

OFFICIAL REPORT OF PROCEEDINGS

Sitting of 18th December 1968

MR PRESIDENT in the Chair

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
MR DENYS TUDOR EMIL ROBERTS, OBE, QC
THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS
MR DAVID RONALD HOLMES, CBE, MC, ED
THE HONOURABLE THE FINANCIAL SECRETARY
SIR JOHN COWPERTHWAITTE, KBE, CMG
DR THE HONOURABLE TENG PIN-HUI, CMG, OBE
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE ALEC MICHAEL JOHN WRIGHT, CMG
DIRECTOR OF PUBLIC WORKS
THE HONOURABLE WILLIAM DAVID GREGG, CBE
DIRECTOR OF EDUCATION
THE HONOURABLE ROBERT MARSHALL HETHERINGTON, DFC
COMMISSIONER OF LABOUR
THE HONOURABLE TERENCE DARE SORBY
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE KENNETH STRATHMORE KINGHORN
DISTRICT COMMISSIONER, NEW TERRITORIES
THE HONOURABLE DAVID RICHARD WATSON ALEXANDER, MBE
DIRECTOR OF URBAN SERVICES
THE HONOURABLE KAN YUET-KEUNG, CBE
THE HONOURABLE FUNG HON-CHU, OBE
THE HONOURABLE TSE YU-CHUEN, OBE
THE HONOURABLE KENNETH ALBERT WATSON, OBE
THE HONOURABLE WOO PAK-CHUEN, OBE
THE HONOURABLE SZETO WAI, OBE
THE HONOURABLE WILFRED WONG SIEN-BING, OBE
THE HONOURABLE WILSON WANG TZE-SAM
DR THE HONOURABLE CHUNG SZE-YUEN, OBE
THE HONOURABLE MICHAEL ALEXANDER ROBERT HERRIES, OBE, MC
THE HONOURABLE LEE QUO-WEI
THE HONOURABLE ANN TSE-KAI
THE HONOURABLE OSWALD VICTOR CHEUNG, QC

ABSENT

THE HONOURABLE GEORGE TIPPETT ROWE
DIRECTOR OF SOCIAL WELFARE

IN ATTENDANCE

THE DEPUTY CLERK OF COUNCILS
MR DONALD BARTON

PAPERS

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

Subject

Reports:—

Hong Kong By-Census 1966.

Hong Kong Life Tables 1963-1978.

Report of the University Grants Committee of Hong Kong from October 1965 to June 1968.

THE SECRETARY FOR CHINESE AFFAIRS:—By Command of Your Excellency, I lay upon the table two papers listed in the Order Paper.

Subject

Reports:—

Report of the Brewin Trust Fund Committee on the Administration of the Fund for the year ending 30th June 1968.

Accounts and Statements of the Grantham Scholarships Fund for the year ended 31st August 1968.

DR P. H. TENG: —I lay upon the table an item of subsidiary legislation which has been published in the *Government Gazette* since the last sitting of this Council.

Subject

LN No

Subsidiary Legislation: —

Dentists Registration Ordinance.

Dentists (Registration and Disciplinary Procedure) (Amendment) Regulations 1968 118

MR R. M. HETHERINGTON:—By Command of Your Excellency and in accordance with section 34 of the Interpretation and General Clauses Ordinance, I lay on the table the Dangerous Goods (General) (Amendment) Regulations 1968 and the Emergency (Firework) (Repeal) Order 1968 which were published in the *Government Gazette* on the 13th December 1968.

Subject

LN No

Subsidiary Legislation: —

Dangerous Goods Ordinance.

Dangerous Goods (General) (Amendment) Regulations 1968 119

Emergency Regulations Ordinance.

Emergency (Firework) (Repeal) Order 1968..... 120

MR K. S. KINGHORN:—By Command of Your Excellency, I lay upon the table a paper, which is listed in the Order Paper.

Subject

Sessional Paper 1968:—

No 41—Annual Report by the District Commissioner, New Territories for the year 1966-67.

MR D. R. W. ALEXANDEX:—Sir, I lay upon the table an item of subsidiary legislation which have been published in the *Government Gazette* since the last sitting of this Council.

Subject

LN No

Subsidiary Legislation: —

Public Health and Urban Services Ordinance.

Public Health and Urban Services (Amendment of

Fourth Schedule) Order 1968 121

QUESTIONS

Technical College: enrolment

1. DR S. Y. CHUNG asked the following question:—

Will Government inform this Council the amount of increase on the enrolment (both in number and percentage) of the higher level technological and engineering (not commercial) courses at the Technical College after the removal of the lower level courses to the new Morrison Hill Technical Institute in early 1970?

