

OFFICIAL RECORD OF PROCEEDINGS

Wednesday, 19 April 1995

The Council met at half-past Two o'clock

PRESIDENT

THE PRESIDENT

THE HONOURABLE SIR JOHN SWAINE, C.B.E., LL.D., Q.C., J.P.

THE CHIEF SECRETARY

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

THE FINANCIAL SECRETARY

THE HONOURABLE SIR NATHANIEL WILLIAM HAMISH MACLEOD, K.B.E., J.P.

THE ATTORNEY GENERAL

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

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

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

THE HONOURABLE HUI YIN-FAT, O.B.E., J.P.

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

THE HONOURABLE PANG CHUN-HOI, M.B.E.

THE HONOURABLE SZETO WAH

THE HONOURABLE TAM YIU-CHUNG

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

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

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

THE HONOURABLE MARTIN GILBERT BARROW, O.B.E., J.P.

THE HONOURABLE MRS PEGGY LAM, O.B.E., J.P.

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

THE HONOURABLE LAU WAH-SUM, O.B.E., J.P.

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

THE HONOURABLE JAMES DAVID McGREGOR, O.B.E., I.S.O., J.P.

THE HONOURABLE MRS ELSIE TU, C.B.E.

THE HONOURABLE PETER WONG HONG-YUEN, O.B.E., J.P.

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE VINCENT CHENG HOI-CHUEN, O.B.E., J.P.

THE HONOURABLE MOSES CHENG MO-CHI

THE HONOURABLE MARVIN CHEUNG KIN-TUNG, O.B.E., J.P.

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHIM PUI-CHUNG

REV THE HONOURABLE FUNG CHI-WOOD

THE HONOURABLE FREDERICK FUNG KIN-KEE

THE HONOURABLE TIMOTHY HA WING-HO, M.B.E., J.P.

THE HONOURABLE MICHAEL HO MUN-KA

DR THE HONOURABLE HUANG CHEN-YA

THE HONOURABLE SIMON IP SIK-ON, O.B.E., J.P.

DR THE HONOURABLE LAM KUI-CHUN

DR THE HONOURABLE CONRAD LAM KUI-SHING, J.P.

THE HONOURABLE EMILY LAU WAI-HING

THE HONOURABLE LEE WING-TAT

THE HONOURABLE ERIC LI KA-CHEUNG, J.P.

THE HONOURABLE FRED LI WAH-MING

THE HONOURABLE MAN SAI-CHEONG

THE HONOURABLE STEVEN POON KWOK-LIM

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

THE HONOURABLE TIK CHI-YUEN

THE HONOURABLE JAMES TO KUN-SUN

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

DR THE HONOURABLE YEUNG SUM

THE HONOURABLE HOWARD YOUNG, J.P.

THE HONOURABLE ZACHARY WONG WAI-YIN

DR THE HONOURABLE TANG SIU-TONG, J.P.

THE HONOURABLE CHRISTINE LOH KUNG-WAI

THE HONOURABLE ROGER LUK KOON-HOO

THE HONOURABLE ANNA WU HUNG-YUK

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

THE HONOURABLE ALFRED TSO SHIU-WAI

THE HONOURABLE LEE CHEUK-YAN

ABSENT

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

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

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

DR THE HONOURABLE PHILIP WONG YU-HONG

IN ATTENDANCE

MR MICHAEL LEUNG MAN-KIN, C.B.E., J.P.
SECRETARY FOR EDUCATION AND MANPOWER

MR MICHAEL SUEN MING-YEUNG, C.B.E., J.P.
SECRETARY FOR HOME AFFAIRS

MR JAMES SO YIU-CHO, O.B.E., J.P.
SECRETARY FOR RECREATION AND CULTURE

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

MR MICHAEL DAVID CARTLAND, J.P.
SECRETARY FOR FINANCIAL SERVICES

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

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

MRS ELIZABETH MARGARET BOSHER, J.P.
SECRETARY FOR ECONOMIC SERVICES

MR CANICE MAK CHUN-FONG, J.P.
SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS

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

THE CLERK TO THE LEGISLATIVE COUNCIL
MR RICKY FUNG CHOI-CHEUNG

THE DEPUTY SECRETARY GENERAL
MR LAW KAM-SANG

PAPERS

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

Subject

Subsidiary Legislation	<i>L.N. No.</i>
Residential Care Homes (Elderly Persons) Regulation	116/95
Residential Care Homes (Elderly Persons) (Appeal Board) Regulation	117/95
Official Languages (Alteration of Text) (Juvenile Offenders Ordinance) Order 1995	124/95
Official Languages (Alteration of Text) (Labour Tribunal Ordinance) Order 1995	125/95
Revised Edition of the Laws (Correction of Errors) Order 1995	126/95
Rules of the Supreme Court (Amendment) Rules 1995	127/95
Antiquities and Monuments (Declaration of Historical Building) Notice 1995	128/95
Administration of Justice (Miscellaneous Provisions) Ordinance 1995 (13 of 1995) (Commencement) Notice 1995.....	129/95
Criminal Procedure (Amendment) Ordinance 1994 (56 of 1994) (Commencement) Notice 1995	130/95
Dumping at Sea Ordinance (18 of 1995) (Commencement) Notice 1995.....	131/95
Administrative Instructions for Regulating Admittance and Conduct of Persons (Amendment) Instructions 1995.....	132/95
Telecommunication (Amendment) Regulation 1995.....	133/95
Country Parks (Designation) (Consolidation) (Amendment) Order 1995	134/95

Port Control (Public Water-Front) Order 1995.....	135/95
Building (Planning) (Amendment) Regulation 1995	136/95
Legislative Council (Electoral Provisions) (Registration of Electors) (Functional Constituencies and Election Committee Constituency) (Appeals) Regulation	137/95
Electoral Provisions (Registration of Electors) (Geographical Constituencies) (Appeals) (Amendment) Regulation 1995	138/95
Official Languages (Alteration of Text) (Employment Ordinance) Order 1995	139/95
Cremation and Gardens of Remembrance (Regional Council) (Amendment) Bylaw 1995	140/95
Exhumation (Fees) (Regional Council) (Repeal) Bylaw 1995	141/95
Public Cemeteries (Regional Council) (Amendment) Bylaw 1995	142/95
Sewage Services (Sewage Charge) (Amendment) Regulation 1995	143/95
Official Languages (Authentic Chinese Text) (Labour Tribunal Ordinance) Order	(C)26/95
Official Languages (Authentic Chinese Text) (Sale of Goods Ordinance) Order	(C)27/95
Official Languages (Authentic Chinese Text) (Juvenile Offenders Ordinance) Order	(C)28/95
Official Languages (Authentic Chinese Text) (Dangerous Drugs Ordinance) Order	(C)29/95
Official Languages (Authentic Chinese Text) (Employment Ordinance) Order	(C)30/95

MISCELLANEOUS

Initial Report by Hong Kong under Article 19 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

ADDRESSES

Official Languages (Authentic Chinese Text) (Inland Revenue Ordinance) Order

MR ANDREW WONG: Mr President, as Chairman of the Subcommittee on Authentic Chinese Texts, I would like to address the Council on a point of special interest relating to the Official Languages (Authentic Chinese Text) (Inland Revenue Ordinance) Order, which was tabled before the Council on 22 March 1995.

Before going into the details, I would like to give some general background. Under the supervision of the Subcommittee on Authentic Chinese Texts, the authentication team of the Legal Service Division of the Council Secretariat has been scrutinizing the draft Chinese translation of the Laws of Hong Kong, prepared by the Attorney General's Chambers and endorsed by the Bilingual Laws Advisory Committee, before such Chinese version is declared authentic by the Governor in Council. As a special task force formed only recently in October 1994, and now consisting of four Assistant Legal Advisers working under the co-ordination of the Senior Assistant Legal Adviser, the authentication team has enabled the authentication process to progress at a rate much higher than was the case before its formation. Take a casual example: during the first two months of 1995, the Chinese translation of approximately 1 250 pages of English text were scrutinized. When one compares this with the previous figure of about 500 pages, being the total output for the first three and a half years of the authentication programme (from April 1991 to September 1994), the increase in productivity is obvious.

At the same time, great care is being taken to ensure that quantity is not achieved at the expense of quality. I am glad to say that, as a result of the Legislative Council's prior informal participation, the overall quality of the gazetted authentic Chinese texts has been improved. Nevertheless, one must constantly bear in mind certain limiting factors, namely, the highly technical nature of legal terminology, the intrinsic difference between the Chinese and English languages, not to mention inherent ambiguity sometimes found in an ordinance itself. As a result of all these factors, any subtle change in meaning introduced accidentally in the process of translation may have serious and far-reaching consequences. One excellent example of this may be found in the authentic Chinese text of the Inland Revenue Ordinance (Cap. 112) as gazetted on 17 March 1995.

The word in question is "artificial" as it appears in section 61 of the said Ordinance. Essentially, that particular section empowers a tax assessor to disregard, for the purpose of tax assessment, any transaction which he regards as "artificial or fictitious". The special difficulty lies in that the word "artificial" has a wide range of possible meanings, ranging from not "natural" or "man-made" at one end of the scale, to "false" or "feigned" at the other end.

Formerly, when faced with the task of interpreting the legal meaning of such an English word or phrase, a court could look into the English text of the legislation alone and construe it in accordance with the judicial canons of construction. After the creation of an authentic Chinese text, however, pursuant to Part IIA of the Interpretation and General Clauses Ordinance (Cap. 1), not only the English word but also its Chinese rendition is liable to be so weighed and considered.

Owing to the breadth of meaning of the English word "artificial", it has been found to be almost impossible to find a Chinese word which contains exactly the same shades of meaning. The arbitrary rendition (in the Chinese authentic text) of one particular meaning, on the other hand, could be seen as interpretative and usurping the judge's role. Since, historically, section 61 has been a somewhat fertile ground for dispute and litigation, one cannot be too careful in choosing the appropriate rendition.

As a solution for the composite phrase "artificial or fictitious" in English, the rendition "虛假或虛構" has now been adopted in the authentic Chinese text, chosen on the basis of consistency with existing case law. The phrase "虛假或虛構" is therefore used in the Chinese text of Cap. 112 with the intended meaning of being the equivalent of "artificial or fictitious", as the latter is used in the context of section 61. With the legislative intention thus clearly put, it is believed by the Subcommittee that any potential misunderstanding regarding the said provision in the future will be avoided.

To sum up, this is the first time that a problem has been encountered in the authentication process which cannot be satisfactorily resolved by linguistic means alone. Should similar instances arise in the future each case will, I am sure, receive as much care, attention and practical scholarship as has been devoted to this present conundrum by those responsible for the authentication exercise, namely the Bilingual Laws Advisory Committee under the leadership of Dr Daniel TSE, the Attorney General's Chambers, the Executive Council, the Subcommittee on Authentic Chinese Texts of the this Council and the Legal Service Division of the Legislative Council Secretariat — to all of whom I express my thanks for their important contributions.

Radiographers (Registration and Disciplinary Procedure) Regulation

DR TANG SIU-TONG: Mr President, with your permission, I rise to speak on the Radiographers Regulation concerning registration and disciplinary procedure.

The Regulation which aims to provide for the registration as radiographers of persons who are qualified for such registration and for disciplinary procedures relating to registered radiographers has been examined by a subcommittee of this Council.

Section 6(e) of the regulation provides that a person shall be qualified for registration as a radiographer if he holds a diploma issued by the Hong Kong Radiological Technicians Association (HKRTA) before 1 January 1982. The subcommittee has considered the concerns expressed regarding the cut-off date in recognizing the Association's diploma if the regulation is passed as is proposed. Graduates of the two-year part-time diploma course launched by the HKRTA in March 1993 would not be qualified to register as radiographers.

The Administration has explained to us that the issue on the qualification of the Association's diploma for the purpose of registration have been deliberated by the Radiographers Board. A decision was taken by the Board in January 1993, before the Association offered its course, that the diploma issued by the Association prior to 1 January 1982 would be recognized since the holders have already had considerable experience in the field. The Board, however, did not consider it appropriate to render an automatic registration status to the Association's diploma to be issued in 1995.

The Administration has provided us with information which indicates that the Board's decision in recognizing the Association's diploma should have made known to the Association one way or another.

We have also noted that there are in fact channels for those trainee radiographers who are not qualified at the moment to obtain qualifications through examination for registration as radiographers. The Board will assess the applicants and conduct an examination for that purpose, if necessary.

The subcommittee therefore accepts that section 6(e) of the Regulation should remain as it is.

With these remarks, Mr President, I support the Regulation.

DR LEONG CHE-HUNG: Mr President, I rise to support the passage of the Radiographers (Registration and Disciplinary Procedure) Regulation tabled today in the Council in its original form. I would also urge Honourable Members to do likewise as this will be the fruit of some 15 years — 15, I repeat — of deliberation by the Radiographers Board. The passage of this Regulation will be a day for jubilation for bona fide radiographers for it sets the pathway for them to be properly registered.

Proper professional registration is a serious matter for the profession concerned for it ensures a better public safety protection and it marks the date when quacks are being weeded out.

I further support that this Registration is based on standards. This is the only way and I presume that it is on this principle that my honourable colleague, Mr Michael HO, has rightfully decided to, against his initial judgment, to withdraw his proposed amendment.

Two groups of people, However, who are involved in radiography would still be left in limbo. They are currently not covered by the regulation of the Radiographers Board — these are the dental surgery assistants and the nuclear medicine technologists.

Dental surgery assistants deal with radiography of the teeth and jaw in dental clinics, and nuclear medicine technologists deal with diagnosis and treatment of disease entirely using nuclear medicine. They, by inference of the Supplementary Medical Professions Ordinance, fall within the profession of radiographer and should therefore be under the control of this Regulation.

I have sought clarification from the Chairman of the Radiographers Board who said in reply: "for a person practising part of the activities included in the scope of a radiographer's practice" and I repeat, practising part of the activities, "the control is outside the terms of reference of the Radiographers Board if the person is not a registrable radiographer". With respect, I beg to disagree for this in essence is saying that if you only practise surgery and not any other aspects of medicine, you do not have to register with the Medical Council and you are outside the control of the Medical Council.

If the registration of radiographers are based on standards, then clearly exempting and ignoring these two categories of persons who work in radiography is unacceptable.

I am not requesting the Administration to have these changed at this eleventh hour, but would request assurance from the Health and Welfare Branch that this aspect should be considered as soon as possible in the names of public safety and professional standards.

I support the passage.

MR MICHAEL HO (in Cantonese): Mr President, I rise to speak in support of the Radiographers (Registration and Disciplinary Procedure) Regulation.

During this interim period, the subcommittee has met with the Government and groups concerned. After the meeting, I have obtained a better understanding of the issues that have been discussed by the Radiographers Board over the years. Besides, the Government has also given us a very clear reply. I agree with the stance adopted by the Radiographers Board which is, in respect of these courses, the association concerned was well aware of the decision of the Board before it offered its courses in 1993. I also agree that although the graduates concerned cannot register under Part III, it would not affect their livelihood. Hence, I do not intend to move any amendment.

That does not mean that I have changed my original decision. Because of the Easter holidays and the recess of the House Committee, I had no choice but to submit my draft amendment to this Council before the last meeting of the House Committee in accordance with the 12 working-days rule under Standing Orders.

With these remarks, I support the Regulation.

ORAL ANSWERS TO QUESTIONS

Declaring 'Hung Lau' Building a Monument

1. MR MAN SAI-CHEONG asked (in Cantonese): *Mr President, it is learnt that the Antiquities Advisory Board has agreed that a recommendation should be made to the Recreation and Culture Branch for declaring the "Hung Lau" building at the Castle Peak Farm in Tuen Mun as a monument. In this connection, will the Government inform this Council what specific follow-up actions it has taken, and what decision it has made, on the Board's recommendation?*

SECRETARY FOR RECREATION AND CULTURE: Mr President, I would first like to clarify that the Antiquities Advisory Board (AAB) did not specifically recommend the declaration of Hung Lau itself as a monument. At its meeting on February 1995, the AAB recommended for preservation as a monument the former Castle Peak Farm, within which boundaries Hung Lau stands.

The Administration now proposes to invite the Regional Council to establish and manage a public park on part of the site of the old Castle Peak Farm in keeping with the local surroundings and the history of the Farm for the benefit of the people of Hong Kong. We aim to include the Hung Lau building

as a focal point within this park. A concrete proposal will be drawn up for the Regional Council's consideration in due course.

Since February 1995, the Antiquities and Monuments Office (AMO) has taken various steps to follow up on this matter. The AMO is consulting all interested branches and departments within the Government to ascertain the precise boundaries, ownership, occupation, use, zoning and any future plans for the various publicly and privately owned lots lying within the old Castle Peak Farm's boundaries. In addition, the owners of the various lots are now being contacted to obtain their views on the declaration. This process is rather complex and must be done thoroughly. It will therefore take some time to complete.

Preliminary discussions have also been held with the owner of the private lot on which Hung Lau stands. We have now obtained agreement in principle from the owner to surrender to the Government the relevant part of this lot, including Hung Lau itself, subject to certain aspects, such as the handling of the existing tenants in Hung Lau, being satisfactorily resolved.

We hope to be able to resolve most of the key issues within the next 12 months or so to enable us to formally declare part of the former Castle Peak Farm in Tuen Mun as a monument.

MR MAN SAI-CHEONG (in Cantonese): *Apart from taking into consideration the views of the Antiquities Advisory Board, has the Government consulted local and overseas academics on their assessment of the historical merits of Hung Lau?*

SECRETARY FOR RECREATION AND CULTURE: Mr President, the AAB has taken into consideration a wide range of professional opinions on the historical and archaeological merits of Hung Lau and the old Castle Peak Farm. In addition, we have received views from the Tuen Mun District Board as well as from the Regional Council members themselves about their desire to preserve Hung Lau as a monument.

MR TANG SIU-TONG (in Cantonese): *Mr President, the Government has mentioned in the fourth paragraph of the main reply that the owner of the private lot on which Hung Lau stands had agreed to surrender the relevant part of the lot to the Government. Could the Government inform this Council whether the owner has agreed to surrender it without charge, or he has sold it to the Government, or the Government has to resume the land?*

SECRETARY FOR RECREATION AND CULTURE: Mr President, as I pointed out in my main answer, the owner of the private lot on which Hung Lau stands, has agreed, in principle, to surrender without charge to the Government the lot on which Hung Lau stands.

Franchised Bus Drivers

2. MRS MIRIAM LAU asked (in Cantonese): *Under the current system for the licensing of drivers, holders of driving licences for vehicles of classes 9 and 10 (Private Bus and Public Bus) are authorized to drive vehicles of classes 4 and 5 (Private Light Bus and Public Light Bus) without having to submit separate applications for the latter type of licence. However, holders of driving licences for vehicles of class 17 (Public Bus-Franchised) are required to pass a driving test before they are permitted to drive vehicles of classes 4 and 5. The Transport Department maintains that this system will help to ensure an adequate pool of drivers for franchised buses. Will the Government inform this Council:*

- (a) *whether it is aware of any difficulties encountered by the franchised bus companies in the recruitment of bus drivers in the past three years; if so, what was the wastage of drivers of franchised buses during this period;*
- (b) *whether the Transport Department is in possession of any information to show that the wastage rate in respect of franchised public bus drivers who are also holders of driving licences for vehicles of classes 4 and 5 is higher than that of those franchised public bus drivers without the latter type of licence;*
- (c) *what are the differences in the driving standard requirements between a driving licence for vehicles of classes 9 and 10 (Private Bus and Public Bus) and a driving licence for vehicles of class 17 (Public Bus-Franchised); and*
- (d) *whether it will consider permitting holders of driving licences for vehicles of class 17 to drive vehicles of classes 4 and 5 on the same basis as holders of driving licences for vehicles of classes 9 and 10?*

SECRETARY FOR TRANSPORT: Mr President, there has always been an overall shortage of franchised bus drivers. Over the past three years, 1 700 bus drivers left franchised bus companies, representing a wastage rate of about 8%. During the same period, franchised bus driver requirement increased at an annual rate of over 2% to meet the need arising from service improvements. Despite constant recruitment exercises conducted by franchised bus companies, the driver requirement could not be fully met and on average there were over 150 vacancies during the three-year period.

The Transport Department does not have any information to show that the wastage of franchised bus drivers who hold private and public light bus driving licences is higher. As 74% now working with franchised bus companies are licensed to drive franchised buses only, the comparison would not provide a meaningful indicator.

As far as driving tests are concerned, there is no difference between the standards required for driving private, public and franchised buses.

An ample and continuous supply of qualified bus drivers is essential for maintaining proper bus services. The primary concern of the Transport Department is that bus services provided to the travelling public are adequate and reliable. A separate and distinct category of franchised bus driving licence is therefore necessary to safeguard the interest of the vast majority of the travelling public who use franchised bus services.

The franchised bus companies provide free and specialized training to new recruits and make arrangements for them to attend the Transport Department's driving test. These arrangements constitute an important part of the obligations of the companies to ensure that there is a stable and secured pool of manpower. By providing free training, allowances and job opportunities to unqualified trainees, it is only reasonable to expect that resources devoted to these programmes are not wasted.

Any potential drain on the supply of franchised bus drivers therefore must be a matter of concern. Nevertheless, the Transport Department has indeed examined the possibility of direct issue of private and public light bus driving licences to holders of franchised bus driving licences. In principle, and subject to franchised bus services not being adversely affected, consideration may be given to relaxing the licensing conditions governing franchised buses when it is opportune to do so.

MRS MIRIAM LAU (in Cantonese): *The second paragraph of the main reply pointed out that Transport Department did not have any information to show that the wastage rate of franchised bus drivers who hold private and public light bus driving licences was higher. The sixth paragraph also mentioned that the authorities might consider relaxing the licensing conditions governing franchised buses when it was opportune to do so. Could the Secretary explain the meaning of "when it was opportune"? Moreover, as there is no relationship between the wastage rate of franchised public bus drivers and their possession of private bus and public bus driving licenses, why should the licensing conditions governing franchised buses not be relaxed immediately and have to wait for an opportune time instead?*

SECRETARY FOR TRANSPORT: Mr President, as I have pointed out in my principal reply, the essential consideration must be that we take a prudent approach in relaxing the conditions governing this particular type of licence. This particular type of licence is there for a good reason. As I have also explained, most, in other words, the vast majority of existing public franchised bus drivers hold only one kind of licence, and therefore it is not particularly meaningful to consider whether the minority of them holding other licences contribute significantly or otherwise to wastage.

As regards timing, I understand that the Transport Department has kept the situation under review and will continue to consider the overall supply situation of franchised bus drivers. As Members may know, on Hong Kong Island at least, in the course of this year, there may be significant changes to the operations of franchised buses and I think it would not be prudent to relax this requirement before the situation is more settled.

MR MICHAEL HO (in Cantonese): *The Government said in the fifth paragraph that the main purpose of retaining driving licence for vehicles of class 17 was to hope that resources devoted to providing free training by the franchised bus companies for their staff were not wasted. Will the Government inform this Council of the reason why the problem of driver wastage could not be solved by establishing contractual arrangements between the bus companies and their staff? Why does the Government have to interfere with the labour market through a particular transport policy and a licensing system in order to prevent the holders of driving licence for vehicles of class 17 from changing their jobs? Why does the Government not consider solving the manpower problem by providing more qualified drivers instead of interfering with the labour market of a free economy?*

SECRETARY FOR TRANSPORT: Mr President, there is no question of interfering into the free market as alleged by Mr Michael HO. The separate and distinct class of licence is there for the reason of ensuring a steady and stable supply of franchised bus drivers. The reality of the situation is that a lot of unqualified trainees enter the trade without any other driving qualifications and therefore bus companies feel it necessary to provide the training to allow them to be qualified under this particular type of licence.

MR TAM YIU-CHUNG (in Cantonese): *Mr President, could the Government confirm that three years ago, the Motor Transport Workers Union and its associated union related to the China Motor Bus Company have requested several times for the relaxation of the licensing conditions governing franchised buses, especially when the China Motor Bus Company was laying off its employees? But their views and requests are still not being entertained by the Government. Has the Government been slighting the unions' views and demands?*

PRESIDENT: Are you able to answer, Secretary?

SECRETARY FOR TRANSPORT: Mr President, there is no intention of disrespect or of ignoring the views of the Motor Transport Workers Union and its associated union related to the China Motor Bus Company (CMB). I can confirm that it is indeed the case that the question was raised by the Union in connection with the withdrawal of 26 routes from CMB and the transfer to Citibus two years ago. The question was raised and the Department, I believe, has had a number of discussions with the Union and their representatives in the course of these two years. And in the course of these two years, the position taken by the Department is the same as I have explained today and, that is, if the bus driver supply situation is stabilized, particularly towards the end of this year, then there is every reason to consider a relaxation. But before then, it will be very imprudent and unwise to relax this requirement prematurely.

MR WONG WAI-YIN (in Cantonese): *Mr President, in the first paragraph of his reply the Secretary has emphasized in particular that there has always been an overall shortage of franchised bus drivers, and that the shortage rate was rather high as there were over 150 vacancies on an average. One of the solutions to this problem is to reduce the number of runs. Since there is a shortage of bus drivers, the number of runs has to be reduced, otherwise the bus drivers will have to work overtime or to take less leave in order to maintain the average number of runs. Could the Secretary inform us whether there is any figure to show how serious the situation is in terms of overtime work undertaken by the drivers as a result of manpower shortage? Will such a situation have any adverse effect on safe driving or will it cause to passengers traffic accidents which should otherwise be avoidable? Will the Secretary inform us how to ensure that the quality of the driver in driving would not be affected by their overtime work or the reduction in their leave periods?*

SECRETARY FOR TRANSPORT: Mr President, the question of safety is of paramount importance in the regulating and management of our public bus services. Therefore the shortage or otherwise of bus drivers does not have any direct impact on safety because overtime worked by individual drivers is governed by internal rules of the various companies concerned, on the basis of a code of practice prescribed by the Transport Department. In other words, there must be an adequate period of rest between shifts. So the question of safety does not arise.

On the question of whether wastage has any impact on services in general, I think mainly the impact lies in lost trips, as pointed out by Mr WONG, rather than in safety. And I believe all the bus companies are mounting almost continuous recruitment exercises on the one hand while organizing training programmes on the other, and yet at the same time, improving their conditions of service so that staff, particularly experienced staff, can be retained.

MRS MIRIAM LAU (in Cantonese): *Would the Secretary inform this Council whether the Transport Department would consider requiring the franchised bus companies to review their allocation resources and to improve, under the premise of no increase in bus fares, the salaries and fringe benefits of their drivers and to curb the wastage rate?*

SECRETARY FOR TRANSPORT: Yes, Mr President.

MR MICHAEL HO (in Cantonese): *Mr President, the Secretary has not answered my question. I understand that the bus companies have devoted resources to staff training. But my question is, why does the Government not consider letting the companies retain their trained staff through contractual arrangements between these private companies and their drivers, rather than trying to help out by drawing up transport policies and creating a licensing system?*

SECRETARY FOR TRANSPORT: Mr President, there are various contractual arrangements between the companies and their drivers. It is there, but even under certain contractual situations, again on the basis of fluidity and freedom of movement in the market, staff are always free to resign.

Secondly, as to why we have one particular type of licence, I think I have explained this on a number of occasions earlier to previous questions: the main point is that most of the recruits entering these bus companies as franchised bus

drivers started off as unqualified drivers and therefore do not hold any other licences. It is of course free for them in their spare time, so to speak, to obtain other qualifications enabling them, as it were, to drive other types of vehicles.

Status of the Chinese Communist Party in Hong Kong

3. MISS CHRISTINE LOH asked: *Will the Government clarify the status under Hong Kong law of the local branch of the Chinese Communist Party (CCP), which is commonly stated to be under the leadership of a body called the Hong Kong and Macau Work Committee, and state whether such an entity is registered under the Societies Ordinance or another law; if not, why not?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, no such entity is registered under any Hong Kong ordinance. Nor has any such entity applied for registration, or notified the Societies Officer of the particulars required under the Societies Ordinance.

MISS CHRISTINE LOH: *Mr President, it is clear that the Administration does not wish to answer this question but I would still like to put to the Administration, via the Secretary, whether it is aware of the existence of the Hong Kong and Macau Work Committee stationed here? And secondly, if it is aware of its existence, then whether it is aware that it is effectively the Hong Kong Branch of the CCP?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, we too have seen reports of the existence of the CCP entity in Hong Kong, but no such entity has ever been declared officially to us. Nor, to our knowledge, has such entity associated itself with any public activities in Hong Kong.

MISS EMILY LAU (in Cantonese): *Mr President, I just cannot believe my own ears. I would like the Government to confirm that it is aware of the existence of the CCP and its activities in Hong Kong. In addition, could the Secretary inform this Council, if any foreign political organization wishes to stage their activities in Hong Kong, what procedures should it undergo under the laws of Hong Kong, before it can operate officially?*

PRESIDENT: Two questions there, Secretary.

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, on Miss Emily LAU's first question, I have nothing further to add to the earlier answer I gave in response to Miss LOH's question. On Miss LAU's second question, I would like to make the point that any organization can operate under an appropriate name provided its activities are lawful and it complies with the legal requirements for establishment. There are various ways in which an organization can be legally established, two ordinances are particularly relevant: the Societies Ordinance and the Companies Ordinance. But it is principally a matter for the individual organization concerned.

PRESIDENT: Miss LAU, not answered?

MISS EMILY LAU (in Cantonese): *Mr President, the Secretary has not answered my question. I do not quite understand why the Government does not openly reveal to the people that it is aware of the fact that the CCP has all along been existing in Hong Kong. Mr President, I hope the Government would formally answer this question. I would also like the Government to inform us whether the laws of Hong Kong would allow foreign political organizations to operate in Hong Kong?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, I am afraid Miss LAU has not heard the answer I gave. Let me repeat it again. We too have seen reports of the existence of the Chinese Communist Party entity in Hong Kong, but no such entity has ever been declared officially to us. Nor, to our knowledge, has such entity associated itself with any public activities in Hong Kong.

As regards the operation of any other organizations in Hong Kong, again I have explained the legal position: It is up to the individual organization concerned to apply for registration under the relevant legislation for it to have the legal status in order to operate in Hong Kong.

MS ANNU WU: *Thank you, Mr President. Has such an entity ever applied for exemption from registration and whether registration has been exempted or dispensed with by the Government based on whatever administrative power or legal power the Government has?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, my first answer to Miss LOH's question actually explains very clearly. Let me again quote:

"No such entity is registered under any Hong Kong ordinance. Nor has any such entity applied for registration, or notified the Societies Officer of the particulars required under the Societies Ordinance."

PRESIDENT: Not answered, Ms WU?

MS ANNA WU: *Thank you, Mr President. I realize what the Secretary has stated in the written answer, however, my question relates to whether such an entity has ever applied for exemption from registration?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, the Societies Ordinance provides very clearly under what circumstances can a particular organization or a society apply for exemption, and I think the references in the Ordinance are quite clear, and under those sections I have no information as regards any such entity applying for exemption.

DR CONRAD LAM (in Cantonese): *Mr President, I do not quite understand what the Secretary said in his reply. My question is very simple: Under the laws in Hong Kong at present, are the CCP activities in Hong Kong legal or illegal?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, at the risk of repeating myself again and again, let me make a couple of points in answer to Dr LAM's question. Any organization can operate under an appropriate name in Hong Kong provided its activities are lawful and it complies with the legal requirements for establishment, and there are various ways for that organization to establish itself legally.

The other point I would like to make is: The Chinese Government representatives have been operating in Hong Kong for quite some time and there is no reason why we need to take action differently if in the past we have deemed action is not necessary for whatever follow-up.

MR MARTIN LEE (in Cantonese): *Mr President, I can remember that both the Basic Law Drafting Committee and the Basic Law Consultation Committee were exempted, through the Government from registration. I would like the Government to clarify whether it is true that anybody, after he establishes an organization, could do whatever he wants, provided that he does not officially inform the Government, that is, if the organization exists secretly, he could do whatever he wants?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, I think, again, I have explained that there are legal provisions for an organization to apply to establish and operate legally and lawfully in Hong Kong. So the relevant legal provisions would have to be followed if the organization wishes to establish and to operate properly in Hong Kong. And the Societies Ordinance spells out the various conditions under which a particular organization, a particular society, needs to apply for notification and the circumstances under which it can be exempted from notification.

PRESIDENT: Not answered, Mr LEE?

MR MARTIN LEE (in Cantonese): *Mr President, the Secretary probably does not understand the law very much, since he is now looking at it from the positive side. An organization is certainly lawful if it has registered under the law. But the problem is, if it has never registered under the law, it would then be an organization. Under these circumstances, I wonder if it is appropriate for the Secretary for Constitutional Affairs to answer the question? Or should it be answered by the Secretary for Security or the Attorney General, as it involves the question of legality?*

PRESIDENT: I think the question borders on the hypothetical, Mr LEE.

MR CHIM PUI-CHUNG (in Cantonese): *Mr President, the Secretary could tell the people of Hong Kong that with the exception of the triad society, political parties all over the world, such as the Conservative Party in United Kingdom, the Republican Party in the United States of America, or even the Chinese Communist Party may, having registered under the laws of Hong Kong, stage appropriate political activities and be considered as lawful. This is not exclusively applicable to the CCP only. This is the rationale, is it not?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, if I understand Mr CHIM's statement correctly, then I would share with his sentiments in that statement.

MR LEE WING-TAT (in Cantonese): *Mr President, according to the Societies Ordinance as amended by this Council last year, any organization shall register with the Societies Officer, that is, the Commissioner of Police, before it can carry out its activities. Will the Secretary inform us whether or not the working committee of the CCP could be formally invited to register with the Government through this assembly, so that whatever work it conducts in Hong Kong would all become legalized?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, I think we are going round in circles. First of all, as I have said, we have seen reports of the existence of the CCP entity in Hong Kong, but we are not aware of such entity having associated itself with any public activities. Nor has any such entity declared itself officially to us. So I just fail to see what follow-up action we can or need to take.

PRESIDENT: Not answered, Mr LEE?

MR LEE WING-TAT (in Cantonese): *Will the Secretary inform us why, if the Government is aware that the working committee of the CCP has been operating in Hong Kong, has the Societies Officer not taken any action? If there are other societies keep operating in Hong Kong and the Government has received reports about them, will the Government allow such societies to carry on like this instead of inviting them to register directly with the Government through the Commissioner of Police?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, allow me to explain what action we normally would take under the Societies Ordinance. We normally would not take action under the Societies Ordinance unless there is a good reason to do so. And in this context that would obviously involve illegal activities which pose a threat to law and order or the security of Hong Kong. I do not think the circumstances in the alleged case mentioned by the Honourable Member should apply.

MR MARTIN LEE (in Cantonese): *Mr President, talking about going around in circles, it is the Secretary himself who is going around in circles. It is very clear to us Legislative Council Members. The point is that if registration is done, it is legal; if not, it is illegal. Unless the Secretary says that the Communist Party is superior than the laws of Hong Kong in which case, I shall have nothing to say. In fact, the matter is very clear. If it is operating in Hong Kong, it has to be registered; if it has not registered in Hong Kong, then it should not operate. The administration should not wait until it has broken the law before it would pursue the matter. Even if it has not broken the law, as long as it is operating in Hong Kong, it has to be registered. I hope the Secretary would answer my question, that is, whether he agrees with my view on this?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, I really have nothing much further to add. But again, Mr LEE himself mentioned that before action is taken, the particular entity would need to show that it has activities carrying on in Hong Kong and as I said in my earlier answer, we have no knowledge that such entity associated itself with any public activities in Hong Kong.

MR ANDREW WONG (in Cantonese): *Mr President, just now both the Honourable LEE Wing-tat and the Honourable Martin LEE have mentioned registration. However, registration is not required under the amended Societies Ordinance; the giving of notice will suffice. Therefore, I wonder if the question should be amended to read as: Would we invite the entity to apply for notification if we are aware that it has been operating?*

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Mr President, could I seek your ruling on whether this is a hypothetical proposition?

PRESIDENT: I think that question is within Standing Orders.

SECRETARY FOR CONSTITUTIONAL AFFAIRS: Well, in the present circumstances we have no such entity applying for notification under the Societies Ordinance.

Importation of Labour

4. MR LEE CHEUK-YAN asked (in Cantonese): *With regard to the importation of labour scheme, will the Government inform this Council:*

- (a) *of the current distribution of imported workers by job titles in each of the industrial and service sectors;*
- (b) *whether the list of employers of imported workers will be disclosed, if not, why not; and*
- (c) *whether the 500 health-care workers, which the Social Welfare Department has indicated that it plans to IMPORT for privately-operated homes for the aged, will come under the quota of the 25 000 workers to be imported?*

SECRETARY FOR EDUCATION AND MANPOWER: Mr President, on the first part of the question:

- (a) The latest statistical breakdown of imported workers by sectors and by job titles are in the Annex tabled with this reply. Because this Annex runs to 104 pages Members will appreciate that we cannot translate it in time, so I hope to have it ready as soon as possible.

On the second part of the question:

- (b) The General Scheme has been operating smoothly and with a high degree of transparency. The classification of industry groups, the quota allocation criteria and the allocation results by industry groups are already made public including of course to this Council. However, disclosure of information about individual employers of imported workers would involve disclosure of their own manpower planning policies and practices within the companies concerned which some companies may not wish to make public. Members will appreciate as the employers had not been notified of such an arrangement before they applied for the quota allocation, we cannot do this without their consent.

We will, however, consider the feasibility of disclosing the names of employers in the next allocation exercise when we review the allocation operations in the coming few months.

On the last part of the question:

- (c) Importation of health care workers are allowed under the General Scheme and are subject to the same application procedure and quota allocation criteria, including the ceiling of 25 000 workers.

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Industries	No. of Workers
Automobile Repairing	22
Catering	148
Clothing	102
Construction Work Site	15
Electrical	1
Electronics	33
Footwear	0
Furniture	9
Handbag	0
Hotel	44
Jewellery	6
Machine shop	37
Plastics	10
Printing	24
Shipbuilding and Repairing	53
Textile	19
Tourism	3
Transport & Physical Distribution	44
Wholesale, Retail & Import / Export Trades	163
Others	127
Total workers :	860

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Automobile Repairing	
MINI BUS DRIVER	16
PAINTER ASSISTANT	2
VEHICLE BODY BUILDER	1
VEHICLE MECHANIC	3
Total no. of worker :	22

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of worker
Industries : Catering	
BUSBOY / BUSGIRL	2
CLEANER	4
CLEANER/ DISHWASHER/ KITCHEN HELPER/ STEWARD	3
COOK (BUTCHERY)	2
DIM SUM COOK	1
ELECTRICIAN	1
GENERAL OFFICE CLERK	3
JUNIOR COOK (BUTCHERY, DIM SUM, BBQ, STOVE)	21
JUNIOR WAITER/JUNIOR WAITRESS	9
KITCHEN HELPER / STEWARD	12
PANTRY HELPER	10
RECEPTIONIST / HOSTESS	4
RESTAURANT CASHIER	6
UNIFORM AND LINEN ROOM ATTENDANT / CLOAKROOM ATTENDANT	12
WAITER / WAITRESS	58
Total no. of worker :	148

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : clothing	
CARGO CLERK	3
CUTTER	1
CUTTING ROOM OPERATIVE	6
FABRIC INSPECTOR	5
GENERAL OFFICE CLERK	4
GENERAL SEWING MACHINE OPERATOR	31
HAND STITCHER	6
INSPECTION OPERATIVE	44
KNITTING MACHINE MECHANIC	1
MERCHANDISER	1
Total no. of worker :	102

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Construction Work Site	
BAMBOO SCAFFOLDER	1
CREW (TUG BOAT)	2
DEMOLITION WORKER	2
DRAUGHTSMAN	2
LEVELLER	1
LEVELLING OPERATIVE	7
Total no. of worker :	15

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Electrical	
OFFICE EQUIPMENT SERVICE MECHANIC (GENERAL OFFICE MACHINES)	1
Total no. of worker :	1

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Electronics	
ACCOUNTING CLERK	1
ASSEMBLER	4
COMUTER OPERATOR	1
ELECTRONICS TECHNICIAN	6
LEADER/JUNIOR SUPERVISOR	1
MACHINIST	1
MECHANICAL TECHNICIAN	3
PACKER	2
PROCESS TECHNICIAN	1
QUALITY CONTROL / ASSURANCE TECHNICIAN	2
QUALITY CONTROLLER	1
REPAIRMAN (ELECTRONICS MANUFACTURING)	9
SALESMAN / SALES REPRESENTATIVE	1
Total no. of worker :	33

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Furniture	
DECORATOR	2
FURNITURE DESIGN TECHNICIAN	1
FURNITURE PACKER	1
SALES ASSISTANT	2
TRUCK DRIVER	2
WAREHOUSEMAN	1
Total no. of worker :	9

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Hotel	
BAR PORTER	2
BUSBOY/BUSGIRL/JUNIOR WAITER (WAITRESS)	1
COOK (WESTERN)	3
FRONT OFFICE CLERK/ROOM CLERK/RECEPTIONIST	1
JUNIOR WAITER/JUNIOR WAITRESS	1
KITCHEN HELPER	3
ORDER TAKER-ROOM SERVICE	1
RECEPTIONIST	1
RECEPTIONIST/HOSTESS/GREETRESS	2
ROOM ATTENDANT/HOUSEMAN	1
WAITER / WAITRESS (CHINESE)	4
WAITER / WAITRESS (WESTERN)	24
Total no. of worker :	44

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Jewellery	
GENERAL OFFICE CLERK	1
MOULD MAKER / CASTER	1
SALES CLERK/SALES ASSISTANT	4
Total no. of worker :	6

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Machine shop	
AIRCRAFT MAINTENANCE TRADESMAN (AIRFRAMES & ENGINE)	1
AIRCRAFT MAINTENANCE TRADESMAN (SHEET METAL)	9
ASSEMBLER	9
DIE-CASTING MACHINE OPERATOR	1
ELECTROPLATING AND METAL COATING WORKER	1
FITTER	3
MACHINIST	3
PLASTICS MACHINE SETTER	1
PRESS MACHINE OPERATOR	1
QUALITY CONTROL OPERATOR	2
SEMI-SKILLED ELECTROPLATING AND METAL COATING WORKER	4
SEMI-SKILLED MACHINE OPERATOR	1
WELDER	1
Total no. of worker :	37

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Plastics	
ASSEMBLER	6
INJECTION MOULDING MACHINE OPERATOR	2
QUALITY CHECKER	1
TAILOR (PLASTICS / FABRIC)	1
Total no. of worker :	10

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Printing	
BOOKBINDER	2
BOOKBINDING MACHINE OPERATOR	1
COMPOSITOR (FILM / PAPER / MAKE-UP / METAL)	2
OFFSET LITHOGRAPHIC PLATEMAKER	4
PRINTING MACHINE OPERATOR (OFFSET LITHO/SHEET PRINTING/GRAVURE)	7
PRODUCTION PLANNER / CONTROLLER	2
PROOF READER	5
QUALITY CONTROLLER	1
Total no. of worker :	24

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Shipbuilding and Repairing	
MARINE CONSTRUCTION CREW	5
MARINE PIPEWORKER	6
STEEL FABRICATOR (BOILER/STEEL PAPER/RIVER CAULKER/BLACKSMITH)	28
WELDER	14
Total no. of worker :	53

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Textile	
DYEING MACHINE TENDER	2
FABRIC INSPECTOR	1
KNITTING MACHINE TENDER	1
PREPARATORY MACHINE TENDER	2
RECORDER	1
ROVING FRAME DOFFER	8
TESTER	1
WASHER	3
Total no. of worker :	19

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Tourism	
TRAVEL CONSULTANT	3
Total no. of worker :	3

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Transport & Physical Distribution	
CONTAINER HAULAGE DRIVER	1
CONTROL CLERK	1
DRIVER	28
ELECTRICIAN	5
TALLY CLERK	3
WAREHOUSEMAN	6
Total no. of worker :	44

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Wholesale, Retail & Import / Export Trades	
ACCOUNTING CLERK	3
AQUATIC PRODUCTS QUALITY CHECKER	1
ASSEMBLER	2
BAKER	2
BOOKKEEPER / ACCOUNTING CLERK	3
COMPUTER / KEY-PUNCH OPERATOR	5
DATA PROCESSING SUPERVISOR	1
DOCUMENTATION / SHIPPING / RECEIVING CLERK	4
DRIVER	12
ELECTRONICS TECHNICIAN	1
FABRIC INSPECTOR	1
FISHBALL PROCESSING WORKER	2
FORK LIFT TRUCK DRIVER	2
GAS APPLIANCES WORKER	1
GENERAL OFFICE CLERK	8
GREEN SPROUT PROCESSING WORKER	1
HAND STITCHER	1
INSPECTION OPERATIVE	2
PURCHASING CLERK	1
RECEPTIONIST / TELEPHONE OPERATOR	1
SALES ASSISTANT	73
SALES SUPERVISOR	2
SAMPLE MAKER	1

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
SEMI-SKILLED MACHINE OPERATOR	1
SHOE MAKER	2
SOLDERING WORKER	1
SOLING WORKER	1
STOCK / PURCHASING CLERK	8
STORE SUPERVISOR	1
TALLY CLERK	9
TELECOMMUNICATIONS TECHNICIAN	1
TELEPHONE OPERATOR	2
UPPER SEWING WORKER	1
WAREHOUSEMAN	5
WOOD FURNITURE MAKER	1
Total no. of worker :	163

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Others	
ASSISTANT HAIR DRESSER	2
AUDIO EQUIPMENT OPERATOR	1
BARBECUE COOK	1
BEAN CURD PROCESSING WORKER	5
BOOKKEEPER / ACCOUNTING CLERK	1
CARE HOME ATTENDANT	26
COMPUTER OPERATOR	1
COMPUTER PAGING OPERATOR	8
CONTROL CLERK	1
DECORATOR	4
FARM WORKER	1
FISH ATTENDANT	1
FITTER	3
FURNITURE DESIGN TECHNICIAN	1
GARDEN WORKER	3
GARDENER	1
GENERAL OFFICE CLERK	5
HAND CUTTER	1
JUNIOR COOK/NUMBER 4 COOK AND BELOW (BUTCHERY, BBQ, STOVE, ETC)	2
MACHINE SETTING WORKER (ALUMINIUM)	2
MECHANICAL FITTER	1
MIRROR POLISHING WORKER	1
PAINTER/ DECORATOR/ SIGN WRITER	1

The 1992 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
PRESSER	2
RECEPTIONIST	1
REPAIRMAN	1
SALES CLERK/SALES ASSISTANT	2
SCHOOL ATTENDANT	1
SECURITY GUARD	20
SECURITY SUPERVISOR	1
SIGN WRITER	1
SKIVING WORKER	1
SOYA BEAN MAKER	1
TECHNICIAN (LIFT / ESCALATORS)	1
TRUCK DRIVER	5
VAN DRIVER	1
WAREHOUSEMAN	2
WASHER	11
WASHER AND PRESSER	1
WELDER	1
WOOD FURNITURE MAKER	1
Total no. of worker :	127

