

Hong Kong Legislative Council.

1st May, 1946.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR (SIR MARK AITCHISON YOUNG, G.C.M.G.).

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS
(Major-General F. W. FESTING, C.B.E., D.S.O.).

The, COLONIAL SECRETARY (Hon. Mr. D. M. MACDOUGALL, C.M.G. Acting).

The ATTORNEY GENERAL (Hon. Mr. G. E. STRICKLAND, Acting).

The SECRETARY FOR CHINESE AFFAIRS (Hon. Mr. R. R. TODD, Acting).

The FINANCIAL SECRETARY (Hon. Mr. C. G. S. FOLLOWS, C.M.G., Acting).

Hon Mr. C. H. SANSOM, C.M.G., C.B.E., (Acting Commissioner of Police).

Hon. Mr. T. M. HAZLERIGG, O.B.E., M.C.

Hon. Mr. CHAU TSUN-NIN, C.B.E.

Hon. Mr. LO MAN-KAM, C.B.E.

Hon. Mr. LEO D'ALMADA E CASTRO.

Hon. Mr. R. D. GILLESPIE.

Hon. Mr. D. F. LANDALE.

Hon. Dr. CHAU SIK-NIN.

Mr. C. B. BURGESS (Acting Clerk of Councils).

OATHS.

H.E. the General Officer Commanding the Troops (Major-General F. W. Festing, C.B.E., D.S.O.),
the Colonial Secretary (Hon.

Mr. D. M. MacDougall, C.M.G., Acting), the Attorney General (Hon. Mr. G. E. Strickland, Acting), the Secretary for Chinese Affairs (Hon. Mr. R. R. Todd, Acting), the Financial Secretary (Hon. Mr. C. G. S. Follows, C.M.G., Acting), the Hon. Mr. C. H. Sansom, C.M.G., C.B.E. (Acting Commissioner of Police), the Hon. Mr. T. M. Hazlerigg, O.B.E., M.C., the Hon. Mr. Chau Tsun-nin, C.B.E., the Hon. Mr. Lo Man-kam, C.B.E., the Hon. Mr. Leo d'Almada e Castro, the Hon. Mr. R. D. Gillespie, the Hon. Mr. D. F. Landale and the Hon. Dr. Chau Sik-nin took the Oath of Allegiance or made Affirmations and assumed their seats as Members of the Council. Mr. C. B. Burgess took the Oath of Allegiance as Acting Clerk of Councils.

WELCOME.

H.E. THE GOVERNOR. —Before we proceed with the business in front of us, I wish to welcome you very cordially to this Council and to congratulate you on the occasion of your taking your seats. Whatever changes may be in store, this Council, which though not yet complete in numbers, is to-day able to resume its sitting after so long an interval, is, I am convinced, destined to play in the future as it has in the past, an honourable and valuable part in the life of the Colony and in the promotion of its welfare. I know I can look to you Honourable members to join with me in upholding its tradition. I now ask the Honourable Attorney General to move the first motion standing in his name.

INDEMNITY AND VALIDATING BILL, 1946.

The ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to restrict the taking of legal proceedings in respect of certain acts done and payments made during the war period and to validate certain proclamations, rules, regulations, orders and other legislative acts issued, made and passed, and sentences, judgments and orders of certain courts and officers given and made during the war period." He said:

It is usual after a war to have an ordinance of indemnity to cover matters bona fide done in the emergency. The same is true after a period of martial law.

This bill restricts the taking of legal proceedings in respect cember 8, 1941, and terminating on such day as the Governor may declare. He proposes to declare the closing day as early as possible, but wishes to observe the conditions under which civil government is resumed.

This bill restricts the taking of legal proceedings in respect of certain matters taken during the war period and validates the legislative acts of the British Military Administration, which has just terminated, and the sentences, judgments and orders of its courts and tribunals.

It also makes provision for the continuance with government of contracts entered into with the British Military Administration.

The matters in respect of which legal proceedings are restricted fall into four main classes: —

1. —Acts done in good faith in execution of duty by a class of persons which I might term generally public servants and persons discharging public duties.

2. —Acts done in good faith by the same class of persons; for certain legitimate purposes, which one might generally describe as in the public interest.

3. —Acts done in good faith by authorised civilian internees for the good order, welfare or discipline of civilian internees in internment camps,

4. —Payments made under the authority of the Secretary of State or the Crown Agents for the Colonies out of public funds.

