
OFFICIAL REPORT OF PROCEEDINGS**Meeting of 16th June, 1954.**

PRESENT:

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

HIS EXCELLENCY THE COMMANDER BRITISH FORCES
LIEUTENANT-GENERAL CECIL STANWAY SUGDEN, C.B., C.B.E.

THE HONOURABLE THE COLONIAL SECRETARY
MR. ROBERT BROWN BLACK, C.M.G., O.B.E.

THE HONOURABLE THE ATTORNEY GENERAL
MR. ARTHUR RIDEHALGH, Q.C.

THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS
MR. RONALD RUSKIN TODD.

THE HONOURABLE THE FINANCIAL SECRETARY
MR. ARTHUR GRENFELL CLARKE, C.M.G.

THE HONOURABLE THEODORE LOUIS BOWRING, O.B.E.
(*Director of Public Works*).

DR. THE HONOURABLE YEO KOK CHEANG
(*Director of Medical and Health Services*).

THE HONOURABLE LEONARD GEOFFREY MORGAN
(*Acting Director of Education*).

THE HONOURABLE HAROLD GILES RICHARDS, O.B.E.
(*Director of Urban Services*).

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

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

THE HONOURABLE NGAN SHING-KWAN.

THE HONOURABLE DHUN JEHANGIR RUTTONJEE.

THE HONOURABLE KWOK CHAN, O.B.E.

DR. THE HONOURABLE ALBERTO MARIA RODRIGUES, M.B.E., E.D.

THE HONOURABLE LAWRENCE KADOORIE.

THE HONOURABLE JOHN ARTHUR BLACKWOOD.

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

MINUTES.

The Minutes of the meeting of the Council held on 2nd June, 1954, were confirmed.

OATH.

Mr. John Arthur Blackwood took and subscribed the Oath of Allegiance and assumed his seat as a Member of the Council.

PAPERS.

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

Subject.

G.N. No.

The Merchant Shipping Ordinance, 1953.

The Merchant Shipping Exemption (Trawlers)

(No. 3) Order, 1954A. 72

The Rating Ordinance, Chapter 116.

Notification under section 7.....A. 73

The New Territories Ordinance, Chapter 97.

The Markets and Market Areas (N.T.) (Amendment)

Rules, 1954A. 75

KAI TAK AIRPORT.

THE COLONIAL SECRETARY moved the following resolution: —

Resolved that this Council approves the scheme for the development of Kai Tak airport which is estimated to cost \$96³/₄ million and is based on the construction of a single runway and overrun 7,500 feet long and 700 feet wide resting upon a reclamation of Kowloon Bay.

He said: —I would like, Sir, to draw the attention of hon. Members to the necessity for a textual amendment of the third last word. For "of" I should be glad if hon. Members would read "in". We do not propose to reclaim the whole of Kowloon Bay.

Sir: In moving this resolution, I would like, in the first place, and I think Your Excellency would wish me to do this, to make it clear that our hopes for Colonial Development and Welfare assistance for our scheme are not now likely to materialize. Information has just been received from the Secretary of State that it is unlikely that the grant of \$48 million will be forthcoming from the Colonial Development and Welfare Fund, and the Colony will almost certainly have to bear the full cost of the project other than assistance in the form of the \$48 million interest-free loan provided by Her Majesty's Government.

This is, of course, a disappointment and I need not emphasize the effect upon our financial outlook of having to provide a capital sum of \$48³/₄, million from our own resources in addition to the repayment of an interest-free loan of \$48 million. Nevertheless it has for some time been Government's view that the scheme for the development of Kai Tak is a pressing necessity and that the scheme should be proceeded with even if financial assistance from Her Majesty's Government was not forthcoming to the extent which was hoped.

I wish now to say a few words in amplification of the papers which were laid before this Council at its last meeting. You will be relieved to know that I do not propose to recite a M 'Andrew's Hymn to you or to express myself in technical terms. You will doubtless have studied the reports already and, those of you who have wished to do so, will have obtained from these reports the precision of meaning conveyed by technical terms.

