

**THE LEGISLATIVE COUNCIL DEBATES
OFFICIAL REPORT**

**IN THE SESSION OF THE LEGISLATIVE COUNCIL OF
HONG KONG WHICH OPENED 1ST OCTOBER 1969**

IN THE

**EIGHTEENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II**

LEGISLATIVE COUNCIL CHAMBER

Wednesday, 1st October 1969

The Council met at half past Two o'clock

[Mr PRESIDENT in the Chair]

PRESENT

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR DAVID (CLIVE CROSBIE) TRENCH, GCMG, MC
THE HONOURABLE THE COLONIAL SECRETARY
SIR HUGH (SELBY) NORMAN-WALKER, KCMG, OBE, JP
THE HONOURABLE THE ATTORNEY GENERAL
MR DENYS TUDOR EMIL ROBERTS, OBE, QC, JP
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR DAVID RONALD HOLMES, CMG, CBE, MC, ED, JP
THE HONOURABLE THE FINANCIAL SECRETARY
SIR JOHN (JAMES) COWPERTHWAITTE, KBE, CMG, JP
THE HONOURABLE ROBERT MARSHALL HETHERINGTON, DFC, JP
COMMISSIONER OF LABOUR
THE HONOURABLE TERENCE DARE SORBY, JP
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE DAVID RICHARD WATSON ALEXANDER, MBE, JP
DIRECTOR OF URBAN SERVICES
THE HONOURABLE GEORGE TIPPETT ROWE, JP
DIRECTOR OF SOCIAL WELFARE
THE HONOURABLE JAMES JEAVONS ROBSON, JP
DIRECTOR OF PUBLIC WORKS
THE HONOURABLE DONALD COLLIN CUMYN LUDDINGTON, JP
DISTRICT COMMISSIONER, NEW TERRITORIES
THE HONOURABLE JOHN CANNING, JP
DIRECTOR OF EDUCATION
THE HONOURABLE KAN YUET-KEUNG, CBE, JP
THE HONOURABLE FUNG HON-CHU, OBE, JP
THE HONOURABLE TSE YU-CHUEN, OBE, JP
THE HONOURABLE WOO PAK-CHUEN, OBE, JP
THE HONOURABLE SZETO WAI, OBE, JP
THE HONOURABLE WILFRED WONG SIEN-BING, OBE, JP
THE HONOURABLE ELLEN LI SHU-PUI, OBE, JP
THE HONOURABLE WILSON WANG TZE-SAM, JP
THE HONOURABLE HERBERT JOHN CHARLES BROWNE, JP

DR THE HONOURABLE CHUNG SZE-YUEN, OBE, JP
THE HONOURABLE LEE QUO-WEI, OBE, JP
THE HONOURABLE GERALD MORDAUNT BROOME SALMON, JP

ABSENT

DR THE HONOURABLE TENG PIN-HUI, CMG, OBE, JP
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE KENNETH ALBERT WATSON, OBE, JP

INATTENDANCE

THE DEPUTY CLERK OF COUNCILS
MR DONALD BARTON

PROCLAMATION

Proclamation* read *pursuant to Standing Order No 6(1)*.

OATH

MR GERALD MORDAUNT BROOME SALMON made the Oath of Allegiance and assumed his seat as a Member of the Council.

HIS EXCELLENCY THE PRESIDENT: —May I welcome Mr SALMON to this Council.

GOVERNOR'S SPEECH

HIS EXCELLENCY THE PRESIDENT: —Honourable Members of the Legislative Council. May I begin by welcoming you all to this first meeting of our new session; noting for the record that our previous Standing Orders gave us a remarkably long last session. Arguably, it might be said to have started in 1844!

But the beginning of a new session is an obvious opportunity for us to take stock of ourselves, review the past and consider the future. The procedure we have now adopted is designed to this end, and I hope honourable Members will make full use of it. For my part, I shall first try to say something of the wide and increasingly complex field of Hong Kong affairs. I fear that I can only be highly selective: many important topics will have to go unmentioned or be dealt with only inadequately. Some, at least, of those will no doubt be covered later in our discussions.

