

7th December, 1949.

PRESENT:—

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

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. E. E. TODD).

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

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

HON. E. A. BOYCE (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. P. S. CASSIDY.

MR. G. C. HAMILTON (Clerk of Councils).

ABSENT:—

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING IN CHIEF
(LIEUTENANT-GENERAL SIR E. C. E. MANSEEGH, K.B.E., C.B., M.C.)

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

HON. D. F. LANDALE.

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

MINUTES.

The Minutes of the meeting of the Council held on 23rd November, 1949, were confirmed.

PAPERS.

THE COLONIAL SECRETARY, by command of His Excellency the Governor, laid upon the table the following papers:—

The Trading with the Enemy (Authorization) (Germany) Order, 1949. (G.N. No. A. 252 of 1949).

The Trading with the Enemy (Transfer of Negotiable Instruments, etc.) (Germany) Order, 1949. (G.N. No. A. 253 of 1949).

The Trading with the Enemy (Custodian) (Amendment) (Germany) Order, 1949. (G.N. No. A. 254 of 1949).

The Vehicle and Road Traffic Ord., 1947,—Amendment to the Regulations. (G.N. No. A. 255 of 1949).

The Vehicle and Road Traffic Ord., 1947,—The regulations contained in G. N. No. 304 of 1948 to come into force on the 5th December, 1949. (G.N. No. A. 256 of 1949).

The Stamp (Bank Authorization) No. 6 Order, 1949. (G.N. No. A. 257 of 1949).

The Price Control Order, 1946,—Amendments to the Schedule. (G.N. No. A. 258 of 1949).

Annual Report of the General Manager, Kowloon Canton Railway, for the year 1948-49.

Annual Report of the Agricultural Department for the year 1948-49.

MOTIONS.

DR. THE HONOURABLE J. P. FEHILY, O.B.E. moved:—

That the By-laws for Swimming Pools made by the Urban Council on the 22nd day of November, 1949, under section 4 of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, be approved.

He said:—Sir, these by-laws, which are based mainly on the model by-laws of the Ministry of Health in the United Kingdom, are considered necessary as at present the Urban Council is unable to exercise adequate supervision over swimming pools and swimming baths.

It will be noted that by-laws 4(2) and 6(2) will permit the Urban Council to exercise some discretion in connection with the requirements governing construction and maintenance of swimming pools.

Such discretionary powers are considered essential as it would be extremely difficult, if not impossible, for existing pools and baths to be made to comply fully with all these requirements.

THE COLONIAL SECRETARY seconded, and the Motion was carried.

THE ATTORNEY GENERAL moved the following resolution:—

Resolved pursuant to section 35 of the Landlord and Tenant Ordinance, 1947 that the duration of the said Ordinance be extended for the term of one year with effect from the 1st January, 1950.

He said:—Sir, section 35 of the Landlord and Tenant Ordinance, 1947 restricted the duration of the Ordinance until 31st December, 1948, but by a proviso in that section power is given to this Council, by resolution, to extend the duration of the Ordinance for further terms not exceeding one year at a time. Honourable Members will recall that a resolution of this Council was passed on 15th December, 1948 extending the duration of the Ordinance for a further year from the 1st January, 1949. It is clear, Sir, that necessity for the continuance of the Landlord and Tenant Ordinance exists and I therefore move the resolution first standing in my name on the Order of Business which, if passed, will have the effect of extending the Landlord and Tenant Ordinance for another year with effect from 1st January, 1950.

THE COLONIAL SECRETARY seconded, and the Motion was carried.

THE ATTORNEY GENERAL moved the following resolution:—

Resolved pursuant to section 8 of the Illegal Strikes and Lock-outs Ordinance, 1949 that the duration of the said Ordinance be extended for the term of one year with effect from the 1st January, 1950.

He said:—Sir, the Illegal Strikes and Lock-outs Ordinance was enacted in April of this year. Its main purpose was to replace legislation previously in force in this Colony to prevent strikes and lock-outs which take place without regard to any genuine trade dispute but which have the affect, of coercing the Government and inconveniencing or endangering the life and welfare of the community.

Section 8 of the Ordinance provides that the Ordinance shall continue in force until and including 31st December, 1949, but the same section empowers this Council from time to time by resolution to extend the duration of the Ordinance for a term not exceeding one year at a time. It is, in my submission, manifest that in conditions now prevailing in the world necessity exists to maintain this Ordinance in force.

I therefore move the resolution standing second in my name on the Order of Business which, if passed, will have the effect of extending the duration of the Ordinance for the term of one year from 1st January, 1950.

THE COLONIAL SECRETARY seconded, and the Motion was carried.

PENSIONS BILL, 1949.

THE ATTORNEY GENERAL moved the Second, reading of a Bill intituled “An Ordinance to consolidate and amend the law regulating the granting of pensions, gratuities and other allowances in respect of public service.”

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 2.

THE ATTORNEY GENERALS—Sir, I move that in clause 2 at page 3 under paragraph (b) of the definition of public service the word “Force” be deleted from the words “District Watch Force Committee”. Sir, it appears that the actual title of the District Watch Committee was the “District Watch Committee” and not the “District Watch Force Committee”.

This was agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Pensions 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.

ESSENTIAL SERVICES CORPS BILL, 1949.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled “An Ordinance to provide for the establishment of an Essential Services Corps.”

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 Essential Services Corps 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.

ADJOURNMENT.

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

THE ATTORNEY GENERAL:— I suggest this day fortnight, Sir.

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