The years since 1946 have marked a period of remarkable changes in commercial aircraft. Development, directed to aircraft required for war operations, was at last widened in scope to include commercial flying, and this, in turn, presented the designers of aerodromes with new and complicated problems. It at first appeared that the arrival of the commercial aircraft with jet engines might necessitate large airfields; but, recently, further technical advances in the design of aircraft and their engines have rendered possible the reduction of the length of runway essential for modern jet aircraft. Progress in the operation of radio landing aids has further assisted those engaged on designing airfields, and this has been particularly welcome in Hong Kong, where our hills, poised impressively above our harbour, raise barriers before the approaches to and the departures from Kai Tak.

The Department of Civil Aviation has, in consequence, had to carry out detailed operational investigations which have extended to consultations with aircraft manufacturers, air operators and the Ministry of Transport and Civil Aviation. The present scheme is the outcome and it represents a reduction in expenditure compared with schemes prepared at earlier stages of the investigation. The dimensions of the runway and the promontory supporting it have been reduced and this, together with other technical alterations, has enabled us to reduce the cost of the airfield by nearly \$40 million from the major project prepared by Scott & Wilson.

May I now turn to what Government hopes the Colony will receive in return for the money it spends?

The new airport will have an increased capacity for handling traffic, which, in turn, of course, should mean increased revenue to the Colony, both direct and indirect; what the latter may amount to cannot now be assessed.

The approaches to the new runway will be a great improvement on those for the present runways and, with the probable introduction of modern radio and radar aids, direct "let down" approaches through Lyemun Gap will be possible. The apparent restriction imposed by the curved approach at the north-west end of the new runway should be greatly reduced by the introduction of a modern approach and lead-in lighting system operated by day or night at variable intensities. It has been accepted that the position of the single runway will provide adequate clearance of vertical obstacles in the immediate approaches to the runway. These improved approaches will, together with other features of the scheme, make air operations possible throughout the 24 hours.

To cut down costs, the parallel taxiway envisaged in the Scott & Wilson report has not been included in the present scheme and it has been agreed by the Air Ministry, the Ministry of Transport and Civil Aviation, the local Royal Air Force authorities, the air line operators and our Department of Civil Aviation that the alternative design providing holding and turning loops at the south-east extremity and at a point at the centre of the promontory will permit a traffic density of from 18 to 20 movements an hour, which compares favourably with the present average peak traffic of civil and military aircraft at 9¹/₂ movements an hour. As it will

be possible to operate continuously by day and night, the airport at Kai Tak, as developed in the proposed scheme, should be adequate to deal with the increased traffic which will be attracted to the new airport, and the organizations to which I have referred have agreed that their foreseeable requirements will be met.

Furthermore, in support of our decision to have a single runway, weather statistics for the past 20 years have been studied, while those of the past 2½ years have been analysed in detail. They denote the probability that the percentage of usability of the single runway will be 95.

About 66% of the landings will be from the south-east and about 66% of the take-offs will be towards the south-east—the straight approach. With the improvement of radio and radar approach aids, it is expected that the number of diversions and delays in take-off will be greatly reduced.

The simplified approaches, of course, make for safety and there are other such features; for instance, the length of the runway is designed to enable an aircraft which has a failure in one of its engines prior to the critical take-off point to be brought to a stop before encountering any obstruction likely to cause serious damage to the aircraft.

The width of the runway promontory will be sufficient to enable an aircraft to correct a serious swing on landing or take-off.

The new runway taxiways and hardstandings will be stressed to enable them to withstand the landings of the heaviest aircraft at present planned, whereas our present runway can only accept aircraft of 98,000 lbs. all-up weight which entails severe payload penalties for the modern aircraft.

The aircraft terminal apron has been designed to provide bays of acceptable size so that jet engine blast will not affect other aircraft, services or amenities. The design of the parking areas is to remove the possibility of taxi-ing accidents; these are now more prone to happen with jet and turbo prop aircraft because they taxi at a comparatively fast speed. Quick access to the runway is provided, and holding areas will ensure that aircraft cleared to land or take off will not be unduly delayed. Another feature of the individual parking bay design is that it lends itself to further expansion of the parking area in the future if required.

