

22nd September, 1948.

PRESENT: —

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT (DAVID MERCER MACDOUGALL, C. M. G.)

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR-GENERAL F. R. G. MATTHEWS, D. S. O.)

THE COLONIAL SECRETARY (HON. K. M. A. BARNETT, *Acting*).

THE ATTORNEY GENERAL (HON. G. E. STRICKLAND, *Acting*).

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

THE FINANCIAL SECRETARY (HON. A. G. CLARKE, *Acting*).

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

DR. HON. G. H. THOMAS, O. B. E. (Acting Director of Medical Services).

HON. E. HIMSWORTH (Acting Superintendent of Imports and Exports).

HON. D. F. LANDALE.

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

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

HON. LEO D'ALMADA, K.C.

HON. N. O. C. MARSH.

HON. P. S. CASSIDY.

MR. ALASTAIR TODD (Deputy Clerk of Councils).

ABSENT: —

DR. HON. CHAU SIK-NIN.

MINUTES.

The Minutes of the meeting of the Council held on 8th September, 1948, were confirmed.

OATHS.

The Hon. K. M. A. Barnett took the Oath of Allegiance and assumed his seat as a Member of the Council.

PAPERS.

THE ACTING COLONIAL SECRETARY, by command of His Excellency the Officer Administering the Government, laid upon the table the following paper: —

Sessional Papers, 1948: —

No. 5—Report on Hong Kong's Participation in the British Industries Fair, 1948.

He said: — Sir, Honourable Members will recall that Hong Kong participated in this year's Fair to the extent of a small stall occupying 400 square feet and on it was exhibited a fair representation of local manufactures. I think, Sir, that there is general agreement that this Exhibition was well worth while and that it has successfully achieved its object of bringing Hong Kong before the eye of buyers at home and overseas. The experience gained at this year's Fair will, we hope, be of value in enabling future exhibitions to be still more successful than this year's. In this connection, I would like to draw the attention of Honourable Members to the recommendations for the future contained in paragraphs 15 to 20 of the Report. Government has already taken steps to implement these recommendations and 700 square feet of floor space have been booked for the 1949 Fair, an increase of three-quarters over the space occupied this year. As Honourable Members will note from the Appendix of the Report, the Balance Sheet is not yet ready, but it will be laid before this Council at the earliest possible date.

QUESTIONS.

THE HON. P. S. CASSIDY asked the following questions: —

1. As the present Traffic Regulations were drawn up in 1935 and 1937 is it the intention of Government to revise the regulations so that they accord with the requirements of the greatly increased volume of traffic?

2. Is Government in a position to publish the full scheme for the regulation of traffic in the Central District?

3. Have schemes been drawn up for parking cars in the Central District so as to differentiate between owner-driven cars, chauffeur driven cars and trade vehicles?

4. Will Government make use of the services of the Hongkong Automobile Association in regard to the control of certain car parks?

THE ACTING COLONIAL SECRETARY replied as follows: —

1. A comprehensive revision of the Traffic Regulations is being undertaken.
2. A general outline of the proposals was published last April and some of these proposals have since been given a trial with satisfactory results. A public announcement will be made shortly giving details of the complete scheme.
3. It is proposed that there shall be separate parking places for use by private motor vehicles, owner-driven vehicles and taxi-cabs respectively. Trade vehicles will continue to be allowed to load and unload in the centre of the town but parking will be restricted to areas outside the central district.
4. In view of the congestion in parking spaces it is considered necessary that the control of parking areas should remain wholly with the traffic authorities. In handling the city's traffic problems, they will however welcome the co-operation of the Hong Kong Automobile Association in whatever manner may seem suited to the public interest.

MOTIONS.

THE ACTING ATTORNEY GENERAL moved the following resolution: —

Resolved pursuant to section 3 of the Public Officers (Changes of Style) Ordinance, 1937, that the following addition be made to the Schedule to the Public Officers (Changes of Style) Ordinance, 1937: —

OLD STYLE OF OFFICER, OFFICE OR DEPARTMENT.	NEW STYLE OF OFFICER, OFFICE OR DEPARTMENT.
Statistical Officer. Statistical Office.	Government Statistician. Department of Statistics.

