

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 11th April, 1956.**

PRESENT:HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)

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

HIS EXCELLENCY THE COMMANDER BRITISH FORCES

LIEUTENANT-GENERAL WILLIAM HENRY STRATTON, C.B., C.V.O., C.B.E., D.S.O.

THE HONOURABLE THE COLONIAL SECRETARY

MR. EDGEWORTH BERESFORD DAVID, C.M.G.

THE HONOURABLE THE ATTORNEY GENERAL

MR. ARTHUR HOOTON, Q.C. (*Acting*).

THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS

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

THE HONOURABLE THE FINANCIAL SECRETARY

MR. ARTHUR GRENFELL CLARKE, C.M.G.

THE HONOURABLE THEODORE LOUIS BOWRING, C.M.G., O.B.E.

(Director of Public Works).

DR. THE HONOURABLE YEO KOK CHEANG, C.M.G.

(Director of Medical and Health Services).

THE HONOURABLE DAVID RONALD HOLMES, M.B.E., M.C., E.D.

(Director of Urban Services).

THE HONOURABLE PATRICK CARDINALL MASON SEDGWICK

(Commissioner of Labour).

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

THE HONOURABLE CHARLES EDWARD MICHAEL TERRY, O.B.E.

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

THE HONOURABLE NGAN SHING-KWAN, O.B.E.

THE HONOURABLE DHUN JEHANGIR RUTTONJEE

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

THE HONOURABLE KWOK CHAN, O.B.E.

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

MR. CHARLES RAYMOND LAWRENCE (*Deputy Clerk of Councils*).

MINUTES.

The Minutes of the Meeting of the Council held on 28th March, 1956, 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>
Dangerous Drugs Ordinance.	
Dangerous Drugs (Amendment) Regulations, 1956	A. 21
Immigrants Control Ordinance.	
Immigrants Control (Amendment) Regulations, 1956	A. 22
Peak Tramway Ordinance.	
Peak Tramway (Amendment) Rules, 1956	A. 23

**SUPPLEMENTARY PROVISIONS FOR THE QUARTER
ENDED 31ST DECEMBER, 1955.**

THE FINANCIAL SECRETARY moved the following resolution: —

Resolved that the Supplementary Provisions for the quarter ended 31st December, 1955, as set out in Schedule No. 3 of 1955/56, be approved.

He said: —Sir: Many of the items listed in the schedule have already been referred to in the course of the Budget debate. Of the total gross provision of \$14¾ millions, over \$3 millions go to resettlement housing and almost \$3 millions to interest-free loans to schools. Revotes of funds which lapsed at the end of the previous financial year total \$1½ millions, and another \$1¼ millions are required because of transfers of daily rated staff to monthly rates.

One item of interest is to be found on page 11, where it is described as Supplementary Supply, Taipo. This scheme is one to tap a stream near Taipo and to pump the water into Jubilee

Reservoir, to cost a little under half a million. It has been completed and has resulted in an additional water supply of 2½ million gallons daily, a material contribution to our water supplies at the worst time of the year.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

MARKETS (AMENDMENT) BY-LAWS, 1956.

MR. D. R. HOLMES moved the following resolution: —

Resolved that the Markets (Amendment) By-laws, 1956, made under section 5 of the Public Health (Food) Ordinance by the Urban Council on 20th March, 1956, as amended by the addition of the proviso to paragraph 12(1) set out in the Amendment List, be approved.

He said: —These By-laws were passed by the Urban Council on 20th March this year. Their purpose is adequately described in the Explanatory Note and I think there is no need for any further explanation.

I should, however, explain the purpose of the amendment which is in the hands of Members. It is the view of the Urban Council that those provisions of the By-laws which require market lessees to be licensed, and which enable the Council to suspend such licences for contravention of the By-laws, should apply forthwith to all leases, so that more effective control over stalls can be exercised by the Council. The By-laws as originally drafted would not have achieved this end. It is therefore necessary that the proviso included in the amendment sheet shall be added before they are approved. The Urban Council has agreed that I should propose this small amendment when proposing the By-laws in this Council, and I therefore beg to move that the Markets (Amendment) By-laws, 1956, as amended by the insertion at the end of paragraph 12(1) of the proviso in the amendment sheet, be approved.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

ARMS AND AMMUNITION (AMENDMENT) BILL, 1956.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Arms and Ammunition Ordinance, Chapter 238."

He said: —Sir: The purpose of this Bill is to clarify certain of the provisions of the principal Ordinance relating to storage of arms and ammunition by the police.

