

**OFFICIAL REPORT OF PROCEEDINGS.****Meeting of 25th June, 1958.**

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**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 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).***ABSENT:**

THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS

MR. JOHN CRICHTON McDOUALL.

**MINUTES.**

The Minutes of the meeting of the Council held on 11th June, 1958, 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>
Defences (Firing Areas) Ordinance.	
Defences (Firing Areas) (Schedule Amendment) Order, 1958	A. 33.
Merchandise Marks Ordinance.	
Official Prosecutions (Amendment) Regulations, 1958 .....	A. 34.
Merchandise Marks Ordinance.	
Seizure of Prohibited Goods (Amendment) Regulations, 1958	A. 35.
Supreme Court Ordinance.	
Adoption Ordinance, 1956.	
Supreme Court (Adoption) (Amendment) Rules, 1958 .....	A. 36.
Supreme Court Ordinance.	
Supreme Court Fees (Amendment) Rules, 1958 .....	A. 37.

**BANK NOTES ISSUE ORDINANCE.**

THE FINANCIAL SECRETARY moved the following resolution: —

Resolved, pursuant to the proviso to section 5 of the Bank Notes Issue Ordinance, Chapter 65, that this Council hereby extends the powers of all the note-issuing banks to make, issue, re-issue and circulate notes until and including the 12th day of July, 1959.

He said: Sir, the Bank Notes Issue Ordinance, Chapter 65, lays down that the powers of the note issuing banks lapse automatically unless renewed by this Council from time to time.

The present powers of these banks expire on the 12th of July next, and it is proposed in this Resolution that they should be renewed for the maximum permissible period of one year.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

### **IMMIGRATION (CONTROL AND OFFENCES) BILL, 1958.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to consolidate the law relating to the control of the entry into, exit from and movement within the Colony of immigrants; and to the use of documents for the purpose of travel, identification, entry or re-entry into the Colony, or residence; and to make provision for the prevention of forgery of such documents and the making of untrue statements for the purpose of procuring them."

He said: Sir, for some time it has been apparent to those concerned with the administration of the legislation relating to immigration that it needed review in the light of experience gained since 1949 when the existing Ordinance came into operation. That review has now taken place and this Bill is the result of it. It is quite a formidable document of 44 clauses, but I would inform honourable Members that much of the old Ordinance remains unaltered or unaltered except for verbal change, as the comparative table attached to the Bill shows.

I think that the statement of objects and reasons read together with that comparative table should give anyone who wishes to make a close study of the Bill great help, and I only want to deal with the more important changes from the existing law, which I will now proceed to do as briefly as I can.

Sir, section 4 of the existing Ordinance prohibits entry into the Colony except at specified points with permission, and of course it is an offence to contravene that section. The courts have, however, held that the offence is not a continuing one and is completed the moment the land or sea frontier is crossed. This has of course made it extremely difficult to obtain convictions in respect of illegal entry and to prosecute persons who aid illegal entry. As honourable Members are aware, illegal immigration is a serious problem in this Colony, and it is essential to tighten up the law with a view to preventing illegal entry so far as possible, and also to make the racketeers who engage in the

traffic amenable to the law. Clause 4, that is the new Clause 4, paragraph (b), of this Bill will have the effect of making it an offence to remain in the Colony after illegal entry except with the permission of the Immigration Officer. I think, however, on further consideration that this provision will have to be re-examined before the Committee stage to ensure that we are not just creating another offence which may be equally difficult of proof. I won't say more at this stage, Sir, than that it may be necessary to bring forward an amendment shifting the burden of proof in certain circumstances.

The next important clause is clause 9, sub-clause (3), which reproduces section 9(3) of the existing Ordinance with an amendment which will enable the Immigration Officer to release an immigrant, whose landing in the Colony he proposes to prohibit, on a limited permit instead of keeping him in custody. This power will be useful in cases where the immigrant arrives in the Colony in an aircraft which will not be returning immediately to the place where the immigrant has embarked.

