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**HONG KONG LEGISLATIVE COUNCIL**

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*3rd January, 1951.*

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**PRESENT:**

HIS EXCELLENCY THE GOVERNOR

SIR ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, K.C.M.G.

THE HONOURABLE THE COLONIAL SECRETARY

MR. JOHN FEARNIS NICOLL, C.M.G.

THE HONOURABLE THE ATTORNEY GENERAL

MR. JOHN BOWES GRIFFIN, K.C.

THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS

MR. RONALD RUSKIN TODD.

THE HONOURABLE THE FINANCIAL SECRETARY

SIR CHARLES GEOFFREY SHIELD FOLLOWS, C.M.G.

DR. THE HONOURABLE ISAAC NEWTON

*(Director of Medical and Health Services).*

DR. THE HONOURABLE JOSEPH PATRICK FEHILY, O.B.E.

*(Chairman, Urban Council).*

THE HONOURABLE ALEXANDER PROVAN WEIR

*(Acting Director of Public Works).*

THE HONOURABLE CHAU TSUN-NIN, C.B.E.

DR. THE HONOURABLE CHAU SIK-NIN, C.B.E.

THE HONOURABLE LEO D'ALMADA E CASTRO, K.C.

THE HONOURABLE MAURICE MURRAY WATSON.

THE HONOURABLE PHILIP STANLEY CASSIDY.

THE HONOURABLE CHARLES EDWARD MICHAEL TERRY.

THE HONOURABLE LO MAN WAI, O.B.E.

MR. GEOFFREY CADZOW HAMILTON *(Clerk of Councils).*

**ABSENT:**

HIS EXCELLENCY THE COMMANDER BRITISH FORCES

MAJOR GENERAL GEOFFREY CHARLES EVANS, C.B., C.B.E., D.S.O., *Acting.*

**MINUTES.**

The Minutes of the meeting of the Council held on 13th December, 1950, were confirmed.

**ANNOUNCEMENT.**

THE COLONIAL SECRETARY: —By Your Excellency's direction I rise to announce the appointment of the Standing Law Committee for 1951.

The following members have been appointed and have agreed to serve: —

THE HON. THE ATTORNEY GENERAL (*Chairman*).

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

THE HON. LEO D'ALMADA E CASTRO, K.C.

THE HON. MAURICE MURRAY WATSON.

THE HON. LO MAN WAI, O.B.E.

**PAPERS.**

THE COLONIAL SECRETARY, by command of His Excellency the Governor, laid upon the table the following papers: —

<i>Subject.</i>	<i>G.N. No.</i>
The Pleasure Grounds and Bathing Places Regulation Ordinance, 1936.	
Amendment to the First Schedule .....	A. 267
The Pleasure Grounds and Bathing Places Regulation Ordinance, 1936.	
Blake Pier (Rescission) Regulations, 1950 .....	A. 268
The Law Amendment (Transitional Provisions) Ordinance, 1946.	
Amendments to Schedule III .....	A. 269
The Emergency Regulations Ordinance, 1922.	
Emergency (Special Constabulary) Regulations, 1950	A. 270
The Stamp Ordinance, 1921.	
Stamp (Bank Authorization) No. 3 Order, 1950 .....	A. 276

<i>Subject.</i>	<i>G.N. No.</i>
The Defence Regulations, 1940. Marketing (Marine Fish) Authorized Officers No. 2 Order, 1950 .....	A. 277
The Defence Regulations, 1940. Price Control Order, 1946—Amendments to the Schedule	A. 278
The Defence Regulations, 1940. Price Control Order, 1946—Amendments to the Schedule	A. 279
The Defence Regulations, 1940. Price Control Order, 1946—Amendments to the Schedule	A. 280
The Peak Tramway Ordinance, 1883. Amendment of Rules .....	A. 281
The Rating Ordinance, 1901. Order under section 49(4)(a) .....	A. 282
The Holts Wharf Ordinance, 1921. Amendment of By-laws .....	A. 283
The Essential Services Corps Ordinance, 1949. Essential Services (Auxiliary Medical Services) Corps Regulations, 1950 .....	A. 284
The Importation and Exportation Ordinance, 1915. Exportation (Prohibition) (Specified Articles) (No. 3) Order, 1950 .....	A. 285
The Stamp Ordinance, 1921. Stamp (Bank Authorization) No. 4 Order, 1950 .....	A. 286
The Defence Regulations, 1940. Marketing (Marine Fish) (No. 2 Amendment) Order, 1950	A. 287
The Defence Regulations, 1940. Notification regarding delegation of powers .....	A. 288
The Emergency Regulations Ordinance, 1922. Emergency (Special Constabulary) Regulations, 1950. Order by the Governor under section 3 .....	A. 289

