

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 16th December, 1953.**

PRESENT:HIS EXCELLENCY THE GOVERNOR (*President*).

SIR ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, G.C.M.G.

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. ROBERT BROWN BLACK, C.M.G., O.B.E.

THE HONOURABLE THE ATTORNEY GENERAL

MR. ARTHUR RIDEHALGH, Q.C.

THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS

MR. RONALD RUSKIN TODD.

THE HONOURABLE THE FINANCIAL SECRETARY

MR. JOHN JAMES COWPERTHWAITTE, *Acting*.

THE HONOURABLE DOUGLAS JAMES SMYTH CROZIER

(Director of Education).

THE HONOURABLE KENNETH MYER ARTHUR BARNETT, E.D.

(Director of Urban Services).

DR. THE HONOURABLE JAMES MALCOLM LISTON

(Acting Director of Medical and Health Services).

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

THE HONOURABLE CEDRIC BLAKER, M.C., E.D.

THE HONOURABLE CHARLES EDWARD MICHAEL TERRY.

THE HONOURABLE LO MAN WAI, O.B.E.

THE HONOURABLE NGAN SHING-KWAN.

THE HONOURABLE DHUN JEANGIR RUTTONJEE.

THE HONOURABLE KWOK CHAN, O.B.E.

DR. THE HONOURABLE ALBERTO MARIA RODRIGUES, M.B.E., E.D.

MR. ROBERT WILLIAM PRIMROSE (*Deputy Clerk of Councils*).**ABSENT:**

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

(Director of Public Works).

MINUTES.

The Minutes of the meeting of the Council held on 2nd December, 1953, were confirmed.

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, 1953:—		
No. 42—	Annual Report by the Accountant General for the year 1952-53.	
No. 43—	Annual Report by the Director of Audit for the year 1952-53 (together with copy of the despatch No. 1656 of 2nd December, 1953).	
The Emergency (Requisition) Regulations, 1949.		
The Emergency (Requisition) (Use of Land by Her Majesty's Military Forces) (Quarry Camp) (No. 2) Order, 1953		
		A. 173

SOCIETIES ORDINANCE, CHAPTER 151.

THE ATTORNEY GENERAL moved the following resolution:—

Resolved, pursuant to section 26 of the Societies Ordinance, Chapter 151, that the duration of the said Ordinance be extended for the term of one year with effect from the 1st January, 1954.

He said:—Sir: The purpose of this resolution is to extend the duration of the Societies Ordinance to the 31st December, 1954. We still live in troubled times, and the view of the Government is that we should retain the powers given by this Ordinance to curb the activities of undesirable organizations.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

JUDICIAL TRUSTEE RULES, 1953.

THE ATTORNEY GENERAL moved the following resolution:—

Resolved that the Judicial Trustee Rules, 1953, made by tin-Chief Justice on the (9th day of December, 1953, under section 64 of the Trustee Ordinance, Chapter 29, be approved.

He said:—Sir: In Part VI of the Trustees Ordinance, provision is made whereby the Supreme Court can appoint trustees to administer trusts under the supervision and control of the Court; and the Chief Justice is empowered to make rules, subject to the approval of this Council, for carrying into effect that Part of the Ordinance. The Rules now submitted for approval are procedural in character and cover such matters as the mode of making application for appointment of judicial trustees, the keeping of proper accounts and their audit, and so forth. They are adopted from similar rules in force in England, and in my view this Council may properly approve them.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

EDUCATION OFFICERS (SPECIAL CASES) PENSIONS**REGULATIONS, 1953.**

THE FINANCIAL SECRETARY moved the following resolution:—

Resolved, pursuant to the power conferred by section 3 (3) of the Pensions Ordinance, Chapter 89, that the Education Officers (Special Cases) Pensions Regulations, 1953, be approved.

He said:—The reasons for this resolution are fully set out in the explanatory note attached to it, and I do not think I can add anything to it.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

SUPPLEMENTARY APPROPRIATION (1952-53) BILL, 1953.

THE FINANCIAL SECRETARY moved the First reading of a Bill intituled “An Ordinance to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March, 1953.”

He said:—This Bill is the final stage of the Colony's accounts for the financial year 1952/53. On this occasion it has been possible to arrange that the first reading should coincide with the tabling of the reports of the Accountant General and of the Director of Audit, so that a complete picture may be presented at one time.

