

12th July, 1950.

PRESENT: —

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT (MR. JOHN FEARNS NICOLL, C.M.G.).

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

THE COLONIAL SECRETARY (HON. R. R. TODD, *Acting*).

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

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

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

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

HON. A. P. WEIR (Acting Director of Public Works).

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

DR. HON. CHAU SIK NIN, C.B.E.

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

HON. P. S. CASSIDY.

HON. LO MAN WAI, O.B.E.

HON. LAWRENCE KADOORIE.

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

ABSENT: —

THE SECRETARY FOR CHINESE AFFAIRS (HON. J. C. McDouALL, *Acting*).

HON. M. M. WATSON.

MINUTES.

The Minutes of the meeting of the Council held on 28th June, 1950, were confirmed.

PAPERS.

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

Sessional Papers, 1950: —

No. 3. —Report of the Advisory Committee on Recreation Grounds, 1949-1950.

The Quarantine and Prevention of Disease Ord., 1936, —Order under S. 2. (G.N. No. A. 132 of 1950).

The Importation of Automatic Machines Order, 1950. (G.N. No. A. 133 of 1950).

The Deprivation of Citizenship Rules, 1950. (G.N. No. A. 138 of 1950).

The Registration of Persons Order No. 2, 1950. (G.N. No. A. 139 of 1950).

The Possession of Gold (Goldsmiths) (Amendment) Order, 1950. (G.N. No. A. 140 of 1950).

The Public Health (Sanitary Provisions) Regulations, 1948, —Declaration under Regulation 2(10)(a). (G. N. No. A. 141 of 1950).

The Quarantine and Prevention of Disease Ord., 1936, —Order declaring Sourabaya infected on account of smallpox. (G.N. No. A. 142 of 1950).

The Public Health (Animals and Birds) Ord., 1935, — Notification under S. 2(1)(h). (G.N. No. A. 143 of 1950).

The Export Control Order, 1950. (G.N. No. A. 144 of 1950).

The Price Control Order, 1946, —Amendments to the Schedule. (G.N. No. A.145 of 1950).

The Price Control Order, 1946, —Amendments to the Schedule. (G.N. No. A.147 of 1950).

The Price Control Order, 1946, —Amendments to the Schedule. (G.N. No. A.148 of 1950).

Exportation (Prohibition) (North Korea) Order, 1950. (G.N. No. A. 149 of 1950).

REPORT OF THE ADVISORY COMMITTEE ON RECREATION GROUNDS 1949-50.

He said: Sir, among these papers is the Report of the Advisory Committee on Recreation Grounds, and with Your Excellency's permission I propose to say a few words about this Report.

In publishing the Report of the Advisory Committee on Recreation Grounds, Government wishes to place on record its appreciation of the valuable services rendered to all sections of the community by the members of the committee under the able guidance of their Chairman, the Hon. Sir Arthur Morse, C.B.E.

Council will be interested to know that Government has accepted the recommendations of the Committee in principle subject to the following provisos: —

Chapter II

- (i) the Hong Kong Football Club should be granted a ground at Causeway Bay on the site of the present vehicle park used by the Military Authorities when it becomes available, rather than a long lease of its existing grounds;
- (ii) with reference to the grant of a ground at Causeway Bay to the Hong Kong Football Club, a condition of the lease should be that the Governor or his designate will stipulate the conditions on which the ground should be made available to other football Clubs, or for representative matches, and also for big sporting and other events, and that in the case of the use of the ground for football, that designate should be the Hong Kong Football Association until the Governor otherwise orders;
- (iii) similar conditions should be attached to the grant of a ground to the South China Athletic Association.

Chapter IV

In cases where a lease of more than one year is granted to any clubs, a condition of the lease should be that reasonable facilities should be given to schools, in consultation with the Director of Education, to use the ground when it is not required by the club, provided that such use does not interfere with the proper care and maintenance of the ground.

Chapter VI

The Director of Education or his delegate should be appointed to be the Competent Authority for the allocation of "Pool" grounds.