MR W. D. GREGG:—Sir, the enrolment of Higher Diploma students at the Technical College excluding Commerce in the 1968-69 Session is nearly 800 and the expected increase in the Higher Diploma courses which commenced either in 1967 or 1968 will be approximately 150 students in the coming two years which represents nearly 20% increase.

The enrolment of students in technical courses at the present is about 400 excluding Commerce and will increase to about 600 representing a percentage increase of 50% in the coming two years. The increase is due to the implementation of recommendations of the Industrial Training Advisory Committee.

Sir, not all the recommendations of the Industrial Training Advisory Committee will however be implemented at the Technical College but some of the additional load will be shared by the new Technical Institute, where some 200 places in addition to those at the Technical College are being planned at this level.

Questions

DR CHUNG:—Sir, I am sure my honourable Friend is aware that this year, despite the rise of the entry qualifications at the Hong Kong Technical College, over five thousand potential students had applied for some seven hundred places available, and for certain courses the demand was phenomenal.

For example, the ratio of applicants to places for the Electronic Engineering course was 27:1, and for the Industrial Design course was 18:1. In view of this great demand for technical education and the increasing need of trained technicians by the local industry will my honourable Friend agree that the current plan of expansion at the Hong Kong Technical College is inadequate and should be reviewed?

MR GREGG:—Sir, I think the intention of Legislative Council questions is to extract information rather than to elicit views but, if I could assume that my honourable Friend is framing his question slightly differently, I think I may say that Government is fully aware of the future need for increasing the number of places available for higher technical training. It has not yet come to any final conclusion however on whether such places should be provided by extending the existing Technical College, in so far as this is possible to a limited extent, or whether they should provide any separate institution and, if so, what kind of institution would best suit its purposes. Government is aware of the urgency of this matter and will do all that it can to expedite a decision so that detailed planning may be put in hand.

Technical College: Wool school

2. DR S. Y. CHUNG asked the following question: —

Is it a fact that the Wool School at the Technical College which was erected with funds contributed by the International Wool Secretariat and local industry, is not being fully utilized and that (1) the technology course is running one year behind schedule and (2) the related courses are of reduced content because of lack of teaching staff?

MR W. D. GREGG:—Sir, my honourable Friend is quite correct in suggesting that the Wool Section is not at present being fully utilized. There are two main reasons for this. The first I think is obvious. When one is mounting a series of courses in a new department lasting two or three years, space must obviously be reserved for year two and year three. The facilities cannot all be used up in the first year or two. The second reason is that the College has not enrolled students up to the full physical capacity of the Section due to the difficulties in recruiting staff. This is one of the reasons why the courses started one year

later than they were originally planned. It was hoped to make a start in 1966 and teaching posts were advertised in 1965, but it was not until 1967 that we were able to recruit the first of the new staff, the year in which the building was in fact finally completed. Nevertheless in spite of these difficulties the position has improved to a certain extent and the College is planning to double the intake of ordinary diploma students in September 1969 and a second doubling is envisaged for September 1970, that is to say, four times the original intake.

Turning now to the last part of the question. It is true that the related courses have been of reduced content because of lack of teaching staff. In spite of frequent local and worldwide advertisement through technical journals and in spite of the efforts of the Ministry of Overseas Development, the International Wool Secretariat and the United Nations, we have had no success in the recruitment of a Knitting Technologist and it is in this particular field that the course to date has had to be modified. This deficiency will be partly remedied in the future and for existing students by the use of teaching machines which will start in January 1969. In addition an instructor in the Cotton Section of the Textile Branch has spent six months in the study of knitting practice and in January he too will help in the teaching of the subject.

DR CHUNG:—Sir, may I ask a supplementary question? Is the deficiency in the recruitment of the specialized teachers due to insufficient salary level?

MR GREGG:—Sir, I think our failure to recruit a person for this particular post has been due more to the fact that there is a world shortage of persons possessing the required skills and experience rather than to the inadequacy of the salary offered. In other words it is very likely that such persons are very content with the terms and conditions of their existing employment and are not particularly anxious to make a change. Nevertheless, in view of the unusual difficulty which has been experienced in this particular key post Government will be prepared to consider making special arrangements.

Northern New Territories: recreational facilities

3. MR P. C. Woo asked the following question: —

Can Government give an indication of the steps being taken to improve facilities for active recreation in the northern part of the New Territories?

Questions

MR D. R. W. ALBXANDER:—Sir, I am happy to have been given this opportunity by my honourable Friend, Mr Woo, to refer in public to the provision of play areas in the northern part of the New Territories and to outline our plans there in the immediate future.

