

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 4th September 1963****PRESENT:**HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)

SIR ROBERT BROWN BLACK, GCMG, OBE

BRIGADIER THE HONOURABLE THOMAS HADDON, CBE

SENIOR MILITARY OFFICER

THE HONOURABLE EDMUND BRINSLEY TEESDALE, MC

COLONIAL SECRETARY

THE HONOURABLE DENYS TUDOR EMIL ROBERTS, OBE

ACTING ATTORNEY GENERAL

THE HONOURABLE JOHN CRICHTON McDOUALL

SECRETARY FOR CHINESE AFFAIRS

THE HONOURABLE MICHAEL DENYS ARTHUR CLINTON, GM

ACTING FINANCIAL SECRETARY

DR THE HONOURABLE DAVID JAMES MASTERTON MacKENZIE CMG, OBE

DIRECTOR OF MEDICAL AND HEALTH SERVICES

THE HONOURABLE PETER DONOHUE

DIRECTOR OF EDUCATION

THE HONOURABLE ALEC MICHAEL JOHN WRIGHT

DIRECTOR OF PUBLIC WORKS

THE HONOURABLE GEOFFREY MARSH TINGLE

DIRECTOR OF URBAN SERVICES

THE HONOURABLE DHUN JEHANGIR RUTTONJEE, OBE

THE HONOURABLE FUNG PING-FAN, OBE

THE HONOURABLE RICHARD CHARLES LEE, CBE

THE HONOURABLE KAN YUET-KEUNG, OBE

THE HONOURABLE WILLIAM CHARLES GODDARD KNOWLES

THE HONOURABLE SIDNEY SAMUEL GORDON

THE HONOURABLE LI FOOK-SHU, OBE

THE HONOURABLE FUNG HON-CHU

MR GORDON ERIC MATHER (*Deputy Clerk of Councils*)

MINUTES

The Minutes of the meeting of the Council held on 21st August 1963 were confirmed.

PAPERS

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

<i>Subject</i>	<i>LN No</i>
Sessional Paper, 1963: —	
No 18—Second Annual Report by the Social Work Training Fund Trustee for the period ending on 31st March 1963.	
Stamp Ordinance.	
Stamp (Bank Authorization) (No 4) Order, 1963	101
Registration of Persons Ordinance, 1960.	
Registration of Persons (Re-registration) (No 33) Order, 1963	103
Registration of Persons Ordinance, 1960.	
Registration of Persons (Cancellation of Registration and Identity Cards) (No 2) Order, 1963	104
District Court (Civil Jurisdiction and Procedure) Ordinance, 1962.	
District Court Civil Procedure (Forms) Rules, 1963	105
District Court (Civil Jurisdiction and Procedure) Ordinance, 1962.	
District Court Civil Procedure (Fees) (Amendment) (No 2) Rules, 1963	106

SUPPLEMENTARY APPROPRIATION (1962-63) BILL, 1963

THE FINANCIAL SECRETARY moved the First reading of a Bill intituled "An Ordinance to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March 1963."

He said: Sir, this Bill seeks authority for supplementary expenditure during the last financial year of some 6½ million dollars under ten different Heads of Expenditure. The details are set forth in the Schedule.

Of the more important items involved, the over-expenditure under Commerce and Industry Department was due to expenditure on the acquisition of new premises for the Hong Kong Government London Office; under Defence: Hong Kong Regiment, due to the purchase of six armoured cars; under Miscellaneous Services, to a two million dollar interest-free loan to the Kadoorie Agricultural Aid Loan Fund for loans to farmers who suffered through Typhoon *Wanda*; under Stores Department, to a heavier demand for sand; and under Subventions: Miscellaneous, to two items—first, an additional subvention for the tourist Association, and secondly to the creation of a new subhead entitled "Commercial Public Relations Overseas".

Savings under other Heads totalled just under 120 million dollars and there was in fact net under-expenditure of rather over 113 million dollars. Under Colonial Accounting rules, however, it is necessary for the gross excess to be formally approved by legislation.

This Bill, Sir, represents the final stage in disposing of the accounts for the last financial year.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

**DEMOLISHED BUILDINGS (RE-DEVELOPMENT OF SITES)
(AMENDMENT) BILL, 1963**

MR A. M. J. WRIGHT moved the First reading of a Bill intituled "An Ordinance to amend the Demolished Buildings (Re-development of Sites) Ordinance, 1963."

He said: "Sir, the proposed amendments are consequential upon the recent repeal of subsection (5A) of Section 31 of the Landlord and Tenant Ordinance, Chapter 255.

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: —

This Bill seeks to amend the Demolished Buildings (Re-development of Sites) Ordinance, 1963, consequential upon the recent repeal of subsection (5A) of section 31 of the Landlord and Tenant Ordinance, Chapter 255, by the Landlord and Tenant (Amendment) Ordinance, 1963.

