

14th May, 1952.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

SIR ALEXANDER WILLIAM GEORGE HERDER GRANTHAM,

G.C.M.G.

THE HONOURABLE THE COLONIAL SECRETARY

MR. ROBERT BROWN BLACK, O.B.E.

THE HONOURABLE THE ATTORNEY GENERAL

MR. G. E. STRICKLAND, Q.C., *Acting*.

THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS

MR. BRIAN CHARLES KEITH HAWKINS, O.B.E., *Acting*

THE HONOURABLE THE FINANCIAL SECRETARY

MR. ARTHUR GRENFELL CLARKE.

THE HONOURABLE THEODORE LOUIS BOWRING, O.B.E.

(Director of Public Works).

THE HONOURABLE DOUGLAS JAMES SMYTH CROZIER.

(Director of Education).

DR. THE HONOURABLE YEO KOK CHEANG

(Director of Medical and Health Services).

THE HONOURABLE KENNETH MYER ARTHUR BARNETT

(Chairman, Urban Council).

THE HONOURABLE CHAU TSUN-NIN, C.B.E.

DR. THE HONOURABLE CHAU SIK-NIN, C.B.E.

THE HONOURABLE MAURICE MURRAY WATSON.

THE HONOURABLE CHARLES EDWARD MICHAEL TERRY.

THE HONOURABLE NGAN SHING-KWAN

THE HONOURABLE HUBERT JOHN COLLAR, C.B.E.

THE HONOURABLE KWOK CHAN

MR. RONALD THOMPSON *(Deputy Clerk of Councils).*

ABSENT:—

HIS EXCELLENCY THE COMMANDER BRITISH FORCES

LIEUTENANT-GENERAL SIR TERENCE AIREY, K.C.M.G., C.B., C.B.E.

THE HONOURABLE LEO D'ALMADA E CASTRO, Q.C.

MINUTES.

The Minutes of the meeting of the Council held on 30th April, 52, were confirmed.

OATHS.

The Hon. Hubert John Collar, C.B.E. and the Hon. Kwok Chan took the Oath of Allegiance and assumed their seats as members of the Council.

PAPERS.

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

<i>Subject.</i>	<i>G. N. No.</i>
Sessional Papers, 1952:—	
No. 7—Annual Report by the Director of Commerce and Industry for the year 1950-51.	
Report of the Director General of Colonial Audit on the Accounts of Hong Kong for the year ended 31st March, 1951.	
The Ferries Ordinance, Chapter 104.	
The Excluded Ferries (No. 3) (Rescission) Regulations, 1952	A. 80
The Public Health (Food) Ordinance, Chapter 140.	
The Markets (Amendment) By-laws, 1952	A. 82
The Essential Services Corps Ordinance, Chapter 197.	
The Essential Services Corps (General) (Amendment) Regulations, 1952	A. 83
The Defence Regulations, 1940.	
The Price Control Order, 1946—Amendments to the Schedule	A. 84
The Emergency Regulations Ordinance, Chapter 241.	
The Emergency (Immediate Resumption) (Amendment No. 2) Regulations, 1952	A. 85
The New Territories Ordinance, Chapter 97.	
The Slaughter-houses (N.T.) Rules, 1952	A. 86

<i>Subject</i>	<i>G. N. No.</i>
The Places of Public Entertainment Ordinance, Chapter 172.	
The Places of Public Entertainment (Amendment) Regulations, 1952.	A. 87
The Air Armament Practice Ordinance, Chapter 194.	
The Air Armament Practice (Schedule Amendment) Order, 1952	A. 88
Removal of quarantine restrictions imposed against Rangoon on account of cholera . . .	A. 89

PENSIONS (SPECIAL PROVISIONS) BILL, 1952.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to make provision for the granting of pensions to certain public officers transferred on the 1st day of September, 1950, from the public service to the service of Cable and Wireless, Limited." He said: Sir, in November, 1948, Cable and Wireless, Limited undertook the operation and maintenance of certain technical services previously operated by Government. In order to ensure the continued efficient operation of these services the public servants named in the Schedule were transferred to the service of Cable and Wireless Limited and arrangements were made for these officers to be taken on to the pensionable staff of the Company and for their ultimate pensions to be paid by the Government and the Company jointly in proportion to the length of service which these officers had served or were to serve with Government and the Company respectively. The object of the present Bill is to enable the Government to carry this agreement into effect. The method employed is to assimilate the service with the Company to service with the Colonial Governments mentioned in the Schedule to the Pension Regulations. This will bring Rule 9 of the Pension Regulations into effect and enable the apportionment previously mentioned to be made.