Townships in the northern part of the New Territories (which I take to mean the Tai Po and Yuen Long Districts) have not fared badly in recent years. Rebuilding of the market town of Shek Wu Hui was quickly followed in 1963 by the provision there of hard surfaced games areas for mini-soccer, basketball and volleyball and these have recently been equipped with floodlights to allow their fuller use. The entire frontage of the neighbouring centre of Luen Wo Hui is devoted to an attractive recreation area, of which part was developed in 1965 as a children's playground, while a contract has recently been let to provide games facilities in the remainder of the area.

In Tai Po town itself the Government has built a playground incorporating a small football pitch, a running track and other facilities for athletics.

In Yuen Long an extensive children's playground was completed earlier this year and is to be followed in the New Year by the opening of the Yuen Long Sports Ground with its full-sized soccer pitch, spectator stand for 3,000 and all-weather athletic track. Funds for the construction of this ground have been generously donated by the Royal Hong Kong Jockey Club whilst local people with a keen interest in sporting activities have equally generously contributed a substantial sum towards acquiring the land for the project.

In the paper tabled this afternoon amending the 4th Schedule of the Public Health and Urban Services Ordinance, honourable Members may possibly have noted that there are now 62 playgrounds in the New Territories which are managed by the Urban Services Department. These include, of course, recreation areas other than those for active games, but it is, I think, impressive to realize that in the Yuen Long and Tai Po districts alone, (and I refer only to projects completed within the Public Works Programme) there are 19 children's playgrounds, 8 games' pitches, 13 basketball courts, 2 tennis courts, 2 running tracks and 2 volleyball courts.

I would not like to leave my honourable Friends with an impression that it is only the larger centres of population which have benefited from this programme. Communities as isolated as that on the island of Kat O now have their hard surfaced mini-soccer pitches and children's playgrounds. I must emphasize that the larger schemes which are completed within the Public Works Programme are being substantially augmented by smaller projects financed under my honourable Colleague

the District Commissioner, New Territories' Local Public Works Vote. The completion of other development programmes in the rural areas of the New Territories has enabled the district administrations to devote an increased proportion of available funds to equipping villages with popular playgrounds and games areas and several tens of such small schemes have been completed in the last 3 years.

A glance at the Public Works Programme confirms that 9 schemes for recreation in the northern New Territories are now being planned, ranging in scope from small playgrounds to the proposed Fanling recreation ground.

The extent to which the tempo of this development can be maintained or accelerated in future will, of course, Sir, depend largely upon the priorities in the allocation of funds and other resources but I am encouraged to hope that we can maintain this progress as I understand that the Public Works Sub-Committee has recommended to the Finance Committee of this Council the inclusion of a number of new recreation items for the New Territories in the new Public Works Programme.

MR Woo:—Sir, may I ask a supplementary question? Is there any plan to improve the facilities for recreation in Fanling?

MR ALEXANDER:—There is indeed Sir.

MR O. V. CHEUNG:—May I ask a supplementary question, Sir? Speaking of recreation in a sense wider than just playgrounds and tennis courts and that kind of thing, is consideration being given to opening up the more remote parts of the New Territories for recreational purposes by building roads at an early date, for example, a road between Plover Cove and Sha Tau Kok, and between Sai Kung and Wu Kai Sha?

MR ALEXANDER:—Sir, I am afraid that this is somewhat out of the context of the original question and I would like notice of this question.

Castle Peak Road car parking

4. MR P. C. Woo asked the following question:—

Have any steps been taken to improve car parking facilities at beaches in the New Territories along the Castle Peak Road?

Questions

MR D. R. W. ALEXANDER:—Sir, in view of the concern expressed by my honourable Friend Mr Woo to have car parking facilities improved along the Castle Peak Road I am glad to be able to report that at least some improvement has been achieved in this connexion in recent years.

Nine of the eleven gazetted bathing beaches along this road are served by parking areas with accommodation for 419 vehicles. This represents an increase since 1965 of 79 parking spaces at six different car parks.

In many places, the unusually difficult terrain does not allow for any easy increase of facilities, but the possibility of making some provision for car parking in conjunction with road improvements between Ting Kau and Lido beaches and by reclaiming a low-lying piece of land at the 18½ milestone is now being investigated by the Public Works Department.

New Territories ferry services

5. MR P. C. Woo asked the following question:—

As there have been complaints about the inadequacy of ferry services in certain areas in the New Territories, has Government taken any steps to introduce better services for North and South Lamma, Silver Mine Bay and Tsuen Wan?

THE COLONIAL SECRETARY:—Sir, the only significant complaints that have been received concern the lack of a late evening service to and an early morning service from Lamma Island. The New Territories Administration and the Transport Department are examining with the Hong Kong & Yaumati Ferry Company the practicability of introducing such additional services.

There is no reason to believe that the existing services to Silver Mine Bay or to Tsuen Wan are below the standard justified by present passenger demand. Additional ferries are provided on a number of services, including Silver Mine Bay, at week ends and on Public Holidays to meet the holiday demands.