Sub-clause (1) of clause 11 reproduces subsection (1) of section 11 of the existing Ordinance with an amendment which will permit the examination of immigrants who are found in the Colony after having entered illegally. The existing law, Sir, suggests that such examination may take place only on arrival at authorized landing places or points of entry.

Section 11A of the existing Ordinance which was enacted in 1954 enables the Governor in Council to prohibit the entry into the Colony of any person other than a person born in the Colony. This power has never been used and as adequate power resides in the Immigration Officer to prevent the entry of undesirables, it is considered that provision similar to that contained in section 11A is no longer necessary and the section has therefore been omitted from this Bill.

Another important new provision for coping with illegal entry is paragraph (f) of sub-clause (1) of clause 13. This empowers the Immigration Officer to seize and detain vessels, aircraft and vehicles which are suspected of being used to assist illegal entry, but it is provided that no vessel exceeding 250 gross tons and no aircraft or train may be seized except with the prior consent of the Colonial Secretary. This power and the power for forfeiture by a magistrate contained in clause 41 should do something to deter those engaged in the illegal immigration racket.

Part VI of this Bill contains four clauses which are entirely new and which deal with the position of British servicemen. These Servicemen will be permitted to enter the Colony as heretofore without any restrictions, but upon their leaving the service, they will be deemed to be persons seeking to enter the Colony and will therefore become subject to the provisions of the Ordinance.

The penalty, the general penalty, provided under sub-clause (3) of clause 39 for offences for which no specific penalty is provided is a fine of \$2,000 and imprisonment not exceeding 12 months. The term of imprisonment has been raised from 6 to 12 months.

I now turn to the question of the expulsion of illegal immigrants. This has hitherto been by order of a magistrate upon a conviction. It is proposed in sub-clause (4) of clause 39 that the power should be in the hands of the Governor because of the many practical difficulties involved in expelling persons from the Colony. I should add, however, that this power in the Governor is only exercisable after a conviction by a magistrate. Finally, section 36 of the existing Ordinance which provides for appeals to the Governor in Council and which is reproduced as clause 43 of this Bill has been amended, first, to limit the time within which an appeal may be made to 14 days after the communication of the decision, and secondly, to make it clear that the appeal is restricted to persons in the Colony and relates to executive decisions only.

These then are the main changes from the existing law and I now 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 stated as follows: —

The main objects of the Bill are to bring up-to-date the legislation for the control of immigration to the Colony in the light of the experience gained over the past few years and to

consolidate the Immigrants Control Ordinance, Chapter 243, and the Passport Ordinance, 1952, (No. 13 of 1952) which at present duplicate certain penal provisions.

2. As the Immigrants Control Ordinance governs the entry of all persons to the Colony it was considered desirable to replace it rather than to effect a series of amendments which would be more difficult to understand. The opportunity has been taken to change the title of the Ordinance, the old title being somewhat misleading in that the Ordinance provided for the control of all persons entering the Colony, whether they were by definition immigrants or not.

3. The salient features of the amendments are —

- (a) the introduction of a definition of travel document (clause 2);
- (b) the prohibition against remaining in the Colony, having entered after the coming into operation of the Bill, except under and in accordance with a permit of the Immigration Officer (clause 4(b));
- (c) the discretion allowed the Immigration Officer to permit a person to remain in the Colony for a limited period instead of detaining him (clauses 9(3), 11);
- (d) the power of the Immigration Officer to seize, remove and detain any vessel (not being a ship of war), aircraft, train or vehicle subject to the limitation that no vessel exceeding 250 gross tons, and no aircraft or train may be seized, removed and detained without the prior consent of the Colonial Secretary (clause 13(1) (f));
- (e) the power of the Immigration Officer to require recognizances and securities for the due observance of conditions imposed (clause 15);
- (f) the introduction of new provisions to carry into effect an agreement relating to Service personnel reached with the Armed Services of the Crown (clauses 33 to 36);
- (g) the forfeiture to the Crown of anything seized which is evidence of any contravention of the law (clause 41).

The provisions of the Bill are now also made to apply to all forms of travel documents issued by competent authority whether it be British or foreign.

