

OFFICIAL REPORT OF PROCEEDINGS
Meeting of 14th June 1967

PRESENT

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR DAVID CLIVE CROSBIE TRENCH, KCMG, MC
THE HONOURABLE THE COLONIAL SECRETARY
MR MICHAEL DAVID IRVING GASS, CMG
THE HONOURABLE THE ATTORNEY GENERAL (*Acting*)
MR GRAHAM RUPERT SNEATH, QC
THE HONOURABLE THE FINANCIAL SECRETARY (*Acting*)
MR MICHAEL DENYS ARTHUR CLINTON, GM
THE HONOURABLE ALEC MICHAEL JOHN WRIGHT, CMG
DIRECTOR OF PUBLIC WORKS
DR THE HONOURABLE TENG PIN-HUI, CMG, OBE
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE WILLIAM DAVID GREGG
DIRECTOR OF EDUCATION
THE HONOURABLE ROBERT MARSHALL HETHERINGTON, DFC
COMMISSIONER OF LABOUR
THE HONOURABLE ALASTAIR TODD
DIRECTOR OF SOCIAL WELFARE
THE HONOURABLE TERENCE DARE SORBY
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE GEOFFREY MARSH TINGLE
DIRECTOR OF URBAN SERVICES
THE HONOURABLE KENNETH STRATHMORE KINGHORN
DISTRICT COMMISSIONER, NEW TERRITORIES
THE HONOURABLE DHUN JEANGIR RUTTONJEE, CBE
THE HONOURABLE LI FOOK-SHU, OBE
THE HONOURABLE TANG PING-YUAN, OBE
THE HONOURABLE TSE YU-CHUEN, OBE
THE HONOURABLE KENNETH ALBERT WATSON, OBE
THE HONOURABLE WOO PAK-CHUEN, OBE
THE HONOURABLE GEORGE RONALD ROSS
THE HONOURABLE SZETO WAI, OBE
THE HONOURABLE WILFRED WONG SIEN-BING, OBE
THE HONOURABLE ELLEN LI SHU-PUI, OBE
DR THE HONOURABLE CHUNG SZE-YUEN
THE HONOURABLE MICHAEL ALEXANDER ROBERT YOUNG-HERRIES, MC
THE HONOURABLE DANIEL LAM SEE-HIN

ABSENT

THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS (*Acting*)
MR PAUL TSUI KA-CHEUNG, MBE

IN ATTENDANCE

THE DEPUTY CLERK OF COUNCILS
MR DONALD BARTON

MINUTES

The minutes of the meeting of the Council held on 31st May 1967 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>
Subsidiary Legislation: —	
Emergency Regulations Ordinance.	
Emergency (Prevention of Inflammatory Posters)	
Regulations 1967	83
Interpretation and General Clauses Ordinance.	
Delegation by the Governor	84
Interpretation and General Clauses Ordinance.	
Delegation by the Governor	85
Holidays Ordinance.	
General Holidays Order 1967	86
Road Traffic Ordinance.	
Director of Public Works (Transfer of Powers)	
Regulations 1967	87
Ferries Ordinance.	
Road Traffic Ordinance.	
Motor Vehicles Insurance (Third Party Risks) Ordinance.	
Commissioner for Transport (Transfer of Powers)	
Regulations 1967	88
Commissioner for Transport (Transfer of Powers)	
Ordinance.	
Commissioner for Transport (Transfer of Powers)	
Ordinance (Commencement) Notice 1967	89
Interpretation and General Clauses Ordinance.	
Specification of Public Offices	90

THE CHINESE UNIVERSITY OF HONG KONG (AMENDMENT)
BILL 1967

THE COLONIAL SECRETARY moved the First reading of:—“A Bill to amend The Chinese University of Hong Kong Ordinance.”

He said:—Sir, perhaps the most significant effect of this Bill is that on its enactment, under clause 4, the Director of Education will cease to be a member of the Council of The Chinese University. This, of course, Sir, is no reflection on the value of his past services on the Council which has been very considerable. It arises from the decision that as from the 1st July 1967 the University Grants Committee should assume full responsibility for advising the Government on the financial needs of the two Universities in Hong Kong and for allocating between them the provision made by the Government towards meeting these costs. In these circumstances, it is thought to be more appropriate that the Government should cease to be directly represented on the various governing bodies of the two Universities. If this is done, it will then be quite apparent that the University Grants Committee is the only channel of communication between the Government and the Universities on all matters with financial implications for the Government.

The necessary arrangements for the retirement of Government officers from the various University bodies are now in hand. It is only in the case of The Chinese University that an amendment to the University Ordinance is required, and this is the reason for the Bill now before Council. The opportunity has, however, been taken to make some other desirable, though minor, amendments to the Ordinance.

Clauses 2 and 7 delete from the principal Ordinance the reference to a “Recognised Lecturer”, a term which has now become outmoded. Clause 5 amends that section of the Ordinance which lays down the powers of the Council but here the changes are minor only and designed to clarify the wording. The composition of the University Senate will be slightly changed by the amendment to section 16 which is included in clause 6 of the Bill. The purpose of this is to provide for each academic subject to be represented in the Senate by the Professor or by a Reader. Clause 8 makes slight changes, of a “tidying up” nature, in the wording of provisions of section 20.