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Industries	No. of Workers
Automobile Repairing	50
Banking & Finance	244
Catering	2636
Clothing	1384
Construction Work Site	455
Electrical	21
Electronics	347
Footwear	0
Furniture	0
Handbag	1
Hotel	333
Insurance	5
Jewellery	8
Machine shop	747
Plastics	67
Printing	178
Shipbuilding and Repairing	49
Textile	163
Tourism	33
Transport & Physical Distribution	319
Wholesale, Retail & Import / Export Trades	2818

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Industries	No. of Workers
Others (Manufacturing)	224
Others (Non-manufacturing)	1452
Total workers :	11534

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
Industries : Automobile Repairing	
AUTOMOBILE AIR-CONDITIONING MECHANIC	3
RECEPTIONIST/TELEPHONE OPERATOR	1
TYPIST	1
VEHICLE BODY BUILDER	4
VEHICLE BODY REPAIRER	6
VEHICLE ELECTRICIAN	6
VEHICLE MECHANIC	9
VEHICLE PAINTER	16
VEHICLE WELDER	4
Total no. of worker :	50

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
Industries : Banking & Finance	
ACCOUNTING CLERK	1
TELLER	243
Total no. of worker :	244

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
Industries : Catering	
ACCOUNTING CLERK	4
ARTIST/DRAFTSMAN	1
ASSISTANT COOK (DESSERT)	1
AUDIT SUPERVISOR	1
BAKER	13
BARBECUE COOK	2
BARTENDER/BARMAN/SODA FOUNTAIN CAPTAIN	27
BEAN CURD / SOYA BEAN PROCESSING WORKER	1
BUYER	1
CAPTAIN	3
CENERAL CASHIER	8
COOK	44
DIM SUM COOK	2
DIM SUM COOK (e.g. DOUGH, HANDLER, CONTENT MIXER)	10
FISH BALL COOK	2
FOOD AND BEVERAGE STOREKEEPER	11
FOOD PROCESSING WORKER	14
GENERAL CASHIER	31
GENERAL COOK	5
GENERAL OFFICE CLERK	22
GENERAL STOREKEEPER	21
HEAD SUPERVISOR (BBQ)	1
HEAD SUPERVISOR / HEADWAITER	1

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
HOSTESS	15
JUNIOR COOK/NO.4 COOK AND BELOW (E.G. BUTCHERY, DIM SUM, BBQ, STOVE)	586
LINEN ATTENDANT	5
MAINTENANCE SUPERVISOR / TECHNICAL SUPERVISOR	1
NO. 2 COOK (e.g. BUTCHERY, BBQ, STOVE, DIM SUM, VEGETABLE)	9
NO. 3 COOK (e.g. BUTCHERY, BBQ, STOVE, DIM SUM, VEGETABLE)	21
NOODLE STEAMER	3
PANTRY CAPTAIN	11
PANTRY COOK / SAUCER	16
PERSONNEL CLERK	5
PURCHASING CLERK	5
PURCHASING OFFICER	1
RECEPTIONIST/HOSTESS	22
RESTAURANT CASHIER	60
SALES ASSISTANT	14
SEMI-SKILLED MACHINE OPERATOR	5
SERVICE COOK	1
SODA FOUNTAIN CAPTAIN/BARTENDER	8
STAFF COOK/GENERAL COOK/SERVICE COOK	4
STEAM MILK WORKER	1
STEAMER	5
STORE AND RECEIVING CLERK	16

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
STOREKEEPER	6
TELEPHONE OPERATOR	1
TRIMMER	1
UNIFORM AND LINEN ATTENDANT/CLOAKROOM ATTENDANT	77
VEGETABLE COOK	5
VEGETABLE COOK HELPER	49
WAITER/WAITRESS	1449
WAITRESS	8
Total no. of worker :	2636

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
Industries : Clothing	
BEAD EMBROIDERING WORKER	1
CLOTHING MACHINE MECHANIC	3
CLOTHING OPERATOR INSTRUCTOR	5
COMPUTER EMBROIDERY MACHINE OPERATOR	3
COMPUTER EMBROIDERY PROGRAMMER	2
COMPUTER PATTERN GRADER / MARKER MAKER	1
CUTTER	18
CUTTING ROOM OPERATIVE	8
DOCUMENTATION CLERK	2
FABRIC COORDINATOR	1
FABRIC INSPECTOR	5
GARMENT REPAIRER	33
GENERAL OFFICE CLERK	27
GENERAL SEWING MACHINE OPERATOR	772
GODOWN WARRANT/SIGNING CLERK	1
HAND KNITTING MACHINE OPERATOR	36
HAND STITCHER	186
INSPECTION OPERATIVE	6
KNITTING MACHINE MECHANIC	2
KNITTING MACHINE TENDER	2
KNITWEAR MENDER	15
LINKING MACHINE OPERATOR	35
MAKE-THROUGH CRAFTSMAN	6

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
MERCHANDISER	4
PAINT SPRAYING GUN OPERATOR/ZINC SPRAYER	1
PATTERN GRADER / MARKER MAKER	5
PATTERN MAKER	2
POWER KNITTING MACHINE OPERATOR	21
PRESSER	43
PRODUCTION CO-ORDINATOR	4
PRODUCTION SECTION SUPERVISOR	2
PURCHASING CLERK	1
QUALITY ASSURANCE TECHNICIAN	1
QUALITY CONTROLLER	2
QUALITY INSPECTOR	42
RECEIVING CLERK	2
RECORDER	8
SALES ASSISTANT	1
SAMPLE MAKER	11
SEMI-SKILLED MACHINE OPERATOR	4
SHIPPING CLERK	2
SPECIAL SEWING MACHINE OPERATOR	40
STOCK/PURCHASING CLERK	2
TALLY CLERK	1
WAREHOUSEMAN	13

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
WASHER	1
ZIPPER PROCESSING WORKER (PRESSER)	1
Total no. of worker :	1384

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
Industries : Construction Work Site	
ARCHITECTURAL TECHNICIAN / DRAUGHTSMAN	1
ASSISTANT LEVELLER	7
BAMBOO SCAFFOLDER	22
BRICKLAYER / ROOF TILER	3
CARPENTER (FORMWORK)	17
CARPENTER / JOINER / WOOD MACHINIST	8
CASUAL WORKER	1
CONCRETOR	23
CONSTRUCTION PLANT MECHANIC	25
DECORATOR	2
DEMOLITION WORKER	15
DRAINLAYER	8
DRAUGHTSMAN	6
DRILLER/BORER	14
ELECTRICAL OPERATIVE	3
ELECTRICIAN	2
ELECTRICIAN (BUILDING CONTRACTOR'S)	8
FLOOR LAYER	1
FOREMAN (CONTRACTOR'S)	1
JOINER	2
LEVELLER	30
LEVELLING OPERATIVE	52
MACHINIST	4

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
MASON	8
MECHANICAL ENGINEERING TECHNICIAN	7
MECHANICAL OPERATIVE	4
METAL WORKER	9
PAINT SPRAYING GUN OPERATOR	2
PAINTER	5
PERSONAL SECRETARY	1
PLANT AND EQUIPMENT OPERATOR	48
PLASTERER	77
PLUMBER	5
SIGN WRITER	2
SITE CLERK	14
SITE SECURIOR	6
WALL AND FLOOR TILER	4
WAREHOUSEMAN	3
WELDER	5
Total no. of worker :	455

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
Industries : Electrical	
ASSEMBLER	1
ELECTRICIAN	1
ELECTRONICS TECHNICIAN	4
MECHANICAL TECHNICIAN	2
OFFICE EQUIPMENT SERVICE MECHANIC (GENERAL OFFICE MACHINES)	4
SEMI-SKILLED MACHINE OPERATOR	1
SOLDERING WORKER	2
TELEPHONE OPERATOR	4
WELDER	2
Total no. of worker :	21

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
Industries : Electronics	
ALIGNER/TESTER	5
ASSEMBLER	48
CHEMICAL TECHNICIAN	8
COIL WINDER	1
DRAUGHTSMAN	9
ELECTRONIC DATA PROCESSING OPERATOR	1
ELECTRONICS TECHNICIAN	31
FORK LIFT TRUCK DRIVER	1
FUNCTIONAL TESTER	5
MACHINE OPERATOR	57
MACHINIST	7
MECHANICAL ENGINEERING TECHNICIAN	1
MECHANICAL TECHNICIAN	43
PLASTIC MOULD MAKER	1
PRODUCTION / INDUSTRIAL ENGINEERING TECHNICIAN	2
PRODUCTION TECHNICIAN	19
PROGRAMMER	2
PURCHASING CLERK	1
QUALITY CONTROL / ASSURANCE TECHNICIAN	42
REPAIRMAN (ELECTRONICS MANUFACTURING)	41
SILK SCREEN PRINTER	1
SOLDERING WORKER	3
STOCK HANDLER	8

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
STOCK/PURCHASING CLERK	1
TELECOMMUNICATIONS TECHNICIAN	2
TESTER	3
TV TECHNICIAN	3
TYPIST (CHINESE CHARACTER)	1
Total no. of worker :	347

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Workers
Industries : Handbag	
GENERAL SEWING MACHINE OPERATOR	1
Total no. of worker :	1

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Hotel	
ACCOUNTING CLERK (PAYROLL/RECEIVABLE/PAYABLE/NIGHT AUDITOR)	1
ARTIST/DRAFTSMAN	1
COOK (WESTERN)	1
DOORMAN	2
ENGINEERING TECHNICIAN	1
FRONT DESK CLERK/RECEPTIONIST	7
FRONT OFFICE CASHIER	5
FRONT OFFICE CLERK	9
GUEST RELATIONS OFFICER	1
HEALTH CARE MACHINE OPERATOR	15
JUNIOR COOK (DIM SUM)	10
NIGHT AUDITOR	2
PAINTER	1
RECEPTIONIST	11
ROOM ATTENDANT/HOUSEMAN	72
ROOM ATTENDANT/HOUSEMAN	1
SECURITY OFFICER/UNIFORM GUARD	7
TELEPHONE OPERATOR	9
UPHOLSTERER/UNIFORM AND LINEN ROOM ATTENDANT	9
WAITER/WAITRESS (CHINESE)	165
WAITER/WAITRESS (WESTERN)	3

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post

No. of Worker

Total no. of worker : 333

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Insurance	
CLAIMS SUPERVISOR	1
MARKETING SUPERVISOR	1
REINSURANCE CLERK	1
REINSURANCE SUPERVISOR	1
UNDERWRITING CLERK	1
Total no. of worker :	5

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Jewellery	
GEMSTONE POLISHER	2
GOLDSMITH (K-GOLD)	2
PURCHASING CLERK	1
SALES ASSISTANT	2
STOCK CLERK	1
Total no. of worker :	8

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Machine shop	
AIR-CONDITIONING TECHNICIAN	4
AIRCRAFT MAINTENANCE TRADESMAN (AIRFRAME & ENGINE)	65
AIRCRAFT MAINTENANCE TRADESMAN (SHEET METAL)	50
BOOKKEEPER / ACCOUNTING CLERK	1
CHEMICAL TECHNICIAN	1
COPPER SHEET CUTTING MACHINE OPERATOR	5
COPPER SHEET ROLLING MACHINE OPERATOR	3
CRANE OPERATOR	1
DIE-CASTING MACHINE OPERATOR	41
DRAUGHTSMAN	4
ELECTRIC ARC AND GAS WELDER	51
ELECTRIC-RESISTANCE WELDER	20
ELECTRICIAN	6
ELECTROPLATING AND METAL COATING WORKER	14
ENGINEERING DRAUGHTSMAN	2
FETTLER	26
FITTER	15
FURNACEMAN	2
GODOWN WARRANT/SIGNING CLERK	2
HIGH FREQUENCY MACHINE OPERATOR	1
INJECTION MOULDING MACHINE OPERATOR	1
INSTRUMENT MECHANIC	1
MACHINE SETTER	6

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
MACHINIST	89
MECHANICAL ENGINEERING TECHNICIAN	3
METAL COATING WORKER	2
MIRROR CUTTING / POLISHING WORKER	1
MOULD AND DIE MAKER	1
PAINT SPRAYING GUN OPERATOR/ZINC SPRAYER	30
PAINTER	6
PATTERN / MODEL / PROTOTYPE MAKER	3
PLASTIC MOULD MAKER	24
PLUMBER AND PIPE FITTER	11
POLISHING WORKER	9
POLLUTED WATER HANDLING OPERATIVE	1
PRESS OPERATOR	47
PURCHASING CLERK	2
QUALITY CHECKER	3
QUALITY CONTROL OPERATOR	16
REPAIRER (WATCHES AND CLOCKS)	1
SEMI-SKILLED ELECTROPLATING AND METAL COATING WORKER	92
SEMI-SKILLED MACHINE OPERATOR	37
SHEETMETAL FABRICATOR	1
SKILLED METAL PRINTING WORKER	4
SKILLED ROLLING MILL WORKER	8
STEEL CUTTER	5

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
STOCK/PURCHASING CLERK	5
STRIKER	11
TALLY CLERK	1
THERMAL EQUIPMENT INSTALLER	1
TOOL AND DIE MAKER	6
WAREHOUSEMAN	1
WATCH MAKER	1
ZINC SPRAYER	3
Total no. of worker :	747

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Plastics	
ASSEMBLER	35
CUSTOMERS SERVICE CLERK	4
ELECTRICAL ENGINEERING TECHNICIAN	1
ELECTRONICS ENGINEERING TECHNICIAN	2
FILM BLOWING MACHINE OPERATOR	1
FORK LIFT TRUCK DRIVER	6
MECHANICAL ENGINEERING TECHNICIAN	1
PLASTIC BAG MACHINE OPERATOR	1
PLASTICS CUTTING MACHINE OPERATOR	2
PRESS OPERATOR	1
PRINTING OPERATOR	3
QUALITY CHECKER	1
SALES REPRESENTATIVE	3
SEMI-SKILLED MACHINE OPERATOR	2
TAILOR (PLASTICS/FABRIC)	4
Total no. of worker :	67

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Printing	
BOOKBINDER	24
BOOKBINDING MACHINE OPERATOR	2
BRONZE ENGRAVING WORKER	1
COLOUR SCANNER OPERATOR	1
COMPOSITOR (FILM /PAPER /MAKE-UP/METAL)	1
DIE CUTTER	19
ENGLISH COMPUTER-AIDED TYPESETTER	3
IRON PLATING SKILL WORKER	3
IRON-PLATING MACHINE OPERATOR	1
MECHANICAL ENGINEERING TECHNICIAN	12
OFFSET LITHOGRAPHIC PLATEMAKER	12
PACKAGING / FINISHING WORKER	3
PAINT SPRAYING GUN OPERATOR	2
PAPER FOLDING TECHNICIAN	3
PLASTIC BAG MACHINE OPERATOR	1
PLATEMAKER (OTHER THAN LETTERPRESS & OFFSET)	2
PRINTERS' COST ACCOUNTANT	5
PRINTING MACHINE OPERATOR (OFFSET LITHO/SHEET PRINTING/GRAVURE)	32
PROCESS CAMERA OPERATOR	14
PRODUCTION PLANNER / CONTROLLER	3
PROOF READER	9
QUALITY CONTROL OPERATOR	3
QUALITY CONTROLLER	6

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
SCREEN PROCESS PRINTER	6
SEMI-SKILLED MACHINE OPERATOR	5
TALLY CLERK	2
TOOL MAKER	2
ZINC SPRAYER	1
Total no. of worker :	178

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Shipbuilding and Repairing	
DOCUMENTATION CLERK	1
ELECTRICIAN	9
ESTIMATOR	2
MACHINIST	2
MARINE CONSTRUCTION CREW	2
MARINE PIPEWORKER	5
MARINE TECHNICIAN/MECHANIC	2
OPERATIONS ASSISTANT/SHIPPING/FREIGHT CLERK	1
SHEET METAL WORKER	4
STEEL FABRICATOR(BOILER/STEEL PATER/RIVET CAULKER/BLACKSMITH	14
WELDER	7
Total no. of worker :	49

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Textile	
BOILER MECHANIC	1
BUNDLING MACHINE TENDER	5
COLOUR MATCHER	5
COMBING MACHINE TENDER	2
CONTINUOUS DYEING MACHINE LEADER	5
DYEING MACHINE TENDER	15
ELECTRICAL TECHNICIAN	1
ELECTRICIAN	4
ENGRAVER/SCREEN MAKER	1
FABRIC EXAMINER	2
FABRIC INSPECTOR	15
FABRIC MENDER	3
FINISHING MACHINE TENDER	7
GENERAL SEWING MACHINE OPERATOR	1
KNITTING MACHINE TENDER	2
KNITTING MECHANIC	2
LABEL KNITTING MACHINE OPERATOR	4
LABORATORY SUPERVISOR	1
PATTERN DESIGN TECHNICIAN	1
PREPARATORY MACHINE TENDER	17
PRINTING MACHINE TENDER	5
RECIPE PREPARER	1
RECORDER	13

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
ROPE YARN DYEING MACHINE TENDER	1
ROVING FRAME DOFFER	3
SCOURING AND BLEACHING MACHINE LEADER	1
SEMI-SKILLED MACHINE OPERATOR	1
SPINNING FRAME TENDER	4
STEAM DRYING MACHINE OPERATOR	1
STENTERING MACHINE LEADER	1
TESTER	8
TEXTILE MECHANIC	6
TOP ROLLER & APRON MAINTENACE	6
TWISTING MACHINE TENDER	4
WARP TYING MACHINE OPERATOR	1
WASHER	3
WEAVER	3
WINDING MACHINE TENDER	7
Total no. of worker :	163

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Tourism	
OPERATION MANAGER	1
TICKETING OFFICER	3
TOURIST GUIDE	15
TRAFFIC OFFICER	3
TRAVEL CONSULTANT	4
VISA CLERK	7
Total no. of worker :	33

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Transport & Physical Distribution	
BOARDING OFFICER	2
CARGO CLERK	4
CONTAINER HAULAGE DRIVER	9
CONTAINER HAULAGE TRUCK DRIVER	2
CONTROL CLERK	2
CRANE MAINTANANE MECHANIC	4
CUSTOMERS SERVICE CLERK	13
DELIVERY GANGLEADER	8
DOCUMENTATION CLERK	21
DRIVER	11
ELECTRICAL ENGINEERING TECHNICIAN	10
EQUIPMENT MAINT MECHANIC (FITTER)	1
FACILITY MAINT MECHANIC	3
FITTER	1
FORK LIFT TRUCK DRIVER	30
GENERAL OFFICE CLERK	2
INDUSTRIAL VEHICLE MECHANIC	1
MATERIAL HANDLING EQUIPMENT OPERATOR	26
MECHANICAL ENGINEERING TECHNICIAN	2
OPERATIONS ASSISTANT/SHIPPING/FREIGHT CLERK	4
TALLY CLERK	68
TELEPHONE OPERATOR	1
TERMINAL OPERATOR	25

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
TRAFFIC / CONTROL SUPERVISOR	1
TRAFFIC CONTROLLER	11
VEHICLE ELECTRICIAN	2
VEHICLE MECHANIC	22
WAREHOUSEMAN	33
Total no. of worker :	319

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Wholesale, Retail & Import / Export Trades	
ACCOUNTING CLERK	47
ACCOUNTS SUPERVISOR	4
BAKER	26
BARBECUE COOK	3
BEAN CURD / SOYA BEAN PROCESSING WORKER	2
BEEF BALL WORKER	2
BOOKKEEPER/ACCOUNTING CLERK	31
BOTTLE FILING MACHINE OPERATOR	1
BUTCHER	42
BUYER	10
CARGO CLERK	7
CARVER (CARPET MAKING)	3
CASHIER	26
CHINESE HERB/SALES ASSISTANT	21
CLERK	5
COLOUR MATCHER	6
COMPUTER OFFICER	1
COMPUTER/KEY-PUNCH OPERATOR	20
COOK (PRESERVED FOOD)	1
CRANE DRIVER	2
CUSTOMER SERVICE CLERK	5
DARK ROOM DEVELOPER	3
DECORATOR	2

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
DEMOLITION WORKER	2
DIM SUM COOK (e.g. DOUGH, HANDLER, CONTENT MIXER)	6
DISPLAY CO-ORDINATOR	11
DOCUMENTATION/SHIPPING/RECEIVING CLERK	25
DRAUGHTSMAN	2
DRIVER	8
EGG SORTER	3
EGG TESTER	1
ELECTRIC ARC AND GAS WELDER	1
ELECTRICAL APPLIANCES SERVICE MECHANIC	3
ELECTRICAL ENGINEERING TECHNICIAN	1
ELECTRONICS TECHNICIAN	1
ENGINEERING DRAUGHTSMAN	1
FABRIC EXAMINER	3
FABRIC INSPECTOR	10
FISH ATTENDANT	11
FLOOR BOARD CUTTER & POLISHER	2
FOOD PROCESSING WORKER	29
FORK LIFT TRUCK DRIVER	31
FRUIT BUYER	1
FRUIT MERCHANDISER	1
FURNITURE DESIGN TECHNICIAN	2
FURNITURE PACKER	11
GARMENT REPAIRER	1

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
GENERAL OFFICE CLERK	70
GENERAL SEWING MACHINE OPERATOR	10
GINSENG PROCESSING WORKER	4
GINSENG WORKER	6
GODOWN SUPERVISOR	5
GODOWN WARRANT/SIGNING CLERK	1
HANDBAG MAKER / MAKE-THROUGH CRAFTSMAN	1
HANDICRAFTSMAN	2
JUNIOR COOK	12
MACHINE REPAIRER TECHNICIAN	2
MAINT. /INTERIOR WORKS CO-ORDINATOR	3
MARBLE CUTTER	1
MASTER BUTCHER	2
MEAT CUTTER	2
MEAT STALL HANDLER	1
MECHANICAL ENGINEERING TECHNICIAN	2
MERCHANDISER / BUYER	19
NO 4 COOK	1
NO. 2 COOK (BBQ)	3
NOODLE MAKER	4
PAINTER / DECORATOR	10
PERSONAL SECRETARY/STENOGRAPHER	3
POLISHING WORKER	2
POULTRY WORKER	3

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
PRESERVED EGGS PROCESSING WORKER	2
PRESS OPERATOR	3
PUBLIC RELATIONS OFFICER	1
PURCHASING CLERK	84
QUALITY ASSURANCE TECHNICIAN	2
QUALITY CONTROL / TECHNICIAN	18
QUALITY INSPECTOR	9
RECEIVING CLERK	12
RECEPTIONIST/TELEPHONE OPERATOR	22
RECORDER	12
REPAIRING CRAFTSMAN	1
REPAIRMAN (ELECTRONICS MANUFACTURING)	4
RETAIL ACCOUNTS CLERK	2
RETAIL COMPUTER OPERATOR	1
RICE MIXER	3
RIGGER	1
SALES ASSISTANT	1259
SALES SUPERVISOR	22
SALESMAN	9
SALESMAN/SALES REPRESENTATIVE	30
SAMPLE CO-ORDINATOR	1
SAMPLE MAKER	5
SAUCE PROCESSING WORKER	3
SEAFOOD INSPECTOR	1

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
SEAFOOD TALLY CLERK	1
SEMI-SKILLED MACHINE OPERATOR	17
SEWING MACHINE MECHANIC	4
SHIPPING CLERK	6
SHOE REPAIRER	1
SIGNING CLERK	2
SOLDERING WORKER	1
SOYA BEAN PROCESSING WORKER	4
STOCK/PURCHASING CLERK	265
STORE / GODOWN SUPERVISOR	2
STORE SUPERVISOR	1
TALLY CLERK	149
TELEPHONE OPERATOR	10
TESTER	1
TYPIST	5
UMBRELLA DESIGNER	3
UMBRELLA REPAIRER	4
UPHOLSTERER	2
VEHICLE ELECTRICIAN	3
VEHICLE MECHANIC	3
WAITER/WAITRESS	1
WAREHOUSEMAN	205
WASTE PAPER MACHINE OPERATOR	2
WASTE PAPER RECEIVING CLERK	2

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
WINE MIXER	2
WOOD FURNITURE MAKER	9
Total no. of worker :	2818

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Others (Manufacturing)	
AIR-CONDITION/ REFRIGERATION MECHANIC	1
ASSEMBLER	7
BEADING WORKER	2
BOOKKEEPER / ACCOUNTING CLERK	1
CANDLE PROCESSING WORKER	39
CARTON BOX MACHINE OPERATOR	1
CLICKER CUTTER	1
CLOTHING OPERATOR INSTRUCTOR	1
COMPUTER MAINTENANCE MECHANIC	1
COOK	1
DARK ROOM TECHNICIAN	1
DECORATOR	6
DRAUGHTSMAN	3
FOOD PROCESSING WORKER	2
FORK LIFT TRUCK DRIVER	2
GENERAL OFFICE CLERK	3
GLAZIER	2
HAND STITCHER	3
HENFEED DISTRIBUTOR	2
JUNIOR COOK	3
JUNIOR TECHNICIAN	2
MACHINE OPERATOR	3
MACHINIST	2

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
MECHANICAL ENGINEERING TECHNICIAN	6
MIRROR CUTTING / POLISHING WORKER	9
OTHER PLASTICS PROCESSING MACHINE OPERATOR	1
PAINTER	3
PAPER BLEACHING WORKER	1
PAPER CUTTING OPERATOR	1
PAPER MAKING TECHNICIAN	3
PATTERN MAKER	1
PIG OIL PROCESSING WORKER	1
PIG SKIN PROCESSING WORKER	1
PLASTIC CLOTHES STICKING WORKER	2
PLASTICS CUTTING MACHINE WORKER	1
PRESS OPERATOR	2
PRODUCTION ASSEMBLER	3
QUALITY CONTROL OPERATOR	19
RECEPTIONIST/TELEPHONE OPERATOR	1
SALES ASSISTANT	6
SEMI-SKILLED MACHINE OPERATOR	58
SHIFT TECHNICIAN/OPERATOR	3
SPECIAL SEWING MACHINE OPERATOR	1
STOCK HANDLER	1
STORE AND RECEIVING CLERK	1
TALLY CLERK	1
TOOL AND DIE MAKER	1

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
TOY SAMPLE MAKER	4
TRUCK DRIVER	1
WAREHOUSEMAN	1
WELDER	2
Total no. of worker :	224

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Others (Non-manufacturing)	
ACCOUNTING CLERK	10
ARCHITECTURAL TECHNICIAN / DRAUGHTSMAN	2
ARTIST	1
AUDIT SUPERVISOR	1
BAKER	6
BARBECUE COOK	3
BARBER	6
BEAN CURD / SOYA BEAN PROCESSING WORKER	33
BEAUTICIAN	4
BINDING WORKER	2
BOOKKEEPER/ACCOUNTING CLERK	7
BUTCHER	17
CARE HOME ATTENDANT	263
CARGO CLERK	3
CARPENTER	7
CHECKER	3
CHEMICAL TECHNICIAN	1
CHINESE HERB PROCESSING WORKER	2
CLEANING FOREMAN	34
CLEANING MACHINE REPAIRER	2
CLEANING SUPERVISOR	8
CLEANING SUPERVISOR-IN-CHARGE	1
CLINIC REGISTRAR	1

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
COLOUR SCANNER OPERATOR	2
COMPANY SUPERVISOR	5
COMPUTER OPERATOR	1
COMPUTER PAGING OPERATOR	144
DARK ROOM DEVELOPER	1
DEAR PRODUCT PROCESSOR	3
DECORATOR	13
DEHYDRATION PROCESS WORKER	4
DEMOLITION WORKER	1
DESIGNER	2
DIE CUTTER	1
DIM SUM COOK (e.g. DOUGH, HANDLER, CONTENT MIXER)	3
DINING ROOM BAR AND FAMILY CLUBHOUSE WAITERS	3
DRAUGHTSMAN	1
DRY CLEANER	7
ELECTRICAL APPLIANCES SERVICE MECHANIC	2
ELECTRICAL ENGINEERING TECHNICIAN	3
ELECTRICIAN	7
ELECTRONICS TECHNICIAN	2
EXPERIENCED HAIR STYLIST	6
FABRIC INSPECTOR	1
FARM WORKER	5
FILLET FRYER	2
FISH BALL COOK	2

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
FISH POOL MAINTENANCE WORKER	1
FISHERMAN	9
FITTER	5
FLOOR LAYER	1
FLOOR POLISHING WORKER	6
FOOD PROCESSING WORKER	55
FOREMAN	4
FORK LIFT TRUCK DRIVER	3
FURNITURE DESIGN TECHNICIAN	1
GARDENING QUALITY INSPECTIVE	1
GARDENING WORKER	10
GENERAL CASHIER	3
GENERAL MACHINE OPERATOR (GLASS)	4
GENERAL MECHANIC	1
GENERAL OFFICE CLERK	28
GENERAL SEWING MACHINE OPERATOR	4
GENERAL STOREKEEPER	1
HAIR DRESSER	10
HAIR STYLIST	13
IRONER	4
JUNIOR COOK	2
LABORATORY ASSISTANT	4
LAUNDRY AND VALET CLERK/ORDER TAKER (LAUNDRY)	1
LEVELLER	2

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
MACHINE REPAIRING TECHNICIAN	1
MACHINE SETTER	4
MACHINIST	1
MATERIAL TESTING TECHNICIAN	4
MAXI CAB STATION OFFICER	3
MECHANICAL ENGINEERING TECHNICIAN	3
MECHANICAL TECHNICIAN	4
METAL WORKER	2
MUSIC INSTRUCTOR	1
NO. 2 COOK (e.g. BUTCHERY, BBQ, STOVE, DIM SUM, VEGETABLE)	1
NO. 3 COOK (e.g. BUTCHERY, BBQ, STOVE, DIM SUM, VEGETABLE)	2
NO.2 COOK (ORIENTAL FOOD)	1
NOODLE MAKING MACHINE OPERATIVE	1
OIL MIXING WORKER	1
OYSTER SAUCE MAKER	1
PAGING OPERATOR	20
PAINTER	9
PHOTO FINISHING WORKER	1
PHOTOGRAPHER	4
PIG FARM TECHNICIAN	5
PIG FARM WORKER	4
PIG FERTILIZING WORKER	1
PLASTERER	1

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
PLUMBER AND PIPE FITTER	1
PRESS OPERATOR	6
PRESSER	24
PRODUCTION OPERATOR	2
PRODUCTION WORKER (FOOD PROCESSING)	4
PURCHASING CLERK	3
QUALITY CONTROL / ASSURANCE TECHNICIAN	6
RECEIVING CLERK	1
RECEPTIONIST/TELEPHONE OPERATOR	2
SAILOR	5
SALES ASSISTANT	20
SALES SUPERVISOR	1
SALESMAN/SALES REPRESENTATIVE	3
SEASONING COOK	1
SECURITY GUARD	282
SECURITY SUPERVISOR	2
SELECTING FISH WORKER	4
SEMI-SKILLED MACHINE OPERATOR	16
SKILLED GARDENER	4
SORTER/WASHER/IRONER/PRESSER/CHECKER/DRY CLEANER	93
SOYA BEAN PROCESSING WORKER	6
STOCK/PURCHASING CLERK	5
STOREKEEPER	2

The 1993 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
TALLY CLERK	5
TICKETING OFFICER	1
TYPIST	1
UNIFORM AND LINEN ATTENDANT/CLOAKROOM ATTENDANT	1
UPHOLSTERER	6
VAN DRIVER	1
VEHICLE BODY REPAIRER	3
VELVET SHEET PREPARTOR	1
WAITER/WAITRESS	16
WAREHOUSEMAN	29
WELDER	4
WOOD FURNITURE MAKER	1
WOOD-BLOCK FLOOR LAYER	1
WOODEN CASE TECHNICIAN	2
ZIPPER SPRAYING MACHINE OPERATOR	1

Total no. of worker : 1452

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Industries	No. of Worker
Automobile Repairing	29
Banking & Finance	394
Catering	1221
Clothing	347
Communication	279
Construction Work Site	229
Electrical	86
Electronics	122
Footwear	0
Furniture	0
Handbag	0
Hotel	126
Import / Export Trades	736
Insurance	6
Jewellery	5
Machine shop	424
Plastics	5
Printing	63
Retail	1338
Sanitary, Laundry and Cleaning Services	21
Shipbuilding and Repairing	9

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Industries	No. of Worker
Social and Community Services	367
Textile	38
Tourism	24
Transport & Physical Distribution	146
Wholesale	140
Others (Manufacturing)	122
Others (Non-manufacturing)	1166
Total workers :	7443

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Automobile Repairing	
GLASS UPHOLSTERER	1
VEHICLE BODY BUILDER	1
VEHICLE BODY REPAIRER	6
VEHICLE ELECTRICIAN	5
VEHICLE MECHANIC	9
VEHICLE PAINTER	6
VEHICLE WELDER	1
Total no. of worker :	29

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Banking & Finance	
ACCOUNTING CLERK	7
ADMIN CLERK	1
BILLS CLERK	8
COMPUTER/KEY-PUNCH OPERATOR	9
CREDIT ADMIN CLERK	2
CREDIT CONTROL CLERK	4
CUSTODIAL CLERK	6
CUSTOMER SERVICE EXECUTIVE (CARD CENTRE BUSINESS)	2
DATA INPUT CLERK	7
GENERAL OFFICE CLERK	108
HIRE PURCHASE CLERK	4
LOANS ADMIN CLERK	2
LOANS PROCESSOR	1
PAYMENT SERVICES CLERK	1
REMITTANCE & SETTLEMENT CLERK	2
SECURITIES CLERK	1
SECURITIES PROCESSOR	2
TELEX/SWIFT/MAILING CLERK	2
TELLER	225
Total no. of worker :	394

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Catering	
BAKER	3
BARBECUE COOK	1
BARTENDER/BARMAN/SODA FOUNTAIN CAPTAIN	4
CAPTAIN	6
COOK	17
DIM SUM COOK	3
DIM SUM COOK (e.g. DOUGH, HANDLER, CONTENT MIXER)	3
GENERAL CASHIER	11
GENERAL OFFICE CLERK	9
GENERAL STOREKEEPER	5
JUNIOR COOK/NO.4 COOK AND BELOW (E.G. BUTCHERY, DIM SUM, BBQ, STOVE)	329
MAINTENANCE SUPERVISOR / TECHNICAL SUPERVISOR	2
NO. 2 COOK (e.g. BUTCHERY, BBQ, STOVE, DIM SUM, VEGETABLE)	3
NO. 3 COOK (e.g. BUTCHERY, BBQ, STOVE, DIM SUM, VEGETABLE)	8
PANTRY COOK / SAUCER	4
PURCHASING CLERK	1
RECEPTIONIST/HOSTESS	13
RESTAURANT CASHIER	22
SALES ASSISTANT	9
SENIOR COOK	1
SODA FOUNTAIN CAPTAIN/BARTENDER	2
STAFF COOK/GENERAL COOK/SERVICE COOK	2

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
UNIFORM AND LINEN ATTENDANT/CLOAKROOM ATTENDANT	34
VEGETABLE COOK	3
VEGETABLE COOK HELPER	12
WAITER/WAITRESS	714
Total no. of worker :	1221

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Clothing	
CAD (KNITWEAR DESIGN) TECHNICIAN	1
COMPUTER PATTERN GRADER / MARKER MAKER	2
CUTTING ROOM OPERATIVE	3
GARMENT REPAIRER	1
GENERAL OFFICE CLERK	6
GENERAL SEWING MACHINE OPERATOR	201
HAND KNITTING MACHINE OPERATOR	2
HAND STITCHER	50
LINKING MACHINE OPERATOR	10
MAKE-THROUGH CRAFTSMAN	3
MERCHANDISER	6
POWER KNITTING MACHINE OPERATOR	12
PRESSER	16
QUALITY CONTROLLER	1
QUALITY INSPECTOR	16
SPECIAL SEWING MACHINE OPERATOR	13
STOCK/PURCHASING CLERK	4
Total no. of worker :	347

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Communication	
COMPUTER PAGING OPERATOR	270
CUSTOMERS SERVICE CLERK	2
RADIO / TV MECHANIC	2
SALES CLERK/SALES ASSISTANT	5
Total no. of worker :	279

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Construction Work Site	
ARCHITECTURAL TECHNICIAN / DRAUGHTSMAN	1
BAMBOO SCAFFOLDER	4
BRICKLAYER / ROOF TILER	4
CARPENTER (FORMWORK)	2
CARPENTER / JOINER / WOOD MACHINIST	16
CIVIL / STRUCTURAL / GEOTECHNICAL ENGINEERING TECHNICIAN	1
CONCRETOR	4
CONSTRUCTION PLANT MECHANIC	8
DEMOLITION WORKER	6
DRAINLAYER	1
DRILLER/BORER	6
ELECTRIC ARC AND GAS WELDER	3
ELECTRICAL ENGINEERING TECHNICIAN	4
ELECTRICAL OPERATIVE	3
ELECTRICIAN (BUILDING CONTRACTOR'S)	6
FITTER	4
FOREMAN (CONTRACTOR'S)	1
GLAZIER	1
GRANOLITHIC AND TERRAZZO WORKER / SHANGHAI PLASTERER	2
LEAKAGE WORKER	2
LEVELLER	37
LEVELLING OPERATIVE	52

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
MARINE CONSTRUCTION CREW	1
MASON	5
MECHANICAL ENGINEERING TECHNICIAN	6
MECHANICAL OPERATIVE	3
METAL WORKER	7
PAINTER	3
PLANT AND EQUIPMENT OPERATOR	8
PLASTERER	15
PLUMBER	1
SITE CLERK	6
SURVEYING TECHNICIAN (LAND)	2
WELDER	3
WOOD-BLOCK FLOOR LAYER	1

Total no. of worker : 229

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Electrical	
AIR-CONDITIONING TECHNICIAN	6
INDUSTRY VEHICLE MECHANIC	1
LIFT MECHANIC	3
MACHINE OPERATOR/ATTENDANT	2
OVERHEAD LINESMAN	71
TECHNICIAN (PUMP MAINTENANCE)	3
Total no. of worker :	86

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
 Statistical Breakdown
 by Industries and Posts
 on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Electronics	
ALIGNER/TESTER	2
ASSEMBLER	5
DRAUGHTSMAN	2
ELECTRONIC DATA PROCESSING OPERATOR	2
ELECTRONICS TECHNICIAN	29
ELECTROPLATING AND METAL COATING WORKER	4
FORK LIFT TRUCK DRIVER	1
MACHINIST	7
MECHANICAL TECHNICIAN	31
MERCHANDISER / BUYER	1
PLASTIC MOULD MAKER	1
PRODUCTION TECHNICIAN	16
QUALITY CONTROL / ASSURANCE TECHNICIAN	7
REPAIRMAN (ELECTRONICS MANUFACTURING)	4
STOCK HANDLER	3
TV TECHNICIAN	2
WAREHOUSEMAN	5
Total no. of worker :	122

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Hotel	
AIR-CONDITIONING MECHANIC	1
COOK (WESTERN)	2
FRONT OFFICE CASHIER	4
FRONT OFFICE CLERK	10
JUNIOR COOK (DIM SUM)	9
RECEPTIONIST	2
RESERVATIONS CLERK	1
ROOM ATTENDANT/HOUSEMAN	14
SECRETARY	1
SORTER/WASHER/IRONER/PRESSER/CHECKER/DRY CLEANER	1
WAITER/WAITRESS (CHINESE)	81
Total no. of worker :	126

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Import / Export Trades	
ACCOUNTING CLERK	2
BOOKBINDER	1
BOOKKEEPER / ACCOUNTING CLERK	38
BUYER	1
CARGO CLERK	1
COMPUTER/KEY-PUNCH OPERATOR	43
COST ESTIMATOR	3
CUSTOMERS SERVICE CLERK	2
DISPLAY SUPERVISOR	2
DOCUMENTATION/SHIPPING/RECEIVING CLERK	42
DRAUGHTSMAN	3
ELECTRICIAN	4
ELECTRICIAN (BUILDING CONTRACTOR'S)	1
ELECTRONICS TECHNICIAN	4
FABRIC INSPECTOR	3
FINISHING/POLISHING WORKER	1
FISH ATTENDANT	2
FOOD PROCESSING WORKER	2
FORK LIFT TRUCK DRIVER	12
FREIGHT CLERK	2
FURNITURE PACKER	2
GARMENT REPAIRER	5
GENERAL OFFICE CLERK	85

*The 1994 General Scheme
 Statistical Breakdown
 by Industries and Posts
 on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
GENERAL SEWING MACHINE OPERATOR	3
GODOWN WARRANT/SIGNING CLERK	2
HANDBAG MAKER / MAKE-THROUGH CRAFTSMAN	3
JEWELLERY PLATER/POLISHER	1
JUNIOR MOTORCYCLE REPAIRER	13
MACHINE OPERATOR	2
MAKE-THROUGH CRAFTSMAN	8
MARBLE WORKER	7
MATERIAL HANDLING EQUIPMENT OPERATOR	3
MATERIAL MIXING WORKER	2
MECHANICAL ENGINEERING TECHNICIAN	2
MECHANICAL ENGINEERING TECHNICIAN (PRINTING)	7
MERCHANDISER / BUYER	29
MERCHANDISER/SALESMAN	1
MIRROR CUTTING / POLISHING WORKER	2
OFFICE EQUIPMENT SERVICE MECHANIC (GENERAL OFFICE MACHINES)	2
OPERATIONS ASSISTANT/SHIPPING/FREIGHT CLERK	2
PAINTER	4
PERSONAL SECRETARY/STENOGRAPHER	8
PLASTICS MACHINES SETTER	1
PRECIOUS STONE SETTER	1
PRINTING MACHINE OPERATOR (GRAVURE)	2
PRINTING MACHINE OPERATOR (LETTERPRESS)	2

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
PRODUCTION ENGINEERING TECHNICIAN	1
PROGRAMMER	1
PUBLIC RELATIONS OFFICER / ADVERTISING SUPERVISOR	1
PURCHASING CLERK	4
QUALITY ASSURANCE TECHNICIAN	1
QUALITY CONTROL / ASSURANCE TECHNICIAN	2
QUALITY CONTROL OPERATOR	8
QUALITY CONTROL/ASSURANCE OPERATOR	1
QUALITY INSPECTOR	12
RADIO / TV MECHANIC	1
RECEPTIONIST/TELEPHONE OPERATOR	30
REPAIRER (WATCHES AND CLOCKS)	1
SAILOR	3
SALES ASSISTANT	100
SALES CO-ORDINATOR	1
SALES REPRESENTATIVE	3
SALES SUPERVISOR	38
SALESMAN	1
SALESMAN/SALES REPRESENTATIVE	10
SALT FISH PREPARING WORKER	4
SAMPLE MAKER	1
SEMI-SKILLED MACHINE OPERATOR	3
SENIOR SALES REPRESENTATIVE	1

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
SOLDERING WORKER	1
STOCK CLERK	74
STORE / GODOWN SUPERVISOR	2
TAILOR (PLASTICS / FABRIC)	1
TALLY CLERK	8
TEXTILE AUXILIARY MIXING WORKER	1
TRADING OFFICER	1
TRUCK DRIVER	2
TYPIST	4
WAREHOUSEMAN	46
Total no. of worker :	736

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Insurance	
ACCOUNTS CLERK	1
GENERAL OFFICE CLERK	3
UNDERWRITING CLERK	2
Total no. of worker :	6

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Jewellery	
SALES ASSISTANT	5
Total no. of worker :	5

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
 Statistical Breakdown
 by Industries and Posts
 on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Machine shop	
AIRCRAFT MAINT. TRADESMAN (AIRFRAME & ENGINE)	45
ALUMINIUM WINDOW TECHNICIAN	16
BOOKKEEPER / ACCOUNTING CLERK	2
CARVER	2
COMPUTER/KEY-PUNCH OPERATOR	1
CONTAINER REPAIR MECHANIC	23
DIE-CASTING MACHINE OPERATOR	16
DOCUMENTATION/SHIPPING/RECEIVING CLERK	1
DRAUGHTSMAN	3
ELECTRIC ARC AND GAS WELDER	26
ELECTRIC-RESISTANCE WELDER	6
ELECTRICAL FITTER	2
ELECTROPLATING AND METAL COATING WORKER	21
FETTLER	17
FITTER	5
GENERAL OFFICE CLERK	5
INJECTION MOULDING MACHINE OPERATOR	2
MACHINE OPERATOR	22
MACHINE SETTER	6
MACHINIST	29
MECHANICAL ENGINEERING TECHNICIAN	1
METAL FURNITURE MAKER	1
METAL SHUTTER ASSEMBLER	5

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
PAINT SPRAYING GUN OPERATOR/ZINC SPRAYER	2
PAINTER	3
PLASTIC MOULD MAKER	3
POLISHING WORKER	20
PRESS OPERATOR	41
QUALITY CONTROL OPERATOR	33
RECEPTIONIST/TELEPHONE OPERATOR	2
REFRIGERATED CONTAINER MECHANIC	12
REPAIRER (WATCHES AND CLOCKS)	3
SHIP BUILDER	4
SHIP CLASSIFICATION QUALIFIED WELDER	4
SKILLED ROLLING MILL WORKER	5
STEEL WORKER	3
STOCK/PURCHASING CLERK	3
TOOL AND DIE MAKER	5
TRUCK DRIVER	2
WAREHOUSEMAN	4
WATCH MAKER	1
WELDER	9
ZINC SPRAYER	8
Total no. of worker :	424

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Plastics	
ELECTRICIAN	2
TAILOR (PLASTICS/FABRIC)	3
Total no. of worker :	5

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Printing	
ART DESIGNER	1
BOOKBINDER	6
BOOKBINDING MACHINE OPERATOR	5
CHINESE TYPESETTER	6
COLOUR SCANNER OPERATOR	2
COMPOSITOR (FILM/PAPER/MAKE-UP/METAL)	1
DIE CUTTER	4
ENGLISH COMPUTER-AIDED TYPESETTER	4
OFFSET LITHOGRAPHIC PLATEMAKER	9
PACKAGING / FINISHING WORKER	3
PAPER CUTTING MACHINE OPERATOR	1
PERSONAL SECRETARY/STENOGRAPHER	1
PRINTING MACHINE OPERATOR (OFFSET LITHO/SHEET PRINTING/GRAVURE)	2
PROCESS CAMERA OPERATOR	2
QUALITY CONTROLLER	15
SALES SUPERVISOR	1
Total no. of worker :	63

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
 Statistical Breakdown
 by Industries and Posts
 on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Retail	
BAKER	12
BAKER/PASTRY COOK	1
BARBECUE COOK	4
BEAN PROCESSING WORKER	1
BOOKKEEPING/ACCOUNTING CLERK	6
BUTCHER	14
BUTCHER/SALES ASSISTANT	2
CARGO CLERK	1
CHINESE HERB PREPARATOR	15
COMPUTER/KEY-PUNCH OPERATOR	7
DISPLAY SUPERVISOR	2
DOCUMENTATION/SHIPPING/RECEIVING CLERK	1
ELECTRICAL APPLIANCES SERVICE MECHANIC	2
ELECTRONICS TECHNICIAN	1
FISH BALL WORKER	1
FISH WORKER/ATTENDANT	1
FOOD PROCESSING TRAINING OFFICER	1
FOOD PROCESSING WORKER	25
FORK LIFT TRUCK DRIVER	10
FURNITURE PACKER	3
GAS STORE REPAIRER	2
GENERAL CASHIER	3
GENERAL OFFICE CLERK	8