It is only proper on this occasion to look back first at the legislative achievements of the Council over the last twelve months. It has been another very busy year for Members. We have passed sixty-two pieces of legislation, among the ones of perhaps more general interest being the Community Chest of Hong Kong Ordinance, the Dangerous

* (L.N. 144/69).

Drugs Ordinance, and the Drug Addiction Treatment Centres Ordinance. This year, too, we gave legislative effect to the grant of a franchise to construct a tunnel across the Harbour, and to the Road Traffic Amendment Ordinance to enable the operation of light vans to be regularized.

I would wish here to acknowledge with gratitude the heavy burden of work that honourable Members have borne during the past year, not only in Council itself, where we have had a number of important and useful debates, but also in both the Committees of the Council and on other Committees of various kinds which are not formally a part of this Council. I am very appreciative of the very great assistance honourable Members have been to me and to the administration generally.

Now let us turn to the main features of 1969 and, since this is the last year of the decade, it would I think be appropriate also to look briefly over the whole of the 1960's and forward a little into the 1970's.

The outstanding feature of the year, and the decade, has of course undoubtedly been our rate of economic expansion. This has exceeded all expectations, even of those who know Hong Kong well. So far this year our domestic export performance is still being maintained at a rate of increase of approximately 24-25% over 1968, in which year itself the increase was 25% over 1967. Since 1959 our domestic exports have, in fact, quadrupled by value. Our tourist industry has greatly expanded also, the number of visitors having multiplied by five times in the decade. The great interest shown more recently by foreign investors in backing projects to serve tourism is a particularly welcome feature. By way of a further indication of economic growth, and of strong confidence in the future, bank deposits have increased five-fold in ten years and bank loans have grown almost as fast.

Economic success has happily brought with it marked improvements in standards of living. Although difficult to quantify, the signs of this raising of general standards are clear to any observer who was here in the 1950's. Wages are rising, and for the right reasons of economic prosperity. This is, socially, a most welcome trend.

But, of course, commercial success has also brought its own difficulties with it. We do have to recognize that we can be creating serious problems for our trading partners, and we have to be ready to try to achieve amicable solutions where we are convinced that this is genuinely so, while ensuring of course at all times, so far as we can, our own best interests. We find, in general, that this approach produces more beneficial results than a head-on collision, although there are still occasional cases where trading partners take matters into their own hands without prior consultation.

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Another feature of this decade has been the steady increase in the purchasing power of our main markets. We must recognize however that this has been stimulated by inflationary tendencies abroad which weaken the basis of this expansion and bring other problems in their train. Although there have been few signs yet of this expansion falling off, we must not assume that we can continue to expand our exports at recent rates indefinitely.

The lesson of all this is that we must protect our future adequately, both by maintaining reserves at suitable levels and by ensuring that the recurrent expenditure to which we commit ourselves is at a level which can be borne in possibly less favourable circumstances.

Industrial expansion has also created urgent needs for skilled and semi-skilled labour. During the 1960's, and especially in perhaps more recent years, our industries have developed a wider variety of manufacturing processes as well as new products. These new processes and products require modern machinery, but more importantly require skilled technologists, technicians, craftsmen and designers. Having reached a state of near full employment of our existing labour resources, we must now look for our main prospects of further advance to the introduction of more sophisticated techniques. To sustain our prosperity, and the prosperity of our work force, we must improve productivity and increase the availability of skilled and semiskilled operatives. This clearly means that there must be further advances over the whole spectrum of technical education—a challengingly complex field which requires much care and much forethought. It is a field in which we have made a determined start, although we have a long way still to go. The 1970's will have to be a decade of emphasis on consolidating the start that we have made.

The basis on which we must build is, of course, a sound primary educational system and this we already have. Indeed we are likely to have a quite considerable surplus of aided primary school places before 1971. Next, Government has undertaken to bear the main responsibility for establishing additional educational institutions, with either an emphasis on, or a bias towards, practical training. Junior Technical Schools are now eligible for Government financial assistance. These schools, when started, should provide pre-vocational education for young people at the skilled operative level. Then, quite separately, the first Technical Institute was inaugurated in 1969 and will shortly be moving to Morrison Hill; and others are being considered. Third, it is intended to establish an additional Technical College, as part of a Polytechnic, and planning for this is now in hand.

