

OFFICIAL REPORT OF PROCEEDINGS.**Meeting of 16th April, 1958.**

PRESENT:HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)

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

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, C.M.G., O.B.E.

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. ARTHUR GRENFELL CLARKE, C.M.G.

THE HONOURABLE PATRICK CARDINALL MASON SEDGWICK

(Commissioner of Labour).

THE HONOURABLE ALLAN INGLIS

(Director of Public Works).

DR. THE HONOURABLE DAVID JAMES MASTERTON MACKENZIE, C.M.G., O.B.E.

(Director of Medical and Health Services).

THE HONOURABLE COLIN GEORGE MERVYN MORRISON

(Director of Urban 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 KWOK CHAN, O.B.E.

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

THE HONOURABLE JOHN DOUGLAS CLAGUE, C.B.E., M.C., T.D.

MR. MAURICE DEREK SARGANT *(Deputy Clerk of Councils).*

MINUTES.

The Minutes of the Meeting of the Council held on 2nd April, 1958, were confirmed.

ANNOUNCEMENT.

THE COLONIAL SECRETARY: —By Your Excellency's direction I rise to announce the appointment of the Honourable J. D. Clague to serve on the Standing Law Committee for 1958 in succession to Mr. Cedric Blaker.

PAPERS.

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

Subject.

Report of the Director General of the Overseas Audit Service on the Accounts of Hong Kong for the year ended the 31st day of March, 1957.

QUESTIONS.

MR. J. D. CLAGUE asked the following question: —

Is Government in a position to amend the statement made on 6th March by the Honourable Financial Secretary indicating that further delay in finalizing the Airport Terminal plans would have to be accepted, and in view of the concern with which the commercial community view this further delay, would the Honourable Colonial Secretary be prepared to receive a deputation from commercial interests most directly involved?

THE COLONIAL SECRETARY replied as follows: —

Your Excellency: I shall take the second part of the question first. The answer to this is that the Colonial Secretary is willing to see any responsible member of the community on any matter of importance to the public at any time. This is

already well known in Hong Kong; and I confess to some surprise that the first intimation I should have that commercial interests directly concerned in this matter wished to see me should be by means of a question in this Council.

The answer to the first part of the question is that a committee which is, in effect, a sub-committee of the Finance Committee of this Council is studying closely the plans for the Airport Terminal building; the fact that they have not yet made final recommendations arises from the anxiety of the members of that committee that a very large allocation of public funds should not be made without the fullest justification. Honourable Members will recollect that the Honourable Charles Terry drew the attention of Council to this very point in the debate on the Estimates. The position is well summarized in a letter which I received from the Chairman of the Board of the Hong Kong Tourist Association 3 weeks ago and perhaps I may be allowed to quote an extract from that letter:

"My Board fully recognizes the importance of ensuring that the terminal building which is eventually constructed shall be the most suitable and efficient which can be devised, and at the same time that all possible economy of expenditure is exercised".

Members of the committee are fully aware of the urgency of this matter and Government has certainly no intention of finalizing the plans until the committee is fully satisfied that the scheme is in fact such as would justify so large an allocation from the Public Funds for which this Council is responsible. Subject to this, work on the plans will proceed as quickly as possible.

**URBAN COUNCIL (COMMISSIONER FOR
RESETTLEMENT) ORDINANCE, 1954.**

THE COLONIAL SECRETARY moved the following resolution: —

Resolved, pursuant to section 3 of the Urban Council (Commissioner for Resettlement) Ordinance, 1954, that the duration of the said Ordinance be extended for the term of one year with effect from the 30th April, 1958.

He said: Sir, the Urban Council (Commissioner for Resettlement) Ordinance, which was enacted in 1954, provides for the Commissioner for Resettlement to be temporarily an *ex-officio* member of the Urban Council. Section 3 provides that the Ordinance should continue in force for one year from the commencement, but it gives power to this Council to extend its duration for periods not exceeding one year at a time. It has been so extended three times.

Despite the substantial progress made by the Resettlement Department under the general direction of the Urban Council, it is quite clear that the work of resettling squatters is still far from complete, and that the time has not yet come for the Commissioner to be withdrawn from the Urban Council.

I beg therefore to move that, under Section 3 of the Urban Council (Commissioner for Resettlement) Ordinance, 1954, the duration of the Ordinance be extended for a period of one year, that is to say, until 29th April, 1959.

THE ATTORNEY GENERAL seconded.

The question was put and agreed to.

**INLAND REVENUE (RETIREMENT SCHEME)
(AMENDMENT) RULES, 1958.**

THE FINANCIAL SECRETARY moved the following resolution: —

Resolved that the Inland Revenue (Retirement Scheme) (Amendment) Rules, 1958, made by the Board of Inland Revenue on the 6th day of March, 1958, under section 85 of the Inland Revenue Ordinance, Chapter 112, be approved.

He said: Sir, on the 22nd March last year this Council approved the Inland Revenue (Retirement Scheme) Rules, 1957, which laid down the requirements for the approval of any retirement scheme for the purposes of section 87A of the Inland Revenue Ordinance. It was provided in the rules that any retirement schemes in existence and operating at the time the rules came into force should not have to meet the new requirements until the 31st March, 1958.

The Commissioner of Inland Revenue has now reported that the year's grace has not been long enough to enable all firms operating retirement schemes to modify the conditions of such schemes to comply with the new rules, and he has recommended that a further year's grace should be granted. This recommendation has been accepted by the Board of Inland Revenue, and the covering approval of this Council for the new rule which has been made by the Board is now sought.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

**THE MERCANTILE BANK OF INDIA, LIMITED
(CHANGE OF NAME) BILL, 1958.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to make provision to give effect in the laws of the Colony to a change in the name of The Mercantile Bank of India, Limited and to validate certain things done before the date of enactment of this Ordinance."