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
GENERAL SEWING MACHINE OPERATOR	2
HAND STITCHER	2
JUNIOR COOK/NUMBER 4 COOK AND BELOW (e.g. BUTCHERY, BARBECUE, STOVE, VEGETABLE, DIM SUM)	1
LEATHER GOODS REPAIRER	1
MACHINE OPERATOR	2
MERCHANDISER / BUYER	6
METAL FURNITURE MAKER	2
NOODLE MAKER	1
PAINTER / DECORATOR (FURNITURE)	1
PANTRY COOK	1
PUBLIC RELATIONS OFFICER / ADVERTISING SUPERVISOR	1
PURCHASING OFFICER	1
RECEPTIONIST/TELEPHONE OPERATOR	4
REPAIRING CRAFTSMAN	1
REPAIRMAN (ELECTRONICS MANUFACTURING)	5
SALES ASSISTANT	1085
SALES SUPERVISOR	7
SAUCE MIXER	1
SAUCER COOK TRAINING OFFICER	1
SOY MANUFACTURING WORKER	3
STOCK/PURCHASING CLERK	35
STORE / GODOWN SUPERVISOR	1

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
TALLY CLERK	7
TEA PREPARATOR	2
UPHOLSTERER (FURNITURE)	1
VAN DRIVER	2
VELVET PREPARATION WORKER	1
WAREHOUSEMAN	32
WELDER	3
WOOD FURNITURE MAKER	2
Total no. of worker :	1338

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Sanitary, Laundry and Cleaning Services	
CLEANING FOREMAN	7
CLEANING SUPERVISOR	2
ELECTRICAL APPLIANCES SERVICE MECHANIC	1
GARDENING WORKER	7
GENERAL OFFICE CLERK	2
WASHER	2
Total no. of worker :	21

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Shipbuilding and Repairing	
FITTER	3
FORK LIFT TRUCK DRIVER	1
MARINE CONSTRUCTION CREW	5
Total no. of worker :	9

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
 Statistical Breakdown
 by Industries and Posts
 on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Social and Community Services	
AIR-CONDITIONING TECHNICIAN	2
CARE HOME ATTENDANT	275
CARPENTER	3
COOK	2
CRAFTSMAN (MAINTENANCE)	3
ELECTRIC ARC AND GAS WELDER	1
ELECTRICAL ENGINEERING TECHNICIAN	2
ELECTRONICS TECHNICIAN	3
FILM PRINTING TECHNICIAN	1
FILM PROCESSING TECHNICIAN	2
GARDENING WORKER	1
GENERAL OFFICE CLERK	4
GREENSMAN	3
MACHINIST	2
PAINTER	2
REPAIRMAN (ELECTRONICS MANUFACTURING)	4
SCHOOL ATTENDANT	6
TICKET SELLER	1
WAITER/WAITRESS	50
Total no. of worker :	367

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Textile	
COLOUR MATCHER	3
DYEING MACHINE TENDER	8
FINISHING MACHINE TENDER	2
MACHINERY CLEANER	8
PREPARATORY MACHINE TENDER	11
PRINTING MACHINE TENDER	6
Total no. of worker :	38

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Tourism	
BOOKKEEPER	1
SALES REPRESENTATIVE	1
TICKETING OFFICER	10
TRAVEL CONSULTANT	11
VISA CLERK	1
Total no. of worker :	24

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Transport & Physical Distribution	
CARGO CLERK	1
CONTROL CLERK	5
CUSTOMERS SERVICE CLERK	3
DRIVER	4
ELECTRICAL ENGINEERING TECHNICIAN	11
FORK LIFT TRUCK DRIVER	9
FREIGHT SUPERVISOR	1
GODOWN WARRANT/SIGNING CLERK	1
MECHANICAL ENGINEERING TECHNICIAN	5
OPERATIONS ASSISTANT/SHIPPING/FREIGHT CLERK	4
SHIPPING CO-ORDINATOR	1
TALLY CLERK	25
VEHICLE BODY REPAIRER	4
VEHICLE ELECTRICIAN	1
VEHICLE MECHANIC	6
VEHICLE PAINTER	2
WAREHOUSEMAN	49
WELDER	14
Total no. of worker :	146

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Wholesale	
ASSEMBLER	1
BAKER	8
BOOKKEEPING/ACCOUNTING CLERK	1
COMPUTER/KEY-PUNCH OPERATOR	3
CONSTRUCTION PLANT MECHANIC	2
CUTTING ROOM OPERATIVE	1
DOCUMENTATION/SHIPPING/RECEIVING CLERK	4
ELECTRIC ARC AND GAS WELDER	2
FABRIC INSPECTOR	1
FORK LIFT TRUCK DRIVER	2
GARMENT REPAIRER	1
GENERAL OFFICE CLERK	4
MACHINE OPERATOR (ZIP)	1
OFFICE EQUIPMENT SERVICE TECHNICIAN (COPYING MACHINES)	6
PAINTER / DECORATOR / SIGN WRITER	1
PRESSER	1
QUALITY CONTROL/ASSURANCE OPERATOR	1
RECEPTIONIST/TELEPHONE OPERATOR	2
RECORDER	2
REPAIRMAN (FURNITURE)	1
SALES CLERK/SALES ASSISTANT	34
SALES SUPERVISOR	6
SAUCE PROCESSING WORKER	1

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
SAW MILL OPERATOR	4
STOCK/PURCHASING CLERK	18
TALLY CLERK	14
TELECOMMUNICATIONS TECHNICIAN	1
TRUCK DRIVER	2
WAREHOUSEMAN	14
WINE MIXER	1
Total no. of worker :	140

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Others (Manufacturing)	
BEAN CURD / SOYA BEAN PROCESSING WORKER	33
COMPUTER EMBROIDERY MACHINE OPERATOR	1
CONSTRUCTION PLANT MECHANIC	1
CUSTOMERS SERVICE CLERK	2
DYEING MACHINE TENDER	1
ELECTRICIAN (BUILDING CONTRACTOR'S)	1
FOOD PROCESSING WORKER	1
FORK LIFT TRUCK DRIVER	2
HANDBAG MAKER / MAKE-THROUGH CRAFTSMAN	2
INSTRUMENT MAKER / REPAIRER	3
MACHINE OPERATOR	12
MACHINE SETTER	4
MIRROR CUTTING / POLISHING WORKER	14
PAPER MAKING TECHNICIAN	1
PLASTIC CLOTHES STICKING WORKER	1
PROCESS CAMERA OPERATOR	1
QUALITY CONTROL OPERATOR	2
SAUCE PROCESSING WORKER	3
SECURITY GUARD	5
SHIFT LEADER	1
SILK FLOWER DYER	1
SPECIAL SEWING MACHINE OPERATOR	2
STOCK/PURCHASING CLERK	4

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
TALLY CLERK	2
TECHNICIAN II - BAS OPERATOR	8
TECHNICIAN	11
WAREHOUSEMAN	3
Total no. of worker :	122

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
Industries : Others (Non-manufacturing)	
ARCHITECTURAL TECHNICIAN / DRAUGHTSMAN	1
AUDIT CLERK	10
BARBECUE COOK	2
BEAN CURD / SOYA BEAN PROCESSING WORKER	2
BEAN SPROUTING WORKER	1
BEAUTICIAN	3
BOARDING OFFICER	1
BOOKBINDER	4
BOOKKEEPER/ACCOUNTING CLERK	7
BUILDING ATTENDANT	4
BUTCHER	22
CAD OPERATOR	3
CARGO CLERK	4
CARPENTER	7
CHICKEN FARMER	1
CHINESE HERB PROCESSING WORKER	1
CIVIL / STRUCTURAL / GEOTECHNICAL ENGINEERING TECHNICIAN	5
CLOTHES DRYING WORKER	3
COLOUR MATCHER	6
COMPUTER DRAFTSMEN/DRAFTSWOMEN	1
COMPUTER/KEY-PUNCH OPERATOR	9
CONSTRUCTION WORKER (FISH POOL AND ARTIFICIAL HILL)	1

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
CONTROL ASSISTANT	1
CRANE OPERATOR	2
DARK ROOM TECHNICIAN	1
DEHYDRATION PROCESS WORKER	1
DELIVERY GANGLER	1
DRAINLAYER	1
DRAUGHTSMAN	3
DYEING MACHINE TENDER	4
DYEING WORKER	5
ELECTRIC ARC AND GAS WELDER	10
ELECTRICAL ENGINEERING TECHNICIAN	3
ELECTRICIAN	2
ELECTRICIAN (BUILDING CONTRACTOR'S)	1
ELECTRO-MECHANICS	3
FARM KEEPER	1
FARM PRODUCTS RESEARCHER	2
FARM TECHNICIAN	1
FARMING ENVIRONMENT DESIGNER	2
FEEDING MATERIAL MIXER	1
FISH ATTENDANT	16
FITTER	11
FLOOR BOARD POLISHER	1
FOOD AND BEVERAGE CASHIER	1
FOOD PROCESSING WORKER	6

*The 1994 General Scheme
 Statistical Breakdown
 by Industries and Posts
 on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
FOREMAN	4
FORK LIFT TRUCK DRIVER	8
FRUIT TREE FARMER	1
FRUIT TREE QUALITY CHECKER	2
GARDENING VIEW DESIGNER	1
GARDENING WORKER	18
GENERAL CASHIER	8
GENERAL MECHANIC	1
GENERAL OFFICE CLERK	37
GENERAL SEWING MACHINE OPERATOR	1
HAIR DRESSER	3
HAIR STYLIST	63
INTERIOR DESIGNER	1
JUNIOR COOK	12
LABORATORY TECHNICIAN (CONSTRUCTION MATERIALS / SOILS)	27
LAUNDRY AND VALET CLERK/ORDER TAKER (LAUNDRY)	11
LIVESTOCK ATTENDANT	6
LIVESTOCK ATTENDENT	6
MACHINE OPERATOR	30
MERCHANDISER / BUYER	3
MIRROR CUTTING / POLISHING WORKER	6
NO. 2 COOK (e.g. BUTCHERY, BBQ, STOVE, DIM SUM, VEGETABLE)	3
NOODLE MAKER	4

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
NOODLE MAKING MACHINE OPERATIVE	2
OIL MIXING WORKER	3
OPERATIONS ASSISTANT/SHIPPING/FREIGHT CLERK	3
PAINTER	3
PANTRY COOK	1
PANTRY COOK TRAINING OFFICER	1
PLANT CARE TAKER	1
PLANT MAINTENANCE MECHANIC	1
PLUMBER AND PIPE FITTER	4
POULTRY WORKER	21
PRESSER	20
PRODUCTION ASSISTANT	2
QUALITY CONTROL / ASSURANCE TECHNICIAN	2
QUALITY CONTROL OPERATOR	8
RECEPTIONIST/TELEPHONE OPERATOR	5
RECORDER	1
REFRIGERATED CONTAINER ELECTRICAL TECHNICIAN	26
SALES ASSISTANT	16
SALES SUPERVISOR	6
SALES TRAFFIC	1
SALESMAN/SALES REPRESENTATIVE	1
SECOND BUTCHER	1
SECURITY GUARD	424
SENIOR SECURITY GUARD	1

*The 1994 General Scheme
Statistical Breakdown
by Industries and Posts
on workers remaining in Hong Kong

(as at 31-03-95)

Post	No. of Worker
SORTER/WASHER/IRONER/PRESSER/CHECKER/DRY CLEANER	120
SOUND & LIGHT REPAIRER	1
SOUND CONTROLLER	2
STAFF COOK/GENERAL COOK/SERVICE COOK	1
STOCK/PURCHASING CLERK	4
STORE / GODOWN SUPERVISOR	1
SURVEYING TECHNICIAN (BUILDING)	2
SURVEYING TECHNICIAN (LAND)	3
SYSTEMS SUPPORT OFFICER/EDP OPERATOR	1
TYPIST	2
UPHOLSTERER	2
VAN DRIVER	1
VEHICLE ELECTRICIAN	7
VEHICLE MECHANIC	23
WAREHOUSEMAN	7
WASTE PAPER COLLECTOR	1
Total no. of worker :	1166

* The Statistics are not final. More visa applications will be received as the Scheme is not yet completed.

MR LEE CHEUK-YAN (in Cantonese): *Mr President, with the 104 pages of statistical breakdown of imported workers by job titles in hand, I can also explain why unemployment rate has now gone up to 2.8%. The statistical breakdown of imported workers by job titles shows that imported workers are mainly employed by those industries requiring little skills and low qualifications. For example, in the catering industry, 900 are to be employed as junior chefs and 2 200 as waiters/waitresses; in the retail industry, the majority are sales assistants totalling 2 300 workers; in addition, 700 are to be employed as security guards and 1 000 are in clothing industry. These jobs, which require little skills and low qualifications, are most suitable for the over 400 000 middle-aged manufacturing workers with poor academic qualifications who have to look for jobs in other trades in these six to seven years. The importation of labour scheme has already undermined the chances for local workers to change jobs, this together with the large influx of illegal workers and age discrimination by employers in their recruitment exercise have resulted in a 2.8% unemployment rate (the highest in nine years) and a 1.4% underemployment rate, representing some 140 000 workers, as shown in the statistics published yesterday. In view of the fact that unemployment rate has soared to 2.8%, will the Government consider abandoning the importation labour scheme or suspend the importation of workers in 1995 in order to alleviate the impact on local workers? In addition, will the Government consider disclosing the names of employers who have imported workers in 1995? Will it inform this Council when there will be specific*

PRESIDENT: Sorry, Mr LEE, one question at a time please.

SECRETARY FOR EDUCATION AND MANPOWER: Mr President, I would like to correct some of the wrong impressions given by Mr LEE's statement preceding his question. First of all, the workers employed from overseas under these various industries fulfil the criteria of the General Scheme, that is, they are at the operatives and technician levels. They are needed in certain industries in Hong Kong because there are vacancies unfilled in Hong Kong locally. These workers must be imported to fill those vacancies in certain industries, notably the service industries which suffer from a serious shortage of manpower of the type and those requirements concerned. Therefore it is not a question of imported workers displacing local workers, this is certainly far, far from the truth.

The truth of the matter is that local workers cannot, and in some cases will not, fill those vacancies locally in certain industries and therefore the Government, because the employers apply for such vacancies to be filled from overseas, has looked at those applications very carefully, has checked the positions of the industries concerned on the vacancies, has satisfied itself that the industries cannot fill those vacancies locally; only then will the Government approve the allocation of quota to those industries concerned to fill those vacancies.

Secondly, on the 2.8% unemployment in the latest statistics, this admittedly is a slight increase over the 2.5% previously, but on the other hand, the 1.4% underemployment is in fact lower than before. This phenomenon indicates that despite the slightly higher unemployment rate in Hong Kong, we do have a very intensive use of the labour force in Hong Kong, illustrated by the very small percentage of underemployment. That means in Hong Kong we still have a tight situation in the labour market; we must relieve those bottlenecks in the labour market. In those industries where there is a demand for the filling of certain vacancies, we must continue to do so, so as not to jeopardize Hong Kong's economic growth.

This is important not just for employers but also for employees because if some industries close because of the lack of manpower in those industries, then local employees will equally suffer. They will become redundant. So therefore, importing workers is in fact a way of helping local workers to ensure that industries are viable and are sustainable over time.

Admittedly, this is a temporary phenomenon and we do not wish to go on indefinitely. This is why, in the coming review we are not saying this is a permanent scheme. I have said before, elsewhere, outside this Council, to unions and to other people concerned, that we are looking at the situation very carefully to ensure that the local workers' interests are fully protected. Therefore, in the coming review on the allocation scheme, which we are doing in the next few months, we will look at the situation very carefully to ensure that local workers are given every chance to fill local vacancies. Only then, when we have not filled those vacancies could we consider the importation of foreign workers.

This review is going on now and I hope to finish it towards the end of this year. The points made by Mr LEE will be taken into account when the review takes place, that is, disclosing the names of employers in the industries concerned, giving more information on the allocation criteria and in fact to reassess, in the light of various situations and problems, the criteria for allocation. I will certainly keep this Council informed and consult it when the review takes place later in the year.

MR JAMES TIEN (in Cantonese): *Mr President, in his answer to paragraph (b) of the Honourable LEE Cheuk-yan's question, namely, whether the list of employers of imported workers will be disclosed, the Secretary said that since the employers had not been informed of such an arrangement before they submitted applications for quota under the General Scheme on the last two occasions, such information should not be disclosed. The rationale behind was that employers might not like to have their manpower planning policies made public. The Secretary also said that he would consider disclosing the names of employers in the 1995 General Scheme. Mr President, most of the employers do find the application procedures far too complicated and troublesome. In addition, they are reluctant to disclose the information, not necessarily because*

of their worry about the possible disclosure of their manpower planning policies, but because they are worried that once the list is disclosed, union leaders like Mr LEE Cheuk-yan and others might approach them, get someone to apply for jobs available in their companies and make their personnel managers say something inappropriate so as to disqualify them from applying for imported workers — not to say causing trouble or staging demonstrations outside their companies. So when considering the disclosure of the names of the employers in the 1995 General Scheme, will the Government consider devising counter measures to control union leaders, or perhaps, make sure that trade unions will not make use of this chance to cause trouble to those employers?

SECRETARY FOR EDUCATION AND MANPOWER: Mr President, as I said before, we must consider the views of both the employers and the employees very carefully before any changes are made to the present arrangements. I appreciate that disclosing names of employers might give rise to pressure perhaps, in some cases, of all kinds, being put on those companies named in the application list. On the other hand, the Government must remain open and transparent. The procedures are very transparent on the application and monitoring and we do involve Members of this Council on the panel very closely in the breakdown of information and therefore there is nothing to hide from the public on those names. In fact, in some cases the names of companies have been made known to unions by the workers themselves, so I do not think that even if the Government does not disclose their names the workers would not know. It is a question then of making it open and ensuring that the monitoring is done in fact in a fairer and a more transparent manner. Anyway, we can consider this point very carefully in the review exercise.

MR TAM YIU-CHUNG (in Cantonese): *Mr President, will the Government inform this Council why the conclusion in respect of the review on the policy of labour importation will only be available towards the end of this year? The end of the year is eight months away. How are the 80 000 plus unemployed workers going to make a living in these eight months?*

SECRETARY FOR EDUCATION AND MANPOWER: I would have thought, Mr President, that a review towards the end of the year is very much in local workers' favour because when the review takes place, we will not call for the next allocation and therefore contracts which are expiring will not be continued and workers imported will have to go home. Therefore jobs will be available to local workers more and more in the next few months. I think this is very much in the local workers' favour to have a review which takes longer. Anyway, this is not the point. The point is the review in fact is an important one and we need to consult the various bodies carefully: the unions, the workers, the employers' associations, the Labour Advisory Board and of course this Council. So I hope we can do it properly and carefully before we come to a final conclusion.

MR HENRY TANG (in Cantonese): *Mr President, I am much surprised to hear the reply given by the Secretary just now. It seems that the Government is going to make employers who are eligible for recruiting imported workers become unable to make such applications by way of administrative means. However, my concern is, the Government, the union representatives and the employers seem to be telling three different stories basing on three different sets of data. It is because while the Government keep claiming that local workers have not yet been displaced by imported workers and the union representatives claiming the contrary, employers, on the other hand, complained that they could not recruit enough workers. I have suggested that the Government should set up a mechanism to involve representatives of both employers and employees to decide on the allocation of quota of imported workers so as to deal with the matter in a more reasonable way. Then each of the three parties will not go on sticking to its own version of the story. Will the Government consider this suggestion? If not, why not?*

SECRETARY FOR EDUCATION AND MANPOWER: Mr President, about two months ago I said in this Council, in a debate on the importation of labour, that the Government will consider in what ways could the process of the review be made more transparent and in what ways could we involve employers and employees more closely. I am prepared to consider suggestions from Mr TANG on how to involve the three parties — the Government, the employers and the employees — in this review exercise. We will do our best to see how their views could be reconciled and come to some consensus on this exercise and I will try to do this as soon as possible.

MR LEE CHEUK-YAN (in Cantonese): *Mr President, having heard the Secretary said that 2.8% unemployment rate was only a slight increase, I am very disappointed. I would like to remind the Secretary that this figure is 40% increase over that of 1994 which was 2%. Will the Secretary tell us how much higher should the unemployment rate rise before the Government would consider abolishing the policy of labour importation? Is the current 2.8% not high enough, then how much higher is it expected to be?*

SECRETARY EDUCATION AND MANPOWER: Mr President, the 2.8% is a factual figure, not my judgment. I do not wish to comment on whether in fact it is in itself high or low. I am merely saying it is a slight increase over the last one of 2.5%. Having said that, Members are reminded that before the General Scheme was introduced way back in the eighties, without any importation of labour scheme, the unemployment rate was in fact higher — over 3.0%. Members should bear in mind that the importation of labour in fact is not linked to the unemployment rate at all. In fact, it is fairly low by international standards. The 3.0% unemployment in fact is near full employment by international standards.

Cigarette Smuggling

5. MR CHIM PUI-CHUNG asked (in Cantonese): *With regard to the problem of cigarette smuggling, will the Government inform this Council of:*

- (a) *the total number of smuggled cigarettes seized by the law enforcement departments, together with the loss in revenue caused to the Government, in the past three years; and*
- (b) *what effective measures the Government has put in place to eradicate cigarette smuggling activities?*

SECRETARY FOR THE TREASURY: Mr President, during the past three years, the Customs and Excise Department has seized a total of 249 million sticks of cigarettes with duty potential of \$144 million.

The Government tackles cigarette smuggling in three ways:

- first, by taking vigorous enforcement action both at the border control points and at street level;
- secondly, by encouraging the public to participate by operating an incentive scheme which rewards informers; and
- thirdly, by close co-operation with neighbouring customs bodies to share information and intelligence on both a regular and ad hoc basis.

MR CHIM PUI-CHUNG (in Cantonese): *Mr President, first of all, I have to declare that I do not smoke. In recent years, the Government increased duties on tobacco and alcohol, which resulted in a loss of revenue and substantial growth in smuggling activities. The recent Singaporean case, in particular, has aroused public concern. As such, the problem should not only be a matter of revenue, but also an issue pertaining to public order. Apart from the three ways to tackle cigarette smuggling as referred to earlier on by the Secretary in his reply, has the Administration considered revising Hong Kong's duties on tobacco to a level not much higher than that of our neighbouring countries so as to eradicate cigarette smuggling altogether?*

SECRETARY FOR THE TREASURY: Mr President, the effectiveness of our enforcement action can be seen in the continued and substantial growth in the seizure of cigarettes. In 1992, 50 million pieces were seized; in 1993, 59 million; and 1994, 175 million. We do recognize the impact of smuggling on revenue, but the effectiveness of our enforcement action is reflected in the

revenue from the duty on cigarettes. In 1992-93, duty collected from tobacco amounted to \$2.5 billion. It dropped to about \$2 billion in 1993-94, but as a result of the very effective enforcement action, we estimate that for 1994-95 it will rise again to \$2.7 billion.

MR FREDERICK FUNG (in Cantonese): *Mr President, it has been reported that the Government had sold confiscated cigarette at an auction to our neighbouring countries. Will the Secretary inform this Council of the amount of revenue received by the Government from that auction? As a measure to stop smuggling activities, is the selling of confiscated cigarette not too strict a way to curb smuggling activities? Would destroying the cigarettes by fire altogether be a more thorough approach?*

SECRETARY FOR THE TREASURY: Mr President, I do not have information off-hand about the total receipts from the sale of confiscated cigarettes. I am quite prepared to provide a written answer to the Council later on. (Annex I)

As regards our policy of selling confiscated cigarettes, I think it has to be recognized that the sale of cigarettes is a lawful activity and also it is not unique to Hong Kong. In fact, some other countries in the region as well as elsewhere do sell confiscated cigarettes.

MR TAM YIU-CHUNG (in Cantonese): *Mr President, the Government has attempted to discourage people from smoking by increasing substantially the duties on tobacco, but it is a fact the attempt is in vain. The Secretary has said earlier on that there has been a continuous increase in the seizure of cigarettes, in other words, this has greatly added to the workload of Customs staff. Will the Government conduct a thorough review on the matter and abandon the method of increasing substantially the duties on tobacco, replacing it with other measures to prohibit smoking, so that no extra burden will be shifted onto Customs staff? The fact that smuggled cigarettes are available for sale in many places has shown that the method is ineffective. Would the Government stop being so stubborn and change its inappropriate policy as such?*

SECRETARY FOR THE TREASURY: Mr President, I think it is not correct to say that we have substantially increased the duty on tobacco. In fact, in view of the problem of smuggling, we decided last year not to increase the duty rate on tobacco and we have only proposed to increase the duty rate in line with inflation in 1994 in this year's Budget. Insofar as enforcement is concerned, I think we have to recognize that it is far more effective to target smuggling on the basis of intelligence rather than to try to tackle street peddling. That said, of course, we do carry out enforcement action against street peddling.

As regards anti-smoking, I think Members may recall that we do provide an annual recurrent subsidy to the Council on Smoking and Health. Last year, we had included an additional non-recurrent grant of \$7.5 million to help them to enhance their publicity and education against smoking. This year in the Budget, we have proposed to set up a Health Care and Promotion Fund with an injection of \$80 million. Part of the work of that Fund would be to help in the publicity and education against smoking.

MR JIMMY MCGREGOR: *Mr President, it is very clear that the smuggling of cigarettes is a huge business with a high potential loss for the revenue. Can the Government indicate whether a high proportion of this illegal trade is in the hands of organized crime syndicates, that is, triads and other gang-type operations? If so, what action is being taken against the organizers? The Secretary did mention the question of intelligence gathering. And what is the main origin of the smuggled cigarettes? Are they purely from China?*

SECRETARY FOR THE TREASURY: Mr Chairman, as I said, from our point of view, it is more important to target the source and indeed, for example, in 1994 of the 175 million pieces of cigarettes seized, 97 million were seized on the basis of targeted intelligence. I do not have ready information with me to indicate the source of these cigarettes. I will see whether my colleagues in the Customs and Excise Department can provide the information later on. (Annex II)

DR CONRAD LAM (in Cantonese): *Mr President, the Secretary's reply mentioned three ways of tracking cigarette smuggling, the second of which has referred to an incentive scheme which rewards informers. Will the Secretary inform the public of Hong Kong clearly whether in addition to rewards, they would also be protected by the Government from physical harm if they co-operate with the Government and offer information on smuggling activities?*

SECRETARY FOR THE TREASURY: Mr President, as a general response to that general question, yes, we do provide all the protection necessary for witnesses.

MR WONG WAI-YIN (in Cantonese): *The first of the three ways to tackle cigarette smuggling referred to by the Secretary is to take vigorous enforcement action at street level. However, it is reported that most of the street peddlers arrested are the elderly or underaged youths, while organizers behind the scene have not been targeted. Will the Secretary inform this Council that, under such circumstances, how the organizers behind the scene could be effectively cracked down?*

SECRETARY FOR THE TREASURY: Mr President, I think, as I have said earlier, the more effective way of tackling smuggling is to target the source and that is why we have, for example, set up the special intelligence task force in the Customs and Excise Department last year, for this particular purpose. And we have to put the problem in perspective. In a normal case of seizure by the Anti-Cigarette Smuggling Task Force, we would be seizing about a million sticks per case, whereas in the case of street peddlers, the average is about 2 000 to 4 000 sticks per peddler.

WRITTEN ANSWERS TO QUESTIONS

Number Signs on Expressways

6. MR ROGER LUK asked: *Will the Administration inform this Council whether there is any plan to introduce a system of identification numbers for the exits and entrances along the territory's major expressways so as to reduce the chances of drivers losing their orientation?*

SECRETARY FOR TRANSPORT: Mr President, at present, directional signs are provided for all major roads in the territory. The format adopted for such signs is consistent with international practice in terms of their size, location, layout and the indication of destinations.

Directional signs on expressways show both route numbers and destinations. Once a destination has been indicated on a directional sign, it is retained on subsequent signs until destination is reached. In addition, on major routes, these include exit markings for local destinations. For example, Route 1, which runs from Hong Kong Island to Lok Ma Chau, shows turn-offs for Ma On Shan, Tai Po North, Fanling and Sheung Shui.

Identification or junction numbers are allocated to interchanges on motorways in the United Kingdom and in some other countries. These numbers appear on directional signs and in route maps. They are useful as an aid to motorists and also, for example, in relation to public announcements about road closures and accident locations. With the expansion of the expressway system in Hong Kong, the Transport Department is looking into the desirability of including junction numbers on expressway directional signs.

Enhancement of Spoken English in Schools

7. DR DAVID LI asked: *The American Chamber of Commerce has launched an English conversation programme in a bid to increase the use of spoken English in the territory. This pilot programme will involve matching two English speaking volunteers with eight to 10 participants for weekly English*

sessions for a 10-week period. This programme is intended to be a cultural exchange for participants to brush up their English skills through conversation about different topics and interests. Will the Government inform this Council whether consideration will be given to adopting a similar programme in primary and secondary schools in the territory through student exchanges among these schools so as to increase the use of spoken English in schools?

SECRETARY FOR EDUCATION AND MANPOWER: Mr President, the American Chamber of Commerce English conversation programme is designed to assist people at work. At the school level, there are a number of English speaking skills programmes organized for students, which can be considered as broadly comparable to the American project.

Since October 1993, the Education Department and Radio Television Hong Kong (RTHK) have been running a programme "Teen Time" which provides opportunities for both local and expatriate students to practise English. Earlier this month the Education Department and RTHK have started another English radio programme "The Reading Ear" for local and expatriate students to discuss together literature, poetry, drama and films.

A number of local secondary schools also organize joint activities with English Schools Foundation schools and other international schools in Hong Kong.

With the support of the Language Fund, a number of new initiatives will be implemented in 1995-96. They include:

- (a) a three-year joint project, between the Education Department and the Chinese University of Hong Kong, starting from July 1995. The project involves 12 English-speaking summer camps for 2 200 junior secondary students from 90 secondary schools, with native-speaking senior form students as camp leaders; and
- (b) a Chatteris Education Foundation programme to provide 16 local secondary schools with native-speaking English language teaching assistants over a period of three years.

Treatment of Suspects under Police Escort

8. MR TAM YIU-CHUNG asked (in Chinese): *Regarding the practice of handcuffing certain suspects and putting chains around their waists while they are under police escort, will the Government inform this Council whether it will consider changing such a practice so as to avoid giving the public the impression of the Police abusing their power?*

SECRETARY FOR SECURITY: Mr President, Police General Orders specify that personal restraints such as handcuffs or handcuff transport belts may be used on prisoners/arrested persons:

- (a) to ensure the safety and control of a person whom the police officer has reason to believe is likely to escape; and
- (b) to protect the police officer or any other person, including the person to be restrained, from injury.

It is the duty of police officers to ensure that prisoners/arrested persons do not escape from lawful custody, and that they will not harm themselves or others whilst in custody. It should be borne in mind that the escape of a prisoner/arrested person would very likely result in disciplinary action against the officer responsible for the prisoner/arrested person.

The police have issued strict guidelines governing the use of the wrist restraints. The use of handcuff transport belts must be authorized by the Duty Officer at a police station or an officer of the rank of Sergeant or above. These are normally used for prisoners/arrested persons with a tendency to become violent or to attempt escape and thus require a high degree of security. Insofar as the use of handcuffs is concerned, a police officer is expected to exercise his professional judgement on whether this is necessary.

Any abuse of police powers in this respect may be the subject of a complaint to the Complaints Against Police Office which will then be thoroughly investigated. Disciplinary action may result if abuse of police powers could be established.

The existing guidelines governing the use of wrist restraints are considered adequate. We will, however, keep the matter under review.

Provision of Housing Units

9. MR FREDERICK FUNG asked (in Chinese): *The Housing Branch has indicated that 84 000 housing units will be produced each year from 1995-96 to 2000-01. In this connection, will the Government inform this Council of:*

- (a) *the respective numbers of public rental housing units, Home Ownership Scheme (HOS) flats, Private Sector Participation Scheme (PSPS) flats, Sandwich Class Housing (SCH) flats and private housing units to be produced on newly developed land annually during the above-mentioned period;*

- (b) *the respective numbers of public rental housing units, HOS flats, PSPS flats, SCH flats and private housing units to be produced in redeveloped areas annually during the above-mentioned period; and*
- (c) *the respective numbers of public rental housing units and private housing units expected to be demolished annually during the above-mentioned period?*

SECRETARY FOR HOUSING: Mr President, the Housing Branch has indicated that the target for the next six years is to provide 141 000 rental flats and 168 000 subsidized flats for sale in the public sector, and to enable the production of 195 000 flats in the private sector. This is equivalent to an average production of 84 000 new flats a year. Specific figures requested are given below.

- (a) The estimated annual flat production from 1995-96 to 2000-01 on newly developed land is as follows:

	<i>Financial</i>		<i>Public⁽¹⁾</i>		<i>Private⁽²⁾</i>
	<i>year ending</i>	<i>Rental</i>	<i>HOS⁽³⁾</i>	<i>PSPS⁽³⁾</i>	<i>SCH⁽³⁾</i>
3/1996	8 400	8 800	4 300	1 000	11 800
3/1997	3 800	4 400	2 400	900	12 300
3/1998	14 300	11 800	13 400	8 500	} 64 000
3/1999	14 000	10 700	15 300	2 300	
3/2000	14 200	16 800	12 600	5 400	
3/2001	19 100	11 100	6 600	1 900	
Total	73 800	63 600	54 600	20 000	88 100

- (b) The estimated annual flat production from 1995-96 to 2000-01 on redevelopment sites is as follows:

	<i>Financial year ending</i>		<i>Public⁽¹⁾</i>		<i>Private⁽²⁾</i>	
	<i>Rental</i>	<i>HOS⁽³⁾</i>	<i>PSPS⁽³⁾</i>	<i>SCH⁽³⁾</i>		
3/1996	6 800	4 300	0	0	14 400	
3/1997	11 400	9 200	0	0	15 000	
3/1998	9 500	1 500	0	0	78 000	
3/1999	15 200	1 700	0	0		
3/2000	13 800	5 800	0	0		
3/2001	10 900	7 300	0	0		
Total	67 600	29 800	0	0	107 400	

Notes

- (1) The figures in (a) and (b) above are subject to regular review in terms of exact timing and split between different public housing categories. This is particularly true of the later part of the period, that is, financial years 1999-2000 and 2000-01, where the forecast split between rental and HOS/PSPS categories is tentative. All the figures may also be subject to refinement upon completion of a comprehensive assessment of housing demand later in 1995.
- (2) All private housing figures are based on calendar year provisional estimates.
- (3) HOS - Home Ownership Scheme
PSPS - Private Sector Participation Scheme
SCH - Sandwich Class Housing
- (c) According to the Housing Authority's latest Comprehensive Redevelopment Programme, the numbers of public rental housing units to be demolished each year from 1995-96 to 1998-99 are as follows:

<i>Financial year ending</i>	<i>No. of units to be demolished</i>
3/1996	15 363
3/1997	14 388
3/1998	7 756
3/1999	13 695

The corresponding figures for private housing are not available.

Graduate Apprentices

10. DR SAMUEL WONG asked: *Will the Government inform this Council:*

- (a) *of the respective numbers of graduate apprenticeships offered by the Government to engineering graduates from the local universities in the civil, structural, mechanical and electrical disciplines, in the past three years; and*
- (b) *how many of such graduate apprentices were able to join the Government as engineers in the respective disciplines at the end of their training period?*

SECRETARY FOR THE CIVIL SERVICE: Mr President, my reply to the two questions is as follows:

- (a) Number of graduates from local universities offered engagement as Engineering Graduates in Works Group and Housing departments in 1992, 1993 and 1994

<i>Discipline</i>	<i>1992</i>	<i>1993</i>	<i>1994</i>
Civil	37	35	30
Geotechnical	1	1	3
Building Services	4	5	6
Electronic	3	1	2

<i>Discipline</i>	<i>1992</i>	<i>1993</i>	<i>1994</i>
Electrical	3	4	6
Mechanical	3	2	3

- (b) Number of Engineering Graduates in (a) who joined the Government as Assistant Engineers through selection exercises

<i>Discipline</i>	<i>Normal training period (year)</i>	<i>1992</i>	<i>1993</i>	<i>1994</i>
Civil	3	*	#	#
Geotechnical	3	*	#	#
Building Services	2	3	*	#
Electronic	2	1	*	#
Electrical	2	1	*	#
Mechanical	2	3	*	#

* The actual number of Engineering Graduates to be appointed as Assistant Engineers will depend on the number of vacancies and successful applications from Engineering Graduates upon completion of their training in August/September 1995.

Still under training.

Additional Appropriation to COMAC

11. MISS CHRISTINE LOH asked: *The Government has recently asserted that in order to implement my proposed Access to Information Bill, 24 new posts and an additional \$21 million per annum are estimated to be required for the Office of the Commissioner for Administrative Complaints (COMAC). Will the Government inform this Council:*

- (a) *how the Government arrives at those figures; whether reference has been made to other jurisdictions and if so, how the Government transposes any such examples into the Hong Kong context;*
- (b) *what the specific responsibilities and remunerations of the different posts are;*
- (c) *whether the additional \$21 million includes what the Government is planning to spend on the Code on Access to Information; if not, whether the additional amount is above and beyond what the Government will spend on the Code;*
- (d) *whether the Government has consulted COMAC in arriving at these estimates; if so, what the basis of COMAC's estimates was; if not, why not;*
- (e) *what portion of the estimated resources will be allocated to the extension of COMAC's jurisdiction to include public bodies not already covered under the COMAC Ordinance; and*
- (f) *whether the estimated additional expenditure of \$21 million includes any amount attributable to COMAC assuming the responsibility of making a binding determination?*

SECRETARY FOR HOME AFFAIRS: Mr President,

- (a) In assessing the possible charging impact of the bill in so far as the review mechanism is concerned, because of the lack of a suitable precedent in Hong Kong we referred to a number of similar arrangements in other places. The estimate is essentially based on the staff costs incurred by the Ontario Information and Privacy Commissioner who has functions similar to those set out for COMAC under the bill, with adjustments for the difference in population size. (The population in Ontario is about 10 million.)
- (b) We have assumed for the purposes of this estimate that complaints under the bill would be handled by a separate division headed by a D2 officer. Under him would be three investigation teams, each comprising a team leader at Chief Executive Officer (CEO) level and four investigators at Senior Executive Officer (SEO) level. These officers would be supported by one translator and seven secretarial/clerical staff. The breakdown of the annual staff cost of \$18.8 million is as follows:

	\$M
D2	2.0
3 CEOs	4.0
12 SEOs	10.7
1 Translator	0.6
7 secretarial/clerical staff	1.5

	18.8
	====:

(The remaining \$2.2 million would be for rental and other expenses.)

- (c) The estimate of \$21 million was calculated quite separately from our calculations of the expenditure required for the implementation of the Code on Access to Information.
- (d) We have not consulted COMAC. As stated above, the estimate was made with reference to the costs of similar arrangements in other places. The bill would confer new powers and responsibilities on COMAC. COMAC would not be in any better position than us to estimate the resources required to cover these responsibilities.
- (e) The number of complaints arising from requests for information made in relation to public bodies was not a factor in arriving at the estimate.
- (f) The basis of the estimate has been explained above. We have not estimated separately the additional cost arising from COMAC's responsibility to make a binding determination.

Teachers Smoking in Schools

12. MR ERIC LI asked (in Chinese): *According to the "Youth Smoking and Health Survey — Report No. 2" published in March this year, 30% of secondary school students have seen their teachers smoking. Will the Government inform this Council whether it will consider requesting all schools in the territory to designate school premises as non-smoking areas, and to set aside special smoking areas outside the main student activity areas for teachers with smoking habits so that they cannot be seen by students whilst smoking?*

SECRETARY FOR HEALTH AND WELFARE: Mr President, youngsters are easily influenced to start smoking, particularly if they see adult role models doing so. In this regard, teachers are regularly reminded of the importance of setting a good example for the younger generation. Teachers who are smokers are requested to refrain from smoking in school premises, especially in front of students.

Regulation 51 of the Education Regulations stipulates "no smoking shall be permitted in any classroom during school hours". Offenders are punishable on conviction by a fine not exceeding \$5,000 and a term of imprisonment not exceeding two years. The Education Department also issues a circular at the beginning of every school year to remind school heads and supervisors that staff of schools should not be seen smoking when appearing in public in an official capacity.

Individual schools are encouraged to make their premises smoke-free or to set aside no-smoking areas for the benefit of their non-smoking staff, and many schools have already done so. The Education Department is currently in the process of consulting the Professional Teachers' Union and school councils on whether all schools should be designated as no-smoking areas. If the response is positive, we shall amend the Smoking (Public Health) Ordinance (Cap. 371) to give this statutory effect.

Schools for Blind and Mentally-Handicapped Children

13. MRS PEGGY LAM asked (in Chinese): *Regarding the present arrangement of putting some blind and mentally handicapped children together to be taught in the same school, will the Government inform this Council:*

- (a) *how many schools are at present adopting such an arrangement;*
- (b) *whether there are any differences in the curriculums taught to the blind and the mentally handicapped children in these schools; and*
- (c) *whether the Government has considered separating the handling of resources allocated to the education of blind and mentally handicapped children in these schools; if not, why not?*

SECRETARY FOR EDUCATION AND MANPOWER: Mr President,

- (a) Under our present policy, blind children are placed in special schools for the blind and mentally handicapped children in special schools for the mentally handicapped. The only exception is one special school, the Pokfulam Training Centre, which caters specifically for blind children who are also mentally handicapped.
- (b) The curricula for the blind children and mentally handicapped children are designed to meet their specific needs. In addition to orientation and mobility training, blind children generally follow the regular academic curriculum as far as possible. For mentally handicapped children, the Education Department has specifically designed programmes to prepare them for living and functioning in their homes and in the community, and to equip them with basic academic skills, functional mathematics and work habits for further vocational training. The curriculum used in the Pokfulam Training Centre is basically the same as the one for mentally handicapped children, with additional elements on orientation and mobility training.
- (c) As explained in (a) above, blind children and mentally handicapped children will not be placed in the same school. Under the present funding arrangement, special schools for the blind and special schools for the mentally handicapped receive different levels of government subsidies to meet their specific needs.

Model Scale I Civil Servants

14. MR CHEUNG MAN-KWONG asked (in Chinese): *Regarding civil servants remunerated on the Model Scale I (MOD I), will the Government inform this Council:*

- (a) *of the number and ranks of MOD I staff in various government departments;*
- (b) *of the number of MOD I staff in various government departments who have reached the maximum salary points of their ranks, together with the number of years of service since attaining the maximum salary points; what is the percentage of these staff out of the total number of MOD I staff; and*

- (c) *what specific measures the Government will put in place in the near future to improve the situation of MOD I staff who have reached their maximum salary points and without any incremental increase for many years?*

SECRETARY FOR THE CIVIL SERVICE: Mr President, my reply to the question is as follows:

- (a) There are altogether 24 169 staff remunerated on the Model Scale I (MOD I) pay scale. A breakdown of the number and ranks in government departments is shown in the attached list.
- (b) The total number of staff who have reached the maximum point of their pay scale is 21 921. A breakdown by ranks and departments is also shown in the attached list. We regret that we are not able to obtain within the notice available the number on the years of service these staff have attained since reaching their maximum salary points. The data would have to be compiled manually which would be time consuming and would divert valuable resources.
- (c) We had proposed to the staff sides a performance-related long service award scheme for junior civil servants who have reached their maximum salary points. The Government was prepared to propose to the Finance Committee a one-off injection of over \$80 million into the scheme to cover "catch up" costs while future funding would be taken into account in determining the annual pay adjustment. We consulted the staff sides on the proposal earlier this year. However, we have been unable to come to an agreement with the staff side — including the MOD I Council — on the principle of the recurrent funding. The scheme has therefore had to be shelved for the time being. We are considering other incentive measures but any proposal would have to be viewed against resource constraints.

