

21st February, 1951.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

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

HIS EXCELLENCY THE COMMANDER BRITISH FORCES

LIEUTENANT GENERAL SIR ERIC CARDEN ROBERT

MANSERGH, K.B.E., C.B., M.C.

THE HONOURABLE THE COLONIAL SECRETARY

MR. JOHN FEARNs 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).

THE HONOURABLE PATRICK CARDINALL MASON SEDGWICK

(Acting Chairman, Urban Council).

THE HONOURABLE THEODORE LOUIS BOWRING, O.B.E.

(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 LO MAN WAI, O.B.E.

MR. ROBERT WILLIAM PRIMROSE *(Deputy Clerk of Councils).*

ABSENT:

THE HONOURABLE CHARLES EDWARD MICHAEL TERRY.

MINUTES.

The Minutes of the Meeting of the Council held on 31st January, 1951, were confirmed.

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>
Sessional Papers, 1951: —	
No. 3—Annual Report by the Director of Public Works for the year 1949/50.	
The Quarantine and Prevention of Disease Ordinance, 1936.	
Declaration under section 18	A. 20
The Quarantine and Prevention of Disease Ordinance, 1936.	
Removal of quarantine restrictions imposed against Palembang	A. 21
The Quarantine and Prevention of Disease Ordinance, 1936.	
Removal of quarantine restrictions imposed against Cheribon	A. 22
The Waterworks Ordinance, 1938.	
Waterworks Regulations, 1951	A. 23
The Emergency Regulations Ordinance, 1922.	
Emergency (Principal) (Amendment) Regulations, 1951	A. 24
The Emergency Regulations Ordinance, 1922.	
Emergency (Penicillin Ordinance, 1948) (Amendment) (No. 2) Regulations, 1951	A. 25
The Quarantine and Prevention of Disease Ordinance, 1936.	
Declaration under section 18	A. 26
The Quarantine and Prevention of Disease Ordinance, 1936.	
Declaration under section 18	A. 27

<i>Subject</i>	<i>G.N. No.</i>
Merchant Shipping Ordinance, 1899.	
Directions, Orders, etc., by the Director of Marine, No. 1 of 1951	A. 28
The Defence Regulations, 1940.	
Price Control Order, 1946—Amendments to the Schedule	A. 29
The Defence Regulations, 1940.	
Price Control Order, 1946—Amendments to the Schedule	A. 30
Regulations made by the Governor in Council with the sanction of the Secretary of State.	
Pensions (Amendment) Regulations, 1951, dated 15.2.51. (for publication in the Gazette of 23.2.51.)	

**RESOLUTION UNDER HONG KONG (REHABILITATION)
LOAN ORDINANCE No. 48 OF 1947.**

THE FINANCIAL SECRETARY moved the following Resolution—

RESOLVED, pursuant to section 4 of the Hong Kong (Rehabilitation)
Loan Ordinance, 1947, as follows—

That this Council approves that a transfer of money between items
of the Schedule to the aforesaid Ordinance be made in
manner hereinafter specified—

\$582,000 from item 10 to item 3.

He said: Your Excellency, under section 4 of the Hong Kong (Rehabilitation) Loan Ordinance, 1947, it is necessary for a transfer from one item of the Loan Schedule to another to be approved by Resolution of Legislative Council.

As Honourable Members are aware, a schedule setting out details of the proposed expenditure of Loan funds for the year is attached to the annual Estimates of the Colony. During the course of the year it became necessary to provide a new headquarters for the Hong Kong Defence Force, as the commencement of work on the new Government offices is dependent on

the demolition of the old Volunteer headquarters. The old Civil Service Cricket Club pavilion at Happy Valley appeared suitable as an alternative site. This building had been looted during the war and was still only a shell. It was found that if this old pavilion were fully rehabilitated and if certain internal alterations and extensions were made, a satisfactory new Headquarters building could be provided. It was also necessary to provide a rifle range and security fencing, together with perimeter lighting.

The total cost was estimated at \$582,000 and Finance Committee authorized the work to be put in hand. It is now necessary to obtain formal approval for this action. There is an unspent balance under item 10, Railway, of the Loan Schedule, and the proposal is to transfer \$582,000 of this to item 3, Buildings, in order to provide the necessary funds for the construction of the new Headquarters.

THE COLONIAL SECRETARY seconded, and the Motion was carried.