I would add that the Commissioner for Transport is in constant touch with the ferry companies and that he is always ready to discuss with interested parties any alleged inadequacies in ferry services.

STATEMENTS

Hong Kong By-Census 1966**Hong Kong Life Tables 1963-1978**

THE COLONIAL SECRETARY:—Mr President, among the papers which I have laid today is one entitled **Hong Kong Life Tables 1963-1978**. This completes the publication of the results of the 1966 By-Census. They give, separately for each sex, the mean expectation of life at birth of those born in Hong Kong in the years 1963, 1968, 1973 and 1978; and the mean expectation of further life from each level of age for those who attained that age in the years quoted.

The Hong Kong table for 1963, when compared with the 81 other life tables for that year published by the United Nations in the latest Demographic Year Book, show that Hong Kong girls especially have a life expectancy well in the range of developed countries, while that for Hong Kong boys is just in that range. In Asia, only Israel, the Ryukyu Islands and Japan show life tables superior to Hong Kong's.

Subsidiary Legislation

THE ATTORNEY GENERAL:—Sir, it has been suggested that, although considerable publicity is given to bills which come before this Council, not enough is done in some instances to bring to the notice of the general public important items of **subsidiary legislation** made under Ordinances.

It is said, and I think with some justification, that matters of considerable significance to the ordinary citizen, which affect him in his everyday affairs, are to be found in subsidiary legislation.

It is proposed, therefore, in future, when subsidiary legislation is laid on the table of this Council, that either the Attorney General or an appropriate Official Member of this Council will make a statement, under Standing Order 20, in which he will briefly describe the contents and intention of any subsidiary legislation which appears to be of sufficient general application and interest to warrant additional publicity, beyond that which is normally given to it.

Such statements will be made today by the Director of Medical and Health Services and by the Commissioner of Labour*.

**Dentists (Registration and Disciplinary Procedure)
(Amendment) Regulations 1968**

DR P. H. TENG:—Your Excellency, in connexion with the Dentists (Registration and Disciplinary Procedure) (Amendment) Regulations

* Page 604.

[DR TENG] Statements

1968 which has just been laid upon the table*, I would like to explain that the main purpose of these amendments is to bring the Dentists (Registration and Disciplinary Procedure) Regulations generally into line with similar provisions in the Medical Practitioners (Registration and Disciplinary Procedure) Regulations.

Regulation 2 amends the interpretation regulation of the principal regulations by deleting certain definitions which are now contained in the main Ordinance and there is therefore no need, to retain them in the regulations. It has also been necessary to redefine the word “defendant” subsequent to a consequential amendment to the regulation under which the Secretary may receive complaints or information against registered dentists or applicants for registration.

Regulation 3 revokes and replaces regulations 12 to 19 of the principal regulations. Regulation 12 changes the membership of the preliminary investigating committee. At present the Chairman of this committee is the government dental specialist who is a member of the Dental Council and the members are elected from the other members of the Council. In future, the Chairman may be any member of the Council who is elected for this purpose by the Council, while the members will be dentists registered under section 8(a) or 8(b) of the Ordinance who are not members of the Council and who are appointed by the Director from a panel of dentists nominated by the Hong Kong Dental Society. Regulation 13 provides for complaints or information to be received against applicants for registration as a dentist in addition to complaints or information against registered dentists. Regulation 14 lays down the steps to be following when the Secretary forwards to the Chairman of the Committee a complaint against an applicant or registered dentist. Regulation 15 gives the Chairman of the preliminary investigating committee discretion to decide whether or not the complaint or information is frivolous or groundless and if he decides it is not, he will then direct that it should be referred to the Committee for consideration, and this regulation further outlines the procedure to be followed by the Secretary in referring the matter to the Committee. Regulation 15A concerns the proceedings at the meeting of the Committee to consider the complaint or information against the defendant. Regulation 16 outlines the procedure if the Committee decides that no action should be taken against the defendant, while regulation 17 details the action to be taken if an inquiry is to be held. Regulation 18 empowers the Chairman of the Council to adjourn any inquiry by the Council. If further information is received in writing which suggests that an inquiry should not be held, the Chairman has powers under regulation 19 to refer the case back to the preliminary investigation committee for further consideration.

* Page 604.

Regulations 4, 5 and 6 make consequential amendments to regulations 20, 21 and 23 of the principal regulations to allow the Secretary of the Dental Council to carry out certain routine functional duties which, at present, must be carried out by the Registrar.

Regulation 7 substitutes the “Chairman of the Council” for the “Registrar” in regulation 24 of the principal regulations because in the absence of the Director, who, under section 6(2) of the Ordinance, is *ex officio* the Registrar, any member of the Council may be elected Chairman of the Council.