4. The attached comparative table gives in detail the sources of the various clauses and, where necessary, appropriate observations are inserted in the remarks column.

### **CHARITIES (LAND ACQUISITION) BILL, 1958.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the law relating to the acquisition and holding of land by charities and to make provision for purposes connected therewith."

He said: Sir, this Bill and the next two on the Order of Business are inter-related and as heretofore when this has occurred, I would ask the indulgence of this Council not of course to take the Bills together, but to telescope my remarks somewhat, so that the general scheme represented by these three Bills may be known at the out-set, and thus to avoid a more lengthy explanation of each Bill. The primary purpose of this Bill is stated in the first paragraph of the Objects and Reasons as being "to prevent the accumulation of excessive areas of land in the hands of charitable bodies and thereby to ensure that the best use and development be made of such land as is available in the Colony". The purpose, Sir, is not to embarrass charitable organizations by preventing them from holding the land they need for the discharge of their charitable functions but to control them in the accumulation of land as an investment. Sir, the land shortage in this Colony is notorious, and it is vital to ensure the maximum development of what we have.

Now, Sir, land can only be held by or on behalf of charitable or philanthropic institutions if either they are incorporated with power to hold land or the land is vested in trustees in trust for them. By far the most popular method over the years seems to have been by incorporating the institution or its trustees under a private Bill, and there are in fact 83 such incorporation Ordinances at present on the Statute Book, and these are set forth in the First Schedule to this Bill. Another method of incorporation is of course under the Companies Ordinance, and a company incorporated under that Ordinance has power to hold land by virtue of section 17, but there is a proviso to that section to the effect that a company, formed for the purpose of promoting art, science, religion, charity or any other like object not involving the acquisition of gain by the company or by its

individual members, can only hold two acres of land unless the Governor authorizes it to hold more. There is no such restriction in the case of trustees of a charity, and of the 83 bodies incorporated under the Ordinances I have just mentioned, in only 37 instances are there any restrictions on the acquisition and holding of land. Those 37 Ordinances are those mentioned in Part II of that Schedule.

There is of course another important reason why action should be taken to control the amount of land which may be held by charitable or philanthropic bodies, and this is concerned with the revenue. As these corporations never die, land held by them never becomes liable to estate duty, and moreover in the case of trustees holding land for charitable or philanthropic bodies, there is, generally speaking, no question of estate duty being payable upon the death of a trustee.

At this point, I think it is convenient to mention briefly the purpose of the Registered Trustees Incorporation Bill, that is the item on the Agenda next following this. It has for some time been thought that it would be preferable to give charitable, philanthropic and other similar bodies a simple method of getting trustees incorporated without having to promote a private Bill, and that is the purpose of the Registered Trustees Incorporation Bill. The common ground in relation to the Companies (Amendment) Bill which is the third Bill of the group, is the repeal of the proviso to section 17, which I have just mentioned and which limits the holding of land to not more than two acres without a licence from the Governor, and its replacement by a proviso bringing companies formed primarily for charitable purposes within the scope of the Bill presently under consideration so far as the holding of land is concerned. By reason of the definition in this Bill of the expression "charity", which I shall mention in a moment, the result of these three Bills taken together will be to introduce a standard form of control over the holding of land for charitable purposes.

May I now refer as briefly as possible to the main features of this Bill? It will be observed that the term "charity" is defined to include three different types of bodies of persons: first, bodies of persons whether corporate or unincorporate established primarily for any charitable purpose; secondly, bodies of persons incorporated by an Ordinance mentioned in the First Schedule; and thirdly, bodies of trustees incorporated under



the Registered Trustees Incorporation Bill. It will be further observed that the expression "charitable purpose" has been defined to include not only legal charities strictly so called, but also what one may term philanthropic institutions and other institutions whose purposes are beneficial to the community. The Bill then goes on to prohibit the acquisition of land for or on behalf of any charity or for any charitable purpose otherwise than under a licence granted by the Governor and the sanction behind this prohibition is that unless such licence is obtained, the land becomes forfeitable to the Crown. I should explain at this stage that there is no question of depriving anyone of land acquired before this Bill becomes law, but what we are doing is to bring the corporations specified in the First Schedule within the terms of this Bill for the future, and in relation to the corporations specified in Part II of the Schedule, that is, corporations whose power to acquire land is restricted by their Ordinances in various ways—we have substituted the restriction provided for in this Bill for the restriction contained in the particular Ordinance.

