

OFFICIAL REPORT OF PROCEEDINGS.**Meeting of 4th September, 1957.****PRESENT:**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, G.C.M.G.
THE HONOURABLE THE COLONIAL SECRETARY
MR. CLAUDE BRAMALL BURGESS, O.B.E. (*Acting*).
THE HONOURABLE THE ATTORNEY GENERAL
MR. ARTHUR HOOTON, Q.C. (*Acting*).
THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS
MR. JOHN CRICHTON McDOUALL.
THE HONOURABLE THE FINANCIAL SECRETARY
MR. JOHN JAMES COWPERTHWAITTE (*Acting*).
THE HONOURABLE DAVID CLIVE CROSBIE TRENCH, M.C.
(*Commissioner of Labour*).
THE HONOURABLE EDMUND BRINSLEY TEESDALE, M.C.
(*Director of Urban Services*).
THE HONOURABLE ALLAN INGLIS
(*Director of Public Works*).
DR. THE HONOURABLE GEORGE GRAHAM-CUMMING
(*Acting Director of Medical and Health Services*).
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, O.B.E.
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. MAURICE DEREK SARGANT (*Deputy Clerk of Councils*.)

ABSENT:

HIS EXCELLENCY THE COMMANDER BRITISH FORCES
LIEUTENANT-GENERAL SIR EDRIC MONTAGUE BASTYAN, K.B.E., C.B.

MINUTES.

The Minutes of the Meeting of the Council held on 14th August, 1957, 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, 1957: —	
No. 22—Annual Report by the Administrator of Japanese Property for the year 1956/57.	
No. 23—Annual Report by the Director, Royal Observatory for the year 1956/57.	
No. 24—Annual Report by the Chief Officer, Fire Brigade for the year 1956/57.	
No. 25—Annual Report by the Postmaster General for the year 1956/57.	
No. 26—Annual Report by the Accountant General for the year 1956/57.	
Penicillin Ordinance.	
Penicillin (and other Substances) Regulations, 1957	A. 66.
Stamp Duties Management Ordinance.	
Stamp Duties Management (Franking Machines) Regulations, 1957	A. 67.
Stamp Ordinance.	
Stamping and Denoting of Documents (Amendment) Regulations, 1957	A. 68.
Education Ordinance, 1952.	
Grant Schools Building Depreciation Fund (Amendment) Rules, 1957	A. 70.
Merchant Shipping Ordinance, 1953.	
Merchant Shipping (Control of Ports) (Amendment) (No. 2) Regulations, 1957	A. 71.

<i>Subject.</i>	<i>G.N. No.</i>
Dogs and Cats Ordinance.	
Dogs and Cats (Amendment) Regulations, 1957	A. 72.
Importation and Exportation Ordinance.	
Exportation (Prohibition) (North Korea) (Rescission) Regulations, 1957	A. 73.
The Hongkong and Shanghai Banking Corporation Ordinance.	
Special Resolution of shareholders	A. 74.

HAWKERS (AMENDMENT) (NO. 2) BY-LAWS, 1957.

MR. E. B. TEESDALE moved the following resolution: —

Resolved that the Hawkers (Amendment) (No. 2) By-laws, 1957, made by the Urban Council on the 6th day of August, 1957, under section 2 of the Hawkers Ordinance, be approved.

He said: The reason for the amendment made by the Urban Council to By-law 19 of the Hawkers By-laws is fully set out in the Explanatory Note, and there is nothing further which I can usefully add.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

FATAL ACCIDENTS (AMENDMENT) BILL, 1957.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Fatal Accidents Ordinance, Chapter 22."

He said: Sir, when a person is killed by another's wrongful act, as for example, by the negligent driving of a motor vehicle, certain specified near relatives have, under the Fatal Accidents Ordinance, a right of action in respect of the pecuniary loss they have suffered as a result of that death. This Bill proposes that near relatives by reason of adoption shall have the same rights in this respect as near relatives by reason of blood relationship. The Bill further defines who is a "wife" for the purposes of this Ordinance.

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: —

This Bill brings persons adopted in pursuance of an adoption order made under the Adoption Ordinance, 1956, and persons adopted under Chinese law and custom within the scope of the Fatal Accidents Ordinance, Chapter 22, (which relates to the compensation of the families of persons killed by accidents arising from negligence). Clause 2 follows similar provisions in force in the United Kingdom by virtue of section 2 of the Law Reform (Miscellaneous Provisions) Act, 1934, but adopted to suit local circumstances. It also clarifies the meaning of the term "wife"

RADIATION BILL, 1957.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to control the import, export, possession and use of radioactive substances and irradiating apparatus and the prospecting and mining for radioactive minerals and for purposes connected therewith."

THE COLONIAL SECRETARY 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 3 were agreed to.

Clause 4.

THE ATTORNEY GENERAL: —Sir, I rise to move the amendment standing in my name.

Proposed Amendment.

In paragraph (a) leave out the words "applications for" and substitute therefor the words "to grant".

Clause 4, as amended, was agreed to.

Clauses 5 to 7 were agreed to.

Clause 8.

THE ATTORNEY GENERAL: —Sir, I rise to move that Clause 8 be left out and the substituted clause as in the paper before Honourable Members be substituted therefor.

Proposed Amendment.

Leave out this clause and substitute the following—

"Presump-
tions. **8.** For the purposes of subsection (1) of section 7, a radioactive substance or irradiating apparatus shall be deemed—

(a) to have been brought or sent into the Colony when, in any manner whatsoever, it is brought or comes into the Colony from any place outside the Colony; and

(b) to have been taken or sent out of the Colony when it is placed on any ship, aircraft, train or vehicle within the Colony for the purpose of being taken or carried to any place outside the Colony."

Clause 8, as amended, was agreed to.

Clauses 9 to 25 and the Schedule were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Radiation Bill, 1957 had passed through Committee with two amendments 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.

**THE HONGKONG AND SHANGHAI
BANKING CORPORATION (AMENDMENT) BILL, 1957.**

THE FINANCIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to amend The Hongkong and Shanghai Banking Corporation Ordinance, Chapter 70."

THE COLONIAL SECRETARY 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 8 were agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that The Hongkong and Shanghai Banking Corporation (Amendment) Bill, 1957 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.

ADJOURNMENT.

H. E. THE GOVERNOR: —That concludes the business, Gentlemen. When is it your pleasure that we should meet again?

THE ATTORNEY GENERAL: —Your Excellency, I suggest this day three weeks.

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