

1 HONG KONG LEGISLATIVE COUNCIL -- 21 November 1990

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OFFICIAL REPORT OF PROCEEDINGS

Wednesday, 21 November 1990

The Council met at half-past Two o'clock

PRESENT

HIS EXCELLENCY THE GOVERNOR (PRESIDENT)

SIR DAVID CLIVE WILSON, K.C.M.G.

THE CHIEF SECRETARY

THE FINANCIAL SECRETARY

THE HONOURABLE SIR PIERS JACOBS, 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 STEPHEN CHEONG KAM-CHUEN, C.B.E., J.P.

THE HONOURABLE CHEUNG YAN-LUNG, O.B.E., J.P.

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

THE HONOURABLE MARIA TAM WAI-CHU, C.B.E., J.P.

DR THE HONOURABLE HENRIETTA IP MAN-HING, O.B.E., J.P.

THE HONOURABLE CHAN YING-LUN, O.B.E., J.P.

THE HONOURABLE MRS RITA FAN HSU LAI-TAI, O.B.E., J.P.

THE HONOURABLE CHENG HON-KWAN, O.B.E., J.P.

THE HONOURABLE CHUNG PUI-LAM, J.P.

THE HONOURABLE HO SAI-CHU, O.B.E., J.P.

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

THE HONOURABLE DAVID LI KWOK-PO, J.P.

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

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

THE HONOURABLE POON CHI-FAI, J.P.

PROF. THE HONOURABLE POON CHUNG-KWONG, J.P.

THE HONOURABLE SZETO WAH

THE HONOURABLE TAI CHIN-WAH, J.P.

THE HONOURABLE MRS ROSANNA TAM WONG YICK-MING, O.B.E., J.P.

THE HONOURABLE TAM YIU-CHUNG

DR THE HONOURABLE DANIEL TSE, O.B.E., J.P.

THE HONOURABLE ANDREW WONG WANG-FAT, J.P.

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

THE HONOURABLE GRAHAM BARNES, C.B.E., J.P.

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS

THE HONOURABLE MICHAEL LEUNG MAN-KIN, J.P.  
SECRETARY FOR TRANSPORT

THE HONOURABLE EDWARD HO SING-TIN, J.P.

THE HONOURABLE RONALD JOSEPH ARCULLI, J.P.

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

THE HONOURABLE PAUL CHENG MING-FUN

THE HONOURABLE MICHAEL CHENG TAK-KIN, J.P.

THE HONOURABLE DAVID CHEUNG CHI-KONG, J.P.

THE HONOURABLE RONALD CHOW MEI-TAK

THE HONOURABLE MRS NELLIE FONG WONG KUT-MAN, J.P.

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

THE HONOURABLE DANIEL LAM WAI-KEUNG, J.P.

THE HONOURABLE MRS MIRIAM LAU KIN-YEE

THE HONOURABLE LAU WAH-SUM, J.P.

DR THE HONOURABLE LEONG CHE-HUNG

THE HONOURABLE LEUNG WAI-TUNG, J.P.

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

THE HONOURABLE KINGSLEY SIT HO-YIN

THE HONOURABLE MRS SO CHAU YIM-PING, J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, J.P.

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

THE HONOURABLE PETER WONG HONG-YUEN, J.P.

THE HONOURABLE YEUNG KAI-YIN, J.P.  
SECRETARY FOR EDUCATION AND MANPOWER

THE HONOURABLE MRS ANSON CHAN, J.P.  
SECRETARY FOR ECONOMIC SERVICES

THE HONOURABLE PETER TSAO KWANG-YUNG, C.B.E., C.P.M., J.P.  
SECRETARY FOR HOME AFFAIRS

THE HONOURABLE MRS ELIZABETH WONG CHIEN CHI-LIEN, I.S.O., J.P.  
SECRETARY FOR HEALTH AND WELFARE

THE HONOURABLE ALISTAIR PETER ASPREY, O.B.E., A.E., J.P.  
SECRETARY FOR SECURITY

ABSENT

THE HONOURABLE PETER POON WING-CHEUNG, O.B.E., J.P.

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

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL  
MR LAW KAM-SANG

Papers

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

Subject

Subsidiary Legislation

L.N. No.

Merchant Shipping Ordinance Regulations 1990.....	Merchant Shipping (Fees) (Amendment)	352/90
Merchant Shipping (Registration) Ordinance 1990 Merchant Shipping (Registration) (Fees and Charges) Regulations 1990.....		353/90
Merchant Shipping (Registration) Ordinance 1990 Merchant Shipping (Registration) (Ships' Names) Regulations 1990.....		354/90
Shipping and Port Control Ordinance Shipping and Port Control (Amendment) (No. 2) Regulations 1990.....		355/90
Securities Ordinance Rules 1990.....	Securities (Miscellaneous) (Amendment)	356/90
Public Health and Municipal Services Ordinance Civic Centres (Regional Council) (Amendment) By-Laws 1990.....		357/90

The late Mr James O'GRADY, Counsel to the Legislature

HIS EXCELLENCY THE PRESIDENT: Before we start the proceedings today, I am sure that the Council would wish me to note with deep regret the death yesterday of Mr James O'GRADY who was Counsel to the Legislative Council since September 1985 and to record both our regrets and our condolences to his family.

Oral answers to questions

Potentially dangerous buildings

1. MISS LEUNG asked: In view of the recent collapse of a pre-war building which has been classified in the survey undertaken by the Buildings Ordinance Office as a Category II building, that is, a building in a potentially dangerous condition requiring detailed structural examination, will Government inform this Council of the progress of the detailed surveys of Category II buildings, and whether consideration will be given to introducing more stringent measures to ensure that buildings are maintained in a safe condition?

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Sir, in the recent building survey undertaken by the Buildings Ordinance Office, over 55 000 private buildings were inspected externally, of which 16 700 buildings were classified as Category II buildings. Here I would like to emphasize that Category II does not mean that a danger has been identified. It only refers to buildings which appear from the outside to be in a suspect condition and therefore require detailed investigation. The Buildings Ordinance Office has already started on the detailed inspection of these Category II buildings. Up to now, 1 800 full and detailed inspections have been made and 1 600 orders have been served, including 20 demolition orders for 20 buildings.

As a result of the Sheung Wan incident, efforts are being focused on the pre-war buildings. It is expected that detailed inspections on over 970 Category II pre-war buildings identified will be completed by February 1991. Inspections of all remaining Category II post-war buildings is estimated to be completed in five to eight years, depending on staff resources.

Sir, the law in Hong Kong ensures that buildings are properly designed and built

by authorized persons in accordance with approved plans; it provides procedures to deal with known unauthorized additions and to enforce the repair and/or demolition of parts or the whole of the structure if they or it are known to have become dangerous. It does not however enforce maintenance to prevent the structure from becoming dilapidated, and in many cases little or no preventive maintenance has been done. Government is considering whether and how existing legislation could or should be strengthened to ensure that the private buildings are maintained properly throughout their lives and the public safety is thus ensured. This forms the first part of the review by the Director of Buildings and Lands which is expected to be completed early next year.

MISS LEUNG (in Cantonese): Sir, why does the Government not announce to the property owners concerned that their buildings, especially those in relatively dangerous conditions, have been classified as Category II buildings, so as to alert them to the situation, which may even prompt them to hire professionals on their own to undertake detailed investigations on the buildings?

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Sir, the problem with Category II buildings is that whether or not they are safe is unknown. If they are in Category I we know that something must be done about them. If they are in Category III, then the Buildings Ordinance Office has inspected them and has come to the conclusion that they are not in need of repair. But in Category II they look as though they might be in need of repair.

As I have said, there are 16 700 such buildings, all of which need inspection to see whether they do need any repair to make them safe. Up until now, the Administration has taken the view that, if it was to be announced to people that their buildings were in Category II, they would make the assumption that their buildings were unsafe and then panic would be caused to a greater degree than would really be justified by the actual results. In the Buildings and Lands Survey Report which the Director of Buildings and Lands is preparing for me shortly, I have asked him to look at this again because it is clear from the numbers of orders which have been issued as a result of the inspections that, in any case, a great deal of repairs are needed for Category II buildings. A very significant proportion of the buildings have been subject to those orders.

MR CHENG HON-KWAN: Sir, my question is quite similar to Miss LEUNG's, but I would like to ask the Secretary whether Government is prepared to advise owners of Category II post-war buildings to employ professionals to carry out detailed inspections instead of relying on government inspections which will take five to eight years?

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Sir, I can only say that this suggestion is one of those which are being looked into right now.

MR TAI: Sir, may I ask the Secretary what he is proposing to do to the fixtures permanently attached to those old buildings, whether they be pre-war or post-war?

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Sir, fixtures along with buildings are subject to inspection in just the same way as the building is. Should they be found to be unsafe or liable to become unsafe, there is sufficient procedure in the Buildings Ordinance Office to deal with them and that procedure will be followed.

MISS LEUNG (in Cantonese): Sir, one of my questions has been asked by the Honourable CHENG Hon-kwan. I believe if investigations on Category II buildings are undertaken by government surveyors only, it will most probably take five to eight years to complete it. That is a very long time. However, I would like to raise another follow-up. Those property owners who have received the repair orders may encounter financial difficulties and therefore be unable to carry out the repair work. Will the Government consider offering some form of financial assistance to those owners who have financial difficulties, so that they can, as soon as possible, repair the problem areas of their buildings?

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Sir, at present it is not the policy to assist financially in this way. Indeed to do so would be to embark on a very considerable new area of policy. I think probably the time to consider this, though, will be when we have recommendations as to how the buildings legislation is to be improved and enforced. If it became the view of the Administration that that was the only way in which our future building safety could be ensured, the Government



might indeed have to consider that kind of action.

MR MICHAEL CHENG (in Cantonese): Sir, given the problem of manpower shortage in the Buildings Ordinance Office and the Government's explicit intention of containing civil service growth, could I ask whether the Government has considered any flexible and feasible methods it will employ to ensure the structural safety of buildings in the territory?

SECRETARY FOR PLANNING, ENVIRONMENT AND LANDS: Sir, I found it a little hard to trace the logic in Mr CHENG's question. But I can assure him that the Director of Buildings and Lands has a five-year plan for the increase of staff to the degree necessary to accelerate inspections and other enforcement under the Buildings Ordinance.

Verification of employees' identification documents

2. MR TIEN asked: The strict liability offence of employing illegal immigrants under section 17I of the Immigration Ordinance (Cap. 115) has been amended to enable the employer to avoid liability if he has taken all practicable steps to ascertain whether the worker was lawfully employable. Will Government inform this Council whether it will consider offering some guidelines to the employers to assist them in verifying the validity of the identification documents of applicants seeking employment so that they will be able to rely on such a defence?

SECRETARY FOR SECURITY: Sir, at the conclusion of the Second Reading debate on the Immigration (Amendment) Bill 1990, I outlined some of the measures which employers could take to ensure that illegal immigrants are not employed on their premises. We have discussed these measures with the Hong Kong Institute of Personnel Management, and they have been widely publicized.

The measures which employers should take to verify the validity of the identification documents of applicants seeking employment include:

-- scrutinizing carefully the photograph on the identity card;

-- checking that the age and other details on the identity card fit the applicant, and checking other evidence of identity, such as a driving licence or bank book;

-- if an employer suspects that the identity card may not belong to the applicant, or that it may not be genuine, the employer should ring the Immigration Department's hotline service giving the applicant's identity card number and name. He may also make a report to the police.

MR TIEN: Sir, would the Administration please inform this Council of the number of hotlines that the Immigration Department has installed for the purpose of checking valid identity cards, and whether that number is sufficient to meet inquiries from employers?

SECRETARY FOR SECURITY: Sir, I do not know precisely the number of hotlines which the Immigration Department now has, but I am told that normally an employer or any member of the public should be able to get through straight away to the hotline. There may be, of course, times when the lines are engaged. But if the demand requires it the Director of Immigration will certainly try to provide additional lines.

MR EDWARD HO: Would the Secretary advise how calling the Immigration Department's hotline can help determine whether an identity card is genuine or forged?

SECRETARY FOR SECURITY: Sir, when someone rings the hotline, he will normally be told within about five minutes whether the identity card is a lost card, whether it has previously been reported lost, and whether the personal particulars on the identity card tally with the record of the Registration of Persons Office. Now, if the information provided by the employer indicates that there are problems with that identity card, then the Immigration Department will initiate immediate action.

MR TIEN: Sir, a quick survey in my own factory of 800 staff and workers has shown that only 46 have a driving licence and 71 have a credit card. Will the Administration inform this Council whether it has consulted management in industry before suggesting these practicable measures, such as checking driving licences and credit cards? If

not, are there any other more practicable measures that the Administration could suggest?

SECRETARY FOR SECURITY: Sir, we have discussed with employers -- both generally and particularly employers in the construction industry -- the measures which they could take. The primary form of identification is, of course, the identity card. I believe that most other people will be able to produce some form of secondary identification, even if they do not have a driving licence or a credit card. I think that most people will have other forms of identification such as bank books, letters, bills and so forth, and these can be used as a secondary means of helping to establish identity. There are a number of other measures which we have suggested to employers that they can and should take including checks on people entering the premises, perhaps instituting employee identification schemes in their company. We are fully prepared to have continuing discussions with employers on these matters and the police at district level will also be willing to give advice to any employers in particular cases.

MR ARCULLI: Sir, could the Secretary confirm that, if enquiries are made of the Immigration Department by any employer, a record of the conversation or, indeed, correspondence would be kept? If so, for how long will such record be kept so that the employer can actually refer back to the inquiry should the need arise in future?

SECRETARY FOR SECURITY: Sir, yes. All calls to the immigration hotline service are recorded.

Tax exemption for political organizations

3. MR PETER WONG asked: Does the Administration intend to propose specific tax exemption for political organizations in respect of contributions received by them for election and administration purposes as a result of fund raising activities?

FINANCIAL SECRETARY: Sir, I do not intend to propose any amendment to the Inland Revenue Ordinance for the purpose of granting specific exemptions for political

organizations. In some circumstances such organizations may already be exempt. Much depends upon the constitution of the organization. If, for example, a political organization were constituted as a club as defined in section 24(1) of the Inland Revenue Ordinance then it might not be deemed to be carrying on business for the purposes of the Inland Revenue Ordinance, and thus it would not be liable to profits tax.

MR PETER WONG: Sir, I apologize for being so pedantic. But to avoid any possibility of misunderstanding, would the Financial Secretary please confirm that the rules relating to political contributions will not be changed for the 1991 elections?

FINANCIAL SECRETARY: No, we are not intending to change those rules.

MR MCGREGOR: Sir, would it not be better for Government to recognize that political parties are here to stay, that they will be important to Hong Kong's future, and that, therefore, the Government should take legal steps to recognize them and to arrange for their proper administration and funding?

FINANCIAL SECRETARY: Sir, I think that strays a little outside the specific question about tax. Certainly we recognize that political parties are here to stay and I would like to add that the Government is committed to the further development of representative government in Hong Kong. My concern about the specific proposal in the main question is simply that it would add additional complications to our tax system. And I think in some ways it would be inequitable, because if we grant political organizations exemptions or concessions, the revenue would have to be found elsewhere and we would then have placed an additional burden on the general body of taxpayers. As I have, I think, indicated in my principal answer, having regard to the nature of political organizations in Hong Kong, it is possible that many of them would not be regarded as carrying on a business. If the organization concerned is not carrying on a business, then no liability for tax would normally arise.

Privatization of police driver training

4. MR MCGREGOR asked: In order to release police officers for more important operational duties, will Government consider privatizing police driver training and examining all other non-operational activities where police officers are employed to determine whether they can be released for operational police duties ?

SECRETARY FOR SECURITY: Sir, the police conducted a detailed study on the possibility of privatizing police driver training early this year. The conclusion was that privatization was at present neither practicable nor cost-effective.

The police need to provide specialized driving training to equip police officers to respond to emergency or 999 calls, or to undertake high speed pursuits. This training requires expertise which is not currently available in the private sector. Furthermore, even if a private company were to take over police driver training, after qualifying its trainers as specialist driving instructors, the study indicated that this would be likely to cost more than the current Police Driving School.

Civilianization in other areas is, however, being pursued. The police have started a series of reviews to this end. As a result, we hope to civilianize over 50 posts in the next financial year to release police officers for operational duties. Further studies to identify other posts which can be civilianized are being and will be conducted.

MR MCGREGOR: Sir, I understand that a major driving school has offered to train police drivers in all the specialist categories of driver training mentioned and to do so at a cost of considerably less than the estimated cost at present to the police. Would the Secretary be willing to reconsider this matter and can he say how many police and other staff are presently involved in this training?

SECRETARY FOR SECURITY: Sir, I am sure that the police will be prepared to look at this again if further evidence is given to them. I can say, though, that when they did look at it earlier this year, they identified one organization which might possibly be able to undertake training on behalf of the police. But the conclusion, as I said in my main answer, was that they could not do so effectively nor could they do so more cheaply than the police could do it. At present in the Police Driving School there are a total of 78 police officers and six supporting civilian staff.

MRS LAU: Sir, can the Secretary inform this Council how many police officers are at present actually engaged in civilian duties and whether the ultimate objective is to civilianize all of them?

SECRETARY FOR SECURITY: Sir, I do not think it is possible to give a precise answer to the first part of that question. Clearly many posts have still to be looked at to assess whether they are suitable for civilianization or not and until those studies have been completed I certainly could not give a precise figure. There are, however, many posts which are likely to be civilianized in the near future. These include people on administrative duties in police stations; they include people performing certain summons work in magistracies and policemen performing certain clerical functions, particularly relating to the processing of fixed penalty tickets. Now, those posts are scheduled to be civilianized. The police also have a programme whereby they look at other activities within the police force to see that they are deploying their resources most efficiently, and included in those reviews is the possibility of civilianizing those posts which are suitable for it.

MRS LAM (in Cantonese): Sir, the Secretary has mentioned in paragraph 3 of his reply that over 50 posts will be civilianized. What is the nature of these 50-odd posts? Do they include staff engaged in police community relations duties?

SECRETARY FOR SECURITY: Sir, I believe that the majority of posts which have already been identified and which are likely to be civilianized next year are the ones I mentioned previously, namely, those involved in administrative duties in district and divisional police stations and those involved in certain clerical duties relating to, particularly, parking offences and other administrative duties.

MR PETER WONG: Sir, will the Secretary please inform this Council what the current cost of training a police driver is and also what the annual cost is of training police drivers?

SECRETARY FOR SECURITY: Sir, I will, I think, have to give a written reply to that

question. (Annex I) I do not have either of those cost figures with me at present.

MR ANDREW WONG: Sir, as a follow-up to the Secretary's answer to Mrs Miriam LAU's question, may I ask -- and I must say I am thankful to my wife who put to me the question just like Jimmy CARTER's daughter's recent suggestions -- if it is possible to hive-off and civilianize Traffic Branch giving it all to Traffic Wardens and release the police officers for more important duties?

SECRETARY FOR SECURITY: Sir, I think that goes well beyond the scope of the original question, but I would say that the reason for introducing the Traffic Warden Corps was precisely to relieve the police of much of the work of enforcing traffic and, particularly, parking regulations.

MR MCGREGOR: Sir, would the Secretary give consideration to the replacement of police who are carrying out hawker control duties in certain areas of Kowloon and Tsim Sha Tsui during this examination of police duties?

SECRETARY FOR SECURITY: Sir, I am not, I am afraid, well briefed on the precise allocation of hawker control duties as between the Urban Services or Regional Services Department and the police force, but I am sure that this is one aspect that can be looked at.

Industrial action by civil servants

5. MR DAVID CHEUNG asked: Will Government inform this Council of the actions it can take when civil servants undertake industrial action?

CHIEF SECRETARY: Sir, in general, we try to settle any disputes that arise through consultation between management and staff. By and large, this process has been successful.

In cases where a particular group of civil servants have resorted to industrial

action, the department affected is expected to maintain a continuing dialogue with the staff concerned, with a view to settling the issue through negotiation.

It is the responsibility of the heads of departments to ensure that as far as possible services are not disrupted even where industrial action is taken. Sometimes this may not be possible but Members may rest assured that heads of departments and others holding responsibility are fully conscious of the need to minimize disruption to the public services.

Under Civil Service Regulations, the Secretary for the Civil Service may authorize deduction of an appropriate sum from salaries of the staff refusing to perform all or part of their normal duties. Alternatively, he may suspend them from duty without pay. I must emphasize, Sir, however, that the Civil Service Regulations are invoked only as a last resort.

MR DAVID CHEUNG: Sir, will the Acting Chief Secretary confirm what action Government will take if the service is really disrupted?

CHIEF SECRETARY: Sir, it is very difficult to answer that question specifically as so much would depend upon the circumstances. But if it were an essential service, we would certainly do everything possible in our power to ensure that that particular service was continued. Sir, I think it would just be a balance of convenience; we might have to draw staff from other departments in the case of real need.

MR CHOW (in Cantonese): Sir, the Hong Kong Government can, by invoking the Letters Patent, summarily dismiss civil servants who are taking industrial action and under Hong Kong law there is no avenue of remedy or relief open to the civil servants so dismissed. In this regard, would the Administration advise how many times so far has the relevant power conferred by the Letters Patent been exercised? Has the Administration ever considered replacing this prerogative power -- a vestige from a bygone feudal system -- with some other mechanism, for example, an independent civil service commission to handle disputes as suggested by some academics?

CHIEF SECRETARY: Sir, I think it is important to consider what the Letters Patent



actually provide, and basically they provide the framework for the administration of Hong Kong and they empower the Governor to do a number of things, including the establishment and control of the Civil Service through Civil Service Regulations and other government regulations. So essentially, civil servants are directly governed through the Civil Service Regulations.

As to setting up an independent body, this has been suggested from time to time but it is not considered necessary. There are already adequate opportunities for members of the staff to take their grievances to the various bodies that already exist.

MR DAVID CHEUNG: Sir, in his answer the Secretary mentioned the possibility of deduction of salary or suspension. Will the Secretary kindly inform this Council whether there are cases in the past which involved these things?

CHIEF SECRETARY: Sir, there have been a number of cases in the past where these steps have been taken. My recollection is that there have been three such cases going back to 1976, and then there was another case in 1979, and lastly in 1980. So there were three cases in all. They took place some time ago.

MR CHOW (in Cantonese): The Basic Law provides that Hong Kong residents will have the right to strike. After 1997, any attempt by the future Hong Kong Government to limit civil servants' right to strike must necessarily be subject to the International Covenant on Civil and Political Rights. Some provisions in the Civil Service Regulations might then become unconstitutional. What will the Administration propose to do to deal with this?

CHIEF SECRETARY: Sir, I do not think the existing provisions in the Civil Service Regulations do in fact conflict with the International Labour Convention. The International Labour Convention contains certain provisions, as Mr CHOW has rightly said, enabling people to strike. The provisions that we have in the Civil Service Regulations do not in fact take that right away, but what they seek to do is to impose certain requirements that will lead towards a more orderly provision of services by the Administration.