Sir, clauses 5 and 6 are important. Clause 5 provides that land may be assured by will to or for the benefit of any charity or for any charitable purpose, but that it has to be sold unless the Governor's licence is obtained, Clause 6 provides that any personal estate bequeathed by will and directed to be laid out in the purchase of land shall take effect as if there had been no such direction in the will. As the law stands at present, if land is assured by will to a charitable body or personal estate is bequeathed for the purchase of land by a charitable body ultra vires of its powers to hold or to acquire land, such assurance or bequest fails on technical legal grounds. But Sir, the effect of these two clauses will be to enable the charitable body to enjoy the benefit of the assurance or the bequest, though not in the shape of land. Clause 7 provides that the Ordinance shall not apply to wills of persons dying before it comes into operation and as I have already said, nothing in the Bill will affect land acquired before its commencement. There is one other provision of a beneficial nature; moneys may be invested on mortgage without contravening the Ordinance, but in the event of the foreclosure, the land shall be held on trust for sale and be converted into money, unless the licence of the Governor to hold the land has been obtained.

I think, Sir, that that is as brief an explanation of the Charities (Land Acquisition) Bill as I can properly give, and I now 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 stated as follows: —

The purpose of this Bill is to prevent the accumulation of excessive areas of land in the hands of charitable bodies and thereby to ensure that the best use and development be made of such land as is available in the Colony.

2. Clause 2 contains a number of definitions only two of which require special mention. The definition of the expression "charitable purpose" has been based upon the recommendations contained in the report of the United Kingdom Committee on the Law and Practice relating to Charitable Trusts (Cmd. 8710), subject to the addition of one new category of charitable purposes, namely, "the promotion of the moral, social and physical well-being of the community". The expression "charity" has also been defined for the purposes of this Bill. In addition to an association established primarily for a charitable purpose, the definition includes those corporations specified in the First Schedule which were incorporated by private Bill in the past and formed primarily for charitable purposes, and also any body of trustees to be incorporated in the future under the Registered Trustees Incorporation Bill when that is passed into law.

3. Clause 3 provides that land which is acquired or held by a charity, except by licence of the Governor, shall become liable to forfeiture to the Crown. Forfeiture will be effected by means of the provisions of the Crown Rights (Re-entry) Ordinance which will apply to the land forfeited as if the right of re-entry had arisen by reason of the breach of a covenant in a Crown lease. The provisions in that Ordinance relating to relief will also apply, subject to the limitation that, where an applicant for relief applies to the court under section 3 of that Ordinance, no relief may be granted by the court except where

the applicant satisfies the court that the land in question was not acquired or held in contravention of the provisions of the Bill. The effect of this will be to limit the jurisdiction of the court under the Crown Rights (Re-entry) Ordinance to the granting of relief on legal grounds only without affecting the right of the applicant either in the first place to appeal to the Governor in Council for relief on moral or general grounds or subsequent to a decision by the court on legal grounds to appeal to the Governor in Council on moral grounds.

4. Clause 4 provides for the grant of the licence referred to above.

5. Clause 5 provides a saving in the case of land assured by will to a charity by granting one year's grace, after the death of the testator, in which the charity may either sell the land or obtain the Governor's licence to keep it.

6. Clause 6 deals with the situation where personal estate is bequeathed by will to a charity subject to a direction that it must be laid out in the acquisition of land, by providing that, in any case in which the Governor does not grant a licence to acquire land in compliance with the direction, the personal estate may be held free from the direction so that the bequest will not fail.