Final expenditure was approximately \$412 million, an excess of \$123 million over the estimated expenditure shown in the approved estimates for the year. This Bill authorizes additional expenditure of \$145½ million, the difference of \$22½ million between the two figures being accounted for by savings on certain votes. This additional expenditure was authorized during the year by various resolutions of this Council.

The figures of \$412 million for total expenditure and \$145½ million for additional expenditure are however a little misleading, as certain votes were taken which represented transfers of funds from one Government pocket to another, rather than actual expenditure, it being standard Government accounting practice to treat as expenditure any withdrawal of funds from the General Revenue Balance except for very temporary purposes. In this category is \$110 million transferred to the newly set up Revenue Equalization Fund and \$10 million transferred to the Development Fund. Expenditure proper therefore totalled \$292 million as against the original estimate of \$288 million.

Other large individual items which were added during the course of the year were the gift of \$8 million to Her Majesty's Government in addition to the normal contribution of \$16 million towards the cost of reinforcing the garrison, the charging off to revenue of rather over \$6 million previously charged to an advance account pending the raising of loan money, \$5 million for the purchase of Lai Chi Kok Coalyard, and \$2 million transferred to the Rehabilitation Loan Sinking Fund.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

COMPULSORY SERVICE (AMENDMENT) BILL, 1953.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Compulsory Service Ordinance, 1951."

He said:—Sir: The purpose of this Bill, which is a short and simple Bill, is, I think, sufficiently explained in the statement of Objects and Reasons, and I have nothing to add thereto.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

Objects and Reasons.

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

The Compulsory Service Ordinance, 1951, provides for medical examination of persons liable for compulsory service but makes no provision for re-examination of members of the Royal Hong Kong Defence Force, the Essential Services Corps and the Special Constabulary. This Bill makes provision for medical examination of members of those bodies once in every two years.

VEHICLE AND ROAD TRAFFIC (AMENDMENT) BILL, 1953.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled “An Ordinance to amend the Vehicle and Road Traffic Ordinance, Chapter 220.”

He said:—Sir: This is also a straightforward and simple Bill, and the purpose of it is sufficiently explained in the statement of Objects and Reasons.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

Objects and Reasons.

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

The object of this Bill is to remove doubt as to the interpretation of section 7 of the Vehicle and Road Traffic Ordinance (Cap. 220). Section 7 provides that where a person is prosecuted for an offence relating respectively to excessive speeding, to reckless or dangerous driving and to careless driving, he shall not be convicted unless he was given a warning at the time of the offence, or a notice of intended prosecution or a summons was sent to him within fourteen days after the commission of the offence. Section 7 follows closely section 21 of the Road Traffic

Act, 1930. This section of the Road Traffic Act refers to specific offences under the Act and is limited to those offences. It is considered appropriate that the same limitation should apply in Hong Kong, but the wording of section 7 of the principal Ordinance does not make this clear and leaves it open to doubt as to whether every offence under the regulations made under the Ordinance, which has in it an element of careless driving, is not included in the requirements and restrictions imposed by section 7. Section 2 of the Bill is designed to specify with precision the offences to which section 7 applies.

THE URBAN COUNCIL (AMENDMENT) (No. 2) BILL, 1953.

MR. K. M. A. BARNETT moved the First reading of a Bill intituled "An Ordinance to amend the Urban Council Ordinance, Chapter 101."

He said:—Sir: On the 4th March this year when moving the first reading of the Urban Council (Amendment) Bill in which a number of considered proposals by the Unofficial Members of the Urban Council were given effect I mentioned that there were certain other proposals, also made unanimously by the Unofficial Members of the Urban Council at the same time, namely in a memorandum presented to me in September, 1952, for transmission to Your Excellency. Those proposals were such as required more protracted consideration and therefore could not, even if they were found acceptable, be given effect in legislation in time for the current year's elections. For this reason, Sir, when moving the previous Bill I stated that the proposals contained in that Bill were such as could be given immediate effect and that the leaving out of the other proposals made by the Members of Urban Council was without prejudice and should not be taken to imply that they had been rejected or shelved.