## Overcrowding in prisons

6. MR MICHAEL CHENG asked (in Cantonese): The overcrowding and pressure in Hong Kong's prisons have reached a dangerous level with design capacity exceeded by over 40%, a sharp increase in acts of indiscipline among inmates, and a shortage of correctional services staff: will the Administration inform this Council what measures will be taken to relieve the situation?

SECRETARY FOR SECURITY: Sir, a number of measures have been and will be taken. Additional accommodation for 120 is being built in Sha Tsui Detention Centre and Hei Ling Chau Addiction Treatment Centre to expand their capacity. Further additional accommodation for some 200 is planned at Tai Lam prison and for 60 at the Tung Tau Correctional Institution.

In the medium term, I hope that during the course of next year, following the opening of the Tai A Chau detention centre, and assuming a gradual reduction in the boat people population, it will be possible to release detention centre accommodation on Hei Ling Chau back to the Correctional Services Department as additional prison accommodation.

In the longer term, our aim is that the recently enacted amendments to the Immigration Ordinance, which impose more severe penalties on those who employ illegal immigrants, will reduce the number of illegal immigrants coming to Hong Kong, and in turn gradually reduce the size of the prison population.

MR MICHAEL CHENG (in Cantonese): Sir, given that correctional services staff are under very heavy workload and that the result of recruitment is not satisfactory, could the Government inform this Council whether the morale of correctional services staff has been affected; and how the Government can ensure that the quality of staff will not suffer?

SECRETARY FOR SECURITY: Sir, prison overcrowding does of course cause difficulties to the management of prisons and to the staff. It reduces the leisure activities, it increases overcrowding, and it reduces the opportunities for certain programmes

in prison. This in turn has tended to be reflected in acts of indiscipline. I believe that at present the prison staff are coping extremely well with a difficult situation and that the way in which they are coping is very clear evidence of good morale and good training for prison staff.

MR BARROW: Sir, as the Secretary has said, the recent amendment to the Immigration Ordinance should help. But would he not agree that it is also essential to deal with the root cause of the problem of illegal immigrants, which is a labour shortage in the construction and other sectors?

HIS EXCELLENCY THE PRESIDENT: I think you just get that in as relevant, but only just.

SECRETARY FOR SECURITY: Yes, Sir, I think that, as has been announced in this Council on a separate occasion by the Secretary for Education and Manpower, the Administration is aware of the present need to import labour and will be keeping the need for the importation of labour under careful review.

MR MCGREGOR: Sir, in regard to the prison population, can the Secretary say how many illegal immigrants there are among the prison population, and whether it is possible for some form of work camp to be established which would take the weight off the prisons and put such prisoners to work?

SECRETARY FOR SECURITY: Sir, about three weeks ago there were something like 4 500 illegal immigrant prisoners in our prisons, or approximately 37% of the prison population. We have, of course, considered the possibility of building additional prison accommodation. Unfortunately, to build a new prison is neither cheap nor is it quick, and it is certainly always contentious. But we do have in hand plans to increase the prison accommodation in existing institutions, and, as I have said, I hope that if we see a steady reduction in the Vietnamese boat people population, we will be able to hand back additional accommodation to the Correctional Services Department.

MRS TU: Sir, would the Government consider repatriation of illegal immigrant workers if they are first offenders instead of sending them to court from which they are sure to get a long prison term?

SECRETARY FOR SECURITY: Sir, I think that one or two meetings ago the Attorney General made a very full statement on what policy he would follow in regard to prosecutions and that it would be kept under review. I do not believe that at present it would be appropriate to give a blanket statement that we will under no circumstances prosecute any first-time illegal immigrants into Hong Kong. I think that would serve to send the wrong message and would attract many more people to come to Hong Kong.

MR MCGREGOR: Sir, in speaking about work camps, I was not referring to maintaining the illegal immigrants in prison conditions; I was referring to the possible use of accommodation released by departing Vietnamese in open or closed camps; in other words, to allow work to be done out of those camps, possibly on the very construction sites on which those workers were first apprehended.

HIS EXCELLENCY THE PRESIDENT: You will have to finish that with a question; so far it is a statement.

MR MCGREGOR: Sir, will the Secretary please respond to that statement?

HIS EXCELLENCY THE PRESIDENT: That is a very neat ending. (Laughter)

SECRETARY FOR SECURITY: Sir, the illegal immigrants we are talking about have of course been sentenced to imprisonment and I think, therefore, we have to keep them in prison. Illegal immigrants are, generally speaking, put to useful employment in prisons in the same way as other prisoners. Sometimes that will involve outside work, but I have to say that outside work itself is much more staff-intensive than work inside the prison and, in a situation where the prisons are overcrowded and where the staff are hard pressed, outside work is one of the areas that has had to suffer.

## Confidentiality under the British nationality scheme

7. DR LEONG asked: With reference to the British Nationality (Hong Kong) (Selection Scheme) Order 1990, will Government inform this Council what action it will take to ensure that the name list and personal data of all applicants, not just the beneficiaries under the scheme, will be kept confidential and will not be passed to the post-1997 government; and whether a full list of British citizens, including the 50 000 beneficiaries under the scheme, will be handed over to the future Hong Kong Special Administrative Region Government as part of the government documents?

SECRETARY FOR SECURITY: Sir, all applications for British citizenship under the British Nationality (Hong Kong) Act 1990 will be treated in strict confidence. Under the newly enacted British Nationality (Miscellaneous Provisions) (Amendment) Ordinance 1990, it is an offence for any person involved in the processing of such applications to disclose, without authorization, the identity of applicants or any information relating to their applications.

All data relating to unsuccessful applications will be destroyed after three years; data relating to beneficiaries under the scheme will be handed over to the Home Office before 1 July 1997 and will become part of the records of Her Majesty's Government. No list of names or personal data derived from applications will be passed to the future Hong Kong Special Administrative Region Government.

We do not have a full list of British citizens resident in Hong Kong. Nor do we have any information systems designed to capture the national status of Hong Kong residents. Such systems may have to be established in future to extend the right of abode to non-Chinese nationals who have lived in Hong Kong continuously for seven years and have taken Hong Kong as their place of permanent residence. But these systems will only contain information volunteered by those residents who wish to establish their right of abode in Hong Kong. They will not be a comprehensive record on the national status of Hong Kong residents. Nor will they include information on how a resident has acquired his national status.

DR LEONG: Sir, the Secretary said a new law would be in place to prohibit any person from releasing information concerning the nationality of another, but what measures

will be available to prevent one government transferring documents of a similar nature to another?

SECRETARY FOR SECURITY: Sir, as I have said, the records of unsuccessful applicants will be destroyed. The records of beneficiaries will be handed over to the Home Office and I am sure that it is their intention that those will remain in confidence and will remain their records and their records alone.

MRS TAM (in Cantonese): Sir, will Government inform this Council of the number of Immigration Department staff who will be handling applications under the British Nationality scheme? And will the Administration, for confidentiality reason, pay particular attention to the selection of or restriction on those staff handling such applications?

SECRETARY FOR SECURITY: Sir, the staff will be very carefully selected; they will be those who are cleared to handle confidential information. I am afraid that I do not have now a detailed figure on precisely how many staff will be involved, but I can say that all of the systems that have been put in place, the physical security system, the computer system and the communication links, have been designed with confidentiality very firmly in mind.

DR LEONG: Sir, can the Administration inform this Council whether the confidentiality as mentioned by the Secretary applies both to the general public and to members of the Civil Service?

SECRETARY FOR SECURITY: Sir, the British Nationality (Miscellaneous Provisions) (Amendment) Ordinance relates to those who come into possession of information while they are dealing with applications under the scheme. There is, of course, no reason why someone who is a beneficiary under the scheme could not, if he wished, make that known. There is no restraint on him doing so.

Written answer to question

## Transfer of police officers

8. MR DAVID CHEUNG asked: As police officers receive higher pay than officers in other government posts with the same educational qualification, will Government inform this Council of the number of police officers who have transferred to other government posts in the past three years and what these posts are; whether there is an increasing trend for such transfers and what steps Government will take to prevent these officers from taking advantage of the present arrangements for them to carry their pay on transfer to other posts?

SECRETARY FOR SECURITY: Sir, statistics on the number of police officers who have transferred to other government posts in the past three years are set out in the Appendix. The number of such transfers has been on the increase over this period.

There are many reasons why a civil servant in one department or grade might decide to transfer to another department or grade. It is neither possible, nor desirable to seek to prevent such transfers. However, the present rules governing pay on transfer, whereby an officer transferring to another position carries his former salary notwithstanding that the minimum pay of the new job is lower, are anomalous. The Secretary for the Civil Service proposes to amend the rules to remove the present anomaly.

## Appendix

### Transfer of police officers to other government posts

#### General breakdown    Year

1988    1989    1990  
(Jan-Oct)

(a) To other disciplined services	18	29	23
(b) To non-disciplined services *	74	196	286
(c) To specialized grades in RHKPF	0	2	3

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Total number of transfers 92 227 312

\* Note: A detailed breakdown by post is not available. However, the majority of such transfers are to postal and clerical grades.

Motion

TELEPHONE ORDINANCE

THE SECRETARY FOR ECONOMIC SERVICES moved the following motion:

"That the Schedule to the Telephone Ordinance be amended in Part VII --

(a) by adding after item 12 --

"13. Surcharge for interpreter  
handling service --

(a) for successful calls \$143 per call.  
(see Note 7.)

(b) for calls requested but  
subsequently cancelled  
by subscriber \$60 per call.  
(see Note 7.)";

(b) by adding after Note 6 --

"7. In item 13, in addition to the surcharge, the subscriber is also required to pay for the international telephone call charge, international operator assisted conference call charge, the charge for the advice of duration of an outgoing international telephone call and the charges for interpretation raised by interpretation agency."."



She said: Sir, I move the motion standing in my name on the Order Paper.

The Hong Kong Telephone Company Limited proposes to provide an interpreter handling service to facilitate interpretation during an international telephone call. Calls requiring the service will need to be booked in advance. The Company will then arrange for an independent translation agency to provide consecutive interpretation during the conversation by using the Hong Kong Telephone Company's conference call facility.

Under section 26(1) of the Telephone Ordinance, the Company may only levy charges not exceeding those specified in the Schedule to the Ordinance. Amendments to the Schedule require the approval of this Council by means of a resolution. My motion before the Council seeks to amend the Schedule by adding to it the charges that the Hong Kong Telephone Company proposes to levy for its proposed interpreter handling service.

The charges for the new service, as set out in the resolution, are \$143 per call for completed calls using the translation service and \$60 per call for calls which have been booked by a subscriber but subsequently cancelled. In addition, a customer making use of the service would have to pay the normal charges for the relevant international telephone call, the international operator assisted conference call and for the advice of duration of international telephone call, as well as the charge for interpretation raised by the independent translation agency.

The Administration has examined the new charges specified in the resolution and considers them to be a reasonable reflection of the cost of providing the service.

Sir, I beg to move.

At this point Mr David LI declared interest as the deputy chairman of the Hong Kong Telecommunications Limited.

Question on the motion proposed, put and agreed to.

First Reading of Bills

KOWLOON-CANTON RAILWAY CORPORATION (AMENDMENT) BILL 1990

POLICE FORCE (AMENDMENT) BILL 1990

INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL 1990

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

Second Reading of Bills

KOWLOON-CANTON RAILWAY CORPORATION (AMENDMENT) BILL 1990

THE SECRETARY FOR TRANSPORT moved the Second Reading of: "A Bill to amend the Kowloon-Canton Railway Corporation Ordinance."

He said: Sir, I move the Second Reading of the Kowloon-Canton Railway Corporation (Amendment) Bill 1990.

As part of our continuing programme to improve public sector administration, the Government conducted a review in November 1989 into its relationship with the KCRC and decided to implement a number of administrative changes aimed at improving the Government's overall monitoring of the Corporation's performance. These included setting policy objectives for the Corporation, appointing a full-time chairman and chief executive to oversee the operation of the Corporation and to be held accountable for its performance, and requiring the Corporation to submit annually its budget and five-year programme.

This Bill gives legislative effect to the new management structure of the Corporation.

As the new chairman in his other capacity as chief executive will take over the full duties of the managing director, it is no longer necessary to provide for the separate appointment of a managing director. Clause 3 of the Bill accordingly repeals section 3(2)(b) of the Kowloon-Canton Railway Corporation Ordinance concerning the appointment of a managing director. It also introduces a new sub-section 2A setting out clearly that the chairman shall be the chief executive who performs on behalf of the Corporation such functions as the Ordinance or the

Corporation may assign to him.

Clause 6 repeals those provisions in the First Schedule to the Ordinance concerning the manner of appointment of the managing director. It also amends other paragraphs in the Schedule to provide for the responsibilities previously undertaken by the managing director to be now assigned to the chairman.

It is intended that the Bill, if enacted, should become effective on 24 December 1990 to coincide with the commencement date of the term of office of the new chairman appointed by the Governor.

Sir, I move that the debate on this motion be now adjourned.

Question on the adjournment proposed, put and agreed to.

#### POLICE FORCE (AMENDMENT) BILL 1990

THE SECRETARY FOR SECURITY moved the Second Reading of: "A Bill to amend the Police Force Ordinance."

He said: Sir, I move that the Police Force (Amendment) Bill 1990 be read a Second time.

Section 59 of the Police Force Ordinance empowers the police to take the photographs, finger-prints, weight and height measurements of a person who has been arrested or convicted of an offence. There is no express authority to take palm-prints, sole-prints or toe-prints, although it has been the practice for the police to do this in certain criminal cases, where such evidence can be an important aid in the investigation of crime. Section 59 is also unclear as to whether the identifying particulars of an arrested person should be destroyed or returned to him in certain circumstances, for example where the person is not prosecuted.

The Bill will empower the police to take palm-prints, sole-prints and toe-prints when a person is arrested. It also seeks to enable the police to retain these identifying particulars where a person has been previously convicted of an offence, is the subject of a removal order under the Immigration Ordinance, or is a juvenile under 17 years of age and has been cautioned for the offence for which he is arrested.

The Bill also clarifies that the identifying particulars of an arrested person should be destroyed or returned to such person if --

- (a) a decision is taken not to charge the person with an offence;
- (b) the person is charged with an offence but discharged by a court before conviction or acquitted at his trial or on appeal; or
- (c) in the case of a cautioned juvenile when the person attains the age of 17 years and has not been convicted of any offence.

Sir, I move that the debate on this motion be now adjourned.

Question on the adjournment proposed, put and agreed to.

#### INDEPENDENT COMMISSION AGAINST CORRUPTION (AMENDMENT) BILL 1990

THE SECRETARY FOR SECURITY moved the Second Reading of: "A Bill to amend the Independent Commission Against Corruption Ordinance."

He said: Sir, I move that the Independent Commission Against Corruption (Amendment) Bill 1990 be read a Second time.

The Bill seeks to amend section 10D of the Independent Commission Against Corruption Ordinance to clarify that the Commissioner for the Independent Commission Against Corruption may retain the identifying particulars of a person arrested or convicted of an offence under section 10 of the Ordinance except where:

- (a) a decision is taken not to charge the arrested person; or
- (b) the arrested person is discharged by a court before conviction or acquitted at his trial or on appeal.

This is in line with the amendments proposed in the Police Force (Amendment) Bill 1990.

Sir, I move that the debate on this motion be now adjourned.

Question on the adjournment proposed, put and agreed to.

ROAD TRAFFIC (DRIVING-OFFENCE POINTS) (AMENDMENT) BILL 1990

Resumption of debate on Second Reading which was moved on 7 November 1990

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

Bill read the Second time.

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

PUBLIC HEALTH (ANIMALS AND BIRDS) (AMENDMENT) BILL 1990

Resumption of debate on Second Reading which was moved on 7 November 1990

Question on the Second Reading of the Bill proposed, 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.

ROAD TRAFFIC (DRIVING-OFFENCE POINTS) (AMENDMENT) BILL 1990

Clauses 1 to 9 were agreed to.

PUBLIC HEALTH (ANIMALS AND BIRDS) (AMENDMENT) BILL 1990

Clauses 1 to 4 were agreed to.

Council then resumed.

Third Reading of Bills

THE ATTORNEY GENERAL reported that the

ROAD TRAFFIC (DRIVING-OFFENCE POINTS) (AMENDMENT) BILL 1990 and

PUBLIC HEALTH (ANIMALS AND BIRDS) (AMENDMENT) BILL 1990

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

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

Bills read the Third time and passed.

Member's motions

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

PROF. POON moved the following motion:

"That, in relation to the Gas Safety (Gas Quality) Regulations 1990, Gas Safety (Gas Supply) Regulations 1990, Gas Safety (Registration of Gas Supply Companies) Regulations 1990, Gas Safety (Registration of Gas Installers and Gas Contractors) Regulations 1990, Gas Safety (Installation and Use) Regulations 1990, and Gas Safety (Miscellaneous) Regulations 1990 laid on the table of the Council on 24 October 1990, the period referred to in section 34(2) of the Interpretation and General Clauses Ordinance for amending subsidiary legislation be extended under section 34(4) of that Ordinance until 12 December 1990."

PROF. POON: Sir, I move the motion standing in my name on the Order Paper.

The six sets of regulations made under the Gas Safety Ordinance 1990 specify the

safety requirements in respect of gas quality, gas supply and installation and use of gas fittings, and provide for registration of gas supply companies, gas installers and gas contractors. The purpose of the motion is to extend the period for amending the regulations so as to allow more time for the scrutiny of the lengthy and technical provisions in the regulations.

Sir, I beg to move.

Question on the motion proposed, put and agreed to.

#### PORT AND AIRPORT DEVELOPMENT STRATEGY

MR SIT moved the following motion:

"That in view of the immense impact of Port and Airport Development Strategy related projects on the local community of Hong Kong as well as the significant financial and manpower resources devoted towards this end, this Council urges the Government to take immediate steps to:

- (a) release all key information and figures relating to the costs, technical feasibility and comparative merits of various options and the basis on which the Government has embarked on its present development strategy;
- (b) table annual reports to this Council on the progress of these projects so as to satisfy the people of Hong Kong that public funds are being properly spent; and
- (c) conduct full public consultation before any significant decisions relating to these projects are taken to ensure that such decision truly accord with the wishes of the people of Hong Kong."

MR SIT (in Cantonese): Sir, I rise to move the motion standing in my name on the Order Paper.

In view of the profound impact of the Port and Airport Development Strategy (PADS) and the enormous costs involved both in terms of financial and manpower resources, this Council urges the Administration to implement the following measures as a matter of urgency.

(a) Key information and data pertaining to the estimated costs, technical feasibility and relative cost effectiveness of each of the options should be made known to the public, along with the government rationale for taking the present option.

(b) This Council should be provided with a progress report of the related work projects so that the general public can in turn be convinced that public money has been well spent.

(c) Wide public consultation should be conducted before key decisions are taken regarding the work projects to ensure that such decisions are in line with the wishes of the public.

Sir, today's motion debate will centre on the following two points.

First, the need for a new airport in Hong Kong has to be established. For otherwise the three measures mentioned above in the motion will not make sense. It is based on this assumption that I put the motion before this Council.

Second, I believe that the motion will not make sense if China is to take care of the full responsibility of financing all the capital work projects as a goodwill gesture to the new Special Administrative Region of Hong Kong, or if the British Government has to end up doing the same as a gift to the people it leaves behind in Hong Kong. If both China and Britain were truly to go out of the way to help us, then Hong Kong people would not have to worry that, as a result of this grandiose plan, our accumulated reserves over the years will be depleted, that the pensions of our 190 000 civil servants will no longer be safeguarded, and that our social services, housing, education, and medical services will be put in jeopardy. However, we are faced with the fact that the costs of all related works will have to be borne by Hong Kong people. Granted that the resiting of Kai Tak Airport and the building of a new airport will become a matter of necessity in the long-term interest of Hong Kong, and I do not expect anyone will quarrel with this, I nevertheless think that the motion as it stands is very important and certainly makes a lot of sense in the context of the enormous costs and the far-reaching consequences of the new airport project. This is insofar as the people of Hong Kong are concerned because it is they who are going to use the new airport and benefit from it, and above all, they will eventually be paying for the full cost of the project. In this regard, it is up to this Council to look seriously at this for otherwise, as the Chinese saying goes, "a wrong step taken will result in the loss of the chess game." I cannot bear to



picture the spectacle of the people who refuse to desert Hong Kong in 1997 ending up wailing over their squandered reserves.

Sir, public reaction over the past 10 months following your announcement in October of the Chek Lap Kok airport project has been cautious and measured. Despite the Government's hard sell, the voice of well-intentioned, rational scepticism asking for a serious rethink of the whole project is growing. This is a reflection of the growing maturity of the civic-minded people of Hong Kong. It is also an encouraging reflection on the competence of "Hong Kong people ruling Hong Kong."

You and Sir David FORD have mentioned on a number of occasions that it was not until well over 10 years have been spent in conducting various studies on the airport project that the decision was finally taken in October last year to build the replacement airport at Chek Lap Kok. The implication is that this Council and the people of Hong Kong should not query the government decision.

It is true that the Government started studying the issue of a replacement airport as early as in the seventies. The studies, taken in all, spanned almost 20 years, costing nearly \$1 billion in consultancy fees and government resources. Our replacement airport rivalled the third airport of London and the Munich Airport in terms of delay, indecision, waste and red tape. Worse still, all this has been carried on internally, which is not helpful at all in terms of enhancing public understanding of the issue, let alone public participation in or support for the final decision taken. In this regard, the time loss has nothing to do with public consultation as such.

Sir, while the Administration has the stamina to let this mammoth economic project drag on for almost 20 years, it does not seem to have the patience to wait for the outcome of a public consultation exercise lasting, say, anywhere between six to 10 months. This to me is a typical example of double standards.

It is true that some government officials, and the Hong Kong Annual Reports for that matter, have during this time disclosed that studies were being conducted, occasionally even going to the extent of feeding fragmented documentary information to the public. However, it was not until a year after the announcement of the vast infrastructural programme for Hong Kong that a small amount of the consultancy reports were made available to the Legislative Council ad hoc group for information. For example, a copy of the Detailed Economic and Financial Estimation of TR14 Proposed

Strategy (back translation from the Chinese) which was completed in August 1989 did not reach this Council until 19 November 1990. The final report on Port and Airport Development which was completed in February 1989 did not reach this Council until 30 October 1990, and then only on a circulation basis, with each Member being allowed to have the book for three days.

In this regard, one is prone to ask why information which can be provided for Members' reference could not have been made available to them six months ago, or even earlier? Could the reason be, as the spokesman for the PADS said earlier in an English language newspaper, that the financial information had become outdated and therefore safe for leisure reading by the legislators?

Furthermore, while the Government has the boldness to commit \$7 billion from the reserves to build the Lantau Fixed Crossing, with no regard at all to any basic consultation procedure, it does not have the same courage to spend maybe under \$10,000 on the printing of 46 copies of the final report and financial feasibility report of the PADS for reference by Members of this Council. This is what members of the public find most baffling.

