

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 31st August, 1955.****PRESENT:**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, G.C.M.G.
HIS EXCELLENCY THE COMMANDER BRITISH FORCES
LIEUTENANT-GENERAL SIR CECIL STANWAY SUGDEN, K.C.B., C.B.E.
THE HONOURABLE THE COLONIAL SECRETARY
MR. EDGEWORTH BERESFORD DAVID, C.M.G.
THE HONOURABLE THE ATTORNEY GENERAL
MR. ARTHUR HOOTON, Q.C. (*Acting*).
THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS
MR. BRIAN CHARLES KEITH HAWKINS, C.M.G., O.B.E.
THE HONOURABLE THE FINANCIAL SECRETARY
MR. ARTHUR GRENFELL CLARKE, C.M.G.
THE HONOURABLE DOUGLAS JAMES SMYTH CROZIER
(*Director of Education*).
DR. THE HONOURABLE YEO KOK CHEANG
(*Director of Medical and Health Services*).
THE HONOURABLE AAROLD GILES RICHARDS, O.B.E.
(*Director of Urban Services*).
DR. THE HONOURABLE CHAU SIK NIN, C.B.E.
THE HONOURABLE LO MAN WAI, C.B.E.
THE HONOURABLE CHARLES EDWARD MICHAEL TERRY, O.B.E.
THE HONOURABLE NGAN SHING-KWAN, O.B.E.
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 JOHN ARTHUR BLACKWOOD.
MR. ROBERT WILLIAM PRIMROSE (*Deputy Clerk of Councils*).

ABSENT:

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

MINUTES.

The Minutes of the meeting of the Council held on 17th August, 1955, 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, 1955: —	
No. 16—Annual Report by the Commissioner of Police for the year 1954-55.	
No. 17—Annual Report by the Chief Officer, Fire Brigade for the year 1954-55.	
No. 18—Annual Report by the Commissioner of Prisons for the year 1954-55.	
No. 19—Annual Report by the Controller of Stores and Sand Monopoly for the year 1954-55.	
No. 20—Annual Report by the Administrator of Japanese Property for the year 1954-55.	
Marriage Ordinance (Chapter 181).	
Marriage Ordinance (Amendment of Second Schedule) Order, 1955	A. 80
Hong Kong Air Navigation (Registration Fees) Regulations, 1955	A. 81
Hong Kong Air Navigation (Landing and Housing Fees) Regulations, 1955	A. 82

RESOLUTION REGARDING TRADING RESERVE FUND.

THE FINANCIAL SECRETARY moved the following resolution: —

Resolved that the closing of the Trading Reserve Fund and the transfer of the amount standing to the credit of that Fund on the 31st August, 1955, to the Development Fund, be approved.

He said: Sir, this resolution was foreshadowed in my speech before this Council on the occasion of the introduction of the annual Appropriation Bill on the 2nd March last. Government has now withdrawn from its trading activities, and the trading accounts, or the suspense accounts as they are more properly called, have been cleared as from 31st March last. Trading having ceased, it follows that there is no longer any need to have a Trading Reserve Fund, and it is accordingly proposed that the balance of the Fund shall now be transferred to the Development Fund. This is in accordance with the policy which was agreed when the Development Fund and the Trading Reserve Fund were first established in 1951.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

**DISEASE PREVENTION (FOOD AND DRINKS)
(AMENDMENT) BY-LAWS, 1955.**

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

Resolved that the Disease Prevention (Food and Drinks) (Amendment) By-laws, 1955, made by the Urban Council on the 23rd day of August, 1955, under section 5 of the Public Health (Food) Ordinance, Chapter 140, be approved.

He said: Sir, the purpose of these by-laws is set out in the explanatory note at the foot of the by-laws on which, I think, it is not necessary for me to elaborate.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

SAND (AMENDMENT) BILL, 1955.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Sand Ordinance, Chapter 147".

He said: Sir, the Sand Ordinance was enacted in 1935 with the objects of preventing the theft of sand from land, foreshore or seabed not under lease from the Crown and of controlling the importation into and the removal of sand within the Colony.

Enforcement of these prohibitions has, however, been hampered by lack of specific provision in the Ordinance authorizing the search of vessels and vehicles suspected to be conveying sand unlawfully, and for the seizure of sand found upon such search. This short amending Bill seeks to remedy these deficiencies. It further empowers magistrates to make orders for the disposal of sand and increases the maximum fine which may be imposed for an offence from \$1,000 to \$2,500.

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: —

The main object of this Bill is to make provision in the Sand Ordinance for better means of enforcement of that Ordinance. For this purpose police officers are expressly given similar powers to those of the Controller of Stores and public officers authorized by him.

2. Clause 3 repeals and replaces section 4, and, in addition to the power of arrest, provides for powers of search and of seizure of sand.

3. Clause 4 increases the maximum fine for an offence against the Ordinance from one thousand to two thousand five hundred dollars.

4. Clause 5 makes provision for the restitution and forfeiture of sand which has been seized.

5. Under section 3 of the Ordinance it is an offence to convey sand in a junk, lighter, truck or lorry. It is considered that this offence should be extended to conveyance of sand without a permit in any vessel or vehicle, and clause 2 amends section 3 of the Ordinance accordingly.

