

**OFFICIAL REPORT OF PROCEEDINGS.****Meeting of 22nd May, 1957.**

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**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 WILLIAM HENRY STRATTON, K.C.B., C.V.O., C.B.E., D.S.O.

THE HONOURABLE THE COLONIAL SECRETARY

MR. CLAUDE BRAMALL BURGESS, O.B.E. (*Acting*).

THE HONOURABLE THE ATTORNEY GENERAL

MR. ARTHUR RIDEHALGH, Q.C.

THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS

MR. JOHN CRICHTON McDOUALL.

THE HONOURABLE THE FINANCIAL SECRETARY

MR. JOHN JAMES COWPERTHWAITTE (*Acting*).

DR. THE HONOURABLE YEO KOK CHEANG, C.M.G.

*(Director of Medical and Health Services)*.

THE HONOURABLE DAVID CLIVE CROSBIE TRENCH, M.C.

*(Commissioner of Labour)*.

THE HONOURABLE EDMUND BRINSLEY TEESDALE, M.C.

*(Director of Urban Services)*.

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

THE HONOURABLE CHARLES EDWARD MICHAEL TERRY, O.B.E.

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

THE HONOURABLE NGAN SHING-KWAN, O.B.E.

THE HONOURABLE DHUN JEHANGIR RUTTONJEE.

THE HONOURABLE CEDRIC BLAKER, M.C., E.D.

THE HONOURABLE KWOK CHAN, O.B.E.

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

MR. RONALD THOMPSON (*Deputy Clerk of Councils*).**ABSENT:**

THE HONOURABLE JOHN FORBES, O.B.E.

*(Acting Director of Public Works)*.

**MINUTES.**

The Minutes of the meeting of the Council held on 8th May, 1957, 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, 1957: —	
No. 17—Annual Report by the Social Welfare Officer for the year 1955/56.	
No. 18—Annual Report by the Commissioner of Labour for the year 1955/56.	
No. 19—Annual Report by the Commissioner for Resettlement for the year 1955/56.	
No. 20—Annual Report by the Director of Medical and Health Services for the year 1955/56.	

Urban Council Ordinance, 1955.

Urban Council Elections (Procedure) (Amendment) Regulations, 1957 .....	A. 47.
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**HONG KONG AIRPORT (CONTROL OF  
OBSTRUCTIONS) BILL, 1957.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to provide for the restriction and, where necessary, the reduction of heights of buildings in the vicinity of the Hong Kong Airport, for the control of lighting, for the erection or provision and the maintenance of aids to air navigation, for the assessment and payment of compensation in respect of damage suffered on account thereof, and for purposes connected with the matters aforesaid."

He said: Sir, honourable Members will see that this measure is primarily concerned with the safety of aircraft using Hong Kong Airport, and it empowers the elimination of hazards

which might imperil them. It is necessitated not only by this Government's desire to maintain a safe airport but also because we are under international obligation to do so. It is, however, well to remember that a serious accident may also involve members of the general public. Legislation is therefore quite clearly essential: the problem has been the difficult one of reconciling the public interest (if not public necessity) with private rights. Sir, a good deal of thought and work has gone into the preparation of this Bill, and I trust that the results are not unsatisfactory.

The various provisions of this measure are, I think, fairly explained in the statement of objects and reasons, but there are a salient points to which I would invite attention.

Clause 3 of the Bill enables the Governor in Council by order to:

- (a) prescribe areas within which all buildings are prohibited;
- (b) prescribe areas within which no building shall exceed a specified height; and
- (c) require the demolition or reduction in heights of buildings to comply with such orders.

There is also power to require marking and lights on buildings and the provision of warning and guiding lights and beacons. I would emphasize that it is a prerequisite to the exercise of these powers that their exercise is necessary for the safety of aircraft. I should also mention the emergency extinguishment of lights which might be misleading to aircraft; somewhat drastic powers are taken in clauses 10 and 11, but the gas and electricity suppliers have been consulted and have expressed their readiness to co-operate—an attitude which is much appreciated by the Government.