7. Clause 7 provides a saving relating to the wills of testators who die before the Bill is passed into law.

8. Clause 8 relates to mortgages. It is not the purpose of this Bill to prevent a charity investing its funds in mortgages and, therefore, this clause specifically provides that it may do so without the land which forms the subject of the mortgage being deemed to be land acquired in contravention of the provisions of clause 3, but the proviso to the clause prevents a charity evading the restriction on the acquisition of land by manipulating the equities of redemption.

9. The corporations incorporated by the Ordinances specified in Part II of the First Schedule are each subject under those Ordinances to statutory restrictions relating to the holding of land. The effect of clause 9 will be to substitute the provisions of this Bill for the corresponding restrictive provisions contained in the respective incorporation Ordinances and thereby to standardize the restrictions applicable in the case of all charities, whether incorporated or not.

10. Clause 10 provides a general saving relating to land held before this Bill passes into law.

### **REGISTERED TRUSTEES INCORPORATION BILL, 1958.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to facilitate the incorporation of trustees appointed by certain bodies, associations and communities of persons and to make provision for purposes connected therewith."

He said: Sir, I have already explained briefly the general purport of this Bill. It is adapted from the United Kingdom Charitable Trustees Incorporation Act of 1872, and I do not think that I need go into any great detail. This Bill will enable the duly appointed trustees of certain bodies of persons to make application for incorporation, and the Governor is empowered to grant a certificate of incorporation if he considers it expedient so to do having regard to the nature and objects and other circumstances of the body, and having regard to the public interest. The remainder of the Bill is largely concerned with machinery except clause 11, the effect of which is to provide that incorporation shall not relieve individual trustees of their personal liability in respect of the due administration of the trusts. I would, however, invite attention to the definition of the expression "body of persons" which is as follows:

"body of persons" means—

- (a) any community of persons bound together by custom, religion, kinship, nationality or regional or local interests; or
- (b) any body or association of persons established for any charitable purpose within the meaning of section 2 of the Charities (Land Acquisition) Ordinance, 1958,

the objects of which in either case do not involve the acquisition of gain by such community of persons or body or association of persons or its individual members, as the case may be;"

It will be seen, Sir, that paragraph (b) of this definition links up with the definition of "charitable purpose" as defined in the Bill which has just been read a first time, and that paragraph (a) will, as explained in paragraph 2 of the Objects and Reasons, enable

such associations as local communities of foreign nationals, Kaifong Welfare associations and similar organizations to obtain incorporation. That, I think, is all I need say about this Bill, and I therefore 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 stated as follows: —

The reasons which have given rise to this Bill are to be found in the fact that during the last eighty years a considerable number of organizations of a religious or of a public charitable nature have been incorporated by private Bill. The purpose of the Bill is to provide an inexpensive and simple method whereby the trustees of such organizations may become incorporated by grant of a certificate of incorporation by the Governor. The onerous provisions of the Companies Ordinance will not apply to them but practical control will be maintained by the Governor by means of the certificate of incorporation which will be granted subject to such conditions and directions as he may prescribe in it.

2. The definition of "body of persons" in clause 2 indicates the scope of the Bill. It is wide enough to be of assistance not only to associations established for charitable purposes within the meaning of section 2 of the Charities (Land Acquisition) Bill, 1958, but also such associations as local communities of foreign nationals, kaifong welfare associations and similar organizations, the objects of which may not necessarily fall within the scope of that Bill, provided they do not involve the acquisition of gain to the association itself or its individual members.

3. Clauses 3, 4, 5 and the First Schedule provide the necessary machinery relating to incorporation.

4. Clauses 6 and 7 provide for the use of a common seal and machinery for vesting in the corporation all land or interests in land belonging to or held in trust for the association whose trustees become incorporated.

5. Clauses 8 and 9 provide for the notification of the Registrar of Companies of changes among the individual trustees comprising the corporation and any alteration in the situation of its principal office.

6. Clause 10 deals with the maintenance by the Registrar of Companies of a register of corporations incorporated under the provisions of this Bill and the custody and inspection of documents.