This restriction is not to apply to certain proceedings of which perhaps the most important from the public aspect are proceedings for breach of contract, proceedings for compensation for property or services requisitioned and for war damage. It will also be possible to sue the Custodian.

Some of the provisions of the measure may appear wide. It should be observed, however, that the ordinance is based on a similar ordinance for Singapore, the draft of which was approved by the Secretary of State and is the fruit of long and wide experience. It should also be noted that the certificate of the Attorney General can be obtained to commence proceedings in respect of matters alleged not to have been done in good faith.

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 object of the measure is to restrict the taking of legal proceedings in respect of the bona fide acts of the Military Administration and its employees and to validate the legislative measures taken by the Administration and the judgments, sentences and orders of its Courts and tribunals.

2. —The Ordinance follows closely a similar Ordinance enacted in the Colony of Singapore. This Ordinance is set out in the

Schedule hereto. It is largely based on the Indemnity Act, 1920, passed in the United Kingdom after the first European War.

3. —The measure is necessary because the Military Administration though established by Cabinet authority and acting under authority of the Secretary of State was not the lawfully constituted Government of Hong Kong. If the measure were not passed the actions of the Administration could be challenged and its members and employees brought before the Courts to answer for acts done in the normal course of duty. The latter is remedied by clause 3 (1) (a) which also grants immunity for actions which were done for legitimate purposes although not necessarily in the course of duty.

4. —Clause 3 (1) (b) grants immunity for acts done for the good order welfare and discipline of civilian internees by camp committees, disciplinary tribunals or police forces. This is also required to avoid proceedings being taken against persons who discharged necessary and salutary functions during internment.

5. —The definition of Hong Kong money and fund has been adapted to local conditions and is linked with clause (1) (c) of the Bill which ratifies payments made out on funds of a public nature and prevents the prosecution of legal proceedings in respect of such payments. Full details are not available but the safeguard lies in the fact that the clause applies only to payment made by direction of, or under the authority of the Secretary of State for the Colonies or the Crown Agents for the Colonies.

6. —(1) The main object of Clause 4 which differs slightly in form but not in substance from the Singapore Ordinance is to validate judgments sentences and orders of the Military Courts and the Tenancy Tribunals and the Grants of Probate and of Letters of Administration made by the President of the Standing Military Court in pursuance of Order No. 5 made under Article 1 of Proclamation No. 4. Cases have however recently been decided by the Military Courts which require confirmation and others may be subjected to review.

(2) Paragraph 2 of the Clause accordingly provides for the exercise of these powers by a person to be designated by the Governor. It is proposed to make special provision by another Bill also before Legislative Council for appeals from tenancy tribunals.

(3) Paragraph 3 of the Clause validates punishment imposed by Military Courts and provides for execution of sentence.

7. —Clause 5 validates Proclamations of the Military Administration and its other acts of a legislative character. It is not proposed to retain all these measures. Some will be repealed

forthwith by another Ordinance and others will be retained until more normal provision can be made. Others will be incorporated more or less permanently into the law of the Colony.

8. —Slight amendments have been made to the Singapore Ordinance. In particular the words "or purporting to have been entered into by or on behalf of the said Administration" have been omitted as, being too wide. It is also deemed advisable to insert the words "unless a contrary intention appears" at the beginning of the clause.

9. —Clause 7 of the Bill saves certain proceedings from the operation of other clauses. It has been thought desirable to refer specifically to the Custodian of Property who, as distinct from the Custodian of Enemy Property, is a new institution in the Colony so as to inform the public that it is Government's intention to provide for proceedings against such Custodian.

LAW AMENDMENT (TRANSITIONAL PROVISIONS) BILL, 1946.

The ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to provide for the incorporation into the law of the Colony of provisions of certain Proclamations and matters done thereunder promulgated during the British Military Administration together with modifications of such provisions and to amend such Ordinances as are affected by such incorporation." He said:

Having validated by the ordinance just enacted the legislative acts of the British Military Administration, it becomes necessary to provide for the repeal of some of the measures of that Administration and the continuance with modifications of others. The reasons for retention are explained in some detail in the object and reasons to which members are referred and a list of the measures repealed has also been separately prepared and placed before members of Council. I may say here that the retention of some measures is a temporary measure until the Governor or the Governor-in-Council can decide on and take other action. It should, however, be recollected that the Military Administration has continued for eight months during which it has been necessary, not only to legislate in conformity with powers vested by law in the Governor-in-Council or the Governor, but to amend the law in order to provide for the unusual circumstances of the Japanese occupation and their disregard in some cases of the law of the Colony. Measures of this nature. will necessarily have to remain in force for some time and some will require permanent incorporation. The Bill contains a clause which enables the Governor-in-Council to vary the schedules and this may prove helpful to give effect to any change of policy and also to correct

any error that may have crept in to the measure that has had to be amended as late as yesterday to cover the matters in the last British Military Administration Gazette.

