

OFFICIAL REPORT OF PROCEEDINGS.**Meeting of 7th December, 1960.**

PRESENT:

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR ROBERT BROWN BLACK, K.C.M.G., O.B.E.
THE HONOURABLE THE COLONIAL SECRETARY
MR. CLAUDE BRAMALL BURGESS, C.M.G., O.B.E.
THE HONOURABLE THE ATTORNEY GENERAL
MR. MAURICE HEENAN (*Acting*).
THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS
MR. JOHN CRICHTON McDOUALL.
THE HONOURABLE THE FINANCIAL SECRETARY
MR. ARTHUR GRENFELL CLARKE, C.M.G.
THE HONOURABLE PATRICK CARDINALL MASON SEDGWICK
(*Commissioner of Labour*).
THE HONOURABLE HECTOR WILLIAM FORSYTH
(*Acting Director of Public Works*).
DR. THE HONOURABLE TENG PIN-HUI
(*Acting Director of Medical and Health Services*).
THE HONOURABLE KENNETH STRATHMORE KINGHORN
(*Director of Urban Services*).
THE HONOURABLE NGAN SHING-KWAN, O.B.E.
THE HONOURABLE HUGH DAVID MacEWEN BARTON, M.B.E.
THE HONOURABLE DHUN JEHANGIR RUTTONJEE, O.B.E.
THE HONOURABLE FUNG PING-FAN, O.B.E.
THE HONOURABLE RICHARD CHARLES LEE, O.B.E.
THE HONOURABLE KWAN CHO-YIU, O.B.E.
THE HONOURABLE GEORGE MACDONALD GOLDSACK.
MR. ANDREW McDONALD CHAPMAN (*Deputy Clerk of Councils*).

ABSENT:

HIS EXCELLENCY THE COMMANDER BRITISH FORCES
LIEUTENANT-GENERAL SIR RODERICK WILLIAM McLEOD, K.C.B., C.B.E.
THE HONOURABLE KWOK CHAN, O.B.E.

MINUTES.

The minutes of the meeting of the Council held on 23rd November, 1960, 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, 1960: —	
No. 32—Annual Report by the Director of Public Works for the year 1959/60.	
No. 33—Annual Report by the Commissioner for Cooperative Development for the year 1959/60.	
No. 34—Annual Report by the Controller of Stores and Sand Monopoly for the year 1959/60.	
No. 35—Report of the Director of Audit on the Accounts of the Colony for the year 1959/60.	
Administration of Justice (Summary Offences) Ordinance, 1955.	
Administration of Justice (Summary Offences) (Amendment of First Schedule) Order, 1960	A. 140.

QUESTIONS.

MR. NGAN SHING-KWAN, pursuant to notice, asked the following question: —

In view of a proposal reported recently in the press that a system of compulsory, and therefore presumably free, education up to the age of 15 should be introduced, is Government in possession of an estimate of what this would cost?

THE COLONIAL SECRETARY replied as follows: —

Yes, Sir, a rough estimate has been prepared. It is based on existing costs in Government schools, on the assumption that there are 800,000 children between the ages of 6 and 15, and takes into account the expansion of other parts of the educational system which would be necessary if these additional places were provided. On this basis it is estimated that our recurrent bill for education would amount to about \$530 million a year. The estimated

capital cost of providing the necessary buildings and equipment for the additional places required is approximately \$477 million.

These estimated costs do not, Sir, include any element for higher, that is, University education.

MR. R. C. LEE, pursuant to notice, asked the following questions: —

1. According to the reports which appeared in the local press on the inquest into the death of a five-year old child, the evidence showed that in a period of three months the Kowloon Hospital handled 6,000 cases of which 1,000 cases required X-ray examination because of head injuries. How many out of that 6,000 were hospitalized?

And of the 1,000 cases that required X-ray, how many of them were actually X-rayed and how many of them were hospitalized?

2. In view of the finding of the Coroner that there was lack of consideration on the part of the hospital doctors concerned, will the Honourable Director give an assurance that every patient attending Government Hospital will, in future, receive careful consideration and attention and will not be refused admission, particularly in a casualty case where hospitalization is in the best interest of the patient?
3. Will the Honourable Director supply detailed information as to the existing facilities for receiving casualty cases in Hong Kong and in Kowloon?