That the new construction will in no way impede the continuation of full air operations from the existing runways right up to the time when the new runway can be brought into use is yet another advantage.

We have had in mind, of course, at all times the harbour and its administration. The Port Executive Committee have had an opportunity of examining this modified scheme now before us and have asked for certain assurances; these are receiving the careful and sympathetic consideration of Government.

Despite the heavy cost which will have to be borne I commend to you this scheme which will, within the limits imposed by difficult topography, by varying weather conditions, and by the Colony's financial capacity provide an airport which has been accepted by all air operators now utilizing Kai Tak; it is our hope that, on completion, it will attract new airlines.

MR. T. L. BOWRING seconded.

He said: —Your Excellency: I beg to second the Resolution moved by my hon. Friend the Colonial Secretary, and to refer briefly to the engineering aspects of this project which is unique in that it is necessary, not only to construct an airport, but also to create the site on which the airport is to be built.

In Kowloon Bay there is a blanket of silt some 20 feet thick overlying the solid sea bed which hon. Members will appreciate is unsuitable as a foundation for the proposed promontory.

In order to contain the fill material on which the runway will be built it will be necessary to construct some $3\frac{1}{4}$ miles of sea walls. The soft silt to which I have referred, will be removed from beneath these sea walls so that they can be founded on the comparatively strong underlying clays and sands. In addition a large volume of silt will have to be removed from beneath the runways and taxitracks so as to avoid excessive settlement of the finished paving. Altogether some 2 million cubic yards of silt will have to be removed from the sea bed, but fortunately it will be possible to use the material to good effect in the new Kung Tong reclamation.

The Consulting Engineers estimate that the total volume of fill material required to form the airport is over 11 million cubic yards. This quantity is difficult to visualize, but if hon. Members could imagine the material spread over the entire area of the Hong Kong Cricket Club ground it would form a pile some 300 feet higher than the Peak. There is also about 300,000 square yards of concrete or bituminous paving to construct, and this is equivalent to approximately twice the area of the roadway around the New Territories.

It will be appreciated, Sir, that before embarking on such a major civil engineering task as this a careful investigation has had to be made to ensure that the proposals are practicable, and that no vital factors have been overlooked. During the past 18 months boring work has been continuously in progress in order to determine a number of factors essential to the design of the Airport. One of the most important problems to be solved was where the 11 million cubic yards of fill material to form the airport were to come from. Silt and clay are undesirable as fill for the reclamation; sand is by far the best material, but as such large quantities have already been dredged from the bottom of the harbour, it appeared doubtful if sufficient sand would be available in the area. I am pleased to report that after a thorough search of the harbour area from Lyemun to the Star Ferry a satisfactory deposit of sand has been found, and this will simplify the work of reclamation and speed up its completion.

Such properties as grain size, clay content and the consistency of the fill material to be used have an important bearing on the type of dredging plant to be used and are matters of great importance to the contractor. Accurate information of this kind will enable a contractor to employ the most suitable types of plant, and by eliminating the unknown factors he will be able to quote more economical rates.

Borings have also been made in the hills in the North-West approach to determine the proportions of rock and soil which have to be removed. It is hardly necessary for me to point out, Sir, that it is important to have a reasonably accurate estimate of the quantities of hard and soft materials to be removed so as to enable a contractor to make provision for carrying out the work in the most economical manner.

In addition samples have been taken of the materials in the bed of Kowloon Bay beneath the areas to be occupied by the sea walls and the reclamation, and these have been tested to determine their strength and other relevant properties. Only on the basis of these results can the Consulting Engineers evolve an economical design.

Although this site investigation costs money, approximately one million dollars has been spent already, very considerable economies can be expected as a result of the work. Experience has shown that a careful and thorough site investigation will usually save its cost many times over, and result in a more economical design, lower prices, a speeding up of the contract by the employment of correct plant, and fewer unforeseen difficulties during construction.

In deciding the method in which the project should be carried out two main considerations have been kept in mind. Firstly, that the work should be sub-divided into contracts so as to attract as much competition as possible, from contractors in the Colony and from outside, and secondly, the work should be planned so that the airport can be brought into use at the earliest possible date.

