

*10th March, 1948.*

**PRESENT:** —

HIS EXCELLENCY THE GOVERNOR (SIR ALEXANDER WILLIAM GORGE  
HERDER GRANTHAM, K. C. M. G.)

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR-  
GENERAL G. W. E. J. ERSKINE, C. B., D. S. O.)

THE COLONIAL SECRETARY (HON. D. M. MACDOUGALL, C.M.G.)

THE ATTORNEY GENERAL (HON. J. B. GRIFFIN, K.C.)

THE SECRETARY FOR CHINESE AFFAIRS (HON. R. R. TODD).

THE FINANCIAL SECRETARY (HON. C. G. S. FOLLOWS, C. M. G.)

HON. V. KENNIFF (Director of Public Works).

DR. HON. I. NEWTON (Director of Medical Services).

DR. HON. J. P. FEHILY, O.B.E. (Chairman, Urban Council).

HON. CHAU TSUN-NIN, C. B. E.

HON. LO MAN-KAM, C.B.E.

DR. HON. CHAU SIK-NIN.

HON. LEO D'ALMADA, K.C.

HON. R. D. GILLESPIE.

HON. M. M. WATSON.

MR. ALASTAIR TODD (Deputy Clerk of Councils).

**ABSENT:** —

HON. D. F. LANDALE.

**MINUTES.**

The Minutes of the meeting of the Council held on 3rd March, 1948, were confirmed.

**MOTIONS.**

THE ATTORNEY GENERAL moved the following resolution: —

Resolved pursuant to section 3 of the Public Officers (Changes of Style) Ordinance, 1937 that, as from 1st April, 1948, wherever in any Ordinance, Order of the Governor- in-Council, appointment, rule, regulation, minute, by-law, deed, contract, official letter or other document the term “Principal Assistant Colonial Secretary” or "Assistant Financial Secretary" occurs, and it is necessary to give effect thereto, such document shall be read and construed as if the term "Deputy Colonial Secretary" were substituted for the term " Principal Assistant Colonial Secretary" and as if the term “Deputy Financial Secretary” were substituted for the term “Assistant Financial Secretary” and that the following addition be made to the Schedule to the Public Officers (Changes of Style) Ordinance, 1937—

OLD STYLE OF OFFICER, OFFICE OR DEPARTMENT.	NEW STYLE OF OFFICER, OFFICE OR DEPARTMENT.
Principal Assistant Colonial Secretary.	Deputy Colonial Secretary.
Assistant Financial Secretary.	Deputy Financial Secretary.

He said: The resolution, Sir, relates to the change of style to be effected as allowed by section 3 of the Public Officers (Changes of Style) Ordinance, 1937, in the case of the offices of Principal Assistant Colonial Secretary and Assistant Financial Secretary. The effect of the resolution, Sir, is to alter the titles of the officers which I have just named to the titles respectively, Deputy Colonial Secretary and Deputy Financial Secretary. Sir, the purpose of such amendment is to conform with organisation in the Secretariat which is designed to permit in future that the officers holding the appointments of Deputy Colonial Secretary and Deputy Financial Secretary will be empowered to a greater extent than now to deal with and settle matters of routine, thereby freeing the Colonial Secretary and the Financial Secretary to a greater extent than is now possible to deal with matters of policy.

THE COLONIAL SECRETARY seconded, and the motion was carried.

**THE TRADE UNIONS AND TRADE DISPUTES BILL, 1948.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to regulate trade unions and trade disputes".

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

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

Clause 48.

THE ATTORNEY GENERAL: —I move that the wording of clause 48 be replaced as follows so as to read: "This Ordinance shall come into operation on the first day of April, 1948." Sir, the intention of the amendment I propose is to make it possible for the Ordinance to come in on a specified date. The clause, as drafted, had allowed of the Ordinance to come into force on a date to be proclaimed, it so provided in case administrative arrangements for the administration of the Ordinance would not be ready at the time of the passing of the Ordinance. In fact, such arrangements have sufficiently progressed to permit the Ordinance coming into force on the date proposed by my amendment.

The amendment was agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Trade Unions and Trade Disputes Bill, 1948, had passed through Committee with one amendment and moved the Third reading.

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

**THE GRAND HOTEL DES WAGONS-LITS LIMITED  
(CAPITAL CONVERSION) BILL, 1948.**

THE HON. LO MAN-KAM, C.B.E., moved the First reading of a Bill intituled "An Ordinance to authorise the Grand Hotel des Wagons-Lits Limited to convert the currency of its capital."

He said: Your Excellency, by Proclamation No. 27 which is in force by virtue of section 3 of the Law Amendment (Transitional Provisions) Ordinance, 1946, and in accordance with the Registration of China Companies Regulation 1947, in pursuance of this Proclamation, China Companies can effect registration in Hong Kong, and after registration, can convert their capital into Hong Kong currency. If the Grand Hotel des Wagons-Lits were a China Company, then this Bill would be quite unnecessary and it could convert its capital into

Hong Kong currency under the Registration of China Companies Regulation, 1947. A China Company, under the Proclamation, means a company limited by shares or by guarantee incorporated under the Companies Ordinance, 1911, of the Colony or any Ordinance amending or substituting for the same and the operations of which are directed or controlled from a place within the limits of the China Order in Council, 1925. This company, Sir, is not a China Company but a Hong Kong China Company, which means a company like a China Company but the operations of which are directed and controlled from some place in this Colony. There are no statutory provisions for allowing a Hong Kong China Company to convert its capital into Hong Kong currency. The requirements of Standing Order 30 regarding a private bill have been complied with. In the light of the above observations, and in view of the very full and informative Objects and Reasons, I feel that it is unnecessary for me to say anything further, Sir. I formally move the First reading of this Bill.

THE HON. M. M. WATSON 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 Grand Hotel des Wagons-Lits Limited was incorporated in 1903 under the Companies Ordinance, No. 1 of 1865, with its registered office situate in Hong Kong and was so registered in December, 1941. The main business of the Company is concerned with the ownership and conduct of a hotel known as "Grand Hotel des Wagons-Lits" in Peking in the Republic of China.

2. The capital of the Company is expressed in Peiping Dollars and the Company desires to be given the necessary authority to convert the currency of its capital in the same manner as is afforded by the Registration of China Companies Regulations, 1947, to former "China Companies", which have obtained a registration in accordance with Proclamation No. 27 (Emergency Registration of China Companies). The issued capital of the Company consists solely of ordinary shares.

3. To effect such conversion necessitates the enactment of legislation as in this Bill which follows the precedent of the appropriate provisions of the Registration of China Companies Regulations, 1947.

4. Clauses 1 and 2 of the Bill comprise the short title and interpretation clauses.

5. Clause 3 of the Bill contains provision for the conversion of the capital of the Company similar to those contained in regulations 9 and 10 of the Registration of China Companies Regulations, 1947.

6. Clause 4 provides for the issue of a fresh certificate of incorporation showing the capital of the Company after such conversion.

7. Clause 5 of the Bill contains provision saving the rights of the Crown as required, in the case of private Bills, by Article XXVII of the Royal Instructions.

#### **ADJOURNMENT.**

H.E. THE GOVERNOR: — That concludes the business for to-day, Gentlemen. It is proposed to adjourn until Friday, the 19th, at 2.30 p.m. when we will take the First reading of the Appropriation Bill for the next financial year. Council will adjourn until 2.30 p.m. on Friday, the 19th.