Regulation 8 stipulates that the Secretary should not be present at the deliberations of the Council after the evidence in an inquiry has been placed before the Council, as it is his function to place the evidence against the defendant to the Council.

Regulation 9 is a consequential amendment which substitutes the word “Secretary” for the word “Registrar” in the scheduled Form 6, which is the formal Notice of Inquiry.

These amending regulations have been considered by the Dental Council of Hong Kong which has offered no objections and has recommended that these amendments be approved.

Dangerous Goods (General) (Amendment) Regulations 1968

Emergency (Firework) (Repeal) Order 1968

MR R. M. HETHERINGTON:—Sir, the explanatory notes to the Dangerous Goods (General) (Amendment) Regulations 1968 and the Emergency (Firework) (Repeal) Order 1968, which I have just laid on the table*, are, I suggest, sufficiently explicit. They require no gloss from me. I can perhaps recapitulate that the Dangerous Goods (General) (Amendment) Regulations have the effect of enabling control to be exercised over the carriage and storage of any quantities of fireworks whatsoever. At the same time, the Emergency (Firework) Regulations will be repealed but, as some of these regulations deal with compensation for fireworks seized or surrendered before that date, I would like to dispel any concern which may be felt concerning the payment of outstanding claims.

The position is that, as Commissioner of Mines, I may continue to deal with claims and to determine and authorize compensation for all seizures or surrenders made up to the end of 1968 in compliance

* Page 604.

[MR HETHERINGTON] Statements

with the Emergency (Firework) Regulations. The Dangerous Goods Ordinance confers powers on certain public officers to seize fireworks but it contains no provisions for the payment of compensation for fireworks seized under that Ordinance. Accordingly, no compensation will be paid for fireworks seized on or after 1st January 1969.

In answer to a question asked in this Council on 23rd August of this year*, I gave some account of the progress made in dealing with claims for compensation. I would like to bring this account up to date.

The number of separate collections of fireworks recorded by the Mines Department has risen from 2,752 to 2,799. The increase of 47 is accounted for by new claims which have recently come to light and have subsequently been verified. I should explain that, when the fireworks were surrendered last year, most of the owners went to the most convenient police station where they were given a receipt. When a central record was compiled of the large number of collections made in a very short space of time, it is apparent that some were overlooked. Fortunately, it is still possible to verify from police records if a receipt for a particular collection was in fact issued and, consequently, there is no risk of a false claim passing undetected. It may be that there are still a few more collections not recorded by the Mines Department but I doubt if many more will come to light. I think that the present total of 2,799 will not be greatly changed in the future.

Of these 2,799 collections, 1,612 claims have been settled and compensation amounting to \$350,453.28 paid. I have been informed that 34 claims have been waived. This leaves a balance of 1,153 collections. Of these, 90 claims involving compensation of about \$12,000 are under examination. Consequently, 1,063 collections remain outstanding. Although the Mines Department has repeatedly tried to make progress in disposing of claims, one way or another, it has not been particularly successful.

When I spoke in this Council last August*, I said that I proposed to recommend that no further claims should be entertained after 31st December 1968 and that appropriate legislation should be brought in to effect to this end. On further consideration, I decided not to make such a recommendation. I will continue to entertain claims from the 1,063 persons who have not yet pursued them. I appeal, once again, for their co-operation in bringing this operation to a conclusion either by making claims as soon as possible or by notifying me that they propose to waive them.

* Pages 357-8.

SOCIETIES ORDINANCE

THE ATTORNEY GENERAL moved the following resolution:—

Resolved, pursuant to section 42 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 1969.

He said:—Sir, I move the first resolution standing in my name on the Order Paper, for the extension of the duration of the Societies Ordinance for a further year, with effect from the 1st January 1969.

This Ordinance confers on the Commissioner of Police powers which control the activities of societies in the Colony. In particular, it is this Ordinance which is relied upon to curb the activities of triad societies and unlawful and undesirable societies generally.

It is the Government's view that this legislation is still necessary for the maintenance of order and accordingly I move this resolution.

Question put and agreed to.

COMPANIES (PREVENTION OF EVASION OF THE SOCIETIES ORDINANCE) ORDINANCE

THE ATTORNEY GENERAL moved the following resolution: —

Resolved, pursuant to section 16 of the Companies (Prevention of Evasion of the Societies Ordinance) Ordinance, Chapter 312, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January 1969.

He said:—Sir, I move the second resolution standing in my name on the Order Paper, for the extension of the duration of the Companies (Prevention of Evasion of the Societies Ordinance) Ordinance for a further year, with effect from the 1st January 1969.

This Ordinance prevents persons who associate together for undesirable purposes from evading the provisions of the Societies Ordinance by registering themselves under the Companies Ordinance. This Ordinance is needed for so long as the Societies Ordinance* is needed, and I therefore move that its life should also be extended.