The work will be divided into two stages. The first stage will comprise the demolition of the hills in the North-West approach, the construction of a promontory into Kowloon Bay, the provision of the runway, the drainage and services, and the link track connecting the new runway with the present terminal area. On the completion of this stage it will be possible to bring the new airport into operation. I should point out, Sir, that it has now been decided to combine all these works in the contract so that the responsibility for completing this stage of the project on time will rest with one contractor.

Stage 2 will comprise the remainder of the work, being the construction of the terminal and maintenance areas with their associated buildings, aprons, roads and services. It has not yet been decided how this work will be divided, but it can be said now that there will be separate contracts for the building and civil engineering works.

In Scott & Wilson's Report it was recommended that in order to shorten the period before the airport could be brought into operation a preliminary contract should be negotiated. This idea has been abandoned as the extent of the reclamation has been considerably reduced and a preliminary contract would now form a large percentage of the whole, and it is thought that the presence of a contractor already on the site engaged on such a contract might well deter other contractors from tendering.

Hon. Members will naturally want to know how long it will be before the airport can be brought into operation. This is a difficult question to answer, but providing the resolution moved by my hon. Friend the Colonial Secretary is carried, a clear directive can be sent immediately to the Consulting Engineers to proceed with the preparation of the contract documents. They advise me that under these circumstances it should be possible to complete the documents and call for tenders about the end of November of this year. At least three months will be required for tendering and after the tenders have been received a further month will be required for examination and comparison. Therefore, the earliest date on which a contract could be placed would be March, 1955. Different contractors will undoubtedly require different periods for the completion of the work, and it does not follow that the contractor submitting the lowest tender will require the shortest time. However, it has been roughly estimated that it should be possible to complete Stage I by the end of 1958 and Stage 2 by the end of 1960.

I should like now, Sir, to refer briefly to the effect that the new airport will have on the surrounding community which has been kept constantly in mind during the planning stage. Hon. Members will appreciate that in order to fit a modern airport within the confines of the harbour area it has been necessary to infringe on certain adjoining properties.

The Colonial Secretary has already referred to the effect upon the operating of shipping in the harbour. In addition, the surrounding area of Kowloon will be affected to a limited extent. The new runway will have a different flight funnel, and the area beneath this flight funnel will be subjected to the noise of aircraft taking off and landing. There will also be restrictions on building heights in this area and three blocks of flats belonging to the Hongkong and Shanghai Bank obstruct the proposed flight

funnel. As stated in the Scott & Wilson Report the Consulting Engineers have investigated the possibility of moving these flats but no site acceptable to the Bank could be found on to which it would be possible to move them. However, a site has been found at the junction of Waterloo and Cornwall Roads which is acceptable to the Bank, and it is now proposed to demolish the existing flats and rebuild them on this site.

Looking on the other side of the picture, Sir, there is much to be said in favour of the project.

As a direct result of the construction of the new runway an area of some 160 acres of flat land at present part of the existing airport will eventually become available for other purposes. I anticipate that roughly 60 acres of this will be required for roads, open spaces, public services, etc., thus leaving about 100 acres or 4,300,000 square feet available for disposal.

The closing of the existing two runways will free from building restrictions large areas of land in the approaches to these runways which at present cannot be built upon and which are very suitable for the erection of multi-storeyed housing. The noise from aircraft using these runways affect some 800 acres of land in Kowloon whereas aircraft using the new runway will affect only about 460 acre, thus a balance of 340 acres will be freed from noise.

I have already referred to the removal of the silt from beneath the proposed reclaimed area. This silt will be dumped at Kung Tong and will materially assist in the reclamation of the proposed industrial area.

In order to have a safe approach to the runway it will be necessary to remove the hills to the North of Boundary Street, and when cut down these hills will provide an area of land of about 25 acres which although it cannot be built upon will form very suitable areas for playing fields.

The holding up of traffic on the Clearwater Bay Road on account of aircraft movements will cease, and communications with the new resettlement and industrial areas at Ngau Tau Kok and Kung Tong will be shortened.