In parallel with these advances, the complicated problems of apprenticeship training are being resolved. The Labour Department is now able to advise on and guide the development of apprenticeship

schemes. And later in this Session honourable Members will, I hope, be asked to consider an Apprenticeship Bill which is now under preparation.

How to integrate these Government efforts with the part industrial employers must play remains something of a problem, but perhaps we shall see our way more clearly as Government's own plans mature.

Another feature of the 1960's which sets the scene for the '70's is the considerable number of detailed investigations for large-scale projects which have been undertaken. There have been detailed studies made on water supplies, the airport, the development of our roads, a mass transit system, urban renewal, and the orderly development of medical facilities. Others will occur to honourable Members and work has already started on some projects. Such investigations may be time-consuming, but they are vital if we are not to make mistakes. All look forward to the 1970's and even the 1980's, when we should see much of the fruits of the planning of the 1960's: just as the 1960's saw the results of the planning of the 1950's.

In all this planning, flexibility is of paramount importance. Contrary to some popular belief, sound administration demands not early decisions on long term plans of this kind, but the ability to defer final decisions, and to amend plans up to the last practicable moment before work starts; for only in this way can all the latest factors be taken fully into account.

One of the schemes on which a start is being made is urban renewal, on which we are acquiring sites in the pilot scheme area on Hong Kong Island. Re-development of the area and the provision of amenities cannot be quickly achieved, but patience and forethought will gradually bring results.

Again, a five-year road programme has been drawn up by the Public Works Department which, given the provision of funds by this Council, may eventually cost some \$500 million. Work has already started on some of the schemes involved, as the flyovers and graded intersections which are now appearing bear witness. Other long range plans may be formulated in the light of developments, and in the light of the advice contained in the Long Term Road Study. Of particular importance I think is the North East corridor scheme for Kowloon, and the scheme to provide for the easier flow of traffic along the waterfront of Hong Kong Island, which is now taking shape.

Water supplies are currently adequate but the estimated 7% compound rate of yearly increase in demand is at present being exceeded. The raising of the Plover Cove Dam has been approved, and, looking still further ahead, a detailed investigation is being made into the proposed High Island Reservoir. An experimental desalting plant is also being obtained to see whether such methods are suitable here.

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Work has continued with the extension of the terminal facilities at the Airport, and we have a report to hand on the facilities which are required for estimated future trends in air cargo handling. The Harbour, too, is about to undergo changes now that our principal markets are turning more and more to containerized shipment. Container-handling facilities should soon be developed at Tsim Sha Tsui and Government is working out possible methods of implementing, in co-operation with private enterprise, certain proposals for the construction of a full-scale terminal at Kwai Chung. These changes will enable us to be abreast of these essentially overseas requirements on time.

Earlier plans for the development of public housing programmes progressed steadily during the year. With over one third of the population now in publicly-provided homes, we plan to accommodate a further 830,000 between 1968 and 1974. The emphasis in resettlement is shifting somewhat from providing for now tenants, important though this need still is, towards improving standards for those already housed in the older estates. Under the scheme for the relief of overcrowding, some 38,000 resettlement tenants were moved into larger accommodation during last year. Ways of achieving better management in the resettlement estates are also being considered. Another problem is the private abuse of public space in the estates. The growth of illegal hawking and the careless disposal of refuse present problems which still remain to be overcome. In Government low cost housing we reopened the register this year for new applications. It is clear that most applicants want flats in the developed urban areas. I understand the Housing Board is considering ways and means of making the more outlying estates more popular, whilst ensuring that the building programme for these estates does not markedly outstrip the demand.

Though land is very much in demand for other uses, recreational amenities continue to expand and sites have been found for playgrounds, sports areas, parks and, more recently, modern swimming pool complexes. The Public Works Department is considering a multi-purpose indoor stadium to be placed on a podium above the proposed new railway terminus at Hung Hom. I hope a feasible design for consideration by honourable Members will emerge from this investigation. Libraries too are being developed to add to the scope of recreational opportunities.

In the medical field the fight against communicable diseases is unending. The cyclical epidemic of measles expected last year did not however occur. Cholera, too, was kept within tight bounds, although we have not been entirely free of the disease these last few months. Building has progressed well on the new 1,300-bed general hospital at Lai Chi Kok, and even before this is finished another 1,200-bed Mental Hospital will be under construction there. The much-needed Siu Lam

Hospital at Castle Peak for the mentally-retarded is also nearing completion.