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:—

The object of the Bill, which is more particularly described in the preamble thereto, is to preserve, by legislation, the pension rights of those public officers transferred to the service of Cable and Wireless Limited to which such officers would have been entitled had they remained in the public service.

BUSINESS REGULATION BILL, 1952.

THE FINANCIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to regulate the conduct of business in the Colony". He said: Sir, in the event of this motion being acceptable to Council I propose to move certain amendments in committee. Since the First reading of the Bill it has been represented to Government that the proposal to exempt professional men from registration and to increase four-fold the fee payable under the Stamp Ordinance for a certificate to practise is inequitable. It appears to be the case that many professional firms have a number of partners each of whom must take out a certificate to practise. In the case, for example, of a firm with five partners the proposals in the Bill, as it now stands, mean that the firm would be exempt from payment of \$200 as registration fee, but would have to pay an additional sum of \$750 for increased professional fees. Government agrees that these representations are reasonable.

These representations, however, led to a further scrutiny of clause 15 of the Bill, providing for exemption of certain classes of persons. I think it is now accepted that one of the prime purposes of this Bill, if not its prime purpose, is to obtain information as to the partners and management of unincorporated businesses. It appears that if any such firm is exempted from registration then the desired information as to its management will not be forthcoming. None the less it does appear inequitable that, for example, a licensed bank which already pays \$5,000 a year should have to pay an additional \$200 for registration. In the circumstances, it is felt that no exemptions other than hawkers and shoeblacks should be granted at the present stage, but that businesses which already pay a fee of more than \$200 should obtain a business registration certificate without fee.

In the event of the proposed amendments being acceptable, I shall at a later stage ask leave to withdraw the motion for the Second reading of the Stamp Amendment Bill which is also set down for this afternoon.

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 7.

THE FINANCIAL SECRETARY:— Sir, I move that the clause be amended as set forth in the paper before Honourable Members. The reasons for the amendment are set forth on that paper.

Clause 15.

THE FINANCIAL SECRETARY:— Sir, I rise to move that this clause be amended as set forth in the paper before Honourable Members.

Clause 17.

THE FINANCIAL SECRETARY:— Sir, I rise to move that this clause be amended as set forth in the paper before Honourable Members. There are a number of firms carrying on business in the Colony which have no resident partners and it appears necessary to provide that in such case the Manager should be responsible.

This was agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the Business Regulation Bill, 1952, had passed through Committee with amendments and moved the Third reading.

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

STAMP (AMENDMENT) BILL, 1952.

THE FINANCIAL SECRETARY:— Sir, in view of the amendments which have been made to the Business Regulation Bill, I ask leave to withdraw the Motion as item 3 on the Agenda.

H.E. THE GOVERNOR:— Is that acceptable, gentlemen?

This was agreed to.

MISCELLANEOUS LICENCES (AMENDMENT)

BILL, 1952.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled “An Ordinance to amend the Miscellaneous Licences Ordinance, Chapter 114.”

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 Miscellaneous Licences (Amendment) Bill, 1952 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.

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS)

(AMENDMENT) BILL, 1952.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled “An Ordinance to amend the Motor Vehicles Insurance (Thirty Party Risks) Ordinance, 1951.”

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 Motor Vehicles Insurance (Third Party Risks) (Amendment) Bill, 1952 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.

PENSIONS (AMENDMENT) BILL, 1952.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Pensions Ordinance, Chapter 89."

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 Pensions (Amendment) Bill, 1952 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:— A fortnight's time, Sir.

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