*Subject.**G.N. No.*

The Defence Regulations, 1940.

Price Control Order, 1946—Amendment of Schedule

A. 290

**RESOLUTION REGARDING DEATH GRATUITIES.**

THE ATTORNEY GENERAL moved the following resolution: —

RESOLVED, that notwithstanding the provisions of the Pensions Ordinance, 1932, now repealed by the Pensions Ordinance, 1949, and notwithstanding the payment of any pension under section 17 of the Pensions Ordinance, 1949, in respect of the death caused by injury in the discharge of their duty in the service of this Colony of the persons named in the First Column of the Schedule hereto, gratuities of the amounts set out in the Second Column of the Schedule hereto shall be paid in respect of the deaths of the persons named in the First Column of the Schedule hereto in like manner to gratuities granted under section 16 of the Pensions Ordinance, 1932.

*Schedule.*

<i>First Column.</i>	<i>Second Column.</i>
CHAN PUI KEE	\$3,264.00
LAU KAM HOI	\$1,824.00
TSANG HING LUN	\$1,824.00
YEUNG AH LAM	\$1,680.00
YUNG SING	\$1,346.95

He said: Sir, the Pensions Ordinance, 1949, was enacted on the 8th December of that year. Part V of the Pension Regulations in the Schedule to that Ordinance, which relates solely to non-pensionable officers, has no retrospective operation before the 8th December, 1949, and consequently all pension benefits for non-pensionable officers who were killed on duty before 8th December, 1949, other than pensions to the widow and children or dependants, require to be dealt with under Pensions Regulation C as made under the previous Pensions Ordinance, that is to say, Ordinance No. 21 of 1932. But, Sir, under Pensions Regulation C no death gratuity is payable to the dependants of a non-pensionable officer who has been killed

on duty unless that officer has been in the service for at least 3 years. Because cases have occurred in the past where there was no qualification for award, because an officer had not served for 3 years, the principle was adopted in 1948 of awarding 12 months gross salary together with a pension calculated in accordance with section 18 of the Pensions Ordinance, 1932.

Sir, in the case of seven such officers, effect was given to this principle by way of a Resolution which was passed by this Council on the 1st December, 1948. But in the interval, Sir, 5 further cases of similar character have arisen which merit to be considered for the grant of *ex gratia* death gratuities and on the same principle which I have mentioned. Sir, the 5 further cases relate to the officers named in the Resolution and set out on the Order paper. They are all officers who were killed on duty.

I accordingly move the Resolution standing in my name which, if passed, will permit of gratuities of the amounts stated on the Order of Business in respect of the deaths on duty of the persons named.

THE COLONIAL SECRETARY seconded, and the Motion was carried.

### **BY-LAWS UNDER PUBLIC HEALTH (ANIMALS AND BIRDS) ORDINANCE NO. 16 OF 1935.**

DR. THE HONOURABLE J. P. FEHILY, O.B.E., moved: —

That the By-laws made by the Urban Council on the 19th day of December, 1950, under section 3 of the Public Health (Animals and Birds) Ordinance, 1935, (Ordinance No. 16 of 1935) be approved.

He said: Sir, for some years Government Veterinary Officers have been seriously concerned over the existence in the Colony of rinderpest in endemic and, at times, epidemic form. Consequently various types of vaccine have been used in an effort to immunise the local bovine population.

Fortunately, experience during the past 18 months tends to show that annual inoculation with lapinised rinderpest vaccine substantially reduces the risk of epidemics of this disease.