Now I would like to move on to other considerations which are of a more technical nature.

It has been the Government's view that the airport proposals by certain private individuals and organizations are neither objectively nor independently assessed, and are difficult to accept because its technical feasibility is not certain.

However, we must not forget that neither the internal studies nor commissioned consultancy studies carried out over the past 10 to 20 years have been assessed independently and objectively. Whether their findings are valid or not must be decided by public consultation. In any case, neither members of the public nor indeed Members of this Council have any knowledge whether the consultancy advice is accepted, nor indeed whether the consultancy has reached any clear and definite conclusion at all. It goes without saying that we can absolutely rely on the Government making the right decisions on certain matters. But insofar as this multi-billion dollar project is concerned, we think there is a need to follow the example of other countries to disseminate the information and conduct a wide consultation of public opinion.

The Government has repeatedly said that their studies had been scientifically

and thoroughly conducted and that Chek Lap Kok was an ideal site. Granted that this is in fact the case, why does the Government not trust that the public will support the airport project with the same enthusiasm, upon reading the reports within the consultation deadline. Does the problem lie with the reports themselves or is there inconsistency between the government decision and the conclusions reached in those reports?

Sir, these questions must be addressed, and answered, by the Government, in order that public scepticism can be dispelled. What we should strive at is consensus and co-operation between the Government and the public on this issue of infrastructural building. And the only solution to the problem here is to release the key consultancy reports and consult public opinion before important decisions are taken on the related work projects so as to gain their support and trust. The old Chinese sayings, that people will only trust a government which keeps its word, and that the government has to rectify itself before public criticism gets as intense as a flood, should be heeded. It is in this context that I think an open and responsible government should feel obligated to consult its people on a massive infrastructural building project. It should not shut its ears as it steals the bell, as another Chinese saying would have it, in the belief that nobody would have noticed. Gone are the "good old days" when people were supposed to be manipulated on the rationale that they had better not be told why, as yet another Chinese saying goes.

Another worrying aspect of the issue here is the decision taken by the Government in 1983 regarding the Chek Lap Kok site which is stated in a paper on the guidelines for the consultancy study of 31 July 1987.

"The Government took the following decision in early 1983 regarding the Chek Lap Kok site in the north of Lantau.

(i) The building of an international airport at Chek Lap Kok is neither a viable option nor one which the Hong Kong Government could afford (then);

(ii) Ways of extending the use of, and improving, the Kai Tak facilities should continue to be explored;

(iii) The building of a replacement airport is still necessary for Hong Kong and should continue to be part of the government strategy. It should, however, form part of the long-term development strategy of the Government.

(iv) No further costs should be incurred on the Chek Lap Kok site."

Sir, you must excuse me for not being able to be more specific because I have promised the government official who provided me with this paper not to use the data for any other proposes than in connection with a debate in the Legislative Council and in the discharge of my duties as a Legislative Councillor.

The technical feasibility of the Chek Lap Kok site has raised concern among not a few professional people. We will not get to know whether it is indeed viable or not until we get hold of the detailed report of 1979-82.

In any case, the above-quoted decision is an indication that the replacement airport is not a matter of urgency. I would like to elaborate a little on this point.

According to a paper addressed to the Legislative Council ad hoc group on the new airport by the Economic Services Branch, the saturation point of Kai Tak Airport is reached, and no further strain should be put on it, when the maximum hourly volume of 30 planes landing and taking off is recorded four times within 24 hours. Can something be done about the scheduling of flights so that more planes can be handled in the off-peak hours? The answer from the Secretary for Economic Services is that the only alternative is for the planes to fly to the other airports. That is not a sensible answer at all unless it is understood in the context of the great eagerness on the part of the Government to sell the Chek Lap Kok option and to bring forward the completion date of the first new runway, by four years, from the scheduled year of 2001, proposed by the consultancy, to July 1997. The reasons are as follows.

(i) The existing runway at Kai Tak is used by short haul flights plying between China, Taiwan, South Korea and other neighbouring areas, 37% of the time. These flights are invariably having Hong Kong either as their destination or transit point. That is to say, there is no way these flights could avoid using Kai Tak Airport. For example, a flight from Guangzhou to Hong Kong will have to land at Hong Kong, instead of Singapore.

(ii) Airports in our neighbouring countries which are actually competing with us have been operating beyond our "saturation" levels. For example, in 1989, the Changi Airport of Singapore exceeded saturation by 40%, the Narita Airport of Tokyo by 50%, the Chong Ching Airport of Taipei by 20%. Only Hong Kong had a third of its capacity

to spare. In any case, the saturation criterion is by no means absolute; rather, it is a technical warning to the planners for building an extension to the airport or a new airport altogether.

(iii) In the event of the first runway of the Chek Lap Kok airport being completed in 1997, it can theoretically handle up to 47 planes per hour, according to experts. In this connection, if saturation continues to be measured in terms of maximum hourly volume being recorded four times each day, rather than say 10 times each day, then even if the new airport is operational 24 hours a day, it will reach saturation immediately in 1997-98. Sir David FORD said that, with the completion of the first runway in 1997, greater capacity will be achieved because it will not be subject to night flight restrictions, being operational on a 24-hour basis. And that, according to Sir David, means that the timing of the building of the second runway will become that much more flexible. Obviously, there is a difference in the understanding of the term "saturation", between himself and Mrs Anson CHAN.

Sir, before the decision was taken to site the new airport at Chek Lap Kok, had the Government sought the last minute advice of the specialized advisory committees, such as the Transport Advisory Committee (TAC)? It is understood that the TAC was only informed, before the announcement of the airport plan, that a west Kowloon railway would be built to connect with Chek Lap Kok. The TAC was not allowed to debate the compatibility of the proposed railway with the rest of the transportation network, nor indeed other issues concerning the viability of capacity, and so on. I would like to ask members of the Sham Shui Po District Board, and indeed residents of Sham Shui Po, apart from the important issue of reconciling the traffic routes within the district with the overall traffic arrangements of the airport plan, whether they are more concerned about the toll charges which will be levied on the routes going to the new airport. Will the projects for community facilities in Sham Shui Po be put back or even cancelled? Should the Government finance the building project by drawing on the reserves or through increased taxation? And, more to the crux of the problem, is Chek Lap Kok better than other locations in the west of the harbour, which have not been considered? The above-quoted advisory committee and district board were not consulted on these key issues, as Sir David FORD said they were at the policy debate three weeks ago.

It is true that Sir David will conduct a briefing with senior ranking officials for the 400 members of various district boards and the two municipal councils on the 23rd of this month, which is the day after tomorrow. What the general public have

been looking forward to is real consultation, instead of a fait accompli briefing. But regardless, it is better to have some dialogue with the district and regional representatives than none at all.

Sir, I would like to conclude my speech today with a quote from the Analects of Confucius, that a person's magnanimity is reflected by his acceptance of other people's views and the person who does not have an axe to grind can afford to stand firm for his beliefs. I wish that the Government would have the graciousness to listen to, allow and respect different views, that it would not discriminate against views which, though it may consider correct, are not nevertheless expressed by its inner circle of friends. For my part, following the Confucian maxim, I am not afraid to stand for that I believe in. And I think my honourable colleagues would also like to heed this last bit of advice from the Chinese philosopher.

Sir, with these remarks, I support the motion.

HIS EXCELLENCY THE PRESIDENT: I have received notices from Mr Stephen CHEONG and Mr Martin LEE to move amendments to the motion. Their amendments have been printed in the Order Paper and circulated to Members. I will call upon them to move their amendments when it comes to their turn to speak in the appropriate part of the debate.

Question on the motion proposed

HIS EXCELLENCY THE PRESIDENT: Mr Stephen CHEONG, you may speak to the motion or you may move your own amendment.

MR CHEONG: Thank you, Sir. I rise to move the amendment standing in my name on the Order Paper. The amendment, if agreed by this Council, would amend Mr SIT's motion to read as follows:

"That this Council supports the Government's intention to implement the Port and Airport Development Strategy related projects and in view of the immense impact of these projects on the future of Hong Kong, as well as the significant financial and manpower resources devoted towards this end, this Council urges the Government:

- (1) to take every step to ensure that these projects are implemented in the most cost-effective manner and in accordance with the best interests of the people of Hong Kong;
- (2) to continue to make public relevant information;
- (3) to report at least twice a year to this Council on the progress of these projects."

Sir, the amendment seeks to modify three of the points made in Mr SIT's motion, to delete one proposal, and to make one important addition.

The addition is the clear declaration of support that I believe this Council should give, as part of this motion, to the Government's intention -- and I repeat "intention" -- to implement the Port and Airport Strategy (PADS). When we debated the Motion of Thanks for your address to this Council last year, Sir, the vast majority of us, in our individual speeches, expressed enthusiasm and support for PADS. During the meetings of the Legislative Council ad hoc group of the Finance Committee of this Council set up to study the financial aspects and arrangements for new airport and related projects, all Members have affirmed their support for a new airport and the need for a new airport in Hong Kong, inclusive of Mr SIT. There is also an overwhelming majority of Members who are also in support of the choice of the siting of the new airport at Chek Lap Kok. And to be fair to Mr SIT, he reserved his position on that particular discussion. Now that a motion on PADS is before this Council for the first time, it is, I think, important that we, as a Council, declare our clear and emphatic view on what the Government is planning to do. If we support it, we should declare it. If we are against it, we should declare it. The Council's support for Hong Kong's need for a new airport, in my view, should not be a matter of dispute or even doubt. The reasons why Hong Kong need a new airport have been fully aired not only in this Council but also elsewhere at great length, most recently by Honourable Members, whether they are official or non-official Members, in the 1990 policy debate. I do not think it necessary for me to go into the details here. The simple fact is that, based on most recent statistics, our present airport capacity, both from the passenger and the cargo angle, will have reached the limits of its capacity by 1993-94, and if we do not have additional facilities as soon as possible our role as an important and expanding international centre for trade, industry, finance, and tourism will be in serious jeopardy.

Sir, may I respectfully urge my honourable colleagues to chew carefully over the

wordings of my amended motion. Let no one misunderstand that support from this Council for the Government's intention to implement PADS means unreserved support for every detail of the strategy. Nor should it be mistaken and to be taken as a commitment by the Finance Committee of this Council to grant funding requests automatically and without question for the many projects that make up the strategy. It needs hardly be said that the Administration will need to continue to seek the approval of the Finance Committee for the funding of the projects. And I am sure, honourable colleagues, that the Finance Committee will closely scrutinize the justifications put forward by the Administration. This brings me to the modifications to Mr SIT's motion proposed in my amendment.

The first modification, subparagraph (1), gives priority to urging the Government to ensure that the projects are implemented in the most cost-effective manner and in accordance with the best interests of the people of Hong Kong. This point needs to be stressed. This Council, through its debates, the work of its Members and through the Finance Committee, has an important part to play in ensuring that this point is taken by the executive administration. The ad hoc group established by non-government Members of this Council -- and to which I have the misfortune of being elected the convener -- to examine the financing of the projects will no doubt have an important role to play in the careful scrutiny of all the justifications for funding forwarded by the Administration.

The second modification is in subparagraph (2), which urges the Government to continue to make public relevant information. The word "continue" acknowledges the fact that the Administration did disclose quite a lot of information either through the press or to the Legislative Council ad hoc group -- be it, regrettably, a little bit late to the Legislative Council ad hoc group. But they did disclose. And so far, Sir, I have two piles of these as just the initial batch that has been sent down. They have disclosed to us the background to the strategy, inclusive of the various reports which Mr SIT received personally in his capacity as legislator in round about July. I did, as convener of the group, ask whether or not Mr SIT would be willing to share the information that he received with the rest of the members of the ad hoc group. Unfortunately and regrettably he declined, citing, of course, a very valid reason that he had given undertakings to the officials concerned that he could not release it to anybody else. Under that situation, I simply fail to understand why the press had been able to get hold of it. Government has also undertaken to provide further information to the ad hoc group when necessary and provided they are not of a confidential nature that are commercially sensitive. Sir, the word "relevant" is



used because there are volumes and volumes of technical papers on PADS and related projects so much so that it would be unrealistic to expect members of the public -- or Members of this Council, for that matter -- to make meaningful sense out of such a mass of materials without careful and lengthy analysis and sometimes without the guiding hand of experts from outside as well as within the Administration. Let us not lose sight of the fact that obfuscation can be achieved just as effectively by burdening the public with volumes of extraneous details as by not revealing anything at all. The Administration, as a responsible administration, has a clear responsibility to present facts clearly and concisely and to ensure that they are relevant to the key questions or issues under discussion.

The third modification proposes that the Government should report to this Council at least twice a year on the progress of the projects and not merely annually, as proposed by Mr SIT's motion. The reports would, of course, be public reports and would be in addition to whatever presentations to the Finance Committee and to the Legislative Council ad hoc group or to OMELCO working panels. Twice-yearly reports would, in my view, enable the Council as a whole to follow more closely due progress of the projects and the interlinking relationship of all the projects that may be going on simultaneously; if of course the Government considers it desirable, more frequent reports would be welcome.

Finally, the amendment in my name proposes to remove the proposal in Mr SIT's motion that there should be full public consultation before any significant decisions relating to the projects are taken. Although Mr SIT has not explained what he meant by full public consultation, I venture to take an educated guess that he is in fact referring to the use of public enquiry committee system similar to those of western countries.

Sir, Hong Kong has a well-established system of informal public consultation, and the question of a second airport and the need for a new airport has been a subject of public discussion or even debate for some years.

Experience drawn from other countries clearly indicates that formal public consultation on the scale which is undertaken in places such as Europe would not be suitable for Hong Kong. A formal public enquiry or full public consultation for every project associated with PADS would delay the strategy for so long and require so much expenditure that, far from ensuring that the strategy is in the best interests of the people of Hong Kong, it would be detrimental to those interests. Public enquiry

has in the past not been a part of our public works system in Hong Kong; this might help to explain why, contrary to the experience elsewhere in the world, our projects are usually completed relatively on time and, on quite a number of occasions, even ahead of time.

Furthermore, it does appear that there is fairly wide support for the project even among members of the public. For example, one recent survey was conducted by SRH on the question of public support or otherwise for the PADS project and the results were published by the South China Morning Post on 9 November 1990. It showed that, out of a sample of 1 012 respondents, 64% supported positively PADS with 23% reserving their opinion. Only 13% presumably were against.

Hence, what useful purpose can be served by engaging in an exercise that may be dragged over many years with old grounds gone over by a handful of local interested group time and time again. Is it not in the real interest of Hong Kong that we wish to see the new airport operational as soon as possible -- not one or two decades into the next century when most of us may not be here.

Sir, I beg to move.

MRS CHOW: Sir, in yesterday's South China Morning Post, a headline accompanied by a handsome portrait of our colleague, the Honourable Stephen CHEONG, appeared thus:

"Attempt to tone down airport motion".

Note the word "down". The use of this word in the headline together with the article pointed to an allegation that Mr CHEONG's amendment is weaker, or perhaps even less committal, than Mr Kingsley SIT's original motion.

In my view, nothing can be further from the truth.

When I first laid eyes on the original motion, I decided I just could not support it, for the following reasons.

Firstly, over the years, many of us in this Council have taken the Administration to task for not taking the necessary decision on the new airport. Speaking personally, I believe that decision should have been made as far back as 1984. Even with the

typical Hong Kong style of efficiency, there is a limit to the short cut we can take with the building of an airport. Because of the hiccup a few years back, we are already witnessing the undesirable consequences of that procrastination. Anyone who has been to Kai Tai recently must recognize that we just cannot rely on present facilities much longer without some hope of relief soon. How much further have we to stretch our tolerance and that of our visitors as the situation deteriorates towards the mid-1990s?

Perhaps we should cast our sight a little further afield, for Hong Kong people are generally well-travelled enough to draw comparisons. When the present Kai Tak passenger terminal building first opened its doors in the 1960s it used to rate well amongst the many cities in the region, but over the years it has been overtaken one by one by others despite the expansion project. Today we have an airport that does not live up to the rest of our development as a major international business and tourist centre.

In short we have a lot of catching up to do. We have to make up for lost time. Hong Kong cannot afford to hold up any decisions on the new airport anymore.

But what I find puzzling is Mr SIT's call for full public consultation, as if your disclosure and updating of the airport plan in your policy addresses of the last three years were not the most appropriate means of public consultation; as if the numerous occasions between 1987 and now when Members of this Council were briefed in detail never took place; as if the OMELCO tour of Chek Lap Kok told us nothing, and as if we, including Mr SIT and I and the 27 others of the Public Works Sub-Committee, did not scrutinize and commend the proposals for expenditure on the airport to the Finance Committee, which have endorsed them. Sir, last November, a number of us responded favourably to your announcement on PADS, but none other more eloquently and more glowingly than Mr Martin LEE. He referred to your programme as bold and ambitious. "It is a programme" he said "which, if successfully implemented, would enable Hong Kong to rise like a phoenix from the ashes. But the community must be under no illusion as to the resources, both human and financial, which will be required. I trust that the Administration has the will and determination to implement all the projects effectively and to ensure that sufficient resources are devoted for this purpose". Mr SIT went even further on the same occasion to hail your address as one that would become an important landmark in the history of Hong Kong's infrastructural development which demonstrated the Government's commitment during the run-up to 1997. No call for consultation, no warning for caution, and certainly no complaint for being

kept in the dark.

Mr SIT certainly did not think it necessary to attend any of the briefings until July of this year nor did he raise any other questions in the Public Works Subcommittee or the Finance Committee when all of us have numerous opportunities to do so.

Sir, I notice latest I am not expected to become overnight experts to take over the work of financial experts, engineers and other professionals. We are there to ensure that the Government has indeed taken all the necessary steps to act in the best interest of our people. I submit it would be quite dangerous for any of us to give the public the impression that we have the expertise or the competence to take over from the professionals.

Sir, how can we support a call now to backtrack, to replace action with inaction, to U-turn for no reason at all after voting for the funds to enable the Administration to come this far? Would we not be acting against the interest of Hong Kong to be so shortsighted, so illogical, and so wasteful? Would we not be going against the wishes of the people of Hong Kong when a majority of them want a new airport, as was reflected in a survey mentioned by Mr CHEONG?

Would we not be doing Hong Kong a disservice if we ask the Government to halt the development of Hong Kong while we wait for some of us to wake up.

I therefore support whole-heartedly Mr Stephen CHEONG's amendment, and call on my colleagues in this Chamber to do the same. I do so not only because it reflects accurately the encouragement and endorsement we have given to the Administration so far, and it rightly reminds us of our responsibility to Hong Kong, and it obligates the Government to be accountable, but also because I believe we have the right mechanism within the Legislative Council, namely, the ad hoc group formed to monitor the financial arrangements for the new airport under the able and humble leadership of none other than Mr Stephen CHEONG, to ensure words and promises are translated into action and reality.

Hopefully the headline will read:

"Legislative Council supports Stephen CHEONG's amendment to tone up the airport motion."

MR CHAN (in Cantonese): Sir, I am the first among members of the Hong Kong Democratic Foundation in this Council to speak in this debate. I am most happy to tell my honourable colleagues that Hong Kong Democratic Foundation gives full support to the Government's plan of speeding up the construction of the new airport to make up for the time lost. That no delay should be allowed is the position shared by Dr LEONG, Miss LEUNG, Mr MCGREGOR and myself -- the four members of the Foundation in this Council.

The new airport, I believe, is not only an investment in the future, but also the most effective means to help advertise Hong Kong. We must have the courage to get on with such a vast investment. The go-ahead is sufficient to demonstrate Hong Kong's capability in providing adequate physical infrastructure for the future. It is therefore a confidence-boosting measure to attract overseas investment and to encourage foreign companies to continue investing in Hong Kong.

Some people say that the airports in Macau and Shenzhen may help extend the life of Kai Tak so that it will reach saturation at a later date in around 2000. So, according to them, there is no case for hurry in respect of the construction of the new airport. This arrangement, I believe, will pose unsurmountable obstacles to the streaming of passenger and cargo flow. Moreover, technical problems including air traffic rights and air service agreements of Hong Kong, Macau and Shenzhen before and after 1997 will be hard to solve. Whatever position China will take, it has to look after the interests of the three areas, and I see no reason why Hong Kong should be granted the exclusive right to international air traffic. But viewed from the perspectives of Hong Kong's future and economy, the airport project may perhaps be the right move. Hong Kong, with its unique geographical advantages, has long been a centre of international traffic. In order to meet the demand, our port and airport facilities will have to be well developed and of a massive scale. This is the way to maintain our position as a leading economy so that an influential status can be secured and Hong Kong can continue to contribute to the economic development of southern and indeed the whole of China. If the important role of our airport is to be shared by the airports in Macau and Shenzhen, Hong Kong's position will be undermined. No longer will Hong Kong be an integral part of the development of southern China, in particular the Pearl River Delta.

Of the motions proposed by the two Honourable Members, I choose to support Mr Stephen CHEONG's amended motion. The three things Mr CHEONG urges the Government

to do in his motion more or less coincide with the suggestion I raised in the Budget debate in April this year, which I find it not necessary to repeat.

MRS FAN: Sir, during the 1989 policy debate, I expressed support for the implementation of the PADS projects, because I was convinced then that these developments were necessary if Hong Kong wished to remain as the international trade and financial centre of Southeast Asia. I remain convinced today. I also said in the same debate: "we should carry out what is best for our society in the typical Hong Kong way -- pragmatic, resolute and efficient". Mr CHEONG's amendment does exactly that. He wants the Government to take every step to ensure that these projects are implemented in the most cost-effective manner and in accordance with the best interests of the people of Hong Kong; that is pragmatism and efficiency. He urges the Government to report at least twice a year to this Council on the progress of these projects, thereby ensuring that this Council will properly discharge its function of monitoring. Comparing this proposed amendment with Mr SIT's original motion, the latter is lacking in both direction and resolution. Procrastination has never been Hong Kong's way, nor should we start now.

The economic disbenefit of not having a new airport in time has been quoted on a number of occasions both inside and outside this Council, by Legislative Councillors as well as government officials. Unfortunately, this economic disbenefit factor cannot be included in the capital expenditure of the new airport. But one thing is clear. If we had started work on the new airport at Chek Lap Kok four years ago, we would not have to make do with a saturated and congested Kai Tak Airport between 1993 and 1997. Therefore, no time should be wasted in starting the work. But equally important is that the project must be done in such a way that the people of Hong Kong do not have to pay more than is necessary, now and beyond 1997. This is why I believe it was right for the Lantau Fixed Crossing to be done on a design-and-construct basis instead of a build-operate-transfer (BOT) basis. If we have gone ahead on a BOT basis, which was the preferred option at an earlier stage, the Hong Kong taxpayers and the future users of the crossing would have to pay more in order to insure the investors against the risks of "perceived" uncertainties. Although I am fully convinced that these "perceived" uncertainties can be and will be removed; unfortunately the timing of when that will happen is beyond our control. We cannot afford to wait, nor can we knowingly allow the people of Hong Kong to pay more when we do not believe it is justified. The only viable option which ensures that the project can be implemented on time, cost-effectively, and in the best interests of Hong Kong people is for

Government to take it up. It was not an easy decision to make, and the suspicions and cynicism that greeted it from certain quarters were not totally unexpected. But these will gradually dissipate when more understanding is gained. What is really important is that the long-term benefit of Hong Kong people is preserved and enhanced with that decision. There is no doubt in my mind that we have taken a step in the right direction.