No. of Officers on MOD I Scale
as at 31 March 1995

<i>Department</i>	<i>Rank</i>	<i>No. of officer</i>	<i>No. of officer at maximum point</i>
Agriculture and Fisheries	Car Park Attendant II	7	5
	Supplies Attendant	2	1
	Watchman	9	9
	Workman I	411	324
	Workman II	347	259
	Total by Department:	776	598
Architectural Services Department	Supplies Attendant	2	1
	Workman I	9	9
	Workman II	18	17
	Total by Department:	29	27
Auxiliary Medical Services	Watchman	1	1
	Workman II	27	22
	Total by Department:	28	23
Buildings	Workman II	5	5
		Total by Department:	5
Census and Statistics	Supplies Attendant	1	1
	Workman I	3	2
	Workman II	4	3
	Total by Department:	8	6
Civil Aid Services	Supplies Attendant	1	0
	Watchman	11	8
	Workman I	3	2
	Workman II	15	13
	Total by Department:	30	23
Civil Aviation Department	Workman II	24	18
		Total by Department:	24
Civil Engineering Department	Explosives Depot Attendant	1	1
	Explosives Depot Attendant (Personal)	17	17
	Supplies Attendant	1	1

<i>Department</i>	<i>Rank</i>	<i>No. of officer</i>	<i>No. of officer at maximum point</i>
	Watchman	7	7
	Workman I	9	8
	Workman II	32	28
	Workman II (Retaining Scale of Watchman)	1	1
	Total by Department:	68	63
Companies Registry	Workman II	1	1
	Total by Department:	1	1
Correctional Services Department	Supplies Attendant	1	1
	Workman II	108	99
	Total by Department:	109	100
Customs and Excise	Office Assistant	1	0
	Supplies Attendant	1	1
	Watchman	1	1
	Workman II	40	34
	Total by Department:	43	36
Department of Health	Amah II (Personal)	1	1
	Amah I (Personal)	2	2
	Ganger	5	4
	Hospital Orderly II (Personal)	1	1
	Office Assistant	1	0
	Supplies Attendant	6	1
	Ward Attendant	47	45
	Watchman	86	60
	Workman I	5	5
	Workman II	936	897
	Workshop Attendant	1	1
	Total by Department:	1 091	1 017
Drainage Services Department	Supplies Attendant	1	1
	Watchman	2	2
	Workman I	92	68
	Workman II	259	211
	Total by Department:	354	282

<i>Department</i>	<i>Rank</i>	<i>No. of officer</i>	<i>No. of officer at maximum point</i>
Education Department	Workman II	673	638
	Workman II	67	57
	Workshop Attendant	164	143
	Workshop Attendant	19	16
Total by Department:		923	854
Electrical and Mechanical Services Department	Lift Operator	2	2
	Supplies Attendant	15	10
	Watchman	30	29
	Workman I	195	156
	Workman II	129	128
Total by Department:		371	325
Environmental Protection Department	Supplies Attendant	1	1
	Workman I	3	3
	Workman II	31	21
Total by Department:		35	25
Fire Services Department	Ganger	2	1
	Gardener	2	1
	Watchman	22	19
	Workman II	139	129
Total by Department:		165	150
Government Flying Service	Ganger	1	1
	Supplies Attendant	1	0
	Workman II	11	4
Total by Department:		13	5
Government Laboratory	Workman II	9	8
Total by Department:		9	8
Government Land Transport Agency	Workman I	6	6
	Workman II	1	1
Total by Department:		7	7

<i>Department</i>	<i>Rank</i>	<i>No. of officer</i>	<i>No. of officer at maximum point</i>
Government Property Agency	Watchman	48	48
	Workman I	2	2
	Workman II	2	2
Total by Department:		52	52
Government Secretariat	Lift Operator	3	3
	Supplies Attendant	2	2
	Watchman	15	14
	Workman I	1	0
	Workman II	27	24
Total by Department:		48	43
Government Supplies Department	Ganger	37	33
	Lift Operator	2	2
	Supplies Attendant	27	21
	Watchman	30	24
	Workman I	5	4
	Workman II	152	147
Total by Department:		253	231
Highways Department	Supplies Attendant	1	1
	Watchman	15	15
	Workman II	109	109
Total by Department:		125	125
Home Affairs Department	Car Park Attendant II	1	1
	Car Park Attendant II (Retaining Carpark Attendant Scale)	1	1
	Supplies Attendant	1	1
	Watchman	2	1
	Workman I	1	1
	Workman II	76	72
Total by Department:		82	77
Hospital Authority	Amah III (Personal)	3	3
	Amah II (Personal)	1	1
	Amah I (Personal)	2	2
	Barber	10	9
	Ganger	38	25
	Gardener	2	2
	Hospital Orderly II (Personal)	2	2
	Hospital Orderly I (Personal)	1	1

<i>Department</i>	<i>Rank</i>	<i>No. of officer</i>	<i>No. of officer at maximum point</i>
	Ward Attendant	1 793	1 641
	Watchman	152	125
	Workman I	125	116
	Workman II	1 128	1 128
	Total by Department:	3 257	3 055
Housing Department	Ganger	2	2
	Supplies Attendant	3	3
	Watchman	4	4
	Workman I	837	837
	Workman II	606	606
	Total by Department:	1 452	1 452
Immigration Department	Supplies Attendant	2	0
	Watchman	3	3
	Workman I	2	0
	workman II	40	38
	Total by Department:	47	41
Industry Department	Watchman	1	1
	Workman I	2	2
	Workman II	3	3
	Total by Department:	6	6
Information Services Department	Supplies Attendant	2	1
	Watchman	5	4
	Workman II	15	10
	Total by Department:	22	15
Information Technology Services Department	Workman II	6	4
	Total by Department:	6	4
Inland Revenue Department	Supplies Attendant	1	1
	Workman I	1	0
	Workman II	8	7
	Total by Department:	10	8

<i>Department</i>	<i>Rank</i>	<i>No. of officer</i>	<i>No. of officer at maximum point</i>
Judiciary	Car Park Attendant II	9	7
	Supplies Attendant	1	1
	Watchman	64	50
	Workman II	9	5
	Total by Department:	83	63
Labour Department	Workman II	4	4
	Workman II (VTC)	1	0
	Total by Department:	5	4
Land Registry	Workman II	1	1
	Total by Department:	1	1
Lands Department	Office Assistant	1	0
	Workman II	105	103
	Total by Department:	106	103
Legal Aid Department	Workman II	1	0
	Total by Department:	1	0
Legal Department	Workman II	1	1
	Total by Department:	1	1
Marine Department	Ganger	2	1
	Watchman	19	18
	Workman I	2	2
	Workman II	45	43
	Total by Department:	68	64
Office of the Telecommunications Authority	Watchman	4	4
	Workman II	1	1
	Total by Department:	5	5
Planning Department	Workman II	9	5
	Total by Department:	9	5

<i>Department</i>	<i>Rank</i>	<i>No. of officer</i>	<i>No. of officer at maximum point</i>
Planning, Environment and Lands Branch, G.S.	Car Park Attendant II	1	1
	Car Park Attendant II (Retaining Carpark Attendant Scale)	3	3
	Watchman	7	5
	Workman II	7	6
	Total by Department:	18	15
Post Office	Watchman	11	11
	Workman II	19	16
	Total by Department:	30	27
Printing Department	Ganger	1	1
	Watchman	6	6
	Workman I	81	63
	Workman II	41	34
	Total by Department:	129	104
Radio Television Hong Kong	Supplies Attendant	1	1
	Watchman	13	10
	Workman II	2	2
Total by Department:	16	13	
Rating and Valuation Department	Supplies Attendant	1	0
	Workman II	6	5
	Total by Department:	7	5
Recreation and Culture Branch, G.S.	Supplies Attendant	1	0
	Workman II	4	4
	Total by Department:	5	4
Regional Services Department	Ganger	108	75
	Supplies Attendant	2	2
	Workman I	1 176	936
	Workman II	3 578	3 359
	Total by Department:	4 864	4 372

<i>Department</i>	<i>Rank</i>	<i>No. of officer</i>	<i>No. of officer at maximum point</i>
Royal Hong Kong Police Force	Gardener	1	0
	Supplies Attendant	2	1
	Watchman	13	9
	Workman I	59	52
	Workman II	1 032	927
Total by Department:		1 107	989
Royal Hong Kong Regiment (The Volunteers)	Supplies Attendant	3	3
	Workman I	1	0
	Workman II	8	7
Total by Department:		12	10
Royal Observatory	Watchman	17	15
	Workman I	1	1
	Workman II	3	3
Total by Department:		21	19
Social Welfare Department	Supplies Attendant	1	1
	Ward Attendant	138	111
	Watchman	56	48
	Workman II	211	194
Total by Department:		406	354
Student Financial Assistance Agency	Workman II	1	1
	Total by Department:		1
Technical Education and Industrial Training Department	Workshop Attendant (VTC)	4	4
	Watchman (VTC)	3	3
	Workman II (VTC)	12	12
Total by Department:		19	19
Territory Development Department	Watchman	3	3
	Workman II	5	5
Total by Department:		8	8
Trade Department	Watchman	3	3
	Workman I	4	4
	Workman II	2	2
Total by Department:		9	9

<i>Department</i>	<i>Rank</i>	<i>No. of officer</i>	<i>No. of officer at maximum point</i>
Transport Department	Watchman	3	0
	Workman I	16	14
	Workman II	19	19
	Total by Department:	38	33
Treasury	Supplies Attendant	1	1
	Watchman	18	14
	Total by Department:	19	15
Urban Services Department	Cultural Services Assistant II	1	0
	Ganger	155	120
	Office Assistant	2	0
	Supplies Attendant	6	4
	Watchman	47	47
	Workman I	1 356	1 299
	Workman II	5 244	4 868
Total by Department:	6 811	6 338	
Water Supplies Department	Supplies Attendant	3	0
	Watchman	15	12
	Workman I	309	144
	Workman II	621	502
	Total by Department:	948	658
Grand-total:		24 196	21 921

N.B. The figures are provided by the Treasury and do not capture adjustments made after 14 March 1995.

Five-day Working Week

15. MR STEVEN POON asked (in Chinese): *Regarding the feasibility of implementing a five-day working week, will the Government inform this Council whether:*

- (a) *it has conducted any study on the feasibility of implementing a five-day working week in Government departments over the past 20 years; if so, what was the rationale behind its decision of maintaining a five-and-a-half-day working week;*
- (b) *it is still necessary for Government departments to maintain a five-and-a-half-day working week, in view of the adoptio of a five-day*

week in China, Japan, Australia, and countries in North America and Europe; if so, what the reasons are;

- (c) *a study will be conducted to re-assess the possible effects of a five-day working week on the people's livelihood, economic activities, commerce and industry as well as government operations; and*
- (d) *it is aware of any major organizations in the territory currently adopting a five-day working week?*

SECRETARY FOR THE CIVIL SERVICE: Mr President, my replies to the four questions raised are as follows:

- (a) The Government has looked into the case of implementing a five-day working week in government departments on various occasions in the past 20 years. This issue was also discussed at a Legislative Council meeting in November 1979. We believe that the working hours of the Civil Service should follow rather than lead the private sector and therefore the Government should continue to operate on five and a half days a week as long as the community it serves does so. That said, heads of departments may allow their staff to work on an alternate Saturday off system, provided that the required conditioned hours of work are not reduced. This system builds in a degree of flexibility for the civil servants while maintaining service to the public.
- (b) According to a survey in 1994, the five-and-a-half-day working week is still very common in the private sector in Hong Kong. 31% of private sector companies require their office staff to work five and a half days a week and a further 21% of companies require their employees to work five and a half days or six days every other week. We remain of the view that the Government should follow rather than lead private sector practice. We also believe that many of the people we serve continue to expect government offices to be open on Saturdays.
- (c) A regular study/review is in fact carried out by the Pay Survey and Research Unit of the Standing Commission on Civil Service Salaries and Conditions of Service when it conducts its regular fringe benefit surveys into private sector practice. We will continue to monitor the findings and will review the situation if and when the five-day working week becomes the norm in the private sector.
- (d) We are aware that there are certain companies in the territory adopting a five-day working week. However as pointed out above, a five-day working week is not yet a community norm.

Anti-Collision Equipment in Vehicles

16. MR CONRAD LAM asked (in Chinese): *According to the findings of a survey, vehicles with anti-collision equipment installed in the front will cause more serious injury to pedestrians as well as more severe damage to other vehicles in a traffic accident. As the number of vehicles installed with anti-collision equipment is on the increase, will the Government inform this Council whether:*

- (a) *the Transport Department has granted approval for the installation of anti-collision equipment in vehicles during the past three years; if so, how many approvals have been granted and what are the reasons and guidelines for granting such approvals;*
- (b) *random inspections have been conducted during the past three years to check if there is any installation of anti-collision equipment in vehicles; if so, how many inspections have been conducted and what the results are; and*
- (c) *the Government will consider imposing a requirement that vehicle owners should obtain prior approval of the Transport Department for the installation of anti-collision equipment in their vehicles, so as to reduce the number of such vehicles?*

SECRETARY FOR TRANSPORT: Mr President, may I first clarify that the Administration has not commissioned any survey on this subject. The answers to the Honourable Member's question are as follows:

- (a) There is no legislation governing the fitting of anti-collision equipment to vehicles. The Government approval is not therefore required and, therefore, no records of the numbers of vehicles fitted with such devices have been kept.
- (b) Random inspections have not been conducted to check on the installation of anti-collision equipment. However, the police may refer a vehicle to the Transport Department for roadworthiness and safety inspection if it is suspected that anti-collision equipment has been insecurely mounted, obscures lights or registration plates, or has projections that constitute a danger to other road users. So far, records have not been kept on the number of such police referrals, but the Transport Department is now establishing a database.

- (c) On the basis of information currently available both locally and from overseas, it is not possible to determine the effects of anti-collision equipment, beneficial or otherwise, in the event of traffic accident. While the Government has no immediate plans to require vehicle owners to seek approval prior to the installation of such equipment, its use is now being carefully studied with a view to establishing whether there is a need for more stringent regulation.

Obstructions on Pedestrian Passage Ways

17. MR TIK CHI-YUEN asked (in Chinese): *At present, quite a number of shop operators in shopping arcades and markets of public housing estates place their goods on pedestrian passage ways causing obstruction to pedestrians. This situation has not improved over the years. In this connection, will the Government inform this Council what specific measures the Housing Department will put in place to tackle the problem?*

SECRETARY FOR HOUSING: Mr President, the Housing Department now manages about 15 000 commercial premises in 151 public housing estates. The estate staff and Mobile Operations Teams regularly take enforcement action against shop-front obstruction:

The first step is for Housing Department staff to try to persuade offending commercial tenants to remove obstructions to common areas and, where necessary, to issue oral or written warnings. When this fails to achieve the desired results, the Department is authorized (under section 24(1)(d) of the Housing Ordinance) to seize the concerned goods. Serious offences are prosecuted under section 4A of the Summary Offences Ordinance. Upon conviction, offending tenants are subject to a maximum fine of \$5,000 or imprisonment for three months. In 1994-95, the following action was taken against shop front obstructions:

70 972	warnings
6 748	seizures of goods
1 771	prosecutions

The Housing Department may also exercise the contractual right to terminate the tenancy, or not to renew the tenancy, of a persistent offender. In the last 12 months, five tenancies have been terminated for this reason.

Apart from punitive measures, the Housing Department is also working to improve the design of commercial premises in order to provide adequate space to meet the operational needs of different trades. In this way, the problem of encroachment onto common areas for displays of goods for sale will be reduced.

Foreign Domestic Helpers engaged in Non-domestic Work

18. MRS SELINA CHOW asked (in Chinese): *In regard to the problem of foreign domestic workers undertaking non-domestic work in the territory, will the Government inform this Council:*

- (a) *of the number of cases in the past year regarding foreign domestic workers found to be engaged in non-domestic work;*
- (b) *whether the Government has done any estimate of the total number of foreign domestic workers engaged in non-domestic work; if so, what is the percentage of such workers out of the total number of foreign domestic workers in the territory; and*
- (c) *whether the Government will review the existing monitoring measures so as to make them more effective in preventing and combating the problem of foreign domestic workers engaged in work not stipulated in their employment contracts?*

SECRETARY FOR SECURITY: Mr President,

- (a) In 1994, 345 foreign domestic helpers (FDHs) were arrested in connection with unauthorized work, and 162 of them were subsequently prosecuted.
- (b) There is no reliable means of estimating the number of foreign domestic helpers engaged in non-domestic work. In addition to the arrest figures mentioned in (a) above, we estimate that there were approximately 4 000 FDH overstayers in 1994. It is possible that most of these overstayers were engaged in unapproved employment, including non-domestic work. These two figures represent 3% of the 1994 year-end population of 141 368 FDHs in Hong Kong.
- (c) To combat the problem of unauthorized work by FDHs, we have strengthened our enforcement efforts and carry out regularly raids at places of employment. An Immigration Task Force was formed in July last year; the Budget this year provides for the doubling of its size. This will enable more raids to be carried out at places of employment. We also encourage members of the public to pass us

any relevant information by calling the Immigration Department's 24-hour hotline (Tel No. 2824 1551).

Land Allocation for Parking in Kwai Chung

19. MR LEE WING-TAT asked (in Chinese): *It is learnt that the Government has recently allocated a piece of land near the container terminal in Kwai Chung, which is intended to be used for relieving traffic congestion, to a trade union of container truck operators for use as a carpark by its members on a rent-free and short-term basis. In this connection, will the Government inform this Council:*

- (a) *whether the above-mentioned case is the first in which land is allocated rent-free to a trade union; and what the terms of the land allocation are;*
- (b) *of the policy on which such an allocation is based;*
- (c) *whether the Government is aware of the reported arrangement under which members of the trade union have to pay for parking on the land in question; if so, whether such an arrangement is in breach of the terms of the land allocation; and*
- (d) *whether the tenure of the land allocation will result in a delay in the land reverting to its original intended usage for relieving traffic congestion; if not, what the reasons are?*

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Mr President,

- (a) The Container Transportation Employees General Union (CTEGU) was permitted to use a site in front of Container Terminal No. 7 at Kwai Chung for temporary parking of container trucks on an exceptional basis. The site in question is reserved for use as an emergency "vehicle holding area" when there is traffic congestion at Kwai Chung container port. It is locked up and is opened only when it is required to ease traffic congestion. Between August and October 1994, four container truck parking sites under short term tenancies in Kwai Tsing were closed down to make way for the Airport Core Projects (ACP). As a result, there was an acute shortage of parking spaces for container vehicles. On 29 September 1994, following negotiations between CTEGU and the relevant government departments, it was agreed that:

- (i) the CTEGU should be permitted to use the site on a temporary basis and without charge with effect from 1 October 1994 for parking container trucks. The site could accommodate about 200 trucks;
 - (ii) the CTEGU would be responsible for the management of the site and required to provide the licence numbers and driver details for the vehicles within the site; and
 - (iii) the CTEGU had to return the site to the Government once a short term tenancy of a new parking site at Stonecutter's Island was ready. It was expected at the time that this temporary arrangement would last about a month only. However, the tender of the new site was not completed until the end of December 1994 due to unforeseen boundary problems.
- (b) The temporary arrangements mentioned above were made on emergency traffic grounds, taking into account the very tight ACP Programme and the need to address the problem of shortage of parking spaces during the interim period.
- (c) The agreed temporary arrangements did not specifically cover any fee collection arrangement. However, the CTEGU agreed in writing to manage the site on a non-profit making basis.
- (d) Action is being taken to clear the site so that it can be put to its original use as an emergency vehicle holding area from 1 May 1995. Having further negotiated with the CTEGU on 13 April 1995, the CTEGU openly announced that it would surrender the site to the Government by 28 April 1995.

Delays in the Completion of HOS Flats

20. MR FRED LI asked (in Chinese): *There have been many instances of delay in the completion of estates under the Housing Authority's Home Ownership Scheme (HOS) in recent years, which have resulted in the deferral of the occupation dates of a number of HOS estates. In this connection, will the Government inform this Council:*

- (a) *of the number of HOS estates which were not completed on schedule in the past five years, together with their locations and the respective periods of delay;*

- (b) *of the reasons why the fines collected by the Housing Authority from the developer for the six-month delay in the completion of Ko Chun Court in Yau Tong were not used to compensate owners of HOS flats in the Court; and*
- (c) *what long-term measures the Housing Authority will put in place to solve the problem of delays in the completion of HOS estates?*

SECRETARY FOR HOUSING: Mr President,

- (a) A list showing the names of 53 Home Ownership Scheme (HOS) projects due for completion between 1990-91 and 1994-95, their locations, target completion dates, actual handover dates and periods of delay (if any) is annexed. The common reasons for delay in flat completion are changes in technical specifications, such as building finishes, during the contract period.
- (b) Under the terms of the Agreement for Sale and Purchase (ASP) of a HOS flat, the Housing Authority is entitled to extensions of the building completion period caused by factors beyond the control of the Authority. In the case of Ko Chun Court, the extension is due to factors beyond the control of the Authority, namely, delays on the part of the building contractor. As such, the Authority has no legal obligation to pay compensation to the purchasers.
- (c) The Housing Authority will consider measures to protect the interest of purchasers. These measures include, for example, minimizing the number of variations in technical specifications permitted during the contract period, and paying compensation in clearly defined circumstances.

HOS Projects with scheduled dates
of completion between 1 April 1990 and 31 March 1995

<i>Location</i>	<i>Court</i>	<i>Block</i>	<i>Completion Date stipulated in ASP</i>	<i>Date of Issue of Completion Certificates</i>	<i>Delay (no. of months)</i>
Ngau Tau Kok	Chun Wah	A	31.7.90	5.7.90	-
Tuen Mun	Siu Kwai	A	31.8.90	13.9.90	0.5
		B	31.8.90	13.9.90	0.5
Wang Tau Hom	Fu Keung I	A	30.11.90	21.1.91	1.5
		B	31.12.92	28.1.93	1
		C	31.12.92	28.1.93	1
	Fu Keung III	D	27.1.95	13.2.95	0.5
		E	27.1.95	13.2.95	0.5
		F	27.1.95	13.2.95	0.5
Tseung Kwan O	Ho Ming	A	30.11.90	22.11.90	-
Lam Tin	Hong Ying	A	31.3.91	15.4.91	0.5
Chai Wan	King Tsui	A	31.3.91	7.2.91	-
Tai Po	Chung Nga	A	30.4.91	30.1.91	-
		B	30.4.91	30.1.91	-
		C	30.4.91	30.1.91	-
Tuen Mun	Siu Pong	-	31.5.91	15.5.91	-
Tuen Mun	Siu Lung	-	31.5.91	15.5.91	-
Tuen Mun	Siu Hin	A	31.8.91	28.7.91	-
Ma On Shan	Kam Ying I	A	31.8.91	18.4.91	-
		B	31.8.91	18.4.91	-
		C	31.8.91	18.4.91	-

<i>Location</i>	<i>Court</i>	<i>Block</i>	<i>Completion Date stipulated in ASP</i>	<i>Date of Issue of Completion Certificates</i>	<i>Delay (no. of months)</i>
	Kam Ying II	D	31.10.91	28.10.91	-
		E	31.10.91	28.10.91	-
		F	30.11.91	14.11.91	-
		G	30.11.91	14.11.91	-
		H	30.11.91	14.11.91	-
		J	30.11.91	14.11.91	-
		K	30.11.91	14.11.91	-
Tai Po	Yat Nga	A	30.9.91	25.9.91	-
Lai King	Yin Lai	A	31.10.91	20.11.91	0.5
		B	31.10.91	20.11.91	0.5
Chuk Yuen	Pang Ching	A	31.10.91	20.11.91	0.5
		B	31.8.91	28.7.91	-
		B	30.9.91	25.9.91	-
Kellet Bay	Ka Lung	A	15.11.91	28.11.91	0.5
		B	15.11.91	28.11.91	0.5
		C	15.11.91	28.11.91	0.5
		D	15.11.91	28.11.91	0.5
Diamond Hill	Fung Chuen	-	30.11.91	2.10.91	-
Tai Po	Tak Nga	A	30.9.92	23.12.92	3
Tin Shui Wai	Tin Yau I	A	31.10.92	18.11.92	0.5
Diamond Hill	Lung Poon II	G	30.11.92	12.11.92	-
Tuen Mun	Siu Lun I	A	30.11.92	13.1.93	1.5
		B	30.11.92	13.1.93	1.5
	Siu Lun II	C	31.12.92	13.1.93	0.5
		D	31.12.92	13.1.93	0.5

<i>Location</i>	<i>Court</i>	<i>Block</i>	<i>Completion Date stipulated in ASP</i>	<i>Date of Issue of Completion Certificates</i>	<i>Delay (no. of months)</i>
	Siu Lun III	I	30.3.93	30.9.93	-
		J	30.9.93	30.9.93	-
		K	31.8.93	30.9.93	1
		L	31.8.93	30.9.93	1
	Siu Lun IV	E	7.5.94	11.7.94	2
		F	7.5.94	11.7.94	2
		G	7.5.94	11.7.94	1
		H	7.5.94	11.7.94	1
Chuk Yuen	Tin Wang	A	16.12.92	3.12.92	-
		B	16.12.92	3.12.92	-
		C	16.12.92	3.12.92	-
Lam Tin	Hong Pak	A	31.1.93	14.4.93	2.5
		B	31.1.93	14.4.93	2.5
		C	31.1.93	14.4.93	2.5
		D	30.4.93	25.3.93	-
		E	30.4.93	25.3.93	-
		F	30.4.93	25.3.93	-
		G	30.4.93	25.3.93	-
Sham Shui Po	Yee Ching	A	31.1.93	11.2.93	0.5
		B	31.1.93	11.2.93	0.5
		C	31.3.93	25.2.93	-
Tai Po	Yee Nga	A	15.4.93	15.6.93	2
		B	15.4.93	15.6.93	2
		C	15.4.93	15.6.93	2
		D	15.4.93	15.6.93	2
		E	15.4.93	15.6.93	2
	Tin Yau II	B	31.12.92	18.11.92	-
		C	31.12.92	18.11.92	-
Ma On Shan	Kam Lung I	A	30.4.93	20.4.93	-
		B	30.4.93	20.4.93	-
		C	31.5.93	20.4.93	-
	Kam Lung II	D	31.5.93	26.4.93	-
Tai Wo Hau	Kwai Yin	A	30.5.93	15.6.93	0.5
		B	30.5.93	15.6.93	0.5

<i>Location</i>	<i>Court</i>	<i>Block</i>	<i>Completion Date stipulated in ASP</i>	<i>Date of Issue of Completion Certificates</i>	<i>Delay (no. of months)</i>
Kwai Chung	Kwai Hong	A	22.6.93	15.6.93	-
		B	22.6.93	15.6.93	-
Chai Wan	Kai Tsui	A	30.6.93	30.7.93	1
		B	30.6.93	30.7.93	1
Sham Shui Po	Po Hei	A	30.6.93	24.9.93	3
		B	30.6.93	24.9.93	3
Tseung Kwan O	Chung Ming II	C	30.6.93	16.8.93	1.5
		D	30.6.93	16.8.93	1.5
		E	30.6.93	16.8.93	1.5
	Chung Ming I	A	31.10.93	8.10.93	-
		B	30.6.93	16.8.93	1.5
	Lam Tin	Hong Nga I	A	31.7.93	9.8.93
B			31.7.93	9.8.93	0.5
Tin Shui Wai	Tin Oi I	A	31.8.93	1.11.93	2
	Tin Oi II	B	31.8.93	1.11.93	2
Stanley	Lung Yan	A	1.10.93	16.12.93	2.5
		B	1.10.93	16.12.93	2.5
	Hong Nga II	C	31.7.93	9.8.93	0.5
Fanling	Yan Shing I	A	31.10.93	24.9.93	-
		B	31.10.93	24.9.93	-
		C	31.10.93	24.9.93	-
		D	31.10.93	24.9.93	-
	Yan Shing II	E	22.10.93	24.9.93	-
		F	22.10.93	24.9.93	-
		G	22.10.93	24.9.93	-

<i>Location</i>	<i>Court</i>	<i>Block</i>	<i>Completion Date stipulated in ASP</i>	<i>Date of Issue of Completion Certificates</i>	<i>Delay (no. of months)</i>
Tseung Kwan O	Yu Ming I	B	15.11.93	31.3.94	4.5
	Yu Ming II	A	28.11.93	14.4.94	4.5
Tsz Wan Shan	Tsz On I	A	20.3.94	29.4.94	1
Shau Kei Wan	Tung Chun	A	18.8.94	2.8.94	-
		B	18.8.94	2.8.94	-
Yau Tong	Ko Chun I	A	5.12.94	(15.5.95)*	
		B	5.12.94	(15.5.95)*	
		C	5.12.94	(15.5.95)*	
Fanling	Ka Shing I	A	27.3.95	(30.4.95)*	
		B	27.3.95	(30.4.95)*	
	Ka Shing II	C	27.3.95	(30.4.95)*	
		D	27.3.95	(30.4.95)*	

*Latest anticipated completion date

BILLS

First Reading of Bills

CRIMINAL PROCEDURE (AMENDMENT) BILL 1995

EVIDENCE (AMENDMENT) BILL 1995

PERSONAL DATA (PRIVACY) BILL

COMPANIES (AMENDMENT) BILL 1995

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

Second Reading of Bills

CRIMINAL PROCEDURE (AMENDMENT) BILL 1995

THE ATTORNEY GENERAL moved the Second Reading of: "A Bill to amend the Criminal Procedure Ordinance."

He said: Mr President, I move that the Criminal Procedure (Amendment) Bill 1995 be read a Second time.

In the Policy Commitments I made last October, I told Honourable Members of this Council that one of the immediate issues I would address was a scheme to ensure that vulnerable witnesses in criminal cases can give their evidence without fear and without suffering emotional distress.

There are three classes of witnesses who are particularly vulnerable when giving evidence in criminal courts: children, those who are mentally handicapped and those who fear for their safety if they give evidence. These vulnerable witnesses may feel intimidated by the atmosphere of the court; upset by the presence of the offender and dismayed at having to give an account of the facts firstly to the police and secondly in court. An additional problem is caused by the rule that a defendant cannot be convicted on the unsworn evidence of a child, no matter how reliable it may be, in the absence of corroboration. Recently, serious concern has been expressed by the community, the courts, and Members of this Council about the law and procedure relating to vulnerable witnesses.

Mr President, these problems are being addressed by the Administration by way of two Bills: the Bill which I am now introducing and the Evidence (Amendment) Bill 1995, which I will introduce later this afternoon. The amendments proposed in these two Bills spring from recommendations made by three committees.

In September 1993, I set up a Committee on the Evidence of Children in Criminal Proceedings chaired by Mr I G CROSS, QC. It was clear to me then that reforms were needed in respect of child witnesses. The Committee recommended that procedures similar to those set out in the English Criminal Justice Acts of 1988 and 1991 should be adopted in Hong Kong in cases involving children who are witnesses of offences involving sexual abuse, physical abuse or cruelty.

In March 1994, a working party appointed by the Chief Justice and chaired by Mr Justice Wong published a Report on Mentally Handicapped People Giving Evidence in Court. The working party also recommended the introduction of procedures, similar to those recommended by the Cross Committee, in order to allay the anxiety of mentally handicapped witnesses giving evidence in criminal proceeding.

As Members of this Council are aware, the need for improved witness protection arrangements was considered by the Fight Crime Committee which made a number of recommendations in April 1993. Whilst many of the recommendations have been implemented administratively, a recommendation that a witness who is in fear should be able to testify by a live television link in a room separate from the courtroom requires legislation.

The two Bills I have referred to propose to introduce desirable changes in the law, but they are not the only measures being taken. The problems surrounding vulnerable witnesses are being tackled vigorously on a number of fronts. I would like to describe briefly the other measures which are being taken to deal with child abuse, the mentally handicapped, and witnesses in fear.

Mr President, this Administration is committed to combating child abuse through a comprehensive range of preventive and family support services. We will spend around \$1.1 billion on family and child welfare services in this financial year, an increase of almost 20% over last year.

The handling and treatment of child abuse cases require multi-disciplinary co-operation, and a comprehensive set of guidelines has been compiled for use by the professionals concerned. A task force was set up last month to examine procedures and to work out guidelines to improve the handling of child sexual abuse cases. The Child Protective Services Unit of the Social Welfare Department has been charged with the operational and co-ordinating role in handling child abuse cases. The Unit will be strengthened by more workers in this financial year to improve its capacity to protect vulnerable children. To promote better understanding of child abuse among different professionals and to tackle the problem on a district basis, the Social Welfare Department will set up multi-disciplinary district committee on child abuse in five districts in this financial year. The Department has also set up a Public Education Subcommittee on Child Abuse to co-ordinate publicity and public education programmes on the prevention of child abuse. The first stage of the programme was launched last month focusing on educating the general public on the early detection and reporting of child abuse cases. In order effectively to implement the proposed legislative changes in handling child abuse cases in court, intensive training courses will be conducted for the various types of professionals concerned, to better equip them in this specialized area of work.

Turning now to mentally handicapped witnesses, these witnesses will continue to receive professional assistance as appropriate. This includes counselling before, during and after the trial by clinical psychologists or social workers. Support will also be provided to carers and family members of mentally handicapped witnesses throughout the process.

The protection of witnesses in fear is now the responsibility of a central Witness Protection Unit which has been set up within the Police Force to formulate, co-ordinate and implement witness protection measures. The Unit comprises a headquarters element, an operational support group and a cadre of operational staff on reserve.

I turn now to the Bill. The purpose of the Criminal Procedure (Amendment) Bill is to provide greater protection for vulnerable witnesses when giving evidence in criminal courts, by introducing four new procedures. First, vulnerable witnesses will, with the leave of the court, be able to give evidence at trial in a room separate from the court room through a live television link. This will allay their anxiety arising from giving evidence in court and child victims, in particular, will be spared the trauma of being close to the alleged abuser again. Secondly, interviews with children and mentally handicapped witnesses can be conducted and video recorded in informal surroundings. The video recording can later be accepted as evidence in court. This will mean that the witness will not have to repeat the ordeal of describing the incident.

A third procedure will prevent child or mentally handicapped witnesses from being required to give evidence in court twice in relation to serious abuses — once at the committal proceedings and again at the subsequent trial. Committal proceedings will not be needed when the prosecution issues a "notice of transfer" certifying that the evidence is sufficient for the accused to be committed for trial. In cases where it is unavoidable that a trial cannot be heard without delay, or exposure to a full trial would endanger the physical or mental health of the child or mentally handicapped witness, a written deposition taken by a magistrate will be admissible as evidence without further proof.

I should emphasize that the introduction of the new procedures will not prejudice the accused's right to a fair trial. For example, where a video recording is used as evidence, the witness must appear in court so that cross-examination is possible.

Mr President, another aspect of the law relating to children that has caused concern is the maximum penalty for the offence of child abuse under the Offences Against the Person Ordinance. The question of whether the penalty would be increased falls outside the ambit of the two Bills I am introducing today, but is currently under urgent consideration by the Administration as a separate exercise.

I believe that the proposed amendments in this Bill will go a long way to assist vulnerable witnesses to give evidence free from intimidation and anxiety, thereby enhancing the proper administration of justice.

Bill referred to the House Committee pursuant to Standing Order 42(3A).

EVIDENCE (AMENDMENT) BILL 1995

THE ATTORNEY GENERAL moved the Second Reading of: "A Bill to amend the Evidence Ordinance."

He said: Mr President, I move that the Evidence (Amendment) Bill 1995 be read a Second time.

The Bill proposes a change to the law of evidence which is considered essential to ensure that justice may be done in cases involving child witnesses. A moment ago, when introducing the Criminal Procedure (Amendment) Bill 1995, I explained that a problem exists in respect of the evidence of children. Under the existing law, children under seven years of age are not competent to give evidence, and unsworn evidence given by children under the age of 14 years must be corroborated by some other independent evidence before the accused may be convicted. This rule has been recently described by one judge as a "child molester's charter". The Evidence (Amendment) Bill abolishes the two rules I have described and provides that all children under the age of 14 years are able to give evidence unsworn. If a child is able to give relevant and understandable evidence, the court or jury will evaluate that evidence, even in the absence of other corroborative evidence, and decide how much reliance to place upon it.

I believe that these proposed amendments will, by abolishing unjustifiable technicalities, enable the courts to do justice in cases involving child witnesses.

Bill referred to the House Committee pursuant to Standing Order 42(3A).

PERSONAL DATA (PRIVACY) BILL

THE SECRETARY FOR HOME AFFAIRS moved the Second Reading of: "A Bill to protect the privacy of individuals in relation to personal data, and to provide for matters incidental thereto or connected therewith."

He said: Mr President, I move that the Personal Data (Privacy) Bill be read a Second time.

The purpose of the Bill is to protect the privacy interests of individuals in relation to personal data. The Bill will also contribute to Hong Kong's continued economic well-being by safeguarding the free flow of personal data to Hong Kong. This is because an increasing number of countries have data protection of personal data.

The Bill implements most of the recommendation of the Law Reform Commission in its report on reform of the law relating to the protection of personal data published in August 1994. That report was based on more than

four years' work by the Law Reform Commission, including a thorough public consultation exercise in 1993.

In common with such legislation elsewhere, the Bill gives statutory effect to internationally accepted data protection principles. These are set out in Schedule 1. The data protection principles provide for: the fair collection of personal data; requirements that personal data be accurate and not kept for longer than necessary; limits on the use of personal data; security of personal data; openness by the data users about the kinds of personal data they hold and purposes to which they are put; and for data subjects to have rights of access and correction with respect to their own personal data. Detailed provisions to enable individuals to obtain access and to seek correction of their personal data held by data users in both the private and public sectors are contained in Part V of the Bill.

Part II of the Bill establishes an independent statutory body, the Privacy Commissioner for Personal Data, to promote and enforce compliance with the legislation. Schedule 2 of the Bill makes provision for financial matters with respect to the Privacy Commissioner. It also gives the Director of Audit the power to examine the economy, efficiency and effectiveness with which the Privacy Commissioner has expended his resources.

Part III of the Bill provides for the Privacy Commissioner to approve and issue codes of practice giving guidance on compliance with the Bill.

Part IV provides for the Privacy Commissioner to specify classes of personal data they hold and purposes to which the data are put. The Privacy Commissioner is required to compile such returns in a register and to provide facilities for any person to have access to the register.

Part VI of the Bill subjects the automated comparison of personal data and transfer of personal data to places outside Hong Kong to suitable control to protect the privacy interests of subject data. It also contains provision for individuals to require the erasure of personal data used for direct marketing purposes.

Part VII of the Bill makes provision for the Privacy Commissioner to inspect personal data systems and to investigate suspected breaches of the Bill's requirements either on complaint from an individual or on the Privacy Commissioner's own initiative. It also provides for the Privacy Commissioner to be able to enter premises for an inspection or investigation, to take evidence and make reports, and where necessary to issue enforcement notices. The Bill provides for appeals against certain decisions of the Privacy Commissioner to be dealt with by the Administration Appeals Board.

Part VIII of the Bill contains exemption provisions. A broad exemption from the requirements of the Bill is provided for personal data held for domestic purposes, which include the management of personal affairs and recreational purposes. There are several exemptions from the subject access provisions in order to ensure continued efficient and effective human resources management. For example, in relation to staff planning and personal references. In addition, there is provision for a transitional exemption from the subject access provisions for employment-related personal data provided in confidence by third parties prior to the coming into effect of the Ordinance.

Part VIII of the Bill also provides for exemptions from the subject access and use limitation provisions of the Bill where their application would be likely to prejudice a variety of specified public interest purposes. Such purposes include: security, defence and international relations in respect of Hong Kong, the prevention and detection of crime, the assessment or collection of taxes and financial regulation. In essence, these provisions seek to strike a balance between the individual's right to privacy with respect to personal data and the public interest involved.

The Bill also seeks to strike a balance between privacy with respect to personal data and the right to gather and report news. Accordingly, in Part VIII there is an exemption from the subject access provisions for personal data held for news gathering and reporting purposes prior to the publication or broadcasting of the data concerned. Provision is also made for an exemption from the use limitation provisions to allow personal data collected for other purposes to be passed on for publication where this is in the public interest. In addition, personal data held for purposes related to news gathering and reporting are exempt from the Privacy Commissioner's powers to inspect personal data systems and investigate suspected breaches of the Bill's requirements other than on complaint.

Part IX of the Bill provides for offences and compensation. The offences include non-compliance with an enforcement notice issued by the Privacy Commissioner, which carries a fine in the range of \$25,001 to \$50,000 and imprisonment for two years. Provision is made for an individual who suffers damage, including injury to feelings, as a result of a contravention of a requirement of the Bill to be entitled to compensation. This would be assessed by the court under normal civil proceedings. Provision is made for reasonable care by a user of personal data to be a defence in such proceedings.

Mr President, I move that the Second Reading debate for this Bill be now adjourned.

Bill referred to the House Committee pursuant to Standing Order 42(3A).

COMPANIES (AMENDMENT) BILL 1995

THE SECRETARY FOR FINANCIAL SERVICES moved the Second Reading of: "A Bill to amend the Companies Ordinance."

He said: Mr President, I move the Second Reading of the Companies (Amendment) Bill 1995.

There are three main objectives in these proposed amendments to the Companies Ordinance. They first of all, seek to introduce a new class of preferential payment for depositors in the event of the liquidation of a bank; secondly, they provide for the use of either Chinese or English under various provisions in the Ordinance; and thirdly, they enable the use of certificates of incorporation with pre-printed signatures by the Companies Registry.

The new preferential class would enable eligible depositors of licensed banks to receive priority payment of up to \$100,000 for their net deposits in the event of the liquidation of a bank. The new class should rank immediately after the existing classes for remuneration and other payments to employees and statutory debts. The proposal is intended to provide a measure of comfort for depositors, which would in turn contribute to the stability of the banking sector.

The proposal covers all depositors except persons and companies that are connected with the bank being liquidated, for example, its directors and its subsidiary companies. Also excepted is the Hong Kong Monetary Authority as the bank regulator, which places deposits with banks in the name of the Exchange Fund. Certain banking institutions are also excluded, such as licensed banks, restricted licensed banks, deposit-taking companies and multilateral development banks.

Where less than full dividend is paid to creditors, the new class will somewhat diminish dividends to very large creditors, excluded depositors and ordinary creditors. However, the proposal would contribute to a more speedy liquidation by reducing the number of creditors very considerably at an early stage of the winding up. Past research has shown that some 80% to 90% of deposit accounts of retail banks have a balance of \$100,000 or below. Hence the notional loss of having to give up a certain percentage of dividend payment may be more than offset by the accelerated receipt of their money by other creditors and the reduction in administrative costs of the liquidation.

Besides the introduction of the new preferential class, other aspects of the liquidation are not affected by the Bill and will continue to be governed by established liquidation law and practice.

The Bill also amends a number of provisions in the Ordinance to permit the use of either Chinese or English to file documents with the Companies Registry, thereby placing both languages on an equal footing. The proposal to

use certificates of incorporation with pre-printed signatures would allow the Registry's resources to be used in a more cost effective and efficient manner.

Mr President, this is a package of useful amendments, necessary to increase confidence in the banking system and to facilitate access to the Companies Registry.

Bill referred to the House Committee pursuant to Standing Order 42(3A).

OCCUPATIONAL DEAFNESS (COMPENSATION) BILL

Resumption of debate on Second Reading which was moved on 30 November 1994

Question on Second Reading proposed.

MR MICHAEL HO (in Cantonese): Mr President, a Bills Committee was formed to study this Bill on 2 December 1994. Four meetings were held with the Administration and some interested organizations were interviewed and submissions from individuals were received. A number of main areas of concern were discussed by the Committee:

The first is the 10-year employment requirement. Members and many representative organizations are of the view that this requirement is unwarranted. The compensation scheme should cover all employees suffering from noise-induced occupational deafness irrespective of their length of employment. In this connection, however, the Administration maintains that it is prudent to adopt a well-trying requirement to establish the causal link between the disease and the applicants' employment history for the purpose of ascertaining their eligibility for compensation under the scheme. We agree that the above measure be temporarily adopted at the start of a new scheme such as the proposed one for which the Administration has no experience, so as to minimize the possibility of abuse. The Administration has also undertaken to conduct a comprehensive review, in the light of experience after the scheme has come into operation for a year.

Our second area of concern is the requirement of employment in specified noisy occupations within 24 months before the commencement of the compensation scheme. After considering the views of the organization represented, the Administration agrees to relax the 24-month limit to 72 months. In the discussion, the Bills Committee also agrees to accept the 72-month limit on a temporary basis.

The Bills Committee's third area of concern is on Schedule III which lists the 17 specified noisy occupations for the purpose of determining eligibility for compensation. Members and interested organization generally consider the Schedule too to be restrictive, which may lead to unfairness in the course of paying compensation to those suffering from occupational deafness. Finally, the

Administration agrees to keep the list of noisy occupations in Schedule III under constant review by regularly conducting surveys and measuring noise level of work processes.

The Bill Committee's fourth area of concern is about the percentage of incapacity and total deafness as set out in the Bill. Members and interested organizations find the proposed formula of 60% to calculate total deafness as provided under the present Bill unfair. They consider that occupational deafness should be equated to 100% incapacity. However, the Administration maintains the view to adopt the proposed formula of 60%. After detailed discussion, Members of the Bills Committee temporarily agree to the proposal so as not to hold up passage of the Bill. In response to requests from the representations, Members and the Administration agree to include qualified occupational physicians and qualified audiologists in the composition of the Occupational Deafness Medical Committee.

Lastly, Members are concerned about the prevention of occupational deafness as a long term strategy. We hope that as a result of the Administration's commitment to strengthen education in hearing conservation and statutory enforcement measures in hearing protection, the number of new cases will drop gradually in the coming years. It is the basic consensus of Members of the Bills Committee that many Members still cannot totally accept the above-mentioned four arrangements. In order to expedite the passage of this Bill, however, and to ensure that the workers concerned can be compensated as soon as possible, Members of Bills Committee share the basic consensus that they hope the Second Reading debate be resumed and the Bill be passed as early as possible.

Mr President, with these remarks, I support the Bill.

MR TAM YIU-CHUNG (in Cantonese): Mr President, it is approximately five years ago when this Council started to discuss the question of compensation for victims suffering from occupational deafness. But it was not until 1994 that the Administration introduced the present Bill. Thus, even though Members of this Council and other trade unions are not satisfied with the content of the Bill, we still hope that it can pass into law as soon as possible, so that victims of occupational deafness can be benefitted earlier.

In the course of this Council's deliberation of the Bill, quite a number of trade unions reflected their views to us. They hoped that the Administration could delete the period of retroactivity prescribed in the Bill, but at the end the Administration only agreed to extend the period to 72 months. Owing to the economic restructuring of Hong Kong in recent years, many victims suffering from occupational deafness have already quit the noise-related industry. If it is prescribed by law that the period of retroactivity is only six years, they will be unable to obtain the compensation that they deserve. Besides, the Bill also specifies that the workers concerned should be working in the noise-related

industry for at least 10 years in order to be eligible to apply. These requirements are too stringent in that it will be impossible for many workers who lost their hearing after working in the noise-related industry for three to five years to obtain any compensation. I therefore hope that the Administration can carefully consider the opinions of trade unions and victims of occupational deafness, and review the situation soon after the Bill has been passed. I also hope that the review can really achieve the improvement purpose.

Mr President, with these remarks, I support the Second Reading of the Bill.

DR LEONG CHE-HUNG: Mr President, I rise to support the Occupational Deafness (Compensation) Bill with the Committee stage amendments on behalf of the Medical Functional Constituency. In supporting this Bill, the medical profession has many areas of reservations, which I will elaborate; but ultimately agreed to balance the effect that pushing for such amendments at this stage would tickle further labour-employer bargaining on the financial implication of the Bill, and may risk a delay in launching the compensation scheme which many of our workforce victims are yearning for and have been yearning for the last six years.

Extensive consultation was made within my constituents and in particular, amongst the occupational medicine specialists and the ear, nose and throat (ENT) specialists, on whose suggestion I will base my comments.

We support the remarks and proposal on further monitoring of the scheme once the Bill is made into law, as mentioned by the Chairman of the Bills Committee.

The medical profession in particular are against the initial proposal of using 10 years of employment in aggregation in specific noise occupations as a criterion for entitlement to compensation. We are of the opinion that such is not only unscientific but irrational when medical science can actively demonstrate with ease the onset of hearing loss. The medical profession believe that more scientific diagnostic means should be used rather than adopting arbitrary criteria.

In the course of discussion, we are amazed also that doctors trained for occupational medicine are excluded from the list of, and I quote, "designated medical practitioners" and also from the "Board of Appeal". These are specialists trained in occupational medicine of which noise induced deafness must be a part. We are glad that this discrepancy will be corrected by the Administration during the Committee stage.

Finally, whilst all victims who cannot derive pleasure from melodious tones because of prolonged work in a noisy environment should be well compensated, prevention is always better than compensation. In this aspect, it

would only be skimming the surface of the area of occupational hazards by passing this Bill if the Government is unwilling to come forth with a concrete timetable for implementing pre-employment and on the job regular health check for workers, especially those in obviously hazardous occupations, and the Government must respond to this.

We support the Bill.

MRS ELSIE TU: Mr President, we have been urged to support this Bill in order to avoid delay in paying compensation to some who may miss out by waiting for our further discussion. However, I wish to ask the Government to put on record today its firm undertaking to review the scheme after one year of operation, concerning the matters mentioned by my colleagues who have just spoken.