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. —All legislative acts of the Military Administration were validated by the Indemnity and Validating Ordinance, 1946, and it is accordingly necessary to decide which of them shall continue in force and which shall be repealed. The main object of this measure is to continue in force with the necessary modifications such of the legislative acts aforesaid as are still required and to repeal the remainder. Repeal is effected by clause 2.

2. — Clause 2 of the Bill also repeals notices given, appointments made and other acts done under the Proclamations which are repealed. This follows section 4 of the Transfer of Powers and Interpretation Ordinance, 1946, enacted in Singapore. It is considered, however, that requisitions effected under the Requisitioning Proclamation should be excepted. If they were not excepted, it would be necessary in the case of all continuing requisitions such as those of buildings and vehicles to requisition afresh. This would considerably hamper a smooth resumption of Civil Government and it is accordingly felt that the interim provision contained in paragraph 3 of clause 2 should be enacted even if more comprehensive provision to deal with such matters as compensation and disputes has to be made at a later date.

3. —It has been deemed necessary to keep in force quite a number of Proclamations of the Military Administration. This is effected by clause 3 of the Bill.

- (a) In some cases, as in the case of the Moratorium and Moratorium (Amendment) Proclamations, policy and the legislation and practical measures to give effect thereto have not been fully determined.
- (b) In other cases, as in the case of the Emergency Powers (Extension) Proclamation (which continues Defence Regulations and other enactments made under Emergency Powers, which would otherwise have expired) Motor Transport Proclamation and the Miscellaneous Commodities Control and Price Regulation Proclamation and other measures of a similar nature it was necessary to have something in force until the powers conferred upon

the Governor by the Emergency Laws (Transitional Powers) (Colonies, etc.) Order-in-Council 1946, and the Supplies and Services (Transitional Powers) (Colonies, etc.) Order-in Council, 1946, could be exercised. Power has accordingly been taken for repeal by the Governor of all or any of the provisions of the Motor Transport Proclamation and the Miscellaneous Commodities Control and Price Regulations.

- (c) In other cases again such as the Custodian Proclamation and the Custodian (Amendment) Proclamation, it will be some time before the Proclamations cease to be operative as claims to property have to be investigated and verified and the property of unknown ownership liquidated.
- (d) In the case of the Landlord and Tenant Proclamation and the Landlord and Tenant (Amendment) Proclamation, it is considered that rent restriction will have to continue some time. It would be possible to divest Tenancy Tribunals of their jurisdiction and vest jurisdiction in the ordinary Courts. Owing to the occupation and the Moratorium, however, the volume of Civil litigation is expected to be heavy. Moreover, in spite of the fact that the powers of Summary Military Courts were far greater than those of Civil Magistrates, the Military Courts have only just managed to keep abreast of criminal work and congestion and delay are anticipated. The continuance of Tenancy Tribunals for, say, two months will relieve the pressure on the Civil Courts and the position may then be reviewed. The maintenance of Tenancy Tribunals has necessitated a number of modifications to the Proclamation and to the Regulations providing for procedure. Appeal will now lie to the Supreme Court in its Summary Jurisdiction and thereafter the case will proceed in the normal manner. In practice there have been few appeals, but an appeal to the Court in its Summary Jurisdiction is the least expensive and most expeditious. This is provided for by the substitution of a new Article 6.
- (e) The Rating Proclamation has been retained partly because the rehabilitation of structures is only just commencing and partly because the Assessor has not yet returned. It is neither practical nor desirable to apply the Rating Ordinance without a re-valuation of all rateable tenements in the Colony.
- (f) The Venereal Diseases (Compulsory Treatment) Proclamation and the Prevention of Malaria Proclamation have been retained in the interests of public health and at the request in both cases of the Services and the Medical Department.