He said: Sir, the Mercantile Bank of India, Limited, changed its name with effect from the 31st December last to "Mercantile Bank, Limited" and the purposes of this Bill are to amend certain Ordinances to reconcile them with this change and further to enable the Bank to issue notes in its former name for a period of two years from the 31st December, 1957, or for such extended period not exceeding five years from that date as may be fixed by this Council. As the Bank failed to give Government adequate notice of the proposed change it has been necessary to include validating and indemnifying provisions which are to be found in clause 5.

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 Memorandum and Articles of Association of The Mercantile Bank of India, Limited have been amended, with effect from 31st December, 1957, to change the name of the Bank to "Mercantile Bank Limited". The object of the Bill is to amend the Ordinances set forth in clause 3 in respect of this change and to enable the Bank to continue to issue bank notes bearing its present name for a period of two years or such further period up to five years from the date of coming into operation of the Ordinance, as the Legislative Council may decide. By clause 5, the Bank and its employees are indemnified against any proceedings in respect of things done between the date when the change of name was made and the date of enactment of the Ordinance and all actions by the Bank during that period are validated. It is proposed by clause 1 that the Ordinance should be deemed to have come into operation on the date when the change of name was made.

**SECRETARY FOR CHINESE AFFAIRS INCORPORATION
(AMENDMENT) BILL, 1958.**

THE SECRETARY FOR CHINESE AFFAIRS moved the First reading of a Bill intituled "An Ordinance further to amend the Secretary for Chinese Affairs Incorporation Ordinance, Chapter 310."

He said: Sir, the Secretary for Chinese Affairs often holds small sums of money in trust, usually for minors, which he is at present authorized to invest only in trustee investments. When the sum is small or when it is desirable to make regular disbursements to the beneficiary, the only normal practicable course is to put the money in a savings bank. The amendment contained in this Bill now before honourable Members would authorize the Secretary for Chinese Affairs to do this.

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: —

A further amendment of the Secretary for Chinese Affairs Incorporation Ordinance is considered necessary because of the number of trusts involving rather insignificant sums, held by the Secretary for Chinese Affairs Incorporated. Clause 2 has, therefore, been designed firstly, to reiterate the present position in law of the corporation with regard to the investment of trust funds and, secondly, to empower the corporation, in appropriate cases, to deposit trust funds in a savings bank for reasons other than that mentioned in section 12 of the Trustee Ordinance, Chapter 29.

MEDICAL REGISTRATION (AMENDMENT) BILL, 1958.

DR. D. J. M. MACKENZIE moved the First reading of a Bill intituled "An Ordinance to amend the Medical Registration Ordinance, 1957."

He said: Sir, in his budget speech last year the Honourable C. E. M. Terry drew attention to the need for legislation to prevent persons who are not medically qualified from treating diseases of the eye and my honourable Friend expressed the hope that such legislation would soon be drafted.

There is an accumulation of incontrovertible evidence that a large proportion of the totally blind persons in the Colony have become blind as a result of the malpractice of and here I quote, "charlatans and quacks who do such dreadful damage to the eyes of the unfortunates who seek their help, gulled by misleading advertisements." This quotation is extracted from a Report on Blindness in Hong Kong published in 1953 by the Sub-Committee on the Welfare of the Blind appointed by the Social Welfare Advisory Committee of the Hong Kong Government. This Report also states that out of every 100 blind eyes 78 need not have become blind—and it underlines the fact that 70% of the blindness in children under 10 years of age is preventable if the activities of these self-appointed eye doctors can be stopped.

Wherever one goes in Hong Kong one sees signs advertising the activities of these unqualified persons who claim to cure diseases of the human eyes. It is known that couching for cataract is widely practised; that acupuncture of the socket of the eye—and not infrequently of the eye ball itself—is carried out, usually with rusty needles, for "nerve-pain". Even more tragic is the loss of sight of children with acutely inflamed eyes which is brought about by the use of abrasive and infected solutions put into the eyes by these so called eye doctors. During 1957 alone of 200 persons sent for registration as blind persons, 140 were blinded before the age of 10 years as a result of the attentions of these charlatans and would never have become blind had they received skilled treatment from a medical practitioner.

At the present time Section 30 of the Medical Registration Ordinance does provide cover for the activities of these unqualified persons which of course was never within the spirit or the intention of the Ordinance. No one can possibly wish to allow these unskilled and dangerous quacks to continue their activities under the shelter of Section 30 and so give rise each year to an increasing number of blind persons, mainly children, who present such an economic and social problem to the Hong Kong community today.

Therefore after detailed and careful consideration Government has decided to introduce this amending Bill, the objects and reasons of which are already concisely set out before honourable Members. It will be noted that there will not be any prohibition of the activities of persons engaged in the mechanics of sight testing and the provision of spectacles or other optical appliances.

Sir, I formally move the First Reading of this Bill.

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 prohibit persons other than registered medical practitioners or persons provisionally registered under section 11 of the Medical Registration Ordinance, No. 25

of 1957, from holding themselves out as being qualified, competent or willing to treat diseases of the human eye. The proviso to the proposed new section 30A makes it clear that the prohibition does not extend to persons holding themselves out as being qualified, competent or willing to test vision or to make or provide optical appliances.

ADJOURNMENT.

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

THE ATTORNEY GENERAL: —May I suggest this day two weeks, Sir?

H. E. THE GOVERNOR: —Council is adjourned to this day two weeks.