Sir, with these words, I support the amendment proposed by the Honourable Stephen CHEONG.

MR CHENG HON-KWAN: When the Government's decision to build a new airport at Chek Lap Kok was announced in your policy speech last year, the people of Hong Kong were largely overwhelmed with joy and delight and Members of this Council welcomed and supported this gigantic project.

Unfortunately this PADS has recently become a political and controversial issue which aroused a great deal of debate or negative argument in the private sector. It is therefore necessary for Government to do its best to ensure that sufficient clarification and explanation together with relevant information are provided to the public to alleviate their doubt about the financial as well as technical viability of the projects.

In fact, many OMELCO standing panels and relevant government advisory committees have been briefed by the Administration on the PADS projects and the Administration already promised to provide regular progress report on their implementation.

The PADS, as I clearly understand it, was devised through a range of studies by consultants, mostly engineering consultants. I have no doubt about their expertise and integrity and have full confidence in their conclusion and recommendation. I am not prepared to elaborate further but reaffirm my support to building our new airport as planned in order to maintain our economic growth in the long run.

I would fail my duty as a Member of this Council if I do not join my honourable colleagues to urge the Government to take every step to ensure that the PADS related projects are implemented in the most cost-effective manner and in the best interests of the people of Hong Kong.

Sir, I support Mr Stephen CHEONG's proposed amendment.

HIS EXCELLENCY THE PRESIDENT: Mr Martin LEE, you are to speak to this amendment, please.

MR MARTIN LEE: Sir, the amendment proposed by Mr CHEONG, in short, asks us for our blind support of a plan about which we have little information. It is a classic case of putting the cart before the horse: in the amendment, we voice our support for the project and then we ask for information. The role of this Council, with respect, and the ad hoc group on the airport in particular, ought to be to examine critically all the relevant information and then reach an objective decision. Our role is not to accept automatically what is handed to us by the Government.

For, if we are to accept unreservedly the plan of the Government, then what is the point of asking for information? Indeed, when we later receive information, we may find our earlier unconditional acceptance to have been misplaced. Thus we either ought to defer our judgment until after we have studied the proposals in detail, or we should simply approve the plans without asking for any information at all.

In addition, the emphasis in subparagraph (2) of Mr CHEONG's proposed amendment on asking the Government to "continue to make public relevant information" implies approval of the past record of the Government in providing information on the projects. In light of the scarcity of information provided up until the present time, I cannot with respect accept the wording of this subparagraph and a continuation of the present practice of the Government.

I therefore propose to vote against the amendment.

As for what the Honourable Mrs Selina CHOW just said reminding me of what I said last year, I am more than pleased to learn that Mrs CHOW not only reads what I said to the press but also keeps a record of it. Sir, but the fact that I had supported the idea of this new airport more than a year ago does not automatically mean that we must continue to support it today. For a number of reasons: first, very little information has been released to Members of this Council and even less to the public during this year. Second, we were originally told that the entire PADS project was to be financed by the private sector but now the Tsing Ma Bridge is going to be built



at the Government's expense. Third, we were told by you, Sir, in your policy speech last year that the entire PADS project would cost \$127 billion. But though I have repeatedly asked for the up-to-date estimate, the Government has repeatedly refused to oblige. I therefore have reasons to doubt: (i) whether the Government will find it necessary to build at its own expense yet another substantial part of the PADS project and (ii) whether the Government can afford the whole thing. For these reasons, I think it is only proper for me to have second thoughts about the matter. Indeed it would be wrong for me, as suggested by the Honourable Mrs Selina CHOW, to adhere to my original position and pretend that these things simply have not happened during the last year.

MR NGAI (in Cantonese): Sir, in view of our long-term development, there is a practical need for us to implement the Port and Airport Development Strategy (PADS) proposed by the Government. Its related projects are in line with our long-term economic development for the years ahead. However, it is inevitable that projects of such magnitude which cost tens of billions of dollars will arouse among us a sense of scepticism and resistance. Such response is understandable. Yet, experience has told us time and again that such myopic resistance and worries will disappear once these major infrastructural projects are completed and put into operation. The construction of the Cross Harbour Tunnel and that of the Mass Transit Railway are sterling examples.

Sir, we shall end up like the blind man trying to size up the elephant if we consider the choice of the new airport site from an isolated point of view. Those who propose the new airport to be built at north western New Territories seem to have neglected the fact that this part of the territory is a seasonal habitat of migrant birds and they pose a grave threat to aviation safety. As to the development of service areas for logistic support, they seem to have forgotten the fact that the marble bedrock cavities of Yuen Long plain will impose severe constraints on the supply and development of sites for supporting services. For the Nim Wan and Hau Hoi Wan (Deep Bay) options, those who propose them are actually making fragmented proposals incongruous with the integrated programme of port and airport developments. Such fragmentation is unfavourable to our overall development. I maintain that Chek Lap Kok is the right choice for the new airport site, because the very location of the place will give the PADS a good start. We may thus devote our efforts to the development of the western part of the port and further develop the excellent features of the Victoria Harbour.

Sir, the PADS entails a series of projects which may have far-reaching impact on the future of Hong Kong. These projects involve numerous areas of work such as land formation and utilization, the metroplan, the comprehensive transport and traffic network and the relocation of industrial and commercial centres. Hence, any attempt to conduct fragmented analysis on this integrated infrastructural development strategy and to consider it in isolation is no different from an act of "looking at the leopard through the tube". One can only see its spots without having a full view of the entirety. The conclusion drawn can only be a short-sighted and biased one.

Sir, there is an urgent need to construct a new airport, develop the western part of the harbour and open up more land resources. Apart from some reservations on certain technical problems and the cost-effectiveness of the plan, I support the PADS proposed by the Government. The Government should take every step to ensure that the projects are implemented in the most cost-effective manner and in the best interests of the people of Hong Kong. Any discussion on subjects other than this would only be confrontational and impractical.

Sir, with these remarks, I strongly support the amendment proposed by the Honourable Stephen CHEONG.

4.29 pm

HIS EXCELLENCY THE PRESIDENT: There are still a number of Members who wish to speak to the amendment. Members might like to take a short break at this point.

5.01 pm

HIS EXCELLENCY THE PRESIDENT: Council will now resume.

MISS TAM: Sir, in debating on the policy speech that you had made earlier this year, I had devoted my entire speech on the issue of infrastructure and in particular the question of building of the second airport at Chek Lap Kok. Sir, in that speech I made three specific points. First of all, I believe that Chek Lap Kok is the right site for the second airport because of the fact that it will link up the infrastructure and the port facilities which are essential to the development of Hong Kong and which

have been over 180 years proven to be the lifeline of this place. The second point that I had discussed is the fact that it will be essential to disclose information to this Council and to members of the public, preferably via this Council. I made suggestions that it will be extremely helpful to chalk up a list of those companies who had won tenders in the construction exercise and in other contracts so that we know their identity and the items of work involved and maybe periodical reports should be made to the Public Works Sub-committee. I mentioned that it will be helpful for the Establishment Sub-committee to be given a list of those who are employed by Government and dedicating that list to the work of PADS construction. I had also mentioned the excellent work that had been done by the ad hoc group, the convener of which is Mr Stephen CHEONG.

I have looked at the wording of the motions before Council today and I am very pleased to see that in all most of those who have spoken, and definitely the key speakers, have not spoken against the site at Chek Lap Kok.

The main issue seems to be the method of disclosure and extent of disclosure, given, of course, the last paragraph of Mr Martin LEE's proposed amendment on reports on factors which may affect the environment.

Sir, I think in spirit it is very difficult to say that we are not ad idem, so to speak, and I am very pleased that Mr Stephen CHEONG has seen fit to put in his motion that he welcomes the intention of the Government to implement the PADS study. So do I.

At first I thought it was probably not necessary for me to speak today, having spoken at length at the policy debate on exactly those points. But reference has been made to the degree of consultation in respect of the Transport Advisory Committee's (TAC) work vis-a-vis the feasibility or capacity of the airport railway.

Let me first say that I do appreciate that those who are not TAC members will not be fully aware of what exactly has been going on. So let us not take it as either an offence or any kind of misleading information if an impression is given that TAC has insufficient information vis-a-vis the airport railway. In fact the TAC was briefed twice on PADS. It is true that we were not consulted as such but we were fully consulted on the Second Comprehensive Transport Study in which the airport railway was listed clearly as an option and that appeared on the White Paper that subsequently followed. So I would like to clarify the fact that TAC was given plenty

of information vis-a-vis the role that this particular airport railway will play although the full details are to be the subject of further study by the Mass Transit Railway Corporation or the Kowloon-Canton Railway Corporation with particular regard to the feasibility of design. So I think I can say with confidence that the implication of the railway was fully read and therefore to some extent reflected in the Transport White Paper.

Sir, I am speaking in support of Mr Stephen CHEONG's motion for two reasons. First of all, I think it is a very noble motion that members of the public should be consulted but there are many technical difficulties and I think it is really up to us, as Members of this Council, to do our best to make a critical assessment of the information laid before us and ask for more if we are in doubt. That indeed is what we are doing today. And the second reason is that I fully appreciate that we have to support environmental control but I feel that maybe it could be achieved without the various specific demands that Mr Martin LEE has mentioned. So all in all, I shall vote in support of Mr Stephen CHEONG's amended motion.

PROF. POON (in Cantonese): Originally, I did not intend to speak on the motion because many of my colleagues are going to speak today and I believe their speeches would have all the points covered. But having heard what Mr Martin LEE has said, I feel I have to, and indeed am obliged to speak. In our community, or in any liberal and open society, most of our important decisions are made on the basis of support or otherwise by members of boards, panels, or committees, as the case may be, who are involved or partly involved in the process. Once a decision is made, work will follow. If after quite some time, with a large amount of the work being done, Members who previously gave their support or who gave their support unconditionally suddenly change their attitude and withdraw their support, then I would doubt as to how our society is going to operate efficiently. Though I fully understand that it is perfectly right for Mr Martin LEE to ask the Government for more information, yet the request for more information does not mean that one should not hold to the decision already made in support of the motion. I do not intend to make a long speech here but I fully agree with the rationale behind Mr Stephen CHEONG's amended motion. I will not repeat myself here but will only reaffirm my support given to the building of the new airport. I support Mr CHEONG's amended motion.

MR TAI: Sir, we have before us a motion and an amended motion. The motion and the

amended motion moved by the two honourable Members clearly demonstrate the public's legitimate concern about the PADS project.

The motion moved by the Honourable Kingsley SIT calls for and reasserts people's right to know and to be heard. The Honourable Stephen CHEONG's amended motion reiterates the motion debate that we had a couple of months ago supporting the Government's intention to implement the PADS project. His amendment also encompasses several points made by Mr SIT with some slight modifications.

To me, Sir, the motion and the amended motion are not mutually exclusive. Moreover, the amendment moved by the Honourable Stephen CHEONG looks more like a replacement of Mr SIT's motion. It is sad to see why the amendment cannot be incorporated as one motion and to be debated in this Council today. Whatever the outcome, I hope it will be constructive rather than degenerate into a futile debate over the wording.

If a choice is to be made by me, Sir, I would support Mr SIT's motion.  
MRS TAM (in Cantonese): Sir, I support the motion standing in the name of the Honourable Stephen CHEONG.

The Honourable Kingsley SIT's motion asks that the Administration release all information pertaining to the various options of the Port and Airport Development Strategy and suggests, at the same time, that a wide consultation exercise should be conducted before a major decision is taken on the related work projects. I cannot agree with the motion which is as logically flawed as it is ambivalent on whether it supports after all the Port and Airport Development Strategy or not.

Indeed, the Port and Airport Development Strategy will have a profound impact on the future economic development of Hong Kong. Back in the mid-seventies, our need for a new airport was already identified by a government commissioned consultancy. It is a very good thing that the Government has finally made the decision, after years of deliberation and consideration, which means that the practical need of Hong Kong for a new airport is now being addressed. But unfortunately, since the announcement of the Port and Airport Development Strategy, the rationale for the new airport has been called into question by some critical views, resulting in signs of the whole project "back-tracking". I believe that the PADS is vital for our long-term needs; and since there is already a consensus on this point, the Government should no longer drag its feet. Now is the time to take the first stride.

I support the government plan to go ahead with the PADS. I cannot agree with the Honourable Martin LEE, who said just now that he would decide whether or not to support it only after he had been provided with all the government data. I believe that, for a massive project like this, information will necessarily be generated and provided on a continuous basis, so there is no question of all information being provided in one go to anyone. The fact that I support the Honourable Stephen CHEONG's motion today does not mean that I would as from now wash my hands of the related work projects. There is a lot left to be done by a responsible legislator in the way of monitoring the project to ensure that it is undertaken in the most cost-effective manner, and in the best interest of the people of Hong Kong.

Sir, it is of course reasonable that the general public should be concerned about the impact of the new airport on their day to day lives. I understand that they are mainly concerned about, firstly, whether the Government has the ability to foot the economic bill of the PADS, and secondly, whether this massive infrastructural programme will affect the government commitment to housing, education, medical, health and welfare services.

The Financial Secretary has recently responded to the issue of our economic ability in the debate on the Motion of Thanks in this Council. The Government will have to continue to explain to the public in order to shore up their trust and support. I believe there is reason to believe that, with our accumulated reserves and the future land development fund, the Government will be in a financial position to meet the expenses of the massive infrastructural building programme. But of course, we also have to be wary of any economic fluctuation in the years ahead, to ensure that the related work projects can be carried out in a most cost-effective manner, and that the public as a whole is rightfully informed throughout the process.

Insofar as the quality of life is concerned, I tend to think that massive infrastructural projects are not incompatible with housing, education, medical, health and welfare services because they are both oriented toward social stability, and the bolstering of confidence, though it must also be said that a right balance has to be struck. If it is necessary, for the sake of our long-term overall interest, that we have to pay the cost, then it is also necessary to make sure that the public is well aware where their long-term interests lie so that they can achieve a greater understanding of the government intentions.

Sir, I agree that technical and complicated information may not be easily grasped by the public, but I also believe that the public will have a great appreciation for the sincerity of a responsible government on this matter. It is in this context that there is a need for a regular progress report to be furnished by the Government as the first possible step to take in the direction of public accountability.

Sir, the PADS is a massive building programme which will go beyond the 1990s. It is going to need real commitment by the Government as well as public support. I consider it a very good opportunity indeed that this Council has the opportunity today of debating this project which will have such profound impact on the long-term development of Hong Kong. With these remarks, I support the motion standing in the Honourable Stephen CHEONG's name.

MR TAM (in Cantonese): Sir, some people feel that the new airport and port development programme is one of the most expensive projects in the world, and yet at the same time, it is also the least open in its details. I think, in response to this comment, the Government should really think twice.

This development project which by initial estimate costs \$120 billion or more will have far-reaching impact on the economy of Hong Kong and the livelihood of its people. However, the information supplied by the Government is very limited. As for the Members of this Council, it is understood that the Government has in hand at least more than 70 reports and relevant documents (which is the pile of documents -- about two feet thick, it appears -- laid before Mr CHEONG on his desk). However, only 12 papers were made available to this Council at the very beginning. The number reached 20 only a few days ago. So how can the Government expect the public to have confidence in this project while there is an information blackout?

The Secretary for Economic Services has stressed on many occasions that the Government has a good record in the implementation of infrastructural programmes, and that Hong Kong is second to none in this respect. Such disputable argument has been articulated with the hope of removing the worries of the public. However, even if the track record of the Government in carrying out infrastructural work has been perfect, it does not necessarily mean that its decision this time is absolutely correct and there is no need to consult public views or disclose relevant information to the public. It is by no means acceptable that the Government should adopt a "Parents Know Best" attitude without regard to the wishes of the people or consider it a waste of time to carry out public consultation. In fact, if the Government firmly

believes that its decision is correct, there is no need to conceal information because the disclosure of relevant information will remove worries among the public and enhance public trust in and support for this project. The present information blackout by the Government will only arouse more anxieties and undermine public confidence in this project.

At present, the major concerns of the members of the public about the new airport and port development project are:

(1) In regard to technical aspects, some academics have pointed out that the strong winds recorded at Chek Lap Kok are five times above the internationally acceptable standards and thus pose a great danger to the take-off and landing of aeroplanes. Moreover, as far as urban growth is concerned, Chek Lap Kok does not have a great potential for any long-term economic development. Therefore it is not a suitable site for Hong Kong's new airport.

(2) Regarding the time schedule, many people are worried that the Government is trying to expedite the project for political reasons and fix the target date for the completion of the new airport at 1997. In other words, the new airport and the related transport network have to be completed within a short period of six and a half years. If a project of such an enormous scale is undertaken on the basis of political reasons instead of considerations of cost-effectiveness and viability, it will unnecessarily raise the cost of the project and add to the financial burden of the Government as well as the people. In addition, there are also different opinions on the time when Kai Tak Airport will reach saturation point and the possible financial losses to be incurred.

(3) From an economic point of view, the economic development of Hong Kong is presently beset with high inflation and slow economic growth. In the light of sagging world market and slackening export trade, the economic outlook for Hong Kong is not bright. It is doubtful whether it is appropriate on the part of the Government to make such enormous investments in the infrastructural development project under such circumstances. Many people are worried that the ambitious airport and port development programme will fuel further inflation. Some people even point out that during the implementation of the development programmes, the huge investments may have an overheating effect on the internal economy, making the local market more prosperous, but only superficially. However, owing to slackening export trade and high inflation, the problems in our economy will be fully exposed or even aggravated



when the infrastructural projects are completed, resulting in high inflation and high unemployment rate.

In fact, stagflation and weak export trade in Hong Kong in the past two years show that there are serious problems in our economic structure and local productivity is on the decline. To save our economy, the Government should make greater efforts in upgrading the technological standard and productivity of Hong Kong. Nonetheless, the Government is allocating most of the resources on the infrastructural development project. It is worrying that when the beautiful rose garden is completed, we will find ourselves in an extremely difficult economic situation.

(4) As for the workers at the grassroots level, they are worried that the Government will shift the burden imposed by the infrastructural development project onto them and sacrifice their interests because of the Rose Garden project. As a representative of the labour constituency in this Council, I am naturally concerned about this. In view of the policy approach taken by the Government recently, the worries of the labour sector at the grassroots level do have some good grounds.

In the policy address, the Government has put much emphasis on upholding such grand and high-sounding principles as "users pay" and "more options" in the provision of various elementary social services such as social welfare, medical services and education without regard to the actual needs of the general public for these services. Obviously, they are used as pretexts for the Government to reduce its commitment in social services. On the one hand, the Government puts its resources on the infrastructural development programmes at the expense of the social benefits which should be enjoyed by the public. On the other hand, it tries to fabricate public opinion by relating inflation with wages in total disregard of other unreasonable factors in our economy and their pressure on inflation, so as to hold down wages and rationalize the change of policy in the importation of labour. The recent announcement by the Secretary for Education and Manpower to import 7 000 workers for the infrastructural development project is the best example of such attempts. No wonder the labour sector claims that the Rose Garden project will do harm to the general public before doing any good.

Another concern of the workers at the grassroots level is that the Government will resort to increasing taxes in order to finance the huge infrastructural project. Recently a number of professional bodies have proposed that there is a need for the Government to expand the taxation net, apparently with a view to preparing public

opinion for an increase in taxation.

The developments in Hong Kong for the past few decades remind us that from time to time the Government attains economic achievements at the expense of the interests of people at the grassroots level. In the face of the economic difficulties and the financial expenditure required for the major infrastructural project, I am afraid that people at the grassroots level will once again have to sustain great pressure.

The above said anxieties about the infrastructural development programme are justified. If the Government believes that the problems which cause public alarm do not exist, it can dispel these "unnecessary" worries by releasing more information. If, however, these problems do exist, it is all the more important that the Government should provide information and conduct more extensive consultation, so that the public can be well informed before making a choice.

Sir, it is always my belief that Hong Kong needs adequate provision of infrastructural facilities to tie in with its economic development. In the policy debate two years ago, I advocated that "in order to sustain Hong Kong's dynamic economic growth, the Government should provide infrastructure that works well and in particular attach great importance to strengthening the airport facilities -- Hong Kong's link with the outside world." At the same time, I have also stressed that participation by the public is important in the implementation of infrastructural development programme. In the policy debate in 1989, I also suggested that "the Government should look into what implications its policies for future development of infrastructure will have on its policy initiatives of other matters, and should as far as possible provide members of the public with sufficient information, justification and analysis so that the public can have a better understanding and more options open to them." I once again pointed out in the policy debate this year that "such a major project requires commitment of our community as a whole and inevitably the people of Hong Kong will have to pay. Such being the case, the people of Hong Kong must have the right to know and the right to decide on the project." The Government has, however, acted in an arbitrary manner in handling this major project, taking no heed of other views that are different from its own and overlooking the worries about the project expressed by various sectors of the community. It has also refused to consult the public and has kept the relevant information all to itself. This makes me feel more anxious about the port and airport development programme proposed by the Government. I am worried that due to the arbitrary decision of the Government, the infrastructural development programme will be out of line with

economic and social realities of Hong Kong and become a burden of our community.

Sir, in my view, the most urgent task of the Government at present is to make public relevant information and consult public opinion. This is where Mr SIT's motion outdoes Mr CHEONG's amended motion. In more concrete terms, Mr SIT, in his motion, brings to attention the inadequacy of the Government's policy on PADS and points out its responsibility of openness and responsiveness. For this reason, I support Mr SIT's motion and will abstain from voting on Mr CHEONG's amended motion.

DR TSE: Sir, I would like to speak in support of the Honourable Stephen CHEONG's amendment to the motion moved by the Honourable Kingsley SIT. Simply put, my reasons for supporting the said amendment are as follows:

Firstly, I support the Government's decision to build the replacement airport at Chek Lap Kok and therefore the Tsing Ma Bridge and the related infrastructure. I have given my view in the last policy debate and would want to confirm my position on the issue. What I believe is better reflected in Mr CHEONG's proposed amendment.

Secondly, there is a small flaw in the logical sequence of the original motion which urges the Government to table annual reports on the progress of the projects in the first instance and then goes on to urge the Government, as a follow-up, to conduct thorough public consultation before any significant decision relating to these projects is taken. To me, if there was no significant decision taken to proceed with the projects first, there would be no annual report on their progress. In Mr SIT's motion there is no clear indication that the project should now proceed.

