

27th October, 1948.

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**PRESENT: —**

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

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR-GENERAL F. R. G. MATTHEWS, D. S. O.)

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

THE ATTORNEY GENERAL (HON. G. E. STRICKLAND, *Acting*).

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

THE FINANCIAL SECRETARY (HON. A. G. CLARKE, *Acting*).

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

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

DR. HON. G. H. THOMAS, O.B.E. (Acting Director of Medical Services).

HON. D. F. LANDALE.

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

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

HON. LEO D'ALMADA, K.C.

HON. N. O. C. MARSH.

HON. P. S. CASSIDY.

MR. ALASTAIR TODD (Deputy Clerk of Councils)

**ABSENT: —**

DR. HON. CHAU SIK-NIN.

### MINUTES.

The Minutes of the meeting of the Council held on 20th October, 1948, were confirmed.

### MOTIONS.

DR. THE HONOURABLE J. P. FEHILY, moved that the amendments made by the Urban Council on the 12th day of October, 1948, under section 2 of the Hawkers Ordinance, 1935, Ordinance No. 22 of 1935, to the by-laws to the said Ordinance published as Government Notification No. 813 in the Gazette of the 24th October, 1947, be approved. He said: Sir, these by-laws, a copy of which are attached to the Order Paper, require the approval of this Council.

The purpose of the by-laws is to enable the Urban Council to exercise adequate control over ice cream hawkers under the Hawkers Ordinance and thus avoid the necessity for using Emergency Regulations for this purpose.

Actually, the by-laws differ only slightly from the special conditions under which permits for the sale of ice cream by hawkers are now granted.

THE COLONIAL SECRETARY seconded, and the motion was carried.

### EDUCATION (AMENDMENT) BILL, 1948.

THE ACTING ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Education Ordinance, 1913." He said: Sir, this Bill introduces a short amending Ordinance which is designed to achieve two main objects, namely—

First to enable medical officers to be appointed inspectors of schools so that they may undertake responsibility for matters affecting hygiene and health; and

Second to make it clear that the Director of Education may cause registered and exempted schools to be inspected as often as may be necessary.

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. For the better and more effective control of infectious diseases in schools, it is intended to make regulations under section 10 of the Education Ordinance, 1913, hereinafter referred to as the principal Ordinance.

2. Clause 2 has been designed to include a medical officer of schools in the definitions of "Inspector" and "Sub-inspector". Such inclusion will obviate unnecessary consequential amendments to the regulations made under the principal Ordinance published as G.N. No. 711 in the Gazette of the 1st September, 1939 (as subsequently amended).

3. Opportunity has been taken to amend section 9(2) of the principal Ordinance in order to be able to prohibit the use of books which appear undesirable by schools which have been exempted from supervision. This is achieved by clause 3 of the Bill.

4. Clause 4 of the Bill has been designed to remove doubts and to place the Director of Education in a better position to control infectious diseases.

### **PENSIONS (SPECIAL WAR APPOINTMENTS) BILL, 1948.**

THE ACTING ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to provide for the granting of pensions in respect of a period of service during the War, by a person in His Majesty's Forces, which intervened between an appointment of that person to the Colonial Service by the Secretary of State and the actual taking up by him of the duties of the appointment." He said: Sir, I have nothing to add to the Objects and Reasons which explain clearly the object of this Bill.

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. A small number of candidates for the Colonial Service who had been offered appointments by the Secretary of State and who had accepted appointments in such service were allowed, with the approval of the Secretary of State, to serve in His Majesty's Forces and at a later date took up their duties in an appointment in the Colonial Service. Such persons were informed at the time by the Secretary of State that the period intervening between the date when they would normally have taken up their posts in a Colony and the date of actually doing so would be counted as pensionable service conditional upon service during that period in His Majesty's Forces. The object of this Bill is to implement this undertaking (see Clause 2).

2. So far as can be ascertained there is only one such officer in the service of the Colony but it may be that other officers may be found to have served in His Majesty's Forces under similar conditions and clause 3 provides a means for adding to the Schedule should any other case be found.

**DIPLOMATIC PRIVILEGES BILL, 1948.**

THE ACTING ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to make provision as to the immunities, privileges and capacities of international organisations of which His Majesty's Government in the United Kingdom and foreign governments are members; to confer immunities and privileges on the staffs of such organisations and representatives of member governments and in respect of premises and documents of such organisations; to assimilate the law of the Colony relating to the immunities and privileges as to person property or servants of sovereign diplomatic agents or the representatives of sovereign powers to the law of England; and for purposes connected with the matters aforesaid."

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

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

Council then resumed.

THE ACTING ATTORNEY GENERAL reported that the Diplomatic Privileges Bill, 1948, 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 into law.

**PAWNBROKERS AMENDMENT BILL, 1948.**

THE ACTING ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Pawnbrokers Ordinance, 1930".

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

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

Council then resumed.

THE ACTING ATTORNEY GENERAL reported that the Pawnbrokers Amendment Bill, 1948, 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 into law.

**DEPORTATION OF ALIENS (AMENDMENT) BILL, 1948.**

THE ACTING ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Deportation of Aliens Ordinance, 1935."

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

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

Council then resumed.

THE ACTING ATTORNEY GENERAL reported that the Deportation of Aliens (Amendment) Bill, 1948, 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 into law.

### **PUBLIC ORDER BILL, 1948.**

THE ACTING ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to facilitate the maintenance of Public Order and Safety."

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 7.

THE ACTING ATTORNEY GENERAL: —Sir, I wish to move that the marginal note to clause 7 be amended by the insertion of the words "or acting or about to act to the prejudice of law and order" after the words "seditious matter".

This was agreed to.

Council then resumed.

THE ACTING ATTORNEY GENERAL reported that the Public Order 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 into law.

### **ADJOURNMENT.**

H.E. THE GOVERNOR: —That concludes the Agenda, Gentlemen. When is it your pleasure that we should meet again?

THE ACTING ATTORNEY GENERAL: —I suggest 14 days, Sir.

H.E. THE GOVERNOR: —Is 14 days agreeable, Gentlemen?

This was agreed to.

H E. THE GOVERNOR: —Council will adjourn until this day fortnight.