Sir, the amendments included in this Bill are proposed on the advice and with the recommendation of the Council of The Chinese University, and with the knowledge and concurrence of the Chairman of the University Grants Committee and of the Director of Education.

THE ATTORNEY GENERAL 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: —

It is proposed to dispense with the designation of Recognized Lecturer, and clauses 2 and 7 seek to achieve this.

2. The purpose of clause 3 is to specify that membership of the University is open to either sex.

3. The effect of clause 4 is that a person normally resident in Hong Kong replaces the Director of Education on the University Council, the administrative powers of which are extended slightly under clause 5.

4. It is desired to provide that each academic subject is represented on the University Senate either by a Professor or a Reader. Clause 6 amends section 16(1) of the Ordinance accordingly.

5. The opportunity is taken in clause 8 to bring the wording of several provisions of section 20(1) of the Ordinance into line with that used in the other provisions.

DANGEROUS GOODS (AMENDMENT) BILL 1967

MR R. M. HETHERINGTON moved the First reading of:—“A Bill to amend further the Dangerous Goods Ordinance.”

He said: —Sir, this is a simple amending Bill seeking to permit the Commissioner of Mines to authorize some additional officers of the Mines Department to carry out certain powers under section 12 of the Dangerous Goods Ordinance. I think that a brief account of events in recent years would help to explain why this Bill is now necessary.

Late in 1962, a new Explosives section was established in the Mines Department prior to the assumption of certain responsibilities for category I dangerous goods, excluding fireworks, from 1st January 1963. These dangerous goods might be conveniently called explosives. Previously, such responsibilities had been vested in the Director of Fire Services who had been assisted by the Director of Public Works and the Commissioner of Police. Later, in 1964, responsibility for fireworks, except for their discharge, was also assumed by the Mines Department.

On 1st April 1964, new and comprehensive legislation, the present Dangerous Goods Ordinance, was enacted. This legislation covered the manufacture, storage, conveyance, and use of explosives. The establishment of the Explosives section, which enforced part of this Ordinance, had, by the summer of 1964, reached its present full strength of one Senior Explosives Officer, one Explosives Officer, and six Explosives Inspectors. They were all trained to a high standard to deal with the handling of explosives.

The work of the Explosives section rapidly expanded and the number of inspections carried out by these eight officers over the past three years totals nearly 12,000. At present there are 248 licensed stores, 150 sites where the use of explosives is permitted, and ten licensed manufacturing plants. As the law stands at present, only the Senior Explosives Officer and the Explosives Officer have the right to enter premises to ensure that the provisions of the Ordinance are observed and that safe practices are followed. It is impossible for only two officers to carry out all these responsibilities and it is essential, for the proper enforcement of the law, that fully-qualified Explosives Inspectors should have equal powers if the necessary inspections are to be effectively carried out at the current high levels. These powers include the right to enter, inspect, stop, seize, remove, and detain. The Bill before honourable Members seeks to authorize the Commissioner of Mines to give such powers to Explosives Inspectors.

The Commissioner of Mines intends to issue precise written instructions to Explosives Inspectors regarding the exercise of powers under section 12 of the Dangerous Goods Ordinance if this amending Bill becomes law. I can give my personal assurances about this because, as you are aware. Sir, I hold, concurrently with the appointment of Commissioner of Labour, the appointment of Commissioner of Mines.

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:—

Experience in administering the Dangerous Goods Ordinance has shown that it is desirable that some officers of the Mines Department below the rank of explosives officer should be able to exercise the powers conferred by section 12 of the Ordinance. This amendment seeks to empower officers of the Mines Department who are authorized in writing by the Commissioner of Mines to exercise those powers.

AIRCRAFT SPIRIT (VALIDATION OF DUTIES) BILL 1967

THE FINANCIAL SECRETARY moved the Second reading of: —“A Bill to validate the collection, at certain rates, of duty on aircraft spirit purporting to have been collected at those rates in accordance with resolutions under the Dutiable Commodities Ordinance in force from time to time since the 16th day of October 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 to 3 and the Preamble were agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the Aircraft Spirit (Validation of Duties) Bill 1967 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.

BANKING (AMENDMENT) (NO 2) BILL 1967

THE FINANCIAL SECRETARY moved the Second reading of: —“A Bill to amend further the Banking Ordinance.”

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 6 were agreed to.

Clause 7.

THE FINANCIAL SECRETARY:—I rise to move that clause 7 be left out as set forth in the paper before honourable Members.

This was agreed to.

Clause 7 left out accordingly.

Clause 8.

THE FINANCIAL SECRETARY:—I rise to move that clause 8 be left out as set forth in the paper before honourable Members.

This was agreed to.

Clause 8 left out accordingly.

Clause 9 was agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the Banking (Amendment) (No. 2) Bill 1967 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.

DUTIABLE COMMODITIES (AMENDMENT) BILL 1967

MR T. D. SORBY moved the Second reading of: —“A Bill to amend the Dutiable Commodities Ordinance.”

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.

MR T. D. SORBY reported that the Dutiable Commodities (Amendment) Bill 1967 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.

ADJOURNMENT

THE COLONIAL SECRETARY moved the adjournment.

THE ATTORNEY GENERAL seconded.

The question was put and agreed to.

NEXT MEETING

HIS EXCELLENCY THE GOVERNOR:—Council will now adjourn and the next meeting of Council will be held on 28th June.