At this point I would mention some ancillary provisions of interest to property owners. Clauses 6 and 7 overlap to some extent, but briefly, clause 6 enables the Director of Civil Aviation to require marking and lights on buildings and the owner can do the job himself at Government expense or leave the Government to do it; under clause 7 the Governor in Council may order the Director of Public Works to provide and maintain marks, lights and beacons, in which case a claim for compensation by the

property owner will lie. As regards the carrying out by an owner of building works required under the Ordinance, it should be noted that there is express provision in clause 16 for an agreement between the Director of Public Works and the property owner whereby the Government will undertake to foot the bill, thus avoiding recourse to the compensation provisions to which I will refer in a moment. I should, however, point out that clause 16 does not apply to the case where a person has carried out building works in contravention of a prohibition or restriction order made under clause 3.

Sir, property owners in the prescribed areas may be injuriously affected and the Bill contains provisions about compensation therefor and the procedure for obtaining it. The right to compensation arises under three heads:

- (a) diminution of the value of an interest in land;
- (b) loss of rent or disturbance in the enjoyment of any right in or over land;  
and
- (c) expense incurred in carrying out necessary works.

A claim for compensation must be made to the Director of Public Works, and in default of agreement may be referred to the Airport Obstructions Compensation Tribunal established under clause 24. The rules for assessing compensation by which the Director of Public Works and the Tribunal are bound are contained in clause 23, and as explained in the Objects and Reasons, they cannot conveniently be summarized or paraphrased. I would, however, quote the basic rule relating to a claim for diminution in value of an interest in land. It is as follows: —

"The value of any interest in land shall, subject as hereinafter provided, be taken to be the amount which the interest if sold in the open market by a willing seller might be expected to realize: Provided always that the Director of Public Works or the tribunal, as the case may be, shall be entitled to consider all returns and assessments for taxation or rating made or acquiesced in by the claimant."

I now come to the compensation tribunal. It will be composed of a judge of the Supreme Court or the District Court as chairman, and two other members. It should be noted that at least one of the other members shall not be in the full time employment

by the Crown and at least one of them shall have had experience in the valuation of land and buildings. Decisions of the Tribunal, except on questions of law which will be decided by the Chairman, are to be decided by the majority, and these decisions will be final, save that there is an appeal to the Full Court where either party contends that a decision is erroneous in point of law. It will be seen therefore that due provision is made for the recompense of persons who are injuriously affected, and that disputes will be determined by an independent tribunal.

As I have already said, this Bill is essential in the public interest, and it is my submission that its provisions strike a fair balance between public interest and private rights, and on that basis I commend it to the consideration of this Council.

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: —

With the extension of the Hong Kong Airport and the prospect of its use by night, it has become necessary to take powers for the restriction of heights of buildings in the vicinity of the airport and for the provision and maintenance on private land of aids to air navigation, and this Bill is designed to give the necessary powers. It is a condition precedent to the exercise of these powers that the authority in whom they reside shall be satisfied that their exercise is necessary for the safety of aircraft using the Hong Kong Airport, and in Part III of the Bill provision is made for compensating persons who suffer loss or damage in consequence of their exercise.

2. Warning was given in Government Notification No. 1026 published in the *Gazette* of 16th September, 1955, of Government's intention to legislate for the restriction of heights of buildings. The warning was in these terms—

"It is hereby notified that the Government intends to introduce legislation to restrict the heights of buildings in certain areas in the vicinity of Kai Tak Airport including

parts of Kowloon. All persons are warned that whereas the Buildings Bill, presently before Legislative Council, may permit an increase in the heights of buildings generally, any compensation which may be payable in respect of any diminished interest in land or any damage sustained by reason of the interference with rights in or on land caused by the proposed restrictions will be assessed on the basis of the permitted heights of buildings at the present time and without regard to any increases in such heights which may be permitted by the Buildings Bill.

2. Detailed information concerning the proposed restrictions may be obtained from the office of the Director of Public Works, where copies of a plan showing the areas affected will be available for inspection. Such information is not binding on Government, the precise restrictions being a matter for determination by legislation. "

3. Clause 3 of the present Bill enables the Governor in Council by order to—

- (a) prescribe areas within which all buildings are prohibited;
- (b) prescribe areas within which no building shall exceed a specified height;
- (c) require demolition or reduction in height of any buildings to comply with orders under paragraph (a) or (b).

Where demolition or reduction in height of a building becomes necessary, the Director of Civil Aviation informs the owner of the date by which the necessary work is to be completed (clause 5).