It is understandable that in starting a new scheme, we need to find out from experience the size of the problem, the amount of finance required, and how to make good any financial deficit. Awaiting a review must not be taken to mean that other victims suffering occupational deafness are to be excluded. As in the case of compensating victims of pneumoconiosis, when the scheme was revised to assist those who had been excluded, this review must be carried out at the earliest possible time.

On this condition, Mr President, I support the Bill.

SECRETARY FOR EDUCATION AND MANPOWER: Mr President, I am grateful to Members for their support of this important Bill. I am sure Members will share with me the gratitude that we can at long last bring into operation a compensation scheme for occupational deafness which has been discussed for the last six years. I am sure Members will agree with me also that while the scheme is not perfect, this is only the beginning of the improvements. And I will certainly promise to review the scheme after one year's operation. I would like to thank Mr Michael HO and other Members of the Bills Committee for their efforts in making a detailed examination of the Bill and for their very useful suggestions and views. Having considered the views and suggestions of the Committee, I will be moving a number of amendments to the Bill at the Committee stage later, and will explain these in more detail.

Thank you, Mr President,

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).

RATING (AMENDMENT) BILL 1994**Resumption of debate on Second Reading which was moved on 7 December 1994**

Question on Second Reading proposed.

MR MOSES CHENG: Mr President, the Rating (Amendment) Bill 1994 was introduced into the Legislative Council on 7 December 1994. The main purposes of the Bill are:

- (a) to transfer the functions of the Collector of Rates under the Rating Ordinance to the Commissioner of Rating and Valuation;
- (b) to discontinue the grant of half-refunds of rates for vacant non-domestic premises; and
- (c) to make a number of miscellaneous amendments relating to the assessment and collection of rates.

A Bills Committee, of which I am the Chairman, was set up to study the Bill. The Bills Committee has held three meetings with the Administration. It has received written representations from the Real Estate Developers Association of Hong Kong and has met a deputation from the Association at the third meeting.

Four of the changes proposed in the Bill are particularly significant and I will briefly report on the Bills Committee's deliberations on such proposed amendments.

The first is the transfer of the functions of the Collector of Rates to the Commissioner of Rating and Valuation. Under the Rating Ordinance, the Commissioner of Rating and Valuation is responsible for the assessment of rateable value and the Director of Accounting Services for the billing and collection of rates in his capacity as the Collector of Rates. This segregation of responsibilities results in duplication of effort and ratepayers are often unsure as to which department they should contact in case of enquiries. Members agree that the transfer of the functions of the Collector of Rates to the Commissioner would optimize the use of resources and provide a better service to ratepayers.

The next significant amendment is the proposed abolition of half-refund for vacant non-domestic premises. Since 1974, the Ordinance has ceased to provide for rates refund for vacant non-domestic premises but continues to allow half-refunds for vacant non-domestic premises. Part of the reason for the change in 1974 was to encourage speedy occupation of domestic properties. The Administration now proposes to abolish the half-refund for non-domestic properties on equity grounds. The proposal will result in total savings of \$4.7

million a year in administrative costs and will generate additional revenue of about \$94 million a year.

In its representation to the Bills Committee, the Real Estate Developers Association opposes the proposed amendment by stressing that for the collection of rates, the "end-users-pay" principle should apply to owners of all vacant premises. Abolishing refunds for non-domestic properties simply because refunds for domestic properties have been abolished could not be considered equitable. It also points out that the two types of properties differ greatly from each other in Hong Kong. Whilst the abolition of refunds for domestic premises may have some effect on encouraging speedy occupation, the take-up rate of non-domestic premises is entirely decided by the forces of market mechanism and economic performance. The market is on the verge of over-supplying commercial and industrial/office space and the proposed measure would deter investors from purchasing such properties.

The Administration's response to the objection based on the "end-users-pay" principle is that rates are a charge on property to help to finance the costs of providing both government and municipal council services, for example, police, fire services, water, lighting and refuse collection. Many services must be provided irrespective of whether a building is occupied. Furthermore, the capital investment underpinning such services, for example, roads, sewers, fire engines and police stations, must still be made and paid out even if buildings in the vicinity are vacant. The Administration has stated that it is not prepared to reverse the long-standing policy of not giving a half-refund in respect of domestic properties and maintains its view that, on equity grounds, there is no good reason to discriminate in favour of non-domestic properties. In its view, the abolition of the half-refund is the withdrawal of an unjustified concession. The vast majority of vacant non-domestic properties (89%) are temporarily empty, pending letting or sale. Since the half-refund only represents 2% of the rental value of the property, the Administration considers it most unlikely that the abolition of the half-refund would deter purchases or redevelopment.

The Real Estate Developers Association's representatives maintain that rates are a service charge to be paid on occupation or else it will become a tax on ownership. They also highlight the poor timing for the proposed amendment as adjustments are being made in all sectors of the property market. In the new towns, there are many vacant non-domestic premises with no income at all. The proposed measure will be regarded as further interference in the commercial sector. They consider that the Administration should not draw a parallel between domestic and non-domestic premises as policies such as security of tenure and rent control for domestic premises do not apply to non-domestic premises.

A majority of Members agree that basically rates should be a service charge for occupation of premises. The present 50% rates charged on vacant non-domestic premises already covers the cost of services provided irrespective of occupation. Since different rules on such matters as rent control and security

of tenure apply in respect of domestic and non-domestic premises, they question the justification for the change on equity grounds. The differential treatment has existed for over 20 years and there is no good reason to change the policy at this time. There were some 4 200 unoccupied industrial premises in December 1994, many of which were old premises owned by small investors and the vacancy rate is increasing. Furthermore, developments in progress point to an over supply of non-domestic premises by 1996. They therefore do not support the proposal to abolish the 50% refund for non-domestic premises. However, there is a minority view which supports the Administration's proposal.

My colleague, the Honourable Ronald ARCULLI, will move amendments at the Committee stage to restore to the Ordinance the provisions for half-refund of rates for vacant non-domestic premises.

The third change of concern to Members is over the wide power to be given to the Secretary for the Treasury to make regulations under the principal Ordinance which could have fiscal consequences affecting ratepayers. To ensure adequate control over the exercise of the power, the Bills Committee has asked the Administration to amend the proposed section 53 to the effect that the regulations to be made under the section would be subject to the approval of the Legislative Council.

The Administration has reviewed its position in the light of the Bills Committee's views and has decided to withdraw the proposal to amend section 53 and to maintain the status quo, that is, the power to make regulations will remain with the Governor in Council, and the Legislative Council will retain the existing right to scrutinize and amend the regulations.

The Administration will move Committee stage amendments to reinstate the present section 53 of the Ordinance and to introduce some minor consequential amendments to the Landlord and Tenant (Consolidation) Ordinance.

The fourth significant change concerns the service of notices of interim valuation. Clause 11 modifies the Commissioner's obligation to serve notices of interim valuation so that such notices will be sent only to those who are owners or occupiers at the time the notices are served. The Administration has clarified that under the existing provisions, the Commissioner has to serve a notice of interim valuation on all owners or occupiers of the tenement and settle all objections before he can direct the Director of Accounting Services to include the interim valuation into the valuation list. It is impracticable, particularly in a buoyant market, to ascertain details of every new owner where a property changes hand frequently and to serve on the new owner a fresh notice of interim valuation and to allow him another new objection period under section 40. This obligation can result in loss in rates revenue as rates can only be backdated for two years. As about 70 000 interim valuations have to be handled a year, the

administrative costs to fulfill this requirement are substantial. The Bills Committee agrees that the proposed arrangement is more satisfactory.

Mr President, with these remarks, I commend the Rating (Amendment) Bill 1994 to Honourable Members.

MR RONALD ARCULLI: Mr President, I am most grateful to the Honourable Moses CHENG for setting out the reasons put forward by the Real Estate Developers Association in its opposition to the cancellation of the present position regarding the making of half-refunds for unoccupied non-domestic premises. I believe the reasons advanced are both reasonable and cogent. Let me elaborate.

Mr President, the only argument advanced by the Administration for cancelling half-refunds for unoccupied non-domestic premises is on "equity grounds". If this is correct, it seems to me to be extraordinary that, after perpetuating for over 20 years this alleged inequitable differentiation, the Administration suddenly wakes up. I challenge the Administration to explain to this Council what has been the reason behind such an extraordinary lapse. I suspect that no reasons can be advanced.

Secondly, the Administration disputes that there is no difference between domestic and non-domestic premises. Again, this hardly rings true in view of all the statements made by the Administration to the contrary, whether it be in the areas of rent control or otherwise.

Thirdly, this so-called inequity was not removed when the Administration, despite overwhelming support, refused to reduce rates from 5.5% to 5% not so long ago. Today, Honourable Members are being asked to increase revenue, not just to the two municipal councils but to the General Revenue. Whether or not the two municipal councils need this extra revenue, I will leave to my honourable colleagues to judge, but the Administration definitely has no need for this extra revenue.

Mr President, I carried out a survey among some of my constituents, asking each of them the effect of the proposed cancellation on them. I can say that it varies from no effect to sums between \$250,000 and just over \$10 million at the high. I can also say that some did not reply, by which I assume that there is no effect or that it is negligible. The point I am making, however, is that there are a lot of investors, small or otherwise, who are not members of the Real Estate Developers Association who will be affected. I thought it was only right that I draw the attention of my honourable colleagues to this fact.

Mr President, I would have much preferred to bring equity into play by moving an amendment that would restore giving half-refunds for both domestic and non-domestic premises that are unoccupied, but I need not ask Honourable Members to second-guess what the Governor's response to such a request would

have been under Standing Order 23. Mr President, I therefore ask Honourable Members to support my amendment, which I will move at the Committee stage. The sole purpose of my amendment is to preserve the present position of half-refund of rates in respect of unoccupied non-domestic premises. As there are other amendments both in the Bill and at the Committee stage which are worthy of support, the Liberal Party will support the Bill at the Second Reading and at the Committee stage as well as support my amendment. In the event, however, that my amendment is defeated the Liberal Party will abstain at the Third Reading.

Thank you, Mr President.

SECRETARY FOR THE TREASURY: Mr President, I thank the Honourable Moses CHENG for the clear exposition of the purposes of the Bill, the discussions of the Bills Committee, and the Administration's views on the points raised by Members of the Bills Committee.

The Bills Committee chaired by the Honourable Moses CHENG has offered valuable advice to us. We are grateful for the Committee's support for the proposed transfer of the Collector of Rates' functions to the Commissioner of Rating and Valuation. Subject to Members' approval, we are keen to implement the proposal as soon as possible, so as to provide a one-stop service for ratepayers and to allow better use of the resources of the departments concerned.

We also welcome the Committee's backing of the miscellaneous amendments to streamline the procedures for rates assessment, service of notices and rating appeals. The aim of these amendments is to improve efficiency and the quality of service to the public. In the light of the Committee's views, we agreed to reinstate the provision relating to the power to make regulations under the Rating Ordinance so that the power will remain with the Executive Council. This Council will, of course, retain the right to scrutinize (and amend if appropriate) the regulations in the usual way. The Committee stage amendments which I shall move later this afternoon will give effect to the agreement.

There is, however, one area where the Administration and some Members of the Bills Committee have not been able to reach a consensus. That is, the proposed abolition of half-refund of rates for vacant non-domestic properties. As the Honourable Moses CHENG pointed out, we believe that rates are a general charge on properties to finance the costs of government and municipal services. Both occupied and vacant buildings benefit from these services, for example, fire protection and police cover. It is therefore reasonable for the owners of vacant properties to pay a fair share, whether they are domestic or non-domestic services.

There have been suggestions that the proposal will hit our industry severely. With respect, I cannot agree. Rates have an insignificant effect on the property market. Rates represent about 4% of rental value of non-domestic premises; so half rates amount to only about 2% of the rental value or 0.1% of the capital value. According to information available to use, the proposal will only affect very few industrial properties. In the third quarter of 1994, owners claim half-refund for only 5% of total stock of industrial buildings subject to rates assessments. In 90% of these cases, properties are vacant pending sales or letting. These are commercial decisions and should not affect their duty to pay rates.

For the reasons I have set out, I hope Members will support our proposal to abolish the half-refund of rates on non-domestic properties. Mr President, I commend this Bill to the Council, subject to the amendments which I shall move shortly.

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.

OCCUPATIONAL DEAFNESS (COMPENSATION) BILL

Clauses 1, 3, 4, 6 to 13, 15, 18 to 31, 33 to 37 and 39 to 47 were agreed to.

Clauses 2, 5, 14, 16, 17, 32 and 38

SECRETARY FOR EDUCATION AND MANPOWER: Mr Chairman, I move that the clauses specified be amended as set out in the paper circulated to Members.

The amendment to clause 2(a) serves to extend the definition of designated medical practitioner to include an occupational physician conferred by the Hong Kong Academy of Medicine in addition to ENT specialists as originally stated in the Bill. This will allow occupational physicians to be the alternative designated medical practitioners who can provide claimants with the required medical examination for the purpose of applying for compensation under this Bill. The reason is that occupational physicians also possess the expertise required of conducting such a medical examination for the assessment of the degree of noise-induced occupational deafness.

Amendments to clauses 14(2)(b)(i) and 14(4) serve to relax the occupational requirement of claimants for compensation under the Bill, to the effect that compensation may be payable to those persons who have at any time been employed under a continuous contract of employment in any noisy occupation in Hong Kong within 72 months, instead of within 24 months as originally proposed, before the commencement of the scheme. This is intended to capture within a reasonable timeframe old cases of persons who were in employment in noisy occupations some time between July 1989, when public consultation on this scheme started, and the commencement of the scheme. But to prevent possible abuse of this special arrangement, I also move an amendment to clause 14(4) to require this particular category of claimants to submit applications for compensation within the 12 months immediately after the commencement of Part 5 of the Bill, that is, the part relating to entitlement to applications for compensation.

The amendments to clauses 16(4) and 17(1) are technical amendments to clarify our intent to allow the Occupational Deafness Compensation Board to delegate its powers to make investigations and enquiries into matters relating to the claimant's deafness or occupational history if it considers it necessary to do so, and that any claimant and related parties should assist not only the Board but also its delegates in such processes.

The amendment to clause 38 is also technical. It seeks to empower the Occupational Deafness Compensation Board to specify the form of any "certificate" for the purpose of the scheme, in addition to the list of documents it can prescribe under the same clause.

Amendments to clause 2(b) as well as clauses 14(2)(a) and 14(2)(b) of the Chinese text of the Bill seek to revise the Chinese translation of "noisy occupation" to make it clearer and to avoid confusion to the public.

Finally the amendments to clauses 2, 5(2)(d) and 32 of the Chinese text of the Bill are technical amendments to certain terms to make them consistent with the Chinese translation of similar terms used in other Ordinances.

Proposed amendments

Clause 2

That clause 2 be amended -

- (a) by deleting the definition of "designated medical practitioner" and substituting -

"designated medical practitioner" (指定醫生) means -

- (a) a medical practitioner conferred by the Hong Kong Academy of Medicine with the designation of Fellow of the Hong Kong Academy of Medicine (Otorhinolaryngology); or
 - (b) a medical practitioner conferred by the Hong Kong Academy of Medicine with the designation of Fellow of the Hong Kong Academy of Medicine (Community Medicine) and in the field of occupational medicine;".
- (b) in the definition of "noisy occupation", by deleting "行業" and substituting "工作".

That clause 2 be amended, in the definition of "補償", by deleting "支付" and substituting "須付".

Clause 5

That clause 5(2)(d) be amended -

- (a) by deleting "低押" where it first appears and substituting "保證".
- (b) by deleting "低押" where it secondly appears and substituting "保證".

Clause 14

That clause 14(2)(a) and (b) and schedule 3 be amended, by deleting "行業" wherever it appears and substituting "工作".

That clause 14(2)(b)(i) be amended, by deleting "24" and substituting "72".

That clause 14(4) be amended, by deleting "24" and substituting "12".

Clause 16

That clause 16(4) be amended -

- (a) by adding "or its delegates under subsection (3)" after "the Board" where it first occurs.
- (b) by deleting "or control to the Board" and substituting "or under his control to the Board or its delegates".

Clause 17

That clause 17(1) be amended, by adding "or its delegates" after "the Board" where it first occurs.

Clause 32

That clause 32 be amended -

- (a) in the heading, by deleting "低押" and substituting "押記".
- (b) by deleting "低押" and substituting "押記".

Clause 38

That clause 38 be amended, by adding ", certificate" after "report".

Question on the amendments proposed, put and agreed to.

Question on clauses 2, 5, 14, 16, 17, 32 and 38, as amended, proposed, put and agreed to.

Schedules 1, 2, 3 and 5

SECRETARY FOR EDUCATION AND MANPOWER: Mr Chairman, I move that the Schedules specified be amended as set out in the paper circulated to Members.

The amendment to Schedule 2, section 1, seeks to revise the composition of the Occupational Deafness Medical Committee to the effect that an occupational physician and an audiologist will also be included in the Committee, in addition to the three medical practitioners originally specified under this Bill. This is proposed in view of the fact that these two professionals are also able to perform the statutory functions of the Medical Committee prescribed under the Bill and that the proposed changes have been requested by the Bills Committee.

I also move amendments to Schedule 5, section 3, to revise the method of determining the earnings for the purpose of computing the compensation payment, so as to cater for the situation whereby a claimant who has left his employment in a noisy occupation for a long time is unable to provide any documentary proof concerning the earnings he then received as remuneration from his employer. With this amendment, if a claimant can provide documentary proof concerning the earnings received by him, the compensation payable to him will be computed with reference to the average monthly earnings

for the total of his last 12 months of employment in noisy occupations. Otherwise, the compensation payable to him will be computed with reference to the median monthly earnings of the total employed population for the quarter immediately before the commencement of the scheme or the relevant date of application as appropriate.

Finally the amendments to Schedule 1, section 10 and Schedule 3, paragraph (q) of the Chinese text of the Bill, are technical amendments to bring several terms into line with the Chinese translation of similar terms used in other Ordinances.

Proposed amendments

Schedule 1

That Schedule 1, section 10 be amended -

- (a) in the heading, by deleting "註銷" and substituting "沖銷".
- (b) by deleting "註銷" wherever it appears and substituting "沖銷".

Schedule 2

That Schedule 2, section 1 be amended, by deleting subsection (1) and substituting -

- "(1) The Medical Committee consists of the following 5 members -
- (a) 1 medical practitioner nominated by the Hospital Authority;
 - (b) 1 medical practitioner nominated by the Department of Health;
 - (c) 1 medical practitioner nominated by the Faculty of Otorhinolaryngology of the College of Surgeons of Hong Kong of the Hong Kong Academy of Medicine;
 - (d) 1 medical practitioner nominated by the Hong Kong College of Community Medicine of the Hong Kong Academy of Medicine; and
 - (e) 1 audiologist nominated by the Hong Kong Society of Audiology."

Schedule 3

That Schedule 3, paragraph (q) be amended, by deleting "維修" and substituting "修理".

Schedule 5

That Schedule 5, section 3 be amended, by deleting the section and substituting -

- "3. For the purpose of this Schedule -
- (a) if a claimant can provide documentary evidence to the satisfaction of the Board concerning the earnings received by him as remuneration from his employer or employers in respect of his employment for 12 months in aggregate immediately preceding the relevant date of application in noisy occupations in Hong Kong, the monthly earnings of the claimant are the average monthly earnings for those 12 months;
 - (b) if a claimant cannot provide the documentary evidence as required by paragraph (a) and he is entitled to compensation by virtue of his fulfilling the condition in section 14(2)(b)(i) of this Ordinance but not section 14(2)(b)(ii) of this Ordinance, the monthly earnings of the claimant are the median monthly employment earnings of the total employed population of Hong Kong published by the Census and Statistics Department for the quarter immediately before the commencement of Part V of this Ordinance;
 - (c) in any other case, the monthly earnings of a claimant are the median monthly employment earnings of the total employed population of Hong Kong published by the Census and Statistics Department for the quarter immediately before the relevant date of application."

Question on the amendments proposed, put and agreed to.

Question on Schedules 1, 2, 3 and 5, as amended, proposed, put and agreed to.

Schedule 4 was agreed to.

RATING (AMENDMENT) BILL 1994

Clauses 1 to 14, 16 to 31 and 33 to 35 were agreed to.

Clause 15

MR RONALD ARCULLI: Mr Chairman, I move that clause 15 be amended as set out in the paper circulated to Members for the reasons I have advanced.

*Proposed amendment***Clause 15**

That clause 15 be amended -

- (a) by deleting paragraph (a) and substituting -
 - "(a) in subsection (1) -
 - (i) by repealing "subsections (1A) and (2A)" and substituting "subsections (1A) and (2C)";
 - (ii) by repealing "for the whole of a month in a quarter" and substituting "for any period";
 - (iii) by repealing "for that month" and substituting "for that period";
 - (aa) by repealing subsections (2) and (2A);";
- (b) in paragraph (b), in the proposed subsection (2C), by deleting "Subsection (2B)" and substituting "Subsections (1) and (2B)".

Question on the amendment proposed.

SECRETARY FOR THE TREASURY: Mr Chairman, with respect, we do not support the proposed Committee stage amendment to clause 15.

Clause 15 seeks to abolish the half-refunds for vacant non-domestic premises. It is driven by our desire to remove an unjustified concession in favour of the owners of non-domestic properties.

I will not bother to repeat here all the arguments we have put forward in our submissions to Members, or those I made in my earlier speech introducing the resumption of the Second Reading. But I would like to address a point raised earlier, that is, domestic and non-domestic properties are different and therefore deserve different treatment. While we note that there are some differences, we do not see that these are sufficient to justify perpetuation of the present anomaly. As I have pointed out, the vast majority of vacant non-domestic properties are temporarily empty pending letting or sale. As strong advocates of the free market, we do not see why the owners of these properties

should not bear the natural consequences of the commercial decisions they have taken to let or sell the properties in question.

I must point out that this Committee stage amendment will not only preserve the unjustified concession for vacant non-domestic premises, it will also extend the concession further so that one can claim the refunds in respect of the entire vacancy period rather than whole calendar months as at present. The amendment will therefore not only perpetuate but even aggravate the inequity in favour of non-domestic properties. Moreover, it would be administratively complex and therefore expensive to administer.

With these remarks, I urge Members to vote against the proposed amendment to clause 15.

MR FRED LI (in Cantonese): Mr Chairman, being a member of the Bills Committee who scrutinized this amendment, I would like to make clear the stance of the Democratic Party on the Party's behalf.

The grant of half-refunds of rates for vacant domestic premises was abolished in 1974. In the Bills Committee I asked why the same matter concerning industrial premises and commercial premises was not taken up until 21 years later. "Better late than never" was the answer given. I believe that, in doing what it is now proposing to do, the Government is in effect rectifying a long-existing inequity. As a matter of fact, the Democratic Party sees no reason why vacant non-domestic premises should continue to enjoy a 50% rates relief. For this reason, we are going to vote against Mr Ronald ARCULLI's amendment.

MR RONALD ARCULLI: Mr Chairman, I think in my speech in the Second Reading debate I challenged the Administration to actually give us reasons why the Administration actually sat around for over 20 years perpetuating what it now today describes as an inequity. So far no reason has been given. I believe that the real answer lies in the fact that there is in fact a differentiation between domestic and non-domestic premises. There is also a reason given in 1974 for the abolition of half-refunds for domestic premises, and that was really the Administration's then desire, which I assume it still holds today, to actually discourage vacant premises as far as domestic premises are concerned, and to encourage occupancy rates as being high.

Mr Chairman, if one looks at the figures published by the Rating and Valuation Department in terms of vacancies, we can see that in non-domestic premises, as a rule of thumb, there are generally twice as many as in domestic premises. Indeed in domestic premises the vacancy factor normally is because of decoration or as a result of termination of one tenancy and perhaps the tenant or the owner buying or moving into new premises. Likewise that reason exists for non-domestic premises, but additionally because of the change of planning

criteria from time to time by the Town Planning Board, there is, of course, also re-development aspects in terms of non-domestic premises.

So, Mr Chairman, all I can say is that from the Real Estate Developers Association's (REDA) point of view, the motivation is not money. As I said earlier, in terms of the effect, the financial effect on REDA members, it seems to me, to be negligible or at best minimal. But what we do have is that it will affect the entire market in Hong Kong and quite a lot of owners. Now, if the Democratic Party chooses not to understand market forces or differentiation, clearly they are entitled to their view, and I would not quarrel with that. But I think in terms of a differentiation, there has been a difference for 20 years and I believe that the Administration owes it to this Council to actually give us a satisfactory reason, rather than to just say it is based on grounds of equity.

I therefore, for those reasons, urge Members to actually support my amendment. Thank you very much.

Question on the amendment put.

Voice vote taken.

CHAIRMAN: Council will proceed to a division.

CHAIRMAN: Will Members please proceed to vote?

CHAIRMAN: Are there any queries? If not, the results will now be displayed.

Mr Allen LEE, Mrs Selina CHOW, Mr Edward HO, Mr Ronald ARCULLI, Mrs Miriam LAU, Mr LAU Wah-sum, Mr Peter WONG, Mr Moses CHENG, Mr CHIM Pui-chung, Dr LAM Kui-chun, Mr Steven POON, Mr Henry TANG, Mr Howard YOUNG, Mr James TIEN and Mr Alfred TSO voted for the amendment.

The Chief Secretary, the Attorney General, the Financial Secretary, Mr HUI Yin-fat, Mr Martin LEE, Mr PANG Chun-hoi, Mr SZETO Wah, Mr TAM Yiu-chung, Mr Andrew WONG, Mr Jimmy McGREGOR, Mrs Elsie TU, Mr Albert CHAN, Mr Vincent CHENG, Mr CHEUNG Man-kwong, Rev FUNG Chi-wood, Mr Frederick FUNG, Mr Timothy HA, Mr Michael HO, Dr HUANG Chen-ya, Mr Simon IP, Dr Conrad LAM, Miss Emily LAU, Mr LEE Wing-tat, Mr Eric LI, Mr Fred LI, Mr MAN Sai-cheong, Mr TIK Chi-yuen, Dr Samuel WONG, Dr YEUNG Sum, Mr WONG Wai-yin, Dr TANG Siu-tong, Miss Christine LOH, Mr Roger LUK, Ms Anna WU and Mr LEE Cheuk-yan voted against the amendment.

Mrs Peggy LAM abstained.

THE CHAIRMAN announced that there were 15 votes in favour of the amendment and 35 votes against it. He therefore declared that the amendment was negatived.

Question on the original clause 15, proposed, put and agreed to.

Clause 32

SECRETARY FOR THE TREASURY: Mr Chairman, I move that clause 32 be amended as set out in the paper circulated to Members.

I propose to amend clause 32 so that the power to make regulations under the Rating Ordinance will remain with the Governor in Council. This reflects the outcome of discussions held at the Bills Committee set up to examine the Rating (Amendment) Bill 1994. As at present, the Legislative Council will retain the right to scrutinize and, if appropriate, amend the regulations by virtue of section 34 of the Interpretation and General Clauses Ordinance.

Mr Chairman, I beg to move.

Proposed amendment

Clause 32

That clause 32 be amended, by deleting the clause and substituting -

"32. Section substituted

Section 54 is repealed and the following substituted -

"54. Forms and signature of notices

(1) The Commissioner may specify the form of any requisition, declaration, notice, claim or other document required for the purposes of this Ordinance.

(2) Every requisition, declaration, notice, claim or other document required or to be given for the purposes of this Ordinance, shall be valid if the name of the Commissioner, Deputy Commissioner, Assistant Commissioner, Principal Valuation Surveyor, Senior Valuation Surveyor or Valuation Surveyor is printed or signed thereon."."

Question on the amendment proposed, put and agreed to.

Question on clause 32, as amended, proposed, put and agreed to.

New clause 36 Consequential Amendments
 Landlord and Tenant
 (Consolidation) Ordinance

Clause read the First time and ordered to be set down for Second Reading pursuant to Standing Order 46(6).

SECRETARY FOR THE TREASURY: Mr Chairman, I move that the new clause as set out in the paper circulated to Members be read the Second time.

The new clause seeks to introduce consequential amendments to the Landlord and Tenant (Consolidation) Ordinance to reflect the proposal to transfer the responsibility for the collection of rates from the Director of Accounting Services to the Commissioner of Rating and Valuation. The need for these amendments had been overlooked when the Amendment Bill was first introduced, but subsequently came to light.

Mr Chairman, I beg to move.

Question on the Second Reading of the clause proposed, put and agreed to.

Clause read the Second time.

SECRETARY FOR THE TREASURY: Mr Chairman, I move that new clause 36 be added to the Bill.

Proposed addition

New clause 36

That the Bill be amended, by adding -

**"Consequential Amendments
Landlord and Tenant (Consolidation) Ordinance**

36. Sections amended

The Landlord and Tenant (Consolidation) Ordinance (Cap. 7) is amended -

- (a) in section 53A(4)(d) and 119F(4)(d) in paragraph (a) of the definition "rateable value", by repealing "section 14(1)" and substituting "section 14";
- (b) in sections 75 and 128 -
- (i) by repealing the definition "Collector of Rates";
- (ii) in paragraph (a) of the definition "rateable value" by repealing "a valuation list maintained by the Collector of Rates under section 14A" and substituting "the valuation list in force under section 14";
- (c) in sections 75A(a) and 128A(a), by repealing "a valuation list maintained by the Collector of Rates under section 14A" and substituting "the valuation list in force under section 14";
- (d) in the Chinese text -
- (i) in sections 53A(4)(d) and 119F(4)(d) in paragraph (a) of the definition "應課差餉租值", by repealing "第 14(1)" and substituting "第 14" ;
- (ii) in sections 75 and 128 -
- (A) by repealing the definition "差餉徵收官" ;
- (B) in the definition "應課差餉租值", by repealing paragraph (a) and substituting -
- “(a) 如處所屬根據《差餉條例》(第 116 章)第 14 條正生效的差餉估價冊內所包括的物業單位的情況，指該估價冊內所顯示的應課差餉租值；或” ;
- (iii) in sections 75A and 128A, by repealing paragraph (a) and substituting -
- “(a) 如處所屬根據《差餉條例》(第 116 章)第 14 條正生效的差餉估價冊內所包括的物業單位的情況，該估價冊內所顯示的應課差餉租值；或” 。

Question on the addition of the new clause proposed, put and agreed to.

Council then resumed.

Third Reading of Bills

THE ATTORNEY GENERAL reported that the

**OCCUPATIONAL DEAFNESS (COMPENSATION) BILL and
RATING (AMENDMENT) BILL 1994**

had passed through Committee with amendments. He moved the Third Reading of the Bills.

PRESIDENT: Does any Member wish the voting to be split as between the two Bills?

MR RONALD ARCULLI: Yes, I do, Mr President.

Question on the Third Reading of the Occupational Deafness (Compensation) Bill proposed, put and agreed to.

Bill read the Third time and passed.

Question on the Third Reading of the Rating (Amendment) Bill 1994 proposed, put and agreed to.

Bill read the Third time and passed.

PRIVATE MEMBER'S MOTIONS**INTERPRETATION AND GENERAL CLAUSES ORDINANCE**

REV FUNG CHI-WOOD moved the following motion:

"That the Sewage Services (Sewage Charge) Regulation, published as Legal Notice No. 59 of 1995 and laid on the table of the Legislative Council on 1 March 1995, be amended in section 2(1) by repealing "the prescribed rate shall be \$1.20 per cubic metre of water supplied" and substituting "the prescribed rate shall be \$0.70 per cubic metre of water supplied for domestic purposes (within the meaning of the Waterworks Ordinance (Cap. 102)) and \$1.20 per cubic metre of water supplied for all other purposes"."

REV FUNG CHI-WOOD (in Cantonese): Mr President, I move the motion standing in my name in the Order Paper. My motion aims at lowering the sewage charge from \$1.20 to \$0.70 per cubic metre of water supplied for domestic purposes. This has always been the Democratic Party's demand.

In the consultation period last year, most people maintained that sewage charges were too high. I also proposed a motion debate in this Council last year. When the Sewage Services Ordinance was passed in December in this Council, the issue of sewage charges was discussed. The Administration has been objecting to the proposal put forward by the Democratic Party for a reduction of the said charges on the ground that it is against the "polluter pays" principle. However, the Administration contradicted itself today when it gazetted a new regulation to reduce the sewage charges from 80% to 70% of metered consumption for the 10 sectors on the relevant Schedule. The reduction would make it impossible for the Administration to active a achieve a total recovery of operating costs. Thus, the Administration is itself acting blatantly against the "polluter pays" principle. While the Administration regards the Democratic party's request for a charge reduction as against the "polluter pays" principle, it did what it did which precisely runs counter to the said principle. the Administration's actions have been self-contradictory.

Furthermore, the Administration has been saying that the Democratic Party's charge reduction proposal will lead to a loss of \$100 million in revenue. This, it says, will lead to a loss in income for the trading fund, and if income and expenditure cannot balance, the trading fund will vanish. In saying these things, the Administration is just trying to scare members away from any support for a charge reduction. But now, the Administration is proposing a charge reduction, saying that the abovementioned 80% to 70% reduction will only lead to a loss of \$13.5 million. Mr President, whereas the Administration says that an income loss \$100 million is out of the question, it allows an income loss of \$13.5 million. What kind of logic is this? If the Administration had told us earlier that a reduction of \$13.5 million was allowed we could have looked into the matter at an early stage and come up with an alternative proposal for a charge reduction fixed at \$13.5 million. Why had the Administration not said so earlier? On the contrary, what the Administration has been saying is that no reduction whatsoever is possible. Let me remind Members that the present sewage charge is only a stage-one charge. With the completion of stages two, three and four of the strategic sewage disposal facilities, sewage charges will increase by stages.

As at today, this Council has not finished it work on the Sewage Services (Sewage Charge) Regulation submitted by the Administration on 1 March. Now as I start to move to amend the Regulation, the Administration has again submitted a new Sewage Service (Sewage Charge) Regulation. So while the original Regulation is yet to be dealt with, a new one is submitted. Is this not making thing difficult for this Council? Is this normal practice? If this was allowed, the Administration might submit another new regulation after two week so that Members were kept too busy scrutinizing submissions, which in all

likelihood would escape amendment. In the circumstances, I now request that the relevant committee review the matter and that restrictions be laid down so that before this Council has completed dealing with a regulation, another of a similar nature may not be submitted; otherwise this Council would not be able to effectively carry out scrutiny work.

Mr President, in the course of scrutiny by a subcommittee of this Council, people from the textiles, and bleaching and dyeing industries complained to us that their expenditure on sewage charges would increase enormously. I sympathize with these people for the situation in which they would find themselves. The Democratic Party would also like to see some reduction in sewage charges in favour of these people but would refrain from putting forward any amendment to that effect. Eventually nobody put forward any amendments, not even the Administration. Now, the Liberal Party will be amending my proposal so that sewage charge reduction will extend from domestic users to all users. Knowing that it is going to lose, the Administration alleged that my amendment could not go ahead because it was submitted after 1 April, the date on which sewage charges would start to be imposed. It also alleged that by now the Administration is already collecting sewage charges and it would be against the Standing Orders to reduce the same. This is indeed a most ludicrous argument.

At our meeting, the Administration urged us to put forward amendments. Knowing that it was against the rules for us to put forward amendments, it invited us to do so. Knowing that it was not possible to put forward belated amendments, it urged us to do the same as soon as we could. When no amendment was forthcoming, I became the only person to put forward an amendment, but then I was accused of having breached the rules. This was the biggest joke. This is the first point I would like to make.

Point number two. If amendments were not possible after the date of implementation, then whenever the Administration wishes to push ahead with proposals for charges, it should implement the same the next day because thus the Legislative Council will never be able to amend its proposals as no meeting can be convened under the circumstances. Fortunately, the President of the Legislative Council managed to make an unequivocal and important decision in allowing me to put forward the motion to amend.

The Administration went to great lengths to oppose the amendment put forward by the Democratic Party. First, it threatened people by saying that the trading fund might have to dissolve. My motion might not be adopted this time. But if it were adopted, I cannot help wondering whether the trading fund would dissolve. I do not think it will. Second, the Administration then pointed out to the President that my amendment was against the Standing Orders and Royal Instructions. As regards this, I have clarified just now. Third, the Administration raised this argument in an attempt to establish a *fait accompli* to stop me from putting forward the amendment. The Administration put forward such legal agreements not at meetings held with us but after them. It then

entered secret deals with the Liberal Party. Discussions were held in secret, outside the meeting room, but not at meetings. Then the deadline was past. As the Administration could not put forward amendments, it was up to its tricks again and raised the ridiculous legal arguments I mentioned just a few moments ago. While we were studying the Regulation, the Administration put forward a new one. I hope this sort of thing will not happen again. This kind of behaviour is an insult to the function of this Council, which is to scrutinize laws and regulations.

Mr President, actually the Administration can save \$500 million each year. I have said so many times and I want to remind Members about this. This is how the \$500 million is saved. In the funds allocated to the Drainage Services Department, there is an expenditure for \$0.5 billion spent on sewage services. However, the \$0.5 billion is paid not out of the Administration's general expenditure but out of the trading fund. I want to make a clear request, again, to the Administration for an unambiguous account of how the \$500 million dollars saved has been spent. If the Administration did not give such an account, I would have to force the Administration to give the same. Where has this huge sum of money gone?

The Democratic Party's amendment proposal is asking the trading fund to give up \$100 million. A simple calculation would show that the Administration could gain \$400 million. In addition, clauses 4.8 and 4.9 of the Framework Agreement of the trading fund — I am glad the Secretary for Works has just returned because this is relevant to his office — clearly state that if sewage charge is set at a relatively low level and as a result there is insufficient funds in the trading fund, the shortfall will be met by capital injection from the Administration. However, the Administration has now verbally added a footnote saying that it just cannot inject money frequently. Only under exceptional circumstances can it carry out a one-off capital injection. This footnote must have been written down in the Framework Agreement in invisible ink and can only be read by the Administration. Capital injection is capital injection. The right thing to do is to inject money whenever there is such a need. In the discussion about the Trading Funds Ordinance, I explained to everybody that I hoped the Administration would give an undertaking; otherwise the Legislative Council would be deprived of the power to control charges, and reduced to an out-and-out rubber stamp.

Mr President, there are numerous arguments I made before and do not want to repeat them. Nevertheless, I would like to respond to a legal opinion from the Legal Adviser of this Council. The Legal Adviser gave notice on 19 April saying that the amendment I put forward, if adopted, might be challenged before the court as being *ultra vires*. The Democratic Party, however, holds a different view and I hope colleagues understand this. First, section 7(2) of the Interpretation and General Clauses Ordinance (Cap. 1) clearly states that "Words and expressions in the singular include the plural and words and expressions in the plural include the singular". Although the English word "rate" referred to in sections 3(1) and 12(1) in the Sewage Services

Ordinance is singular in number, the number of the word in the Chinese translation is not specified. The number can be plural in meaning, that is, there may be different rates. Anyone who wants to challenge this view has to shoulder the onus of proof to establish that the plural meaning of the word contradicts the original intention of the Sewage Services Ordinance. Second, my amendment, if adopted — and I hope I can have Members' support because this shows that this Council has a clear intention — would enable different rates for sewage treatment to be fixed. When this arrangement is challenged, the court would need to consider the legislative intent of this Council. Furthermore, the word "rate in section 3(1) of the Ordinance is singular in both the Chinese and English versions of the Ordinance because the subject of the section is "consumer", which is also singular. From this understanding, it can be established that different rates may apply to different consumers. From the above analysis, although I am not entirely certain that the court would rule the amendment to be in order, because it is the court that makes the final decision, I nevertheless want to point out that nobody can definitely say that the court would rule that my proposed amendment is out of order. Please remember, the onus of proof is on the one who initiates the challenge.

Mr President, I move this motion on behalf of the Democratic Party, in the hope that Members would show concern for people's livelihood and support my call for a reduction in sewage charges. I look forward to Members' support. Thank you.

Question on the motion proposed.

PRESIDENT: Members wish to declare an interest, I believe. Mr Henry TANG.

MR HENRY TANG: Mr President, I wish to declare an interest as I own more than 1% of a company which will directly benefit from Rev FUNG Chi-wood's amendment. This interest is already registered under Members' General Registration of Interests.

PRESIDENT: Yes, Under Standing Order 65, I do not think you actually have a direct pecuniary interest which would disable you from voting, Mr TANG. But having declared a pecuniary interest, you may speak on the motion before Council.

MR HENRY TANG: Mr President, I actually do not wish to speak. I just wish to declare this interest. But I will vote against the amendment anyway.

MISS EMILY LAU: Mr President, I rise to speak against the Rev FUNG Chi-wood's motion. The Sewage Services (Sewage Charge) Regulation and (Trade Effluent Surcharge) Regulation were gazetted on 24 February and were tabled in this Council on 1 March.

The purposes of the Regulations are to set out detailed arrangements for the sewage charges and trade effluent surcharges and the respective charging structures and rates.

A Subcommittee under my chairmanship was formed to scrutinize the two Regulations. On 20 March, this Council passed a motion extending the period under which the two Regulations are to be laid before this Council until today.

The Subcommittee held five meetings, which were all attended by representatives of the Administration. Representatives of the Federation of Hong Kong Industries, the Textile Council of Hong Kong, and the Hong Kong Association of Textile Bleachers, Dyers, Printers and Finishers attended four of the meetings. The Subcommittee also considered written submissions from the Hong Kong Food Council and the Fountain Set (Holdings) Limited.

Mr President, the Subcommittee noted with concern that the Regulations had not provided for reduction of sewage charges for industries which discharge waste water that is less polluted than the average strength of domestic waste water. These are industries which have installed in-plant sewage treatment facilities. The Administration undertook to review the charging scheme within the next 12 months with specific reference to this question and will report to the Panel on Environmental Affairs in due course.

The Sewage Services (Sewage Charge) Regulation provides for a uniform volumetric charge of \$1.20 per cu m of water supplied, other than water supplied for flushing purposes. This charging structure is a simplified version of the tariff structure originally proposed by the Administration, and reflects the majority opinion of this Council that the effect on domestic users should be kept as low as possible.

As a result of the revised charging structure, the Administration estimates that 50% of the households will be paying less than \$8 sewage charge a month, and 85% will pay less than \$18 a month.

An allowance is also made under section 2(2) whereby those industries listed in the Schedule to the Sewage Services (Sewage Charge) Regulation need only pay a sewage charge equal to 80% of the volume of water supplied.

However, while the industrial representatives generally support the sewage charge and the trade effluent surcharge, they claimed that as a result of the revised charging structure, the increase in operating costs for heavy water users would be much higher than the Administration's estimate of 1% to 2%.

The Subcommittee shared the industries' concerns and urged the Administration to identify means of alleviating the financial burden faced by the heavy water users which was not envisaged when the Sewage Services Ordinance was enacted by this Council last December.

After considering several alternatives, the Administration decided to lower the discharge factor from 80% to 70%. The decision is contained in the Sewage Services (Sewage Charge) (Amendment) Regulation 1995 which was made by the Governor in Council on 11 April, gazetted on 13 April and came into operation on that same day. The amending Regulation is tabled in this Council today.

The amending Regulation reduces the percentage of water supplied used in determining sewage charges for a trade, business or manufacture listed in the Schedule to the Sewage Services (Sewage Charge) Regulation from 80% to 70%.

Under section 34 of the Interpretation and General Clauses Ordinance, this amending Regulation may be amended by this Council on or before 10 May. The House Committee will decide how to handle this Regulation at its meeting this Friday.

As for Rev FUNG's motion to amend the prescribed rate of sewage charges for domestic households from \$1.20 to \$0.70 per cu m of water supplied, I cannot support it because I agree with the Administration that the revised charging structure has met Members' concern to keep charges on households as low as possible.

I agree that the charges are modest and affordable and should be supported. I have explained to members of the public that under the "polluter pays" principle, we all have a duty to contribute towards cleaning up the environment.

I am also concerned that Rev FUNG's amendment could mean a substantial loss in revenue to the Sewage Services Trading Fund and could seriously affect the Fund's viability.

Last but not least, Mr President, is our Legal Adviser's advice. We have been advised that, if passed, Rev FUNG's amendment could be open to challenge in the courts on ultra vires grounds, that is, it exceeds the regulation-making powers laid down in the principal ordinance, which makes no distinction between domestic and non-domestic consumers as regards the prescribed rate of sewage charges.

However, on the point that Rev FUNG made about all the turning and flowing that went on inside and outside the committee meeting, I think the Administration's performance is deplorable in some respects and I certainly think that the Procedural Matters Subcommittee should look at arrangements for

this Council to scrutinize subsidiary legislation tabled by the Government, to ensure there is adequate time for Members to deal with amendments and so on. So I certainly would recommend that the Procedural Matters Subcommittee should take this up.

Finally, Mr President, as a directly elected Member, I fully appreciate that anything to do with charging may touch a raw nerve and thus stir up resentment. But it is our duty, as legislators, to explain such charges to the public if we are convinced they are fair and affordable. Mr President, politics is about grasping the nettle. I call on Members to do so this afternoon.

With these remarks, I oppose the motion.

MR JAMES TIEN: Mr President, may I just ask whether I have seven minutes or 15 minutes?

PRESIDENT: There is no recommendation to me and I think Standing Order 27A does not apply to this type of motion. So you have 15 minutes.

MR JAMES TIEN: Mr President, Hong Kong's economic development in the past 20 to 30 years has been the envy of the world. Today's Hong Kong, by any account, should be considered a developed territory. We can now afford and plan for the future so that our children and grandchildren have a better Hong Kong to live in. It is time that we should do whatever we can to protect our environment from deteriorating any further than we are today. The Liberal Party takes that view. The business and industrial sector also support that view, knowing that we might end up paying for the lion's share of the cost of cleaning up Hong Kong.

The Sewage Services Bill was introduced into this Council in July 1994 and was finally passed in December 1994 after many deliberations by a Bills Committee set up during that period. Basically, the Bill has two charges.

Section 2(2) is the sewage charge which the Administration and the business sector agreed to be a fixed charge, plus a volumetric charge. The fixed charge is based on the size of the water meter that is being installed. The volumetric charge is based on the amount of water used. Both the domestic and business users have to pay. Section 3(2) is the trade effluent surcharge. Domestic users do not pay this, only the business sector does. As a dangling carrot, any business concern will be exempted from the trade effluent surcharge if it has installed in-plant sewage treatment facilities resulting in cleaner discharges than the average strength of domestic sewage discharges.

The Bills Committee at that time had no strong view on trade effluent surcharge in section 3(2). However, the Bills Committee recommended that the sewage charge in section 2(2) should be simplified by removing the fixed charge which varies with meter size, but instead increase the volumetric charge.

The Administration agreed to this proposal saying that the revenue for the Trading Fund will not be affected and that large water users will only pay 1% or 2% more. They did not consult large water users on this new proposal before agreeing with this Council.