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 Arms and Ammunition (Amendment) Ordinance, No. 22 of 1955, added a new section 18A to the principal Ordinance with the object of authorizing the Commissioner of Police to store and to charge storage fees for arms and ammunition which were then in, or which thereafter came into, the hands of the police. Doubt has been expressed whether the words of that section fully give effect to that intention. The object of this short amending Bill is therefore to revise the wording of part of that section with a view to removing that doubt.

ENTERTAINMENTS TAX (AMENDMENT) BILL, 1956.

THE FINANCIAL SECRETARY moved the First reading of a Bill intituled "An Ordinance to amend the Entertainments Tax Ordinance, Chapter 110."

He said: —Sir: This Bill was foreshadowed in the course of the Budget debate. Its purpose is set forth in the "Objects and Reasons", to which I have nothing to add.

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 transfer to the Collector of Stamp Revenue that part of the responsibility for the administration of the Entertainments Tax Ordinance (Chapter 110) at present vested in the Financial Secretary.

PUBLIC DANCE-HALLS TAX (AMENDMENT) BILL, 1956.

THE FINANCIAL SECRETARY moved the First reading of a Bill intituled "An Ordinance to amend the Public Dance-Halls Tax Ordinance, Chapter 115."

He said: —Sir: This Bill was also foreshadowed in the course of the Budget debate and its purpose is set forth in the "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 transfer responsibility for the administration of the Public Dance-Halls Tax Ordinance (Chapter 115) and the collection of the taxes payable thereunder from the Accountant General to the Collector of Stamp Revenue.

**PUBLIC RECLAMATIONS AND WORKS
(CHAI WAN, KUN TONG BAY AND
CHEUNG SHA WAN) BILL, 1956.**

MR. T. L. BOWRING moved the First reading of a Bill intituled "An Ordinance to validate undertakings for reclamation and other works over and upon unleased Crown foreshore and seabed situate

at Chai Wan, Kun Tong Bay and Cheung Sha Wan, and to authorize, subject to the definitive approval of the Governor in Council, further undertakings for reclamation and other works in the same situations."

He said: — Sir: The purpose of this Bill is clearly set forth in the statement of "Objects and Reasons" and there is nothing that I can usefully add.

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 validate those parts of the reclamations of Chai Wan, Kun Tong Bay and Cheung Sha Wan already in progress and to authorize the remainder of the undertakings. At Chai Wan and Cheung Sha Wan the areas have been used as dumping grounds for spoil from development work. At Kun Tong Bay the adjacent foothills are being levelled and the earth used to form the reclamation which is to be devoted to factory sites.

2. Final authority for the remainder of the undertakings is contingent upon the definitive approval by the Governor in Council which, in accordance with the Public Reclamations Validation and Clauses Ordinance, 1936, can only be given after consideration of objections to the plans. The provisions of Part II of that Ordinance relating to objections apply to these remaining parts of the undertakings, while those relating to claims and compensation apply both to the reclamations now in progress and to the remainder of the undertakings.

PUBLIC HEALTH (ANIMALS AND BIRDS) (AMENDMENT) BILL, 1956.

MR. D. R. HOLMES moved the First reading of a Bill intituled "An Ordinance to amend the Public Health (Animals and Birds) Ordinance, Chapter 139."

He said: —Sir: In October last year the responsibility for administration of veterinary services and the prevention and control of animal diseases throughout the Colony was transferred from the Urban Council to the Department of Agriculture, Fisheries and Forestry. Notwithstanding this administrative transfer legal responsibility for the prevention and control of such diseases still lies with the Urban Council.

The purpose of the Bill before Council is to effect the legal transfer of this responsibility. As stated in the Objects and Reasons subsidiary legislation, if the Bill is passed into law, will be enacted by the Governor in Council in place of the present By-laws.

As part of the transfer, it is proposed that dairies should be brought under the control of the Department of Agriculture. The Bill accordingly gives power to the Governor in Council to make regulations with regard to dairies, and it will also be necessary for the existing Milk and Dairies By-laws to be amended by deleting references to dairies. It is convenient to mention at this stage that amendment is also required to the Public Health (Food) Ordinance, Cap. 140, to remove from that Ordinance references to dairies and dairymen, and a Bill to that effect appears latter in today's Order paper.

The Bill now under consideration also increases the amount of the fine which may be imposed for offences against the principal Ordinance, and the amount of compensation for animals slaughtered by order of the Director.

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 responsibility for the control of animal diseases rests at present with the Urban Council. The main object of this Bill is to transfer this responsibility to the Department

of Agriculture, Fisheries and Forestry. Subsidiary legislation under the principal Ordinance will take the form of regulations made by the Governor in Council in place of by-laws made by the Urban Council.