DR. TENG PING-HUI replied as follows: —

Sir, in my replies to the first and the third questions from my honourable Friend I propose to confine myself to the bare facts, reserving my general remarks for the second question.

The press report to which my honourable Friend refers states that during a period of three months Kowloon Hospital handled 6,000 cases of which 1,000 required X-ray examination because of head injuries. These figures are misleading, the actual number during this period being as follows: —159,000 out-patients attended the hospital. 24,000 of these were seen in the Casualty Department. There were 6,400 cases of some form of injury to the head. 3,066 of the cases seen in casualty were admitted and among those admitted were 1,600 cases of head injury. Many of these were admitted because of multiple injuries and not solely because of head injury. During

this period 1,600 radiological examinations of the skull were carried out. These statistics refer to May, June and July of 1960.

Since private hospitals seldom accept casualty cases, all such cases occurring in Kowloon and the New Territories are sent to Kowloon Hospital; those occurring on Hong Kong Island or the surrounding islands are sent to Queen Mary Hospital. These casualty departments are staffed on a 24-hour basis by medical, nursing and auxiliary personnel.

The Queen Mary Hospital Casualty Department has an operation theatre, a plaster room, treatment cubicles and a small holding ward as well as the usual ancillary accommodation. This department is adequate to meet the demands at the present time. 22,300 cases attended in 1959.

The Kowloon Hospital Casualty Department has similar accommodation but in general the design is not as satisfactory. It does not have a holding ward, and it is not adequate for the demands being made on it at the present time. 71,600 cases attended in 1959 and numbers attending are increasing at an alarming rate.

Probably the most important factor in the efficient working of a casualty department is the number of beds in the hospital to which it is attached. At Queen Mary Hospital there are 601 beds which represents 1 bed for every 1,880 of the population it serves. At Kowloon there are 413 beds which represents 1 bed for every 4,600 of the population it is serving.

As shown in my reply to the third question the position is far better on the Island and I will deal mainly with Kowloon in my reply to the second question.

Until the Queen Elizabeth Hospital is open I cannot give an assurance that a higher proportion of casualty cases will be admitted. I can however give an assurance that every such case will receive careful consideration for admission but in view of the shortage of hospital beds the criteria for admission must be much more severe than is desirable. It is important to realize that Kowloon Hospital contains only 413 beds and that an average of 61 patients are being admitted daily. In November this year, in addition to these beds, there was a daily average of 67 patients accommodated on camp beds, the minimum number during the month being 38 and the maximum 113. There is a limit to the number of cases that can be catered for

adequately with the available facilities and staff and this limit has been passed in Kowloon Hospital. Government has recently approved as an urgent and emergency measure the erection of two additional wards. These will contain 84 beds and will be in use by April 1961. This addition will be of great assistance but if the demand continues to increase at the present rate it will be necessary to provide further emergency facilities. Kowloon Hospital is the only casualty hospital in Kowloon and in April 1961 its 500 beds will be catering for the demands of a population of nearly two million. This represents one bed for every 4,000 of the population.

The following statistics, Sir, of Kowloon Hospital will be of interest to honourable Members. These refer to the month of November 1960:

Patients admitted	1,985
Casualties seen	5,774
Out-patients seen	41,678
Radiological Examinations	3,600
Casualties admitted	1,195

These statistics are difficult to visualize and for the information of honourable Members, I am circulating to them a chart showing the amount of work performed at Kowloon Hospital since the war.

In 1963 the completion of the Queen Elizabeth Hospital will relieve the situation but in view of the rising demand it may be necessary to give consideration to retaining part of the present hospital as a casualty hospital.

I have spoken at length, Sir, on this subject as it is important that honourable Members and the public should know the present position. I am grateful to honourable Members for the interest they have displayed in this problem, and I can assure them that the staff of the Medical and Health Department while working under pressure and in some places with inadequate facilities, will endeavour to ensure that patients receive as efficient and willing attention as is humanly possible.

Although the honourable Member has not asked for details of the actual case which was the subject of the Coroner's Inquiry, I should like to clarify the following facts, which may not have been made completely clear in the newspaper reports. The X-ray picture showed no sign of

fracture. This was to be expected as no fracture was actually present, but a separation along one of the suture lines, that is, the lines of junction between the various bones of the skull. This separation was not visible on the X-ray plates nor was it detectable by clinical examination. The separation was found on detailed post mortem examination, but was inaccurately described as a "fracture of the skull" at the subsequent Coroner's Inquiry. There is therefore no ground whatever for criticism of the X-ray staff who reported on the injury.