Thirdly, there is no way for a modern government of our size to govern by public consultation, and therefore implicitly by referendum, on issues of such complexity and high level of technicality. There is simply no sure way to find out on complex issues the wishes of the people which are often diverse. No modern government of our scale can survive and function in our competitive environment if it is required to govern by public consultation on all major issues.

In my view, nowadays, representative government which we are developing presently is really the only practicable form of government if we ever hope to get anything done. On the other hand, I am fully convinced that public accountability is of crucial importance to the satisfactory operation of a representative government. I therefore support Mr CHEONG's amendment that twice a year this Council be provided

with the necessary information on the progress of the said projects so that Members can exercise their supervisory and financial control on behalf of the public to make sure the projects are carried out in the most effective manner and in the best interest of Hong Kong.

MR ANDREW WONG (in Cantonese): Sir, I would like to speak in favour of the motion of the Honourable Stephen CHEONG to amend the Honourable Kingsley SIT's motion.

I feel that the Honourable Kingsley SIT's motion fails to make clear its purposes. The Honourable TAI Chin-wah said just now that the Honourable Stephen CHEONG's motion would seem to be out of order in the sense that it was a complete reversal of the Honourable Kingsley SIT's motion. However, I tend to think that the Honourable Kingsley SIT's motion fails to expound two hidden positions. One, the Government should not go ahead with PADS before adequate information is released and public consultation conducted; two, the Honourable Kingsley SIT might be completely opposed to the projects altogether. Whichever position he takes should, however, have been made abundantly clear. It is for this reason that I believe what the Honourable Stephen CHEONG was doing was, technically speaking, to clarify the position of this Council on what he personally considers to be a vital issue. If it is considered that it was not a right thing to do, that it was only done to veto the original motion, then may I suggest the proposer of the original motion make his position clear first? Is he opposed to the Port and Airport Development Strategy as a whole, or does he want the projects to go ahead once he gets hold of the data?

I do not support the motion of the Honourable Kingsley SIT, with or without the Honourable Stephen CHEONG's motion to amend. I have the following reasons.

First, if it is considered absolutely necessary to release all the data, and it is the consensus of this Council that it be so, then an ad hoc group can be set up to conduct public hearings. Though this may not coincide with the intention of the Government, it is within the power of this Council to do so and then decide whether the Administration should be given the support to go ahead with the development projects. But what we have before us is a vaguely worded motion which does not say whether this Council endorses, opposes or vetoes the procurement of the data. If we want to obtain the data, the best way is to hold a motion debate whether such an ad hoc group should be set up to conduct the public hearings and consider whether the Port and Airport Development Strategy should go ahead after all.

Secondly, the point about wide public consultation is just a cliché devoid of meaning. For after all, should all policies affecting Hong Kong, or all the more important ones for that matter, invariably be decided by referendum? The Honourable Daniel TSE has already spoken on this. I am not saying that Hong Kong has some complicated problems to deal with; even if the problems are simple, this can only be done if we are talking about a direct democratic system. However, when this Council becomes a fully elected body in due course (though at present it still has quite a number of appointed members), it will not make sense for us to leave all important decisions to referendum because then, the rationale for the existence of this Council will be called into question. What are our contributions such that we can enjoy such handsome allowances as legislators? What is the purpose of building this grandiose Council Chamber? It would seem that all we need to do is to hire a group of experts and conduct a public opinion poll, or better still hold a referendum, each time a decision involving an important question is to be made.

What I find so strange is that this vaguely worded motion actually contains three options which nobody could really oppose because they seem so palatable to everyone. I would like to know, though, what position its proposer holds. And I would like to ask other Honourable Members who have also proposed amending the motion, in particular the Honourable Martin LEE, who have just supported the Honourable Kingsley SIT's motion and opposed the Honourable Stephen CHEONG's motion to amend, whether he feels the need to conduct these referendums or comprehensive public consultation exercises, or whether he opposes the implementation of these projects. Having said that, if it is our view that the Port and Airport Development Strategy should not go ahead, then the Honourable Stephen CHEONG's motion to amend should be voted down without having to indicate the preference to endorse the original motion, which I consider to be totally unacceptable. If my honourable colleagues consider the hidden positions (of the SIT motion) are acceptable, then please shoot down the Honourable Stephen CHEONG's motion amendment. Sir, with these remarks, I support the motion of the Honourable Stephen CHEONG.

MR EDWARD HO: Sir, your announcement in October 1989 of the Government's decision to go ahead with the PADS was greeted with wide acclaims, both in this Council and in the community. Indeed, before your announcement, there had been much urging, from especially the business and professional community, that the decision to build a new international airport to replace Kai Tak Airport, which is fast approaching saturation, should be made. The idea of a new airport is nothing new: a study was

made in 1979, and had it not been for the downturn of the economy in 1984, the Chek Lap Kok Airport would probably be half finished by now.

Thus, I am a little bewildered by critics of the port and airport development who have suddenly emerged in recent months. I trust that these critics have the interest of the Hong Kong people at heart, for it would be sad if they spoke with either vested interest or if they thought what they were doing would find favour with the Chinese Government, our future sovereign, or simply to gain political mileage.

I am even more bewildered by the motion put forward by Mr Kingsley SIT. There have been at least two occasions in this Council when the PADS could have been debated: during the debates on the Motion of Thanks for the Governor's address in November 1989 and October 1990. Most of my colleagues in this Council who spoke on the subject supported the development. I myself have spoken in support in both of the debates and at length during the motion debate on 25 October this year on the development, and I do not intend to repeat the points that I have made then. Neither do I think that yet another debate is necessary or even helpful.

The task that is before all of us is clearly to get on with the projects and to ensure that they are carried out in the most cost-effective manner, rather than to engage in endless debates.

But since Mr Kingsley SIT has decided to put forward a motion which contains at least one suggestion that would have a far-reaching effect on the way that our Government is run, I would be failing in my duty as a Member of this Council if I were not to comment on it.

If one were to take a superficial look at Mr SIT's motion, one would not find much argument with it. On the contrary, there is, at first sight, much popular appeal. In fact, had it not been for point (c) in the motion, I would support it wholeheartedly.

If point (c) is removed, then we have a statement of the impact of the PADS on the community; the need to make public the "key" information which formed the basis for the Government's decision, and the need to make regular reports to this Council so that we can ensure that public funds are properly spent. I fully support these sentiments, and I have no doubt that the Government will consider them perfectly reasonable, and that it was its duty to do so.

Mr SIT levelled certain criticisms at the Government. I do not consider it is incumbent upon myself that I should speak on its behalf. However, my sense of fair play compels me to comment on what he said regarding the availability of information and the delay with which the Administration has furnished reports and documents to Members of this Council. Sir, there is the distinction between information which is accessible to Members of this Council and copies of reports and documents of all kinds -- which can be measured by the tonnes -- to be copied at great expense to Members who either would not have the time, the inclination or the expertise to read them. What is important is that Members of this Council, or indeed members of the public, who have a legitimate reason to require such information would not be denied access to such information, provided that such information is not of a highly politically sensitive or commercially sensitive nature.

Sir, I submit that it is incumbent upon Members of this Council to seek such information they may require in connection with their duties and that no unreasonable barriers should be placed by the Administration. According to my research, since Mr SIT became a Member of this Council, there have been four briefings by the Administration to the Lands and Works Panel of which Mr SIT is a member; and there was one visit to Chek Lap Kok. Mrs CHOW asked why Mr SIT did not seem to think these briefings existed. The simple answer is that Mr SIT did not attend any one of these meetings. Since he did not think it was his interest to attend, neither did he ask for information that he is now seeking. Therefore the information has not been furnished.

What I find extremely disturbing is point (c) of the motion which calls for full consultation to be conducted before "any significant decisions" to the projects are taken "to ensure that such decisions truly accord with the wishes of the people of Hong Kong".

If I interpret it correctly, Mr SIT is asking for collective decision by the people on a highly complex and technical subject. He is saying: "Let the people decide", which is certainly highly appealing to the ordinary person in the street. Dare I say that it would make a very fine slogan to a candidate for election.

First, let us examine how Mr SIT would define "full public consultation". If he means that Government has the duty to brief and consult with a wide segment of our community so that public interest is taken into account, I would not object to it. On the other hand, if he means, as I fear, that, before any significant decision,

the Government should hold public enquiries and that it should decide in accordance with the outcome, then I would strongly object as this would be a complete departure from the proper decision process.

Let us take the first "significant decision", the decision whether Hong Kong should build a new international airport. Such an important decision must be firmly based upon the conclusion of a number of highly sophisticated and detailed studies on economics and engineering, involving experts in many fields. These experts, from both outside and within the Government, would have been chosen for their known professional integrity, experience and expertise in their respective fields. Based upon their options and recommendations as well as perceived political acceptability, and with the public interest in mind, the Government would then make a value judgement. In short, the decision, as in any top level decision process in a large organization, must be based on the culmination of a chain of activities where each step in the chain has been properly carried out, monitored and checked.

Decisions of this kind cannot and should not be left to chance or to intuitive and emotional judgement by those who have not been intimately involved with the study process.

Yet another problem in the motion is that it only calls for decisions to "truly accord with the wishes of the people" and does not take into account public interest. I happened to listen to a phone-in radio programme about a week ago. A gentleman phoned in and suggested absolutely seriously that, instead of spending money on the PADS, the Government should distribute \$20,000 to every citizen in Hong Kong. Thus, a family of five would receive \$100,000 which, in his opinion, would contribute greater benefit to that family than a new airport and the associated infrastructure. It is quite clear how he would vote if there were a public enquiry. After all, the economic development of Hong Kong is hardly his problem.

I hope that there are not many people like this particular gentleman, but it is an illustration that the wishes of the people may not always coincide with public interest. It is when the Government is faced with such a problem that we expect it to act in the public interest, no less.

In the most liberal of democratic governments, decisions are made by the executive with the checks and balances of the legislature. Throwing the decision-making initiative to the people is forsaking the duty of a responsible government and would



render it ineffective and ineffectual, a certain recipe for chaos. It is for this reason that I oppose Mr SIT's motion and it is for the same reason that I support the motion as amended by Mr Stephen CHEONG. The amendment to the motion moved by Mr CHEONG puts forward two very important elements which are missing in the original motion and which I have already dealt with in my speech. They are that the projects should be implemented in the most cost-effective manner and in accordance with the best interests of the people of Hong Kong. The motion as amended by Mr CHEONG also deletes the reference to "full public consultation" in the original motion, a point which I have also covered in my speech.

Sir, Hong Kong, sometimes likened to a huge enterprise, abhors inefficiencies and indecisiveness. Visitors of Hong Kong have never ceased to be amazed by the remarkable growth of our economy, the constant building activities and rapid change to our physical environment. We should be justly proud of our dynamism and the courage that we have always been willing to commit for a future that has not always been a clear one.

With these remarks, Sir, I do not support the original motion, and give my support to the motion as amended by Mr Stephen CHEONG.

MR ARCULLI: Sir, this is a curious debate. I did not think that I would actually have to stand up and confess that I would have to examine Mr Kingsley SIT's motion in quite some detail because no less than five Members have confessed their lack of understanding of it and its lack of clarity. As I see it, there is little difference between what Mr SIT has moved and Mr CHEONG in his amendment seeks to move because, Sir, as I understand it, the only difference between the two motions is that Mr SIT's motion simply implies support of the government intention on PADS whereas Mr CHEONG comes out in express support. Maybe I have read Mr SIT's motion erroneously or misunderstood it, and if I had, I would be grateful if he would clarify for my benefit. And I would take him to it by simply asking him to look at the words. He opens by saying "That in view of the immense impact that the PADS will have on the local community ....." . That in my view, Sir, implies that PADS would go ahead, otherwise, no impact. And then it talks about financial and manpower resources devoted towards the same. Again, that implies that PADS will go ahead.

In subparagraph (a), Mr SIT talks about the release of all key information relating to the different options and the basis on which the Government has embarked

on its present development strategy. That, again, implies that the decision has been taken and will be carried out.

Under subparagraph (b), he talks about tabling annual reports on the progress of these projects. That, again, implies that the projects will go ahead otherwise there will be nothing to table. And in the same subparagraph, he says that these reports ought to therefore satisfy the people of Hong Kong that public funds are being properly spent. We do not spend money, Sir, unless the project has gone ahead. Even in the doubtful subparagraph (c) where he talks about conduct of full public consultations before any significant decision is taken, the implication, as I see it, in this latter part of the motion is that these consultations are merely to ensure that the decisions, that is, once they have been taken, truly accord with the wishes of the Hong Kong people. Again, that, to my mind, implies that he supports the PADS projects. Now if I am wrong, perhaps he will correct me. But having said that, Sir, I think I agree with my honourable friend, Mr Edward HO, that I find very little that is objectionable in (a) and (b) in terms of at least the broad sentiment. If we get down to analyse the words in detail, there might be different degrees of disclosure being sought. But certainly with regard to (c), I have heard nothing in what Mr SIT has said about his understanding of the regime of public consultation that will persuade me to support subparagraph (c).

Now, I will deal very briefly with Mr CHEONG's amendment. It is simple, it is clear and indeed it simply, with respect, asks what any sensible government would, I assume, be more than happy to do in support of a large project of the type that we are undertaking in Hong Kong. Sir, therefore, for that reason, I would indicate, at this stage, that I definitely support Mr CHEONG's amendment. If I have misunderstood Mr SIT's motion, I will still vote against it because it is implicit in the motion that he is against PADS. Thank you.

MR BARROW: Sir, in rising to support the Honourable Stephen CHEONG's amendment I will comment on one or two key issues. It goes without saying, Sir, that the tourism industry's enthusiasm for this project goes back for some time and it has long been recognized that Kai Tak would have neither the capacity nor be environmentally acceptable to continue indefinitely as Hong Kong's international airport.

It has been suggested by some that the potential demand over the next 10 years should be reassessed. The Secretary for Economic Services in her persuasive speech

to this Council on 31 October provided background statistics and analysed the possible effect of direct travel to the mainland from Taiwan. I endorse her remarks. Whilst it is true that the current world economic slowdown and Gulf crisis will have a short-term negative effect on long haul travel into Hong Kong, this is going to be more than offset by the pent-up demand for travel in East Asia, which has grown strongly in recent years, including 1990. Direct flights to the mainland may well start in the next few years, but if that is so, it probably also indicates that the opening up of China is in full swing and this will provide a further stimulant to tourism in and through Hong Kong by both Taiwanese and many others. Furthermore, whilst China is putting increased emphasis on economic development in Shanghai and the Yangtse Delta, the areas directly north of Hong Kong will continue to be the main focus of foreign investment and thus will stimulate business travel.

Turning to the specific points in the motion, it is of course the responsibility of this Council and its Finance Committee to closely monitor developments and control cost. I agree that relevant information should be made available to the public and I would suggest that this should be in the form of professionally produced charts, summarizing the key elements, with emphasis on the financial aspects.

Sir, the economic arguments in favour of the new airport remain overwhelming. This is not the time to be faint-hearted.

With these words, Sir, I support the amended motion.

MR PAUL CHENG: Sir, I would just like to make three points in this debate. First and foremost, we must not let ourselves backtrack into viewing this as a simple yes or no issue on whether or not to move ahead with a new airport that is supported by the necessary port and other infrastructure. It is important that we can agree that this is a matter of implementation -- and I would like to emphasize the word "implementation" -- of a strategy. We are committed to a move-ahead mode because the matter is far too vital for the ongoing economic growth and future well-being of Hong Kong to do otherwise. We must not fail to look at the bigger picture which tells us without the new airport and port development our prosperity is clearly threatened. As a frequent business flyer, I also have ample opportunity to compare Kai Tak with airports in other leading cities around the world. There is no question we must now get on with building a new airport as soon as possible. Second, in acknowledging that it is high time we moved ahead with PADS, we must focus on improved

communications as a means of monitoring the quality of decisions being made. As I see it, recently the Administration has been forthcoming in providing more detailed information and reports to OMELCO Members so as to provide counsel and background for the rationale of the PADS decision. This is, however, but one aspect of the very necessary effective communication that is required. We are now at a point where we require Hong Kong Government leadership and effective communication from the Administration, from the civil service branches working on PADS, from the Provisional Airport Authority and from OMELCO Members ourselves. We need to also maintain our communications with China to encourage the People's Republic of China to provide some sort of positive support. As one of our honoured colleagues put it recently, the futures of Hong Kong and China are very much tied together. With this in mind, we must ask China and ourselves to rise above politics. This must not become a political issue. Development of a new airport and port scheme must remain an economic issue. It is an economic issue because PADS is not a matter of special interest groups nor should this be used as a vehicle for individuals to gain political visibility. PADS is crucial to all of Hong Kong; it enables us to continue to move forward, to continue to contribute to Hong Kong's historic record of outstanding growth and prosperity. Third, the question of consultation arises. Consultation with whom and when? The integrity of the project requires consultation; yet it must not encumber us such that we get bogged down to the point of holding back on progress in implementing a very necessary strategy.

I have been told that the Munich Airport, for example, required so much public consultation and communication that the project dragged on for far too many years. Hong Kong does not have that kind of luxury or have such luxury of time. Economically, our major industries require PADS implementation as quickly as possible and that means the livelihood of Hong Kong people requires PADS. There is a balance between consultation and letting management and experts get on with the task. We must not get to a situation whereby a shareholders' meeting is called to make each and every decision which falls within the realm of operational management. We must recognize and understand this balance in order that the development of the new airport and concurrent infrastructural projects can be progressed expediently and managed effectively.

From this perspective, I see the need for the Government to continue to make public relevant information as called upon by the Honourable Stephen CHEONG. But I also see the need to endorse heightened communication and consultation with this Council and with the appropriate contacts in the community on the progress of PADS.

With these remarks, Sir, I support the amended motion as moved by the Honourable Stephen CHEONG.

MR MICHAEL CHENG (in Cantonese): Sir, since the Port and Airport Development Strategy was officially announced, public outcry for open consultation and the release of more information on this subject has been growing ever louder.

Members of this Council have the obligation to act as the watchdog of the public in matters concerning government policies and the spending of public funds. Effective monitoring of this massive infrastructural programme, however, requires supply of adequate information about the related projects and their financial arrangements in particular. Besides, being taxpayers, we should have every reason and right to know more about the financial commitment to be involved in this Rose Garden project. The pity is that the public has so far been kept in the dark as to the details of this unprecedentedly huge project in Hong Kong, knowing nothing about the breakdown of its estimated budget, the aggregated value of the phased commitments by the Government and, in the absence of private participation, who is to bear the entire cost of the projects. As a result, the public has great doubts and begun asking themselves questions such as whether the Government would resort to increasing taxation as a means to raise the required fund, whether the proposed budget is cost-effective, whether it is really necessary to have the new airport completed by 1997 and whether the scale of this infrastructural project is in due proportion to meet actual needs. I hope that by making open all the vital information and data of the project, the Government will be able to increase the transparency of this matter, dispel the doubts and fear of the public and avoid possible erosion of public confidence in the Government's ability to administer this territory during the transitional period.

Apart from the gradual slowing down of its economic growth, Hong Kong is now under the impact of the Middle East events and the threat of an ever-rising trend of inflation. The people of Hong Kong have to brace themselves for the days of austerity. In order to implement the Rose Garden project, the Government has opted to adopt a stringent policy by tightening up control over public spendings, shelving the Home Purchase Loan Scheme for the "sandwich class" and postponing implementation of the recommendations of the Social Welfare Advisory Committee. All these will have a direct bearing on the interest and well being of the public. During this difficult

period, we must be particularly prudent in considering the budget and the financial commitments of such a large-scale project.

With its exceptionally high construction cost, the Rose Garden project is bound to have widespread implications on this territory. I hope that in order to take advantage of the combined wisdom of the masses, the Government will openly solicit the views from the general public and, in particular, the expert opinions from the professionals and relevant bodies by way of publishing a Green Paper and a White Paper on this issue. The majority of the people do not wish to see the Government re-employ the pre-emptive tactics as it did in the case of the Tsing Ma Bridge. With regard to the completion dates of the related projects, as there are indications from other sources of information that the existing strain on passenger and freight traffic in Hong Kong will be relieved to some extent in the future subsequent to a change in the relationship between China and Taiwan and the opening of the new airports in Macau and Shenzhen, the Government should, for the sake of relieving the Hong Kong people from part of their financial burden, make appropriate adjustments to the scheduled completion dates of the projects according to practical needs rather than making a race against time to meet scheduled deadlines for no meaningful purpose. If the Government clings obstinately to its chosen course regardless of the actual circumstances, it will inevitably add weight to the financial burden of the Hong Kong people who may consequently find life more difficult in the next seven years.

Sir, I have always been in support of the PADS. Although the amendments proposed by the Honourable Stephen CHEONG is correct in principle, the motion, if amended, is too vague in meaning. It merely serves the purpose of reflecting our concern over these projects without offering any concrete suggestions and is therefore not a constructive motion. The amended motion as proposed urges the Government to take every step to ensure that the projects are implemented in the most cost-effective manner. Even without such an urge, the Government, I believe, will surely act likewise. The original motion (Mr SIT's motion) is more constructive and meaningful in urging the Government to release all key information and figures relating to the costs, technical feasibility and comparative merits of various options. Moreover, by urging the Government to report at least twice a year to this Council on the progress of these projects, the amended motion as proposed only demands for regular briefings to this Council on projects that are unilaterally decided by the Government. It fails to produce any monitoring effect and is by no means an effective measure which can put this Council in an advantageous position to ensure proper allocation of resources by the Government.

The most important subject at issue is the question of public consultation in respect of the Rose Garden project. As far as the targets of consultation are concerned, I think it is essential that the professional bodies, professionals, district boards and various sectors of the community should be consulted.

6.00 pm

HIS EXCELLENCY THE PRESIDENT: Mr CHENG, I am afraid I must interrupt you. It is now 6 o'clock and under Standing Order 8(2), the Council should now adjourn.

ATTORNEY GENERAL: Sir, with your consent, I move that Standing Order 8(2) should be suspended to allow the Council's business this afternoon to be concluded.

Question proposed, put and agreed to.

HIS EXCELLENCY THE PRESIDENT: Mr CHENG, you may continue.

MR MICHAEL CHENG (in Cantonese): The proposed amendments to the motion are not in accord with the wishes of the people of Hong Kong in that the request for public consultation as proposed in the original motion has been removed.

Sir, for reasons mentioned above, I note with deep regret that the proposed amendments to the motion fail to put the Government under effective supervision. I have reservations about the Honourable Stephen CHEONG's proposed amendments and would like to support the original motion by Mr Kingsley SIT.

MRS FONG: Sir, our present quandary over the PADS is beginning to take on farcical dimensions. It can be equated to a group of citizens discussing the costs and implications of building a flood wall, as water seeps through the river bank.

Let us not lose sight of the basic fundamental issue and that is Hong Kong needs a new airport. If Hong Kong waits until my honourable colleague, Mr Kingsley SIT, becomes an airport expert and gives his support or waits until the entire financial package is organized, we will not be able to commence on the new airport within the

next few years. I also wish to help my honourable colleague, Mr Martin LEE, clear his misconception. To support the Government's intention to build the new airport is not blind support. In any major project, one must have a plan and a commitment to proceed and then one starts to organize the financial package. To support the Government's plan and the commitment is not blind support and is certainly not putting the cart before the horse.

