

14th May, 1931.

PRESENT:

HIS EXCELLENCY THE GOVERNOR (SIR WILLIAM PEEL, K.C.M.G., K.B.E.).

THE HON. THE OFFICER COMMANDING THE TROOPS (COLONEL C. R. SAVILE, D.S.O., O.B.E.).

THE COLONIAL SECRETARY (HON. MR. W. T. SOUTHORN, C.M.G.).

THE ATTORNEY GENERAL (HON. MR. C. G. ALABASTER, K.C., O.B.E.).

THE SECRETARY FOR CHINESE AFFAIRS (HON. MR. E. R. HALLIFAX, C.M.G., C.B.E.).

THE COLONIAL TREASURER (HON. MR. E. TAYLOR).

HON. MR. H. T. CREASY, C.B.E., (Director of Public Works).

HON. MR. E. D. C. WOLFE, C.M.G. (Inspector General of Police).

HON. DR. W. B. A. MOORE (Director of Medical and Sanitary Services).

HON. SIR SHOU-SON CHOW, K.T.

HON. MR. W. E. L. SHENTON.

HON. MR. C. G. S. MACKIE.

HON. MR. S. W. TS'O, O.B.E., LL.D.

HON. MR. J. P. BRAGA.

HON. MR. J. J. PATERSON.

MR. N. L. SMITH (Deputy Clerk of Councils).

ABSENT:

HON. MR. R. H. KOTEWALL, C.M.G., LL.D.

HON. COMMANDER G. F. HOLE, R.N. (Retired) (Harbour Master).

MINUTES.

The minutes of the previous meeting of the Council were confirmed.

NEW MEMBER.

THE HON. THE OFFICER COMMANDING THE TROOPS (Colonel C. R. Savile, D.S.O., O.B.E.) took the oath of allegiance and his seat as a Member of the Council.

PAPERS.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table the following papers:—

Rescission of the Order declaring Bangkok an infected place.

Regulations under section 3 (1) (b) of the Tobacco Ordinance, 1916, on 4th May, 1931.

Resolution under section 31 (1) of the Rating Ordinance, 1901, on 7th May, 1931.

Recreation Grounds Committee.

Notification under section 31 (1) of the Rating Ordinance, 1901, on 7th May, 1931.

List of persons authorized to sign death certificates.

Report of the Postmaster General for the year 1930.

Report of the Secretary for Chinese Affairs for the year 1930.

FINANCE COMMITTEE'S REPORT.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table the report of the Finance Committee, No. 6 of May 7th, 1931, and moved that it be adopted.

THE COLONIAL TREASURER seconded and this was agreed to.

KAI TAK AERODROME.

THE COLONIAL SECRETARY.—I beg to move, Sir, "That this Council approves of the expenditure in the year 1928 from the surplus balances of the Colony of the sum of \$692,783.00 in respect of the construction of the Kai Tak Aerodrome, such sum being recoverable from the first instalment of the contribution made by the Imperial Government."

On 23rd September, 1929, this Council approved, as will be within the recollection of honourable members, the construction of the Kai Tak Aerodrome at an estimated cost of \$1,689,467 exclusive of contributions from His Majesty's Government; and at the same time authorized the sum of \$1,080,288.74 of that amount to be charged to the Public Works (1927) Loan and to be expended from loan funds

during the financial year 1928. Simultaneously an advance from the surplus balances of the Colony of the sum of \$78,114.17 was authorized in respect of the financial year 1928.

The Imperial grant of £70,000, realising \$692,783, was spent in the year 1928 but was not actually brought to account until January 1929, and the resolution which I now propose is therefore necessary in order to legalize the expenditure of the equivalent of that contribution which, so far as the year 1928 is concerned, is in excess of the sum authorized by the September 1929 resolution.

THE COLONIAL TREASURER seconded and the resolution was agreed to.