- (g) Proclamation No. 27 which provides for the Emergency Registration of China Companies was promulgated on the instructions of the Secretary of State. Such instructions provided for its ratification and continuance at all events until an Ordinance could be considered and enacted. A draft Ordinance has been despatched to the Secretary of State. It is accordingly considered advisable to maintain the Proclamation in force until further instructions are received.
- (h) The remaining Proclamations retained were all necessitated by circumstances arising out of the Japanese Occupation. Our Trading with the Enemy Ordinance was not in line with Legislation in the United Kingdom and even before 1941 amendments were found necessary. Further provision has had to be made during the course of the British Military Administration. In due course it may be advisable to repeal all existing provisions and re-enact a more modern Ordinance.
- (i) Estate Duty was not collected by the Japanese during the Occupation and the Estate Duty (Amendment) Proclamation was and is necessary to provide for its collection and to relieve against penalties applicable under the Ordinance.
- (j) The Stamp, (Occupation Transactions) Proclamation, 1946, was and is required because the Japanese imposed and collected stamp duty and because the forms used in the Japanese Registration Office necessitate fresh assignments now which it would be inequitable to charge with ad valorem stamp duty.
- (k) The Postage Stamps Management Proclamation was and is required to validate new colours for postage stamps. New colours were resorted to, to combat the fact that a large number of stamps disappeared from the Post Office during the Japanese Occupation and are believed to have been stolen.
- (l) Proclamation No. 9 has been retained to facilitate the proof of the making, promulgation and contents of Proclamations and other acts of the British Military Administration. This is in conformity with similar provision made by Ordinance. Compare the observations made in paragraph 6A of these objects and reasons.

4. —The retention of certain Proclamations requires as a logical consequence the retention of the Orders, Regulations and Rules made thereunder which have been found to be necessary. This

is effected by clause 4. Here again certain modifications are necessary. In particular in connection with Tenancy Tribunals. It has been found in practice that changes in Tenancy Tribunals have frequently to be made at the eleventh hour. As the work is purely voluntary, it has been considered expedient to accept any reasonable excuse for substituting one member of the panel for another. It is hoped that a good deal of the resulting inconvenience will be obviated by the repeal of Regulations 2, 3 and 4 and the substitution of a new Regulation 2. The above also explains the substitution of a new Article 5 to the Proclamation itself providing for enforcement of the orders of a Tenancy Tribunal in like manner as an order of the Supreme Court. This avoids the necessity of re-convening a Tribunal and entrusts enforcement and execution to the Supreme Court which has the necessary staff.

5. —Two of the Proclamations repealed, namely Proclamation No. 4 Delegation of Powers (Amendment) and Proclamation No. 16 Military Administration (Delegation), conferred powers of legislation on the Chief Civil Affairs Officer. These powers were used in some cases to amend by Order the ordinary law of the Colony and in other cases to make fresh Regulations under Ordinances or to vary regulations so made. It is thought that the circumstances which made such Orders and Regulations necessary or expedient still continue. This is effected by clause 5 of the measure. Moreover, as by clause 8 of the measure the provisions of the schedule can be modified by the Governor-in-Council, it will be possible to exclude from the schedule at a later date any Order or Regulation which policy demands should no longer be retained. Order No. 8 which amended the Jury Ordinance was promulgated almost exclusively with a view to preparing the way for the restoration of the ordinary courts and magistrates. There was no valid jury list and it would have been idle to adopt the previous list in view of the number of persons who had left the Colony or who had died in the interim. The Order enables the list to be constantly amended and 1232 names have already been placed on the list.

6. —Clause 6 of the measure incorporates certain amendments into the law of the Colony.

- A. The amendment to the Evidence Ordinance is required to complete the provision made by Proclamation No. 9 as amended by this Ordinance and places the Hong Kong (British Military Administration) Gazette from the evidentiary aspect in substantially the same Position as the Government Gazetted.
- B. The amendment to the Fraudulent Transfer of Businesses Ordinance, 1923, is required because notices under the Ordinance were given during the Military Administration

and as the Civil Courts were not open the persons affected by the notice had no means of protecting their interests. They will now have a month after the re-establishment of the Supreme Court in its Civil Jurisdiction.