We have to recognize that we desperately need a new airport, and we need it in place before the economic consequences of not having it make themselves felt too severely.

Certainly big corporations will suffer if the PADS project is not implemented on schedule; but so will the small businessmen and large segments of the working population.

We can no longer afford the luxury of criticizing the project from a philosophical and academic angle. Time is not going to stand still while we fickle and ponder.

Now is the time for action.

First, the British Government should demonstrate greater leadership by encouraging British financial institutions to participate in financing Hong Kong's infrastructure.

Second, the Chinese Government should display more understanding of the importance of this project. China's moral support for the project would do much to improve our ability to negotiate and secure reasonable terms for the loans and to receive investment.

All these are outside supports. We, in Hong Kong, must support the project ourselves. A Hong Kong consortium should be formed to bid for the major projects and show that Hong Kong investors have confidence in our territory's future. Investment by Hong Kong financial and business leaders should be both a sound use of funds and a message to others whom we need to attract to complete the package. This is an opportunity for our own financial and business leaders to once more give to the city that has provided the conditions for them to prosper.

We are now at a moment of great significance. I trust that we should all give



a clear message that we see the need, and urgency, for prompt action.

Sir, with these remarks, I support the proposed amendments to the motion moved by the Honourable Mr Stephen CHEONG.

MRS LAM (in Cantonese): Sir, my family were in mourning over the death of a beloved and I had to put aside my work as a Councillor for a while. Originally, I had planned not to participate in this debate, but after I listened to Mr Kingsley SIT's motion and Mr Stephen CHEONG's amendment to the motion, I feel that I, as a Member of this Council, am obliged to fulfil my duty and speak out. Therefore, I would like to express my support for Mr CHEONG's motion. Here, I would like to thank you, Sir, for permitting me to make an impromptu speech.

I remember that when I responded to your policy address last year and in the current year, I indicated my unreserved support regarding Hong Kong's immediate decision on the plan for the construction of a new airport and port facilities. Recently, I have been going frequently to the airport to receive my family members, and I have become deeply convinced that the decision made regarding the new airport is correct. That is because each time one goes to the airport, one invariably feels that it is chaotic and crowded. The airport is small, the flights are frequent, and there is a large number of people milling around. Passengers leaving Hong Kong have to stand in long queues, and the airport is crowded by people waiting for arrivals. When departing passengers push along their hand luggage, they find it difficult even to move an inch. When I was in the arrival hall of the airport, I heard departing passengers and people waiting for arrivals say that Hong Kong was named one of the big cities in the world and one of the world trading centres, but how can we live up to this name, not to mention future development, with such a chaotic situation in the airport? The persons who said those words were not engineers or specialists of the airport. They were Hong Kong people, and they were passengers. What they need is appropriate airport services. These remarks of theirs have made me believe deeply that if Hong Kong's prosperity and stability were to continue, and if the territory were to carry on with its role of an international city, then the construction of a new airport is an urgent task which permits no delay. Many Hong Kong citizens have expressed their hearty support for the construction of a new airport, but they are worried that the construction costs might be too expensive. Therefore, I agree very much with the first point in the amendment put forward by Mr CHEONG that the Government should adopt all measures to ensure that these projects

be implemented in the most cost-effective manner. Furthermore, I am also a member of Mr CHEONG's ad hoc group. I believe that my colleagues in the group and I will consider very carefully the future funding for the airport. I remember that when Members of this Council visited Chek Lap Kok this year, I, apart from wanting to understand clearly Chek Lap Kok's location, was very concerned about the extent to which the natural environment, air, water quality, and serenity in that place would be affected if an airport were constructed there. Mr CHEONG mentioned, as the second point of his amendment, that the Government should continue to make public all relevant information. I believe that such information would surely include data on environmental protection. In the third point of his amendment, Mr CHEONG proposed that there should at least be half-yearly reports to this Council on the progress of the projects. This will enable us to know very quickly the progress of the projects, and we will be able to put our questions and queries promptly. When we receive these reports, we can monitor the progress of the projects.

As there is such an acute need for the construction of a new airport, if comprehensive opinion surveys are conducted on every matter, I am afraid that it would be impossible to set a date of commencement for the projects, and that there might not be a chance to witness the completion of the airport.

Actually, not only do I hope to see the new airport completed, but I also hope to be able to take a plane at Chek Lap Kok as soon as possible. Sir, I therefore object to Mr Kingsley SIT's motion and support Mr Stephen CHEONG's amendment.

MR LAM (in Cantonese): I fully support the Government's decision to build a new airport at Chek Lap Kok. This "rose garden" project of infrastructural development, however, would involve massive capital spending. There is widespread public concern over the allocation of more than \$70 billion fiscal reserve as well as foreign exchange reserve to the tune of \$30 billion. It may even require financing from international consortiums. Such public concern is perfectly normal. The construction of a new airport must integrate with the building of associated port facilities and transport links. The project requires, according to 1989 projections, funding of about \$127 billion. But I believe the actual expenditure will be even higher, taking into account the annual inflation rate. Sir, it is imperative that, during the transition period, the Government should increase the transparency of its policies so as not to cause undue public alarm. I hope the Government will consult the public more often and keep them more informed on matters concerning the infrastructural project, so

as to get the full support of the people of Hong Kong.

MRS LAU: Sir, I rise to speak in support of the Honourable Stephen CHEONG's proposed amendments to the Honourable Kingsley SIT's motion.

Sir, when you first unveiled the PADS-related projects in your policy address in October 1989, the support given thereto by Members of this Council was quite clear. Nobody raised any objection. Actually most of us welcomed the projects and acknowledged the positive effects which such projects would have on stimulating the economy and maintaining prosperity and confidence in Hong Kong.

With the passage of time and intervening events including China's attitude towards the projects, the enthusiasm initially generated somewhat subsided. I regret to note that some people, including a few of our own honourable colleagues, have become more critical of the projects and sceptical of their viability. They have even gone back to querying the whys and wherefores of the projects. For those of us who continue to believe that the PADS projects are vital and essential in the long-term interest of Hong Kong, the debate today is timely in that it gives us the opportunity to reaffirm such belief.

Sir, I have no doubt in my mind that Hong Kong needs to continue to expand and develop in order to maintain its position as one of the most dynamic international trading centres in the Asia Pacific region. Hong Kong has achieved its present status not by stroke of luck but by its ability and readiness to grow and develop in line with, and sometimes in anticipation of, the changing circumstances and needs of the territory. Actually one of the major factors of our economic success lies in the fact that we have been able to constantly upgrade and modernize our infrastructural facilities and maintain the efficiency of our transport and communication systems. We must keep up with and continue to improve on our past performance.

In my view, very few people dispute our need for a replacement airport. Many people actually see the wisdom of and the need for incremental expansion of our port facilities to cope with the growth in cargo throughput. The large range of transportation facilities and transport links related to the overall port and airport development strategy form the backbone of a comprehensive transport infrastructure which promises to cater for the long-term transport needs of Hong Kong. It is not difficult to see that all these are beneficial to the further development of Hong

Kong in the long run. Actually the recent SRH survey referred to by the Honourable Stephen CHEONG clearly shows that the PADS projects continue to receive the support of the vast majority.

Sir, I am personally satisfied that the current PADS projects have been thoroughly researched and studied by experienced consultants. I am also satisfied that the proposed strategy affords the maximum development potential for Hong Kong. Be that as it may, I am at the same time very aware of the concerns and reservations expressed by some members of our community in regard to choice of sites, timing and finance. I have been fortunate in that being a member of the Legislative Council ad hoc group to study the financial arrangements for the new airport and related projects, I have the benefit of detailed briefings by the Administration and I also have access to certain documents and information which had assisted the Administration to decide on the strategy in the first instance. I find all these very helpful in enabling me to arrive at a better understanding of the projects. In my view, much of the scepticism and apprehension that have now arisen stem from a lack of clear understanding of the projects.

Sir, it is undeniable that the PADS projects are by far the most massive infrastructural projects ever undertaken by Hong Kong. A development of this magnitude must necessarily have significant implications on the community. The strain on our financial and manpower resources will inevitably be considerable. It is therefore imperative that there should not only be firm commitment on the part of Government but also the full support of the people. In our case, we further need the understanding and hopefully the blessing of our future sovereign state. Although it is true that the PADS scheme is an internal matter exclusively for Hong Kong to decide, we must not ignore the fact that these projects and the investments therein do extend beyond 1997. If China can adopt a more positive and supportive attitude towards the projects, it would certainly go a long way towards boosting investment confidence in the private sector, and we all know that private investment participation is extremely important if we are to maintain cost-effectiveness in the implementation of these projects.

To win the understanding and support of our local community, to remove the doubts and misgivings of the Chinese authorities, I believe that Government must adopt more openness in regard to the projects. Unnecessary speculation and unwarranted criticisms must stop. I believe that this can be achieved by the release of more information regarding the development viability of the projects, the proposed

schedule for implementation, financial estimates and budgetary arrangements. Actually there is, in my view, nothing to hide and the withholding of information only serves to breed suspicion and mistrust as to the bona fides of Government. I also feel that Government should not shy away from constructive criticisms. Government must seriously consider the views that come forth from the community and where appropriate, to incorporate changes to the programmes. Even with the best of plans, there is always room for improvements and I urge Government to be not only open but also open-minded.

Sir, I emphasize the importance of Government being open and responsive. However this does not mean that Government should defer plans until the public has been fully consulted or until the public, or China for that matter, gives the green light before proceeding. Indecision, fickle-mindedness and procrastination have no part to play in the efficiency which has long been Hong Kong's reputation. The ability to act quickly but pragmatically has always been the key to Hong Kong's success. We know that in some countries, it takes years and maybe decades for public consultations and public enquiries to go through before a decision can be taken as to whether or not a particular project may proceed. This is not the type of experience which Hong Kong would wish to share. This is definitely not the style of Hong Kong. The Honourable Kingsley SIT's motion seems to suggest that Members of this Council should follow the system of other countries and it is principally for this reason that I cannot support his motion.

Furthermore, in my view, Mr. SIT's motion lacks clarity of motive and sense of direction. Is he asking Members of this Council to call for more reports, more information and more public consultation so that there can be more talks and more debates about the merits and demerits of the projects before we proceed? Is he suggesting that the projects should be stalled pending the results of such talks and debates? Is he opposed to the projects as a matter of principle? If we supported his motion, where exactly do we stand? Although I agree that Government should be more open in the provision of relevant information and I also agree that this Council has the responsibility to vigilantly monitor the progress of the projects and ensure that public expenditure is being spent in the most cost effective fashion, I cannot agree to the fate of these projects being left in limbo to await the result of public consultation and the conclusion of public debate. These projects are already overdue. Our consultants and experts have already spent many years, perhaps too many years, studying the issue and carefully considering the different options before deciding on the strategy. Of course we can and should continue to talk about these projects.

We can and should continue to closely scrutinize the implementation of these projects but what is most important is that the projects in the main must not be stalled. We know that these projects are needed and needed urgently for Hong Kong. We must now reaffirm our support for the projects so that Government may proceed with the necessary works without delay. The conditions attached to such support, for example, release of information, periodic progress reports and so on must come as conditions subsequent rather than conditions precedent. In this context, I feel that the amendments proposed by the Honourable Stephen CHEONG puts the motion before this Council in the right perspective. I therefore support the same.

MRS TU: Sir, I would like to thank you for giving me an earlier turn and I apologize to my colleagues ahead of me.

Sir, I find that the proposed amendment by Mr CHEONG waters down the principle of the original motion because it presumes there is no controversy as to where and how the new airport should be built. There is a controversy and that controversy cannot be resolved until the Government explains to the public why other possibly less expensive projects have been ruled out.

Sir, I lay no claim to the geotechnical knowledge required in the decision making as to where the new airport should be built. What I do know are the fears of many of the Hong Kong public about the way we are going -- fears which have not been allayed by anything the Government has said or done so far by way of explanation. The Government does merely add to those fears by making only general statements about what Hong Kong needs in the way of infrastructural projects which demand more high level government posts, more consultations and more spending. What was seen a year ago as a confidence-boosting measure in the future of Hong Kong has now come to be seen, rightly or wrongly, as a last attempt to fleece Hong Kong of whatever is in its coffers. If this trend to spend is essential, then the Government should justify itself before the people and not depend on the persuasion of its officials and appointees to pass through this Council any measure it wishes. I agree with the original motion that clear information must be released on the various options on the PADS project. I agree that reports on all large projects in consultancies should be tabled in advance in a way which will satisfy the public that the funds are being properly spent.

Sir, I find the original motion rather unclear but I believe that the principle

of open explanation and consultation is in keeping with the sentiments and concerns of the general public especially as this Council cannot claim to be fully representative of the public. I therefore do not support the replacement motion.

MISS LEUNG (in Cantonese): Sir, looking back on the past few months, the Governments of China and Hong Kong and many concerned people have expressed diverse opinions on the PADS. Necessary and unnecessary debates are still continuing, and the parties concerned have all refused to give way.

Today, this Council is at last holding a motion debate on PADS. There is Mr SIT's original motion, and also Mr CHEONG's amendment motion. Furthermore, we have been informed that Mr Martin LEE will also be putting forward an amendment. I would like to divide my speech into two parts. In the first part, I will speak on the motion and the amendment motion.

Sir, we are presently faced with having to choose between Mr SIT's motion and Mr CHEONG's amendment motion. Mr SIT's motion, on one hand, does not indicate whether or not the mover supports the Government's PADS and on the other, it makes one feel, from the terms in which it is couched, that the mover seems to have accepted PADS. Such a motion makes it difficult for one to make head or tail of it. Indeed, quite a number of Members have questioned the seemingly contradictory terms of the motion. Mr CHEONG's amendment motion urges Members of this Council to take a clear-cut stand on PADS.

I feel that my colleagues should make known their positions on PADS. If this Council states its support of PADS, I truly believe that it would greatly enhance the confidence of local and international investors in investing in Hong Kong.

Sir, with regard to item (a) of Mr SIT's motion which urges the Government to adopt measures at once to provide relevant information, the obvious inference to be drawn is that the authorities have never been doing so. This is not correct. Of course, whether or not the information provided by the Government is sufficient would only depend on how an individual would view it.

Item (b) only urges the Government to submit annual reports on the progress of PADS. This makes one feel that it is less than frequent and altogether too inflexible. We should request the authorities to submit appropriate reports whenever appropriate

to enable us to monitor PADS in a more effective manner. With regard to requests in this respect, Mr CHEONG's amendment motion is far more advanced.

I cannot refrain from smiling at the request in item (c). This item requests that before major decisions are made regarding PADS, the Government should broadly consult the public. Although such a request seems very appropriate and pleasant to the ear, it is easier said than done and has no practical meaning. If public opinion is solicited before each major decision is made, time and energy will be wasted, and the projects concerned will be needlessly compromised. Although the public's wishes need to be respected, we should give the authorities a free hand as long as the public has accepted PADS. Matters related to the use of public funds will be monitored by the Finance Committee of this Council. Quite a few Members have spoken on this point just now, and I shall not repeat it. Furthermore, the Government should continue to consider the opinions on PADS expressed by the various sectors of society and even effect amendments to the plans when necessary.

Sir, after the foregoing measured analysis, and having listened to Mr SIT and Mr CHEONG explain their respective motion and amendment motion, I would rather accept Mr Stephen CHEONG's amendment motion. Actually, had Mr CHEONG not put forward this amendment motion, I would have proposed such a motion.

Sir, please allow me to express some opinions on PADS. In the past few years, I have had opportunities to express quite a number of opinions in public on PADS, particularly the development of a new international airport. Not long ago, I briefly summed up some of my relatively important opinions that I had expressed in my speech in the debate on the Governor's policy speech this year.

Sir, I believe that Members of this Council would not want me to repeat in great detail my views on PADS. I only want to stress, once again, that no matter from which angle the matter is viewed, Hong Kong really needs to construct a new international airport to replace the Kai Tak Airport whose historic mission is due to be accomplished.

As I point out in my debate speech on the policy address this year, "all along, I have held that Chek Lap Kok is a more suitable site for the building of a new airport as compared to the western harbour, Nim Wan and Deep Bay. This site will also most reasonably fit in with the development of new generation port facilities." Therefore, I welcome the Government's selection of Chek Lap Kok as the construction location



of the new international airport. Furthermore, I also hope that the authorities will try their best to provide the public with appropriate information and illustrative materials on PADS.

In fact, the five official Members, in their replies to non-official Members' speeches in this year's policy address debate, had eloquently and systematically explained why Hong Kong had a real need to construct a new international airport as soon as possible, why Chek Lap Kok was chosen as the construction location, and how funds could be acquired and so on. At the same time, the Government has been continuously providing us, non-official Members, with information concerned to strengthen our understanding of the new international airport development plan. Moreover, that the authorities have arranged time and venues to explain the whole development plan to all urban councillors, regional councillors, and district board members is indeed a good beginning.

Sir, what is the Chinese Government's attitude towards Hong Kong's PADS, including the development and planning of the new international airport? Summing up the news by the media, I have reason to believe that the Chinese side has acquired the concept that Hong Kong has a real need for constructing a new international airport, and for implementing the related development plans. Furthermore, the Chinese side also upholds the belief that the development strategy and plan concerned should conform to the wishes of the vast majority of residents.

It is apparently not an easy task to precisely indicate or identify the wishes of local residents. However, a residents' opinions survey report issued early this month by the Hong Kong Market Survey Agency on a survey conducted last month is very good reference material. Mr CHEONG also mentioned this report a moment ago. Although it is generally believed that Hong Kong will face the crisis of economic recession and high inflation in the near future, most residents are very willing to support PADS, which will cost more than \$100 billion. Under the circumstance that there is a firm belief that we will face difficulties in the future, 64% of those polled still support the whole of PADS, while another 23% refuse to comment on it. It is easy to see that the wishes of most of the residents can be said to be considerably clear on whether or not to support PADS.

Sir, just as Members of this Council were giving their debate speeches on the policy address, the new airport plan took on an encouraging turn of development. Both the Chinese and Hong Kong Governments have, without hesitation, set up a specialist

group on PADS and have held the first round of talks in Hong Kong. At the meetings, it is said that the Hong Kong side had put forward a great deal of useful data to the Chinese side. Because of that, the Chinese side has acquired a further understanding of PADS.

It is easy to see that the Chinese Government is still worried that the new international airport and the related development plans might bring a heavy financial burden to the Hong Kong Special Administrative Region in the future; this worry is understandable. We know that the Government has made quite a few explanations on this point, including the citing of the figures of the foreign exchange fund, reserves, and the future Special Administrative Region land fund, to illustrate that, at present, Hong Kong is sufficiently financially prepared to support the construction of the new international airport and related development plans. However, I cannot be sure if such illustrations are adequate.

Sir, in any case, because Hong Kong is presently sufficiently financially prepared, as long as we can successfully formulate a good financial strategy on PADS, including cost control, cost-effectiveness and attraction of private capital to participate in the projects, it would not be difficult to resolve financial problems. With regard to projects to be funded fully by the Government, the authorities can consider the use of loans and the issue of long-term bonds to ease the pressure brought to bear on public finances.

In my speeches in the debates on last year's Budget and this year's policy address, I pointed out: "Its (The Chinese Government's) attitude can affect the success or otherwise of these (PADS) projects, [which are going to stretch beyond 1997.] Therefore, if only the Chinese Government gives support to these development projects . . . . ., we believe they will certainly gain ready and extensive support from private enterprises overseas, thereby reducing the pressure on our public finance."

Sir, a considerable number of residents are very concerned that the Government's financial position, the territory's various social services, and the public taxation policy will be, to a certain extent, affected by PADS. The Government should try its best to explain comprehensively and concisely such possible effects to the public.

Lastly, I hope that the Government will, where appropriate, continue to make available to residents information on PADS, explain the saturation forecast of the Kai Tak Airport, the urgency of building a new airport, the new airport's choice of

location and financial arrangements, and the possible effects on the public when the plans concerned are carried out. The Government should print pamphlets on PADS for the residents' reference and also produce tapes and video tapes for broadcast by the electronic media and in other public places including City Hall, community halls, and shopping centres.

Sir, with these remarks, I support Mr CHEONG's amendment motion.

MR MCGREGOR: Sir, and dear colleagues, I will be very brief.

During my many years with the Commerce and Industry Department of the Hong Kong Government, the question of air services into and out of Hong Kong was often under examination. It was of course recognized that given the nature of the Hong Kong economy, the adequacy of our air services was of paramount importance. The very detailed series of studies carried out from 1973 recommended the Chek Lap Kok site for a new airport. I can recall very well that, in my department at that time, there was no argument with the need for a new airport and there was general agreement then, on the basis of the professional studies available to us, that Chek Lap Kok was the most viable alternative site to Kai Tak.

Here we are 17 years later still agonizing over whether and where, with the added element of cost.

I have not had any doubt during these 17 years that we must have a new airport if our economy is to continue to expand for our benefit and for that of China. I do not doubt that, on all the evidence available, Chek Lap Kok is in fact the best site. I also do not doubt that the costs now assessed by the Government have not been manipulated and that there is no ulterior motive by Government in seeking to move quickly to begin this great project. It is a pity it has taken so long.

I have in fact said to Mr Kingsley SIT that he is very lucky. He has at least four Members in support of his motion; I only had one in support of mine. He is clearly a better politician than I.

I am therefore in favour of Mr Stephen CHEONG's motion.

MR SIT (in Cantonese): Sir and honourable colleagues, when I was coming to the Legislative Council for the meeting today, I passed by Mandarin Hotel and looked for someone to shine my shoes. It was something of a surprise that the shoe-shine boy should recognize me. He said: "Mr SIT, you shine shoes!" I said: "No, I have come for you to shine my shoes." He said that he read in a newspaper that I would move a motion at the Legislative Council today. I said: "Very good, that is a manifestation of civic awareness." At that time, I was very happy that a shoe-shine boy should pay such a great deal of attention to what was happening in society. While he was shining my shoes, he said: "Mr SIT, the motion that you will propose today will surely be voted down." I said: "How come a petty shoe-shine boy should have such superb political intelligence? The debate has not yet started!" He said: "You will not understand. You go back and think." This afternoon, when I listened to my colleagues' speeches, I felt that the shoe-shine boy had considerable intelligence. With the passing of seconds and minutes, it seemed that the shoe-shine boy's prediction was getting nearer and nearer to the truth; I feel that this motion is just like what the shoe-shine boy predicted: "Mr SIT, you are bound to lose, and you need not have proposed it." I believe that although I have lost in this debate before this Council, the people of Hong Kong and my constituents will still support my views.

Now, I would like to say that there is something quite peculiar about today's debate in the sense that we do not see official Members speak. However, it is strange that although there are no official Members delivering speeches, the Chamber resounds with official arguments. The full re-hashing of official arguments in this Chamber is what I have become keenly aware of this afternoon.