The New Territories, too, have seen much steady development even in areas of dispersed population. The extension of treated mains water supplies for more villages is now in hand and I am very happy to see that, to the great credit of the Company concerned, electricity supplies too are continuing to be extended to relatively remote communities. With the help of the Army and a generous private donor, many villages now have community television sets. Measures such as these are consonant with our policy of bringing the amenities of the remoter parts more into line with those in urban areas.

May I now turn to the state of public security and crime. While I naturally share everyone's concern that those who perpetrated recent widely publicized robberies be brought to book, and while I also hope that offences of this nature will diminish, nevertheless we must keep the situation in proportion. It would be wrong, I feel, to see too much in these recent occurrences. At a rate which is conspicuously less than in many other parts of the world, reported crime in Hong Kong has increased only slowly during, say, the last ten years. I am confident that we have in the Colony as good if not a better capacity to combat crime as exists in any similar city environment. Detection rates remain very high, and it is intended that the Royal Hong Kong Police will continue to extend its physical presence, especially in the newly-developed areas of Kowloon and New Kowloon. It is timely, I feel, to remind ourselves that while the Police form that full-time and trained body of men needed to detect and, as far as possible, prevent crime, it is the duty of all to report all offences and to assist the Police generally.

Finally, in this unavoidably short review of the year and the decade, I would like to say a word about the younger generation. Census figures show clearly how the number of young people between the ages of 15 and 20 began to increase after 1963, as a result of a marked increase in the number of births after the end of the Pacific War. This population characteristic is going to be with us right through the '70's. It is therefore encouraging to see how many young people of this age group have begun to take up, with commendable zeal and enthusiasm, not only the opportunities which have been provided for recreation in the summer but how they have also volunteered to make their own contribution to the welfare of others. They have been led and helped, of course, by many dedicated adults, to whom our sincere thanks are due, but the extent of the participation by young people in such activities is a tribute to their soundness of character. Sometimes we hear greater centralization of direction over youth advocated. Frankly, I would not happily agree to any measures which would tend towards the greater regimentation of young people and their activities. On the contrary, while a degree of not too tight co-ordination is undoubtedly necessary,

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it is more important to foster and encourage separate and differently sponsored activities so that young people can themselves choose from the widest possible variety of recreational pursuits, and the sponsors can have liberty to work out their own individual ideas.

I have left out much that I would have liked to say about the progress we have made: I can only apologize to all those whose contribution really deserves a mention which they have failed to receive. I want, however, to refer back now to parts of what I said at the time of the Budget Debate* concerning matters on which I especially hoped to see progress made by early 1970. Progress on some of these matters has indeed been made.

Happily, we have been able to agree substantial improvements in the assistance available to university students. \$3 million is available this year to increase and extend grants, and a loan fund of \$15 million has been started which will allow about \$3 million each year for interest-free loans to students.

At the other end of the educational scale we have reduced primary school fees still further, with fees at very low levels: plus the number of free places and remissions which can be granted, we are indeed close to aided primary education for all those who desire it.

The Harbour Tunnel is, of course, now under construction, and the minivans have been regularized as light buses, adjusting in the urban areas fairly satisfactorily on the whole to their new existence. In the New Territories the special needs of the rural areas do seem to require that some additional measures be taken to improve the system and these are under consideration. One thing, however, I would like to say to Public Light Bus licensees. The concession which gave previous operators of minivans priority of consideration for the issue of public light bus licences can be justified only if those licensees now adhere strictly to those few restrictions which have in the public interest been imposed on them. They have been greatly favoured and they must recognise this fact. They must understand clearly that any individual licensees who persist in failing to conform to the law, risk having this concession rescinded; and that steps may be taken to replace such licensees by other and more responsible operators.

Four pieces of draft legislation on subjects I covered in my April address have been published and will be presented this Session. In May a bill was produced to establish a framework for the voluntary management of multi-storey residential buildings where each home is under separate ownership. I know several Members of Council have taken great care and expended much effort to promote public discussion of the contents of this bill by holding meetings, organized by the City

* 1969 Hansard, page 62 et seq.