4. As well as restricting heights of buildings, it is considered necessary to empower the Director of Civil Aviation to require certain privately owned buildings to be marked with warning or guiding lights and signs which may be done by the owner or the Government, at the owner's option (clause 6). In addition, the Governor in Council may, under clause 7, order the Director of Public Works to provide lights, marks and beacons. To prevent confusion with guiding lights, clause 8 forbids exposure to the sky of all other amber lights in Kowloon or New Kowloon or any other area prescribed by the Governor in Council. Clause 9 enables the Director of Civil Aviation to prohibit the use of any particular light exposed to the sky, and an appeal to the Governor in Council is provided for. Clauses 9(2) and 10 provide for the

extinguishment of offending lights by the cutting off of electricity or gas by the supplier, and clause 11 gives power of entry to premises to do the necessary work.

5. Where a building has been erected in contravention of section 4 or where an owner of a property fails to demolish or reduce the height of a building or to provide or maintain aids to air navigation as required under the Ordinance, the Director of Public Works is empowered by clause 12 to carry out the necessary works, and clause 15 enables him in the case of a contravention of section 4 to recover the cost. Clause 13 gives powers of entry for the purpose of carrying out the works, and also enables the Director of Civil Aviation or any authorized public officer to enter premises to ascertain whether the provisions of the Ordinance or any notice relating to marks, lights or beacons have been or are being complied with. Owners of property and the Director of Public Works are enabled by clause 14 to obtain closure orders from a magistrate in relation to premises where building works are to be carried out. Clause 17 gives a measure of protection to Government and its officers, and to suppliers of electricity and gas and their employees, in respect of action taken under the Ordinance.

6. By clause 16, the Director of Public Works may agree for payment by Government of the cost of works done under building contracts entered into by owners required to carry out work under the Ordinance.

7. Part III of the Bill contains provisions relating to the right to compensation and the procedure for obtaining it. The right to compensation arises under three heads—

- (a) diminution of the value of an interest in land;
- (b) loss of rent or disturbance in the enjoyment of any right in or over land;  
and
- (c) expense incurred in carrying out necessary building works.

Clause 21 makes the right to compensation in respect of a diminution in value of an interest in land pass with such interest upon any sale, bequest or other transfer thereof unless specifically excluded by the terms of the instrument under which such interest passes. All claims for compensation are to be made to the Director of Public Works (clause 22), and in default of agreement

the matter is to be referred to the Airport Obstructions Compensation Tribunal established under clause 24, which will be composed of a chairman who shall be a judge of the Supreme Court or the District Court appointed by the Chief Justice, and two other members appointed by the Governor, one of whom at least shall be a person not employed by the Crown and one of whom at least shall have had experience in the valuation of land and buildings. The tribunal, which is required to sit in public, is given the necessary powers for the conduct of proceedings by clause 25, and there is an appeal to the Full Court by way of case stated at the instance of any party dissatisfied with a decision as being erroneous in point of law. The rules governing the assessment of compensation to be followed by the Director of Public Works and the tribunal are laid down in clause 23. These rules have been evolved from those to be found in the Crown Lands Resumption Ordinance, Cap. 124, and the United Kingdom legislation on compulsory purchase of land and on town and country planning. These rules cannot conveniently be summarized or paraphrased, and persons interested are invited to study the details of clause 23.

#### **HAWKERS (AMENDMENT AND VALIDATION) BILL, 1957.**

MR. E. B. TEESDALE moved the First reading of a Bill intituled "An Ordinance to amend the Hawkers Ordinance, Chapter 157, and to validate certain licences issued thereunder."

He said: Sir, as explained in the Objects and Reasons, the first purpose of this Bill is to include in the principal Ordinance a comprehensive definition of the word "hawker". In Hong Kong this term has come to include not merely an itinerant vendor moving from place to place, but also any person who sells his wares from a fixed pitch or stall in a street or public place, or any person who follows some kind of trade or craft, such as a cobbler or letter-writer, and who does so either from a fixed pitch or by moving from place to place.

It has for some time been regarded as necessary to licence all such persons, and by-laws governing the issue of such licences have been passed from time to time. It has recently been established, however, that the definition of hawker contained in the by-laws is ultra vires the main Ordinance, which lacks such a



definition. The Bill remedies this defect, and also validates the by-laws, and the licences issued thereunder, for the various categories of persons regarded as hawkers.

