

*25th May, 1949.*

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**PRESENT:—**

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

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

THE COLONIAL SECRETARY (HON. J. F. NICOLL, C. M. G.)

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

THE SECRETARY FOR CHINESE AFFAIRS (HON. B. C. K. HAW'KINS, O.B.E., *Acting*).

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

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

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

HON. A. NIGOL, (Acting Director of Public Works).

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

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

DR. HON. CHAU SIK-NIN.

HON. M. M. WATSON.

HON. C. BLAKEE, M. C., E. D.

MR. ALASTAIE TODD (Deputy Clerk of Councils).

**ABSENT:—**

HON. D. F. LANDALE.

HON. LEO D'ALMADA E CASTEO, K. C.

## MINUTES

The Minutes of the meeting of the Council held on 18th May, 1949, were confirmed.

## OATHS.

The Hon. J. F. Nicoll, C. M. G., took the Oath of Allegiance and assumed his seat as a Member of the Council.

## GOVERNOR'S ADDRESS.

H.E. THE GOVERNOR:—I ask Honourable Members to stand in silence in memory of the late Sir Robert Kotewall.

All Members stood in silence.

## ANNOUNCEMENT.

HON. SIR MAN-KAM LO:—Your Excellency, I wish to give notice that at the next Meeting of this Council, I will ask the following question :—

“Will Government make a statement in regard to the reparations payable to the Colony by Japan, pointing out the extent, if any, to which the Colony's position is or may be affected by the recent American announcement as to salvage or removal of industrial plants from Japan towards Japanese Reparations?”

## QUESTIONS.

HON. SIR MAN-KAM LO asked the following question:—

In view of the unsatisfactory position arising from requisitions by Hong Kong Government on behalf of the Services of private property prior to the outbreak of the Pacific War in respect of which large outstanding claims have up to now not been settled, will Government state—

1. Whether any requisition by Government on behalf of any of the Services is contemplated in relation to the expected arrivals of reinforcements to the Colony.
2. If so, will Government take the necessary steps to ensure that the incidence of the liability for such requisition is clearly accepted by the Service concerned.

THE FINANCIAL SECRETARY replied as follows:—

Yes. It has been necessary to requisition accommodation of various kinds in connection with the reinforcement of the garrison. Further requisitions may be required. In all cases every effort is being made to cause as little dislocation and inconvenience as possible by choosing buildings which are not yet occupied and giving as much advance notice as possible.

The Military Author-Maas who are chiefly concerned in this matter have been approached regarding the payment of costs of requisitioning. I understand that the War Office accepts responsibility for making immediate payments in respect of compensation initially but without prejudice to the ultimate incidence of the expenditure.

### **OFFICERS OF THE SUPREME COURT (REGULATION)**

#### **BILL, 1949.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to make further provision for officers of the Supreme Court and to modify and regulate the duties thereof."

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 Officers of the Supreme Court (Regulation) Bill, 1949, 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.

### **REGISTRAR GENERAL OF BIRTHS AND DEATHS**

#### **(CHANCE OF STYLE) BILL, 1949.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to change the style of the Registrar General of Births and Deaths and to make connected and consequential provision for a change in definition and interpretation in enactments affecting the duties of such office and instruments issued thereunder or referring to such office."

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 Registrar General of Births and Deaths (Change of Style) Bill, 1949, 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.

**WAR DAMAGED SITES BILL, 1949.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled “An Ordinance to facilitate the clearance of war damaged sites, to provide for the recovery of the cost thereof, and for sale of the sites where so required.”

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 War Damaged Sites Bill, 1949, 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.

**SOCIETIES BILL, 1949.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled “An Ordinance to provide for the registration of Societies and for matters related thereto.” He said: Sir, I take the opportunity to mention that at the appropriate stage I intend to propose an amendment to clause 20 of the Bill, merely for the purpose of rectification because two clauses 5 and 6 under the present Bill are repetitions, and also to make provision to ensure that a person who has been required to make a statement under that clause shall not incriminate himself otherwise than in regard to an offence against that clause.

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

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

Clause 20.

THE ATTORNEY GENERAL:—Sir, I rise to move that sub-clauses (4), (5) and (6) of clause 20 be deleted and the following sub-clauses be substituted therefor:—

“(4) If any person summoned by the Registrar or an Assistant Registrar under this section shall without lawful excuse fail to comply with any obligation imposed upon him by sub-section (2) or shall give information which the Registrar or Assistant Registrar believes to be false, the Registrar or Assistant Registrar may, if he considers it advisable to provide for the future identification of such person, order that a photograph and impressions of fingerprints of such person be taken at such time and in such place and manner as the Registrar or Assistant Registrar may think fit.

(5) Any person who refuses to comply with such order or who obstructs compliance with such order may be arrested and detained in custody and shall be liable on summary conviction to a fine not exceeding two hundred dollars.

(6) No statement made by a person summoned before the Registrar or an Assistant Registrar under the provisions of this section shall subject him to any arrest or criminal prosecution, or be proved against him in any criminal proceeding, except a prosecution for failing to answer truthfully under this section.”

The reasons for the amendment proposed have already been outlined by me when moving the Second reading of the Bill.

This was agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Societies Bill, 1949, had passed through Committee with one 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 Agenda, Gentlemen. When is it your pleasure that we should meet again?

THE ATTORNEY GENERAL: —I suggest two weeks, Sir.

H.E. THE GOVERNOR: —Council will adjourn until this day fortnight.