7. Clause 11 provides that the effect of incorporation under this Bill shall not relieve the individual trustees of their personal liability in respect of the due administration of the trusts.

8. Clause 12 is a saving and provides that dispositions of property to an association having trustees incorporated under this Bill shall take effect as though the dispositions had been made to the corporation.

9. Clause 15 and the Second Schedule make provision regarding fees.

10. A Comparative Table is annexed to these Objects and Reasons to indicate the legislation from which this Bill is derived.

### **COMPANIES (AMENDMENT) BILL, 1958.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Companies Ordinance, Chapter 32."

He said: Sir, I have already I think sufficiently explained the purpose of the amendments to section 17 of the Companies Ordinance, and as the rest of the amendments in this Bill are, I think, sufficiently explained in the statement of objects and reasons, I now 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 stated as follows: —

The purpose of this Bill is to amend the Companies Ordinance in a number of minor respects.

2. Section 17 is amended in order to substitute the provisions of the Charities (Land Acquisition) Bill, 1958, when that passes into law, for the provisions at present contained in that section respecting the holding of land by companies formed for charitable purposes.

3. Section 49 is amended to correct an erroneous reference to stamp duty instead of to the fees specified in the Ninth Schedule.

4. Section 107 is amended to insert a further item among the particulars to be included in the annual return of companies where shares are forfeited, namely, the total amount paid (if any) on the shares forfeited.

5. Section 109 is amended to make provision for inclusion in the annual report of companies of a copy not only of the last audited balance sheet but also of any report made by the auditors.

6. Section 131A is amended to make provision in certain cases for the remuneration of the Legal Adviser to the Authorized Auditors Board.

7. Section 270 is amended to correct an erroneous reference to section 130 instead of section 128.

8. Section 280 is amended to enable the cash balance standing to the credit of the account of a company in process of winding up to be invested on bank fixed deposits instead of only in Government securities. There have been cases where it would have been more advantageous to put such money on fixed deposit.

9. Section 290 is amended in order to bring the maximum fee per folio chargeable for copies of documents into line with fees correspondingly chargeable by the Supreme Court and the Official Receiver.

10. The Ninth Schedule is amended—

- (a) in Part II by the substitution of \$5 for the \$3 chargeable for the registering of certain documents in order to bring the fee chargeable under this Part of the Ninth Schedule into line with that chargeable for the registering of most other documents; and
- (b) in Part IV by the deletion of the fee of \$20 for the issue of a licence under section 17 which will cease to be applicable upon the introduction of clause 2.

**QUARANTINE AND PREVENTION OF DISEASE  
(AMENDMENT) BILL, 1958.**

DR. D. J. M. MACKENZIE moved the Second reading of a Bill intituled “An Ordinance to amend the Quarantine and Prevention of Disease Ordinance, Chapter 141, and to repeal the Vaccination Ordinance, 1923.”

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 4 were agreed to.

Council then resumed.

DR. D. J. M. MACKENZIE reported that the Quarantine and Prevention of Disease (Amendment) Bill, 1958 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.



**MAINTENANCE ORDERS (FACILITIES FOR  
ENFORCEMENT) (AMENDMENT) BILL, 1958.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Maintenance Orders (Facilities for Enforcement) Ordinance, Chapter 15."

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 and 2 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Maintenance Orders (Facilities for Enforcement) (Amendment) Bill, 1958 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.

**STAMP DUTY COLLECTION (VALIDATION) BILL, 1958.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to validate the collection of stamp duties on certain instruments affecting land in the New Territories to which Part II of the New Territories Ordinance does not apply."

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 and 2 and the preamble were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Stamp Duty Collection (Validation) Bill, 1958 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.

### **ADDRESS BY H. E. THE GOVERNOR.**

Gentlemen, this is the last occasion on which we will have the Honourable Dhun Ruttonjee sit with us in Council, and I am sure you will all wish me to convey on your behalf to him our appreciation of his services during the last five years while he has been a member of this Council, for his loyalty at all times and for his wise advice. And with that message from you all I would like to associate one personally from myself. (*Applause*).

### **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?

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