Question put and agreed to.

* Page 615.

DEFENCE REGULATIONS (CONTINUATION) ORDINANCE

THE ATTORNEY GENERAL moved the following resolution:—

Resolved, pursuant to section 6 of the Defence Regulations (Continuation) Ordinance, Chapter 309, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January 1969.

He said:—Sir, I move the third resolution standing in my name on the Order Paper, to extend the duration of the Defence Regulations (Continuation) Ordinance for a further year, with effect from the 1st January 1969.

This Ordinance keeps in force a number of defence and finance regulations, which are still considered necessary, particularly for exchange control and import and export licensing and I therefore move accordingly.

Question put and agreed to.

ILLEGAL STRIKES AND LOCK-OUTS ORDINANCE

MR R. M. HETHERINGTON 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 six months with effect from 1st January 1969.

He said:—Sir, this time last year in this Council, I gave a brief account of the history of the Illegal Strikes and Lock-outs Ordinance*. I explained that, since 1949, a resolution has been moved annually to extend the duration of this ordinance. I concluded by stating that it was the intention of Government to prepare permanent legislation. I hoped that this aim could be achieved so that it would not be necessary in future to seek the approval of this Council for further annual extensions of the ordinance. In February of this year, I outlined in this Council a departmental legislative programme†. One of the items was the replacement of the Illegal Strikes and Lock-outs Ordinance by permanent legislation.

Considerable progress has been made since then in drafting appropriate legislation but it has not, in the end, proved possible to introduce it before the end of 1968. Consequently, it becomes necessary

* 1967 Hansard, pages 511-2.

† Pages 32-8,

to seek, by resolution, a further extension of the Ordinance. However, I am hopeful that I shall be in a position, as the member in charge, to notify honourable Members of a time table for a suitable bill reasonably early in the coming year. For this reason, I consider that, on this occasion, it would be sufficient to seek the approval of this Council for an extension of the Illegal Strikes and Lock-outs Ordinance for a period of only six months up to 30th June 1969.

Accordingly, I move the resolution standing in my name on the Order Paper.

Question put and agreed to.

REGISTRAR GENERAL (ESTABLISHMENT) BILL 1969

Bill read the first time and ordered to be set down for second reading.

REGISTRAR GENERAL (ESTABLISHMENT) BILL 1969

THE ATTORNEY GENERAL moved the second reading of:—"A bill to repeal and replace the Registrar General (Establishment) Ordinance."

He said:—Sir, in recent years changes have been made to the titles of the posts in the department of the Registrar General.

The post of Deputy Registrar General has been abolished and that of Assistant Registrar General created. Furthermore, the existing Registrar General (Establishment) Ordinance contains references to the post of Legal Assistant, which is a title which has proved unpopular with professionally qualified officers and which it is intended to replace with the title of Solicitor.

Apart from the amendments to the present Ordinance which are necessary to reflect these changes, the wording does not, in some respects, accord with current drafting practice. Consequently, the opportunity has been taken to repeal and replace the present Ordinance, although there are no alterations of substance.

Clause 2 of the bill provides for the appointment of a Registrar General and other officers of his department and requires that holders of any of the offices specified in the First Schedule shall be legally qualified.

The effect of clauses 3 and 4 is to impose on the Registrar General and his staff the duties of the various offices which are listed in the Second Schedule.

[THE ATTORNEY GENERAL] **Registrar General (Establishment)**
Bill —second reading

Clause 6 empowers the Governor to amend by order the First Schedule, which contains the titles of the professional posts in the Registrar General's department, and the Second Schedule, which contains the list of the offices the duties of which are performed by the Registrar General and his staff. This provision will avoid the need to resort to legislation whenever it is necessary to amend either Schedule.

The other provisions of the bill re-enact in improved drafting form so much of the existing ordinance as is considered necessary.

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order No 43(1).

Explanatory Memorandum

The purpose of this bill is to repeal and re-enact with certain modifications and in improved drafting form the existing Registrar General (Establishment) Ordinance.

2. Clause 2 contains provisions relating to the appointment and qualifications of the Registrar General and officers appointed to assist him. Provision is also included whereby the Registrar General and the officers mentioned in Part I of the First Schedule, who will be professionally qualified officers, are deemed to be legal officers for the purpose of the Legal Officers Ordinance. The effect of this is that the Registrar General and his professionally qualified assistants will continue to have, in relation to any matter in which the Crown is interested, the rights of barristers and solicitors admitted under the provisions of the Legal Practitioners Ordinance.

