

30th May, 1951.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

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

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

MR. ARTRUR GRENFELL CLARKE, *Acting*.

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 DIALMADA E CASTRO, K.C.

THE HONOURABLE PHILIP STANLEY CASSIDY.

THE HONOURABLE CHARLES EDWARD MICHAEL TERRY.

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

THE HONOURABLE LAWRENCE KADOORIE.

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

ABSENT:

HIS EXCELLENCY THE COMMANDER BRITISH FORCES

LIEUTENANT GENERAL SIR ERIC CARDEN ROBERT

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

MINUTES.

The Minutes of the meeting of the Council held on 16th May, 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. 9—Annual Report by the Registrar General for the year 1949-50.	
No. 10—Annual Report by the Director of Audit for the year 1949-50. (together with Comments by the Accountant General)	
Emergency Regulations Ordinance, 1922.	
Emergency (Defended Areas) Regulations, 1951	A. 84
Quarantine and Prevention of Disease Ordinance, 1936.	
Declaration under section 18	A. 88
Stamp Duties Management Ordinance, 1911.	
Notification under section 19	A. 89
Proclamation No. 4 of 1951.	
Notification under section 5 of the Public Reclamations Validation and Clauses Ordinance, 1936	A. 90
Public Order Ordinance, 1948.	
Public Order (Curfew) (Amendment) Order, 1951	A. 91
Defence Regulations, 1940.	
Price Control Order, 1946—Amendments to the Schedule	A. 92

PUBLIC RECLAMATION AND PIERS BILL, 1951.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to authorize an undertaking for the reclamation of an area of sea bed and for the construction of certain piers." He said: Sir, Honourable Members will recall that this Council has recently enacted legislation to authorize schemes of reclamation at Causeway Bay. The Bill before

Council today proposes enactment of further legislation on the topic of reclamation. It will be seen that the Bill is a short one; its essence is to give authority to the Director of Public Works provisionally, and subject to the definitive approval of the Governor in Council, to construct the undertakings which are described in the Schedule to the Bill.

An examination of the Schedule will show that the project is for reclamation of some 388,000 square feet of the area abutting off Connaught Road Central. The Bill, upon enactment, will further provide authority for construction of a public pier and a ferry pier, these piers to be placed on the seaward face on the reclamation proposed.

Sir, as I have already indicated, performance of the works necessary to carry out the reclamation and construction of the piers is contingent on the final approval of the Governor in Council. This approval has to await consideration of any objections that may be lodged against the reclamation. As to these objections the provisions of Part II of the Public Reclamations Validation and Clauses Ordinance, 1936 will apply.

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 is planned to reclaim the area set out in the first paragraph of the Schedule to this Bill and to construct, upon the reclaimed land, the two piers described in the second paragraph of the Schedule.

2. The object sought to be achieved by this Bill is to give the Director of Public Works provisional authority to perform the works necessary to carry out the above plan, final approval being contingent upon definitive approval by the Governor in Council which can only be given after consideration of objections. The provisions of Part II of the Public Reclamations Validation and Clauses Ordinance, 1936, relating to objections, claims and compensation apply to this project.

**PUBLIC SERVICES COMMISSION (AMENDMENT)
BILL, 1951.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Public Services Commission Ordinance, 1950." He said: Sir, the Public Services Commission Ordinance was enacted in June of last year and authorized the constitution of a Public Services Commission.

Sir, section 4 of that Ordinance deals with the question of the eligibility for appointment of Chairman and member or members of the Commission. The section stipulates that it shall not be lawful to appoint as Chairman or Member any person who is the holder of a pensionable office in the Colony. The only relaxation from this prohibition which is allowed by section 4 is that permitting the making of a temporary appointment of Chairman or the appointment of a person being the holder of a pensionable office, who is nevertheless on leave prior to retirement. In the light of the experience gained since the Public Services Commission came into being, the view is held that the general prohibition against the appointment of the holder of a pensionable office as Chairman or member of the Commission may appropriately be relaxed to permit of the appointment of a judge of the Supreme Court as Chairman of the Public Services Commission should appointment of that nature prove to be possible, convenient or otherwise in the best interest of the discharge of the functions of the Public Services Commission.

Sir, it is because of this view that this Bill is before Council today. The Bill has for its objective the amendment of section 4 of the principal Ordinance so as to remove the prohibition against the appointment of the holder of a pensionable office to be Chairman of the Commission, provided that such officer be, in fact, a judge of the Supreme Court.

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: —

Under section 4 of the Public Services Commission Ordinance, 1950, the holder of a pensionable office in the Colony is ineligible for appointment as Chairman or as a member of the Commission. This Bill by clause 2 seeks to amend section 4 so as to make possible the appointment of a Judge of the Supreme Court to be

Chairman of the Public Services Commission notwithstanding the general ineligibility for appointment of a holder of a pensionable office.

TELEPHONE BILL, 1951.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to consolidate and amend the law relating to the telephone service in the Colony."

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

H.E. THE GOVERNOR: —I suggest, Gentlemen, that as this is rather a long Bill, we take the clauses in blocks of five and if any Honourable Member wishes to discuss any particular clause, that can be done.

This was agreed to.

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

Council then resumed.

THE ATTORNEY GENERAL reported that the Telephone Bill, 1951, 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.

CHINESE RHENISH CHURCH, HONG KONG

SYNOD BILL, 1951.

HON. P. S. CASSIDY moved the Second reading of a Bill intituled "An Ordinance to provide for the incorporation of the Chinese Rhenish Church, Hong Kong Synod."

HON. CHAU TSUN-NIN, C.B.E., seconded, and the Bill was read a Second time.

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

Council then resumed.

HON. P. S. CASSIDY reported that the Chinese Rhenish Church, Hong Kong Synod Bill, 1951, had passed through Committee without amendment, and moved the Third reading.

HON. CHAU TSUN-NIN, C.B.E., seconded and the Bill was read a Third time and passed into law.

ADJOURNMENT.

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

THE ATTORNEY GENERAL: —I propose adjournment to this day fortnight.

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