MR A. M. J. WRIGHT: —Sir, it is essential that this Bill should become law as soon as possible so that tenancy tribunals under the Ordinance may be established and their work not delayed. I therefore submit that it is most desirable that Standing Orders be suspended to enable the Bill to pass through its remaining stages today. If, Sir, you are of that opinion, I beg leave under Standing Order 37 to move the suspension of Standing Orders.

HIS EXCELLENCY THE GOVERNOR: —I am of that opinion.

MR A. M. J. WRIGHT moved the suspension of Standing Orders to enable the Bill to be read a Second and Third time.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

MR A. M. J. WRIGHT moved the Second reading of a Bill intituled "An Ordinance to amend the Demolished Buildings (Re-development of Sites) Ordinance, 1963."

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.

MR A. M. J. WRIGHT reported that the Demolished Buildings (Re-development of Sites) (Amendment) Bill, 1963, 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.

PREVENTIVE SERVICE BILL, 1963

THE COLONIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to establish a Preventive Service and to make provision as to its duties and powers and as to the discipline of members thereof and to make provision for a welfare fund; and for purposes connected with the matters aforesaid."

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 23 and the First to the Fourth Schedules were agreed to.

Council then resumed.

THE COLONIAL SECRETARY reported that the Preventive Service Bill, 1963, 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.

DUTIABLE COMMODITIES BILL, 1963

THE FINANCIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to repeal and replace the Dutiable Commodities Ordinance, Chapter 109."

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 28 were agreed to.

FINANCIAL SECRETARY: —Sir, I rise to move that Clause 29 be amended as set forth in the paper before Honourable Members.

Proposed Amendments.

29. (1) In subclause (2), leave out the commas and words “, in his absolute discretion,”.
- (2) Add the following new subclause—

"(3) Any person who is aggrieved by a decision of the Director made under subsection (2) may appeal by way of petition to the Governor in Council."

Clause 29, as amended, was agreed to.

Clauses 30 to 45 were agreed to.

FINANCIAL SECRETARY: —Sir, I rise to move that Clause 46 be amended as set forth in the paper before Honourable Members.

Proposed Amendment.

46. In subclause (1), leave out the figures and word "73 and 75 and substitute therefor the following—
"72 and 74".

Clause 46, as amended, was agreed to.

Clauses 47 to 57 were agreed to.

FINANCIAL SECRETARY: —Sir, I rise to move that Clause 58 be amended as set forth in the paper before Honourable Members.

Proposed Amendment.

58. In subclause (4), leave out the word "lawfully" and substitute therefor the following—
"unlawfully".

Clause 58, as amended, was agreed to.

Clauses 59 to 64 were agreed to.

FINANCIAL SECRETARY: —Sir, I rise to move that Clause 65 be amended as set forth in the paper before Honourable Members.

Proposed Amendments.

65. (1) Leave out the definition "cigarettes".
(2) Leave out the definition "unmanufactured tobacco" and substitute therefor the following—
"“unmanufactured tobacco” means tobacco which has undergone no process of manufacture except curing, stripping or drying or any of them.”.

Clause 65, as amended, was agreed to.

Clause 66 was agreed to.

FINANCIAL SECRETARY: —Sir, I rise to move that Clause 67 be amended as set forth in the paper before Honourable Members.

Proposed Amendment.

67. Leave out subclause (1) and substitute therefor the following—

"(1) A tobacco manufacturer shall not in manufacturing tobacco use any substance other than water or steam, except to such extent as may be permitted by the Director and subject to such conditions as the Director may impose."

Clause 67, as amended, was agreed to.

Clauses 68 and 69 were agreed to.

FINANCIAL SECRETARY: —Sir, I rise to move that Clause 70 be deleted.

The deletion of Clause 70 was agreed to and Clauses 71 to 77 were re-numbered as Clauses 70 to 76.

FINANCIAL SECRETARY: —Sir, I rise to move that Clause 71, now re-numbered Clause 70, be amended as set forth in the paper before Honourable Members.

Proposed Amendment.

70. Leave the words "In this Part" and substitute therefor the following—

"In the application of this Ordinance to table waters".

Clause 70, as amended, was agreed to.

Clauses 71 to 76 and the Schedule were agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the Dutiable Commodities Bill, 1963, 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.

MEDICAL CLINICS BILL, 1963

DR D. J. M. MACKENZIE moved the Second reading of a Bill intituled "An Ordinance to provide for the registration, control and inspection of medical clinics and for purposes connected therewith."

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 14 and the Schedule were agreed to.

Council then resumed.

DR D. J. M. MACKENZIE reported that the Medical Clinics Bill, 1963, 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: —That concludes the business for to-day, gentlemen. When is it your pleasure that we should meet again?

THE ATTORNEY GENERAL: —May I suggest, Sir, Wednesday, 18th September.

HIS EXCELLENCY THE GOVERNOR: —Council stands adjourned until Wednesday, 18th September.