**QUARANTINE AND PREVENTION OF DISEASE
(AMENDMENT) BILL, 1955.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Quarantine and Prevention of Disease Ordinance, Chapter 141".

He said: Sir, the purpose of this measure, as is explained in the statement of objects and reasons appended to the Bill, is to bring the Colony's legislation in this matter into line with the International Health Regulations prepared by the United Nations World Health Organization. As, however, the Bill does not seek to make any major amendments to the substantive law of this Colony I do not feel that I need say anything further at this stage.

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: —

The object of this Bill is to amend the Quarantine and Prevention of Disease Ordinance to bring the Colony's legislation in this matter into line with the International Health Regulations prepared by the United Nations World Health Organization. Though this has entailed extensive amendment, it has not been practicable to re-enact the whole Ordinance at this time. In the case of Part III, however, it has been considered desirable to repeal its provisions and to replace them by regulations concurrently enacted. The Governor in Council was empowered under section 8 of the Ordinance to deal with these matters by regulations.

2. This process of assimilating the Colony's legislation to that proposed by the United Nations has not meant any major policy changes; the amendments of the substantive law being of a minor nature, *e.g.* the application to relapsing fever of the precautionary measures previously reserved for typhus (clause 33), and the empowering of health officers to issue international deratting certificates (clause 29).

**HONG KONG CHRISTIAN COUNCIL INCORPORATION
BILL, 1955.**

MR. NGAN SHING-KWAN moved the First reading of a Bill intituled "An Ordinance to provide for the incorporation of the members of the Hong Kong Christian Council".

He said: Sir, this bill is framed on the lines of legislation of a similar nature, and its contents are usual for bills of incorporation of religious organizations enacted in the Colony. The purposes are clearly set forth in the Objects and Reasons to which I have nothing useful to add.

MR. DHUN J. RUTTONJEE 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: —

1. The object of this Bill is to incorporate the members of The Hong Kong Christian Council.
2. The Hong Kong Christian Council has been in existence since the year 1953. The objects of The Hong Kong Christian Council are to give advice to all Christian and Christian bodies on questions affecting public morals and welfare of the Christian community and to provide Christians with burial grounds.
3. The present Hong Kong Christian Council is not a corporate body and cannot, therefore, hold any property in its own name, though one of its objects is to manage cemeteries for all Christians. Not being a corporate body it is handicapped in other ways in the carrying out of its functions.

**FOREIGN MISSION SISTERS OF ST. DOMINIC
INCORPORATION (CHANGE OF NAME) BILL, 1955.**

MR. LO MAN WAI moved the First reading of a Bill intituled "An Ordinance to amend the Foreign Mission Sisters of St. Dominic Incorporation Ordinance, Chapter 282".

He said: Sir, the sole object of this Bill is to change the name of this Corporation, and there are only two reasons. The first is that a name is essential to a corporation, and this corporation having been incorporated by an Ordinance, its name can only be changed by an amending Ordinance. The second is that this Corporation is the Hong Kong Regional Branch of the Order of Foreign Mission Sisters of St. Dominic of America which has recently changed its name to Maryknoll Sisters of St. Dominic. The only conceivable objection to this Bill would be that its new name is identical with that of a company or corporation in existence, or so nearly resembling that name as to be calculated to deceive. But in this case there can be no possible objection on this ground. As a matter of fact, even as long ago as 1934, when this religious and charitable organization was incorporated, it was commonly known as "Maryknoll Sisters," and I am sure it is better known to Members of this Council under this name than its present legal name.

MR. KWOK CHAN 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: —

The object of this Bill is to change the name of the corporation by reason of the fact that the Order of Foreign Mission Sisters of St. Dominic has recently changed its name to Maryknoll Sisters of St. Dominic.

**FRANCISCAN MISSIONAIRES OF MARY INCORPORATION
BILL, 1955.**

DR. A. M. RODRIGUES moved the Second reading of a Bill intituled "An Ordinance to provide for the incorporation of the local representative in Hong Kong of the Franciscan Missionaires of Mary".

MR. C. E. M. TERRY 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 8 were agreed to.

Council then resumed.

DR. A. M. RODRIGUES reported that the Franciscan Missionaries of Mary Incorporation Bill, 1955 had passed through Committee without amendment and moved the Third reading.

MR. C. E. M. TERRY seconded.

The question was put and agreed to.

The Bill was read a Third time and passed.

**ADDRESS BY THE GOVERNOR:
TRAGEDY AT TAI PO KAU.**

H. E. THE GOVERNOR: —

Honourable Members were, I know, as distressed as I was by the tragedy that occurred last Sunday when a number of persons were drowned by a torrent caused by a cloudburst at Taipo Kau.

This occurrence could not be foreseen and could not be prevented, but it came as a shock to the whole of the Colony, the more so because most of the victims were children.

Our sympathy goes out particularly to the parents of those children. Many of them came from St. James's Settlement; some were the children of employees of the Kowloon-Canton Railway.

I am sure honourable Members would wish to join me in expressing our sorrow at this disaster and our heartfelt condolences with the bereaved families. I therefore suggest that we all stand as a mark of respect.

Members stood in silence.

ADJOURNMENT.

H. E. THE GOVERNOR: —When is it suggested that we meet again?

THE ATTORNEY GENERAL: —Sir, may I suggest this day fortnight.

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