I would like to take this opportunity to analyse to you the dissimilarities and similarities between Mr Stephen CHEONG's amendment motion and my motion, and to give you my views. As an insignificant Member of a large Council, I feel that I still have the freedom to express my views.

First, with regard to the moving of a motion on the spirit of PADS, I fully agree with Mr Stephen CHEONG's views that it is imperative for Members of the Legislative Council, as leaders of public opinion in Hong Kong, to conduct an open debate on this issue so as to make the people of Hong Kong clearly understand the Legislative Council's stand on the issue of infrastructural plans, and, as the agents of public opinion and constituents of the examining and approving authority for public spending, to make known their opinions as to whether or not public interest is fully reflected through this Council.

Now, I shall return from my digression. First, the most serious weakness or the most controversial point of Mr CHEONG's amendment motion lies in its request that the Council support the Government's intention in the implementation of PADS. We all know that with regard to the development strategy concerned, the Hong Kong Government, in the absolute absence of public consultation, has arbitrarily progressed from the intention stage to the actual implementation stage. In this process, and under the circumstance that the public has not been consulted, two of the three options discussed in your policy address in October last year have been abandoned in favour of the Chek Lap Kok option. From that day to the present, the Government has spent nearly \$3 billion on consultant fees and designing expenses. Resumption of land near the Chek Lap Kok site is now in progress, and the Airport Authority has also been established. Furthermore, the Chief Secretary has publicly announced that \$7 billion in reserves will be spent on financing the construction of the Tsing Ma Bridge, and the tender form has been published in the Gazette. These various actual signs indicate that the infrastructural project planning has broken away from the "intention" stage described by Mr CHEONG. Actually, all taxpayers and residents in Hong Kong have started to directly or indirectly pay towards the infrastructural costs concerned.

Therefore, unless Mr CHEONG has extrasensory perception and knows that the Government has no determination, but merely the intention, to thoroughly implement PADS, this motion has actually become stale. It has lost its significance in terms of reality and timing.

HIS EXCELLENCY THE PRESIDENT: Mr CHEONG, are you rising on a point of order?

MR CHEONG: Yes, Sir, my amended motion has to be read in its exact terms of "intention to implement". Mr SIT has purposely left out the word "implement".

HIS EXCELLENCY THE PRESIDENT: Mr CHEONG, it is not really a point of order there. But a Member has a right to speak again to explain something if another Member has failed to understand. That is the only way a Member can speak twice on an amendment. Mr SIT, please continue.

MR SIT (in Cantonese): Sir, secondly, the amendment motion calls upon the Government to adopt "the most cost-effective" procedure in implementing the infrastructural plan. It seems that the incidental is put before the fundamental in this respect. This is because before implementing any plan, the primary issues to be considered are need, financial ability, and priority and order. Cost-effectiveness will have actual significance only when these three issues are attended to and resolved. Otherwise, the so-called best interests of the people of Hong Kong would also go down the drain.

Thirdly, the proposal in the amendment motion pertaining to the Government's continued effort to make public relevant information is not practical. I think that it merely provides an additional excuse to enable the Government to have more grounds to make public relevant information such as in the "shoot first and ask questions later" situation with regard to the Tsing Ma Bridge. Furthermore, the people of Hong Kong have grave reservations about the Government's sincerity in announcing the date concerned. Take information provided to this Council as an example, of the port and airport consultants' final report, only one copy was delivered to the Legislative Council 10 months after its publication. Poor business results in the past would make investors lose confidence and hesitant. It is believed that if it were not for the massive pressure of public opinion, such information, like the information laid before Mr Stephen CHEONG, would possibly be handed over to the Legislative Council at the time when the Government is handed over in 1997.

The fourth point is where the biggest divergence in the two motions lies. In the amendment motion, the request for the Government to conduct a comprehensive public consultation exercise before making decisions on the major infrastructural projects, so as to ensure that those decisions are truly in accordance with the wishes of Hong Kong people, has entirely vanished. In a free and democratic society, public consultation is an extremely important measure and an effective way to gather public opinion. It enables us to understand public opinion which can act as a check and balance against Government's arbitrary inclinations. The Government and Members of this Council have often mentioned the OMELCO consensus, their hope to speed up the pace of democracy in 1997, and how to increase the Government's transparency. If this amendment motion were really approved, then there would be nothing left of democratic awareness and civic awareness!

Honourable colleagues, we are from different sectors of society and have different interests and backgrounds; no matter whether we are appointed or elected

Members, we are now sitting in this Legislative Council Chamber although the directions our seats face are not the same. Although we might have differences in our political views, I believe that we share the same goal, that is, to pool our efforts and strive to administer Hong Kong properly so that the ideals of "Hong Kong is our home" and "Hong Kong ruled by Hong Kong people" can be actually implemented and realized. We criticize the Government not because the Government is our enemy. We monitor the Government closely not because we want our Government to be embarrassed. Our aim and hope is that the Government will correct its mistakes if any, and guard against them if none. We hope that the Government and the people will co-operate and enjoy peace together. I believe that this is also the fervent hope of the 6 million people in Hong Kong and my colleagues, who are in this Legislative Council Chamber today.

Sir, with these remarks, I oppose the amendment motion.

MRS SO (in Cantonese): Sir, two of the factors contributing to the remarkable success made by Hong Kong in the past few decades are the efficiency of our Government in its administration and the timely provision of infrastructure to meet the needs of our society. Whether these two factors can continue to prevail is vital to the future development of the territory.

The community have already reached a consensus that Hong Kong needs a new airport and the Hong Kong Government has taken action to prepare for the implementation of the project. At present, members of the public are focusing their attention primarily on how to make the best use of resources in completing the new airport. While consultation is an important part in the process of government decisions, we have to appreciate that the construction of a new airport is a project of such magnitude that though it may be possible to carry out consultations on some matters of principle, it will be rather difficult to consult public views extensively on issues in which complicated and technical problems are involved.

As I have mentioned in the policy debate, it is very important to enlist the support of the public for these major infrastructural projects and there must be a high degree of openness in respect of the financial arrangements for the new airport. In this regard, more detailed information should be provided by the Government. I suggest that in future when the Finance Committee considers the allocation of funds and other financial arrangements relating to the port and airport strategy, papers

prepared by the Government for such purposes should be released as soon as possible, so that this Council can take into account the views of the public in its deliberations.

Sir, with these remarks, I support the amendment to the motion as proposed by the Honourable Stephen CHEONG.

MR TIEN: Sir, the Honourable Kingsley SIT sought to move a three-part motion standing in his name on today's agenda. There is, however, a hidden agenda in all of this as the amended motion by the Honourable Stephen CHEONG brings out and confirmed by Mr SIT himself earlier in his speech. The original motion did not concern itself solely with information gathering by public consultation. The deeper implications of this motion is to prevent the construction of the new airport.

Sir, the second part of the original motion by Mr SIT, that is part (b), is acceptable to me as it is reasonably close to Mr CHEONG's amendment. This requested the provision of annual reports to this Council on the progress of PADS in order to satisfy the people of Hong Kong that public funds are properly spent. Such twice-yearly reports should be quite detailed but without losing sight of the essential issue, namely, to be constructive, and not obstructive. After all, I take it that the object of part (b) of the original motion as well as the amendment was to let us see how successfully we are going ahead with the project, as well as to monitor its spending.

Having said that, however, I wish to comment on the implications of the two other parts of the original motion, set down as (a) and (c). Part (a) calls for Government to "release all key information and figures relating to the costs, technical feasibility and comparative merits of various options and the basis on which the Government has embarked on its present development strategy." This is a quite overwhelming, and, quite unnecessary request.

We already possess vast amounts of data in the form of lengthy reports from the Lands and Works Branch as well as documents from various technical experts. We also have a comprehensive explanation of the matter given by the Secretary for Economic Services, the Financial Secretary, and other Secretaries at the meeting of this Council on October 31.



A careful reading of these documents will surely provide ample data on all the points raised in part (a) of the original motion.

All this information has been compiled and supplied by the appropriate departments. This begs the question; what should Councillors do with this information? Do we, in our turn, hire batteries of consultants to interpret the technical details in these papers? Do we, as Councillors, have the expertise ourselves to understand more than a fraction of the technical details in all these papers?

That being the case, why should we be fed with an unrelenting diet of technical data? Information for its own sake is not true information. We should not deceive the general public and, in due course, the voters, about what we can do. Mr SIT has made a list of topics on which he would like more information, and perhaps certain Members here too. These topics are listed out in his letter dated 1 November 1990 to the convener of the Legislative Council ad hoc group.

These subjects are hardly bedside reading. They include such gripping subjects such as report number TP1 on "polders", TP10, TP16, TP17, TP25 and TP26 on "coarse screening".

One topic on which he sought enlightenment concerns TP19 on "the disposal of marine mud". This is intriguing because public figures are not strangers to mud slinging. But there is already in Lantau -- site of the new airport -- a mud olympics held annually, and Lantau's mud is a fascinating subject about which we should learn more, as we should, say, about frogs and toads at Dai Long Wan.

I conclude that we do not require all these technical information on PADS. We, as Councillors, cannot be expected to understand and digest all these technical information. It is far better to look to responsible leadership from our Government and guidance from professionals on the subject as we are steered through the complications of costs, technical matters and a variety of options at every stage. A little knowledge is a dangerous thing; on the other hand, too much information can lead to over-kill.

Sir, I now turn to part (c) of Mr SIT's motion which seems to me to be based on a profound misunderstanding of the nature of project building of this magnitude. Mr SIT's motion asks for full public consultation, but without any help on interpreting

this phrase, before any significant decisions on PADS may be taken. Sir, such motions are both unrealistic and impractical. What is "full public consultation"? Does that mean we need a public referendum whenever a significant quantity of cement needs to be ordered, or whenever senior staff are hired or fired?

Who is to say what is a very significant decision, or a not very significant decision, or even a moderately significant decision? The motion then goes on to seek to ascertain, by some unspecified means, whether such decisions "truly accord with the wishes of the people of Hong Kong".

I am rather tired of some people, not excluding Mr SIT, claiming to speak for the people of Hong Kong. These claims are at best rhetorical, at worst, bogus. The people of Hong Kong are not necessarily of one mind even on apparently clear and straight forward issues. So, on a highly technical matter such as PADS, the Hong Kong people may, with the best intentions in the world, just not know how to interpret "significant decisions".

These ideas and the language in which they are framed are unfortunate. They have not been well-thought out, and are calculated to generate more heat than light.

We must not miss one fundamental cost. This is the opportunity cost of not going ahead with a new airport. As the Secretary for Economic Services pointed out in her speech here in this Council on October 31, the total cost of not going ahead is both huge and incalculable. Would Mr SIT expect a reasoned answer from all the people of Hong Kong on this subtle but significant point? I think not.

Sir, I conclude by asking my fellow legislators to be cautious, and not give credibility to any ill-conceived motions which are not much more than publicity seeking exercises. As the time for the 1991 elections draws near, we should be on our guard against language which plays upon the baser instincts of the electors.

I will further urge the people of Hong Kong to be beware of incumbent Members of this Council who do not come to meetings, who do not go to site visits, who do not do their homework but keep claiming to represent the views of the people.

Sir, I know, as do many of my colleagues, that the PADS is not without risks. It is unpopular in some quarters, and the Chinese authorities have so far given it only qualified blessing. But it can be built and should be built. Remember those

who doubted the need for building the MTR in the 1970s and before that, the cross-harbour tunnel in the 1960s. They too were wrong.

We have increased our social welfare programme spendings from \$700 million in 1980 to \$4.7 billion this year. We have also increased spending substantially in areas that are dear to the heart of the voters, such as housing, education and medical services. However, we must not lose sight on how to generate income in future to pay for these social spendings. Hong Kong's future as part of the Pacific rim calls for PADS -- the gateway to our better future.

We need to think towards the 21st century, in positive fashion. We do not need negativism, or the language of those few who speak of Hong Kong as a duck being roasted Peking-style. We are nobody's duck, and the quacks are made only by a few negative vote getters.

Hong Kong is not to be seen as a private company winding down. We do have work to do and quick-fix motions only hold up the progress of Hong Kong.

Sir, with these remarks, I do not support parts (a) and (c) of Mr SIT's motion, and am pleased therefore to have supported Mr Stephen CHEONG's amendment before this Council.

MR PETER WONG: Sir, I rise to support my colleague, the Honourable Stephen CHEONG, in his motion since it reflects more accurately my views on the project as a whole rather than the original motion.

No doubt there are particular areas of PADS that, from a microscopic point of view, we individually would find objectionable. However, we must not forget that we, legislators, have a duty to look at the project from Hong Kong's overall point of view. It is not so much the wood and the trees but more a case of whether we can even see the forest. It has been exceedingly difficult to grasp the essentials of the whole project and the financial implications and this is where the Government can be justly criticized for not making available pertinent and timely information to us as well as the public so that the people of Hong Kong can be satisfied that such huge sums had been wisely spent. The Government has an immensely difficult task in informational dissemination due to the complexity of the project. I have never experienced any feeling that the Administration has ever hidden anything from me.

All requests for any papers had been promptly provided. It is a matter of selecting the information in a comprehensible way that we can perform our overall monitoring role. A far more productive means of communication would be the briefings from the Administration the first of which is expected in December. It should enable each individual Councillor to address his own interests and concerns. Detailed relevant information can be supplied as a follow-up and I would include, amongst relevant information, information on environmental impact studies. It is a far greater problem for dissemination of information to the public. Those of us from the functional constituencies will have a role in interpreting significant aspects to our own interest groups. Those on the district board should assist the information flow through the boards to reach the district level. But first of all the Administration must do its homework, screen the relevant data and tailor-make the information for public consumption. The media also has an important and complementary role to play in giving objective and unbiased reports so that the Hong Kong public can make up its own mind.

I agree that it will be helpful to make formal reports to this Council periodically and I have an open mind whether half-yearly is sufficient. Only experience will tell. However, the Administration should not wait if a matter of real importance comes up.

I said on October 24 and I quote: "There is also an all consuming need to have the chief executive of the airport project appointed as soon as possible." I would stress it here again. Such supremo who will be the master of all the intricacies of the whole project is the very person not only to control but to communicate the airport project to the people of Hong Kong and to the world.

Lastly I query what the Honourable Kingsley SIT meant in clause (c) of his motion. When he proposed to conduct full public consultation, did he mean the public tribunal hearings done for the Munich Airport? Then I would urge extreme caution before embarking on such a slippery road. It will at one stroke reduce the Administration to impotence and delay any significant infrastructure building because of the possibility of blocking tactics of a minority which may not have overall support. What we do need is to enhance the existing channels of communication. We, legislators, will have to do a lot more to bridge that communication gap with our own constituents and the public. The first step of true consultation is to inform.

Sir, for these reasons, I support Mr CHEONG's amended motion.

MR CHEUNG YAN-LUNG (in Cantonese): Sir, I would like to thank you for letting me speak in this debate despite short notice. I am for the motion as amended by the Honourable Stephen CHEONG and would like to give my full support to the infrastructural development and all its related projects. The launching of the infrastructural programme will, I believe, certainly have a stabilizing effect and bring to Hong Kong a prosperous future. It is in fact rather difficult to consider conducting full consultation at this stage. The building of an airport has been discussed for quite some time. Everybody must have heard of it, if I may say so. Now we should lose no time and allow no delay. Mr CHEONG urges the Government, in his amended motion, to report at least twice a year to this Council on the progress of the PADS projects. By then, we will naturally be consulted and be given the chance to put forth better recommendations.

Sir, with these remarks, I support Mr CHEONG's amended motion.

Question on Mr Stephen CHEONG's amendment put and agreed to

HIS EXCELLENCY THE PRESIDENT: As Mr Stephen CHEONG's amendment has been agreed, we now debate the motion as amended, that is, Mr Kingsley SIT's motion as amended by Mr Stephen CHEONG's amendment. It might be helpful to Members of the Council if I read out what that is. The motion as amended which will now be debated is as follows --

"That this Council supports the Government's intention to implement the Port and Airport Development Strategy related projects and in view of the immense impact of these projects on the future of Hong Kong, as well as the significant financial and manpower resources devoted towards this end, this Council urges the Government:

- (1) to take every step to ensure that these projects are implemented in the most cost-effective manner and in accordance with the best interests of the people of Hong Kong;
- (2) to continue to make public relevant information; and
- (3) to report at least twice a year to this Council on the progress of these projects."

Does any Member wish to speak to the amended motion? Perhaps Members would be kind enough to raise their hands so that the Clerk will take a note of those who wish to speak on the motion as amended. I have noted Mr CHEONG's name, Mr Martin LEE's as well. Do I have other names? The Financial Secretary also. Have I missed any others? I am advised that Mr CHEONG, having spoken already on the original motion and the amendment to it, is not able to speak again this time. So that leaves two Members. Mr Martin LEE, you have given notice to move an amendment to the original motion. Now that that motion has been amended, you may speak on the amendment now.

MR MARTIN LEE: I am much obliged to you, Sir. When I spoke against the Honourable Stephen CHEONG's amendment a moment ago, I saw a frown on your honourable face when I said that we were originally told that the entire PADS project would be financed by the private sector.

HIS EXCELLENCY THE PRESIDENT: Mr LEE, it is not in order to call in aid or against something the views of the Governor and that includes frowns. (Laughter)

MR MARTIN LEE: I am obliged, Sir. I would like to correct what I said then. It was because we were only told that the private sector would be expected to take up only 40% or 50% of the entire project. But this does not detract from the point that I was seeking to make, namely, that originally we were told that the Tsing Ma Bridge would be financed by the private sector but it was recently announced that it will now be built at the Government's expense. Indeed during one of the briefings given to us, I asked the Secretary for the Treasury whether there was a possibility that if China were to continue to refuse to support the PADS project, the Government would find it necessary to foot the bill for the entire project, and if so whether we could afford it. The answer given to my question was that I should have asked the Chief Secretary.

Sir, I fully support the call for the Government to release more information regarding the PADS projects. The public perception is, however, that the approach of the Government on the matter of the new airport has been marked by arrogance and high-handedness. The people of Hong Kong are told that they are to expend massive sums of money on the PADS projects; yet the Government does not deign to explain fully how the money will be spent or release the studies on the economic necessity of the new airport. Unlike other major decisions -- such as policy reviews on education

or social welfare -- the Government has made no effort to consult the community on PADS at all.

The Government must realize that those who are responsible for paying for PADS -- the people of Hong Kong -- have a right to know what they are paying for. While I welcome the decision of the Government to release information to representatives from the People's Republic of China, I find it highly ironic that it denies that same information to those who will pay for the new airport both now and after 1997 -- the people of Hong Kong. Indeed, if the people of Hong Kong were given the opportunity to consider the new projects, they may well support the proposals, and in that event China will know that the airport is in the long-term, post-1997 interests of the territory because it is what the people of Hong Kong want.

As the matter now stands, however, not only the People's Republic of China but many Hong Kong residents remain unconvinced that the decisions of the Government relating to the airport are taken with the long-term interest of Hong Kong in mind -- rather than the short-term political interests of the British Administration here. For example, in the absence of any detailed information, many people question whether the rush to open the first runway by 1997 is a purely political decision that will definitely add expense to the project and cause irreparable damage to our environment.

The Government has erred badly in making the airport issue into such a political one -- to the extent that the success of the Government in building the airport has become the litmus test of its ability to govern Hong Kong up to 1997. Because of the political importance the Government has mistakenly placed on the new airport, China may well take advantage of the situation by extracting a series of concessions on the airport and also unrelated matters from a Hong Kong Government which is desperate for Chinese support. It is thus even more important that decisions on the new airport be made in the open by the people of Hong Kong rather than in private by a select group in the Government.

Currently, many people in Hong Kong do not see how the new airport will benefit them. They understand that spending on the airport will limit the ability of the Government to improve essential services such as education, housing, health care and social welfare. There are also fears that the infrastructure projects will lead to higher inflation and perhaps new taxes. The people of Hong Kong, moreover, have seen that the Government has rejected important social measures on the grounds that they are too expensive. To cite but one example, the Government just recently refused

to offer the Housing Authority a much-needed loan. Yet, at the same time, the Government is willing to assume great expenditures on PADS, including the financing of the Tsing Ma Bridge. Many of our citizens question whether the funds allotted to PADS could be better spent elsewhere.

If the Government is to convince these citizens to support PADS, it must spell out clearly the benefits arising from the construction of the new airport and the disbenefits if it were not to be built. It must release detailed studies on the degree to which a new airport will strengthen critical areas of our economy such as our capacity to export goods or welcome tourists and thereby demonstrate the economic necessity of the project.

The Government, however, has not proven its case convincingly. The press has revealed, for example, that a government consultant has estimated the disbenefits of not having a new airport to be at over \$100 billion; yet a second report puts the figure at only \$10 billion. The Government, though, has made no attempt to explain the discrepancy; it has merely stated that the second figure is wrong. The attitude of the Government seems to be that the public has no right to know any of this information, and the Government is under no obligation to explain its conclusions. Yet, if the Government is to demand that the people of Hong Kong spend tens of billions of dollars on the new airport, it had better prove to them that the economic benefits will indeed exceed the costs.

Consistent with its refusal to release information to the public is the closed nature of the Provisional Airport Authority established by the Government. The non-government members of the Authority are an unrepresentative elite chosen from business and financial circles only. The Authority needs to have members who are from different sectors of the community if it is to be seen to be acting in the public interest. As has been pointed out, there is a danger that, in the absence of public scrutiny and regulations against conflict of interest, members of the Authority from the private sector may be thought to be swayed by personal interests in letting contracts or making other decisions.

The Authority should inform the public of its decisions and the reasons lying behind those decisions. Local communities, moreover, must be given the opportunity to make representations on matters concerning them, and the Government ought to take into account community views during the planning and construction stages so as to minimize any negative consequences stemming from the development projects.



For all these reasons and those I expressed earlier this afternoon, Sir, I cannot support the motion as amended by the Honourable Stephen CHEONG. I am not ready to offer my unreserved support for a plan about which so little information has been revealed.

But despite my reservations about the motion as amended, I still believe it is important to try to improve that motion. Hence, I would like to propose a further amendment. As convener of the OMELCO Standing Panel on Environmental Affairs, I wish to stress the importance of understanding the environmental implications of the PADS proposals. I therefore move the following amendment to be placed at the end of the amended motion:

"In addition, this Council urges the Administration to release from time to time a series of detailed environmental impact assessment reports, addressing the effect of the infrastructure projects on air, water and noise pollution levels and the overall environmental impact on Lantau Island, Tsing Yi Island, and the western parts of Kowloon and the New Territories."

Sir, there are several areas where the PADS projects will have a very significant impact on the environment of the territory, and the people of Hong Kong have a right to know the full details of this impact. Yet, the Government to this point has provided little information on the environmental consequences of the PADS proposals. I urge the Government to release detailed environmental impact assessment reports so that the public can be made fully aware of the effect the planned developments will have on air, water, and noise pollution in affected areas of the territory.