3. Clauses 3 and 4 are self-explanatory.

4. Clause 5 enables any person appointed to the office of Assistant Registrar General, Senior Solicitor, Solicitor, Assistant Solicitor, Senior Assistant Registrar or Assistant Registrar to perform the duties of the Registrar General. Provision is included whereby a Senior Assistant Registrar and Assistant Registrar, who will not be professionally qualified officers, may not exercise any of the rights vested in a legal officer by the Legal Officers Ordinance. This clause also includes provision which enables the

Registrar General and any officer appointed to assist him to take an affidavit, affirmation or statutory declaration required to be filed with—

- (a) the Land Officer;
- (b) the Registrar of Companies;
- (c) the Registrar of Trade Marks;
- (d) the Registrar of Patents;
- (e) the Registrar of Marriages;
- (f) the Registrar of Births and Deaths;
- (g) the Official Receiver in Bankruptcy;
- (h) the Official Solicitor in Lunacy;
- (i) the Official Trustee.

5. Clause 6 will enable the Governor to amend the First and Second Schedules. This will relieve the legislature from the need to amend these Schedules by legislation.

6. Clause 7 repeals the existing Ordinance and deems a person appointed to an office before the date on which this Bill becomes law to have been duly appointed to a corresponding office under the bill. The existing Ordinance contains a reference to Legal Assistant and for some time there has been in existence the post of Senior Legal Assistant, Legal Assistant and Legal Assistant (Pupil). Advantage has been taken of the opportunity to give statutory recognition to these posts, but under the name of Senior Solicitor, Solicitor and Assistant Solicitor respectively.

REGISTERED TRUSTEES INCORPORATION (AMENDMENT) (NO 2) BILL 1968

Committee stage

Council 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 bill before Council had passed through committee without amendment.

HIS EXCELLENCY THE PRESIDENT:—The bill has now been reported from committee and the Council is deemed to have ordered it to be set down for third reading.

**Registered Trustees Incorporation (Amendment) (No 2) Bill—
committee stage**

Third reading

THE ATTORNEY GENERAL moved the third reading of the bill.

Question put and agreed to.

Bill read the third time and passed.

ADJOURNMENT

Motion made, and question proposed. That this Council do now adjourn—THE COLONIAL SECRETARY.

3.06 p.m.

University Grants Committee

MR M. A. R. HERRIES:—Sir, I wish to refer to the Report of the University Grants Committee of Hong Kong for the years 1965 to 1968 which my honourable Friend the Colonial Secretary has laid before this Council today*.

Although the Report acknowledges help and advice given by a number of people I would particularly mention two groups. First all the overseas Members of the Committee itself, without whose wide experience and hard work we could have made little headway in the considerable tasks which faced us. These learned and very busy men have willingly given much of their time not only when they are visiting but also in frequent consultations over the years, to the service of Hong Kong. It is with regret that I have to report the resignation, because of ill-health, of one of them. Professor BEASLEY of the School of Oriental and African Studies, at the end of this year. He is being replaced by Professor DAICHES of the University of Sussex.

Secondly, there are the many Government and University officers in Hong Kong whose behind-the-scenes help has been invaluable. I am sure they will all forgive me if I mention only one by name who personally and through his staff has given us a great deal of hard practical assistance, my honourable Friend the Director of Public Works.

Before turning to the Report itself I would like to say a brief word on the organization of the UGC and its cost, as I feel it is of interest.

* Page 604.

Apart from the Committee which consists of 7 overseas members and 3 unofficial local members, the Secretariat comprises a staff of 8, the Secretary, his personal secretary, one Senior Executive Officer, three clerks, a copy typist and a messenger.

Since the Committee was set up in October 1965 recommendations agreed with Government have dealt with a total of \$246m and from July 1967 when the Committee took over full responsibility for the Universities to the end of this year, the Committee will have had entrusted to its direct care by Government a little over \$100m—a considerable responsibility.

Each year the total cost, recurrent and capital of both Universities passes through the UGC office and is formally released by them, a total for this year of \$66m. In addition constant, almost daily, contact is maintained with overseas Members—quite apart, too, from formal and informal sessions here in Hong Kong with the Universities and with Government. The present sizeable building programme is under close and detailed control and a very wide range of day-to-day activities is kept under review, statistics are examined, and so on. Despite this the UGC's administrative costs amounted to only \$288,000 of which \$92,000 is for overseas Members' travelling expenses and honoraria. For the year 1967-68 in other words the UGC cost a little less than $\frac{1}{2}$ of 1% of the total Government subvention to the Universities.

The Report itself is not very long but it provides a lot of information. The English version has now been published and the Chinese one will be available shortly. I make no apology for the fact that half of it consists of statistics, because I believe we have had in the past, for whatever cause, too little hard information and too much use of vague feelings and guess-work. Much of the text similarly deals with problems such as the question of University autonomy, the relationship of research to teaching, the problems of tuition fees, the position of the University in the community, and many others—that have too often in the past been discussed publicly and privately on the basis of little or no information and understanding. This of course cannot be remedied overnight, but at least we have made a start.