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: —

1. The purpose of this Bill is—
  - (a) to amend the principal Ordinance by inserting a definition of the expression "hawker" to include not only such persons as travel from place to place selling wares but also persons who trade from fixed booths or pitches situated in streets and open places to which the public have resort, or who, while travelling from place to place or from such fixed booths or pitches, hire out their skill in handicraft or personal services; and
  - (b) to validate a number of by-laws which purport to be made under section 2 of the principal Ordinance but which have been found to be ultra vires the principal Ordinance.
2. The by-laws affected are all of those which purport to provide for the licensing and control of persons who carry on their trade either by selling their wares or by hiring out their skill or personal services in the streets and who by common parlance over many years in Hong Kong have become known in the Colony as "hawkers" but who are not "hawkers" at common law.
3. It is considered that the present extensive system of control of "hawkers" in the sense in which that expression is used in Hong Kong and which has grown up by gradual process is a necessary part of the law of the Colony in the public interest, and the reason for the introduction of this measure is therefore to preserve that system in so far as the expression "hawker" has come to mean in the Colony something much wider than its meaning at common law.

**HOUSING (AMENDMENT) BILL, 1957.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Housing Ordinance, 1954."

THE COLONIAL SECRETARY 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 3 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Housing (Amendment) Bill had passed through Committee without amendment and moved the Third reading.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a Third time and passed.

**TELECOMMUNICATION (AMENDMENT) BILL, 1957.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Telecommunication Ordinance, Chapter 106."

THE COLONIAL SECRETARY 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 and 2 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Telecommunication. (Amendment) Bill, 1957 had passed through Committee without amendment and moved the Third reading.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a Third time and passed.

**MASONIC BENEVOLENCE FUND INCORPORATION  
(AMENDMENT) BILL, 1957.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Masonic Benevolence Fund Incorporation Ordinance, Chapter 297."

THE COLONIAL SECRETARY 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 and 2 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Masonic Benevolence Fund Incorporation (Amendment) Bill, 1957 had passed through Committee without amendment and moved the Third reading.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a Third time and passed.

**ZETLAND HALL TRUSTEES INCORPORATION  
(AMENDMENT) BILL, 1957.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Zetland Hall Trustees Incorporation Ordinance, Chapter 321."

THE COLONIAL SECRETARY 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 and 2 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Zetland Hall Trustees Incorporation (Amendment) Bill, 1957 had passed through Committee without amendment and moved the Third reading.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a Third time and passed.

**MEDICAL REGISTRATION BILL, 1957.**

DR. YEO KOK CHEANG moved the Second reading of a Bill intituled "An Ordinance to repeal, and to re-enact with amendment, the Medical Registration Ordinance, Chapter 161."

He said: Your Excellency, I rise to move the Second reading of a Bill intituled "An Ordinance to repeal, and to re-enact with amendment the Medical Registration Ordinance, Chapter 161."

I do not have to tell you, Sir, or indeed, any member of this Council of the many months of careful thought and study that was given to this Bill before its introduction by Government.

Since the first reading of the Bill and its publication there has however been much evidence of public apprehension both as to its purpose and possible effects. There have been representations to Government and to Unofficial Members, and many thousands of words have been published in the press. I make no excuse therefore for speaking today at some length in order that, not only those who have made representations, but the public at large may be fully informed of all the facts leading to the introduction of this Bill.

Sir, the object of this Bill as a whole is to regulate the medical profession of the Colony and to ensure that the people of Hong Kong are given the best possible medical service and one in which they can place complete confidence. There can be no possible objection to such aims and, indeed, in all that has been written and said in the six weeks since I introduced the Bill, I do not think there has been any criticism of this general objective.

It is specifically Clause 27, which completely prohibits an unregistered medical practitioner, other than one exempted from registration, from practising western medicine, whether for gain or not, that has been the focus of public anxiety and the target for criticism.

Sir, the sole aim of Clause 27 is the safeguarding of the public by ensuring that medical treatment by western methods is given only by those doctors whose professional knowledge is without question sufficient to enable them to practise without endangering the health of their patients. I cannot stress this point too strongly. The real issue is the possession of adequate medical knowledge, and when the ultimate consideration is human life, that issue is all important and cannot be ignored or set aside.