Lastly, Sir, I should like to refer to the unpleasant odour which arises during dry weather from the large nullah bordering Kai Tak. This odour originates from the densely populated areas surrounding the present airfield in which, except for a small developed section near Kowloon City, no piped drainage or sewerage system exists. I cannot pretend that the construction of the new airport will once and for all eradicate the odour originating from these areas, and a complete and satisfactory solution of this problem must await the construction of a drainage and sewerage system. However, it is thought that a large part of the present nuisance is caused by decomposing matter deposited in the lower reaches of the nullah and on the shallow foreshore of Kowloon Bay. Experience has shown that if drainage is discharged into deep water it is quickly dispersed and little or no objectionable odour results. The revised drainage arrangements for the new airport provide for the large Kai Tak nullah to discharge into Kowloon Bay at a point adjoining the present terminal area, for the extension of the existing nullah along the Sung Wong Toi Road, and a main outfall sewer to be laid at the side of the promontory, all of which will discharge into comparatively deep water. It is proposed, Sir, to extend the Sung Wong Toi nullah at an early date and I can say with confidence that a marked improvement will result, but the full benefit of the drainage scheme will not become apparent until the main nullah has been diverted, which must await the completion of Stage I.

To reiterate, the construction of the new airport will provide a large area of flat land, help to reclaim a further area for industrial use, free from building restrictions because of flight funnels a considerable area of flat land suitable for multi-storeyed housing and from noise some 340 acres of built up area, provide 25 acres of playing fields out of waste hillside, eliminate the traffic restrictions on the Clearwater Bay Road and alleviate the nuisance from the Kai Tak nullah.

I think, Sir, that hon. Members will agree this is a credit balance which should not be overlooked.

DR. S. N. CHAU: —Your Excellency: There can be no argument against the view that efficient communications are the arteries through which the life-blood of the Colony is pumped. Hong Kong is, and always will be, dependent in the main on her entrepot trade for her prosperity, and whilst our greatest asset

is our fine natural harbour, it would be foolish indeed if we were to ignore the warning finger pointing to the progress of man and his machines and the fast approaching obsolescence of the Kai Tak Airport. There is food for sober thought in the view that a few years from now, Kai Tak as we know it today, would be by-passed by all the main international lines and capable of handling local feeder-service aircraft only. Without adequate air facilities to supplement our natural assets and to provide the fast moving services the modern world demands, Hong Kong will lose much in prestige with a consequent adverse reflection on our trade.

In expressing support for the motion before Council, I must refer to the repeated warnings of additional taxation given by my hon. Friend the Financial Secretary. My Unofficial colleagues and I agree that so long as we are to be solvent, revenue must cover recurrent expenditure and we agree that it should also cover a certain amount of non-recurrent capital expenditure. We consider, however, that the volume of capital expenditure which is now being entailed is such that it is not reasonable to expect the total of capital and recurrent expenditure to be covered by revenue. In the course of the last Budget debate, it was suggested that excess expenditure should be covered by a loan—the view being that it would not be unreasonable for posterity to shoulder in part, the cost of projects from which they too would benefit. My hon. Friend the Financial Secretary in his reply, made some objections to this course and suggested the alternative of drawing on the Colony's reserves. We had hoped that Her Majesty's Government would see its way to help the Colony meet the enormous cost of this and other large development schemes to which we are committed, but as we have just heard from the honourable Colonial Secretary that further aid is not forthcoming, my Unofficial colleagues and I strongly urge that should revenue prove inadequate to cover expenditure during the period of all this construction there must be no resort to increased taxation. It is our suggestion that a public loan should be considered first and foremost, and failing a loan, then recourse should be had to our substantial reserves.

THE FINANCIAL SECRETARY: —Sir: In support of the motion, I should say that I am obliged to my hon. Friend for a very reasonable statement of the Unofficial views on how the cost of this airport is to be met. I gather that he is satisfied—at least

he is not dissatisfied—for so long as revenue exceeds expenditure, but when that position no longer obtains he prefers either a loan or drawing on reserves to increasing taxation. I think there is another alternative and that is improving revenue by increasing the efficiency of collection of taxation. And I think for next year prospects are fairly hopeful in view of the fact that we have just decided on a complete reassessment for rates.

