

23rd July, 1952.

PRESENT:

HIS EXCELLENCY THE OFFICER ADMINISTERING
THE GOVERNMENT

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

HIS EXCELLENCY THE COMMANDER BRITISH FORCES

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

THE HONOURABLE THE COLONIAL SECRETARY

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

THE HONOURABLE THE ATTORNEY GENERAL

MR. GEORGE EDWARD STRICKLAND, Q.C., *Acting*.

THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS

MR. JOHN CRICHTON MCDOUALL, *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).

THE HONOURABLE KENNETH MYER ARTHUR BARNETT, E.D.

(Chairman, Urban Council).

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

THE HONOURABLE MAURICE MURRAY WATSON.

THE HONOURABLE CHARLES EDWARD MICHAEL TERRY.

THE HONOURABLE KWOK CHAN.

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

ABSENT:

DR. THE HONOURABLE YEO KOK CHEANG

(Director of Medical and Health Services).

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

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

THE HONOURABLE NGAN SHING-KWAN

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

MINUTES.

The Minutes of the Council held on 25th June, 1952, were confirmed.

PAPERS.

THE ACTING COLONIAL SECRETARY, by command of H.E. THE OFFICER ADMINISTERING THE GOVERNMENT, laid upon the table the following papers:—

<i>Subject</i>	<i>G.N. No.</i>
The Importation and Exportation Ordinance, Chapter 50.	
The Exportation (Prohibition) (Specified Articles)	
(Amendment) (No. 2) Order, 1952	A. 111
The Importation and Exportation Ordinance, Chapter 50.	
The Importation (Prohibition) (Specified Articles)	
(Amendment) (No. 2) Order, 1952	A. 112
The Defence Regulations, 1940.	
The Prohibited Exports (Amendment) Order, 1952.	A. 113
The Emergency Regulations Ordinance, Chapter 241.	
The Emergency (Exportation) (Miscellaneous Pro-	
visions) (Amendment) Regulations, 1952	A. 114
The Marketing (Marine Fish) Order, 1950.	
The Wholesale Fish Market, Aberdeen	A. 116
The Protected Places (Safety) Ordinance, Chapter 260.	
The Protected Places (Police Guards) Order, 1952	A. 118
The Quarantine and Prevention of Disease Ordinance, Chapter 141.	
Declaration under section 18	A. 119
The Quarantine and Prevention of Disease Ordinance, Chapter 141.	
Declaration under section 18	A. 120
The Quarantine and Prevention of Disease Ordinance, Chapter 141.	
Declaration under section 18	A. 121
The Quarantine and Prevention of Disease Ordinance, Chapter 141.	
Declaration under section 18	A. 122

<i>Subject.</i>	<i>G. N. No.</i>
The Defence Regulations, 1940.	
The Price Control Order, 1946—Amendments to the Schedule	A. 123
The Nurses Registration Ordinance, Chapter 164.	
The Nurses Registration (Amendment) Regulations, 1952.....	A. 125

THE PENSIONS ORDINANCE NO. 21 OF 1932.

THE ATTORNEY GENERAL moved the following resolution:—

RESOLVED, that notwithstanding the provisions of the Pensions Ordinance, 1932, now repealed by the Pensions Ordinance, (Cap. 89), and notwithstanding the payment of any pension under section 18 of the Pensions Ordinance, 1932, in respect of the death caused by injury in the discharge of their duty in the service of this Colony of the persons named in the First Column of the Schedule hereto, gratuities of the amounts set out in the Second Column of the Schedule hereto shall be paid in respect of the deaths of the persons named in the First Column of the Schedule hereto and that such gratuities shall for the purposes of distribution and estate duty be treated as if they had been gratuities granted under Section 16 of the Pensions Ordinance, 1932.

SCHEDULE.