In order to ascertain whether a doctor does in fact possess adequate knowledge there must be some criteria of standards. The criteria in Hong Kong follow the pattern in the United Kingdom. The qualifications registrable in Hong Kong are exactly the same as those registrable in the United Kingdom, namely, qualifications obtained by examinations recognized by the General Medical Council. The only doctors exempt from registration in the Colony are those in the full time service of the Government, the University of Hong Kong and the Armed Forces.

So far as I can judge, Sir, from the most careful perusal of all that has been written on the subject of the Bill, even its most severe critics take no objection to the principle of securing the highest possible standards in the medical profession. Their concern is with the Bill's practicability and expediency under existing conditions in Hong Kong.

Thus, doubts have been expressed that the proposal completely to prohibit the practice of Western medicine by unregistered doctors should be introduced at this time when the population of the Colony has increased to a degree which renders it necessary to ensure the maximum possible provision of medical facilities. Particular mention has been made of the service rendered by the clinics employing unregistered doctors by providing medical treatment at scales of charges within the reach of the poorest section of the community and it is claimed that this service will either disappear or greatly diminish in scope after Clause 27 comes into force. Additionally, attention has been drawn to the effect of the proposal on the unregistered refugee doctors themselves, and it has been suggested that they should be given the opportunity of proving their capabilities with a view to achieving registration.

All these points were, as honourable Members are aware, given the most detailed consideration before the Bill was introduced by Government. The decision to proceed with the Bill was not taken light-heartedly or without full appraisal of the facts. It is therefore appropriate that these facts be stated publicly.

Whereas it is perfectly true that implementation of Clause 27 will, of course, result in an immediate reduction in the number of doctors available to the community, there is no foundation for the charge that as a consequence there will be a great shortage of doctors in Hong Kong. The figures quoted by critics of the Bill have been in the main erroneous. There are 426 registered practitioners currently active in private practice and in the employ of certain charitable institutions. There are a further 284, including unregistered doctors, in the service of the Government and the University, thus making a total of 710 doctors. Add to this figure the recruits who will be entering Government service this year, the 46 house officers who are at present serving one year's internship prior to qualifying for registration, and the average figure of yearly additions to the register of doctors who qualify in other parts of the Commonwealth, and by the end of this year

there should be approximately 800 doctors practising in the Colony. If they are all practising in the full sense of the word, this will give a ratio of approximately 1 doctor per 3,000 of population, but it must be remembered that a small proportion of the Government and University doctors are fulfilling duties of a non-clinical nature and therefore a more realistic ratio of persons per doctor in Hong Kong is probably 1 to 3,500 or 4,000. In the United Kingdom the maximum number of persons that one doctor can have on his National Health Insurance List is 3,500. A point that should also be borne in mind when considering these figures is that there is still a considerable number of the population who do not seek treatment by Western medicine. Honourable Members will appreciate from my figures that although obviously it is most desirable to increase the number of registered medical practitioners, the position in Hong Kong is nothing like as bad as has been suggested, and it is improving all the time, even taking into consideration the natural annual increase of the population, which is more than off-set by the annual increase of about 50 registrable doctors from the University.

It is claimed that the clinics which are operating using the services of unregistered doctors are catering for the needs of a section of the populace which, although wishing to receive the benefits of modern medical treatment, is unable to meet the charges of the private practitioner, and a criticism of the provisions of Clause 27 is that such treatment will not continue to be dispensed at the same moderate charge once registered practitioners are employed. In answering this, I must draw attention to the fact that not all of these clinics are operated by unregistered doctors. Almost 50% of them are served by registered practitioners, and the charges in some of these cases are even less than those payable where unregistered doctors are employed.

To those people who have condemned the proposal as being the death knell of these clinics let me say with all possible emphasis that it is not nor has it ever been Government's intention to have them closed. The question of the availability of registered doctors was taken up with the Hong Kong Chinese Medical Association and the local branch of the British Medical Association before the first reading of the Bill and I am happy to report that the Councils of these Association have given an assurance that their members will help to staff the clinics in cases where difficulties in obtaining the services of registered practitioners are

reported. It will be seen therefore that contrary to the presumption that it is desired to eliminate these clinics every effort has been made and will be made to assist their continued operation, but in a manner which will ensure that patients attending them receive adequate medical attention, which, coming from registered doctors, will include the use of drugs and antibiotics which are today considered essential for the effective and speedy treatment of the sick and which unregistered practitioners may not legally obtain or prescribe.

