and adversely affect their interest and confidence in learning.

Let me quote an actual example. A report on "The Youths' Views on Alternative Education" published by a voluntary organization in March 1997 indicates that, as far as the medium of instruction is concerned, some 50% of the interviewees considered that English-teaching and English textbooks hindered their learning to a certain extent. Over 60% and 50% of the youths surveyed respectively considered "adopting Chinese as the medium of instruction" and "using Chinese textbooks" would assist them in their learning.

Teaching Support

To promote mother-tongue teaching, the Government has provided much support in both teaching and learning. As early as 1986, the Education Department introduced "positive incentive measures" for secondary schools adopting mother-tongue teaching so as to avoid a drop in the students' standard of English owing to their reduced exposure to the language. Such schools are provided with extra resources to employ more English teachers and procure additional equipment. For example, a secondary school which completely switches over to Chinese teaching can employ at least one additional English teacher. In addition, the Government also provides the school with a one-off library grant for flexible utilization of the money for additional English reading materials and other teaching aids. The Education Department is now reviewing these "positive incentive measures" and, if necessary, I will seek resources to provide further support to secondary schools adopting mother-tongue teaching.

We have not overlooked the issue of interface between secondary and tertiary education, where the medium of instruction is predominantly English. The Government has agreed that Secondary 6 and Secondary 7 students should be provided with more opportunities to improve their English. We have started work in this regard, for example, the provision of Intensive English Language Programme and Intensive English Course for Secondary 6 students by the Education Department. The former is intended for Secondary 6 who have Chinese as their medium of instruction, and the latter for those who have English as their medium of instruction. Both schemes aim at helping students who intend to enter university to enhance their proficiency in the English language.

I shall be most happy to consider other new measures in this area.

To cater for the needs of students at large, we have been vigorously promoting the Chinese and the English Extensive Reading Schemes, the purpose of which is to help students cultivate a good reading habit and improve their command of both languages. Up to March 1997, a total of almost 110 000 senior primary and junior secondary students joined the two schemes. In addition, there is a special English language radio programme "Teen Time" which is jointly produced by the Education Department and the Radio Television Hong Kong. The aim is to provide a casual environment whereby students are exposed more to the English language and encouraged to use the language. In view of the enthusiastic response, the Education Department plans to produce more similar programmes in collaboration with the Radio Television Hong Kong in future.

With regard to the concern about insufficient Chinese textbooks to support mother-tongue teaching, the Government set up the Chinese Textbooks Committee in 1986 to encourage and promote the publication of quality Chinese textbooks. At present, there are over 100 sets of quality Chinese textbooks available for schools to choose. Many textbook publishers have pledged their support to the consultation paper recently published by the Education Department and are determined to produce more Chinese textbooks of better quality to meet the demand. Also, I would like to clarify that we agree that teachers should encourage students to learn the English terms on various subjects. As regards the medium of instruction for certain commercial and technical subjects, the spirit of the consultation paper published by the Education Department allows flexibility.

Teacher Training

The success of mother-tongue teaching relies largely on the quality of teachers. The Language Institute, which was founded in 1982, in its history of more than a decade, has made tremendous contribution in raising the quality of our language teachers and improving our language teaching and learning. It also operated refresher courses to prepare teachers for mother-tongue teaching and Putonghua courses to upgrade teachers' ability in Putonghua teaching. The Institute, which became a founding member of the Hong Kong Institute of Education (HKIED) designated for teacher training in 1994, will continue to train quality teachers for language education.

To prepare for the full implementation of mother-tongue teaching, the

HKIED launched for the first time in the 1994-95 school year a new two-year and a new three-year full-time Certificate in Secondary Education (Chinese) Course to provide training in using Chinese as the medium of instruction. The first batch of intakes, who graduated in June last year, have already joined the teaching profession in schools.