ALLOWANCES—RESOLUTION.

THE COLONIAL SECRETARY moved the following resolution: —

WHEREAS

- (1) the late Nand SINGH at the time of his death held the rank of Lance Sergeant of the Hong Kong Police;
- (2) the said Nand SINGH died as the result of an air-raid on Hong Kong in April, 1945;
- (3) the said Nand SINGH was ineligible for the payment of a pension by reason of the fact that he was not killed while engaged upon the discharge of his duty;
- (4) it is considered that an *ex-gratia* allowance be paid to the widow of the said Nand Singh;

NOW, THEREFORE, BE IT RESOLVED that Panjab KAUR, widow of the said Nand SINGH be paid yearly the sum of \$150 with effect from the date of the death of the said Nand SINGH until and including the 30th day of September, 1952 and thereafter yearly the sum of \$250.

He said: Sir, the circumstances leading to this Resolution are recorded in its preamble. In amplification, I should say that, if Lance sergeant Nand SINGH had been killed on duty, his widow would have received a pension. Similarly, if he had been a contributor to the Widows and Orphans Pensions Scheme after the war, which he might well have become had he survived, his widow would have enjoyed a pension on his death. As it is, she has benefited only to the extent of a gratuity of \$420 in respect of his twenty seven years' service.

The widow, now in India, has not remarried and is known to be in distress. As her husband died here during the war after many years' service in circumstances which amounted to death by reason of the war, it is proposed to make her an *ex-gratia* annual allowance related to, but rather less than, the pension she would have received if her husband had been killed on duty.

I might add that payment of *ex-gratia* allowance in these circumstances is in accordance with long standing advice from the Secretary of State.

THE ATTORNEY GENERAL seconded.

The question was put and agreed to.

ILLEGAL STRIKES AND LOCK-OUTS ORDINANCE, CHAPTER 61.

THE ATTORNEY GENERAL moved the following resolution: —

Resolved, pursuant to section 8 of the Illegal Strikes and Lock-outs Ordinance, Chapter 61, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January, 1961.

He said: Sir, the Illegal Strikes and Lock-outs Ordinance will lapse on the 31st December of this year unless its duration is extended for a further year by Resolution of this Council.

This Ordinance in no way affects a strike or lockout arising out of a genuine trade dispute but it is intended to prevent the occurrence of a strike or lockout designed or calculated to coerce the Government either directly or by inflicting hardship on any substantial portion of the community. Sir, the Government considers that the time to dispense with this Ordinance has not yet come and accordingly invites this Council to pass this Resolution.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

SOCIETIES ORDINANCE⁹ CHAPTER 151.

THE ATTORNEY GENERAL moved the following resolution: —

Resolved, pursuant to section 26 of the Societies Ordinance, Chapter 151, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January, 1961.

He said: Sir, the purpose of this Resolution is to extend the duration of the Societies Ordinance for a further year. This Ordinance affords the Commissioner of Police powers which assist him to curb the activities of Triad and other unlawful organizations.

It is Government's view that the continuance in force of this Ordinance is essential to the maintenance of law and order in the Colony.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

**DEFENCE REGULATIONS (CONTINUATION)
ORDINANCE, 1958.**

THE ATTORNEY GENERAL moved the following resolution: —

Resolved, pursuant to section 6 of the Defence Regulations (Continuation) Ordinance, 1958, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January, 1961.

He said: Sir, the aim of this Resolution is to extend the life of the Defence Regulations (Continuation) Ordinance, 1958 until the 31st of December, 1961.

This Ordinance keeps in force certain Defence Regulations and the Defence (Finance) Regulations and it is considered necessary to retain these regulations for the time being.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

**COMPANIES (PREVENTION OF EVASION OF THE
SOCIETIES ORDINANCE) ORDINANCE, 1959.**

THE ATTORNEY GENERAL moved the following resolution: —

Resolved, pursuant to section 16 of the Companies (Prevention of Evasion of the Societies Ordinance) Ordinance, 1959, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January, 1961.