As I mentioned in the course of the Budget debate, my most serious problem will come if we have to meet the cost of Tai Lam Chung reservoir and the airport at the same time. Now, I am in hopes, after hearing what my hon. Friend has said to-day, that unless Tai Lam Chung is unduly delayed, the worst of the expenditure on the reservoir should be over before we have to face heavy commitments on Kai Tak. Even if that does not happen, we have the interest-free loan to draw upon, and I think it would be perfectly reasonable to draw on that loan first and to meet the additional \$48 millions afterwards.

I cannot, of course, give any undertaking in this matter, but I can assure my hon. Friend that his suggestion and the views of the Unofficial Members will be borne in mind.

The question was put and agreed to.

BANK NOTES ISSUE ORDINANCE, CHAPTER 65.

THE FINANCIAL SECRETARY moved the following resolution: —

Resolved pursuant to the proviso to section 5 of the Bank Notes Issue Ordinance that this 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, 1955.

He said: —Sir: The Bank Notes Issue Ordinance provides that the powers of the note-issuing Banks to make, issue, and circulate notes must be renewed at least annually. The present authorization of these Banks expires on the 12th July next, and it is proposed to extend the authorization for the maximum period.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

**SUPPLEMENTARY PROVISIONS FOR THE QUARTER
ENDED 31ST MARCH, 1954.**

THE FINANCIAL SECRETARY moved the following resolution: —

Resolved that the Supplementary provisions for the quarter ended 31st March, 1954, as set out in Schedule No. 4 of 1953/54, be approved.

He said: —Sir: All the items in the schedule have already been approved by Finance Committee and require the covering approval of this Council. It will be noticed that of the total additional provision of over \$17 millions now required, \$11 millions arise directly as a result of fires in squatter settlements. Shek Kip Mei takes \$10½ millions, and \$½ million is required for resumption of land at Tung Tau, the scene of an earlier fire.

Of the other items, there is \$1 million for the University and \$400,000 as an additional subvention to the Tung Wah Group of Hospitals.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

MARKETS (AMENDMENT) (No. 2) BY-LAWS, 1954.

MR. H. G. RICHARDS moved the following resolution: —

Resolved that the Markets (Amendment) (No. 2) By-laws, 1954, made by the Urban Council on the 8th day of June, 1954, under section 5 of the Public Health (Food) Ordinance, Chapter 140, be approved.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

**PUBLIC HEALTH (SANITATION) (AMENDMENT)
BILL, 1954.**

MR. H. G. RICHARDS moved the First reading of a Bill intituled "An Ordinance to amend the Public Health (Sanitation) Ordinance, 1935".

He said: —Sir: The present wording of Section 50 of the Public Health (Sanitation) Ordinance allows the Urban Council to permit a basement to be used for "habitation or for occupation as a shop, workshop or factory." but the basement has to be "well-lighted, ventilated and drained, free from clamp and rat-proof to the satisfaction of the Council". Those conditions are inflexible. There are, however, a great number of basements which, although their continued occupation contravenes the existing law, have been proved to be occupied before the passing of the Public Health & Buildings Ordinance, 1903, and were probably covered by some valid licence or waiver, of which, owing to the War, no record has survived. The Urban Council's discretion to deal with these cases is limited by the present wording of the Section, and this has proved a source of embarrassment.

Moreover, there are other uses of basements which could reasonably be permitted under conditions other than those now laid down.

The proposed amendment will extend the powers of the Urban Council over the use of basements, but at the same time will give the Council more discretion to relax the usual standard when that can safely be permitted.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows: —

Under the existing law the use of basements for certain specified purposes is prohibited without the permission of the Urban Council. Under clause 2 the control of the Urban Council would be extended, in that permission would be required to use basements for any purpose whatsoever other than the garaging of vehicles and storage, *e.g.* use as a lock-up shop.

2. Clause 2, by the removal of the general conditions of use in section 50, also seeks to enable the Urban Council to accept and impose differential standards of sanitation for basements used as residences, workshops, lock-tip shops, etc.