Sir, the Bill now in the hands of Honourable Members is accompanied by objects and reasons which explain quite clearly the contents of the Bill. The proposal of the Members of Urban Council that teachers in all registered schools should be enfranchised has been extended to include all registered teachers and teachers in exempted schools. The proposal that all persons paying salaries tax or personal tax should be enfranchised has been accepted with this modification, namely, that those wishing to be included under this sub-section must be able to prove that they have paid tax for the 2 years of assessment immediately preceding their application and any other 2 years: this is one year longer than the qualifying period proposed by the Members of the Urban Council.

The most important departure from previous practice is that contained in sub-paragraph (ii) of paragraph (b) of the new subsection (4A) which will remove the disqualification of civil servants. I do not think that civil servants have ever before in Hong Kong enjoyed the right of franchise and there are certain obvious dangers which result from giving the vote to civil servants. It is, however, the practice in most other Colonies for a civil servant, if otherwise qualified, to have the franchise in elections for rural boards, urban councils and similar local government bodies and it was felt that, with the exception of the Police Force, civil servants in other departments could be allowed to vote in elections for the Urban Council without serious danger to discipline; but no civil servant will be able to stand as a candidate.

The Urban Council's proposal to enfranchise all members of the Auxiliary Defence Services has been accepted with the exception of the Police Reserve and the Special Constabulary, which have been omitted from the list of services in sub-paragraph (iii) of paragraph (b) of the new sub-section (4A). Members of these two Services are not, however, disqualified if they are otherwise eligible for inclusion by virtue of one of the other sub-paragraphs.

The enfranchisement of teachers, civil servants and members of these Auxiliary Defence Services will, it is estimated, increase the electorate by a potential 18,500 voters. The enfranchisement of payers of salaries tax or personal tax will add a further number which cannot at present be estimated. It is interesting to note that the electoral roll in 1952 totalled 9,704 and in 1953 10,798, while the numbers who actually registered their votes were 3,368 in 1952, falling to 2,531 in 1953.

Finally, Sir, if this Bill becomes law the right of inclusion in the list of voters will be extended to four classes of residents, many of whom did not previously have the franchise. I would ask all those people who find that they will be entitled to the vote if it becomes law not to address inquiries to my learned friend the Registrar of the Supreme Court nor to the Secretary of the Urban Council. There will be ample publicity making it clear to each and every one of them what he or she is to do to get his or her name on the roll of voters. Sir, I beg to move.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

Objects and Reasons.

The “Objects and Reasons” for the Bill were explained as follows:—

The main object of this Bill is to widen the franchise for the Urban Council by extending the right to vote to certain classes of persons not eligible for inclusion in the Register of Electors under existing legislation; namely, certain members of the teaching profession, members of the emergency services, civil servants (excluding the Police Force) and persons who have paid salaries or personal tax for four years or more. The Bill also provides for a legal incapacity to vote.

2. More precise details of these categories are as follows—

- (a) persons qualified to teach by section 6, 21 or 25 of the Education Ordinance, 1952, who are not already enfranchised ;
- (b) members of the Hong Kong Government Civil Service who would, but for being in the service of the Crown, be enfranchised. The Police Force is still excluded from the franchise;
- (c) members of certain auxiliary defence services who are not already enfranchised;
- (d) persons who have paid salaries or personal tax for two years before the election and any other two years who are not already enfranchised.

3. Persons described in paragraph 2 above will be registered in Part III of the Electoral Roll, and will therefore not be eligible to stand for election as candidates in the Urban Council; in the case of those described in paragraph 2(a), (c) and (d) above, the implication of their exclusion from the present register is that their knowledge of English is inadequate to carry on the business of the Council; and in the case of persons included in paragraph 2(b) above, it is not considered that civil servants should be eligible for membership of the Urban Council.

4. The provision of a legal incapacity to vote is customary in legislation describing the franchise of any elected body. The provision simply excludes from the franchise lunatics and those under sentence by the criminal courts.

HONG KONG AND YAUMATI FERRY COMPANY**(SERVICES) (AMENDMENT) BILL, 1953.**

THE FINANCIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to amend the Hong Kong and Yaumati Ferry Company (Services) Ordinance, 1951".

THE COLONIAL SECRETARY seconded.

MR. C. BLAKER:—Your Excellency: In introducing this Bill the Hon. Financial Secretary said that it was designed "to amend the financial provisions of the Hong Kong & Yaumati Ferry Company Ordinance in such a way as to give the two Companies as far as possible identical terms", and that opportunity was also being taken to include certain other amendments. It is natural to assume that these other amendments would be designed to have identical effects, but there is one significant omission which calls for explanation and rectification.