He said: —Sir, the resolution is required in order to bring the title of the Officer and Department responsible for Statistics in line with the title and the name of the Department concerned.

THE ACTING COLONIAL SECRETARY seconded, and the motion was carried.

BANKING (AMENDMENT) BILL, 1948.

THE ACTING ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Banking Ordinance, 1948." He said: This is a short amending Ordinance and I have

nothing to add to the Objects and Reasons except to explain that under the Ordinance, as it stands at present, Banks are required to exhibit their Balance Sheets, but are not required to provide copies thereof, and as mentioned in paragraph 3 of the Objects and Reasons, it is provided now that the Financial Secretary should be supplied with a copy.

THE ACTING 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: —

Section 4(2) of the Banking Ordinance, 1948, the principal Ordinance, empowers the Governor in Council to determine, in the event of doubt, whether or not a Company (as defined by section 2 of the principal Ordinance) is or is not carrying on banking business, such determination to be final and conclusive. That provision does not, however, empower the Governor in Council to reach a similar determination in the case of doubt as to whether or not banking business is being carried on by a person not a Company. Furthermore, the existing provision does not make it clear that a decision may be given by the Governor in Council from time to time so that a decision to the effect that a Company is not carrying on banking business may not be altered if a Company after decision given does in fact carry on banking business.

2. The object of this Bill is therefore to amend the principal Ordinance to provide that in the event of doubt as to whether or not a person (as defined in section 2 of the Ordinance) is from time to time carrying on banking business, the matter may be determined by decision of the Governor in Council. This provision is contained in clause 4.

3. The opportunity afforded by the foregoing amendment has been taken to include a provision, supplementary to the exhibition of the last balance sheet, that the Financial Secretary should be supplied with a copy. This provision is contained in clause 3.

RAILWAYS (AMENDMENT) BILL, 1948.

THE ACTING ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Railways Ordinance, 1909."

THE ACTING 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 ACTING ATTORNEY GENERAL reported that the Railways (Amendment) Bill, 1948 had passed through Committee without amendment and moved the Third reading.

THE ACTING COLONIAL SECRETARY seconded, and the Bill was read a Third time and passed into law.

**BRITISH CIGARETTE COMPANY LIMITED
(CAPITAL CONVOSSION) BILL, 1948.**

HON. D. F. LANDALE moved the First reading of a Bill intituled "An Ordinance to authorise the British Cigarette Company Limited to convert the currency of its capital." He said: Sir, I have nothing to add to the Objects and Reasons which appear at the foot of the Bill.

HON. CHAU TSUN-NIN 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 British Cigarette Company Limited was incorporated in 1903 under Companies Ordinance No. 1 of 1865 with its registered office situate in Shanghai but was subsequently transferred to Hongkong in 1936 and was so registered in December, 1941. The main business of the Company is concerned with the manufacture of tobacco and cigarettes.

2. The capital of the Company is expressed in Mexican Dollars and the Company desires to be given the necessary authority to convert the currency of its capital in the same manner as is afforded by the Registration of China Companies Regulations 1947 to former "China Companies" which have obtained registration in accordance with Proclamation No. 27 (Emergency Registration of China Companies). The issued capital of the Company consists solely of ordinary shares.

3. To effect such conversion necessitates the enactment of legislation as in this Bill which follows the precedent of the appropriate provisions of the Registration of China Companies Regulations 1947.

4. Clauses 1 and 2 comprise the short title and interpretation clauses.

5. Clause 3 of the Bill contains provision for the conversion of the capital of the Company similar to those contained in regulations 9 and 10 of the Registration of China Companies Regulations 1947.

6. Clause 4 provides for the issue of a fresh certificate of incorporation showing the capital of the Company after such conversion.

7. Clause 5 of the Bill contains provision saving the rights of the Crown as required, in case of private Bills, by Article XXVII of the Royal Instructions.

ADJOURNMENT.

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT: — That concludes the Agenda, Gentlemen. When shall we meet again Fourteen days agreeable?

This was agreed to.

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT: — Council stands adjourned till two weeks from to-day.