IMMIGRANTS CONTROL (AMENDMENT) BILL, 1954.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Immigrants Control Ordinance, Chapter 243".

He said: —Sir: Under the principal Ordinance, the Immigration Officer can refuse entry into the Colony to any undesirable immigrant, but this power is only exercisable at the time the immigrant presents himself to the Immigration Officer for examination. It is considered desirable that the Governor in Council should have power to prohibit entry before the undesirable person is on the threshold, and this Bill enables the Governor in Council to prohibit the entry into the Colony of any person not born here, where that course is conducive to the public good.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows: —

Although deportation orders may be made against certain undesirable persons in the Colony, it is not possible to prohibit the entry of an undesirable person who is abroad. It may happen, therefore, that such a person enters the Colony only to be deported. This Bill is designed to enable an order to be made prohibiting his entry.

2. Clause 2 gives to the Governor in Council power to make such an order against any person other than a person born in the Colony, and penalties are provided for contravention of an order.

**LAND TRANSACTIONS (ENEMY OCCUPATION)
(AMENDMENT) BILL, 1954.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance further to amend the Land Transactions (Enemy Occupation) Ordinance, Chapter 256".

He said: —Sir: The legal effect of this Bill is, I think, sufficiently explained in the statement of "Objects and Reasons", but I have been told that the purpose of the principal Ordinance is not generally understood among laymen. I would therefore offer an explanation, and I cannot do better than quote from the speech made on the first reading of the Bill in 1948.

The mover then said in explanation of what is now the principal Ordinance: —

“The Japanese interpretation of the doctrine that all land of the Colony belongs to the Crown was that the land itself belonged to the Crown and that what was erected upon it belonged to the Crown lessee. They accordingly instituted not a Land Office but a House Registration Office and made various regulations to govern registration of assignments and form of assignments. The form of assignment authorized was inoperative to pass the legal estate as the assignment was not under seal and by reason of the misconception mentioned failed in many cases to describe correctly what it was really intended to assign, namely the house, the land held with it together with and subject to rights of way and other rights. The primary object of the Bill is to make it possible for a purchaser or his successor in title to put the matter right by enabling him to call upon the vendor for an assignment in the normal form in use in the Colony.

When we returned to the Colony and recovered the Land Office Registers they naturally contained no record of transactions affected during the Japanese occupation. It was doubtful how far dealings were going to be recognized and if permission to deal in land was to be given a method had to be found to put the purchaser on guard against suspect transactions. The method adopted was to enter up the occupation transactions in our own registers but in a different coloured ink, namely

green ink. Under clause 4 of the Bill these entries will constitute actual notice to a purchaser for a period of two years. During this period the parties will be able to determine their rights and if any of the occupation transactions are successfully challenged they will be deleted or modified as the case may be.”

Sir: It is that period which we are now extending for one more year.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows: —

Section 4 of the Land Transactions (Enemy Occupation) Ordinance (Cap. 256), as amended from time to time, provides that all "green ink entries" in the Land Office registers, whereby particulars of transactions affecting land during the Japanese occupation are recorded, shall be deleted after the expiration of six years from the commencement of the Ordinance, that is to say, after the 15th July next. As, however, instances still exist in which titles have not yet been regularized, it is desirable that the period aforesaid be extended by yet another year. This Bill is designed to achieve that end.

**THE ALICE HO MIU LING NETHERSOLE HOSPITAL
INCORPORATION BILL, 1954.**

MR. NGAN SHING-KWAN moved the Second reading of a Bill intituled "An Ordinance for the incorporation of the Executive Committee of The Alice Ho Miu Ling Nethersole Hospital."

MR. KWOK CHAN seconded.

The question was put and agreed to.

The Bill was read a Second time.

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

Clauses 1 to 7 were agreed to.

Council then resumed.

MR. NGAN SHING-KWAN reported that the Alice Ho Miu Ling Nethersole Hospital Incorporation Bill, 1954 had passed through Committee without amendment and moved the Third reading.

MR. KWOK CHAN seconded.

The question was put and agreed to.

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 shall meet again?

THE ATTORNEY GENERAL: —May I suggest this day fortnight?

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