The Bill was passed in December 1994, but the two regulations setting out the detailed arrangements for the sewage charge and the trade effluent surcharge was not gazetted till 24 February 1995. The trade effluent surcharge for the business sector, up to \$1.90 per cu m, together with the exemption provisions, did not deviate from the original proposal and hence did not receive any objection. For 10 sectors of businesses where the water consumption does not automatically equal to the amount of water discharged, 80% of the water consumption figure will be used as an average figure for discharge. However, the sewage charge, originally agreed with the business sector at a fixed charge plus \$0.7 per cu m consumed is now amended to no fixed charge but at \$1.20 per cu m consumed.

On 6 March this year, the Honourable Eric LI, Dr the Honourable Philip WONG and myself received a petition as Duty Roster Members from the Hong Kong Association of Textile Bleachers, Dyers, Printers and Finishers, claiming that for large water users as in that industry, dropping the fixed charge but increasing the volumetric charge from \$0.7 to \$1.20 per cu m will increase their payment by 40% to 60%, not the 1% or 2% that the Administration had informed this Council earlier. Subsequently, a new Subcommittee was set up on 10 March, under the chairmanship of the Honourable Emily LAU. That Subcommittee met for five times, together with the Administration and the industrial representatives all the way up to 3 April. Both Subcommittee Members and the Administration feel that the large water users' concern are justified, especially the large dyeing and finishing industry, whose ability to survive in Hong Kong and not move across the border into China will affect not only the thousands of worker in that industry, but also the down stream industry, that is, the 120 000 garment manufacturing workers who need the dyed-up fabric to make clothing.

The Administration firstly compromised by suggesting that for large water users, those using over 30 000 cu m or more a month, be given a 60% water meter consumption as concession instead of the 80% as in the Regulation. This will reduce the Trading Fund by about \$30 million a year.

The Subcommittee asked this Council's Legal Adviser to work on a draft amendment which was tabled on the 3 April meeting reflecting this 60% for large users. Suddenly, the Administration retreated and claimed this is ultra vires because section 12(1)(a) simply gives power to prescribe the rate, and I

repeat the word rate, singular, to be used. Having large users at 60% and small users at 80% will create two rates.

The Administration then threw out an idea on 3 April, that as a compromise, industry will accept reducing the 80% to 70% for all users, not some at 60% and others at 80%. The large industrial representatives reluctantly agreed, but some Members in the Subcommittee disagreed. The Administration, unwilling to amend the 70% themselves, wanted to pass the buck to one of us. The Liberal Party sees no reason to do the job for the Administration, that is, to propose the amendment and lobby for support in this Council.

By end of 4 April, there was still no action from the Administration. The only amendment to the Regulation is the one by Rev FUNG Chi-wood, reducing the \$1.20 to \$0.7 per cu m for domestic users, while asking businesses to pay \$1.20. This will cost the Trading Fund \$100 million a year. At that point, to alleviate businesses concern, the only amendment I can move under Standing Order is to amend Rev FUNG Chi-wood's amendment further. This I did on 6 April, by amending all charges to \$0.7 including domestic and businesses. This will cost the Trading Fund a total of \$250 million.

Mr President, the rest is repeating history for you. The Administration tried to stop us on 7 or 8 April, by writing to you claiming our amendments will have a charging effect on government revenue. However, you, Mr President, correctly ruled that request invalid on 10 April.

Mr President, there is a Chinese saying "you do not shed tears until you see a coffin". The Administration did precisely that and it only wept on 10 April when it saw a coffin that marked "Sewage Service Trading Fund minus \$250 million". I alone was asked to meet the Administration on 10 April, when I was told the Administration would consider now to amend the sewage charges to 70% of water meter consumption for the 10 sectors on the Schedule, involving 9 200 companies, with a reduced revenue of only \$13.5 million. I wondered how that was possible since the subcommittee amendment deadline was long past, on 4 April. I was then told they do not have to move a subcommittee amendment but simply have the amendment approved by the Executive Council and gazette it. This they did, passed in the Executive Council on 11 April and gazetted on 13 April.

Mr President, I am greatly disappointed at the Administration's ploy and tactics, that is the reason why I vent out all the background details so that all Honourable Members in this Council and the public will know. I could have easily turned down their appeal and press on with my amendment to Rev FUNG Chi-wood's proposal. Between the Liberal Party and the Democratic Party, we would have enough votes to revise the sewage charges to our liking. Moreover, my amendment cannot be argued as ultra vires by the Administration, as it will result in only one rate, that is, \$0.7 per cu m for everyone.

However, the problem with myself and the Liberal Party is that we are too pragmatic. I have noted during the Subcommittee's deliberation that, all the other independent Members, that is, the Honourable Emily LAU, the Honourable Eric LI, Dr Samuel WONG and Dr Philip WONG were all more in favour of helping industry by reducing the charging factor from 80% to 70%, rather than supporting my amendment to bring all sewage charges from \$1.20 to \$0.7 per cu m costing \$250 million which the Government argues, might put the Trading Fund in jeopardy. Both the Liberal Party and the business sector support me to withdraw my amendment. The Administration is lucky this time. They might not be so lucky the next. I sincerely hope that senior members of the Administration in future be more alert to what their juniors are up to, especially when Bills Committees or subcommittees have been set up.

Finally, Mr President, the Liberal Party believes in equitable policy. The Liberal Party believes in protecting the environment for us and our future generation, while striking a right balance between the business sector and the general public.

The Sewage Services Trading Fund is expected to recover about \$1 billion annually. \$350 million would be from the business sector only as trade effluent surcharge, another \$360 million from the business sector as general sewage charge. Only \$290 million, less than 30% of the cost, is from the two million households as general sewage charge. With the exemption of the first 12 cu m of water for households, 16% of domestic accounts will pay nothing, 50% will pay less than \$8 a month and 85% will pay less than \$18 a month. This charging arrangement is equitable and fair. The general public should also share in the cost of protecting the environment. We do not see the need to bring the domestic charges from \$1.20 down further to \$0.7 per cu m.

With these remarks, Mr President, the Liberal Party and myself will vote against Rev FUNG Chi-wood's motion.

MR TAM YIU-CHUNG (in Cantonese): Mr President, when the Second Reading debate on the present Ordinance resumed in December last year, I already made it clear that the Democratic Alliance for the Betterment of Hong Kong was against the Government applying the "polluter pays" principle to domestic users throughout the territory because it would be unfair to have the general domestic users share the sewage cost. We think that all domestic users should be exempted from paying the sewage charge. Therefore, we do not object, in principle, to a Member's proposal of reducing the sewage charge from \$1.2 to \$0.7 per cu m of water supplied.

Nevertheless, to lighten the burden on domestic users, other than cutting the charge per cu m of water, there are alternatives. We suggest that the exemption threshold in respect of sewage charge for domestic users should be raised to 40 cu m. For consumption in excess of 40 cu m, every cu m will be charged \$1.5. According to the data supplied by the Government, ordinary

domestic users consume 42 cu m to 45 cu m of water per billing period on average. Therefore, to set the exemption threshold at 40 cu m will be helpful in encouraging users to use less water so that they can also be exempted from paying the sewage charges. If our suggestion is adopted, the result will be that most domestic users will not have to pay any sewage charge. On the other hand, it would be more acceptable for the public to have users who consume more than 40 cu m of water pay the sewage charge. There is one more positive meaning about the sewage charge; that is, to encourage the public to be thrifty in the consumption of water.

Mr President, these are my remarks.

MR LEE WING-TAT (in Cantonese): Mr President, I speak in support of the Rev FUNG Chi-wood's amendment. In the whole course of dealing with the amendment to this Regulation, we can see that the Government has no principle to speak of but only cares for the interests of the industrial and commercial sector. On the one hand, it opposes the Democratic Party's amendment and claims that the amendment would cause losses to the Sewage Services Trading Fund. But on the other hand, it succumbs to every demand of the industrial and commercial sector and gives exemption and discount to the factories who use large quantities of water.

To oppose the Democratic Party's amendment, the Government resorted to every means; First, it threatened to dissolve the Trading Fund; Second, it pointed out to the President of the Legislative Council that the amendment breached the Standing Orders of this Council and the Royal Instructions and requested the President to block our amendment. Thirdly, the Government struck a secret deal with the Liberal Party. This move has bewildered us even more. The Liberal Party did not want to take the initiative to propose an amendment to avoid appearing to care only for the interests of certain industries and certain big factory operators, which would attract the stigma of unfairness. In view of this, the Government takes the initiative to move an amendment. This, I think, is in exchange for the Liberal Party's withdrawal of their support for the Democratic Party. As a matter of fact, the Government has all along been opposed to any amendments but now it is striking some dirty deals to play one party against another.

There are several reasons for the Democratic Party to propose an amendment: First, household sewage is an unavoidable product of everyday life. Levying sewage charges cannot bring down the volume of sewage; hence there is no need to impose two high a sewage charge. The Democratic Party's amendment is to support environmental protection while taking care of the interests of the lower classes.

Secondly, while supporting the "pollution pays" principle, the Democratic Party takes view of this principle from another perspective. We think that this principle is a newly-invented idea which it will take time for the public to

understand and identify with. Besides, among the various "polluter pays" schemes being carried out now, such as landfills and chemical waste treatment plants, none levies charges with a view to immediate and 100% the first year. It will take a rather long time for the costs of these services to be completely recovered. The users of landfills and chemical waste treatment plants are mainly from the industrial and commercial sector. Why then is it that the costs of facilities used by the industrial and commercial sector need not be fully recovered immediately within the first year while the costs for dealing with the pollution problem which involves the public need to be fully recovered in the first year? Is it fair?

Thirdly, many colleagues say that the amount of sewage charges will be very small and affordable to the public. Such observation may be correct if we look at the sewage charge as a single item, but, as we take a long hard look at the pressures and stresses that ordinary members of the public are facing, like high inflation, high rents, high transport costs, and now the added sewage charge, they will, taken together, become a heavy burden to bear. Many a time, when the Government and public utility companies apply for an increase of charges or fees, they would brief the Legislative Council, saying that a particular charge is very low, only a few dollars or a few tens of dollars a month and so the burden would not be very heavy. They never calculate the cumulative effect on the public when all the fees and charges are added up one by one. There is no point in just taking about a single charge alone. There is a story that goes like this: There was a very strong camel. It could carry a big load of straw on its back. Five jin, 50 jin, 100 jin, 400 jin, 500 jin, it was still able to take it. Eventually, when someone added a bunch of straw on its back, it could take it no more and dropped dead. This last straw may well be the sewage charge. It may be small in amount but it exerts tremendous pressure.

Fourthly, the Government at present allocates \$0.5 billion every year to the Drainage Department by way of recurrent expenditure for sewage disposal. However, after levying the sewage charge, the Government will reduce this allocation but it never explains why the allocation need to be cut. The Democratic Party considers that the Government has the responsibility to provide the public with the basic service of sewage disposal and therefore should continue to inject capital into the Trading Fund. Actually, the Democratic Party's amendment will only cost the Trading Fund \$0.1 billion in income each year. If the Government agrees to continue to inject \$0.5 billion every year, it will be more than adequate and no deficit in the Trading Fund will appear.

Fifthly, the Government threatens to dissolve the Trading Fund. But in reality, the sewage disposal strategy will not be fully operational in the first two years and hence the so-called paucity of funds will never arise. Such saying is only alarmist talk.

Lastly, Mr President, it has been stated clearly in clauses 4.8 and 4.9 of the financial agreement of the Trading Fund that in the event of the charge rate being set at a lower level which results in a deficit of in the Trading Fund, the deficit can be made up for by the Government's capital injection. From this we can see that the agreement allows the Legislative Council to reduce the charge and then let the Government inject money into the fund.

Mr President, I am only reiterating the Democratic Party's stand that we support the "polluter pays" principle in principle. But we do not see any practical need to have all users, the general public in particular, bear full responsibility and pay for the full cost over very short period of time.

Thank you, Mr President.

MR PETER WONG: Mr President, I am a keen supporter of the "polluter pays" principle and the Sewage Services (Sewage Charge) Regulation has my backing as a necessary piece of legislation. I do find Rev FUNG Chi-wood's motion illogical and inconsistent with the "polluter pays" principle. It seems to me that he is using the motion to exempt low income and some not-so-low income families from paying their legitimate share. I therefore oppose his motion.

The Honourable James TIEN's concerted amendment, now thankfully withdrawn, at least had the merit of calling a spade a spade. Nobody wanted the bleachers and dyers to be out of business and a formula was eventually found.

The Honourable LEE Wing-tat is strong on politics but rather weak on mathematics. The recovery rate of domestic and industry for sewage charges are comparable and I find his statement that domestics are paying full charges and not industry rather puzzling.

And as to the antics of the Administration resulting in an amendment to these Regulations, Mr President, I am rendered totally speechless.

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Mr President, I would like to start with a brief statement on the history of this legislation.

As Members will recall, the Administration has for several years been advising this Council — and the community at large — of the need to apply the "polluter pays" principle and to introduce this principle to sewage charges. Most modern communities pay such charges and the time has now come for Hong Kong to pay them too.

Consequently, the Administration held very detailed discussions with Members of the Bills Committee to study the Sewage Services Bill — the enabling Bill for the (Sewage Charge) Regulation — which was introduced into

this Council on 6 July 1994. The outcome of these discussions was agreement on a simpler charging scheme for the majority users of sewage services, so as to keep the effect of charges on domestic users as low as reasonably possible. That is to say, after six meetings of the Bills Committee, we agreed with Members to amend the Bill in order to simplify the tariff structure by deleting the fixed charges — which would have varied with meter size and user category — and by calculating the sewage charges for all consumers based on a simple uniform volumetric charge only. Subsequently, the Sewage Services Bill was passed in this Council on 14 December 1994.

The revised scheme therefore proposes a uniform rate of \$1.2 per cu m of water supplied for all service users. This revision further reduced what was already a modest and affordable charge to households. Consequently, the draft Regulation setting out the revised scheme was considered by the Bills Committee at its meeting on 22 November 1994 and was accepted by the majority of the Bills Committee Members. As I have noted, the Bill was then duly passed in December last year.

After the passage of the Ordinance, the subsidiary legislation was approved by the Executive Council in February 1995 and tabled in this Council on 1 March 1995. A Subcommittee was formed to consider the charging regulations and, during its four meetings, considered the effect of the Sewage Services (Sewage Charge) Regulation on heavy water users, especially the bleachers and dyers. After discussions, the Administration agreed to amend section 2(2) of the (Sewage Charge) Regulation, to reduce the discharge factor from 80% to 70%, to reflect the added financial burden on some heavy water users because of the simplification of the charging scheme. This will also help address the concern of heavy water users that sewage charges may significantly increase the operating costs of their businesses. The amendment Regulation was subsequently approved by the Executive Council on 11 April 1995 and gazetted on 13 April 1995.

As I have said, Mr President, the sewage charging scheme in its present form is based on volumetric consumption. The logic of the scheme is that polluters should pay. In other words, the less water one uses, the less one pollutes the environment, the less one uses sewage services, and the less one has to pay. As a result, under the revised charging scheme, the first 12 cu m of water for households will be exempted from charges, 16% of domestic account holders will in fact pay nothing, 50% will pay less than \$8 a month, and 85% will pay less than \$18 a month. I think this is far from the straw that breaks the camel's back. This is a very modest charging scheme by any measure and is acceptable to a large majority of the community, an acceptance clearly reflected in a public opinion survey in November 1994. The survey found that an overwhelming majority of the 500 respondents (about 85%) supported the "polluter pays" principle. The majority also expressed a willingness to pay sewage charges of up to \$30 a month, a sum which is substantially more, indeed nearly double, what 85% of households will have to pay.

It is therefore surprising that it is now proposed to further reduce charges for households alone. This proposal breaches the polluter pays principle which this Council has in the past soundly endorsed. It also ignores the fact that households as a whole contribute to about 60% of the organic pollution in Hong Kong, and that as they too contribute to pollution, they too should contribute to its solution. It ignores too the fact that we agreed with the Bills Committee to simplify the charging scheme to further reduce sewage charges for households.

But the amendment proposed is unacceptable for other reasons as well. Members will recall that, in March 1994, they approved the establishment of the Sewage Services Trading Fund under the Trading Funds Ordinance. This Ordinance requires the Trading Fund to fund itself through charges, a requirement accepted by Members during the thorough discussions on this Ordinance. The motion now proposed would result in an annual loss of some \$100 million to the Trading Fund — clearly an unacceptable loss — and breach of a key objective of the Fund.

It has been suggested that recurrent subsidies could be credited to the Trading Fund by taxpayers. As was explained during the thorough discussions with Members on this Ordinance, such subsidies are outside the framework of the Sewage Services Trading Fund. Moreover, to meet the objectives of the Trading Fund, it would be necessary to recover the charges foregone by either increasing the charges on other service users, or increasing the charges significantly in subsequent years to make up for the shortfall, which would be clearly unacceptable.

Last but not least, I would like to mention that according to the legal advice of the Attorney General's Chambers, the proposed amendment to the Regulation is ultra vires as mentioned by Members. Under section 12 of the Sewage Services Ordinance, which was passed in this Council on 14 December 1994, the Governor in Council may make a regulation to prescribe "the rate" to be used for sewage charges and, under section 3 of the Ordinance, a consumer shall pay to the Government "a sewage charge at a prescribed rate", based on the volume of water supplied by the Water Authority. There is no provision under the Ordinance to allow the imposition of different sewage rates for different service users.

In concluding my remarks, Mr President, I invite this Council, once again, to accept that the time has come for the community to meet its responsibility and to support a sewage charging scheme which is modest and which is in line with the "polluter pays" principle. As I have said, most modern cities pay these charges — now it is Hong Kong's turn.

The sewage charges we now propose are modest and affordable — less than \$0.25 per day for an average household. These levels are, I am sure, acceptable to this Council and to the community as a whole.

Thank you, Mr President.

REV FUNG CHI-WOOD (in Cantonese): Mr President, the Administration has not yet answered some of the questions I asked. There are chiefly two unanswered questions. Firstly, why is it being alleged that a reduction of \$100 million in revenue is against the "polluter pays" principle but a reduction of \$13.5 million in revenue is not? What standard is used? How many percentage points of reduction in revenue can we allow before we say the reduction is against the "polluter pays" principle? Mr President, my major subject at university was Science. I hope to be more precise to avoid disputes afterwards. I want to ask one more time: To stay within the "polluter pays" principle, how much reduction is allowed? Secondly, where has the \$500 million saved by the Administration gone?

On what would the Administration spend the \$500 million saved yearly?

Mr President, the Administration is going to win this time, though not elegantly. First, it intended to knock me down, knock down the Democratic Party's proposal on technical ground, which are all shady grounds unjustifiably invoked. The reasons are as follows. One, at first the Administration said it could not make frequent capital injections into the trading fund and so no reduction in revenue was possible. But now, it is saying it can inject, provided that the reduction is \$13.5 million. Two, the Administration said 1 April was the deadline for passing amendments. But then it found that the deadline was not a reasonable excuse for barring amendments and it could not itself make any amendments after the deadline it set, The Administration hence turned to other people for assistance but has forgotten the opinion of the legal adviser, which says the amendment would be *ultra vires*.

The Honourable James TIEN said he was worried about the matter. I was surprised he was. If he should be worried, he should give me support. Otherwise, if he amended my motion, all rates for sewage disposal services would be charged at \$0.7 and there would not be any question of whether a noun is plural or singular in the construction of the relevant part of the Ordinance. Unfortunately, Mr TIEN chose not to support me. He made his choice but would history repeat itself? Could I follow suit and sit on the fence so that I could wait till the last minute, perhaps till the day the voting takes place, to see which is the better choice before making a decision?

Mr President, I wonder if that is the right thing to do. I for one would not act in such a way. A reduction of revenue, be it \$100 million, \$250 million or \$13.5 million, is all merely figures. It is not the crux of the problem. We are playing a game in which there are rules to follow and everyone should act as is reasonably expected of them. I personally feel that the scrutiny of this Regulation is fraught with problems and I am far from being happy.

In addition, Mr Administration has been making a lot of noise about total recovery of costs, and the Honourable Peter WONG indicated that he did not understand what Mr LEE Wing-tat was saying. Let me point this out: The reduction in revenue of \$13.5 million is money that goes to the pockets of the

industrial and commercial sectors. The Democratic Party's proposed reduction in revenue of \$100 million goes to the pockets of the residents in general. That makes all the difference. The Administration's actions have been hard to understand. Chemical waste disposal was not charged at first but was charged at 20% of the costs incurred, with a view to achieving total recovery of costs after a certain number of years. The explanation given by the Administration for the change was that it introduced changes only very gradually for fear that people would dispose of chemical waste indiscriminately instead of following the advice given by the Administration. That we accepted. What we did not understand is why a change from no charge to a 20% charge is not regarded as against the "polluter pays" principle? The present changes imposed by the Administration are for a 50% recovery of costs for the operation of the landfills, not 100%. Why are these charges, which fall short of total recovery acceptable to the Administration? Can the Administration explain why this is so? I have been asking the Administration when landfill charges can achieve total recovery of costs, but to no avail.

Mr President, the "polluter pays" principle is an extremely good idea, an idea that would make a good educational topic, and an idea that residents, it is hoped, should buy. It now seems to me, however, that the principle is being abused and its image tarnished. What a pity it is!

Mr President, for the first time, residents need to pay for pollution. For the first time, residents have to pay out of their own pockets for the sewage charges. I wish the Liberal Party and the Administration the best of luck and I hope that residents would not be too upset. If they were, because of the charges they need to pay this time, we would have great difficulty in promoting environmental protection education among them and in collecting sewage charges from them. It does not matter much if mistakes are made this time. Remedies are possible in future because sewage charges will be increased in phases. Next time when an increase is proposed, we should pay heed to responses from the public. Indeed, it is we who need to go to great lengths in educating the public but we should not force our way through. We need to go step by step. Just note how the public reacts to the charges this time and next time we may do whatever is required to correct our mistakes. Thank you.

Question on the motion put.

Voice vote taken.

THE PRESIDENT said he thought the "Noes" had it

REV FUNG CHI-WOOD claimed a division.

PRESIDENT: Council will proceed to a division.

PRESIDENT: Will Members please proceed to vote?

PRESIDENT: Are there any queries? If not, the result will now be displayed.

Mr Martin LEE, Mr SZETO Wah, Mr TAM Yiu-chung, Mr CHEUNG Man-kwong, Rev FUNG Chi-wood, Mr Michael HO, Dr HUANG Chen-ya, Dr Conrad LAM, Mr LEE Wing-tat, Mr Fred LI, Mr MAN Sai-cheong, Mr TIK Chi-yuen, Mr WONG Wai-yin and Mr LEE Cheuk-yan voted for the motion.

The Chief Secretary, the Attorney General, the Financial Secretary, Mr Allen LEE, Mrs Selina CHOW, Mr HUI Yin-fat, Mr PANG Chun-hoi, Mr Andrew WONG, Mr Edward HO, Mr Ronald ARCULLI, Mr Martin BARROW, Mrs Peggy LAM, Mrs Miriam LAU, Mr LAU Wah-sum, Mr Jimmy MCGREGOR, Mrs Elsie TU, Mr Peter WONG, Mr Vincent CHENG, Mr Moses CHENG, Mr Marvin CHEUNG, Mr Timothy HA, Mr Simon IP, Dr LAM Kui-chun, Miss Emily LAU, Mr Eric LI, Mr Steven POON, Mr Henry TANG, Dr Samuel WONG, Dr YEUNG Sum, Mr Howard YOUNG, Dr TANG Siu-tong, Miss Christine LOH, Mr Roger LUK, Mr James TIEN and Mr Alfred TSO voted against the motion.

Mr CHIM Pui-chung abstained.

THE PRESIDENT announced that there were 14 votes in favour of the motion and 35 votes against it. He therefore declared that the motion was negated.

PRESIDENT: I have accepted the recommendations of the House Committee as to the time limits on speeches for the two motions which follow and Members were informed by circular on 10 April. The movers of the motions will have 15 minutes for their speeches including their replies. Other Members will have seven minutes for their speeches. Under Standing Order 27A, I am required to direct any Member speaking in excess of the specified time to discontinue his speech.

REVIEW OF THE PLANNING FOR NORTHWEST NEW TERRITORIES

MR ALFRED TSO moved the following motion:

"That in view of the rapid development between China and Hong Kong, and the abundant land supply in Northwest New Territories as well as its

advantageous location, this Council urges the Government to review the planning and expedite the infrastructural development programmes for North West New Territories, for the purpose of drawing up long-term plans for particular issues such as the development of new ports, the improvement of transportation networks between China and Hong Kong as well as more effective utilization of land in the Yuen Long Basin, in order to speed up the development of the region and to boost the economy of the territory."

MR ALFRED TSO (in Cantonese): Mr President, I move the motion standing in my name in the Order Paper. One of the purposes of the motion is to ask the Government to adopt a positive and enterprising attitude in reviewing the planning of the Northwest New Territories since I believe the development of the Northwest New Territories is of great importance to the economy of both Hong Kong and China.

To start with, I have to point out that the Northwest New Territories I refer to covers Tuen Mun, Yuen Long and the North District, which is slightly different from the administrative demarcation of the Planning Department.

Why is the development of the Northwest New Territories so important to Hong Kong? We need only to open any map of Hong Kong and the answer would be apparent. The Northwest New Territories has a uniquely advantageous location. The North District borders on Shenzhen. And Tuen Mun and Yuen Long are situated east of the Pearl River estuary, facing the Ling Ding Sea which could be used as a river port. With booming economy in recent years, the traffic and trade between China and Hong Kong have grown surprisingly fast. The Northwest New Territories lies right in the centre of activities highlighting the symbiosis of economic development on either side of the border.

While transportation and travel between Hong Kong and China are booming, the main arteries for north-bound traffic at the moment consist only of the Kowloon-Canton Railway, the Tolo Highway and the Tuen Mun Highway. The enormous traffic volume has frequently caused congestion to these three arteries, thereby impeding the development of China, Hong Kong and the New Territories.

Other new arteries either being planned or under construction are the Northwest Railway, Route 3 and also Route Y which links up the Shenzhen-Hong Kong Western Expressway with the Ling Ding Sea Bridge. All these three important new links lie in the Northwest New Territories. On top of that, the Port Development Board has planned to develop area 38 of Tuen Mun into a river trade terminal and open the Ling Ding Sea as a river port to cope with the rapid growth of river-borne freight. Against these backgrounds, the Northwest New Territories will be playing an important role in the development of the economy of Hong Kong and China.

In co-ordinating the cross-border infrastructure, the Hong Kong Government has eventually sought co-operation by undergoing consultation through the Infrastructure Co-ordination Committee (ICC), which was set up at the instance of the Chinese authorities. However, it is an indisputable fact that, in the past few years, the Hong Kong Government has adopted a passive and conservative attitude, thereby delaying the development of Hong Kong and China.

On 23 November last year, I put question to the Government in this Council about the Ling Ding Sea Bridge. At that time, the then Secretary for Planning, Environment and Lands, Mr Tony Eason, responded that since the Chinese Government and not informed the Hong Kong Government of the details regarding the project, it was not possible to incorporate the project into the district and transport planning of the Western New Territories. I found this answer most unsatisfactory. Since 1993, the Zhuhai Municipal Government has openly talked about the construction of the Ling Ding Sea Bridge on many occasions. And the Tuen Mun District Board held discussions in the first instance to reflect the views on the subject. At the meeting in March 1994, they even rejected the consultancy report on the Tuen Mun port development prepared by the Territory Development Department for the reason that the Government had failed to properly incorporate the construction project of the Ling Ding Sea Bridge into the transport planning for and land use in Tuen Mun.

The same thing happened to the planning of the connection between the Northwest Railway and Shenzhen. The Hong Kong Government again worked behind closed doors by ignoring the objection raised by the Shenzhen Municipal Government regarding the railway connection point. In the Railway Development Strategy published in December 1994, the Government still set the connection point in Huang gang instead of Shekou. the Yuen Long District Development Statement Study published by the Planning Department in November 1994 also failed to take into account the changes that would be brought about by the above-mentioned cross-border infrastructural projects together with further development of China and Hong Kong, rendering the 12 Yuen Long Outline Zoning Plans published in mid-1994 meaningless and even misleading in some way.

After consultation with the Chinese authorities, it is highly possible that the Government will reset the connection point of the Northwest Railway and link up the Shenzhen-Hong Kong Western Expressway and the Ling Ding Sea Bridge with the traffic network of Hong Kong via the newly proposed Route Y, and may ultimately extend it to the new airport and the container terminals on Lantau Island. This will make the Northwest New Territories accessible from all directions and shorten considerably its distance away from various cities in the Pearl River Delta, and in consequence, bring about significant change to the development plans in respect of Yuen Long and Tuen Mun.

From the above, we can see that the Government has been hiding from reality. The erroneous policies have resulted in development being delayed and investors being misled, and the serious loss incurred will have to be suffered by the Special Administration Region Government as well as the public at large.

Mr President, I have been actively promoting and reflecting the co-ordination of the cross-border infrastructure over the past two years. On 12 January this year, I visited Beijing where I reflected our views to the head of the Chinese team on the ICC, Mr ZHANG Liangdong. Mr ZHANG made it clear to me that the Chinese Government was sincere in co-operating with the Hong Kong government on the co-ordination of cross-border infrastructure with a view to working out a macroscopic and overall plan for the development of Hong Kong and the Pearl River Delta. As to the question of linkup in respect of the Shenzhen-Hong Kong Western Expressway and the Ling Ding Sea Bridge, it will be subject to the agreement of the ICC pending the completion of the Government's planning study. I think this is a good and co-operative attitude.

Apart from visiting Zhuhai City again to inspect the first phase project of the Ling Ding Sea Bridge on 2 December last year, I went with a group of executives in the local cargo trade to Shekou, Shenzhen on 28 March for an on-the-spot inspection of the geographical location and detailed planning of the connection point between the proposed Shenzhen-Hong Kong Western Expressway and the Northwest Railway. I have got the impression that Chinese officials have been very positive and enterprising with regard to the co-ordination of cross-border infrastructure.

But how about the Hong Kong Government? In the various development strategy papers published since 1991, the Government has displayed a conservative and passive attitude. It was confirmed by the officials of the Planning Department that they had not incorporated cross-border infrastructure into the projects concerned when drawing up the strategies since, at the time, no specific proposal was being put forward and that the Planning Department would conduct reviews and make amendments when necessary upon finalization of such proposal. This explanation is, however, unacceptable.

The ICC has started its first round of work and the atmosphere has been good. The Hong Kong and Chinese officials concerned have been exchanging visits to see the progress. Among them, the Financial Secretary visited Shenzhen last week and this was indeed conducive to the development of both places. The second round of meetings has just started today in Beijing. This is the most opportune time for me to move the present motion. It will allow Members an opportunity to express their views on the development of the Northwest New Territories and across the border so that, before actually starting on its work, the ICC can listen to a wider range of opinions and reach decisions which will in the best interests of Hong Kong and China.

In my view, a major error committed by the Government was that, in 1991, it suddenly launched the massive Metroplan, thus shifting the focus of development in the 1990s back to the urban area while slowing down the development of the new towns in the New Territories. The harmful effect of the Metroplan is the further centralization, instead of expansion of the urban area. Over-centralization would further aggravate the already deteriorating urban environment and traffic congestion. And even the excessive reclamation along the Victoria Harbour would have a serious impact on the navigational channels.

The Metroplan has resulted in the slowing down of the new towns' development in the New Territories. For this reason, since the late 1980s, the Government has drastically cut down investment in land production and housing. Such change in development strategy has had a disastrous effect which is the delay in the construction of Route 3.

I think this is a regressive policy. Given the rapid development of Shenzhen and its neighbouring cities, Hong Kong should progressively expand its development in the direction of the north. By the early 21st Century, Hong Kong is expected to combine with Shenzhen as twin cities and become a super commercial city. Those neighbouring cities in the Pearl River Delta will act as a base for providing back-up and manufacturing services.

Situated east of the Pearl River estuary, Tuen Mun has a direct sea link which provides access to many fast developing cities in the Pearl River Delta. The extended coastline could also be used for deep waterfront industries, cargo handling, back-up area and mid-stream operation while Ling Ding Sea could be developed into a large river port, in order to lessen the tension at the Kwai Chung Container Terminal and to cope with the drastic growth of river-borne freight. These views have been recognized by the Government in various studies such as the Port Development Strategy in 1991, Northwest New Territories Development Strategy Review in 1992 and the Territory Development Strategy Review in 1993. However, no concrete action has ever been taken so far.

Take the river trade terminal for instance. Its progress has been exceedingly slow. The Government plans to invite tenders from private companies to build and operate the terminal. But I really doubt if it is feasible at all. According to the people in the trade to whom I have talked, at the moment, most of those involved in river-borne freight are small or medium-sized companies. The freight charges for bulk cargoes are relatively low. So most of them simply could not afford to invest billions of dollars in the construction of a privately operated river trade terminal unless the terminal is allowed to handle containers. If this view is correct, I will urge the Government to build this river trade terminal through investment of its own and, after completion, open it to all those shippers to cater for the need of the river-borne freight industry.

Furthermore, the Economic Services Branch announced in 1993 that 30 hectares of land would be allocated for mid-stream operation. But up till now, progress has been slow. This indicates that there are inconsistencies with regard to the Government's internal co-ordination.

According to a report on 27 March, the Government would be setting up an ad hoc group under the Works Branch to co-ordinate the work on port development. The ad hoc group would be headed by a Government Engineer, ranked at D2 level, who would be responsible for co-ordination. I, however, do not think this is a proper arrangement because port development is a complex issue and work must proceed quickly. One of the project items is the dredging work in respect of the Tonggu Fairway which is being proposed by the Chinese side. This item requires promotion by the ICC. The Hong Kong Government should therefore enhance the representativeness of the ad hoc group and deploy more manpower to proceed with the task to avoid repeating the same mistake and holding up the progress of work.

In the past four years, the Government has conducted many consultation exercise and views on the Territory Development Strategy, Port Development Strategy, Northwest New Territories Development Strategy, the Development Statement for Yuen Long district and the Railway Development Strategy. But up till now, a comprehensive and long-term development plan has yet to be published. It is because the Government has been adopting an "ostrich" policy and avoided any co-ordination and communication with the Chinese side which would have enabled it to grasp accurate information with regard to the development strategy for cross-border infrastructure and the Guangdong Province. This will only lead to a waste of time and effort.

Comprehensive planning and expeditious completion of cross-border infrastructure and ancillary facilities in Hong Kong are most important to Hong Kong if it is to remain prosperous. It will benefit the development in the Pearl River Delta as well. Government officials are duty-bound to do their utmost to achieve this aim. This will also serve as a touchstone of their allegiance to the Special Administration Region Government after 1997. If the British Government adopts a co-operative attitude in co-ordinating cross-border infrastructure, it will be a good thing and I am sure the British Government will be happy to help in this regard.

The Planning Department is now reviewing the Territory Development Strategy. After completion, it will start reviewing as well as formulating the development strategy for the Northwest New Territories. But the development strategy for the North District has not been drafted. So I think the Government should complete the planning in an enterprising and farsighted manner, and immediately set priorities, draw up working schedule and provide funds in advance to ensure that those aims be achieved as soon as possible.

Since this task is extremely important to Hong Kong, I suggest that the Governor and the Chief Secretary should request the officials concerned to report directly to them and monitor the progress to avoid delay.

Mr President, I beg to move.

Question on the motion proposed.

THE PRESIDENT'S DEPUTY, MRS ELSIE TU, took the Chair.

MR EDWARD HO: Madam Deputy, northwest New Territories is probably the most "debated" geographical area in this Council. I can recall many motion debates directly or indirectly connected with planning, land use, and transportation needs of this particular region in the New Territories. A careful research into the Hansards will reveal all that I have to say on the subject, and I do not intend to repeat all of them now.

Undoubtedly, northwest New Territories offers a unique opportunity for debates on planning. It is not only the area with the most potential for growth outside of the Metroplan area, it is also situated along the north-south axis on the east bank of the Pearl River Delta, linking Guangzhou in the north and Hong Kong in the south. With the economic transformation of China in the last two decades, and the consequent integration of Hong Kong's industrial activities with those of the Pearl River Delta, that north-south axis has taken on a strategic importance in the long term urbanization pattern of the whole of the Pearl River Delta region.

The development of Hong Kong's new Port and Airport Projects on the western side of the territory reinforced the importance of the north-south axis. Madam Deputy, when I visited Shenzhen in transit in 1976 on my first visit to mainland China, it was literally nothing more than a small village. Now, when one looks at it across the border, one would be struck at the contrast it has with what has happened on this side of the border; very built up on the north and relatively undeveloped and rural on this side, as if northwest New Territories is the rural suburb of Shenzhen.

If one were to look at satellite picture of the Pearl River Delta region, one can also see clearly the immense extent of urbanization that has taken place in the whole area, but much more intensively along the north-south axis of the east bank of the Pearl River.

I can safely predict that this rate and pattern of growth along the axis is certain to intensify in the next decade. Thus, when we talk about planning in northwest New Territories, we should be considering the future pattern of growth of the whole of the Pearl River Delta region.

As I said, I have already made a number of comments on planning matters concerning northwest New Territories in this Council, starting from my first speech in this Council in October 1987 to more recent debates including the motion debate that I moved on the Territorial Development Strategy last year. Some of the salient points can be summarized as follows:

- (i) Planning on both sides of the border should be co-ordinated, and Hong Kong's strategic planning should be considered in the overall context of South China, in particular the Pearl River Delta region;
- (ii) Physical infrastructure should be put in place to maximize the potential of growth;
- (iii) Main transportation trunk roads and rail linking this area and the urban area are vital to address long standing inadequacies, and to meet future needs;
- (iv) Whilst investing in infrastructure is a must, the future planning northwest New Territories should focus on the creation of a major secondary business centre to offer job opportunities for white-collar workers to minimize commuting trips to the main urban areas;
- (v) A secondary business centre has to be part of the creation of a complete community so that there are residential areas for all kinds of people, and recreational and government amenities to suit.
- (vi) There should be a clear concept of the use of open space for environmental conservation and/or for recreation agricultural uses have to be redefined where land is no longer farmed, as fallow land or land used as dumping grounds are not open space or green belt in my sense of the word;
- (vii) Clearly designated land for back-up facilities for the container ports have to be identified to eliminate the worsening problem of the proliferation of open containers storage detriment to the environment; and
- (viii) Development densities in the new towns should be reviewed: it is only when densities are increased that more open space can be preserved in the area between the towns.

Madam Deputy, as I said I did not intend to repeat all of the points that I have already made. But, the most important point I wish to make in this debate is that our planning should be done in a much wider context than northwest New Territories, and even the territory of Hong Kong by itself. Our plans should also be developed so that they can cater to the maximum rate of growth in the

next century, as changes in the region will be much greater than anyone of us can anticipate.

With these remarks, Madam Deputy, I support the motion.

DR TANG SIU-TONG (in Cantonese): Madam Deputy, the Administration admitted it made a mistake in estimating the population growth in the next 16 years. A discrepancy of 1 million arose when the figure of 7.5 million was underestimated to be 6 million odd. This extra 1 million people, the Administration has tentatiely decided, will be relocated by stages to northwest New Territories (NWNT). This will mean hat by the year 2011, Yuen Long and Tuen Mun will need to house 2 million people, which will amount to a quarter of the Hong Kong population 7.5 million then.

In October 1993, the Administration released the "*Territorial Development strategy Review — A Consultation Digest*", containing a number of development options up to 2011. In the option involving NWNT, the highest estimated population figure for the strategic growth areas of Tin Shui Wai, Kam Tin and Lok Ma Chau will be around 200 000. When the medium/low density residential growth areas along the NWNT rail are included, the figure will rise to about 300 000 — for the entire NWNT. At present, the Planning Department intends to increase the population at NWNT to 1 million, which is quite an alarming increase. Obviously, because the Administration has wrongly estimated the population growth, the above Territorial Development Strategy needs to be revised.

Among the eight existing new towns, undoubtedly, the Yuen Long new town in the most slowly developed one. An obvious example is the redevelopment of the Yuen Long old market. As early as the late 1980s, the Planning Department started to draft a development plan for the Yuen Long old market, and released an outline Zoning plan in April 1991. It has been four years since then but the plans have yet to be finalized. There is indeed potential for further development in NWNT. Adequate land resources for development are available in these areas, namely, the section along Castle Peak Road from Tai Lam Chung, Tuen Mun to the Tuen Mun/Yuen Long Corridor, southwest Tuen Mun, the Yuen Long Plain, Kam Tin, Shek Kong and San Tin. The slow development in these areas is, partly because of the Administration having reserved some pieces of land for long-term development, and being reluctant to conduct land resumption. In addition to these policy factors, there are other constraints that slow down development. Some of the land involves complicated private ownerships this hinders resumption, while some has been restricted for use as conservation areas. I have mixed feelings towards the Administration's plan to further develop NWNT. On the one hand, I welcome the decision to develop Yuen Long and Tuen Mun into a town of strategic importance. On the other, I have some worries.

I understand the Planning Department has some preliminary plans to relocate industrial and commercial premises built in NWNT back to town so that more land will be available for residential use. This may cause some problems because already residents in Tuen Mun and Yuen Long are very much dissatisfied due to transport problems and a host of community problems, all of which are caused by insufficient opportunities in the above areas. In an area with 2 million residents, if one fifth of them need to go to work, it would mean 400 000 people commuting daily between their homes and the Metro area or other areas of the New Territories. This would contribute a heavy demand not only on transport but also community services, family support services and other services concerning people's livelihood. From past experiences, the Administration's long-term plans on new town development have proved to be disappointing. I hope the Administration can learn from bitter experience in the past to avoid repeating mistakes. In my view, plans to develop areas for residential use in new towns should not lose sight of development for use by industry and commerce. The area I mentioned just now has a large labour force, in addition to land resources. On top of this, the above areas are located near Shenzhen and the China-Hong Kong transportation network. I believe a lot of investors will be willing to set up industrial or commercial strongholds there. Therefore, it would be quite against real requirements and adversely affect Hong Kong's territorial development to reject plans to develop industry and commerce in these areas.

In the aggressive development of NWNT, it is very likely that conservation areas will be affected and issues concerning damages to the environment may arise. More and more disputes, such as that concerning the development of Nam Shan Wai, which eventually went before the court, can be expected in future. Although it is bad town planning to damage the natural environment for the sake of development, it is undesirable to hinder urbanization by restricting land use for the protection of the country areas. It is the responsibility of the Administration to plan well for territorial development so that a right balance is struck between environment protection and urbanization. I think conservation areas should stay. At the same time, the Administration should review the land-use position for those areas classified as rural areas and agricultural land. Provided the natural environment is preserved, user restrictions should be relaxed to allow more flexibility in land development.

Abrupt population increases, lack of sufficient job opportunities and the ever-increasing communication between China and Hong Kong will surely bring enormous pressure to bear on the future transport services and road network in NWNT. Originally, Route 3 and the NWNT rail were designed basing on the assumption that there will be a population of 1 million in NWNT. Now that the projected population will rise to 2 million, and with additional transport demand from the Shenzhen-Hong Kong link and the Ling Ding Yang Bridge, the originally designed projects are obviously inadequate in meeting real requirements. Consequently, the Administration needs to formulate plans and

commence research on development strategies for transport services and road networks. I suggest that the relevant plans comprise research along these lines:

- (1) Extend the NWNT rail to Tuen Mun town centre, and reconsider the building of a heavy rail system connecting Tsuen Wan and Tuen Mun;
- (2) Commence research on building an expressway from NWNT to the Metro area;
- (3) Enhance ferry services from Tuen Mun to the Metro area; and
- (4) Build more container lorry parking sites and allocate more land by way of logistical support for the transport industry, and encourage internal sea transport to ease the pressure arising from the use of the Tuen Mun Highway by container lorries.

Madam Deputy, I fully agree that planning for NWNT and further developments there should be reviewed. However, I do not want the Planning Department to move to NWNT the whole of the extra 1 million population that escape the original calculation, as that will cause a lot of problems in the area and adversely affect the quality of living of residents. What the Administration should do is to settle the 1 million population in diverse locations.

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

MRS MIRIAM LAU (in Cantonese): Madam Deputy, when the *Report of the Working Party on Measures to Address Traffic Congestion* was debated a month ago, the Liberal Party pointed out that the Government, in order to have the problem of traffic congestion solved thoroughly, must deal with it from the angle of land use by giving top priority to the demand for transport in its regional development plans. With China's open-door policy picking up momentum, the Pearl River Delta is developing rapidly. Trade between Hong Kong and China is booming with cross-border freight increasing speedily. Hong Kong should adapt itself to meet these changes. The northwest New Territories, which is in the neighbourhood of the Chinese border, has the greatest potential to be a hub of cross-border traffic. The Government should take the development of this region seriously. Its plan for land use and infrastructure for that region, particularly that which relates to transport, should co-ordinate with the distribution of population, job opportunities and economic activities. The problem of traffic congestion in northwest New Territories could then be eased and the need for long-term development of the entire region would also be met.

Due to the Government's flawed planning in the past, the residents of northwest New Territories have suffered a great deal from traffic congestion. The Government should have learnt a lesson and refrain from making the same mistake again. Although the Country Park Section of Route 3 and the Northwest Railway are expected to be completed in 1998 and 2001 respectively, residents of the region will still have to suffer from traffic congestion and inadequate transport facilities in the years ahead because of the continued development of the region and expansion of population. We have already learnt a lesson to the effect that transport facilities must be planned ahead of regional development. The Government should not resort to remedial measures only when the problem has become a hot potato. Besides coping with the residents' need, road network must also meet the demand for freight transport. It is proposed in the *Updating of the Second Comprehensive Transport Study* that the construction of Route Y should be undertaken during the years from 2007 to 2001 in order to cope with the foreseeable heavy south-bound and north-bound traffic in the New Territories. However, Route 3 will have reached its full capacity soon after its completion due to booming economic activities between Hong Kong and China. In view of this, the Government should prepare for a rainy day and bring forward the time for the planning of Route Y, which should be built and completed as soon as possible in order to dovetail — this being the prime consideration in the planning process — with the development of the northwest New Territories and to provide a new means of access for China-Hong Kong freight to meet long-term demand.

Freight between China and Hong Kong needs road network as well as adequate space for the parking of container trucks and for cargo handling. In the past, ignorance of such a need on the part of the Government has led to acute shortage of parking space. It was expected that a large piece of land would be available of the operation of container trucks when the Container Terminal 9 was completed. But as the project has been shelved, such expectation has been frustrated. However, it is disappointing that the Government has failed to make other arrangement. Last week, some container truck drivers in the Kwai Chung Container Port, by means of slow driving, protested against the Government's withdrawal of a plot near Terminal 8 which had been allocated to them for parking their trucks. Although it is not right to have caused traffic congestion by slowing driving, I hope the Government will have sympathy for the drivers as it is understandable that they would feel extremely frustrated when their trucks were ordered to quit but were not provided with similar facilities elsewhere. The root of the problem lies in the serious shortage of parking space for container trucks. The Government should face up to the problem and try its best to provide assistance. When the Town Planning (Amendment) Ordinance was enacted in 1991, the Government had promised that land in northwest New Territories would be allocated for the parking of container trucks. However, after the enactment of the Ordinance, no further action was heard of. Since then, the government has just allocated some private plots as open storages in the hope that the problem would automatically be solved. But the result is not as satisfactory as has been expected. On the contrary, shortage of parking space for container trucks becomes more and

more acute. The Liberal Party is of the opinion that the Government, in planning the development of the northwest New Territories, has to allocate sufficient land for the provision of parking facilities in order to meet the need of the container trucks and by way of supporting measure to match the growth of the freight industry.