<i>First Column</i>	<i>Second Column</i>
Fateh MOHAMED	\$ 426.00
LAI Hing Lam	\$ 330.00
J. D. K. MURPHY	\$ 3,340.00
C. J. G. MCCORMICK	\$ 5,160.00
NG Kwai	\$ 342.00
Mo Hung Ki	\$ 318.00
TAM King Pong	\$ 462.00

<i>First Column</i>	<i>Second Column</i>
Li Lin	\$ 498.00
Woo Yuen	\$ 342.00
CHEUNG Leung	\$ 702.00
Au Ho Shan.....	\$ 798.00
Ho Ng	\$ 810.00
LEUNG Ying	\$ 963.00
CHAN To	\$1,461.50
Lo Tarn	\$ 1,446.00
WAT Pak Chi	\$ 810.00
CHU Kam Hung	\$ 1,386.00
FAN Yiu Wah	\$ 738.00
TSANG Luen	\$ 1,371.49
CHAN Kai Lam	\$1,410.00
NG Yeung Kan	\$ 738.00
CHU Tak Choi	\$ 1,611.00
WAN Cheung	\$ 810.00
YEUNG King	\$ 1,326.00

He said: Sir, the object of this resolution is to enable gratuities to be paid to the personal representatives of the persons whose names appear in the Schedule to the resolution. In accordance with the provision of Section 16 of the Pensions Ordinance, 1932, the gratuities will form part of the estate of the officer concerned, but no estate duty will be payable in respect thereof nor will there be aggregation for the purposes of estate duty of the amount of the gratuity with the remainder of the estate.

Council will recollect no doubt that in December, 1948, and also in January, 1951, it approved resolutions enabling gratuities to be paid in the case of officers not on the permanent establishment killed on duty after the 1st March, 1947. Twelve officers in all were affected and the gratuity paid in each case was the equivalent of 12 months' salary.

There was no particular reason in selecting 1st March, 1947, save that cases which had then been called to the attention of Government had all occurred after that date. Since then 24 cases have come to light following the submission of returns called for from departments of persons on the non-pensionable establishment

killed on duty between the 8th December, 1941 and the 28th February, 1947, both inclusive. These are the cases listed in the Schedule to the resolution and it is considered equitable that their dependants also should benefit. The total cost to Government, I believe, will be \$26,788.99. As full returns have been made by departments it is not anticipated that there will be any future cases of this nature.

THE ACTING COLONIAL SECRETARY seconded, and the Motion was carried.

PENTECOSTAL HOLINESS CHURCH INCORPORATION

BILL, 1952.

HON. M. M. WATSON moved the First reading of a Bill intituled "An Ordinance to provide for the incorporation of the local representative in Hong Kong of the Pentecostal Holiness Church." He said: Sir, I am doing so in the absence of my Honourable Friend, Mr. Leo D'Almada, at the request of the sponsors.

You will see, Sir, that this Bill follows the usual lines of an incorporation Ordinance where charities and religious bodies are concerned and, of course, the main object is to obtain the continuity of the succession particularly in regard to landed property. The few small administrative alterations were made from the usual Bills which have been presented to the Council, but I think Honourable Members are familiar with the usual performance of this Bill.

HON. C. E. M. TERRY seconded, and the Bill was read a First time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

1. The Pentecostal Holiness Church has for many years carried on missionary and welfare work in China and Hong Kong and it is desired to incorporate the Superintendent in Hong Kong of the Society as a corporation sole to ensure continuity of succession.

2. Clause 2 of the Bill is intended to effect such incorporation and to provide the name by which the corporation will be known.

3. Clause 3 of the Bill defines the powers of the corporation.

4. Clause 4 of the Bill provides for the vesting in the corporation of certain leasehold properties held in trust for the present organization, and clause 5 provides, upon the death of any Superintendent, for the vesting of the corporation's property in his successor.

5. Clause 6 of the Bill provides for the execution of documents by or on behalf of the corporation.

6. Clause 7 of the Bill provides for the appointment of the Superintendent, and for the notification thereof to the Registrar of Companies from whom evidence thereof can be obtained by the public. It has been advised that this is considered a more convenient method than that hitherto generally provided of notifying the Governor or the Colonial Secretary of fresh appointments.

7. Clause 8 of the Bill contains provisions saving the rights of the Crown as required, in the case of private Bills, by Article XXVII of Royal Instructions.

8. In the Schedule are contained particulars of the leasehold premises which it is intended upon enactment will become transferable to the corporation. Again, it has been advised that the more convenient administrative method is to provide, as has been done by clause 4 (1), that such vesting shall in fact occur upon lodgment of a memorial of this Ordinance at the Land Office or District Land Office where such land is registered.

ADJOURNMENT.

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT:—That concludes the business for to-day, Gentlemen. When is it your pleasure that we should meet again?

THE ATTORNEY GENERAL:— This day four weeks, Sir.

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT:— Council will adjourn to this day four weeks.