The Education Department and the continuing education sections of local tertiary institutions have been operating various in-service training courses and activities to meet different needs of our language teachers and to raise the professional standard of our Chinese language and English language teachers. At present, the University of Hong Kong, the Chinese University of Hong Kong and the Hong Kong Baptist University are reviewing their respective post-graduate certificate courses in education with a view to strengthening the training in mother-tongue teaching.

In accordance with the recommendations in Education Commission Report No. 6, the Advisory Committee on Teacher Education and Qualifications (ACTEQ) is considering the development of benchmark qualifications for language and other subject teachers. In the 1997-98 school year, a pilot programme on language benchmark will be conducted to set a language benchmark for all the teachers and identify their training needs with a view to raising the language standard of teachers.

I can assure Honourable Members that the Government attaches great importance to teacher training and retraining. Only with teachers proficient in languages can there be students competent in both English and Chinese. I shall be pleased to continue discussions with educators on this issue.

Promotion of mother-tongue teaching

In recent years, the Government has strengthened the publicity of the merits of mother-tongue teaching through the mass media. We recognize that public education is essential and that the momentum should be maintained. We will continue our promotion work with patience so that more parents would understand the benefit of mother-tongue teaching.

Language policy emphasizing both English and Chinese

In response to Dr the Honourable LAW Cheung-kwok, I am pleased to

stress again that Hong Kong needs people who are proficient in both English and Chinese, including Putonghua. Therefore the Government accords equal importance to both English and Chinese in our language education policy. Mother-tongue teaching aims to make learning easier and more pleasant for most students, rather than to sacrifice their opportunities to learn English. Hence, mother-tongue teaching should not apply across the board. If schools can prove that their students are competent to learn in English and there are enough teachers who have the confidence in and ability to English-medium teaching, they can apply to the Education Department for approval to use English as their medium of instruction.

In response to the Honourable Mr Henry TANG, I admit that there are difficulties in respect of the existing scheme in recruiting a certain number of expatriate language teachers. Nil provision of housing allowances for these teachers is one of them. The Government will review the scheme. We will not preclude the possibility of considering other recommendations to improve the situation.

Conclusion

Lastly, I would like to thank Honourable Members for their continual support of mother-tongue teaching throughout the years. Mother-tongue teaching is an established government policy. What we have been discussing today is how to further implement this policy. As the consultation period of Arrangements for the Firm Guidance on Secondary Schools' Medium of Instruction is not yet over, I would like to take this opportunity to invite comments on the recommendations made in the paper.

Thank you for your views and suggestions raised today. We will record them in detail and consider them carefully together with other submissions. We hope that by taking into account different views and suggestions, we will achieve the desired results of the mother-tongue teaching policy.

Thank you, Mr President.

Question on the amendment put and negatived.

PRESIDENT (in Cantonese): Mrs Selina CHOW, you are now entitled to reply

and you have three minutes 39 seconds out of your original 15 minutes.

MRS SELINA CHOW (in Cantonese): Mr President, first of all, I would like to thank Honourable Members for their views on this important issue. Although Dr the Honourable LAW Cheung-kwok's amendment was negated, in his speech, he expressed many valuable views that I believe can be used by the Government for reference.

In my opinion, mother-tongue teaching is not simply a language policy. It is important because it can enable our next generation to learn from instinct so as to stimulate students' intention and interest in learning. Its successful implementation will not only enhance language proficiency but also heighten the overall effects of education. I am pleased to hear that there is major consensus among the Honourable Members about the support of mother-tongue teaching on the one hand and consensus on supporting the point that the English language should enjoy its importance in Hong Kong on the other. I hope that the Government, while specifically implementing the policy, will take all the constructive views of the Honourable Members and the public into consideration as well as make continual review on and improvement in what will be achieved on the basis of the Firm Guidance, so that students can be genuinely benefited continually.

Thank you, Mr President.

Question on the original motion put and agreed to.

ADJOURNMENT AND NEXT SITTING

PRESIDENT (in Cantonese): In accordance with Standing Orders, I now adjourn the Council until 2.30 pm on Wednesday, 14 May 1997.

Adjourned accordingly at thirteen minutes to Eight o'clock.