2. In particular it is proposed that dairies be brought within the ambit of the principal Ordinance and under the control of the Department of Agriculture, Fisheries and Forestry. For this purpose the Governor in Council is enabled to make regulations with regard to the control and supervision of dairies by registration, licensing or otherwise. (Clause 4(b))

3. The penalty for offences against the principal Ordinance and the fine which may be prescribed by subsidiary legislation are at present limited to \$1,000. This amount is considered insufficient and is increased to \$2,000 in each case. (Clauses 4(c) and 8).

4. The amount of compensation payable for animals slaughtered by order under the principal Ordinance is not considered to represent their present value. Clause 6 raises this amount from \$120 to \$300 in the case of a pig, and from \$1,200 to \$1,500 in the case of any other animal.

5. The opportunity is taken to clarify the definition of Senior Veterinary Officer in section 2. (Clause 3(c)).

DOGS AND CATS (AMENDMENT) BILL, 1956.

MR. D. R. HOLMES moved the First reading of a Bill intituled "An Ordinance to amend the Dogs and Cats Ordinance, Chapter 167."

He said: —Sir: As I stated when introducing the previous Bill, veterinary services have been transferred to the Department of Agriculture, Fisheries and Forestry. The present Bill seeks to transfer legal responsibility for the control of dogs and cats in the urban area from the Urban Services Department to the Department of Agriculture, Fisheries and Forestry.

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 responsibility for the control of dogs and cats rests at present in the New Territories with the Director of Agriculture, Fisheries and Forestry, and elsewhere in the Colony with the Urban Services Department (referred to in the principal Ordinance under its original title "Sanitary Department"). The object of this Bill in conjunction with an amendment to be made to the Dogs and Cats Regulations is to transfer this responsibility throughout the Colony to the Department of Agriculture, Fisheries and Forestry.

PUBLIC HEALTH (FOOD) (AMENDMENT) BILL, 1956.

MR. D. R. HOLMES moved the First reading of a Bill intituled "An Ordinance to amend the Public Health (Food) Ordinance, Chapter 140."

He said: —Sir: As I said when moving a previous Bill, this Bill seeks to remove from the principal Ordinance references to dairies and dairymen consequent upon the transfer of responsibility for the control of such institutions from the Urban Council to the Department of Agriculture. The regulation and control of milk shops will, however, remain under the Urban Council, and opportunity is now taken in the present Bill to enable them to make by-laws in respect of pasteurization plants.

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: —

It is considered that responsibility for the control of dairies should be transferred from the Urban Council to the Department of Agriculture, Fisheries and Forestry. For this purpose it is intended that regulations relating to dairies will be

made under the Public Health (Animals and Birds) Ordinance, Chapter 139, and consequently references to dairies and dairymen are now deleted from the principal Ordinance.

2. Clause 4 enables the Urban Council to make by-laws in respect of the regulation and control by registration, licensing or otherwise of pasteurization plants.

3. The opportunity is taken (clause 2) to substitute "Urban Services Department" for the old title "Sanitary Department" throughout the principal Ordinance.

ST. JOHYS COLLEGE BILL, 1956.

DR. CHAU SIK NIN moved the First reading of a Bill intituled "An Ordinance to established a college within the University of Hong Kong styled the College of St. John the Evangelist, and to provide for the incorporation of the members thereof."

He said: —Sir: This Bill follows the usual form of incorporation bill and its purpose is clearly set out in the "Objects and Reasons." There is nothing that I can usefully add.

MR. KWOK CHAN 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: —

1. The objects of this Bill are to establish a college affiliated to the University of Hong Kong to be known as the College of St. John the Evangelist and to incorporate the members thereof. The existing University Halls of Residence known as St. John's Hall and St. Stephen's Hall are to be combined and replaced by the new College.

2. Clause 3 of the Bill accordingly provides for the establishment of the College of St. John the Evangelist and for the incorporation of the members, who are defined in Clause 2.

Clause 4 defines the powers of the College which include, subject to the approval of the Governor in Council, power to acquire land. St. Stephen's Hall and personal property belonging to the Councils of St. John's Hall and St. Stephen's Hall are vested in the College by Clause 5. Clauses 6, 7, 8 and 9 provide for the government of the College by a Council, for the appointment of an administrative authority and of Committees. Clause 10 provides for the mode of executing documents. Clause 11 prohibits payment of dividends or bonuses to members and Clause 13 for returns to be made to the Registrar of Companies.

3. Clause 14 of the Bill contains provisions saving the rights of the Crown as required, in the case of private Bills, by Clause XXVII of the Royal Instructions.

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 suggest this day fortnight.

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