District Officers, with representative bodies and organizations. The Marriage Reform Bill and the Intestates' Estates Bill, after a long period of meticulous study and consultation, have been published for public comment. More recently the Prevention of Bribery Bill has similarly been published. All these important and complex bills will, I hope, be turned into law this Session with whatever amendments Council decides upon in the light of the comments that we receive.

One of the more urgent problems touched upon during the Budget Debate was that of hawker facilities and hawker control*. During the past six months, the Urban Council has re-examined and agreed upon the principles for an overall policy and established a priority working programme. It is, of course, only sensible to recognize that hawkers have legitimate and reasonable needs and to attempt to provide, wherever possible, for them. It is equally true to say that rules must be made and adhered to if hawking is not to clog the streets and raise unacceptable health and fire hazards. I understand the Urban Council Hawker Select Committees are working hard to up-date the regulations and formulate suitable plans. Implementation without friction is obviously going to be difficult but the Urban Services Department has tackled the question of expanding its Hawker Liaison Staff to work among, and with, the hawkers themselves. Generally, it is a matter of putting into practice the most equitable policies that can be devised, and a small start has been made in improving the most congested of the hawker areas. I ask the hawker community to try to understand that we are endeavouring to act in the best interests of all, and ask them to try to co-operate with the Urban Council, Urban Services Staff and the Police as far as they can. Their suggestions will always be taken into account as far as it is reasonably possible to do so.

We have made more progress with labour legislation than meets the eye, although I could have hoped to reach the final stage of presentation to this Council earlier in a number of cases. But this is a peculiarly difficult and complicated area, on which much consultation is necessary: and consultation, as I have said before on a number of occasions, makes for slow progress. Nevertheless, the Workmen's Compensation Bill has now been considered in Executive Council and should be presented here shortly. We hope, through its provisions, to increase the maximum limit of benefits for injured workmen and bring these benefits more into line with the new generally higher level of wages prevailing. Draft legislation will also, I hope, be ready for consideration in the near future with a view to establishing better priorities for employees' earned wages when a firm is forced to go into liquidation or bankruptcy. We shall also be taking draft amending bills to the Employment Ordinance, including one designed to enable workers to take, voluntarily, four rest days a month without breach of their terms

* 1969 Hansard, page 71.

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of employment, and to provide security of employment for women who need to take maternity leave. Another draft amending bill aims to extend the right to take statutory holidays with pay to non-industrial workers and to improve entitlement to sickness allowances.

But I still remain of the view that great scope for improvements in the field of labour-management relations lies in improving the consultative machinery between the factory floor and the management offices. The Labour Department, I know, is doing its utmost to promote joint consultative committees and I look forward to seeing a growing response from all spheres of industry.

Before leaving this topic I would like just to mention the idea of labour courts, which we are considering at official levels. I believe there may be merit in the idea of establishing a quicker, simpler mechanism than is provided by recourse to the ordinary courts, of resolving claims for the settlement of legal obligations arising out of contracts of employment. But lest the whole idea be misunderstood right from the start, let me emphasize that labour courts are part of a judicial, not an executive, machinery. They deal with specific, identifiable claims by employees on employers and *vice versa* just as the ordinary courts do: the difference lying only in greater simplicity and in speed of procedure. Specifically, it is not their function to adjudicate generalized disputes over, for example, such matters as requests for increased wages or improved conditions of service. What they should do is to enable certain types of specific claim to be adjudicated instead of having to be settled through the conciliation machinery.

In April I paid particular attention to the progress we wish to make this Session in moving towards an organized and wholly Government-sponsored system of public assistance*. Since I last spoke, a request has been made to Her Majesty's Government in London for expert advice on the types of procedures which can best be devised for Hong Kong. We now have good reason to believe that such advice will be forthcoming. In the meantime a careful study has been made of possible avenues for development and broad lines of policy are being formulated. Again we are making more progress than may be apparent and I am anxious to be able to present concrete proposals to honourable Members here before too long.

Last April, I said I thought it desirable to make progress in introducing a few less controversial but still important changes in the form of the Urban Council†. Many ideas have been expressed by those interested, and the time has now come to make a selection between them with a minimum of further ado, in order to enable a few deliberate steps to be taken soon. A number of proposals are now in a fairly

* 1969 Hansard, page 61.