- C. It will have been noted that neither the Currency Proclamation nor the Currency (Amendment) Proclamation has been retained. This restores the position whereby the notes of the note-issuing banks were legal tender. Power to issue under the Note-issuing Banks Extension of Powers Ordinance, 1939, terminated on 12th July, 1942, and it is accordingly necessary to validate the issue of all notes issued since that day or any subsequent date authorised by or under the above-mentioned Ordinance. The 12th July, 1946, has been selected as the 12th July, 1940, was the day under the Ordinance and a resolution of Legislative Council was required to extend the note-issuing power after such date for any period not exceeding twelve months at any one time. It was in fact extended to the 12th July, 1942.
7. —A. Under the Indemnity and Validating Ordinance, 1946, a person to be designated by the Governor is entitled to exercise the powers of an appellate authority as defined by that Ordinance. The definition includes a confirming or reviewing authority under the Military Courts Proclamation and it is accordingly necessary in repealing such Proclamation to preserve with suitable modifications the powers conferred on a confirming or reviewing authority by such Proclamation. This is effected by paragraphs (1) and (2) of Clause 7, under sub-paragraph (a) of paragraph (2) of which the appellate authority is prohibited from ordering a new trial, a Power never in fact exercised during the Military Administration.
- B. Under Order No. 1 made under Article 1 of Proclamation No. 4 certain officers of the British Military Administration were empowered to exercise powers vested under the law of the Colony in Government Officials or authorities, such powers include licensing and a number of other matters required to give practical effect to the law of the Colony. It is necessary to give continuing effect to the licences granted and other matters done in exercise of such powers until the properly constituted officials and authorities can take appropriate action which in many cases will not be required for some time. Paragraph (3) of clause 7 has accordingly been inserted.
- C. Under Order No. 5 made under Article 1 of Proclamation No. 4 the Probate Ordinance was amended so as to enable

grants of probate and letters of administration to be made by the President of the Standing Military Court. Fourteen (14) such grants have been made and 117 petitions are pending. In many pending petitions steps have been taken and fees have been paid. In some cases deponents who would be necessary unless previous depositions are validated have left the Colony and it is considered most expedient to permit the proceedings to continue rather than to require them to be commenced afresh. This is effected by paragraph (4) of Clause 7.

8.—While every attempt has been made in the limited time available to check what enactments of the British Military Administration should lapse and which should continue, it is possible that some matters have been overlooked or that policy may require variation. This is provided for by clause 8 of the Bill. A similar provision was made by Section 16 of The Transfer of Powers and Interpretation Ordinance, 1946, of the Colony of Singapore save that in the section under reference power was given to the Governor. See, however, section 10 of the Ordinance under reference.

**ADMINISTRATION OF JUSTICE (TRANSITIONAL PROVISIONS)
BILL, 1946.**

The ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to provide for the trial of offences committed during the British Military Administration." He said:

A number of cases were pending before the Standing Military Courts. Of these some were still before a Summary Court and some had been committed to a General Court. Of the latter, committal proceedings had been taken in some cases, i.e. evidence was recorded by the Summary Military Court, but in others, in accordance with a provision in the Military Courts Proclamation, no evidence was recorded.

In the main two alternative courses were open. We could, as in Singapore, have provided for the Standing Military Court to continue after Civil Government for the purpose of completing all pending cases. The essence of Civil Government is trial by the ordinary Courts and it was accordingly decided to take the other alternative of having the pending cases tried or continued by the ordinary Criminal Courts and by magistrates, even at the risk of a certain amount of delay.

I use the expression "continued" because in cases where there has been a committal to a General Military Court and evidence was recorded by the Summary Military Court, the Bill provides for trial by the Supreme Court on indictment preferred by the Attorney

General without resorting to a fresh magisterial inquiry. This will greatly lessen the delay in these cases, of which there have been six, some taking quite a number of days in the Summary Military Court.

Other cases will be commenced afresh before a Magistrate. Military Courts were warned of the intention and apart from the taking of the preliminary inquiry, there are, so far as I am aware, no part heard cases. There are, of course, a number of cases in which accused have been charged and remanded.

Provision is also made by the bill for the trial of offences, by the Supreme Court or a Magistrate respectively, committed against measures repealed by the ordinance just enacted. Otherwise there would be no competent Court, As to measures continued, the validation and continuance by Ordinance will be sufficient to vest jurisdiction.

Objects and Reasons.

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

1. —The object of this measure is to make provision for the speedy trial of cases pending before the British Military Courts.