Honourable Members will see that the Report has a relatively long introductory section, followed by a chronological review, a section on policy guide-lines, a short reference to new developments, and then the statistics.

The introductory section is important because it deals not only with the setting up of a University Grants Committee in Hong Kong but refers to some major factors which affect the way in which Universities are actually managed. These are crucial when considering the

[MR HERRIES] University Grants Committee

practical effect of the policy guide-lines. Two I would like to mention briefly are the inter-locked question of university autonomy and the meeting of community needs. It cannot be said too often that our two Universities are supported by, and have to meet the needs of the Hong Kong community. They are supported by money: by people's willingness to work in them as teachers and still more by people's willingness to send their children as students: by employers' willingness to employ graduates, and employ them properly: and by the schools which prepare their pupils for University entrance. This is a formidable array of community interests and although financial support, the majority but not all of which is provided by Government, tends to get most attention, the other interests are every bit as important.

Experience of many centuries throughout the world has shown that Universities have to be allowed some autonomy, some freedom to exercise their judgment if they are not to be driven off-course by the jostling of special interests. The free interplay of market forces may produce excellent and quick commercial results: but by definition a University is not aiming at quick results. It is aiming at the next generation, a generation to which the easy solution of today's problems may be irrelevant or even harmful.

In this context one of the great problems of our community is that of population expansion, particularly where there is a serious imbalance in age groups. As the Report states the Government has indicated to date to the Committee what level of University teaching and research it would support both in terms of finance and total student numbers. Following this pattern I recently announced that the total student body agreed by Government as a planning target for the year 1973-74 amounted to 6,000 students for the two Universities. The Committee has accepted these student number targets, but is acutely aware of the fact that whatever population projection is taken and however the calculations are made University students in 1973-74 will form a decreasing proportion of the age group concerned compared with the present intake. This is likely to mean an increasing pressure for higher education not only because there will be more people but because proportionately fewer of them will be able to go to a University.

It is the view of the University Grants Committee that urgent consideration should be given now to this problem so that provision can be made for the establishment of alternative forms of higher education, at institutions which are not necessarily so advanced as Universities but which will meet the needs of the community both from the point of view of those who cannot obtain entry to a University because of non-availability of places, and also of those who need new institutions which will provide qualifications for meeting the requirement of our commercial and industrial community. Certain institutions are already available or

are planned but more will be required; and some must be of a higher status to meet this demand. To set up a modest institution of this nature takes 3 to 4 years and I would urge Government to take action now to meet what we foresee as a vital need in 1973-74. If this is not done the proposed student target figures may well by then prove unrealistically low.

The resolution of the conflict between community pressures and community resources is one of the problems of all societies everywhere which have progressed to the point of having Universities. There is no single answer, and no simple answer. It has to be tackled day by day and year by year and the form of the conflict and the objectives of the people concerned change as society changes. The University Grants Committee will strive to play its part in helping the Universities and the people of Hong Kong in this continuing development to achieve the best solution possible with the funds available.

THE COLONIAL SECRETARY:—Sir, I should like to thank my honourable Friend for drawing attention to the first Report of the University Grants Committee*, which has been presented to the Council today. The Report, as well as my honourable Friend's speech, has provided a great deal of information that is both interesting and useful and gave us considerable food for thought.

I am particularly glad to have this opportunity to thank the Committee, on behalf of the Government, for the valuable advice which it has given on problems concerning higher education in the Colony and for the various reports and recommendations which it has made concerning the financing of the two Universities.

As the Report shows, the Committee has been involved in a great deal of detail in making its recommendations to Government. Without these carefully prepared recommendations Government would find it immeasurably more difficult to propose to the Finance Committee of this Council what level of subvention for the two Universities should properly be recommended. The Committee's independent and impartial position, as a sort of highly expert go-between interposed in virtually all Government financial dealings with the Universities, has many advantages for both sides. For the Universities it helps to preserve their autonomy and academic freedom; and for the Government and for the taxpayer it ensures a closer scrutiny of the Universities' operating and development plans than would otherwise be possible.

I am sure Sir, that honourable Members will agree that the experiment of setting up this Committee has been fully justified by the results achieved in the first three years.

Question put and agreed to.

* Page 604.

NEXT MEETING

HIS EXCELLENCY THE PRESIDENT:—Before I adjourn the Council may I wish all honourable Members a very happy Christmas and prosperous and peaceful New Year. Council will accordingly adjourn. The next meeting will be held on 8th January 1969.

Adjourned accordingly at fifteen minutes past Three o'clock.