He said: Sir, the purpose of this Resolution is to continue in force for another year the Companies (Prevention of Evasion of the Societies Ordinance) Ordinance, 1959.

This Ordinance became law in July 1959 and is designed to prevent persons who associate together for undesirable purposes from evading the incidence of the Societies Ordinance by registering under the Companies Ordinance. Government considers that the maintenance of law and order requires that this Ordinance continue in force.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

STAR FERRY COMPANY (SERVICE) ORDINANCE, 1951.

THE FINANCIAL SECRETARY moved the following resolution: —

WHEREAS it is considered desirable to transfer from the Governor in Council to the Governor the power to grant permission for the use of its piers by the Star Ferry Company, Limited for purposes other than the requirements of their ferry service, and to provide that fifty per cent of the revenue accruing to the Company from such use shall be paid to Government:

NOW THEREFORE BE IT RESOLVED by this Council, with the consent of the Company, that paragraph 12 of the Schedule to the Star Ferry Company (Service) Ordinance, 1951, be deleted and replaced by the following: —

"Use of piers. 12. Except as may be permitted by the Governor, the Company shall not use the piers for any purpose other than the requirements of the ferry service, and in granting permission the Governor may determine what fee may be charged by the Company for such use. Where by reason of such use revenue accrues to the Company, fifty per cent of such gross revenue shall be paid to Government."

He said: Sir, under the terms of the Star Ferry Company (Service) Ordinance the Star Ferry piers may not be used for any purpose other than the requirements of the ferry service without the approval of the Governor in Council.

Since the piers have been completed they have become popular for such activities as exhibitions and festivals, and I believe that on one occasion they were used by the producers of a film known as "The World of Suzie Wong". These activities clearly have nothing to do with the requirements of the ferry service, and it has been necessary on each separate occasion for the approval of the Governor in Council to be formally sought. There is no objection to the use of the piers for purposes like this so long as the ferry service is not prejudiced, and this resolution seeks to relieve the Governor in Council of the necessity of considering every such application. It provides that future applications need only be considered by Your Excellency. In transferring responsibility from the Governor in Council to the Governor it is proposed to incorporate into the new regulation what has become the usual practice, namely, that the Governor shall determine what fee is to be charged for the use of the piers; and that, if a fee is paid, then the Star Ferry Company shall pay half of the gross revenue to Government.

I should, Sir, add that the Star Ferry Company has agreed to the terms of this resolution.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

FIRE BRIGADE (AMENDMENT) BILL, 1960.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance further to amend the Fire Brigade Ordinance, 1954."

He said: Sir, Hong Kong Government Order No. 444 published on 10th September, 1959, introduced a procedure under which the Governor may dismiss an officer of the Government who is unable satisfactorily to explain how he controls pecuniary resources larger than, or maintains a standard of living higher than, is commensurate with the sum of his official emoluments and known private means.

Although this Order is applicable to the great majority of Government officers it does not cover, however, those officers of disciplined units whose disciplinary proceedings are specially prescribed by an Ordinance. It is considered that all Government officers should be subject either to Hong Kong Government Order No. 444 or to measures similar to those imposed by that Order and in pursuance of this policy the Police Force (Amendment) Ordinance, 1960 was enacted on the 23rd November, of this year.

In the case of the Fire Brigade, Hong Kong Government Order 444 applies only to senior officers, that is to say, to members of the Brigade who hold the rank of Divisional Officer or above and therefore the main purpose of this Bill is to apply to those members of the Brigade NOT subject to Hong Kong Government Order 444, measures similar to those contained in that Order. This purpose is achieved by clause 6 of the Bill which seeks to add an appropriate new section 13A to the Ordinance.

Opportunity has been taken to include in the Bill certain other minor amendments to the Ordinance the more important of which are as follows: —

- (a) Clauses 2, 3 and 4 make provision for the attendance of the Fire Brigade at occurrences other than fires, for example, house collapse, flood, etc.;
- (b) Clause 5 affords the Chief Officer, after the giving of an appropriate notice to the owner, the power to have fixed on property adjacent to a fire hydrant or water supply, a plate indicating the location of the hydrant or water supply. This is, of course, usually done by simple agreement with the owner of the property but as these plates are necessary to facilitate the rapid attachment of hoses in the event of an emergency, this clause gives statutory authority to the Chief Officer and makes it a minor offence to prevent the fixing of or interference with a plate;

- (c) Clause 8 and the Regulations added by clause 11 empower the Chief Officer, with the consent of the Colonial Secretary, to issue certain prescribed reports and certificates.

