

OFFICIAL REPORT OF PROCEEDINGS.**Meeting of 25th September, 1957.**

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 EDRIC MONTAGUE BASTYAN, K.B.E., C.B.

THE HONOURABLE THE COLONIAL SECRETARY

MR. CLAUDE BRAMALL BURGESS, O.B.E. (*Acting*).

THE HONOURABLE THE ATTORNEY GENERAL

MR. ARTHUR RIDEHALGH. Q.C.

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*).

MINUTES.

The Minutes of the meeting of the Council held on 4th September, 1957, were confirmed.

PAPERS.

THE COLONIAL SECRETARY, by Command of His Excellency the Governor, laid upon the table the following papers: —

Subject.

Sessional Papers, 1957: —

No. 27—Annual Summary of the Education Department
for the year 1956/57.

No. 28—Annual Report by the Director of Public Works
for the year 1956/57.

No. 29—Annual Report by the Commissioner of Prisons
for the year 1956/57.

No. 30—Annual Report by the Custodian of Property
and Custodian of Enemy Property for the
year 1956/57.

No. 31—Annual Report by the Quartering Authority for
the year 1956/57.

VICTORIA PARK SWIMMING POOL BY-LAWS, 1957.

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

Resolved that the Victoria Park Swimming Pool By-laws, 1957, made by the Urban Council on the 3rd day of September, 1957, under section 4 of the Public Health (Sanitation) Ordinance, 1935, be approved.

He said: Sir, I rise to move the resolution standing first in my name on the Order of Business.

These by-laws deal with a number of matters over which it is necessary, in the public interest, to maintain control at the new public swimming pool at Victoria Park which will be officially

opened in the near future. They deal, in the first place, with public behaviour. It is expected that at many times the pool will be very crowded, and it is necessary to ensure decent, orderly and considerate behaviour in the interests of everyone. It is necessary to be able to prescribe opening and closing times and the entrance fees to be charged. There is also discretion to waive or reduce fees in certain cases.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

SWIMMING POOLS (AMENDMENT) BY-LAWS, 1957.

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

Resolved that the Swimming Pools (Amendment) By-laws, 1957, made by the Urban Council on the 3rd day of September, 1957, under section 4 of the Public Health (Sanitation) Ordinance, 1935, be approved.

He said: Sir, I rise to move the resolution standing second in my name on the Order of Business.

The purpose of this amendment, which is set out in the explanatory note, is to place the Victoria Park Swimming Pool among those pools which are not subject to the existing swimming pool by-laws. These existing by-laws relate principally to structural and hygienic requirements which must be met by persons operating commercial or club pools; and it is axiomatic that, in relation to Victoria Park Swimming Pool which is a Government pool, the Crown cannot bind itself. This does not, of course, imply that at this new swimming pool the full standards required of other pools by virtue of the existing by-laws will not be maintained.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

FRANKED INSTRUMENTS (VALIDATION) BILL, 1957.

THE FINANCIAL SECRETARY moved the First reading of a Bill intituled "An Ordinance to validate the stamping by franking machines of certain instruments chargeable with stamp duty."

He said: Sir, it will be recalled that the Stamp Duties Management (Amendment) Ordinance was enacted last month as the first step in a rather complicated process designed to permit franking machines to be used for certain categories of stamp duty.

Since then the Stamp Duties Management (Franking Machines) Regulations, 1957, and the Stamping and Denoting of Documents (Amendment) Regulations, 1957, have been made under that Ordinance enabling the Collector of Stamp Duty to issue licences to certain banks which were already operating franking machines under licences issued by the Collector with statutory authority.

The final step is the enactment of the Bill now before Council. Its purpose is to validate all instruments which were stamped by franking machine before 7th September, 1957, by the banks named in the Bill, under licences issued without legal authority.

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 purpose of this Bill is to validate the stamping of certain instruments chargeable with stamp duty. As mentioned in the preamble to the Bill, documents purporting to be licences to use a franking machine for the purposes of stamping such instruments have been issued without authority in that behalf. These documents have been issued, from time to time since 1950, to the banks specified in the Schedule to the Bill.

2. The use of franking machines for the purpose of stamping instruments chargeable with stamp duty has now been authorized by the Stamping and Denoting of Documents (Amendment) Regulations, 1957, and provision for licensing the use of such machines has been made by the Stamp Duties Management (Franking Machines) Regulations, 1957.

FATAL ACCIDENTS (AMENDMENT) BILL, 1957.

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

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.

Council then resumed.

THE ATTORNEY GENERAL reported that the Fatal Accidents (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: —May I suggest this day three weeks, Sir.

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