Whilst the owners of cattle were fairly co-operative during the epidemic which raged in 1949, it may well be, now that the danger seems to have receded, that they will be less inclined to co-operate on a voluntary basis. Consequently, the Urban

Council, on the advice of its Veterinary Officers, considers it desirable to make the immunization against rinderpest compulsory in an effort to protect the farming community as a whole.

THE COLONIAL SECRETARY seconded, and the Motion carried.

### **PUBLIC ORDER (AMENDMENT) BILL, 1951.**

THE ATTORNEY GENERAL moved the First Reading of a Bill intituled "An Ordinance to amend the Public Order Ordinance, 1948". He said: Sir, it will be seen that this Bill is a short one. As published, and as in the hands of Honourable Members, the Bill has set out upon it the Objects and Reasons which explain fully the reasons for the introduction of this Bill and the objectives of the amendments. I do not think I can serve any useful purpose by adding to the description given in the Objects and Reasons.

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: —

Part II of the Public Order Ordinance, 1948 (the principal Ordinance) empowers the Governor by order to impose a curfew in any area and to declare any place to be a closed area. It further empowers the Governor by order to prohibit the movement or anchorage of craft in any waters of the Colony. The Commissioner of Police (or person authorized by him) may, however, issue permits in writing enabling the holders of such permits to remain out of doors in any area over which a curfew has been declared, to enter a closed area or to operate a craft in waters where movement has been forbidden, as the case may be.

2. The principal Ordinance, however, makes no provision for the imposition of conditions on permits issued as above described nor does it empower the Commissioner of Police or his representative to revoke them. It is desirable in the interests of public order that such powers should be afforded, and clause 2 of this Bill proposes amendment of the principal Ordinance accordingly.

**PROTECTION OF WOMEN AND JUVENILES BILL, 1951.**

THE SECRETARY FOR CHINESE AFFAIRS moved the Second Reading of a Bill intituled "An Ordinance to amend the law relating to the protection of women and juveniles".

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

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

H.E. THE GOVERNOR: —I would suggest, Gentlemen, that we take the clauses in blocks of 5, and if any honourable member wishes to raise a point in any block of 5, he will kindly refer to the clause.

This was agreed to.

Clause 1.

THE SECRETARY FOR CHINESE AFFAIRS: —Sir, I move that in Clause 1 the figures 1951 be substituted for the figures 1950.

This was agreed to.

Second Schedule.

THE SECRETARY FOR CHINESE AFFAIRS: —Sir, I move that in the Second Schedule the figures 1951 be substituted for the figures 1950 in three places. Firstly, in the Citation to the Protection of Women and Juveniles (Ward Registration) Regulations, at page 23; secondly, in Appendix A, at page 25, and, thirdly, in the Citation to the Protection of Women and Juveniles (Places of Refuge) Regulations, at page 26.

This was agreed to.

Council then resumed.

THE SECRETARY FOR CHINESE AFFAIRS reported that the Protection of Women and Juveniles Bill, 1950, had passed through Committee with minor amendments and moved the Third Reading.

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

**GOVERNOR'S ADDRESS.**

H.E. THE GOVERNOR: —Gentlemen, before we adjourn I would just like to mention one matter and that is that within the course of the next few days one of our members—and a most distinguished member—will be leaving the Colony on retirement. I refer to Dr. Fehily. We are also losing within the course of the next few days another distinguished public servant and I refer to Mr. Rowell.

These two men, although in different professions, one a doctor and the other an educationalist, have many things in common. They are both outstanding in efficiency. They have given nearly 30 years' service of excellent work to the Colony and the people of Hong Kong. They have also this characteristic in common which has made their work so successful. It is the characteristic of being human. They are not merely efficient, they are not mere bureaucrats, but in their dealings with others, whether Government officers, whether members of this Council, whether members of the public, high or low, rich or poor, they have treated one and all alike as their fellow human beings.

I am sure you would want me, Gentlemen, to thank both Dr. Fehily and Mr. Rowell on your behalf for the work that they have done for us all here and to wish them and their wives many happy years in their retirement. (Applause).

**ADJOURNMENT.**

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

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