BIRTHS AND DEATHS REGISTRATION AMENDMENT ORDINANCE, 1931.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the law relating to the registration of Births and Deaths." He said:—As explained in the memorandum of "Objects and Reasons" the object of this Bill is three-fold. The first is to transfer from the Sanitary to the Medical Department the duty of registering births and deaths; secondly, to enable provision to be made for giving early information to the American Consul of the deaths of United States citizens; and, thirdly, to provide for a uniform fee of \$5 to be paid in the case of the late registration of births.

THE COLONIAL SECRETARY seconded and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:

1. The Registrar General (whose title was changed to Secretary for Chinese Affairs by Ordinance No. 21 of 1913) was Registrar of Births and Deaths under the Births and Deaths Registration Ordinance, 1896, (No. 7 of 1896) until 1909 when by the Public Service Transfer of Duties Ordinance (No. 15 of 1909) the Head of the Sanitary Department was substituted. It is now considered, as a part of the scheme for re-organization of the Medical and Sanitary Services of the Colony, that the Director of those Services should be the Registrar of Births and Deaths. Sections 2 and 5 of this Ordinance accordingly make the necessary changes in the principal Ordinance and Regulations. As the Medical and the Sanitary Departments are in the same Building the transfer of office and staff from one department to another involves no changes in the routine of registration.

2. Sections 3 and 6 implement section 14 (2) of the Probates Ordinance, 1897, (No. 2 of 1897 as amended by No. 21 of 1930) in

order to give effect to an arrangement between His Majesty's Government and the United States Government, relating to the manner in which the provisions of Article 3 of the Real and Personal Property Convention of Washington of the 2nd March, 1899, which has been applied to this Colony, may be carried out. Under that arrangement provision is made for notification to the nearest American Consul whenever a citizen of the United States dies in the Colony. Under section 14 of the Probates Ordinance, the notification is made by the Official Administrator. The amendments made in the principal Ordinance by this Ordinance make provision for informing the Official Administrator. Informants for purposes of Registration of Deaths are therefore required to state, in addition to the usual particulars, the nationality of the deceased, if known; and where the information is of the death of a citizen of the United States, the Registrar is required to pass such information on to the Official Administrator and through him to the Consul.

3. Section 4 of this Ordinance amends section 10 (2) of the principal Ordinance. Under that sub-section, which was introduced into the principal Ordinance by Ordinance No. 26 of 1923, the late registration fee, after twelve months, is at the rate of five dollars for every year or part of a year that has elapsed since birth. It is considered that the progressive fee defeats its object as it deters persons from registering who might otherwise do so particularly in the New Territories where the absence of district registries has been conducive to late registration.

BANKRUPTCY ORDINANCE, 1931.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the law relating to Bankruptcy." He said:—When this Bill goes into Committee it will be necessary for me to move an amendment in the Short Title, changing the date from 1930 to 1931.

THE COLONIAL SECRETARY seconded and the Bill was read a second time. Council went into Committee to consider the Bill clause by clause.

THE ATTORNEY GENERAL.—I move that the date 1930 in the Short Title be changed to 1931.

THE COLONIAL SECRETARY seconded and the amendment was approved.

H.E. THE GOVERNOR (on consideration of Clause 88).—There is a printer's error in the marginal note. "Trutee" should read "Trustee."

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee with only immaterial amendment and he moved the third reading.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

MERCHANT SHIPPING AMENDMENT (NO. 2)

ORDINANCE, 1931.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend further the Merchant Shipping Ordinance, 1899."

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

Council went into Committee to consider the Bill clause by clause.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment and moved the third reading.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

VACCINATION AMENDMENT ORDINANCE, 1931.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the Vaccination Ordinance, 1928."

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

Council went into Committee to consider the Bill clause by clause.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment and moved the third reading.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

LEGAL PRACTITIONERS' AMENDMENT ORDINANCE, 1931.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the Legal Practitioners' Ordinance, 1871".

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

Council went into Committee to consider the Bill clause by clause.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment and he moved the third reading.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

ADJOURNMENT.

H.E. THE GOVERNOR.—The Council stands adjourned *sine die*.