Introducing the Star Ferry Bill in this Council on the 7th November, 1951, the Hon. Financial Secretary said:

"There are one or two minor points in which there is a divergence from the terms of the franchise granted to the Hong Kong & Yaumati Ferry Co., notably in the undertakings voluntarily given by the Company. For example, all books and accounts will be kept in English, the Company shall be a public Company, *and the directors have undertaken not to refuse to register share transfers save on certain specific grounds.*"

The Bill now before us introduces all amendments in favour of the Yaumati Ferry Company arising from the Star Ferry Ordinance, together with certain of the undertakings embodied in the latter Ordinance, but does not provide for the last undertaking referred to by the Hon. Financial Secretary just quoted, namely, "that the Company's shares are and will continue to be freely transferable without interference from the directorate", which is the exact phraseology used in Section 16(1) of the Star Ferry Company Ordinance. The importance to the public of such a provision will be dealt with later, but surely since it has been Government's declared intention throughout that the two companies should operate under similar terms and conditions it is only equitable that identical undertakings should be sought and embodied in the respective legislation.

Government has conferred this Franchise on a public company which should be a public company in every sense of the word. The shares should be freely transferable and quoted on the Stock Exchange and it is Government's duty to remove any restriction in this respect.

When the principal Ordinance setting up the terms of the Yaumati Ferry Franchise was debated in this Council on the 28th March, 1951, the then Chairman of the Chamber of Commerce, the Hon. P. S. Cassidy, referring to this important matter said:

“The shares of the Hong Kong and Yaumati Ferry Co. Ltd. are not quoted on the Hong Kong Stock Exchange because under the Articles of Association the Directorate have discretionary power to refuse to register the transfer of shares from a holder to a transferee and have, in fact, exercised this power. This means that a member of the public wishing to acquire shares in this public utility company may be prevented from doing so without the Directors giving any reason why they refuse the transfer. On these grounds the Stock Exchange naturally exclude the share from their official lists. It seems to me highly objectionable that the fully paid shares of a public utility company should not be freely transferable and I suggest that Government require the Hong Kong and Yaumati Ferry Company, Limited to amend their Articles and so bring them into line with those of other public utility companies.”

In reply the Hon. Financial Secretary pointed out, quite rightly, that similar powers were given to the Directorates of a large number of companies, but we are not concerned with companies in general, only with a company to which a concession in public transport has been given. He held it was not for Government to intervene in what appeared to be largely a matter between the Stock Exchange and Yaumati Ferry Company but in fact the matter is one between the investing public and the Company. The Star Ferry Company, which admittedly have the same powers under their Articles, have waived those powers by the undertaking embodied in their Ordinance. In the City of London to-day the Stock Exchange quite rightly excludes from quotation any company whose Articles contain such a restrictive clause, and in the public interest it is Government's duty when dealing with a public Franchise to ensure that the requisite undertaking as to free transfer of the concessionaire's shares should be given. A prerequisite to any amendment embodying this undertaking in the Bill before Council is, of course, the agreement of the Company

concerned, and this should be obtained before the Bill reaches the Committee stage. Unless such undertaking is embodied in the Amendments it is my duty in the public interest to vote against the passing of the Bill as it stands.

MR. LO MAN WAI:—Your Excellency: I share the views of my Hon. friend Mr. Blaker, in this matter.

It is clearly in the public interest that the shares of this Company which operates a transport franchise granted by Government should not be restricted to a small group, but that its fully paid shares should be open for investment by members of the public. As pointed out by my Hon. Friend, this point was raised in 1951 in this Council in the course of the debate on the Principal Ordinance, but it was not pressed after the explanation given by the Honourable Financial Secretary.

As indicated in the objects and reasons accompanying this Bill, Government undertook that the terms of the franchise which were to be granted to the Star Ferry Company, and which were then the subject of negotiations, would not be materially more favourable than those granted to the Hong Kong and Yaumati Ferry, and to consider any modifications suggested by the Hong Kong and Yaumati Ferry to its own franchise, if it considered it had been less favourably treated.