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 purpose of this Bill is to amend the Fire Brigade Ordinance, 1954: —

- (a) to make provision for the attendance of the fire brigade at occurrences other than fires, for example, house collapse and floods;
- (b) to make provision for fixing fire hydrant and emergency water supply location plates to the walls of private premises;
- (c) to apply to members of the fire brigade the provisions of the recently introduced General Order of the Government which empowers the dismissal of public officers who fail satisfactorily to explain how they are able to maintain a standard of living above that which is commensurate with their official emoluments or how they come by pecuniary resources in excess of those emoluments;
- (d) to make provision for the issue of reports on fires attended by the fire brigade and damage to property caused by fires, whether attended by the brigade or not, and the issue of certificates to the public relating to fire risks and fire precautions pertaining to schools, places of public entertainment and like purpose; and
- (e) to amend the provisions relating to the conduct of the Fire Brigade Welfare Fund to enable surplus funds to be invested or placed on deposit account in the Colony as an alternative to investment in the United Kingdom through the Crown Agents and to bring the provisions relating to the preparation, auditing and submission of the annual statement of the accounts of the Fund more closely into line with the corresponding provisions relating to other similar funds.

RESETTLEMENT (AMENDMENT) (NO. 2) BILL, 1960.

THE COLONIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance further to amend the Resettlement Ordinance, 1957."

THE ATTORNEY GENERAL 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.

Clause 1.

COLONIAL SECRETARY: —I rise to move that Clause 1 be amended as set forth in the papers before honourable Members.

Proposed Amendment.

1. Leave out the parentheses, word and figure "(No. 2)".

Clause 1, as amended, was agreed to.

Clauses 2 to 8 were agreed to.

Council then resumed.

THE COLONIAL SECRETARY reported that the Resettlement (Amendment) (No. 2) Bill, 1960, had passed through Committee with one amendment, and moved the Third reading.

THE ATTORNEY GENERAL seconded.

The question was put and agreed to.

The Bill was read a Third time and passed into law.

BILLS OF EXCHANGE (AMENDMENT) BILL, 1960.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Bills of Exchange Ordinance, Chapter 19."

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 Bills of Exchange (Amendment) Bill, 1960, 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 into law.

**BUILDINGS ORDINANCE, 1955, (APPLICATION TO THE
NEW TERRITORIES) (AMENDMENT) BILL, 1960.**

MR. H. W. FORSYTH moved the Second reading of a Bill intituled "An Ordinance to amend the Buildings Ordinance, 1955, (Application to the New Territories) Ordinance, 1960."

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 4 were agreed to.

Council then resumed.

MR. H. W. FORSYTH reported that the Buildings Ordinance, 1955, (Application to the New Territories) (Amendment) Bill, 1960, 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 into law.

MIDWIVES REGISTRATION BILL, 1960.

DR. TENG PIN-HUI moved the Second reading of a Bill intituled "An Ordinance to repeal and re-enact, subject to modification, the Midwives Ordinance, Chapter 162."

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 25 were agreed to.

DR. TENG PIN-HUI: —Sir, I rise to move the addition of a new clause as set forth in the papers before honourable Members.

New clause. After clause 24 add the following new clause—

"Exemption from registration. The following persons shall be exempted from registration and shall be deemed to be registered midwives—

- (a) persons serving on full pay in Her Majesty's Armed Forces as midwives while acting in the discharge of their duty; and
- (b) persons in full time employment by the Government as midwives while acting in the discharge of their duty."

The new clause was agreed to.

Council then resumed.

DR. TENG PIN-HUI reported that the Midwives Registration Bill, 1960, had passed through Committee with one 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 into law.

ADJOURNMENT.

H. E. THE GOVERNOR: —Well, gentlemen, that concludes the business for today. When is it your pleasure that we should meet again?

THE ATTORNEY GENERAL: —I suggest this day two weeks, Sir.

H. E. THE GOVERNOR: —Council stands adjourned until this day two weeks.