**RESOLUTION REGARDING ABANDONMENT OF CLAIMS
AND WRITE-OFF OF LOSSES AND DEFICIENCIES FOR
THE FINANCIAL YEAR 1950-51.**

THE FINANCIAL SECRETARY moved the following Resolution—

Resolved that the abandonment of claims and the write-off of losses and deficiencies as specified and explained in Schedule No. 3 of 1950-1951 be approved.

He said: Your Excellency, the Schedule of write-offs and abandonment of claims now before Council is in 4 parts. The items set out in parts (A) and (C) have already received the approval of Finance Committee, but those included in parts (B) and (D), which are less than \$200, have been approved by the Financial Secretary under the authority delegated to him by Finance Committee.

It is now, however, necessary for this Honourable Council formally to approve the action taken.

THE COLONIAL SECRETARY seconded, and the Motion was carried.

**BY-LAWS UNDER PUBLIC HEALTH (SANITATION)
ORDINANCE No. 15 OF 1935.**

THE HON. P. C. M. SEDGWICK moved—

That the By-laws made by the Urban Council on the 30th day of January, 1951, under section 4 of the Public Health (Sanitation) Ordinance, 1935 (Ordinance No. 15 of 1935) be approved.

He said: Your Excellency, since 1945 a number of privately operated bath houses have been opened to the public and in the present overcrowded state of the Colony these establishments are well patronized. Unless adequate powers of control are vested in the Health Authorities, these bath houses may, if not run on hygienic lines, become foci for the spread of communicable disease. The by-laws made by the Urban Council, the approval of which I now move, are designed to ensure the maintenance of the necessary hygienic standards and to impose other safeguards desirable in the interests of public health.

THE COLONIAL SECRETARY seconded, and the Motion was carried.

LAW REVISION (PENALTIES AMENDMENT) BILL, 1951.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Law Revision (Penalties Amendment) Ordinance, 1950." He said: Sir, this Bill which is being introduced in the interest of law revision is a short one, but as a short one, it appears published with long Objects and Reasons. I think therefore, Sir, that no useful purpose would be served should I attempt to add to or elaborate on the Objects and Reasons which, as I say, appear published with the 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: —

It was considered undesirable to bring the principal Ordinance into operation at the time of its enactment because specific amendments contained therein could await actual incorporation into the law until publication of the revised edition of the laws and thus obviate the necessity of noting a large number of minor amendments.

2. Section 4 of the principal Ordinance enacted section 14A of the Interpretation Ordinance, 1950, so as to provide necessary machinery to enable the legislation of the Colony to conform with the principle expressed in a despatch of the Secretary of State of the 13th December, 1948, which invited attention to the fact that the inclusion in legislation of a penalty clause providing that any breach of regulations made under an Ordinance shall be an offence and be punishable by a stated general penalty is not desirable.

3. Although the original intention was to bring the principal Ordinance into operation as a whole by proclamation of the Governor, it is now considered necessary to bring section 4 of the principal Ordinance into force in advance of that proclamation to allow of compliance being made with the principle above described, upon the revision of existing subsidiary legislation by the addition of regulations creating offences and prescribing penalties therefor. This objective is sought to be achieved by clause 2 of this Bill.

HONG KONG COUNCIL OF SOCIAL SERVICE INCORPORATION BILL, 1951.

THE HON. CHAU TSUN NIN, C.B.E., moved the First reading of a Bill intituled "An Ordinance to provide for the incorporation of the Hong Kong Council of Social Service". He said: Sir, I do not think there is anything I can usefully add to the Objects and Reasons of this Bill.

THE HON. P. S. CASSIDY 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 object of this Bill is to incorporate The Hong Kong Council of Social Service.

2. The Council has been in existence under its present name since December 1948. Its aims and objects are to coordinate as far as possible voluntary welfare activities in the Colony amongst themselves and with other organizations in order to prevent overlapping in work and in distributions of funds; to initiate such forms of relief and schemes of social welfare

as are not covered by existing organizations; to collect and collate the opinion of persons or organizations on the subject of social conditions in the Colony, and to take all necessary steps to educate the public in the interest of social welfare; and to make such recommendations to Government and to advocate and promote such laws or amendment to laws as may be deemed necessary for the furtherance of the said aims and objects.

3. The Hong Kong Council of Social Service, not being a corporate body, cannot hold any property in its own name, and it is, therefore, thought desirable that it should become a corporate body, in order to enable it to carry out its aims and objects more effectively.

ADJOURNMENT.

H.E. THE GOVERNOR: —Council will adjourn to this day fortnight, 7th March, at which the First reading of the Appropriation Bill for 1951/52 will be taken.