Now the terms of the franchise granted to the Star Ferry are embodied in the Star Ferry Ordinance passed in December 1951. Clause 16 of the Schedule to this Ordinance contains a representation by this Company that the shares of the Star Ferry Company should be freely transferrable without interference from the Board of Directors.

This was absent in the corresponding clause of the Hong Kong and Yaumati Ferry Ordinance. The terms of the two Ordinance relating to the payment of royalty are also different and these terms of the Star Ferry Ordinance are more favourable than those of the Hong Kong and Yaumati Ferry Ordinance.

I do not question the propriety of the Yaumati Ferry to call upon Government to implement its undertaking to place the Company in the same favourable position as the Star Ferry Company as regards the financial provisions. But I submit that this is the opportune occasion to bring it on the same footing as the Star Ferry Co. as regards transfer of shares.

If this were brought about, I can see no hardship on the Company but only benefit to the public.

The immediate result of this change will place this Company operating a public utility business on the Stock Exchange like all the rest of such companies. To the public desiring to invest in a sound and well managed company, such as the Yaumati Ferry, this will be a great benefit. It cannot harm the share-holders of the Company. On the contrary, they would be assured of a true and free market for their shares.

For these reasons, I support my Hon. Friend in urging Government while acceding to the request of the Company for modification of the Principal Ordinance, in regards to the financial terms, to require the Company to adopt the same practice as the Star Ferry Co. as regards transfer of shares.

MR. C. E. M. TERRY:—Your Excellency: On the first reading of this Bill, I abstained from voting, not because I have an interest in the Bill, but because I thought it more fitting that I should abstain from vote or comment on a Bill which is expressly stated to be designed to give effect to certain modifications arising from negotiations which resulted in the passing of the “Star” Ferry Company Ordinance. The point raised by my Hon. friends Mr. Blaker and Mr. M. W. Lo, however, is one of public interest, and I agree with the opinions they have expressed. As I have no interest to declare, either direct or indirect, it would not be right for me to give even tacit consent to the passing of a measure which I consider lacks an essential safeguard of public rights. I fully support the views expressed by my two honourable friends, and I can see no reason why Government should not declare a policy of embodying similar provisos in future legislation affecting companies operating a public franchise. I shall therefore vote against the passing of the Bill in its present form.

THE FINANCIAL SECRETARY:—Sir: I shall not attempt to argue the point of general principle raised by the Honourable Members who have spoken, but I will deal rather with the practical aspects of the matter before Council to-day.

In the first place the right of the Directors to refuse to register the transfer of shares is not an unusual one, in Hong Kong or the United Kingdom, and is by no means unknown in public utility as well as other types of company. It is in fact the rule rather than the exception in public utilities in Hong Kong. Secondly, the shares of a number of companies with this particular restrictive Article of Association are in fact quoted by the Hong Kong Stock Exchange, for example, those of the Hong Kong Tramways Ltd., and the Hong Kong Telephone Co. Ltd., so that the presence of the Article is apparently not in itself a bar

to quotation by the Stock Exchange in Hong Kong. Finally, while it is true that the shares of the Hong Kong & Yaumati Ferry Company have not been quoted by the Stock Exchange for a number of years, there is in existence an active market in the Company's shares and members of the public who wish to purchase them have no difficulty in doing so.

I will now outline the sequence of events which led to the present situation. As has been pointed out, when the original Hong Kong & Yaumati Ferry Company Bill was before this Council in 1951, this same question of the free transferability of shares was raised. On that occasion the Honourable Financial Secretary made the following remarks:—

“Another question was raised about the shares of the Yaumati Ferry Company not being Association. My information is that that clause is not something peculiar to the Yaumati Ferry Company. It has quite a wide application and it quite a common practice over a large range of companies, and therefore we hardly feel that it would be for Government to intervene on this question which appears to be largely one between the Stock Exchange and the Yaumati Ferry Company.”

The Bill was subsequently passed into law without further reference to this matter and it would seem therefore that at that time the existence of the restrictive Article was not deemed to be sufficient grounds for refusing to grant the franchise. This is further borne out by the fact that the Telephone Ordinance was passed almost exactly two months afterwards without reference to the question, although the Directors of that Company have the right to refuse to register the transfer of shares to any person of whom they do not approve.

At the same time the Hong Kong & Yaumati Ferry Company was given the undertaking that this Bill is designed to fulfil, that is, that the terms of the franchise granted to the Star Ferry Company would not be materially more favourable.

