

*28th January, 1948.*

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**PRESENT: —**

HIS EXCELLENCY THE GOVERNOR (SIR ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, K. C. M. G.)

THE COLONIAL SECRETARY (HON. D. M. MACDOUGALL, C.M.G.)

THE ATTORNEY GENERAL (HON. J. B. GRIFFIN, K.C.)

THE SECRETARY FOR CHINESE AFFAIRS (HON. B. B. TODD).

THE FINANCIAL SECRETARY (HON. C. G. S. FOLLOWS, C. M. G., *Acting*).

HON. V. KENNIFF (Director of Public Works).

DR. HON. I. NEWTON (Director of Medical Services).

DR. HON. J. P. FEHILY, O.B.E. (Chairman, Urban Council).

HON. D. F. LANDALE.

HON. CHAU TSUN-NIN, C.B.E.

HON. LO MAN-KAM, C. B. E.

DR. HON. CHAU SIK-NIN.

HON. LEO D'ALMADA, K. C.

HON. M. M. WATSON.

MR. ALASTAIR TODD (Deputy Clerk of Councils)

**ABSENT: —**

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR-GENERAL G. W. E. J. ERSKINE, C. B., D. S. O.)

HON. R. D. GILLESPIE.

### MINUTES.

The Minutes of the meeting of the Council held on 14th January, 1948, were confirmed.

### MOTIONS.

THE ATTORNEY GENERAL moved that the Report of the Select Committee to which was referred a Bill intituled "An Ordinance to provide for the regulation and licensing of the business of banking", be adopted.

He said: Sir, the Report of the Select Committee was presented to this Council at its last meeting. In the interval the Report and a redraft of the Bill which accompanied the Report have been printed and published in the Gazette. Sir, the Report is a brief one, and it is necessary only that I should mention that in particular the Report recommended an amendment to the definition of "banking business" occurring in the Bill, and also recommended that Chinese Native Banks be relieved from the necessity of forming themselves into companies under the Companies Ordinance in order to qualify to receive a licence under the contemplated legislation to enable them to continue or to commence business of banking. As indicated in the Report, Sir, the committee considered such criticisms and proposals as were made in regard to the Bill. One or two further proposals however were received as lately as yesterday and therefore of course much after the Report of the committee had been tabled. Such proposals were that the Bill should persist in the requirement that balance sheets should be audited and the other that all banks should be required to have and to show a minimum capital before continuing any business. The former proposal was considered by the Select Committee in fact because it was contained in the Bill under consideration by such Committee. The second proposal is new and I would not urge or suggest that this Council would postpone the adoption of the Report because of such proposal because the proposal is one needing considerable consideration, and secondly because it seems—at least to me—that it is preferable that the legislation as contemplated by the Report, if enacted, should be given a trial to gain experience before any further additional provision is made to such legislation.

THE COLONIAL SECRETARY seconded, and the motion was carried.

THE FINANCIAL SECRETARY moved that the Supplementary Provision for the third quarter ended 31st December, 1947, Schedule No. 3 of 1947/48, be approved.

He said: The Special Warrants set out in this Schedule have all been approved by Finance Committee. It contains no very large items and it does not appear to call for any more detailed explanation

than is already set out in the remarks column. I should like, however, to point out that, besides the specific savings quoted against certain items, there are savings under other Heads which tend to set off this supplementary expenditure. Some items are also balanced by revenue receipts and, so far as can be judged from information available locally, it still seems probable that there will be no appreciable excess over the total expenditure figure contained in the 1947/48 Estimates beyond that caused by the salary adjustments following the recently approved general salary revision.

THE COLONIAL SECRETARY seconded, and the motion was carried.

THE ATTORNEY GENERAL moved: —

That the Roast (or Cooked) Meat Shops By-laws made by the Urban Council under section 5 of the Public Health (Food) Ordinance, 1935, Ordinance No. 13 of 1935, on 6th January, 1948, be approved.

He said: Sir, the purpose of this amendment to the By-laws of the Urban Council is to provide what is now lacking, and that is a measure of control by licensing over roast or cooked meat shops. Experience has shown the necessity for such control in particular because such concerns are on occasion in the practice of using meat which has not been subject to inspection.

THE COLONIAL SECRETARY seconded, and the motion was carried.

#### **AIRFIELD (KAI TAK) EXTENSION AND REVERSION BILL, 1947.**

THE ATTORNEY GENERAL. —I ask permission of Council not to proceed with the introduction and the First reading of the Bill of which the title is given under Head 4 of the Order of Business. I so ask, Sir, because as recently as yesterday further proposals or criticisms of this Bill have been received by Government to which further consideration must I feel be given.

Permission was granted.

#### **BANKING BILL, 1948.**

THE ATTORNEY GENERAL. —I rise to move, in accordance with Order 27 (14) of the Standing Orders of this Council that the Bill intituled "An Ordinance to provide for the regulation and licensing of the business of banking" as published in the Gazette of 23rd January, 1948, be substituted for the Bill as read a Second time.

THE COLONIAL SECRETARY seconded, and the motion was carried.

On the motion of the ATTORNEY GENERAL, seconded by the COLONIAL SECRETARY, Council then went into Committee to consider the Bill clause by clause.

Council then resumed.

THE ATTORNEY GENERAL reported that the Banking Bill, 1948, 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 into law.

### **HONG KONG WAR MEMORIAL FUND AMENDMENT BILL, 1948.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled “An Ordinance to amend the Hong Kong War Memorial Fund Ordinance, 1947.”

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

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

Council then resumed.

THE ATTORNEY GENERAL reported that the Hong Kong War Memorial Fund Amendment Bill, 1948, 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 into law.

### **WIDOWS' AND ORPHANS' PENSION (AMENDMENT) BILL, 1948.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled “An Ordinance to amend the Widows' and Orphans' Pension Ordinance, 1908.”

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

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

Council then resumed.

THE ATTORNEY GENERAL reported that the Widows' and Orphans' Pension Amendment Bill, 1948, 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 into law.

**ADJOURNMENT.**

H.E. THE GOVERNOR. — That concludes the business, Gentlemen. When is it your pleasure that we should meet again?

THE ATTORNEY GENERAL. — In a fortnight's time, Sir?

H.E. THE GOVERNOR. — This day fortnight is a public holiday. Council will meet again on Thursday, 12th February, at 2.30 p.m.