2. —Clause 3 of the Bill provides for the punishment by the Supreme Court or a Magistrate of offences against enactments of the British Military Administration which are not being continued. It is right that offenders should not escape punishment merely because their offences were not brought to light during the course of the Military Administration.

3. —Clauses 4, 5 and 6 of the Bill have this feature in common: they only apply to cases which were pending in Military Courts and which are uncompleted.

4. —Clause 4 provides that cases pending before a Summary Military Court shall be brought before and dealt With by a Magistrate under the Magistrates Ordinance, 1932.

5. —Clause 5 deals with cases that were committed to trial to a General Military Court without evidence being recorded by a Summary Military Court. There are seven such cases. The procedure of trial by a Superior Court without a preliminary inquiry by a Magistrate though not altogether unknown, is rare during Civil Government and would lead to difficulty in deciding what charges could properly be laid in the indictment and what evidence led. It is accordingly deemed wiser to remit these cases to a Magistrate and appropriate provision is made by this Clause.

6. —In six cases accused have been committed for trial after the recording of evidence by the Summary Military Court. In two cases the recording of evidence occupied several days before the Summary Military Court. The accused, who are on charges of High Treason, have been in custody for several months and it is obviously desirable that the trial should be expedited. It is moreover desirable to relieve Magistrates from the pressure of criminal work which is expected to be very heavy. Provision has accordingly been made for the trial of these cases by the Supreme Court without a fresh inquiry by a Magistrate.

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

H.E. THE GOVERNOR. —I declare that in my opinion an emergency exists and it is desirable that the standing orders be suspended in order to enable these bills to be passed.

The ATTORNEY GENERAL. —I rise to move the suspension of so much of the Standing Orders as stand in the way of the taking of these three Bills, through all their stages to-day.

The COLONIAL SECRETARY seconded the motion, and this was agreed to.

THE INDEMNITY AND VALIDATING BILL, 1946.

The ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to restrict the taking of legal proceedings in respect of certain acts done and payments made during the war period and to validate certain proclamations, rules, regulations, orders and other legislative acts issued, made and passed, and sentences, judgments and orders of certain courts and officers given and made during the war period."

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

LAW AMENDMENT (TRANSITIONAL PROVISIONS) BILL, 1946.

The ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to provide for the incorporation into the law of the Colony of provisions of certain Proclamations and matters done thereunder promulgated during the British Military Administration together with modifications of such provisions and to amend such Ordinances as are affected by such incorporation."

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

THE ADMINISTRATION OF JUSTICE (TRANSITIONAL PROVISIONS) BILL, 1946.

The ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to provide for the trial of offences committed during the British Military Administration."

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

On the motion of the Attorney General, seconded by the Colonial Secretary, Council then went into Committee to consider the following Bills clause by clause: —

INDEMNITY AND VALIDATING BILL, 1946.

LAW AMENDMENT (TRANSITIONAL PROVISIONS) BIL, 1946.

ADMINISTRATION OF JUSTICE (TRANSITIONAL PROVISIONTS) BILL, 1946.

INDEMNITY AND VALIDATING BILL, 1946.

Clause 3.

The FINANCIAL SECRETARY. —I should like to move that Sub-Section (c) of Sub-Section (1) be amended by the addition of the words "or out of any exchange or coin security fund," after the words "any Hongkong money or fund." The reason for this is that we were promised in a telegram from London details of any funds which were operated under the directions of the Secretary of State during the occupation period. The telegram did not arrive and we had to draft the Ordinance as best as we could. The telegram has now just arrived and this small amendment is required.

The amendment was agreed to.

Council then resumed.

The ATTORNEY GENERAL. —I have to report that the three Bills have passed through Committee with an immaterial amendment in the case of the Indemnity and Validating Bill, 1946. I now move that a Bill entitled the Indemnity and Validating Ordinance, 1946, be read for the third time and passed into law.

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

The ATTORNEY GENERAL. —I rise to move that a Bill entitled the Law Amendment (Transitional Provisions) Ordinance, 1946, be read for the third time and passed into law.

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

The ATTORNEY GENERAL. —I rise to move that a Bill entitled the Administration of Justice (Transitional Provisions) Ordinance, 1946, be read for the third time and passed into law.

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

ADJOURNMENT.

H.E. THE GOVERNOR. —That accordingly concludes our business for to-day. Council now stands adjourned sine die.