Certainly, the transport infrastructure in northwest New Territories plays in important role. However, it will not function effectively unless it is designed in such a manner that it can integrate with the transport infrastructure of mainland China.

Recently, the Infrastructure Co-ordinating Committee has formally put the Ling Ding Yang Bridge Project, proposed by the Zhuhai authorities, on its agenda. The rapid economic development of Zhuhai is accompanied by growing trade contacts with Hong Kong. Business co-operation between Zhuhai and Hong Kong, however, is being limited substantially as cargoes between these two places presently have to be transported via Guangzhou or the port of Fu Men. So the Ling Ding Yang Bridge, which will connect Zhuhai and Hong Kong, will not only be important to Zhuhai but also will contribute to the economic development of Hong Kong.

As the Ling Ding Yang Bridge will benefit Hong Kong, the Government should enhance its co-operation with the Chinese authorities. It should reflect its opinion through the Infrastructure Co-ordinating Committee such that a most favourable construction plan of the Bridge, from the viewpoint of our economy will be designed. The location in Hong Kong where the Bridge will link up with the local transport network will be of utmost concern. According to the existing plan, it is most likely that the Bridge will link up with Tuen Mun in Hong Kong. If so, when the Bridge is completed, the burden of traffic in Tuen Mun and even the entire region of northwest New Territories will substantially increased. In anticipation of this, the Government should devote more efforts to studying the possibility of linking up the Bridge with Route 3, Route Y or other trunk routes because such arrangement will be more advantageous to Hong Kong. It should also review those affected roads to see if re-construction is needed in order to meet the increased traffic. The Liberal Party calls on the Government to conduct relevant study now and to evaluate the impact of the Bridge in terms of extra traffic in the northwest New Territories. An integrated road network should be planned ahead in order to avoid a chaotic situation which may harm the development of economic activities between China and Hong Kong.

Madam Deputy, I so submit.

MR WONG WAI-YIN (in Cantonese): Madam Deputy, I recall that in June last year Dr TANG Siu-tong moved a motion for debate similar to the present one. On that occasion, I moved an amendment to it and pointed out that, apart from inadequacies in planning, the problem was indeed one of implementation and under-allocation of resources.

There are two problems plaguing northwest New Territories. The first one is the problem of transport that many colleagues have just mentioned. In fact, apart from transport, there is also the problem of flooding in northwest New Territories, and it seems that it has something to do with inadequacies and errors in planning. In the past when the Government was developing new towns, it was stressing the importance of self-sufficiency and was hoping that when people had moved to these new towns, they could go to school or work there. It was to be an entirely independent kind of life. But experience and facts have told us that this self-sufficiency concept of the Government's has proved a total failure. In many new towns, there are both a lack of job opportunities and school places, resulting in students having to travel beyond the districts they live in to attend school and people having to travel beyond their own districts to work. This is precisely the kind of serious problem that is confronting northwest New Territories, and it is especially so in the wake of the development in Tin Shui Wai which has aggravated the problem of insufficient transport facilities in the district. It is also my worry that the Government would give priority to the development of the 200 hectares of land reserve in Tin Shui Wai north and bring forward the development date into the bargain. Should that be the case and should we be unable to plan for the transport facilities in time or to allocate enough resources for the planning projects, infrastructure projects and improvement projects concerned, I am afraid the problems of northwest New Territories would continue to worsen. Very often the Government would deal with a problem only after it has cropped up, and if the problem has so worsened that it cannot be left unattended to, the Government would then allocate resources for some piecemeal or curative measures to be taken. This is absolutely unfair to the people who have moved to the New Territories.

As to the traffic problem that many colleagues have just mentioned, the Government has been of the view that Tuen Mun Highway is good enough to cope with the traffic throughput. But it is quite obvious that the present traffic volume on Tuen Mun Highway has far exceeded what was originally anticipated, and besides, it has already reached saturation. This of course is the result of the Government's error in estimating the volume of China-Hong Kong freight. Because of the traffic congestion along Tuen Mun Highway, close to 700 000 residents of northwest New Territories have to suffer. Only when such a situation came to pass did the Government propose the Country Park Section of Route 3 and the Northwest New Territories Rail System. However, we know that the Route 3 (Country Park Section) was already on the drawing board as early as some 10 years ago, but the Government has been slow in allocating resources for the plan to be implemented. Only when the problem reached insoluble proportions did the Government commit the project for development

by some consortium, but the project will not be completed until 1998. Clearly, the Government has not been fair to residents of northwest New Territories both in terms of planning and allocation of resources. The railway will only be completed as late as 2001, and the Government is still sticking to conventional planning criteria in thinking that it will be sufficient for the railway to extend as far as Tuen Mun North, namely, Siu Hong Court, in meeting the growth in population. However, my colleagues in this Council are almost unanimous in thinking that the railway should reach as far as Tuen Mun town centre in order to meet the future transport demand of Tuen Mun. Once again, let me call on the Government to carefully consider the views of my colleagues in this Council in that the terminus of the Northwest New Territories Line should be located in Tuen Mun town centre, so that it would save further allocation of resources and a few more years' delay in dealing with problems that would arise.

In fact, Tuen Mun Pier can act as a cardinal point in relieving the outbound traffic of northwest New Territories. Unfortunately, the Government does not have a long-term policy for ferries, and the outbound ferry services are thus not being made optimum use of; moreover, the Government has not even considered running ferry service from Tuen Mun Pier to China. I hope that the Government will consider the fact that ferry services are very important to Hong Kong, and such importance should be taken into account in the Government's planning to relieve pressure on land transport.

Madam Deputy, I now move on to the problem of flooding. All the time, the Government has been attributing flooding to the fact that farm land in the New Territories has been illegally filled up for the storage of containers. Well, it is precisely because of the Government's errors in planning that we have such a problem today. The Government failed to foresee the demand for land for use as container storage and it also underestimated the sharp rise in China-Hong Kong freight. As a result, a lot of farm land in northwest New Territories has been turned into backup areas for containers. It is unfortunate that the Government has not faced up to this problem. It is only after serious flooding in northwest New Territories that the Government has become willing to face this problem and proposed legislation to regulate the situation. However, even the legislation concerned is unable to effectively regulate the situation in which farm land in northwest New Territories is being abused. At present, there is still a lot of farm land being illegally occupied for use as container storage.

Besides, we have been asking the Government to allocate more resources for the clearance of water channel blockages and construction of more floodwater channels. Unfortunately, the Government keeps on making mistakes in planning, for the Government's planning has been based on the kind of torrential rain occurs once every 50 years. However, what we have seen in recent years are torrential rains of such intensity that occur once every 200 years, which are simply beyond the capacity of northwest New Territories water channels to handle. I ask for a higher standard for example, a standard of planning that is based on torrential rains of such intensity that occur once every 200 years — to be adopted by the Drainage Services Department in the

construction of drainage channels. As to resources, the former Governor had allocated \$4 billion in 1990 for the improvement of a number of structural designs in the New Territories. Unfortunately, five years have passed and only \$50 million has been spent. I find this very unsatisfactory because the Administration failed to make use of the \$4 billion to address the various transport and flooding problems in northwest New Territories; these problems have arisen from errors in planning.

THE PRESIDENT resumed the Chair.

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Mr President, I welcome this debate because it gives me an opportunity to set out the Government's position on planning in northwest New Territories. In particular, I welcome the positive spirit behind the motion which is by and large consistent with the Government's strategic planning intentions for the area. I will deal with the motion under four headings. First, I will present the Government's planning for northwest New Territories, highlighting the relationship between the territory-wide planning, the problems and the potential for the future. Secondly, I will describe the Government's infrastructure plans for northwest New Territories, particularly in respect of transport infrastructure and port development. Thirdly, I will deal with land use in the area, focusing on the characteristics, constraints and possibilities. Fourthly, I will update Members on the latest developments in cross-border infrastructure co-ordination by referring to the work of the Infrastructure Co-ordinating Committee.

Northwest New Territories planning

The Government's strategic planning intentions for northwest New Territories are four-fold. First, to take advantage of the vast amount of flat land in the area, particularly in Tin Shui Wai, northwest New Territories will provide a strategic growth area to accommodate part of the anticipated increase in population. Secondly, lying between Hong Kong's central business district, the port and the airport and the Pearl River Delta, northwest New Territories is strategically located to serve as a transport node for cross-border traffic. Thirdly, taking advantage of this location factor, northwest New Territories is also a good service centre for the container trade and China-related business activities. Fourthly, northwest New Territories is highly significant in terms of natural conservation, country parks and recreation. The Mai Po Marshes and wetland are internationally important wildlife habitat and nature conservation areas. There are beautiful country park areas, attractive enclosed valleys and scenic coastal areas. These are important areas to satisfy the growing demand for an improved living environment and an alternative lifestyle.

Infrastructure

Recognizing the strategic location of northwest New Territories in the context of cross-border transportation links, the Government has firm plans to provide new road and rail systems which would facilitate the passage and access of passengers and freight between Hong Kong and China. These projects will also improve the transportation between northwest New Territories and the Metro area.

The dual three-lane Route 3 is due to open in mid-1998. It will greatly reduce the journey time from northwest New Territories to the urban area and will improve transportation links between the border and the container port. In the meantime, we will relieve traffic congestion on the Tuen Mun Highway by constructing additional climbing lanes in the most congested uphill section by July 1996. There are other plans to facilitate cross-border traffic, including, for example, improvements to the Lok Ma Chau border crossing point by adding 10 extra channels by early 1998, providing an extra lane in the Tolo Highway from Sha Tin to Tai Po for completion by 2001, constructing Route 16 from Sha Tin to Cheung Sha Wan also by 2001, and building a new link from the New Territories Circular Road to the Man Kam To border crossing.

Following the announcement of the Railway Development Strategy in December last year, the Kowloon-Canton Railway Corporation has been invited to submit proposals for building a new Western Corridor Railway from the border to West Kowloon, with a spur line to Tuen Mun north. This new railway will allow the transportation of freight containers direct from the border into the container port, thus relieving the New Territories road system. It will also greatly enhance cross-border passenger travel and will provide a commuter service to carry northwest New Territories residents to the urban area. Completion of the railway will enhance the land development potential in the area, and will relieve pressure on external road links.

To cope with the rapidly increasing volume of cargo traffic between the Pearl River Delta and the port of Hong Kong, shippers are also seeking alternative means to transport container to and from China. They are increasingly looking to the Peal River. This is reflected in the dramatic increase in containerization of river cargoes in recent years. Tuen Mun in northwest New Territories provides an ideal location for a river trade terminal handling cargo to and from Pearl River Delta ports. By using Tuen Mun, river vessels will be able to avoid the busy Ma Wan Channel and will also operate away from the ocean-going vessels using Kwai Chung and the New Lantau Port. The Government will invite tenders for the building and operation of the river trade terminal later this year. This first phase of the terminal is expected to begin operation by late 1998.

To address the flooding problem in the New Territories, the Government has carried out the Territorial Land Drainage and Flood Control Strategy Study which has produced a Basin Management Plan for each major drainage basin. The Plan provides the Government with a rational framework for managing the drainage system in each basin, and for implementing structural and non-structural flood loss mitigation measures. In northwest New Territories, a series of river training projects to alleviate flooding and a number of village flood protection schemes are being implemented at a total cost of some \$3.1 billion. In addition, we are carrying out a river regulation project of the Shenzhen River in co-operation with the Shenzhen authority.

Land use

Turning now to land use. I have to mention the very serious problem of uncontrolled use of rural land for open storage and container related activities. This problem is prominent in northwest New Territories where large areas of flat land are readily available, particularly in strategic locations near the border. Another problem is flooding which I have mentioned. Until such time as the flooding problem is contained, land use in the rural area is subject to this constraint. Another constraint is the lack of sewers outside new towns. Again this puts a limit on the level of development. I have also mentioned the importance of conservation areas such as Mai Po and the country parks, which also limit the potential for development. Indeed, the Government has decided to designate Mai Po as a wetland of international importance under the Ramsar Convention. Apart from these factors, land use in Yuen Long in particular is further constrained by the fact that the Kam Tin Valley and Yuen Long south are topographically enclosed, resulting in poor air dispersion.

Taking these characteristics and constraints into account, what then are the possibilities for co-ordinated land use planning for northwest New Territories? The Government's plan is for high density development in new towns, medium density in areas around transport nodes, and low density in other areas. Land in strategic locations will have to be used for transport and other infrastructure. Suitable sites will be identified for container storage and container lorry parking. Conservation areas like Mai Po and country parks will be maintained. Outdoor recreation sites on the outer edges of the rural-urban fringe will be developed in due course.

Cross-border infrastructure co-ordination

The motion has rightly highlighted the rapid economic development in China and Hong Kong and the need to improve the transportation links between the two places. I would like to take this opportunity to update Members on the work of the Infrastructure Co-ordinating Committee (the ICC) which is tasked with improving the co-ordination between Hong Kong and the mainland in respect of major infrastructure projects straddling the border.

The ICC has made a very good start. Both sides have taken this valuable opportunity to seek new contacts and good working relationships with each other. Channels of communication and foundations for co-operation have been firmly established. Both sides recognize that there is much to be done. In particular, Hong Kong needs to consider the complementary provision of infrastructure within the territory to help facilitate development in the Pearl River Delta. The Pearl River Delta itself will probably need to focus on the co-ordination of its own infrastructure development and how various projects should be co-ordinated with Hong Kong. In this connection, the ICC and its four panels would provide a valuable platform for a regular exchange of views. With the good will and professionalism which have characterized the early stages of the Committee's work, I am sure that the ICC will continue to be a successful feature of the close relationship between Hong Kong and China.

Concluding remarks

Mr President, I have set out the Government's position on planning, infrastructure development and land use in the New Territories. I have outlined the Government's strategic planning intentions for northwest New Territories. I have highlighted the problems to be overcome as well as the characteristics, constraints, and possibilities for future development. The Government's plans recognize the strategic location of northwest New Territories in terms of cross-border economic relationships in the provision of transport infrastructure, new port development and land for container back-up activities. However, these plans have to take into account ownership pattern, flooding and the lack of basic infrastructure in the rural areas outside the new towns. I have emphasized the need to preserve conservation areas and country parks.

The Government will keep under review the planning tools such as the Territorial Development Strategy and the Northwest New Territories Development Statements Study and will do all it can to make sure that the infrastructure planned for the area will be completed on time. I would like to point out, however, that in so doing the Government has a duty to strike a balance between the development of northwest New Territories and other areas in Hong Kong.

With these remarks and in line with the positive spirit behind the motion, the *ex officio* Members will support the motion. Thank you, Mr President.

PRESIDENT: Mr Alfred TSO, you are now entitled to reply and you have one minute 35 seconds out of your original 15 minutes.

MR ALFRED TSO (in Cantonese): Mr President, in fact Members have had ample opportunities to express their opinions on topics like the development of northwest New Territories, traffic congestion and the planning strategy of the territory. I move this motion today only as a response to the active discussions between the Chinese and the Hong Kong Governments on cross-border infrastructure development. I wish to raise this topic again in this forum so that further opinions from various sectors can be expressed. I also hope that more substantive work can be accomplished by the Committee.

I do not wish to say much to the many questions raised by Members. I would only like to respond to two of the points made. The first point is the one raised by Dr TANG Siu-tong. If the increased population under estimation were to be absorbed by Yuen Long alone, that would in fact create more problems. That also shows that the Planning Department has not dealt with certain problems properly in its planning in the past.

Second, as Mrs Miriam LAU has said, the Administration has not been doing a satisfactory job as far as transport planning is concerned. For example, some circular roads in western New Territories only have four lanes whereas many of those in eastern New Territories or other road networks have six or eight. In view of the rapid development expected in northwest New Territories, how can this kind of road network cope with the present situation? The reply given by the Secretary for Planning, Environment and Lands is very simple, and it does not convey any special message.

Question on the motion put and agreed to.

AIRCRAFT MOVEMENTS AT KAI TAK AIRPORT

MR MARTIN LEE moved the following motion:

"That this Council opposes Government's proposed measures to increase the number of programmed morning and evening aircraft movements into and out of Kai Tak Airport, and to extend the evening programming hours at Kai Tak, since such measures would seriously affect residents living under the aircraft flight paths."

MR MARTIN LEE (in Cantonese): Mr President, I move the motion standing in my name in the Order Paper.

The motion debate that I am initiating this time concerns an issue that is specific and affects the livelihood of residents. It relates to flight programming and its effects on residents. Behind the motion, is a very important principle, a principle that relates not only to noise nuisance caused by aircraft but also very closely related to the Administration's environmental protection policy.

In a public consultation paper issued by the Civil Aviation Department (CAD) in the end of December last year, it was indicated that utilization of the existing flight programming hour had reached full capacity so that Hong Kong had to turn down 300 flight applications per week. Consequently, it was proposed that flight restrictions in early morning and late evening be relaxed. At the same time, it was suggested that the existing programming hours should be extended by one hour from 11:30 pm to 00:30 am. The Administration's explanation was that this arrangement would secure an annual income of over \$4.3 billion for Hong Kong.

The Democratic Party is totally against these proposals of the CAD. Our view is that the proposals are not purely policy issues but involve an important principle whereby the Administration balances economic rewards against the interests of the residents.

As everyone knows, the Hong Kong Administration is profit-oriented. Everything it does is oriented towards economic development. Hong Kong did well economically from the economic take-off in the 1960s and 1970s to the economic restructuring in the 1990s. However, economic success has entailed costs to the individual and society, and more and more such costs are being incurred. In his 1993/94 Policy Address, the Governor indicated that Hong Kong had overtaken Australia and the United Kingdom in terms of Gross Domestic Product (GDP) *per capita*, and would draw level with Canada. Such is the kind of encouraging figures in respect of fiscal reserves and economic growth one can find in each year's Budget. To local residents, however, economic growth should only be a means, not an end. The end of achieving economic growth should be to raise living standards, minimize the difference between the rich and the poor, and to share the fruits of prosperity with all in the community.

This year, the Financial Secretary invented the term "consensus capitalism" to describe the Administration's financial policy, in which the Administration would work hard to strike a balance between market force, economic development and social responsibilities. However, we could not see the impartial and balancing role played by the Administration in the way it handled the relevant proposals from the CAD this time.

In canvassing support for CAD's proposals, the Administration has been stressing the additional benefit of \$4.3 billion Hong Kong may receive. Is economic reward everything? How about residents' interests and the Administration's social responsibilities?

Up to 388 000 people would be affected if additional flights and extended operating hours were allowed. Some areas would record an alarming 105 decibels or above. If we weighed everything and formulated all public policies against economic benefits as standards, the Environmental Protection Department should be closed. All environmental protection matters should go to the Economic Services Branch. The Governor would then not have to talk about improving our environment or raising our living standards any more. In a nutshell, "money-making prevails". Noise is somebody else's business.

In 1994, Hong Kong's GDP reached \$1,109 billion. Adding flights will bring about only \$4.3 billion, whereas the Administration estimates that its fiscal reserves will reach a high of \$151 billion in 1997. Without the \$4.3 billion income, would the Administration find itself in a financial crisis, would there be a total slump in the air transport, tourism and hotel industries, and would Hong Kong lose its prosperity?

A common saying has it that "one should behave morally after getting rich". If, in order to grab a mere extra \$4.3 billion at the expense of the health of over 300 000 people, the Administration is prepared to subject them to 17 hours of noise nuisance day-in, day-out, with an extra hour thrown in daily for good measure, and could not care less about their sufferings, how can it boast of striking a balance between social responsibilities and economic development?

In the past, we needed to face similar situations in our public policies, including situations in which charges for public utilities conflicted with the interests of residents. Every time a conflict of interests arose in the Administration's charging policy, residents' interests were required to give way to so-called commercial principles and financial rewards. Although the Hong Kong Government has always declared that it will act equitably, the Administration obviously demonstrates favoritism towards the economic interests of trade and industry rather than the interests of the general public. \$4.3 billion amounts only to 0.4% of GDP but it would mean heavy health costs to 6% of the Hong Kong people. It appears that our government is acting like a miser who is mad about accumulation of wealth. I do not think a government that cares for its people should act like this. I do not think the Financial Secretary would be happy to hear what I have just said.

Another issue concerns the principles we stick to in viewing the problem of environmental pollution. We should not sit back just because we are not being affected. Officials and Members may not be living in Kowloon West, Central Kowloon or the Eastern District of Hong Kong island, but this does not mean that they will not be affected. Nor does this mean that they may give irresponsible remarks and just talk about the importance of economic rewards.

Take the Hong Kong Stadium as an example. Concerts are being held there once in a while. Since I am not living near it, I might as well say that residents living nearby should welcome such concerts as they can listen to them free of charge. Of course, the fact is: for those who need to rest at night after a hard day's work, one concert is already too much nuisance for them. Needless to say, continuous roaring of aircraft from 6:30 am to 00:30 am at a noise level of above 82 decibels is too much for anyone. In a press conference held by the Hong Kong Medical Association on 18 April (that is, yesterday), it issued a serious warning against health problems that could be caused by extending programming hours. It warned that families subject to noise nuisance over a long period of time would have their social lives, learning abilities and performance in intellectual work adversely affected. It went on to warn that the health of residents especially the elderly, and their state of well-being as a whole would be adversely affected if their sleep were interrupted. Would the Administration and Members heed what these specialists said?

A Government should shoulder the entire responsibility for maintaining healthy living conditions for its people. As the Hong Kong Medical Association put it, "healthy" refers not only to a state of no disease. Protecting residents' health refers not just to providing treatment when they are sick. One's health is related to one's way of living, work, rest, and state of well-being as a whole, and the living environment is among the most important health factors.

Lastly, I want to talk about the Administration's stance in this debate. The Secretary for Economic Services wrote me a letter pointing out that as the Administration was conducting a consultation exercise, it would not be appropriate for me to propose a motion debate at this time. Could I ask the Administration why the Legislative Council cannot show how it tends to view the matter in the consultation stage? if the Administration is really minded to consult the public, and no conclusion has been reached yet. Why is the Administration afraid of the public opinion reflected by this Council? Why is the Administration vehemently lobbying Members to oppose my motion? Has the Administration reached a conclusion already and is consultation just a formality?

If the Administration wants to prove that it has not reached a conclusion on the matter and that it is totally open-minded in seeking public opinion, I hope that the three Secretaries can abstain from voting to prove the Administration's sincerity in conducting its consultation.

Shortly afterwards, other Members who belong to the Democratic party will be giving a more in-depth analysis on the issue in terms of economic reward, residents' health and the role played by the Legislative Council.

With these remarks, I move the motion.

Question on the motion proposed.

MRS SELINA CHOW (in Cantonese): Mr President, the advantageous geographical location of Hong Kong is one of the objective factors which bring about the territory's present-day prosperity. In addition to being China's gateway to overseas countries, Hong Kong is also the transport hub linking up the east and the west. Today, Hong Kong is still counting on its strong entreport trade and tourism industry as the motive force to drive economic growth. That we are debating here today the question of increasing the number of flights at Kai Tak is precisely a reflection of Hong Kong's role as the transport hub.

Given that the programming of flights in Kai Tak has already reached saturation point, we have only two alternatives to go by to meet the additional demand. One is to have the new Airport come into service immediately. The other alternative is to increase the number of takeoffs and landings at Kai Tak Airport to cope with demand or else flights that our Airport, which is operating to capacity, is unable to handle will turn to other places. The widespread public discontent is, in the final analysis, caused by the Government in deferring the timetable for the construction of the new Airport. While we have to pursue this matter to find out who is out to be held responsible, the problem cannot be left unsolved.

The question of increasing the number of flights taking off and landing at Kai Tak is a question which concerns the economy and it is also one which concerns people's livelihood. In this connection, it is necessary to balance these two considerations so as to safeguard the territory's overall interests within tolerable limits. It is simply from the economic perspective that the Government proposed to increase the flights at Kai Tak with a view to extending, by as many as possible, the programming hours for takeoffs and landings at Kai Tak. The Government even went so far as to propose six additional flights to be allowed to depart from Kai Tak in late-night hours when people are in bed. The motion of Mr Martin LEE is just the other extreme by judging the matter solely from the perspective of people's livelihood and noise pollution. It completely ignores the impact that the blocking of any increase in flights will have on the entire economy. His views are not fully shared even by the District Board of the Eastern District and Kwun Tong, where residents are directly affected.

It is the hope of the Liberal Party that Hong Kong will have sustained economic development. It is also our hope that people's livelihood is properly cared for. As the Liberal Party's slogan goes, 'Strive for a more prosperous Hong Kong and be dedicated to the betterment of people's livelihood'. We understand that it is unlikely that the interests of both sides will be catered for on the question of increasing flights at Kai Tak. Yet, this is not a world in which things are either black or white. Between them there is also the colour grey in different shades. The Liberal Party holds that to solve the problem along the middle-of-the-road line is a positive way forward. The standpoint of the Liberal Party is that we would support increasing the number of take offs and landings during the existing programming hours for takeoffs and landings, in particular in the morning, through making improvements in air traffic

arrangements where safety permits. But I resolutely demur at the part of the proposal which suggested an extension of the programming hours to 0.30 am. We cannot lose sight of the fact that although the existing programming hours for takeoffs and landings ends at 11.30pm, in fact, provided that flights pull out into the runway, they can queue up for take off. If the programming hours are further extended to 0.30 am, that will mean there will be flights taking off at around 1.00 am, not at 0.30 am by any means as claimed by the Government. Just as the Hong Kong Medical Association pointed out yesterday, the extension of programming hours at Kai Tak will deprive residents living in proximity to the Airport of adequate sleep, thus impairing their health. This will be unacceptable.

As for the impact on the entire economy if flights are not to be increased any further, apart for losing 2.5 million passengers arriving at and departing from Hong Kong and economic benefits to the tune of \$4.3 billion a year, as pointed out by the Government, I would like to raise a point for more in-depth consideration. It is a view generally held by the people that Hong Kong is currently facing a recession. Such being the case, should we aggravate the situation by striking a further blow to people's confidence in this fragile market? The hidden financial losses that Hong Kong will suffer will be like a snowball rolling on, which means that the losses will become greater and greater as time goes by. Do Members, who claim to be concerned about people's livelihood, perceive noise pollution as the only thing which bears on people's livelihood? In the event of tourism and the aviation industry being hampered in their development, will the living of those workers serving these industries be regarded as a livelihood issue? Besides, those who work in the retail industry and the service sector will accordingly earn less income due to a reduction in the number of visitors coming to Hong Kong. What is more, this will even pave the way for a shrinkage in these sectors. Who is to be held responsible for such outcome?

Taking into consideration the impact that a total rejection of all proposals to increase flights will have on Hong Kong and the considerable disturbance that members of the public will be subject to as a result of a full-scale increase in flights and an extension in the programming hours at Kai Tak, we are putting forth a compromise proposal. It will, on the one hand, facilitate sustained economic growth and, on the other hand, mitigate the extra nuisance that the public will have to endure. In fact, this is not just a proposal of the Liberal Party. In the course of the Government's consultation with the District Boards, apart from the District Board of Kowloon City which objected to all the four suggestions to increase flights at Kai Tak, the District Board of the Eastern District, which is the constituency Mr Martin LEE represents, and the District Board of Kwun Tong — both being districts most exposed to aircraft noises — have already struck a balance between economic development and the noise nuisance by acceding to a partial increase in the number of flights. They only have objection to the extension of programming hours for takeoffs and landings at night.

With a view to mitigating the impact of noise nuisance on people, the Liberal Party urges the Government to draw up punitive measures, requiring the aviation sector to maintain effective control over takeoffs and flying techniques to minimize the noise level created by aircraft movements. In addition, the Liberal Party will, as soon as the first runway at the new Airport is put into service, spare no effort to strive for the immediate suspension of service at Kai Tak Airport to free the public from the noise nuisance as soon as possible. We hope that the government official concerned will give us an explicit guarantee later on and agree to revise the original proposal in order to relieve members of the public of the nuisance. As to how the Liberal Party will vote on the motion, we will, depending on the Administration's response, make our final decision.

Mr President, these are my remarks.

DR LEONG CHE-HUNG: Mr President, a few hours ago this Council passed a Bill to compensate for one of the harmful effects of noise. It is ironic here that a few hours later we are considering to approve the economic benefits that noise will bring. So I rise to speak in support of the motion to oppose the increase in the number of programmed morning and evening aircraft movements into and out of Kai Tak and, in particular, the extension of evening programming hours on behalf of the Medical Functional Constituency. I am glad that both Mr Martin LEE and Mrs Selina CHOW gave so much weight on the press release of the Hong Kong Medical Association.

The objection we put forward is entirely based on the noise so generated which we feel will affect health. In short, we consider that noise annoyance is a health hazard.

Extensive clinical data have shown that noise annoyance may cause disturbance of normal activities such as speech, intellectual or mechanical work, play and sleep. Noise worsens performance of complex or intellectual task. Fewer accidents occur where noise level is low. Noise also adversely affects behaviour, increases anxiety and reduces the incidence of helpful behaviour. Furthermore, levels of aggression are increased by loud noise. I wonder whether this is the situation of the Taiwan legislature.

One of the commonest annoyance from noise is interference of sleep. Documented facts show that intermittent noise affects sleep most. The early hours in the morning is the worst time and peak noise level of 50 dB to 60 dB may greatly increase the time taken to fall asleep. Noise at night in sleeping quarters should not exceed 45 dB. All these are noise annoyance that flight activities in Kai Tak is producing and will produce more if the proposed scheme is to go ahead!

A bad night's sleep will lead to mood changes, reduce heart performance and affect performance at intellectual and mechanical tasks.

Finally, eight hours' sleep is the most commonly quoted and usually expected period of sufficient sleep, and of course it varies with individuals.

The extension of activity time and the increase in activities will thus produce all the problems as discussed and will definitely affect health.

Mr President, it should be noted that the concept of health does not simply mean free from disease and to have a healthy population does not simply mean providing medical treatment for the ill. The principle of health concerns the overall well-being of the person and the living environment plays an overriding role.

It has been argued by the Administration in particular that we have to balance inconvenience — which is noise annoyance, and the economic benefit that such a move will bring. But let me remind the Administration that it has also been said that "Health is Wealth" and without health, there will be no wealth.

On the possible disturbance of health, the medical profession support the motion and oppose the extension of activity and flight time in Kai Tak.

MR MARTIN BARROW: Mr President, we all appreciate the sentiment behind the Honourable Martin LEE's motion, which understandably is based on consideration of the interests of residents in the immediate vicinity of the airport. However, to obstruct the proposed limited increase in the airport's operating hours and the amount of air traffic per hour is neither realistic nor conducive to Hong Kong's broader interests and is a disbenefit thus to the people of Hong Kong as a whole.

From the perspective of the travel and tourism industry and Hong Kong's position as an international business centre, to limit the proposed increase in night service hours and air traffic frequency is to hinder a major source of Hong Kong's socio-economic growth. Travel and tourism is today the territory's second-largest earner of foreign exchange, contributing \$64 billion last year, and one of Hong Kong's largest employers. It is a fast growing industry with potential for further expansion. If we are to maintain our position as the number-one tourism destination in Asia in face of the competition in the region, we cannot afford to turn away business. Once visitors and air carriers are forced to settle for alternatives nearby, there is less chance of their switching back to Hong Kong when the new airport opens.

The suggested measure would limit flights to existing hours and to a certain number. However, the number of flights per hour would seem to bear little correlation to the level of noise borne by the residents. The frequency itself is not the cause and limiting the frequency has little or no beneficial effect. It is the noise level of the aircrafts themselves that is the point. And the Government did, of course, take action to ban the most noisy aircraft some years ago. As for the moderate extension in the night service, the inconvenience created is considerably outweighed by the benefit to Hong Kong as a whole. The reality is that residents around Kai Tak, both on Kowloon and Hong Kong side, live with aircraft noise aware that the airport has been, and still is, a vital artery for us in developing our economy. The additional inconvenience created by extending the night service hours will not be great and is a temporary measure — and I stress temporary — until the new airport opens.

With regard to the tourism industry, it is necessary to stress the damaging effect that any limitation would have on the arrival and departure of visitors. We should remember that travel and tourism is the world's largest industry and is set to grow further. We must not allow growth to be constrained or we will certainly lose our hard-won market share.

In 1994, over nine million people visited the territory and contributed 7% of total GDP. We would be depriving our community of the benefits of tourism, both financial and related to employment and future development, if we took any step detrimental to the free flow of people in and out of Hong Kong. This is equally important in Hong Kong's role as an international business centre and as a gateway to the mainland as just referred to by the Honourable Selina CHOW.

For these words, Mr President, I oppose the motion.

MR FREDERICK FUNG (in Cantonese): Mr President, residents of the Sham Shui Po district and the Kowloon City district have long been putting up with the fact that planes are flying just over their heads. They have been waiting with patience for the day when the noise will cease to plague their ears. But eventually, their hopes have been dashed. Not only are planes continuing to land and take off, worse still, the sight and the roar of the planes may be seen and heard at as late as one o'clock after midnight. I just want to tell the Government that there is a limit to the residents' patience. Such measures of "self-enrichment at the expense of the residents" will eventually backfire on the Government.

The Government said that increasing the frequency of landings and taking-offs will generate an additional annual income of \$4 billion to the Treasury, and that our tourism industry will stand to benefit considerably from it. But I venture to challenge the Government whether it is desirable to sacrifice the well-being of the residents for the sake of these short-term gains. Would the Government please think of the fatigued residents who have worked

all day; the school children who have to study in preparation for class the next day; and the housewives who have been exhausted going about their household chores? I believe their wishes are very modest: that they could have sufficient sleep in order to cope with their work the next day. However, if the present proposal is implemented, even such modest wishes will be blighted. Planes will fly over their heads between 11:30 pm and 1 am. Only five and a half hours will remain as "flight free" time, which can hardly be described as "enough". Some organizations say that increasing the flight frequency will enhance the economic benefits that come Hong Kong's way. But this may be too mechanical a calculation, since productivity and performance of the residents will be adversely affected as a result of insufficient sleep and rest. According to the estimation of the Environmental Protection Department, 340 000 residents will therefore be waken up 11 to 27 times from 9 pm onwards. \$4 billion in revenue will be no substitute for residents' health, which will be under constant threat due to prolonged exposure to noise pollution.

Furthermore, an additional 32 flights daily to the existing programmed number will accentuate the already intensive aerial "cacophonous bombardment" to a point beyond the forbearance of the residents. How can the mere day-long experience of the Director of Civil Aviation compared with the decades of painful experience of residents of the Sham Shui Po and Kowloon City districts? How can it be justified that the Government is now trying to further aggravate and prolong their suffering? Will the Government be considerate and withdraw the proposal? I hope it will.

The Sham Shui Po office of the Hong Kong Association for Democracy and People's Livelihood, together with certain organizations within the district, conducted a questionnaire survey this January at estates affected by noise pollution generated by aircraft, including Parc Oasis, Tai Hang Tung Estate, Nam Shan Estate, Shek Kip Mei Estate, Lai Kok Estate, Lai On Estate and Nam Cheong Estate. 908 questionnaires were returned.

According to the findings, 81.5% of the residents opposed the proposal to increase the number of flights from 6:30 am. As to the suggested increase in landings and takeoffs after 9:00 pm, it is found that the later the hour the higher level of objection. 70% of the respondents objected to increases between 9:00 pm and 10:30 pm; 89% objected to increases between 10:00 pm and 11:30 pm; and as much as 93.4% objected to extending the programming hours to 1:00 am and adding six outgoing flights.

73.8% objected to increasing the frequency of incoming flights from five minutes to three minutes between 9:00 pm and 10:30 pm; whereas 70.3% objected to increasing the frequency of outgoing flights from five minutes to four minutes after 9:00 pm.

The survey also enquired of the residents as to their responses to being waken up by noise generated by planes. 84.3% regarded it as unacceptable to be waken up by incoming flights 11 times from 9:00 pm onwards; whereas as much as 87% disapproved of being waken up 27 times by outgoing flights from 9:00 pm onwards.

The survey shows that most residents living in these districts prefer to have ample rest time from 12:00 midnight to 7:00 am. A more detailed analysis has found that the closer they live to the airport, the higher the level of their objection to increasing the frequency of flights late at night and early in the morning. This is probably due to the fact that those living nearer the airport are more prone to be waken up by noise generated by planes.

The survey shows that a great majority of the residents disapprove of the Government's proposals. although the proposal, if implemented, will bring in an additional \$4 billion for Hong Kong, the nuisance caused to residents will, in my opinion, be beyond imagination. Residents will be waken up by noise of over 80 decibels starting from 6:30 in the morning, and they can "hardly sleep a wink". This kind of psychological abuse will be beyond forbearance. If the proposal is implemented, it will cease to have effect only after the commissioning of the Chek Lap Kok airport in mid-1997. In other words, residents will have a "flight free" tranquil time of only six hours every night in the next couple of years. Such measures will be tantamount to turning a blind eye to the psychological pressures on residents caused by prolonged exposure to noise pollution.

I hope Members will, in a concerted effort, oppose the Government's proposal to increase the number of flights late at night and early in the morning, lest wealth be built on the agonies of the residents.

Mr President, with these remarks, I support Mr Martin LEE's motion.

DR HUANG CHEN-YA (in Cantonese): Mr President, the Hong Kong Government proposes to extend the early morning and evening programming hours for aircraft movements and tries to solicit public acceptance with some glamorous figures like \$4.3 billion in income from tourism, \$100 million in aircraft landing fees and \$60 million in passenger departure tax. Besides, it also threatens the public that if they do not accept the proposal, there will be a loss of billions of dollars in opportunity cost. But in reality, will economic loss be truly incurred if there is no extension of programming hours for aircraft movements? Will there really be so much economic benefit if the programming hours are extended? The answer to these two questions are in the negative.

In the following, I am going to refute the economic grounds put forward by the Hong Kong Government and to propose a better solution to the problem of the Kai Tak Airport which has already reached its full capacity.

First of all, while talking eloquently about the economic benefit, the Hong Kong Government did not mention a word about economic cost. Its failure to use an objective way of calculation in assessing the cost items is indeed unreasonable and unacceptable to all. Let us take the increase of programmed flights as an example. The most direct way of calculating the cost is to calculate the amount of compensation that the Hong Kong Government will have to pay in order to maintain the existing living standard of the residents affected (to the effect that they will not suffer from any higher level of noise). According to the projection of the Environmental Protection Department, the installation of double glazed windows and air-conditioners for 80 000 households will cost a total of about \$2.5 billion (that is, about \$32,000 per household). If the administrative cost and the electricity charges are also included, the amount of compensation will definitely exceed \$2.5 billion. Besides, the noise brought about by the increase of programmed flights will adversely affect health and emotions, which in turn will lower the productivity and increase the medical expenditure. And additional noise will also lower the property price. All these will affect the Gross Domestic Product of Hong Kong.

Mr President, is it really true that the Government has failed to calculate such a high economic price to pay; or is it true that the Government has found out that the economic benefit derivable from the move will be unable to offset the economic cost, but is deliberately withholding the fact from the public? We have no means of finding out the answer to this question. Nevertheless, all these have clearly reflected a hideous fact: that the Government, by means fair or foul and by resorting to sophistry, has no scruples about sacrificing the living quality, health and emotional well-being of the residents in order to achieve its aim of extending the programming hours for aircraft movements. Does the Government ever feel ashamed of it?

The Government said that huge economic loss would result if the programming hours for aircraft movements could not be extended. This is absolute nonsense which only shows that the Government did not take into account the overall economic development of southern China when analyzing the problem. As a matter of fact, so long as we can make good use of the airports in the Pearl River Delta, public interests will not be sacrificed while more benefit will continue to come Hong Kong's way. At present, there are around 700 flights per week flying between China and Hong Kong, which accounts for 25% of the total number of flights. If a portion of these flights can be transferred to the neighboring airports like Huang Tian Airport for landing and take-off, the Kai Tak airport will then be able to accommodate more European, American and Asian flights. Somebody may say that if the airports in the Pearl River Delta are to be used instead, there will be less economic benefit for Hong Kong. I do not agree with such view. It is because the original destination of the visitors and businessmen is Hong Kong; they will

certainly not give up the opportunity of coming from China to Hong Kong to tour and do business simply because they cannot arrive at Kai Tak airport. This is especially so given the good cross-border links by sea and land transport. Although these domestic flights will temporarily be unable to land in Hong Kong, I believe that they may want to fly directly to Hong Kong once the new airport is commissioned. Hence the Government does not have to worry that the flights will not come to Hong Kong again when they get accustomed to landing at other airports.

In tandem with the economic development of China and Hong Kong, the cross-border flights will surely be ever increasing. And with trade growing between China-Hong Kong and other parts of the world, the need for increased international flights will definitely grow in corresponding measure. It is therefore impractical to require the residents to sacrifice their sleep and to accept the noise nuisance in the morning and in the evening. In fact, Hong Kong should concentrate on its role of functioning as the international aviation centre of South China.

The major trend therefore is to co-ordinate with other airports in the Pearl River Delta. Reference can be drawn from the international airports of other countries which also have to co-ordinate with other supporting airports in respect of domestic and short haul flights. Thus, as an international airport, Hong Kong can also co-ordinate with the airports in the Pearl River Delta so as to ease part of the demand for more cross-border flights. The most urgent task for the Hong Kong Government at present is to strengthen the transport links between Hong Kong's airport and Chinese airports and to simplify the immigration procedures so that the airports in the Pearl River Delta can support more effectively the economic development of Hong Kong.

Everybody knows that economics is based on a very fundamental question, that is, what to do when faced with limited resources? The Hong Kong Government which always emphasizes economic principles has no reason not to understand this. The proposed extension of programming hours for aircraft movements has already aroused public resentment while the pressing demand for flights cannot be fully satisfied. I therefore reckon that the Hong Kong Government should face the fact. It should acknowledge that the Kai Tak Airport has already reached its fully capacity and, under this limitation, should try to find a way of maximizing benefits. We should assess the economic value of the incoming flights to Hong Kong. For flights plying between Hong Kong and those cities which are the major source of our tourism income, or are our important trading partners or are endowed with development potentials, we should try our best to maintain the growth of these flights. This will maximize the benefit through effective use of resources.

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PRESIDENT: Dr HUANG, you have got to stop, I am afraid.

DR HUANG CHEN-YA (in Cantonese): My President, I support the motion.

DR YEUNG SUM (in Cantonese): Mr President, the Government is trying to persuade the people to accept its new proposal on the ground that it will generate an extra income of \$4.3 billion a year. It has explained to the public that the proposal, if implemented, would bring more than \$4.3 billion in income a year to the territory. However, the Government, when calculating this potential economic gain, deliberately ignored some economic costs or social costs which would be inevitably borne by the people.

Social Costs Ignored in the Government's Estimation

First of all, how much will it cost in order to maintain the existing quality of life of those affected by the new proposal, that is to say, the cost to protect them from extra noise? Dr the Honourable HUANG Chen-ya has just explained that, according to the estimation of the Environmental Protection Department, it will cost a total of \$2.5 billion for the installation of double-glazed windows and air-conditioners for 80 000 households, on the basis that it will cost \$32,000 for each household. However, the total expenditure will far exceed this amount if the electricity bill for the use of air-conditioners is also taken into account. So we cannot just look at the income of \$4.3 billion and fail to take the social costs into consideration.

Besides, during the existing curfew on landings and takeoffs from 11.30 pm to 6.30 am, there are still aircraft movements. For instance, there were 609 flights of this kind in 1994, an average of 1.7 flights a night. These included delayed flights and flights affected by wind direction and weather. So, in fact, the residents affected cannot enjoy real peace for as long as seven hours. If the programming hours for aircraft movements is extended to 00.30 am, those affected will hardly be able to sleep because the time during which there is no aircraft movement will probably last for three to four hours only. In the long run, the resident's health and mood will certainly be affected and hence their productivity, although the impact will be indirect. A few days ago, the Hong Kong Medical Association publicly objected to the Government's proposal of extending the programming hours for night flights on the ground that aircraft noise will seriously affect the residents' health as well as their productivity.

Unfair Distribution of Benefits and Policy

On the other hand, we think that this policy may only enrich a minority and may not be beneficial to the majority. The prime concern of the Government's time-honoured economic policy is to protect the interests of the business sector on the presumption that all social state will eventually benefit.

Based on this presumption, a policy of non-intervention has been adopted by the Government towards the so-called distribution of wealth. However, the fact shows that Hong Kong's continuing economic growth is accompanied by an ever worsening gap between the rich and the poor. Superficially, to increase the number of flights will bring us \$4.3 billion in tourism income. But in fact, the major beneficiaries will be the airlines and the hotels. Residents living in the proximity of the airports will not benefit directly. On the contrary, they will have to sacrifice their quality of life under the grand objective of enhancing the wealth of Hong Kong. The Democratic Party supports the Government's positive attitude in developing the economy, but our support is lent on condition that economic benefits should be distributed according to the principle of equity. Those who have contributed should be reasonably rewarded. Unfortunately the Government fails to take into account the price paid by the people. While sparing no pains in protection the interests of the business sector, the Government treats the people's deteriorating quality of life with indifference. It maintains that sacrifice by part of the population would contribute to our overall economic well-being. Such an argument constitutes a supreme irony that bears upon a government which has claimed itself to be fair and accountable.

Meanwhile, a number of government officials expressed their worries that if the proposal could not be implemented, those airlines which have been turned away would seek to establish air services with other cities. But we should remember that Hong Kong's superiority in air services is earned, not through our own wishful thinking, but through the efforts of all sectors. The Director of Civil Aviation has also pointed out that the more the business an airport enjoys, the more the number of airlines will be interested to participate because these airports excel themselves in efficiency, quality airport services, perfect communication network and transport links with other regions. In fact, demand for Hong Kong's air services is strong because Hong Kong has the above-mentioned advantages. I believe Hong Kong could maintain its competitiveness in the future if Hong Kong continues to develop its superiority in this aspect. Further, the new airport will go into operation in two years' time. The problem will then be entirely solved. So their worry about competitiveness is not well justified.

On the other hand, Members may also note the public's response to the consultation paper this time. Six district boards, the districts of which are affected by noise nuisance, unanimously raised their objection. Most organizations concerned demurred at the proposal with the exception of the business sector. I hope the Government this time will not put the proposal into practice again on the pretext that the arguments for and against are evenly balanced.

In October 1993, the Civil Aviation Department announced the cancellation of opposite runway operation. Although this move caused an increase in noise level which was affecting the 250 000 residents living under the flight path, especially those living in Kowloon City and Sham Shui Po, the

voice of objection then was not so strong as the measure was adopted on the ground of safety. But this time it seems to us that the Government, by relying on the cancellation of opposite runway operation, is trying to fabricate an excuse or a basis in order to justify its proposal of increasing the number of night flights.