For example, the reclamation work on Lantau and west Kowloon could potentially lead to water pollution problems. And given the severe water pollution crisis already facing Hong Kong, the Government must ensure that the PADS projects do not lead to a further deterioration in water quality.

Second, it is imperative to ascertain the degree to which the airport and related developments on North Lantau will affect the country parks on the rest of the island.

Third is the increase in traffic and noise and air pollution that will affect those persons living along the planned transport arteries in west Kowloon and the western New Territories. Many of these areas already suffer from severe pollution

problems, and it is important that we study ways to minimize the impact of the increased traffic -- especially lorry traffic -- along the planned transport links.

The fourth issue relates to noise pollution stemming from aircraft overflights. The Government is now making a final decision as to the configuration of the runways in the new airport, a decision with substantial implications on noise pollution levels on Lantau Island and the western New Territories. The Government ought to make public its studies on the runway configurations and allow affected communities a chance to examine these studies and make appropriate representations.

These are only several examples of the many environmental matters that are implicated in the building of the new port and airport. I therefore call on the Government to release full environmental impact assessment reports concerning the many different areas of Hong Kong that will be affected by the planned developments.

Accordingly I urge honourable Members to support my amendment to the amended motion.

MRS CHOW: Sir, since Mr Martin LEE has made it so vaguely clear that he does not support Mr CHEONG's motion, can he actually move an amendment to a motion he does not support?

HIS EXCELLENCY THE PRESIDENT: If there is a motion on the table which is being debated, a Member can move an amendment to that motion and the amendment is then debated and there is a vote on whether that amendment is approved or negatived.

Question on Mr Martin LEE's amendment proposed.

HIS EXCELLENCY THE PRESIDENT: I would like to make clear that we now start again, as it were, to debate the amendment and only the amendment. So Members who have spoken before may speak again on the amendment. If Members would be kind enough just to keep their hands up for a moment. I shall ask the Clerk to note the names and he will indicate to me when he has done so. If Members would be patient and strong and keep their hands up for a moment. In order to save time for the debate, if Members would still remain patient until they see a nod from the Clerk. I will call the first

Member due to speak while Members' hands are still up. Members would please take their hands down upon a nod from the Clerk.

MR CHEONG: Sir, before I begin, may I, under Standing Order 28 of Part H on Rules of Debate -- Save with the leave of the President, a Member may not speak more than once except a Member who has spoken on a question may again be heard, if the President so permits, to explain some part of his speech which has been misunderstood, but when speaking he shall not introduce new matter -- seek leave from you to speak again. Of course, Sir, it will be subject to your discretion. I feel that some parts of my earlier speech had been misunderstood by others in the ensuing debate.

HIS EXCELLENCY THE PRESIDENT: Mr CHEONG, could you explain, as I am not quite clear, are you asking leave now to speak on those particular points which have been misunderstood, which you have a perfect right to do, or are you now speaking to the amendment?

MR CHEONG: Sir, I was hoping that it would save time if I could deal with two at the same time, that is, if you agree that it will be in order under Standing Orders.

HIS EXCELLENCY THE PRESIDENT: According to Standing Orders, I think it would be more correctly in order if you would be kind enough to speak to the amendment now. We will then revert to the main motion, either as amended or as not amended, and then at that point, if you will be kind enough to seek permission to put right any matter you believe has been misunderstood. Meanwhile, it would be best if you would speak to the amendment.

MR CHEONG: Thank you, Sir. On the amendment, first allow me, Sir, to pay my humble respects to the Honourable Martin LEE for his special interest in environmental issues in Hong Kong. I too share the same interest and I am sure almost all of our colleagues would agree that major environmental problems, if they were caused by the PADS project, would not escape our attention during Members' close scrutiny of the details of the project. Nevertheless, I feel that the amendment as proposed by Mr LEE, if adopted, might create a wrong impression that environmental aspects of such project are the single most vital consideration that we have to address. This is obviously not so

as other aspects, such as technical feasibility, financial feasibility, availability of resources and others, are of equal significance. Also the word "relevant" in my original submission does include the environmental information sought by Mr LEE's proposed amendment. Insofar as Mr LEE's interpretation of my amended motion is concerned, I think adding his amendment would make it redundant and will not serve any useful purpose. I therefore oppose his amendment.

HIS EXCELLENCY THE PRESIDENT: I have the names of the following Members who wish to speak on the amendment. I will read them out and if anybody has been missed out, perhaps he or she will be kind enough to raise the hand. Mrs Selina CHOW, Mr Edward HO, Mrs Miriam LAU, Miss LEUNG Wai-tung, Mr Jimmy MCGREGOR, Mr Peter WONG and the Financial Secretary. Has anybody's name been left out?

MRS CHOW: Sir, first I would like to reiterate my point about the logic in Mr LEE's moving of the amendment because he was so obviously in opposition to Mr CHEONG's amended motion that it would be illogical for him to attach his part of the amendment to a motion which he obviously does not seem to agree with. Secondly, I think the way Mr LEE presented his arguments indicated an attempt on his part to uphold his opposition to the decision to be made on PADS by presenting a rather gloomy picture of having to spend funds which would otherwise be doing good to the mass population of Hong Kong and this seems to imply a taking away from the social needs of the people. What he did not present and what he managed to give a rather wrong impression of is that PADS is actually a move which is the result of vision and of courage. It is also an investment in our future and only by investing in our future can we make Hong Kong a better place for our next generation. It is only by investing that we can upgrade the quality of life and enhance the future of Hong Kong way beyond 1997. I think it is dangerous and unfair to try and draw a line at 1997 and project something akin to a downfall for Hong Kong from that time onwards. It is not in any way conducive to the morale and the confidence of Hong Kong and also it induces in others the opposite effect of gloom and doom and this is something that we, as leaders of the community, should never engage in.

One key question I would like to ask Mr LEE before I conclude. Does he or does he not see the building of a new airport as a good thing for Hong Kong and should happen as soon as possible?

I do not support Mr LEE's amendment but support the amended motion as it stands.

MR EDWARD HO: Sir, I hope that, with the debate today, we could send a clear message to the community that we support the PADS development as indicated by most Members already. In Mr Martin LEE's submission, it was very hard at first to gauge whether he was actually in fact supporting the development or not. But at the end, he wanted to put an amendment to Mr Stephen CHEONG's motion, which clearly supported Government's -- he said -- intention, and by implication "Government's scheme", to go ahead with the PADS project. So I would interpret that actually Mr Martin LEE supports the PADS project. And in so doing, I find myself happy to concur with him except on his amendment. I also in fact support his sentiment that environmental impact of the PADS project is very important. But, on the other hand, I consider that that would be part of the relevant information that could also be contained in Mr Stephen CHEONG's motion. I feel that if we were to allow this amendment, then we should also consider other types of information that we will be seeking one by one, such as traffic impact. And in my capacity as chairman of the Antiquities Advisory Board, maybe I should seek an amendment to the effect of impacts on archaeological sites, historical buildings and so on. But I do not think that would be fruitful because I think the relevant information is already requested in Mr CHEONG's motion. Therefore inasmuch as on this occasion I would like to agree with Mr Martin LEE, I cannot endorse his motion.

MRS LAU: Sir, I find the Honourable Martin LEE's proposed amendment to be very interesting but it remains only very interesting. Environmental protection is of course very close to Mr LEE's heart. But so is transport to mine and other topics to other Members. If Mr LEE's proposed amendment goes through, I shall feel duty-bound to apply to you, Sir, for leave under Standing Order 21(2)(b) to propose yet a further amendment to specifically call for reports covering the impact of these projects on the transport system and traffic conditions in the areas that may be affected. My proposed amendment would probably read: "Furthermore, this Council urges the Administration to provide detailed transport impact assessment reports addressing the effect of the infrastructural projects on the existing transport system and the overall impact on traffic conditions on Lantau Island, Tsing Yi Island and the western parts of Kowloon and the New Territories." If Members of this Council are minded to support Mr LEE's proposed amendment, then I would strongly urge those Members of OMELCO panels, such as Lands and Works Panel, Manpower Panel, Trade and Industry Panel, Taxation and Finance Panel, Economic Services and Public Utilities

Panel, all to seriously consider moving further amendments to call for reports covering the areas exclusively within their purview. The PADS projects will most certainly affect their areas of concern. And if they should fail to do so, then I must warn that there exists a risk of those areas being subsequently discounted as being irrelevant. If this be the case then, we will probably be here until midnight and the ultimate version of the motion may be some three full pages long. Sir, I strongly feel that Mr LEE's area of concern is already adequately covered under items 2 and 3 of Mr CHEONG's amended motion. Relevant information means all relevant information. And progress on these projects means progress in all respects on all relevant areas; matters such as the environment, transport, finance, manpower and so on are relevant. It is therefore my considered view that there is no need, and, in fact, it will not be appropriate in the circumstances of the present case for a specific provision relating to any particular area to be included.

Sir, I do not support Mr LEE's proposed amendment.

MISS LEUNG (in Cantonese): Sir, this Council has accepted Mr CHEONG's amendment motion in today's motion debate. The second part of his motion is in the following terms: "to continue to make public relevant information." Obviously, the relevant information includes the possible environmental impact in which Mr Martin LEE has particular concern.

I believe that if Mr LEE's amendment motion is carried by this Council, it will easily give others a wrong impression that PADS-related issues other than environmental impact are not given due recognition.

Sir, I do not accept Mr LEE's amendment motion, but this does not mean that I am not concerned about the environmental impact the project may produce. In fact, for years, I have been urging the Government to undertake environmental assessments before the implementation of the project.

Sir, if Mr LEE's amendment motion is carried without further amendments being proposed relating to other aspects of impact -- such as those mentioned by Mrs Miriam LAU -- will we be misunderstood that we do not care about other aspects of the impact from the PADS projects?

Mrs LAU has urged the convenors of other OMELCO standing panels to propose amendment motions relating to their respective purviews if Mr LEE's motion is passed.

In fact, before Mrs LAU broached it, I had already considered that if Mr LEE's amendment motion was accepted by this Council, I, as the convenor of the OMELCO Housing Panel, would also propose an amendment motion on housing. If every convenor follows suit, I really do not know when today's debate will end.

Sir, let me reiterate that although I do not support Mr LEE's amendment motion, it does not mean that I am not concerned about the environment impact the project may produce.

MR MCGREGOR: Sir, I find myself in some confusion, I must say, because here we have a motion by Mr Stephen CHEONG which is, as far as I can see, fully supported by Mr Martin LEE -- with a bit of stuck-on at the end, though. The stuck-on leaves two-thirds at least of the motion untouched. I am not sure whether Mr Martin LEE is speaking against the motion -- because he includes all of it in his own motion -- or whether he is simply concerned that environmental studies should be carried out as part of the overall airport development. I would say to my colleague, the Honourable Martin LEE, that in fact any project of this size and nature is bound to attract substantial and extensive environmental studies. This would clearly be part of the reporting back to this Council of the progress of the scheme. I would suggest to Mr LEE that perhaps he could even at this stage withdraw his motion and put a more specific proposal to this Council later, when we get started with the airport, in regard to the need for environmental protection. I therefore continue to support Mr Stephen CHEONG's motion.

MR PETER WONG: Sir, I concur with my colleagues that I can only conclude that this proposed amendment of the Honourable Martin LEE is a device to try to expose anyone who would oppose it as being an opponent to environmental protection. Sir, although I myself am also very keen on environmental protection, I have no problem in supporting the Honourable Stephen CHEONG's proposal since relevant information does include environmental impact studies. Therefore I have no option but to oppose this amendment.

FINANCIAL SECRETARY: Sir, my last Budget had a green cover and I thought that was possibly enough to establish my credentials in relation to environmental matters. Mr Stephen CHEONG's amendment is properly couched in wide and general terms. It

contains a requirement upon the Government to continue to make public relevant information. The Government has every intention of fully honouring that commitment. Sir, Mr Martin LEE, by contrast, in his amendment has chosen to be narrow. He has referred to the release of a series of specific reports dealing with only one aspect, namely the environment. Of course we accept the great importance of the environmental impact of this project. But I suggest that the information Mr Martin LEE requires will in fact be released, be it in more general but nevertheless totally informative terms, under Mr Stephen CHEONG's amendment. Therefore what purpose does Mr Martin LEE's amendment actually serve? Sir, for these reasons, I share Mr Stephen CHEONG's view and I shall vote against Mr Martin LEE's amendment.

Question on Mr Martin LEE's amendment put and negatived.

HIS EXCELLENCY THE PRESIDENT: As the amendment has been negatived, we now resume the debate on Mr Kingsley SIT's motion as amended by Mr Stephen CHEONG's amendment, and again, I repeat that was the amended motion that I read out earlier on. Does any Member wish to speak? I have the name of one Member who wishes to speak, that is, the Financial Secretary and also Mr CHEONG who wishes to rise on a point of order. Is there any other Member who wishes to speak? Mr CHEONG, your point of order, please.

MR CHEONG: May I seek leave from you to clarify just one or two aspects of my speech which seem to have been misunderstood by some Members of this Council?

HIS EXCELLENCY THE PRESIDENT: That is under Standing Order 28(2). Could I just explain that it is to clarify a point which may have been misunderstood and not to introduce any new matter. And it is always helpful to Members of the Council if that clarification is brief.

MR CHEONG: That is right, Sir. I do not intend to go through all these clarifications; simply two points -- both on the word of "support" in regard to Government's intention to implement the PADS. The first misunderstanding arose from Mr SIT's taking entirely out of context my expression of support from the sentence in which it should be read. The second point arose out of Mr LEE's allegation that my support meant a total "blank cheque" given to the Government. May I say here that that is not true. And may I refer him to the text of my speech if he should find



time to read it.

FINANCIAL SECRETARY: Sir, I shall be as brief as I can. I am grateful for Members' support for the PADS-related projects. As many Members have indicated, these projects are vital to the future prosperity of Hong Kong. The support of this Council for the projects in clear terms will, I am sure, be welcomed by the community which we all serve.

Sir, as Mr James TIEN, Miss LEUNG Wai-tung and others have indicated, many of the points raised in this debate have already been covered in the debate held on 31 October this year. I do not intend to repeat all the comments that were made on that occasion. But there are some points that were raised, particularly in Mr Kingsley SIT's speech, that I feel I must comment upon because the remarks made, if left unchallenged, could be misleading to Members of this Council and to the public.

Chek Lap Kok, as a project, has a long history on which some Members commented. It was, as Members will remember, shelved in 1983. There were very clear reasons as to why it was shelved. First of all, at that time the future of Hong Kong was not clear; we could not go ahead with the project until the future of Hong Kong has been settled. In 1984, of course, it was settled by the Sino-British Joint Declaration and so the way was clear for the project to go ahead. But by that time, the budget was not looking particularly strong. And so the project was temporarily shelved only because of the budgetary situation at that time, not -- and I repeat, not -- because of other technical or operational factors as alleged by Mr SIT.

The brief given to the consultants for the PADS study which was available to Members did indeed refer to the non-viability of Chek Lap Kok in 1983. It is distressing to hear that Mr SIT has chosen to mislead this Council by extending the reservations regarding financing to include the actual siting of Chek Lap Kok itself.

May I therefore repeat once again that taking all relevant factors into account Chek Lap Kok is indeed the most suitable and the most viable site for our new airport.

Sir, given the importance of the PADS projects to our future, the Government fully appreciates the wish of and the need for the public in general, and this Council in particular, to be kept informed. As Members are aware, we are already in close contact with the Legislative Council ad hoc group formed under Mr Stephen CHEONG's

convenorship. We will continue to brief the ad hoc group on the development of the projects as we have already been doing. Only last month all the senior officials involved gave the group an extensive briefing. Members of this Council will no doubt in future closely scrutinize the funding of the projects as submissions are made to the Finance Committee for approval.

Sir, as individual projects proceed, district boards directly affected will of course be consulted in accordance with the long-standing practice of consultation with regard to public works projects. This Friday, a briefing session for the municipal councils, district boards and the Heung Yee Kuk will take place. As the projects take shape, we will make every effort to fully, regularly and comprehensively explain what is happening and, just as important, why it is happening.

Sir, one of Hong Kong's great attractions is that it is possible to get things done here. Plans, once they are agreed, are implemented quickly. As Sir David FORD indicated in his speech in the debate on the opening address only three weeks ago, and as Mr Stephen CHEONG today explained, to hold exhaustive public enquiries, which is the route followed in some places, is not always the swiftest way of achieving results. It has its cost -- the cost is delay after delay after delay. That is not Hong Kong's way of doing things. The Hong Kong style is to take a vision of the future to decide boldly what needs to be done to achieve that vision and then to get on with it.

Members will recollect that in my speech delivered on 31 October, I stressed to this Council the fact that the Government fully recognizes the importance of prudent management of public finances, including the financing of PADS. Work is in hand to ensure that careful programming and packaging of works contracts leads to the most cost-effective approach in implementing the projects. A central project management team, comprising government staff and consultants, has already been set up to ensure the best possible use of resources through modern management techniques.

Sir, in the course of one of the speeches -- the speech made by Mr Daniel LAM -- there was reference to the Exchange Fund. The Exchange Fund is of such importance that I would like to comment on what was said very briefly. The Exchange Fund of course will not be used for financing this PADS project or any part of it. The Exchange Fund is there for statutory purposes to back the currency. But I think it is important in the context of this whole debate because the Exchange Fund is strong and is properly and very prudently managed and whatever happens with this project

as it unfolds, our currency will be very strongly and firmly backed. It is a point that I would like Members to note.

Sir, there is another comment made, I think by Mr Martin LEE, regarding the Provisional Airport Authority of which I am chairman. We explained the reason why we established the PAA to handle these projects. We are following a well tried and tested path. We establish a provisional authority to start the mass transit railway and, of course, eventually the MTRC itself was set up. One advantage of our approach is that it enables leading and knowledgeable members of the community to be appointed to the authority so that it may benefit from their individual technical, financial and managerial skills. All members of the authority are well aware that conflict of interest situations can arise. The established practice is for any Member involved in a conflict of interest situation to declare his interest and thereafter he does not participate in the related decision making process. I can assure Members that the establishment of the Provisional Airport Authority and the Airport Authority in due course does not bring into being any abuses or the possibility of any abuses whatsoever.

Sir, we all understand the urgent need for a replacement airport. We cannot ignore the realities of an increasingly congested Kai Tak Airport. We cannot afford undue delay. Getting on with the project is in the best long-term interest of Hong Kong.

Sir, with these remarks, I support the amended motion.

HIS EXCELLENCY THE PRESIDENT: Mr Kingsley SIT, as mover of the original motion now amended, you have the right of reply if you wish to use it.

MR SIT (in Cantonese): In this motion debate, I am very happy to hear the various responses. The aim of our debate today is to let the people of Hong Kong know that we are concerned about their interests and about the decision on the airport, so as to ensure that their resources are reasonably spent on its construction. Up till the present, the debate topic today has aroused serious controversy both within and outside this Council mainly because the Government has not publicized data on key issues and consulted the public on the issues concerned. I feel that this motion represents the request of the broad masses of the people of Hong Kong, and that no

matter whether it is approved or not, it can still be debated here.

With regard to Mr Stephen CHEONG's motion, I hope that, apart from being supported by my colleagues, it will also be supported by the broad masses of Hong Kong people.

In the speeches delivered just now, some Members have mentioned that they are worried that as we are progressing towards the elections in 1991, some elected Members or those who intend to contest the elections would try to please the public with claptrap in order to deceive voters and to garner votes. If we speak on behalf of the public on certain issues, would that be garnering votes? If this logic is correct, will the Members who express opinions to support the Government in this Council be considered to be trying to curry favour with the Government in the hope that they will be appointed the next time and continue to sit here as Members? I feel that these two views are extreme views; they are biased and fail to have due regard to the overall situation. I believe that the Members present are not sitting here for the sake of earning a living or the \$30,000-odd allowance. We have a common goal in sitting here, that is, how to administer Hong Kong properly and how to strive for the best interests of the public. We are not here to argue with the Government or deliberately scoff at the Government. When we, as Legislative Councillors, identify problems and feel worried, we are obliged to disclose the worries in an honest manner. I hope to work with the Government in resolving Hong Kong's problems. My intention is not to sink the boat, for we still have to continue to live here. Although some of the 6 million-odd population will probably emigrate to foreign countries, most of us will still have to live in Hong Kong.

With regard to the choice of Chek Lap Kok as the new airport site that the acting Chief Secretary has just mentioned, I might have provided the Council with misleading information. Here, I would like to clarify one point. As I made clear at the beginning of the motion debate today, I, Kingsley SIT, as an insignificant Legislative Council Member, am not a specialist. I am only fulfilling my duties and representing the people of Hong Kong and my constituents. When I come by data that I do not understand, I have the responsibility to seek an explanation from the Government. The data was not compiled or composed by me. I have come by the data in the Government's consultants' reports. Therefore, when I feel that there are problems, I will seek answers from the Government. Of course, I am also very willing to listen to the explanations today by the acting Chief Secretary regarding this doubt that I harboured. In fact, this is a good practice. Why has the Government not done it sooner?

I would like to further discuss the publicizing of data. In fact, the "publicizing of data" is not of great significance. Why do we ask the Government to publicize data? It is mainly because we hope to enable the people of Hong Kong to conduct a comprehensive and independent assessment on this massive project which affects Hong Kong's economy, finances, city development, traffic, and the environment. Therefore, it is only on the premise of insisting on conducting formal public consultations that the publicizing of data will have actual meaning. Some of my colleagues in this Council are worried, for although public consultation is theoretically feasible, they are unable to come up with ways of actually carrying it out. Some concerned persons are afraid that consultative work would delay the construction of the airport, and that no conclusion would be obtained in the end. Such worries are understandable. Hong Kong has had considerable experience in conducting public consultations on significant matters. The consultative periods range from three to six months, and most of the consultations have been completed as scheduled. However, PADS is actually relatively complicated and involves quite a number of technical issues. There is an actual need to formulate a special consultation methodology, such as the establishment by the Government of a consultative committee formed by professionals in the economic, engineering, planning, and traffic sectors; the committee is to submit the report on public consultation to the Government within nine months. The working objectives of the committee are to consult the people of Hong Kong on the choice of site, construction period, scale, financing, and effects on the environment of PADS, and, on such a basis, assess the decision that the Government has already made.

It is getting rather late, Sir. Lastly, I would like to guarantee to you that although the motion that I put forward today has been amended, I will not cry, and I must say that I am also very happy. Thank you.

Question on Mr Kingsley SIT's motion as amended by Mr Stephen CHEONG's amendment put and agreed to

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT: I congratulate Members of the Council on finding their way through the procedural maze this afternoon. And now in accordance with Standing Orders I now adjourn the Council until 2.30 pm on Wednesday, 28 November 1990.

Adjourned accordingly at one minute to Eight o' clock.

Note: The short titles of the Bills/motions listed in the Hansard have been translated into Chinese for information and guidance only; they do not have authoritative effect in Chinese.