

13th June, 1951.

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**PRESENT:**

HIS EXCELLENCY THE GOVERNOR

SIR ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, G.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 SECRETARY FOR CHINESE AFFAIRS

MR. RONALD RUSKIN TODD.

THE HONOURABLE THE FINANCIAL SECRETARY

MR. ARTHUR GRENFELL CLARKE, *Acting*.

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 PHILIP STANLEY CASSIDY.

THE HONOURABLE CHARLES EDWARD MICHAEL TERRY.

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

THE HONOURABLE LAWRENCE KADOORIE.

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

**ABSENT:**

THE HONOURABLE THE ATTORNEY GENERAL

MR. JOHN BOWES GRIFFIN, K.C.

DR. THE HONOURABLE ISAAC NEWTON

*(Director of Medical and Health Services)*.

**MINUTES.**

The Minutes of the meeting of the Council held on 30th 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>
Revised Edition of the Laws Ordinance, 1948.	
Amendments to various regulations .....	A. 93
Defence Regulations, 1940	
Price Control Order, 1946—Amendments to the Schedule .....	A. 94
Amendment to G. N. No. A. 87 of 1951 .....	A. 95
Removal of quarantine restrictions imposed against the Western Province of Ceylon on account of smallpox .....	A. 96
Defence Regulations, 1940.	
Price Control Order, 1946, —Amendments to the Schedule .....	A. 97
Sessional Papers, 1951: —	
No. 11—Annual Report by the Accountant General for the year ended the 31st March, 1950—Corrigenda.	

No. 12—Report of the Dangerous Goods Committee.

He said: Sir, the Report of the Dangerous Goods Committee which is among these papers has been approved in principle subject to an examination of the proposed legislation and to an examination in detail of the various recommendations.

**QUESTIONS.**

HON. C. E. M. TERRY asked the following questions: —

1. In view of the statement of the Hon. Financial Secretary on 28th March, 1951, during the course of the debate on the Second reading of the Appropriation for 1951/52 Bill, 1951, that the proposed Business Registration Tax "will ensure that the

Inland Revenue Department is in a better position to see that direct taxation is borne by all those who are liable to the tax", and in view of the widespread belief that a considerable proportion of the taxable profits arising in or derived from the Colony is never in fact included on any return submitted to the Inland Revenue Department, is the Hon. Financial Secretary in a position to state when it is proposed to introduce the necessary legislation for levying the Business Registration Tax?

2. Will Government include in the said proposed Ordinance provisions whereby no person or firm may legally derive any profits from business in the Colony unless such person or firm is duly registered under the Ordinance, and whereby any unregistered person or firm is debarred from legal action within the Colony in respect of any business transaction arising from the conduct of business therein?

THE FINANCIAL SECRETARY replied as follows: —

1. The introduction of this legislation has been delayed by reason of the fact that neither the staff nor the accommodation in the Treasury are adequate to deal with the issuing of certificates for a possible 30,000 businesses. It is now proposed that the Director of Commerce and Industry shall be the responsible officer. He has a certain amount of accommodation and a staff of inspectors, and the necessary changes in the draft legislation are under consideration.

2. It is proposed to include in the draft Bill a provision whereby any person not in possession of a valid business registration certificate shall not be entitled to recover any debt, fees, costs or other remuneration on any cause of action.

### **NOTE-ISSUING BANKS EXTENSION OF POWERS ORDINANCE, 1939.**

THE FINANCIAL SECRETARY moved the following Resolution: —

Resolved pursuant to the proviso to section 3 of the Note-issuing Banks Extension of Powers Ordinance, 1939, as modified by the Law Amendment (Transitional Provisions) Ordinance, 1946, that this Legislative Council hereby extends the powers of all the note-issuing banks to make, issue, re-issue and circulate notes until and including the 12th day of July, 1952.

He said: Your Excellency, under section 3 of Ordinance No. 21 of 1939, the note-issuing banks were only authorized to continue to make, issue, re-issue and circulate notes until and including the 12th day of July, 1940, but it was provided that this Council might, by Resolution, extend the powers for any period not exceeding 12 months at a time. By resolution passed on the 28th June, 1950, these powers were extended to the 12th July, 1951, and it is now proposed to extend them for a further period of one year to the 12th July, 1952.

THE COLONIAL SECRETARY seconded, and the Motion was carried.

### **PUBLIC RECLAMATION AND PIERS BILL, 1951.**

THE DIRECTOR OF PUBLIC WORKS moved the Second 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."

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 DIRECTOR OF PUBLIC WORKS reported that the Public Reclamation and Piers 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.

### **PUBLIC SERVICES COMMISSION (AMENDMENT)**

#### **BILL, 1951.**

THE COLONIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to amend the Public Services Commission Ordinance, 1950."

THE FINANCIAL 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 COLONIAL SECRETARY reported that the Public Services Commission (Amendment) Bill, 1951 had passed through Committee without amendment, and moved the Third reading.

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

### **ORDER OF ST. JOHN BILL, 1951.**

HON. LAWRENCE KADOORIE moved the First reading of a Bill intituled "An Ordinance to further and protect the activities in Hong Kong of the Venerable Order of St. John of Jerusalem and to incorporate the Chairman, the Vice-Chairman and the Secretary of the Council of the Order of St. John in Hong Kong for the time being as Custodian Trustees." He said: Sir, as the Order of St. John is so well known it is unnecessary for me to elaborate. The purposes of the Bill are amply set out in the Objects and Reasons.

HON. C. E. M. TERRY 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 objects of this Bill which are set out in greater detail in the preamble thereto are—

- (a) to incorporate the Chairman, the Vice-Chairman and the Secretary of the Council of the Order of St. John in Hong Kong for the time being as Custodian Trustees; and
- (b) to vest in the new corporation all property both real and personal at present vested in the Executive Officers of the Hong Kong Branch of the St. John Ambulance Association under the St. John Ambulance Ordinance, 1935, and to repeal the last mentioned Ordinance; and
- (c) generally to further and protect the activities in Hong Kong of the Venerable Order of St. John of Jerusalem.

2. The Bill contains the usual provision saving the rights of the Crown in accordance with the requirements of Article XXVII of the Royal Instructions.

**ADJOURNMENT.**

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

THE COLONIAL SECRETARY: —I suggest that we should meet in two weeks' time.

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

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