

26th October, 1933.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR (SIR WILLIAM PEEL, K.C.M.G., K.B.E.).

THE HONOURABLE THE OFFICER COMMANDING THE TROOPS (BRIGADIER R. B. COUSENS, D.S.O.).

THE COLONIAL SECRETARY (HON. MR. D. W. TRATMAN, C.M.G.).

THE ATTORNEY GENERAL (HON. MR. C. G. ALABASTER, K.C., O.B.E.).

THE SECRETARY FOR CHINESE AFFAIRS (HON. MR. A. E. WOOD).

THE COLONIAL TREASURER (HON. MR. M. J. BREEN).

HON. MR. E. D. C. WOLFE, C.M.G. (Inspector General of Police).

HON. DR. A. R. WELLINGTON (Director of Medical and Sanitary Services).

HON. COMMANDER J. B. NEWILL, D.S.O., R.N., (Retired) (Harbour Master).

HON. MR. A. G. W. TICKLE, (Director of Public Works).

HON. SIR HENRY POLLOCK, K.T., K.C.

HON. MR. C. G. S. MACKIE.

HON. MR. R. H. KOTEWALL, C.M.G., LL.D.

HON. MR. J. P. BRAGA.

HON. MR. S. W. TS'O, O.B.E., LL.D.

HON. MR. J. J. PATERSON.

HON. MR. T. N. CHAU.

HON. MR. PAUL LAUDER.

MR. H. R. BUTTERS, (Deputy Clerk of Councils).

MINUTES.

The minutes of the previous meeting of the Council were confirmed.

NEW MEMBER.

The Honourable the Officer Commanding the Troops (Brigadier R. B. Cousens, D.S.O.) took the oath of allegiance, and his seat as a member of the Council.

PAPERS.

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid upon the table the following papers:—

Regulation under section 2 of the Advertisements Regulation Ordinance 1912, relating to the display of advertisements.

Rules made by the Chief Justice under section 48 of the Divorce Ordinance, 1932, and by section 9 of the Interpretation Ordinance, 1911.

Regulations under section 9 (1) of the Police Force Ordinance, 1932.

Proclamation No. 4—Divorce Ordinance No. 35 of 1932 and No. 9 of 1933, to come into operation on the 1st November, 1933.

FINANCE COMMITTEE'S REPORT.

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid upon the table the report of the Finance Committee, No. 10 of 12th October, 1933, and moved that it be adopted.

THE COLONIAL TREASURER seconded and this was agreed to.

MOTIONS.

THE ATTORNEY GENERAL.—Sir, I rise to move "That the By-law made by the Sanitary Board under section 16 of the Public Health and Buildings Ordinance, 1903, on the 13th day of October 1933, be adopted." Under section 17 of Ordinance No. 1 of 1903 the By-laws made by the Board under section 16 require the approval of this Council. Condition (2) of By-law 4 of the Food-preserving establishments By-laws insisted on the maintenance of cleanliness of apparatus, utensils and machinery used but made no reference to the necessity for cleanliness in the premises in which they were used. The amendment will remedy that defect.

THE COLONIAL SECRETARY seconded and the resolution was agreed to.

THE COLONIAL TREASURER:—The object of the Resolutions standing in my name is to provide further necessary capital for the Telephone Company to enable it to cope with the development anticipated during the next few years. Such extensions are, under Section 33 of the Telephone Company's Ordinance of 1925, obligatory.

In 1925, when the Company obtained its franchise, its capital was limited to \$5,000,000, the whole of which has now been expended and utilised in modernising and extending the system. The Company is now compelled to seek fresh capital to finance further extensions in hand or anticipated.

Under the franchise which imposes certain conditions upon the Company's management, profits are controlled and limited, and similarly an increase of capital requires the consent of this Council. This increase, if granted, will involve a corresponding adjustment of the Company's Reserve Fund so that the annual figure set aside for that purpose will suffice during the residual portion of the franchise, to amortise on its termination the subscribed capital. This will necessitate a corresponding amendment, in due course, of Section 35 Subsection (3) of the Ordinance.

Hon. Members will observe that the fresh capital will only be called up as and when required.

I move, therefore, that the two resolutions be taken together.

(a) That this Council, in exercise of its powers under section 6 of Ordinance No. 9 of 1925, consents to the authorised capital of the Hong Kong Telephone Company, Limited, being increased, from its present capital of \$5,000,000 divided into 500,000 shares of \$10 each, to \$7,500,000 divided into 750,000 shares of \$10 each.

(b) That this Council consents to the proposal of the said Company to give the shareholders an option of subscribing to the new issue of capital at a ratio of one new share for every two existing shares held by them, and to the further proposal of the said Company to make such new issue of capital on the payment of \$2.50 per share in the first instance leaving the balance to be called up from time to time as may be required.

THE COLONIAL SECRETARY seconded and the resolutions were agreed to.

SUMMARY OFFENCES AMENDMENT (NO. 2) ORDINANCE, 1933.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the Summary Offences Ordinance, 1932". He said: As stated in the memorandum of Objects and Reasons this Bill provides a simple summary remedy for a growing nuisance.

THE COLONIAL SECRETARY seconded and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

1. The use of modern methods of sound reproduction and amplification has become increasingly common as a means of advertisement among shopkeepers and others who broadcast popular programmes, encomiums of their wares and other matter to the public in the streets from loud-speakers installed in their shops and houses.

2. The result of this indiscriminate broadcasting has been an increase in noise and obstruction in public places, constituting an indictable nuisance for which this Ordinance provides a simple remedy.

3. A provision directed against a similar form of nuisance is contained in the Straits Settlements Minor Offences (Amendment No. 2) Ordinance, 1933, published in the Straits Gazette of 25th August, 1933.

MISCELLANEOUS LICENCES ORDINANCE, 1933.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An ordinance to consolidate and amend the law relating to miscellaneous licences".

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

Council went into Committee to consider the Bill clause by clause.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment and moved the third reading.

THE COLONIAL SECRETARY seconded, and the Bill was read a third time and passed.

ADJOURNMENT.

H.E. THE GOVERNOR.—Council stands adjourned *sine die*.

FINANCE COMMITTEE.

Following the Council a meeting of the Finance Committee was held, the Colonial Secretary presiding.

Votes totalling \$3,340, contained in Message No. 11 from H.E. the Governor were considered.

Item 86.—Sanitary Department.—Animal Depots and Slaughter-house Incidental Expenses \$400.

HON. MR. KOTEWALL.—I should like to know whether the ammunition could be ordered direct from Home instead of being bought locally?

THE COLONIAL SECRETARY.—It says, Mr. Kotewall, 'and also to increased use of ammunition for slaughter of a larger number of animals than was foreseen'. If your ammunition runs out and they bring along a number of animals requiring to be shot the only thing to do is to buy locally.

THE COLONIAL TREASURER.—It is a very small item.

THE COLONIAL SECRETARY.—We do order from Home but this is unforeseen expenditure.

All the votes were approved.