† 1969 Hansard, page 62.

advanced state of preparation for presentation to the Executive Council shortly; and perhaps to this Council before the end of the present Session depending on the complexity of whatever actual legislation turns out to be needed. In formulating these proposals, account will naturally be taken of the views expressed in the Urban Council's report, so far as it proves possible to accept them.

There have been some additional views expressed both in the press and in a recent Justice report on the need for an ombudsman here. It was somewhat disappointing to me to see that little real contribution had been made towards resolving the basic doubts I expressed on the subject last time I spoke about it. I am still very unsure in my own mind that an ombudsman, restricted as well as bolstered as he must inevitably be by his legal powers, will really be able to achieve anything that cannot be achieved by a suitably assisted UMELCO office: indeed, I still think he will achieve less. I know honourable Members have given a great deal of thought in past months to the proper organization of this office: and I still think your proposals should, when finally formulated, be put into effect and evaluated first before we go any further.

The questions of teachers' pay and equal pay have both progressed considerably since I last spoke, and, depending on the progress of consultations, it should certainly be possible to put concrete proposals to the Finance Committee of Council this session.

I spoke also of the Kai Tak runway last April*. I think here we must regretfully forget about any loan from Her Majesty's Government in the United Kingdom and now decide the issue on its own merits and in the light of the probability of either having to finance the whole project directly ourselves, or perhaps with the help of contractor or other finance. A submission to put the issues to the Executive Council will be ready for presentation very shortly, prior to presentation to the Finance Committee of this Council. In the meanwhile, no time, I repeat again, has been lost if the Executive Council and this Council advise that we go ahead: the position is that contract documents are being prepared and, until they are ready, the next step could not in any event be taken. But once these documents are ready, tenders for the work could be called for very quickly and physical work start quite shortly thereafter.

There is one additional matter, which was not mentioned in my address last April, on which I also hope we shall soon be able to reach a conclusion. It relates to our target figures for the provision of government and aided places in post-primary educational institutions. The 1965 White Paper on Education† set the aim at 15-20% of the total number of pupils completing the primary course. Now that primary

* 1969 Hansard, page 70.

† 1965 Hansard, page 411.

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education is so close to fulfilling its target, and also because recent decisions have already made this figure unrealistically low in practice, it is obviously time to reconsider the figure and to set a new target. What this target should be for the future is now under examination.

Before I finish, may I express appreciation of the work of the public service as a whole which has played a key role in almost every achievement. Public duties demand high standards of efficiency and dedication and I am happy to have this opportunity to express my own personal thanks for much work well done. The demands of expansion fall, initially, on the more experienced serving officers, who, in a growing service, are inevitably relatively thin on the ground; and to these hard-pressed officers I am particularly grateful.

The provision of staff is often our greatest difficulty in maintaining the desired rate of expansion of services. As in the private sector, Government has its problems in finding men or women with the experience or qualifications required for the tasks in hand or in mind. The shortages are for both professional and administrative officers. A committee under Sir Charles HARTWELL has proposed possible methods of ameliorating our shortage of doctors, and there is hope that this particular problem may somewhat recede for the present. Every effort is being made in recruitment, and by in-service training, to expand and improve the middle and senior ranks of the service. I would stress, that this situation is not new, nor acute, but, as I have often said before, it must not be lightly assumed that ideas and then money are all that is required to maintain progress.

In conclusion, then, 1969 has been on the whole a good year in the upward trend of a flourishing decade. Much has been achieved, many plans have been laid for further achievement. With economic expansion we must beware of latent forces which can cause a levelling of the rate of growth and we must adapt to the pressing demands for further sophistication. But I am wholly confident that the 1970's will see still further very substantial progress in the well-being of our people, continuing the pattern of the last decade.

And now, may I wish honourable Members, on whom so much responsibility rests, every success in their deliberations during this session.

ADJOURNMENT

HIS EXCELLENCY THE PRESIDENT: —Now in accordance with Standing Orders I will adjourn Council until 2.30 p.m. tomorrow Thursday.

Adjourned accordingly at ten minutes past three o'clock.