

22nd November, 1950.

PRESENT: —

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

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

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

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

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. M. M. WATSON.

HON. P. S. CASSIDY.

HON. LAWRENCE KADOORIE.

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

ABSENT: —

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

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

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

MINUTES.

The Minutes of the meeting of the Council held on 1st November, 1950, were confirmed.

PAPERS.

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

Sessional Papers, 1950: —

No. 24. — Annual Report by the Forestry Officer for the year 1949-50.

No. 25. — Annual Report by the General Manager, Kowloon Canton Railway for the year 1949-50.

No. 26. — Annual Report by the Commissioner of Police for the year 1949-50.

No. 27. — Annual Report by the Director of Fisheries on the Fish Marketing Organization for the year 1949-50.

The Rating (Forms) Regulations, 1950. (G.N. No. A. 240 of 1950).

The Fireworks (Special Permits) Regulations, 1950. (G.N. No. A. 241 of 1950).

The Essential Services (Auxiliary Fire Service) Corps Regulations, 1950. (G.N. No. A. 242 of 1950).

Removal of quarantine restrictions imposed against Djakarta on account of plague. (G.N. No. A. 243 of 1950).

Proclamation No. 4, — The Judgments (Facilities for Enforcement) Ordinance, 1921 to extend to judgments obtained in superior courts in the Colony of Singapore. (G.N. No. A. 245 of 1950).

The Prohibited Exports Order, 1946, — Amendments to the Schedule. (G.N. No. A. 246 of 1950).

The Civil Aviation (Births, Deaths and Missing Persons) Regulations, 1950. (G.N. No. A. 247 of 1950).

Removal of quarantine restrictions imposed against Bombay on account of cholera. (G.N. No. A. 248 of 1950).

The Prohibited Exports Order, 1946, — Amendment to the Schedule. (G.N. No. A. 249 of 1950).

The Stamp (Bank Authorization) No. 2 Order, 1950. (G.N. No. A. 250 of 1950).

The Military Installations Closed Areas (Amendment and Consolidation) Order, 1950. (G.N. No. A. 251 of 1950).

The Public Health (Sanitary Provisions) Regulations, 1948, — Declaration under Regulation 2(10)(a). (G.N. No. A. 252 of 1950).

The Price Control Order, 1946, — Amendments to the Schedule. (G.N. No. A. 254 of 1950).

**LAW REVISION (MISCELLANEOUS AMENDMENTS)
(NO. 3) BILL, 1950.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to make further amendments to miscellaneous Ordinances for the purpose of facilitating the preparation of the revised edition of the laws". He said: Sir, in so doing I wish to forecast that if the Committee stage be reached I propose to move certain amendments, of which notice has been given to Honourable Members.

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

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

SCHEDULE

PART I.

THE ATTORNEY GENERAL: —I move, Sir, that in Part I of the Schedule, there be amendments made in conformity with paragraphs A, B, C and D of the paper giving notice of proposed amendments which is now in the hands of Honourable Members.

It will, I think, Sir, be convenient if I proceed to give reasons for the proposed amendments in relation to paragraphs, A, B, C and D which I have just mentioned.

As to A, dealing with the Prisons Ordinance, the first additional amendment proposed is to permit rules to be made relating to the mode of admission and discharge of prisoners, since some such rules are desirable and the general words of section 17 are doubted fully sufficient at present. The further amendment of that Ordinance replaces section 19 which deals with reduction in certain circumstances of imprisonment proportionately on part payment of a fine or other sum. The new section distinguishes between imprisonment by order of the Supreme Court and that by order of a magistrate. In so distinguishing it preserves the effect of section 31 of the Magistrates Ordinance, 1932, which adequately deals with such proportionate reduction after imprisonment by a magistrate, and supplies a more adequate method of calculating such a reduction after imprisonment by order of the Supreme Court.

Now, Sir, as to B relating to the Dangerous Drugs Ordinance, 1935, the position is that in the transfer of the functions under the Dangerous Drugs Ordinance, 1935 to the Director of Medical and Health Services it is convenient to provide that the certificate as to the nature of a substance in dispute is signed by the Government Chemist. It is however convenient to provide that a competent assistant chemist may carry out such duties when the Government Chemist is not available. These amendments would make such provision.

Now, Sir, as to C dealing with the Pharmacy and Poisons Ordinance, section 23 of the Pharmacy and Poisons Ordinance, 1932, is defectively worded in its application of penalties in contravention of regulations. In curing such defect it is desirable that the principle should be followed of permitting regulations themselves to specify what breaches shall be offences and what penalties up to a stated maximum may be imposed therefor. Such principle is followed by repealing the defective wording in section 23 and making the necessary addition to section 3, under which section regulations derive their authority.

And finally, Sir, as to D relating to the Land Registration Ordinance, the stipulation in that Ordinance of 1844, as to the manner of payment of fees is not a normal provision, the collection of such sums being ordinarily left to be a matter of administrative arrangement. The stipulated method, by means of stamps, is now inconvenient as the Treasury has appropriate franking machines available. The repeal of the stipulation is accordingly proposed.

These were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Law Revision (Miscellaneous Amendments) (No. 3) Bill, 1950, had passed through Committee with some four amendments, 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: — Sir, I propose adjournment to the 13th December.

H.E. THE GOVERNOR: — Council will adjourn until the 13th December.
