

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 10th October 1962**

PRESENT:

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR ROBERT BROWN BLACK, GCMG, OBE
HIS EXCELLENCY LIEUTENANT-GENERAL SIR REGINALD HACKETT HEWETSON,
KCB, CBE, DSO
COMMANDER BRITISH FORCES
THE HONOURABLE CLAUDE BRAMALL BURGESS, CMG, OBE
COLONIAL SECRETARY
THE HONOURABLE MAURICE HEENAN, QC
ATTORNEY GENERAL
THE HONOURABLE JOHN CRICHTON McDOUALL
SECRETARY FOR CHINESE AFFAIRS
THE HONOURABLE JOHN JAMES COWPERTHWAITHE, OBE
FINANCIAL SECRETARY
DR THE HONOURABLE DAVID JAMES MASTERTON MacKENZIE, CMG, OBE
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE KENNETH STRATHMORE KINGHORN
DIRECTOR OF URBAN SERVICES
THE HONOURABLE ALEC MICHAEL JOHN WRIGHT
ACTING DIRECTOR OF PUBLIC WORKS
THE HONOURABLE DHUN JEHANGIR RUTTONJEE, OBE
THE HONOURABLE FUNG PING-FAN, OBE
THE HONOURABLE RICHARD CHARLES LEE, OBE
THE HONOURABLE FUNG HON-CHU
MR ANDREW McDONALD CHAPMAN (*Deputy Clerk of Councils*)

ABSENT:

THE HONOURABLE PETER DONOHUE
DIRECTOR OF EDUCATION
THE HONOURABLE KWAN CHO-YIU, OBE
THE HONOURABLE KAN YUET-KEUNG, OBE
THE HONOURABLE WILLIAM CHARLES GODDARD KNOWLES
THE HONOURABLE SIDNEY SAMUEL GORDON

MINUTES

The minutes of the meeting of the Council held on 26th September 1962, were confirmed.

PAPERS

THE COLONIAL SECRETARY: —By Your Excellency's command I lay upon the table certain papers, copies of which are already in the hands of honourable Members.

I must invite the particular attention of honourable Members to one of these papers, namely, the Report on the Salary Scales of Women Officers in the Public Service. This paper describes in some detail the thought that has been given to the question of women's salary scales since the War by the Government, the Staff Associations and the various Salaries Commissions.

The most recent of these Commissions, the 1959 Salaries Commission recommended that women officers should be paid a salary equal to 75% of that of their male colleagues. That is the position today, although there are exceptions; for example, women labourers and artisans receive equal pay with men but a lower cost of living allowance, and single Women Medical Officers, who have three years' post-qualification experience, receive exactly the same pay as male doctors.

The 1959 Salaries Commission used these words—

"If we can find no principle which justifies the general adoption of equal pay, we equally can find no principle which excludes equality in cases where in the judgment of the Government it is fully justified. Such cases must be found in the senior ranks of the Service, and particularly among professional officers of status. Where there are such officers of full professional standing with equal qualifications and doing precisely the same work, we can well understand how unjust and galling a differential in emoluments must appear. None of the objections we have mentioned apply, and we think that the Government should regard itself as free to decide such cases on their merits without fear of damaging precedent".

The first matter which had to be decided was who were professional officers. Superficially this did not seem to appear very difficult since Model Scale 10 is specifically designed for Administrative and Professional Officers. The problem was not, however, as easy as it seemed for, to take only one example, in the teaching world some teachers are serving on Scale 10 and others are on different scales;

but all consider themselves to be professional officers. The attempt to define a professional officer was, therefore, abandoned. The present scheme is based solely on salary levels and on whether or not the officer is on temporary terms of service. These two criteria are, I think, reasonable since salary levels give a fair indication of seniority in the sense intended by the Platt Commission, while the extent to which a woman officer can concentrate on her Government duties (as against her family commitments) is also relevant. The reasons for and against applying the new scheme to married officers (all of whom are on temporary terms of service) are given in detail in the Report and I think there will be no good purpose served by repeating them here.

Very briefly, Sir, the scheme involves: —

First: the gradual elimination between the salary point \$1,200 and \$2,865 (which are the women officers' equivalent of \$1,600 and \$3,820 on the male scale) the gradual elimination of the existing 25% differential between male and female salaries;

Second: giving a woman officer exactly the same salary as her male colleague once she has reached a salary of \$2,865 on her existing scale; to achieve this parity on the Professional Scale 10 could require up to 15 years' service;

and Third: restricting these benefits to officers on probation, or on the pensionable establishment, or on contract, that is to say, to single women.

About 5.8% of women officers would benefit, excluding staff on Scale 1. The increase in salary will be modest at the lower end of the scale and quite substantial at the upper end.

The cost of the scheme is estimated at \$676,000 a year but this increase as more women reach the higher ranks of the Service.

Subject

GN No

Report on Women's Salary Scales in the Public Service.

Road Traffic Ordinance, 1957.

Road Traffic (Registration and Licensing of Vehicles)

(Amendment) Regulations, 1962 A 98

Registration of Persons Ordinance, 1960.

Registration of Persons (Re-registration) (No. 14) Order, 1962 A 99

**GRANT SCHOOLS BUILDING DEPRECIATION FUND
(WINDING UP) BILL, 1962**

THE COLONIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to make provision for the winding-up of the Grant Schools Building Depreciation Fund and for matters connected therewith."

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.

Clauses 1 to 6, the Schedule and the Preamble were agreed to.

Council then resumed.

