

OFFICIAL REPORT OF PROCEEDINGS.**Meeting of 8th July, 1959.**

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. EDMUND BRINSLEY TEESDALE, M.C. (*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. 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).

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

THE HONOURABLE KWOK CHAN, O.B.E.

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

THE HONOURABLE HUGH DAVID MacEWEN BARTON, M.B.E.

THE HONOURABLE DHUN JEHangIR RUTTONJEE, O.B.E.

THE HONOURABLE RICHARD CHARLES LEE, O.B.E.

THE HONOURABLE KWAN CHO YIU, O.B.E.

MR. ANDREW McDONALD CHAPMAN (*Deputy Clerk of Councils*).**ABSENT:**

THE HONOURABLE FUNG PING FAN, O.B.E.

MINUTES.

The Minutes of the meeting of the Council held on 24th June, 1959, were confirmed.

AFFIRMATION.

MR. KWAN CHO YIU, O.B.E., made an Affirmation of Allegiance and assumed his seat as a Member of the Council.

ADDRESS BY THE GOVERNOR.

As honourable Members are aware, there are now four new nominated members of Council serving with us. Mr. Dhun Ruttonjee, of course, is familiar with this scene from previous service in Council; and we have in addition Mr. Fung who is at present on leave; Mr. Lee and Mr. Kwan who will now be serving on Council for the first time. To all of you, including Mr. Fung in absentia, I extend a welcome on behalf of your colleagues as well as on my own behalf.

ANNOUNCEMENT.

THE COLONIAL SECRETARY: —I rise to announce the appointment of the Honourable Dhun Ruttonjee and the Honourable Kwan Cho Yiu to serve on the Standing Law Committee for 1959 in succession to Dr. the Honourable A. M. Rodrigues and Mr. Lo Man Wai.

PAPERS.

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

Annual Report by the Hong Kong War Memorial Fund Committee for the year 1958.

Report of the Board of Management of the Hong Kong Tourist Association for the years 1957/58 and 1958/59.

ROYAL HONG KONG DEFENCE FORCE (EXTENSION OF APPOINTMENT AND VALIDATION) BILL, 1959.

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to extend, with retrospective effect, the period of appointment of Brigadier Lindsay Tasman Ride, Commander of the Most Excellent Order of the British Empire, as Commandant of the Royal Hong Kong Defence Force and to validate acts done by him in that capacity."

He said: Sir, the terms of the Bill are straight forward and uncontroversial, the purpose being to extend the period of the appointment of Brigadier Ride as Commandant of the Royal Hong Kong Defence Force. The reason for it are fully explained in the Preamble and the statement of 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: —

Brigadier L. T. Ride, C.B.E., E.D., was appointed to be Commandant of the Royal Hong Kong Defence Force on 1st March, 1949, and has continued to hold that appointment ever since. Doubt has arisen however whether his appointment was validly extended after 28th February, 1953. This Bill seeks to remove this doubt by expressly extending the period of his appointment from 1st March, 1953 until 28th February, 1961 and to validate his actions as Commandant since 1st March, 1953.

INTERPRETATION (AMENDMENT) BILL, 1959.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance further to amend the Interpretation Ordinance, Chapter 1".

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 6 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Interpretation (Amendment) Bill, 1959, had passed through Committee without amendment and moved that it be read a Third time.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a Third time and passed into law.

DISTRICT COURT (AMENDMENT) BILL, 1959.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the District Court Ordinance, 1953."

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 District Court (Amendment) Bill, 1959, 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 into law.

**LAND TRANSACTIONS (ENEMY OCCUPATION)
(JURISDICTION) BILL, 1959.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to make provision touching the jurisdiction of the Supreme Court and the District Court respectively in relation to proceedings under section 7 of the Land Transactions (Enemy Occupation) Ordinance, Chapter 256."

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 Land Transactions (Enemy Occupation) (Jurisdiction) Bill, 1959, 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 into law.

**COMPANIES (PREVENTION OF EVASION OF THE SOCIETIES
ORDINANCE) BILL, 1959.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to prevent circumvention and evasion of the Societies Ordinance, Chapter 151, and to provide for measures to be taken with respect to companies registered under the Companies Ordinance, Chapter 32, and companies to which Part XI of the Companies Ordinance applies which would, if they were societies registered under the Societies Ordinance, be liable to have their registration under that Ordinance cancelled by the Registrar of Societies on any of the grounds specified in subsection (5) of section 5 of that Ordinance, and for purposes connected with the matters aforesaid."

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 16 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Companies (Prevention of Evasion of the Societies Ordinance) Bill, 1959, 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 into law.

ADJOURNMENT.

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

ATTORNEY GENERAL: —Sir, I suggest this day fortnight.

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