I turn now to the question of the unregistered doctors themselves. Much has been written recently about this problem and many suggestions have been made as to how they may legally be permitted to continue practising, and I think that everyone is agreed that they should be given a chance of proving themselves, although the solutions offered have been diverse and varied. Lest it be said that this matter has not received the full and detailed consideration it deserves, I would like to emphasize at this point that it has been under sympathetic examination by Government for a very long time as a part of the overall refugee problem. It always has been the policy of Government to render as much help as possible to the refugees in our midst, but where the health and indeed the life of an individual may be concerned, great care must be taken to ensure adequate knowledge and skill before allowing unregistered doctors to practise.

It is apparently contended that all unregistered doctors possess this knowledge and skill. Some have proved that they do, but unfortunately not all are equally qualified and from personal experience accumulated over a period of ten years from interviewing and selecting candidates with unregistrable qualifications for appointment with Government, I know that their standards vary considerably and therefore the only satisfactory way of resolving the matter is to require each of them who wishes to practise to sit an examination. Several have already done so. They have gone to the United Kingdom or Canada, the majority at their own expense, taken the necessary examinations, and are now registered.

But it is appreciated that not everyone of the Colony's unregistered doctors can afford the expense of such action and therefore it is proposed to assist them by arranging for the examination to be held here. To this end, consideration has for



some time been given to a proposal originally made by the Medical Board that examining bodies recognized by the General Medical Council of the United Kingdom, for example, the Society of Apothecaries of London, or the Royal Colleges in England, Scotland and Ireland, be asked to send examiners or appoint examiners in Hong Kong to enable examinations recognized by the General Medical Council to be held in the Colony for these refugee doctors. On passing such an examination they would be entitled to be registered. The practical aspects of this proposal are now being examined.

Here I must sound a warning to those who would wish to take advantage of such an arrangement. Having regard to the position of our own University, it may well be that the examination will be held on only one or two occasions, although a decision on that question cannot be taken at this time, and therefore the unregistered refugee doctors in our midst would be well advised to make the most of this opportunity, if and when it presents itself, to obtain a registrable qualification.

Honourable Members will appreciate from what I have said that it is most undesirable to amend the proposed Clause 27 or to delay for too long its implementation. It will, however, be necessary for the clinics which have yet to make the change to employ registered doctors. This may well take longer than was first thought and therefore in order to allow sufficient time for this and for Government to satisfy itself that registered doctors are available for service in these clinics and that no hardship to the public will result I propose during the Committee stage to move an amendment to Clause 1 of the Bill which will allow the implementation of Clause 27 to be delayed until it is brought into force by proclamation of His Excellency the Governor.

THE COLONIAL SECRETARY seconded.

DR. CHAU SIK NIN: —As my honourable Friend and Colleague has just said, this Bill was very carefully considered before the First reading and I wish to say on behalf of all the Unofficial Members of Council that we are in no doubt but that this is a measure essential to safeguarding the health and welfare of the public and we approve in principle the Bill as introduced. After hearing the remarks of the Honourable Director of Medical and Health Services, and supporting the amendments he proposes

to make when the Bill reaches Committee stage, I have pleasure in saying that we are in full agreement with the new proposals and the Bill has our unanimous support.

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.

Clause 1.

DR. YEO: Sir, I rise to move that Clause 1 be amended as set out in the amendment paper before honourable Members.

*Proposed Amendment.*

Leave out this clause and substitute therefor the following—

"Short title and commence- ment.	This Ordinance may be cited as the Medical Registration Ordinance, 1957, and shall come into operation on the 1st day of June, 1957, save and except section 27 which shall come into operation on a day to be appointed by the Governor by Proclamation in the <i>Gazette</i> ."
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Clause 1, as amended, was agreed to.

Clause 2.

DR. YEO: Sir, I rise to move that Clause 2 be amended as set out in the amendment paper before honourable Members.

*Proposed Amendment.*

Leave out the definition of "Commonwealth or foreign diploma" and substitute therefor the following—

[4 & 5 Eliz. 2, c. 76.]	““Commonwealth or foreign diploma” means such a diploma as is mentioned in section 18 of the Medical Act, 1956, other than a Colony diploma;”.
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Clause 2, as amended, was agreed to.