In fact, the number of landings and takeoffs will increase, rather than decrease, year after year. I hope Members will understand this point. According to the Hong Kong Monthly Digest of Statistics, the number of flights in 1993, compared with 1992, has increased by 12%. In all fairness, the hundreds of thousands of residents living under the flight path have been silently suffering from the endless aircraft noises just for the economic well-being of Hong Kong. Though under pressure to deal with the matter of flight increase, the Government should look for solutions by other means such as diverting the flights to other airports instead of pushing up the number of flights in early morning and late at night. If the Government clings obstinately to its proposal for some superficial economic benefits, I am afraid that the loss will be greater than the gain.

In conclusion, the Democratic Party objects to the Government's proposal of extending programming hours for night flights for two main reasons:

- (1) the Government should not sacrifice the people's health and quality of life for short-term, economic benefits;
- (2) the Government should not emphasize economic return at the expense of overlooking the social costs borne by the people.

Mr President, with these remarks, I support the Honourable Martin LEE's motion.

MR PETER WONG: Mr President, how much percussion hammering, pile driving and siren wailing noises can you stand before you have to flee the din? If your tolerance level is the standard 70 dB, then the noise nuisance presently harassing residents in Kowloon City will be a nightmare for you. The rip-roaring boom of aircraft take-offs and landings, pitched at 80 to 105 dB, is consistently battering denizens at maximum noise level, duration and frequency. It is no exaggeration to say that people living around the Kai Tak Airport are leading one hell of a life.

There are presently 250 000 people in Sham Shui Po and Kowloon City affected by flights landing, and another 90 000 in Kowloon City, Kwun Tong and Eastern District subject to the disturbance of departing flights. These 340 000 residents, who live under the flight path of Kai Tak Airport, have been putting up with the excessive noise impact of flight movements with admirable patience and endurance. The proposals to increase the number of aircraft arrivals and departures by 32 from 6.30 am to 7 am and from 9 pm to 11.30

pm and to extend the runway service hours from 11.30 pm to 12.30 am can only aggravate their suffering from noise nuisance. It has been estimated that if they are lucky enough to be asleep before 9 pm, then the proposal will wake them up six to nine times a night. Further, the number of people affected is estimated to increase by 18% to 400 000.

The Administration argues that the Kai Tak Airport has reached its full capacity and that it is difficult to improve on the existing flight scheduling. The proposal to schedule 224 flight per week is needed if Hong Kong is to maintain its international business centre and aviation hub status. While promising to adopt various mitigating measures to minimize the noise impact, the Government maintains that the adverse effects will only last for a finite period before the new Chek Lap Kok airport is completed. It also emphasizes the importance of the proposal to the economic well-being of Hong Kong. Failure to shorten the overnight curfew would result in a loss of \$4.5 billion revenue (including \$160 million aircraft landing fees and passenger departure tax); 2.5 million passengers per year; as well as tourist spending, related business and job opportunities.

First, the question of need. A survey conducted by the Democratic Alliance for the Betterment of Hong Kong among residents in Kowloon East and Hong Kong East last December showed that 67.7% of respondents found the existing noise level unacceptable. Another 79.1% respondents demurred at the proposal in question. The same view was shared by the majority of submissions made to the Government by the district boards, political parties and environmental groups. In my view, the overall interest of the community and the principle of equity ought to be taken into consideration when designing a public policy. It raises a significant question — why should one group of residents bear all the consequences of the Government's delayed decision to build the new airport?

Second, the palliative measures. Suggestions have been made to compensate residents of the Kai Tak neighbourhood by exempting them from rates. The Occupational Deafness (Compensation) Bill speaks forcefully for allowances to be given for affected residents to install double glazed windows and air-conditioners. Such allowances could be paid for by our tourists as a noise pollution tax. However, it has been pointed out that the value of compensation is difficult to quantify. One academic has suggested that taking a 10% annual decrease in the rental value of property around Kai Tak, the compensation amount could easily offset the real net gain of the \$4.5 billion revenue.

Third, economic well-being. Mr President, my basic objection to the proposed increase in flights and extension of Kai Tai night service hours is based on the need for us to balance economic benefits against environmental and health disbenefits. Loud sound deprives people of sleep, make them tense, drowsy and easy to get fatigued, thus affecting their productivity. There are

also adverse psychological and health impacts on adults, and insidious effects on school children who need a quiet surrounding to study. It is not a valid excuse to ignore these disbenefits merely because the social costs are difficult to quantify.

To me, the motion today carries a loud and clear message. Instead of providing relief to Kai Tak residents from further daily bombardment by maddening aircraft noises, the Administration's proposal represents a set-back to the environmental improvement battle which the Governor claims to be fighting.

With these remarks, I strongly support the motion.

MR FRED LI (in Cantonese): Mr President, my speech is going to be short — about one minute will suffice. This is because I am not speaking on the Democratic Party's behalf. I am a resident of Laguna City and I myself am a victim. Residents from several housing estates, that is, the Lei Yue Mun Road Estate and the Cha Kwo Ling Estate, in the district, as well as some members of the residents' committee of Laguna city, have communicated to me their strong response to the proposal, and therefore I am speaking on their behalf on this occasion.

They have unanimously asked me to oppose the extension of the airport's programming hours for aircraft movements, particularly during night time. I am reflecting their views here. I hope the Government will appreciate the hardships citizens are facing, and the fact that they are already being subject to serious noise pollution. I hope the Government is consulting in the truest sense of the word, and will listen to the views from residents of the Kwun Tong district, or at least those living at the eastern tip of Kowloon East, that is, the Lei Yue Mun residents.

I support Mr Martin LEE's motion.

MR LEE CHEUK-YAN (in Cantonese): Mr President, I rise to speak against the proposed extension of the night-time programming hours for aircraft movements into and out of Kai Tak Airport.

During my childhood days, I lived and went to school in the Kowloon City district. Indeed, for 26 years of my life I lived in an environment affected by intense pollution generated from the airport. Aircraft-induced noise pollution could well be said to be the background music that accompanied me as I grew up. I myself was a victim, and therefore I appreciate very much the agonies of those noise-stricken residents, living in a city like Hong Kong makes peoples suffer from neurasthenia, and one of the major factors that causes this is noise. For the sake of economic interests, the Government is sacrificing

residents' quality of life. Residents will suffer from the aggravating noise pollution from the airport, and this is certainly unacceptable.

According to statistics from the Environmental Protection Department, when the programming hours at the airport are extended, 250 000 people will be waken up by incoming flights 11 times — that is, four times more than they are being waken up now — and among these there will at least be one time where noise pollution will reach an appalling level. 90 000 people will be waken up by out-going flights 27 times more than they are being waken up now. From the above statistics we can see that more than 300 000 people will be seriously distributed as a result of the extension of the programming hours for aircraft movements. But the quality of life of these 300 000-odd residents should not be sacrificed. I believe that the right to sufficient sleep is only basic human right, and if one could not even sleep sound and sweet, what else in life would one find enjoyable. When hundreds of thousands of people are entirely deprived of their sleep and are reduced to a state of insomnia as a result of noise from aircraft landings and take-offs, who will care about the losses they suffer? In a state of languidness they will go about their work in a distracted manner and productivity will decrease. So how will these economic losses be quantified? Our society should treasure not only short-term financial gains but also the mental health and the quality of life of the residents. Therefore I hope the Government will stop talking about how many billions of dollars will be lost, because it is more important that residents can sleep well.

With these remarks, I support Mr Martin LEE's motion.

MR JAMES TIEN (in Cantonese): Mr President, Mr LEE Cheuk-yan said that he has been living under aircraft flight paths for 26 years. So have I and for a period of 35 years into the bargain, but I live in Kowloon Tong and may be the environment is better than that of Mr LEE.

Mr President, the role of the airport is very important to Hong Kong as an international city. My speech will focus on freight and passenger traffic. In respect of passenger traffic, the overheads of the manufacturing industry in presentday Hong Kong have been spiralling, resulting in a number of industries having to move to China or other places. This causes difficulty to a large number of Hong Kong workers in switching jobs. In the past 10 years, the trade that has flourished the most is service trade, for example, the retail, catering and hotel industries. Our retraining programmes aim at providing retraining opportunities for the displaced workers so that they would be in a better position to secure re-employment and they are most likely to be re-employed in the service industry. At present, over 400000 people are employed in the service industry and we anticipate that the industry will provide even more employment opportunities in the future. For Hong Kong, the bottleneck of our development is the airport. It is not likely, in the present day world, to find tourists travelling in ocean-going liners. It will take 10 or more days for a tourist to travel to Hong Kong from the United States or from the United

Kingdom by sea. If everyone comes to Hong Kong by air, the service industry will flourish even more and the employment opportunities will be enhanced. What should we do? We are really caught in a dilemma.

When moving his motion, Mr Martin LEE said that all the benefits would go to the commercial and industrial sector. I believe that both the employers and the employees would be benefited. The business sector would of course earn money through investment. However, relatively speaking, most of the employees in the hotel, retail and catering industries would also earn bonus, the amount of which would vary in accordance with the frequency of work and the length of their working hours. Under that circumstance, while we admit that the extension of aircraft movement hours would affect the lives of many residents, we also reckon that many employees would have difficulty finding jobs and their level of income would also be adversely affected if the operating hours are not extended. If we do not let the airport have the chance to experience a slight measure of growth in air transport before the completion of the new airport at Chek Lap Kok in 1997 or 1998, will the pay rise of employees be curbed in the coming years? Will employment opportunities be jeopardized?

The other point that I would like to make relates to freight traffic. Hong Kong is no longer the base for the production of low-priced and low-quality industrial products because such production processes have moved to China or some other places. The few existing industries in Hong Kong mainly manufacture high value-added products or products subject to time limits of one sort or another. Therefore, most of the industrial products manufactured in Hong Kong are exported by air and a total of 20% of exported goods are delivered out of Hong Kong by air. Air freighters alone cannot cope with the demand and 60% of airfreighted goods are carried out of Hong Kong by passenger airliners. If the orders for Hong Kong goods such as high-class fashion products or products subject to delivery time limits are cancelled because of failure to deliver same out of Hong Kong on time, the workers in the other trades in Hong Kong will similarly suffer from "underemployment", and massive unemployment may result from shrinkage of business. Based on these two considerations, it is therefore obvious that we would really be caught in a dilemma if we were to balance the noise nuisance suffered by the residents of Kowloon City, Kowloon Tong and Yau Yat Tsuen against the question of overall employment in Hong Kong.

As a commercial body, the Hong Kong General Chamber of Commerce held a meeting to discuss this issue, hoping that the Government can come up with a better strategy, so that the growth in flights can be maintained on the one hand while the morning and evening programming hours do not need to be extended on the other hand. We hope that better arrangements can be devised within the existing programming hours, so that the Administration's proposal can be implemented.

Mr President, with these remarks, I oppose Mr Martin LEE's motion.

MR CHIM PUI-CHUNG (in Cantonese): Mr President, so far as this issue is concerned, the affected residents have every reason to be fully supported. After all, there are a good many of them. I would also support them in principle, spiritually and morally. Yet, being legislators, we should consider the facts thoroughly and from a diversity of perspectives. The Civil Aviation Department should be responsible for arranging the best deployment.

The duty of legislators does not consist solely in hurling criticisms. Many people would level reproaches at others in newspapers but when being asked if they have any constructive suggestion in mind, they would say that their duty is to criticize and it should be the duty of the powers-that-be to propose constructive ideas. This is a wrong mentality. Legislators should take up part of the responsibilities. To put forward a sound and constructive suggestion is far better than reprimanding the Government on impractical grounds. Let me stress again that our Government basically belongs to the general public. The more you say, the more likely the Secretaries of policy branches will resort to doing nothing at all. Can it be that they will not be paid for having done nothing? Should legislators constantly hurl unfounded criticisms at the Government without making constructive suggestions, why do the Secretaries have to work so hard? I hope that legislators can come up with constructive suggestions while they are reprimanding the Government.

While I hardly ever share the views of Dr the Honourable HUANG Chen-ya, I support some of the suggestions that he presented on television yesterday morning. For instance, it only takes some 20 minutes to fly from Guangzhou to Hong Kong and with the launching of the high speed train service, a trip to Hong Kong will take around two hours. Under the circumstance, can the Civil Aviation Department discuss with Guangzhou the viability of flying fewer flights to Hong Kong? This will be a positive way to strive for one's goal. Therefore, I do not always greet him with criticisms. I would admire and commend him for proposing correct suggestions. This is the way to face reality.

Mr President, the economy of Hong Kong is the lifeblood of our society. Many Members have criticized the industrial and business sector for being self-serving and very often caring for their own interest. We must not lose sight of the fact that Hong Kong is not a political city. The collaboration from the economic and financial realms is required before development of any sort continue on a permanent basis. In this connection, the economy is the lifeblood of society. Without economic development, members of the public will have no income. In that case, will they continue to support political parties? How can they make donations to political parties? Therefore, we should make use of the economy to balance the future development of society.

At a time when the September election is drawing near, it is, of course, natural that many motions or debates which are meant to please voters will follow. Fortunately, since July is well on its way, there are no more than a handful of such motion debates or Bills coming up. I hope that the people of

Hong Kong will thoroughly understand the actual situation. Should there be cases where undue pressure is being brought to bear on them or where they are accorded unfair treatment, they must bring such cases up for discussion or resort to available avenues to get justice done. On the question of the airport, it is indeed an inevitable problem which the community ought to face. Whose fault is it? Or how did it come into being? It can only be described as an inescapable phenomenon in the context of social and economic development.

We all know that the living conditions in Hong Kong differ from those in other places. Apart from the fact that the people of Hong Kong are hardworking, which explains the territory's present-day accomplishment, the geographical location of Hong Kong, its communication network and the developments in other areas such as technology have also paved the way for Hong Kong attaining quite a number of advancements. This is an unquestionable reality. In comparing Hong Kong in the 1950s with Shanghai or other places, we will not find much difference. Undeniably, Hong Kong, in the past decade or so, has benefited from certain advantageous conditions that it possesses in terms of dovetailing with China's policy of an open economy.

The issue on the airport can be discussed from three aspects. On the part of the Government, it can request airlines to install on the flights noise-abating facilities. Some people may say that this is wishful thinking. Yet, it is, in fact, a question which deals with the fittings of planes. The Government can ask airlines to conduct studies in this regard. I think this is not impossible in view of technological advances nowadays. This might well become a topic of global environmental study. On the part of Hong Kong, the Administration should clear the airport runway as soon as possible by leading the flight off the runway as soon as it has landed. Thirdly, for those short-haul flights, as I mentioned earlier on, the airport at Macau and the Huangtian Airport can supplement Hong Kong in the provision of services. Fourthly, to arrange for remedial facilities for residents of Kowloon City to meet environmental requirements.

I would support part of Mr Martin LEE's proposal. That is, the Government should try its best not to extend the programming hours. But concerning the restriction on the number of programmed flights, I think responsibilities should not lie with us. Despite the fact that the Government will turn a deaf ear to whatever motion debate as it is an executive-led government, the suggestion that we make need to be constructive. What I would really like to achieve is that in extending the programming hours, residents of Kowloon City would not be subject to unnecessary nuisances. I could not agree with this more. Yet, I would surely object to the proposal to constrain the Government in its programming of flights because it should be the Government who takes the initiative to address this issue. To have the Government take the initiative to do its job will be far more effective than the mere utterances of Members. It is easy for us to make a few remarks but it would be very difficult to accomplish anything. For this reason, I call on the people of Hong Kong again not to take this into account in giving out marks to political parties. In fact, many Members are very concerned about people's livelihood. They are also

concerned about the economy of Hong Kong because the economy is the pillar supporting Hong Kong's continued drive for prosperity in the future.

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

8.00 pm

PRESIDENT: It is now eight o'clock and under Standing Order 8(2) the Council should adjourn.

ATTORNEY GENERAL: Mr President, with your consent, I move that Standing Order 8(2) should be suspended so as to allow the Council's business this evening to be concluded.

Question proposed, put and agreed to.

MR STEVEN POON (in Cantonese): Mr President, like Mr James TIEN and Mr LEE Cheuk-yan, I have lived in that area for more than 20 years, but fortunately I did not live under the flight path for a very long period of time. However, those who have lived in Kowloon Tong or Kowloon City would know what an aeroplane is and how it sounds when it lands. I believe many who have gone to the market of Kowloon City to buy food or to the Wellcome Supermarket in Oxford Road to buy milk would know very well that the noise created by aircraft coming in to land would really make people suffer from mental disorder. I think it is very unreasonable that the Government has now, for economic reasons, tried to force people to accept a longer period of nuisance caused by the extension of flight hours even beyond midnight.

There are limits in every society. Such limits may be very subjective or they may be very objective. On the question of aircraft take-offs and landings and noise, such limits would entail consideration of the opinion of residents living in the area. Those living in the Mid-levels or Government House, incapable of imagining what it would be like for others who have to suffer the noise impact day after day, will think it is acceptable to the people and seek to prolong the period of noise to enhance economic growth. These people never know that there are limits in a society. These are the limits to man's tolerance and not limits in money terms. Hence, I think the extension of aircraft take-off and landing hours or the permission for more aircraft to take off and land beyond the current programming hours will be very unfair to the residents who will be affected.

Since I became the District Board member of Kowloon City, I have received many complaints from residents. Since I am a Legislative Councillor as well as the District Board members of Kowloon City, they find it very convenient to complain to me. They gave me telephone calls, saying that as I

was a Legislative Councillor, they asked me to speak out in the Legislative Council to urge the Government not to be so cruel as to make the district suffer from noise impact day after day. In fact, as a District Board member, I should not interfere with the work of the Legislative Council. However, sometimes I cannot help it because the residents find it convenient to approach me. It also makes one feel sad to hear them say such a thing. There is the Chan Kwun Tung Care and Attention Home for the Elderly in the district in which the elderly persons stay for the rest of their lives after their retirement. However, the noise impact created by aircraft everyday is very great. They asked me what could be done. I do not know what could be done and I only told them that the problem could only be solved when the new airport was completed. If you have not lived there, have never bought food in the market there and have never shopped in the supermarket there, you could not have imagined what it is really like there. Some friends of mine live in Oxford Road in Kowloon Tong. I used to work there for a considerable period of time and many of my staff live there too. If you are having a barbecue party there on the rooftop of a two-storeyed house, a plane may be landing while you are having fun. If you raise your head, you will see the serial number of the screw of the 747 aircraft, you can even read out the number, I am not cracking a joke; you really can read out the number. You may not be able to read out all five or six digits, but you can certainly read out three or four of them. Under such circumstances, how can we continue to allow more aircraft to take off and land?

In fact, to solve the problem of aircraft take-off and landing, we should identify the crux of the problem: the delay in the construction of the new airport. If there is no delay, we do not have to discuss this problem today. If the problem lies in the delayed construction of the new airport, I think it is unfair to shift the burden or leave the problems to the residents in the area. In order to solve these problems, first, we have to beef up the services of the Kowloon-Canton Railway, examine the possibility of increasing the number of runs of the Guangzhou-Hong Kong train and consider how flights from the Mainland can be diverted to the Shenzhen Airport so that short-haul flights do not necessarily have to land in Kai Tak Airport. These, I think, are the short-term measures. I hope that the new airport can be completed soon so that these residents will not be disturbed anymore.

I raised these points during the meeting of the District Board and, on that occasion, I was objecting already against the Government's proposal. Since I am not a schizophrenic, there is no possibility that I will support the Government today. I certainly have to support Mr Martin LEE who belongs to a different party.

MR HOWARD YOUNG (in Cantonese): Mr President, it appears that of the three Members from the Liberal Party who have spoken just now, two have indicated their support to Mr Martin LEE's motion for reasons of environmental protection and for being a representative for Kowloon Tong while the third Member had indicated that her decision will depend on how the

Secretary for Economic Services will respond. I am now speaking on behalf of the tourism industry and not on behalf of the Liberal Party. Since I represent the tourism industry, I will give my full support to the proposal by the Government and the Civil Aviation Department to increase the number of flights. This is diametrically opposite to the motion moved by Mr Martin LEE. His motion is to oppose all four measures, that is to say, he opposes the provision of slots in the early morning, from 9 pm to 10:30 pm, from 10:30 pm to 11:30 pm and after 11:30 pm. I believe voters within the tourism industry who have elected me as their representative expect me to support all four measures. Only in doing so can we promote the tourism industry and make contributions to Hong Kong.

As far as the tourism industry of Hong Kong is concerned, it is essential to have a sufficiently utilized airport. It is because as long as we have enough flights to provide passenger seats, we can bring travellers from all over the world to Hong Kong. At the same time, travellers' spending can galvanize trades directly or indirectly linked to the tourism industry, such as retail, food and hotel services.

It is noteworthy that there are about 180 000 people being employed in the tourism industry. They are respectively working in airline companies, hotels, travel agencies and retail shops in many tourist areas. We are of the view that only when the tourism industry thrives and grows can these 180 000 people get paid and have their pay revised annually. The motion moved by Mr Martin LEE in effect asks the Government to freeze the passenger throughput in the next two or three years before the Chek Lap Kok Airport is commissioned. I think this will be like telling those employed in the tourism industry, including those tourist guides, touring coach drivers and sales staff of retail shops, "How about having no pay adjustment these two or three years, as the business turnover of the company can only be this much? Now you will not have pay adjustment and your pay will be frozen!" Well, I do not think this is workable.

We understand that tourists brought \$64 billion foreign exchange earnings in Hong Kong's favour last year. This has also been mentioned by Mr Martin BARROW. The tourism industry is the second largest foreign exchange earner. I trust that, before the end of this century, or even before the Chek Lap Kok Airport is commissioned, the tourism industry will probably have become the foremost foreign exchange earner in Hong Kong. On the average, a tourist brings \$7 000 for spending in Hong Kong. The money spent goes into circulation in Hong Kong. It is true that we have import and export trades in Hong Kong. Yet, Hong Kong suffered a deficit in visible trade last year, with the value of imports exceeding the value of exports by as much as \$8.1 billion. But the invisible trade of Hong Kong, including the tourism industry, financial industry and insurance industry, totted up a surplus which made good the economic loss of Hong Kong and avoided a deficit in terms of foreign exchange balance of payment. Under these circumstances, "freezing" the tourism industry and thus stifling its development would be a very unwise move. Mr Harold WU, chairman of the Council of the Travel Industry of Hong Kong, had written

to the Director of Civil Aviation on 1 March and pointed out that the loss of \$4.3 billion as alleged by the Government was really an understatement. According to the estimation by the Council of the Travel Industry of Hong Kong, assuming that each tourist on board each flight brings \$ 7 000 to Hong Kong, the loss suffered by the tourism industry each year should have amounted to \$5.4 billion instead of \$4.3 billion. Just now Mr James TIEN has mentioned that the value of imported and exported goods has yet to be taken into account. But it would be difficult to calculate this.

In that letter, it was also pointed out that since many political personages have seized upon this issue for the purpose of either soliciting votes, or defending the interests of residents, many of the opinions they have expressed are misleading. In fact, comments made just now are also misleading. I would like to ask Mr Frederick FUNG this: I went to the airport to see some one off last night, and the flight concerned was full. I saw some people from a certain Member's office in Sham Shui Po who said that they were going to sleep in the airport to present a petition. Now, residents of Sham Shui Po, were you disturbed by aircraft noise after 11pm last night? The last flight of last night landed at 10:45pm. Residents of Sham Shui Po, were you waken up by the noise of aircraft taking off? All day people have been talking about 6:30 am or 7 am, but the fact is that the flights landed from the Lei Yue Mun direction this morning. It was not from the Sham Shui Po direction. Therefore, if those people who made a petition at the airport last night had not been there but had gone home to sleep instead, they would probably have had a sounder sleep.

Moreover, just now we have heard a Member say that the \$4.3 billion would be revenue destined for the Treasury. This is a very misleading statement. And we have heard yet another Member say that this involves the interests of the aviation sector, of airline operators, or of the industrial and commercial sector, or that it involves collusion between government officials and businessmen. My understanding is that more than half of the 200-odd airline companies all over the world are running at a loss, not to mention profit. It has even been claimed just now that operators of airline companies vote to support the Government during the consultation period. But airline companies constitute only a small percentage of those who made submissions. I figure that there are altogether four of them that did so, and none of them is local airline company. To local companies, reducing the number of flights might put them in an even better position as they can abolish the economy class and "hike up the ticket price". In doing so, they may make more money. I come from the aviation sector, and I think Members may wish to know that half of the income of airline companies goes towards staff pay, and less than 10% is set aside as profits. Now can you say how much the operators are getting; and how much the staff are getting? Therefore, it is true, is it not, that economic benefits really boil down to people's livelihood? I think Members should think it over and should not distort the truth. In this respect, as a representative of the tourism industry, I will support all the measures the Government is proposing to adopt. After all, these are merely temporary measures. As soon as the Chek Lap Kok Airport is completed, these problems will no longer exist. I hope that

Members will not stifle the development of the tourism industry. Members should give people within this industry the opportunity to develop their career as well as to create more job opportunities for Hong Kong.

Mr President, I oppose the motion.

MR JAMES TO (in Cantonese): Mr President, the question of aircraft noise has been a cause for growing public concern in recent years because two years ago, that is to say, at the end of 1993, the Government sought to amend a piece of subsidiary legislation governing the control of aircraft noise as a result of the cancellation of "opposite runway" mode on the ground of safety.

In the debate on that amendment two years ago, I said that it was an important and difficult decision to make. I agree with Mr Howard YOUNG in that, apart from the air service and hotel industries, the public can also share the \$4.3 billion proceeds. Nevertheless, we are actually on the horns of a dilemma. In the geographical context of Hong Kong, can Hong Kong cope with the increase of air traffic in view of the existing air traffic conditions? It is a quandary. Since it is difficult to make a final decision, many countries resort to legal means whereby the final say rests with the legislature by way of the enactment of subsidiary legislation. I believe that the decision over this issue should not be made at the sole discretion of the executive, just like other issues that have a major bearing on people's livelihood such as the importation of foreign labour. As I have said two years ago, if our Government were elected by means of universal suffrage or a one man, one vote system, be it the British or American model, it would have the authority and political mandate to make such a decision. It is because during presidential elections, the candidates would have to present their political platforms detailing the issues that they would support and their choice between such priorities as economic effectiveness, social development and public health. Even with such a democratic government, I still hold that the ultimate authority should be vested with the legislature. This is a more in-depth consideration in my political belief.

Secondly, we will find many interesting points if we compare the ways in which the Government deals with the question of aircraft noise and the noise problem of the Hong Kong Stadium. The noise level at the Stadium is about 70 decibels but the noise level at the airport is above 100. In some of the seriously affected regions, the noise level stands at 120-odd decibels. When dealing with the noise nuisance at the Stadium, the Government said that laws must be complied with because Hong Kong is a society which upholds the rule of law and therefore in any function held in the Stadium even one decibel in excess is not permitted, be that a charitable show or a profit-making concert. However, on the question of aircraft noise, the Government said that it has to balance the interests of different sectors and Hong Kong has to earn more money and therefore the residents would have to tolerate a level of noise as high as 100 or even 120 decibels. Are our social policies consistent? How do we determine our style of thinking and orientate our judgement as to values? Are we

confusing different social policies when we say, for example, that the Environmental Protection Department is not the major policy-making authority for aircraft noise and that no such statutory provision to such effect is necessary? Although it was so specified when the Civil Aviation (Aircraft Noise) Ordinance was enacted in 1986, after a lapse of 10 years, the Government has failed to take the initiative to do the job. In 1993, I tried to maintain the *status quo* to prevent the Administration from availing itself thereafter of the amended legislation following the cancellation of "opposite runway" mode to revise on the quiet the number of flights solely through consultation and executive decision without having to amend further the relevant legislation. The Government said that it could not be dealt with by way of legislation. These practices call for thorough consideration by us.

On the other hand, Mr Howard YOUNG claimed that the development of the tourism industry should not be stifled. He also asked whether we would like to have employees denied any pay rise in the coming years. I believe that such remark was a bit misleading. It would not be surprising that, with a reduction in the number of tourists, the number of jobs would be diminished. But whether the salaries would be frozen would depend on the spending pattern of tourists in Hong Kong. That it turn would depend upon the types of commodities available, whether Hong Kong is still a shopping paradise, the quality of our products and the variety of imported goods that we can offer. It seems to be over-simplifying the issue for anyone to say that the number of tourists is a determining factor for pay rise. Although our economic growth would not be as high as it would have been if the interests of all the affected citizens has been sacrificed, it could not be argued that this would amount to stifling the development of tourism.

The last question concerns our new airport which is scheduled to be completed within two years or so. In view of this, shall we relax the limit now? On behalf of the residents of Kowloon West, Sham Shui Po and Yau Tsim Mong, I firmly oppose the proposed relaxation. Please do not look at me through coloured spectacles, or put me down as canvassing votes. In fact every legislator, be he returned by functional constituency election or direct election through geographical constituencies, should reflect opinions on behalf of the public. If our government eventually becomes a fully elected democratic government, it will still have to make a choice.

In today's debate, I am not as "emotive" as I was in 1993; however, I still feel that this problem is affecting many ordinary citizens. If one has been in contact with the residents, one will find that they do not take it as light-heartedly as I deliver this speech. Whether they are well-off or worse off, whether they are living in Kowloon Tong or in the public housing units in Sham Shui Po, their health will be affected. Health is invaluable and we cannot judge the issue solely from the perspective of the number of people who will benefit and the number of jobs that can be created. Even though we know that this decision may render the creation of some of the jobs impossible, this is in fact a moral question and it is an important choice for us to make. During this interim

period of one year or so, we should not sacrifice the interests of the public. I therefore support the Honourable Martin LEE's motion.

SECRETARY FOR ECONOMIC SERVICES: Mr President, when the Administration launched a public consultation exercise on 19 December 1994 to assess public opinion on proposals to enhance the operating capacity of the Kai Tak Airport, we knew the question we were putting to the community was not an easy one. I am not surprised, therefore, that this evening's debate has produced strongly expressed views both for and against the motion.

A combination of history, sustained economic growth and the rapid pace of urban development in Hong Kong has placed the fourth busiest airport in the world — in terms of international passengers — and the second busiest — in terms of international freight handled — right in the heart of a densely populated city.

Every day of the year, those living under, or in close proximity to the flight paths in and out of the airport suffer disturbance from aircraft noise, so it is small wonder that there are those in the community, and in this Council, who consider that it would be adding insult to injury to increase this level of nuisance in any way.

The good news, of course, is that all such disturbance will disappear for good on the opening of our new airport at Chek Lap Kok. Unfortunately, we cannot simply sit back and wait for our new airport to open. In the interests of the growth of our economy and maintaining Hong Kong's position as one of Asia's leading financial and commercial centres, we must do all we can to ensure Kai Tak keeps up with the increasing demands upon it.

This is why the Administration initiated public consultation, in December last year, on the possibility of:

- (a) providing a total of 26 additional slots within the airport's existing operating hours in the periods between 6.30 to 7.00 am and between 9.00 and 11.30 pm; and
- (b) extending the airport's operating hours by one hour to provide six additional departure slots.

In the consultation paper, the Administration set out clearly the problem which we face: namely that Kai Tak is now operating close to capacity and that, as a result, during the 1994-95 winter scheduling season, we were already having to turn away some 300 flights a week. Incidentally we expect that this figure will increase to over 400 per week later this year. We also explained that, although the Administration — and in particular the Civil Aviation Department — have done their best to increase the throughput of aircraft, and hence passengers, at the airport, during the hours of 7.00 am to 9.00 pm, there is little

more that can be done because virtually all the runway time slots for takeoffs and landings during these hours are now either occupied, or cannot be taken up because of scheduling difficulties at the other end.

The Administration will continue to do all we can to enhance the handling capability of Kai Tak:

- by continuing to improve air traffic control systems in order to increase the number of aircraft movements that can be programmed each hour (an increase from 28 to 29 movements per hour was introduced on 30 October 1994 and a further increase to 30 movements per hour is planned);
- by continuing to expand and improve the efficiency of the passenger terminal;
- by encouraging airlines to deploy larger aircraft; and
- by encouraging airlines to make use of unused runway capacity in the early morning.

As a result of these efforts, we expect Kai Tak to be able to handle an additional 98 movements per week by the end of 1995. Unfortunately, this is still not enough and we will still be turning away over 300 flights per week or approximately 2.5 million passengers a year.

The proposals contained in the Administration's consultation paper would, if implemented in full, make available an additional 224 slots per week. They would also help to achieve a better utilization of some early morning slots by enabling more planes to arrive in the late evening, stay overnight in Hong Kong and depart early the next day.

However, as the Administration has freely acknowledged, the proposals in the consultation paper would create a degree of additional noise disturbance to residents living near the airport in the early morning and late evening hours, when the number of aircraft movements has traditionally been restricted for noise mitigation reasons.

Mr President, contrary to the assertions of some Honourable Members who have spoken in support of the motion this evening, this discussion is not about whether economic considerations should prevail over environmental concerns. It is a question of finding the right point of balance between the two. It is also, in my view, quite wrong to depict the issue as one of big business interests versus the rights of the ordinary man in the street.

There is no one in this community who does not benefit, in some way, from the fact that Hong Kong is home to one of the most efficient and well-managed airports in the world. It is for this reason that the Government has

continued to invest in the physical expansion of Kai Tak, to invest in new state-of-the-art navigational and meteorological equipment and in the training of competent airport management and air traffic control staff, in order to ensure that the airport functions at maximum efficiency.

Kai Tak is our gateway to the world. In 1994, Hong Kong people made more than 7.1 million air trips — to visit friends and relatives overseas, to travel on business, to go on holiday. Each week, 63 airlines provide about 3 000 regular flights to some 100 destinations worldwide. We take for granted the ability to be able to go out and make air reservations to almost any corner of the world, in the time it takes to tap a few keys on a computer terminal. The ease and efficiency of our air links, both within the region and to the rest of the world, is one of the reasons why so many major companies choose to base themselves in Hong Kong.

An efficient airport is also essential to our manufacturers and exporters of high value-added products. Their businesses depend on regular and reliable air links to meet delivery dates. In 1994, \$448 billion worth of cargo was shipped into and out of Hong Kong by air.

Last but not least, the airport is fundamental to the success of our tourism industry. Of the 9.3 million visitors who came to Hong Kong last year, over 68% entered and left via the airport. While in Hong Kong, they contributed to a total visitor spending of \$64 billion on accommodation, shopping, dining and entertainment, they contributed some 7% to our Gross Domestic Product. Let us not forget that this expenditure creates jobs for the over 200 000 people in our community — whom it is estimated, are in tourism related employment in shops, restaurants, hotels, places of entertainment and transportation.

If Kai Tak cannot continue to grow to cope with increasing demand in the last few years of its life then the whole community will pay an economic price. For example,

- as a number of Members this afternoon have already said, we will forego \$4.3 billion a year in income from spending by additional overseas visitors;
- businesses and industries associated with airport operations such as freight forwarders and shippers will face constraints in growth and increased difficulties in meeting consignment delivery dates;
- flights which cannot be accommodated at Kai Tak may increasingly divert to other neighbouring airports — business which may not come back to Hong Kong even when our new airport is open; to this extent I cannot agree with Dr HUANG's assessment; and
- the development of new or expanded air links with our aviation partners may also be held back.

Having said all this, Mr President, the Administration has no intention of riding roughshod over the views of those Hong Kong residents who have to bear the burden of aircraft noise on a day-to-day basis. It is for this reason that we have already taken steps to reduce the noise disturbance caused by existing flights:

- by no longer permitting airlines to schedule their arrivals after 10.30 pm. This is a measure of particular benefit to the residents of North Kowloon;
- by requiring all aircraft programmed to operate after 9.00 pm to comply with the most stringent noise abatement standards laid down by the International Civil Aviation Organization (ICAO) — and some 97% of aircraft operating in and out of Kai Tak already meet these standards; and
- by making mandatory on airlines, with effect from November last year, the adoption of ICAO approved noise abatement procedures on take-off.

At the same time, Mr President, we are openly and sincerely soliciting the views of the public before deciding whether to implement measures which may add to the burden as I spoke of earlier.

I would now like to turn to the outcome of the public consultation exercise. As of today, we have received over 100 responses including eight from district boards and 73 from groups and organizations. Some 54% of these responses are supportive of the proposals in the Administration's consultation paper, with representations from the business sector — which includes trade organizations, chambers of commerce and travel and tourism-related companies — unanimous in their support for measures which they consider will stimulate business and bring substantial direct and indirect economic benefits to the whole community.

31% of the responses, including those from three district boards; residents groups; and a number of non-business organizations are opposed to any increase in the number of flights programmed. A further 12% of responses are opposed to the proposed one-hour extension of airport operating hours, but do not rule out some increase in capacity during existing operating hours.

Mr President, in the light of the strong body of public opinion against the proposal, and, in particular, the concerns expressed about the possible impact on the health of residents, the Administration has decided not to proceed with the implementation of the one-hour extension to the operating hours of the airport suggested in the consultation document. In other words, the existing curfew on landings and take-offs between mid-night and 6.30 am will be maintained.

On the other hand, the Administration has not yet reached any final decisions on whether to implement some increase in the number of landings and take-offs in the hours of 6.30 to 7.00 am and 9.00 to 11.30 pm. We believe that before final decisions on this issue are taken, further work should be carried out to see whether there are ways of reducing still further the disturbance to residents — not just from possible additional flights, but also from existing aircraft movements.

I have already outlined, earlier in this speech, the measures which have already been introduced to reduce noise nuisance. The Director of Civil Aviation already monitors strictly the time-keeping of late evening aircraft movements and takes action, when necessary, with the airlines concerned. The further measures which will now be examined in greater detail will include:

- a more detailed assessment of the degree of noise nuisance to the residents in particular areas;
- the possible installation of more sophisticated noise monitoring equipment, to help ensure that aircraft operating in accordance with the relevant noise abatement procedures; and
- the establishment of more effective procedures for the recording and investigation of complaints from the public about aircraft noise.

In answer, Mr President, to a point raised by Dr HUANG and Mr Peter WONG, we have also looked into the possibility of how much it would cost to provide double glazing and air-conditioning to residents which are most affected by aircraft noise. Apart from the cost which would be very considerable, we have estimated that it would probably take between three to five years to complete work of this sort which, I think, therefore rules it out as a possible mitigation measure.

Once we have completed examination of the steps that I have just described, it will then be for the Administration to seek the advice of the Advisory Council on the Environment on the impact of the possible introduction of additional flights between 6.30 to 7.00 am and between 9.00 to 11.30 pm. Until this step has been taken, no additional flights will be programmed during these hours.

Mr President, I would respectfully suggest that, until the Administration has had an opportunity to complete its evaluation of the public response to our consultation exercise and has undertaken the further studies which I have just outlined, it would be premature for Members of this Council to rule out entirely the proposals contained in the consultation paper. Official Members of the Council will be voting against the Honourable Martin LEE's motion and I would ask other Members to do the same.

PRESIDENT: Mr Martin LEE, you are entitled to reply and you have six minutes 31 seconds out of your original 15 minutes.

MR MARTIN LEE (in Cantonese): Mr President, there are several points I would like to state clearly at the outset. Firstly, we do appreciate the efficiency and professionalism demonstrated by airport staff. This we do not have to be reminded of by the Secretary for Economic Services. Secondly, we feel that the sacrifice demanded of residents by the Administration is not entirely warranted and is therefore a bit of a waste. Both Dr the Honourable HUANG Chen-ya and the Honourable CHIM Pui-chung mentioned that international airports in neighboring regions may lend some help to solve the congestion problem at Kai Tak Airport. Business would not be lost because of the help provided by these international airports. If someone is flown to Macau, we need to ask the question: Is he really minded to go there to gamble or is he minded to go to Hong Kong but is flown there because there are no flights to Hong Kong? If he actually wants to go the Hong Kong, he will do so one way or another. We need not worry about that.

The Honourable Howard YOUNG said that if we succeeded in opposing the Government's proposed measures to increase aircraft movements and extend evening programming hours at Kai Tak Airport, salary increases for 180 000 staff in relevant trades would not be possible. Should this happen, he said, we are to blame. His words, I think, are extremely unreasonable and would not do himself any good either because people in the trade he is representing would not appreciate his words. Moreover, what he said would only serve to drive residents to hate those working in the tourism industry. I do not hate those people. I appreciate them. I do not want others to think that those people are being too selfish. In fact, I feel that the problem is that the Honourable Howard YOUNG has not put forward his argument properly. For example, he said the tourism industry would be stifled. The Secretary for Economic Services said Hong Kong was having to turn away some 300 flights a week. I want to ask Mr YOUNG this question: Has the tourism industry been stifled because of this? The answer is 'No'. Everybody in the industry is making a lot of money. So, if employers are reluctant to increase salaries for their staff, please do not put the blame on others.

Let me now respond to other points raised. The Secretary for Economic Services said that the Administration has now introduced measures to reduce noise nuisance. Why now? I wonder, why is it that only after 9:00 pm are aircraft required to comply with the most stringent noise abatement standards? Has he been to areas under the flight path of Kai Tak airport to find out what things are really like there? I am certainly aware that Director LOK of the Civil Aviation Department spent a night at Kowloon city, but one cannot find out much by spending a night there. If Mr LOK could not go to sleep that night, he could take his leave and sleep the next morning. Who knows? If senior government officials and Members who oppose my motion could spend three consecutive nights there, Mr President, I believe I do not have to reply

anymore today. Why has the Administration not taken noise-reduction measures earlier? The Administration is saying that it is impossible to provide double glazing and air-conditioning to residents most affected by aircraft noise because, after some research, it would probably take between three to five years to complete this work. Why is this issue taken up so late? Is the Administration really ignorant about the sufferings of the resident? Indeed, even in the daytime, we have 28 flights each hour, that is to say, on average we have an aircraft roaring past over us almost every two minutes. If an aircraft flew fast over us now, I would not be able to deliver my speech because no one could hear me. So, it is really something unbearable when there is an aircraft flying past every two minutes. One cannot hear over the phone or listen to the television. What about students attending classes? Has anybody considered this problem? Why does it take so long for the Administration to do something concrete in noise reduction? Even now, the Administration still maintains that noise-reduction measures have to be ruled out as they would take three to five years to complete and so it is too late to start work now. I think it is very irresponsible of the Administration to work things out this way.

As regards the Honourable Selina CHOW's opinion, I think there are indeed a lot of things, though not all of them, which are grey in colour. For instance, the beliefs of the Honourable Peter WONG and the Honourable Steven POON and those of mine are white in colour. Even Mr Howard YOUNG's shirt is white in colour. As a matter of fact, my motion is white in colour. Mrs Selina CHOW said twice that the Eastern District Board only objected to extending the night programming hours by one hour. She must have forgotten that I am not representing the Eastern District Board. Rather I represent residents in the Eastern District of Hong Kong. If she cannot tell the difference between the Eastern District Board and the Eastern District of Hong Kong, I shall explain to her later.

Everybody should listen carefully to what Dr LEONG Che-hung said because he is a good doctor. As you all know, he can claim to be an expert about sleeping, for he requires only four hours of sleep daily but we should have eight. This is something I hope you can all bear in mind. Indeed, the elderly and young people particularly need sleep. Even without any additional flights, residents can have only seven hours to sleep, and, to do that, they must manage to fall asleep by 11:30 pm. So, really they have been tolerant for some time already. The Honourable Peter WONG was absolutely right when he said residents had enough. I need to salute Mr WONG. It is a bit of a pity that he has indicated he would not stand for the next election to the Legislative Council election.

The Honourable Martin BARROW said the extension of night programming hours will only be temporary. How long is temporary? Two years? Three years? Mr BARROW said the noise caused was bearable. Who is going to bear all the noise? Of course it is not he but somebody else. Hearing such irresponsible and sarcastic remarks from Mr BARROW, I cannot help wondering whether I should greet them with ridicule or tears. I will not shed

any tears as I am not among the residents dwelling in the affected area. However, I might be a bit slow on the uptake even now as I spent my childhood there.

I must thank the Honourable CHIM Pui-chun for showing some measure of constructive support for my motion. I would like to tell him that we are not against economic growth — the Democratic Party fully supports the economic growth of Hong Kong. We are merely criticizing the Administration for failing to strike a suitable balance in the issue. That is why I asked, in my speech, "Without the \$4.3 billion income, would the Administration find itself in a financial crisis, would there be a total slump in the air transport, tourism and hotel industries, and would Hong Kong lose its prosperity?" This is the question.

Finally, I must say do appreciate the Honourable Steven POON's ideas. He mentioned the limits of a person's tolerance. There is a limit to what one can tolerate. We should not force others to tolerate what we think they can tolerate. Forcing others to do so is both inhuman and selfish.

Mr President, these are my remarks.

Question on the motion put.

Voice vote taken.

PRESIDENT: Council will proceed to a division.

PRESIDENT: Will Members please proceed to vote?

PRESIDENT: Are there any queries? If not, the result will now be displayed.

Mr Martin LEE, Mr SZETO Wah, Dr LEONG Che-hung, Mrs Elsie TU, Mr Peter WONG, Mr Albert CHAN, Mr CHEUNG Man-kwong, Rev FUNG Chi-wood, Mr Frederick FUNG, Mr Michael HO, Dr HUANG Chen-ya, Dr Conrad LAM, Miss Emily LAU, Mr LEE Wing-tat, Mr Fred LI, Mr MAN Sai-cheong, Mr Steven POON, Mr TIK Chi-yuen, Mr James TO, Dr YEUNG Sum, Mr WONG Wai-yin and Mr LEE Cheuk-yan voted for the motion.

The Chief Secretary, the Attorney General, the Financial Secretary, Mr Allen LEE, Mrs Selina CHOW, Mr PANG Chun-hoi, Mr Andrew WONG, Mr Edward HO, Mr Ronald ARCULLI, Mr Martin BARROW, Mrs Miriam LAU, Mr LAU Wah-sum, Mr Jimmy MCGREGOR, Mr Vincent CHENG, Mr Moses CHENG, Mr Marvin CHEUNG, Mr CHIM Pui-chung, Mr Timothy HA, Mr

Simon IP, Dr LAM Kui-chun, Mr Eric LI, Mr Henry TANG, Dr Samuel WONG, Mr Howard YOUNG, Dr TANG Siu-tong, Mr Roger LUK and Mr James TIEN voted against the motion.

THE PRESIDENT announced that there were 22 votes in favour of the motion and 27 votes against it. He therefore declared that the motion was negatived.

ADJOURNMENT AND NEXT SITTING

PRESIDENT: In accordance with Standing Orders I now adjourn the Council until 2.30 pm on Wednesday, 26 April 1995.

Adjourned accordingly at fifteen minutes to Nine o'clock

Note: The short titles of the Bills/Motions listed in the Hansard, with the exception of the Personal Data (Privacy) Bill and the Occupational Deafness (Compensation) Bill, have been translated into Chinese for information and guidance only; they do not have authoritative effect in Chinese.