THE COLONIAL SECRETARY reported that the Grant Schools Building Depreciation Fund (Winding Up) Bill, 1962 had passed through Committee without 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.

MARINE FISH (MARKETING) (AMENDMENT) BILL, 1962

THE COLONIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to amend the Marine Fish (Marketing) Ordinance, 1956."

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.

Clauses 1 to 3 were agreed to.

Clause 4.

THE COLONIAL SECRETARY:—Sir, Clause 4, I beg to move the amendments set forth in the papers before honourable Members. The amendments relate to matters of form only and do not affect the substance of the Bill.

Proposed Amendment

Clause

- 4 (1) Leave out the words and figures “Subsection (2) of section 11” and substitute therefor the following—
“Section 13”.
- (2) Leave out paragraph (a).
- (3) Re-letter paragraphs (b) and (c) as paragraphs (a) and (b) respectively.
- (4) In the marginal note, leave out the figures “11” and substitute therefor the following—
“13”.

Clause 4, as amended, was agreed to.

Clause 5 was agreed to.

Council then resumed.

THE COLONIAL SECRETARY reported that the Marine Fish (Marketing) (Amendment) Bill, 1962, had passed through Committee with certain amendments 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.

**AGRICULTURAL PRODUCTS (MARKETING) (AMENDMENT)
BILL, 1962**

THE COLONIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to amend the Agricultural Products (Marketing) Ordinance, 1952."

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.

Clauses 1 to 6 were agreed to.

Council then resumed.

THE COLONIAL SECRETARY reported that the Agricultural Products (Marketing) (Amendment) Bill, 1962 had passed through Committee without 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.

**TENANCY (NOTICE OF TERMINATION) (AMENDMENT)
BILL, 1962**

THE COLONIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to amend the Tenancy (Notice of Termination) Ordinance, 1952."

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.

Clauses 1 and 2 were agreed to.

Clause 3.

THE COLONIAL SECRETARY: —Sir, I rise to move that clause 3 be amended as set forth in the paper before honourable Members.

Proposed Amendment

Clause

3 In the proposed section 7, insert the following new subsection—

“(5) A notice to quit may be served and take effect under this section notwithstanding that a notice of termination has previously been served and continues in existence.”.

Clause 3, as amended, was agreed to.

Council then resumed.

THE COLONIAL SECRETARY reported that the Tenancy (Notice of Termination) (Amendment) Bill, 1962 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.

POST SECONDARY COLLEGES (AMENDMENT) BILL, 1962

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Post Secondary Colleges 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.

Clause 1 was agreed to.

Clause 2.

THE ATTORNEY GENERAL: —Sir, I rise to move that clause 2 be amended as set forth in the paper before honourable Members.

Proposed Amendment

Clause

- 2 After the words "of the comma", insert the following—
"where it occurs the second time".

Clause 2, as amended, was agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Post Secondary Colleges (Amendment) Bill, 1962 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.

BOILERS AND PRESSURE RECEIVERS BILL, 1962

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to repeal and replace the Steam Boilers Ordinance, Chapter 56."

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 72 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Boilers and Pressure Receivers Bill, 1962 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.

FISHERIES PROTECTION BILL, 1962

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to promote the conservation of fish and other forms of aquatic life within the waters of the Colony and to regulate fishing practices and to prevent activities detrimental to the fishing industry."

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.

Clause 1 was agreed to.

Clause 2.

THE ATTORNEY GENERAL: —Sir, I rise to move that clause 2 be amended as set forth in the paper before honourable Members.

Proposed Amendment

Clause

- 2 In the definition "toxic substance", leave out the words "toxic to fish" and substitute therefor the following—
"specified in the Schedule".

Clause 2, as amended, was agreed to.

Clauses 3 to 9 were agreed to.

THE ATTORNEY GENERAL: —Sir, I rise to move that a new clause be added as set forth in the paper before honourable Members.

Proposed Amendment

Clause

New Add the following new clause—

“Amendment of Schedule. The Governor in Council may amend the Schedule by order published in the *Gazette*.”.

The new clause was agreed to.

Schedule.

THE ATTORNEY GENERAL: —Sir, I rise to move the addition of a new schedule as set forth in the paper before honourable Members.

Proposed Amendment

Clause

New Add the following new Schedule—

“SCHEDULE. [ss. 2 & 10.]

Toxic Substance.

1. The residue left after oil has been expressed from tea-seeds, commonly known as *Cha Tsai Peng* (茶仔餅).

2. The root, or any derivative of the root, of the shrub *derris elliptica* and *derris malaccensis*, commonly known as *Yue Tang* (魚籐)."

The Schedule was agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Fisheries Protection Bill, 1962 had passed through committee with certain 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 into law.

MENTAL HEALTH (AMENDMENT) BILL, 1962

DR. D. J. M. MACKENZIE moved the Second reading of a Bill intituled "An Ordinance to amend the Mental Health 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 7 were agreed to.

Council then resumed.

DR. D. J. M. MACKENZIE reported that the Mental Health (Amendment) Bill, 1962 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.

YAN CHAI HOSPITAL BILL, 1962

DR. D. J. M. MACKENZIE moved the Second reading of a Bill intituled "An Ordinance to provide for the management of the Yan Chai Hospital and for the incorporation of the Board of Directors of the Hospital."

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 10 were agreed to.

Council then resumed.

DR. D. J. M. MACKENZIE reported that the Yan Chai Hospital Bill, 1962 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.

ADJOURNMENT

HIS EXCELLENCY 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.

HIS EXCELLENCY THE GOVERNOR: —Council stands adjourned until this day two weeks.