Clauses 3 to 8 were agreed to.

Clause 9.

DR. YEO: Sir, I rise to move that Clause 9(3) be amended as set out in the amendment paper before honourable Members.

*Proposed Amendment.*

Leave out the word "select" and substitute therefor the following—

“elect”.

Clause 9, as amended, was agreed to.

Clauses 10 to 12 were agreed to.

Clause 13.

DR. YEO: Sir, I rise to move that Clause 13(2) be amended as set out in the amendment paper before honourable Members.

*Proposed Amendment.*

Leave out the words “of Hong Kong”.

Clause 13, as amended, was agreed to.

Clauses 14 to 19 were agreed to.

Clause 20.

DR. YEO: Sir, I rise to move that Clause 20(4) be amended as set out in the amendment paper before honourable Members.

*Proposed Amendment.*

For the marginal note substitute the following—

“[cf. 4 & 5 Eliz. 2, c. 76, s. 33(2). ] ”

Clause 20, as amended, was agreed to.

Clauses 21 to 27 were agreed to.

Clause 28.

DR. YEO: Sir, I rise to move that Clause 28(d) (ii) be amended as set out in the amendment paper before honourable Members.

*Proposed Amendment.*

Leave out the words "of Hong Kong".

Clause 28, as amended, was agreed to.

Clause 29 was agreed to.

Clause 30.

DR. YEO: Sir, I rise to move that Clause 30(2) (b) be amended as set out in the amendment paper before honourable Members.

*Proposed Amendment.*

Leave out the characters “療疹所” and substitute therefore the following—

“診療所”

Clause 30, as amended, was agreed to.

Clauses 31 and 32 were agreed to.

Clause 33.

DR. YEO: Sir, I rise to move that Clause 33 be amended as set out in the amendment paper before honourable Members.

*Proposed Amendment.*

Leave out the words and figures "the 31st day of December, 1957." and substitute therefor the following—

“section 27 of this Ordinance is brought into operation in accordance with the provisions of section 1.”

Clause 33, as amended, was agreed to.

Council then resumed.

DR. YEO KOK CHEANG reported that the Medical Registration Bill, 1957 had passed through Committee with amendments and moved the Third reading.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a Third time and passed.

**MUNSANG COLLEGE INCORPORATION BILL, 1957.**

MR. NGAN SHING-KWAN moved the Second reading of a Bill intituled "An Ordinance to provide for the incorporation of the Council of the Munsang College, Hong Kong."

DR. A. M. RODRIGUES 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 13 and the Schedule were agreed to.

Council then resumed.

MR. NGAN SHING-KWAN reported that the Munsang College Incorporation Bill, 1957 had passed through Committee without amendment and moved the Third reading.

DR. A. RODRIGUES seconded.

The question was put and agreed to.

The Bill was read a Third time and passed.

**ADDRESS BY THE GOVERNOR.**

Honourable Members: This is the last occasion on which General Stratton will sit as a Member of this Council because he sails on the "Canton" two weeks from today. We are extremely sorry that he is leaving because it seems that it was only yesterday that he arrived here. We don't want him to go, and I believe I can speak for him when I say that I think he has enjoyed his time here and he has enjoyed his work. The reason why he is going is the old one: "you can't keep a good man down." He has been promoted to the important and, I believe, onerous post of Vice Chief of the Imperial General Staff, on which he is to be warmly congratulated. (*Hear Hear*).

We in Hong Kong have been pretty fortunate in the CBF's that we have had, and in no case have we been more fortunate than in the case of General Stratton. If I might speak broadly of the goings on in another Council, Executive Council, I would say that General Stratton has taken more interest in the wider affairs of Hong Kong than any of his predecessors, and that his knowledge and wide experience has been of inestimable value to the Executive Council and hence to the benefit of the Colony at large.

We are very sorry indeed that General Stratton and Lady Stratton are leaving us. They take with them our best wishes for their future happiness and success. (*Applause*).

GENERAL STRATTON: —Your Excellency, may I thank you, Sir, most sincerely for the very kind remarks you have made and may I say to you, Sir, and to honourable Members, how sorry indeed I and my wife are that we are leaving the Colony. Thank you very much indeed, Sir. (*Applause*).

#### **ADJOURNMENT.**

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