The next step was the Star Ferry Bill. Besides including substantially more favourable financial terms it contained a representation by the Company that its shares were and would remain fully transferable, with certain exceptions. I have-however; been unable to discover any evidence that the grant of more favourable financial terms, or for that matter, of the franchise itself, was in any-way conditional-on or influenced by the free

transferability of the Company's shares. The undertaking was, as stated by the Hon. Financial Secretary at the time, a voluntary one.

When the Hong Kong & Yaumati Ferry Company approached the Government last year with a request that Government should implement the undertaking it had given, the question of this restrictive Article was one of the matters discussed during the negotiations. The Company made it clear very early that it was not prepared to amend the Article, for reasons which it considered important. On the other hand, in view of the facts that I have already outlined concerning both normal practice in Hong Kong and the grant of the respective franchises, Government has felt that, the basic franchise already having been granted in full knowledge of the existence of this restrictive Article, it would be, to say the least, improper to force the Company against its will to amend the Article as the price of Government's fulfilment of its undertaking. The Company did however express its willingness to accept some arrangement whereby the exercise by the Directors of their right would be subject to the prior assent of Government. It would, however, be undesirable as a matter of public policy that Government should be put in the position of having to arbitrate in a dispute of the sort that might arise, and in the event it proved impossible to frame a formula that would be unobjectionable. In the circumstances it was decided to present the Bill in its present form.

If the principle that the shares of public utility companies should be freely transferable is one on which members have strong views, I would suggest that, rather than bring pressure on one particular Company in what seems to me to be invidious circumstances, the proper course would be to consider the question as it affects all public utility companies, with a view to legislation if that is considered desirable, and in the meantime to honour Government's pledge by passing the present Bill.

The question that the Bill be read a Second time was put, and a division was taken.

Dr. Chau Sik Nin, Mr. C. Blaker, Mr. C. E. M. Terry, Mr. Lo Man Wai, Mr. Ngan Shing-Kwan, Mr. Dhun Ruttonjee, Mr. Kwok Chan, and Dr. A. M. Rodrigues voted against the motion.

The Commander British Forces, the Colonial Secretary, the Attorney General, the Secretary for Chinese Affairs, the Financial Secretary, Mr. D. J. S. Crozier, Mr. K. M. A. Barnett, Dr. J. M. Listen, and the President voted for the motion.

The President declared that nine votes had been cast in favour of the motion and eight votes against it and that the motion was carried.

The Bill was read a Second time.

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

Clauses 1 to 4 were agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the Hong Kong and Yaumati Ferry Company (Services) (Amendment) Bill, 1953 had passed through Committee without amendment and moved the Third reading.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a Third time and passed into law.

**INSTITUTE OF THE MARIST BROTHERS OF THE
SCHOOLS INCORPORATION BILL, 1953.**

MR. C. E. M. TERRY moved the Second reading of a Bill intituled "An Ordinance to provide for the incorporation of the local representative in Hong Kong of the Institute of the Marist Brothers of the Schools".

MR. LO MAN WAI seconded.

The question was put and agreed to.

The Bill was read a Second time.

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

Clauses 1 to 7 were agreed to.

Council then resumed.

MR. C. E. M. TERRY reported that the Institute of the Marist Brothers of the Schools Incorporation Bill, 1953 had passed through Committee without amendment, and moved the Third reading.

MR. LO MAN WAI seconded.

The question was put and agreed to.

The Bill was read a Third time and passed into law.

HONG KONG JUVENILE CARE CENTRE INCORPORATION**BILL, 1953.**

MR. DHUN J. RUTTONJEE moved the Second reading of a Bill intituled "An Ordinance for the incorporation of the executive committee of the Hong Kong Juvenile Care Centre".

MR. KWOK CHAN seconded.

The question was put and agreed to.

The Bill was read a Second time.

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

Clauses 1 to 6 were agreed to.

Council then resumed.

MR. DHUN J. RUTTONJEE reported that the Hong Kong Juvenile Care Centre Incorporation Bill, 1953 had passed through Committee without amendment and moved the Third reading.

MR. KWOK CHAN seconded.

The question was put and agreed to.

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 we shall meet again?

THE ATTORNEY GENERAL:—May I suggest this day fortnight?

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