Chapter VII

With regard to the Hong Kong Cricket Club, the position should remain as at present, *viz.* that the Hong Kong Cricket Club should remain tenant at will in respect of the pavilion and ground. No likelihood is seen of the pavilion being required by Government within the next five years.

Chapter VIII

- (1) The Advisory Committee on playgrounds should also contain unofficial representatives.
- (2) The recommendations in paragraphs 56 to 62 of the Report are accepted in principle, but estimates of the annual cost of running the scheme and of rehabilitating or constructing the grounds should first be prepared.

Considerable preliminary work such as preparing estimates, recruiting staff, drawing up lease terms and repairing grounds remains to be done before these decisions can be fully implemented, and progress will, of course, depend, *inter alia*, on financial considerations, but it is hoped that it will be possible to make a start with the "Pool" system of grass-covered recreation grounds during the winter of 1950/51.

MOTIONS.**PUBLIC HEALTH (FOOD) ORDINANCE, 1935.**

THE CHAIRMAN, URBAN COUNCIL moved: —

That the By-laws made by the Urban Council on the 20th day of June, 1950, under Section 5 of the Public Health (Food) Ordinance, 1935, Ordinance No. 13 of 1935, be approved.

He said: Sir, this resolution refers to the rescission of By-laws Nos. 9 and 12 of the Markets By-laws and their replacement by new by-laws, copies of which are attached to the Order Paper.

The revised by-laws provide that, when a market stall is originally leased, the names of not more than four persons shall be included in the lease and, thereafter, it shall be lawful for the Urban Council to substitute the name of his widow or his wife or a son or other near relative for that of a lessee who, by reason of death or infirmity or other cause, has ceased to be interested in the stall.

Hitherto, the Urban Council has been entitled, on the request of a lessee, to add the name of any other person to a lease but it is considered that this procedure is not in the public interest as it tends to perpetuate leases and not infrequently results in lessees selling their interests with considerable financial gain to themselves.

THE COLONIAL SECRETARY seconded, and the motion was carried.

PASSPORTS (MISCELLANEOUS OFFENCES) BILL, 1950.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to prevent the forgery of passports and the making of untrue statements for the purpose of procuring passports."

He said: Sir, this short Bill, as it appears in the hands of Honourable Members, is accompanied by Objects and Reasons which, in my view, fully and sufficiently explain the purposes of the Bill. I therefore think, Sir, that there is no call upon me to elaborate upon those Objects and Reasons.

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: —

Under the existing law in the Colony forgery of a passport is an offence only if committed with intent to defraud (section 6(1) Forgery Ordinance, 1922). The position is similar to that prevailing in the United Kingdom prior to the enactment of the Criminal Justice Act, 1925 (15 & 16 Geo. 5, c. 86). Section 36 of that Act made it an offence to forge a passport or to make an untrue statement for the purpose of procuring a passport.

2. The object of this Bill is to provide in this Colony legislation parallel to that of the United Kingdom to prevent the forgery of passports and the making of untrue statements to procure them.

**LAND TRANSACTIONS (ENEMY OCCUPATION)
(AMENDMENT) BILL, 1950.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Land Transactions (Enemy Occupation) Ordinance, 1948."

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 Land Transactions (Enemy Occupation) (Amendment) Bill, 1950, 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.

**REGISTRATION OF UNITED KINGDOM
PATENTS (AMENDMENT) BILL, 1950.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Registration of United Kingdom Patents Ordinance, 1932."

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 Registration of United Kingdom Patents (Amendment) Bill, 1950, 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.

**EMERGENCY POWERS (EXTENSION AND AMENDMENT
INCORPORATION) AMENDMENT BILL, 1950.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled “An Ordinance to amend further the Emergency Powers (Extension and Amendment Incorporation) Ordinance, 1946.”

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 Emergency Powers (Extension and Amendment Incorporation) Amendment Bill, 1950, 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 OFFICER ADMINISTERING THE GOVERNMENT: —That concludes the business for to-day, Gentlemen. When would you wish to meet again?

THE ATTORNEY GENERAL: —I propose, Sir, that we adjourn until this day fortnight.

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT: —Council stands adjourned until this day fortnight.
