

OFFICIAL REPORT OF PROCEEDINGS.**Meeting of 2nd September, 1959.**

PRESENT:HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT (*PRESIDENT*)

MR. CLAUDE BRAMALL BURGESS, C.M.G., O.B.E.

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. PATRICK CARDINALL MASON SEDGWICK (*Acting*).

THE HONOURABLE THE FINANCIAL SECRETARY

MR. ARTHUR GRENFELL CLARKE, C.M.G.

THE HONOURABLE ALLAN INGLIS

(Director of Public Works).

THE HONOURABLE COLIN GEORGE MERVYN MORRISON

(Director of Urban Services).

THE HONOURABLE KENNETH STRATHMORE KINGHORN

(Commissioner of Labour).

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

THE HONOURABLE HUGH DAVID MAC EWEN BARTON, M.B.E.

THE HONOURABLE KWOK CHAN, O.B.E.

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

THE HONOURABLE DHUN JE HANGIR RUTTONJEE, O.B.E.

THE HONOURABLE FUNG PING FAN, 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:**

HIS EXCELLENCY THE COMMANDER BRITISH FORCES

LIEUTENANT-GENERAL SIR EDRIC MONTAGUE BASTYAN, K.B.E., C.B.

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

(Director of Medical and Health Services).

MINUTES.

The Minutes of the Meeting of the Council held on 19th August, 1959, were confirmed.

PAPERS.

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

Subject. *G.N. No.*

Sessional Papers, 1959: —

No. 9—Report of the Hong Kong Housing Authority
for the period 1.4.55 to 31.3.57.

No. 10—Annual Report by the Custodian of Enemy
Property for the year 1958/59.

Dentists Registration Ordinance, 1959.

Dentists (Registration and Disciplinary Procedure) Regulations,
1959 A. 54.

**WILD BIRDS AND WILD MAMMALS PROTECTION
(AMENDMENT) BILL, 1959.**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Wild Birds and Wild Mammals Protection Ordinance, 1954."

He said: Sir, the principal Ordinance gave effect to the recommendations of an informal committee as to the legislation necessary for the conservation of wild animals and birds in the Colony.

Some five years have now elapsed and the committee has had the opportunity of considering the effectiveness of that legislation. It has now recommended certain amendments to the legislation and these are contained in this Bill.

It is proposed that enforcement of the Ordinance should in future be the responsibility of the Department of Agriculture, Fisheries and Forestry. The Bill therefore makes provision for the appointment of full-time game wardens (who will be officers of that Department), whose duty it will be to patrol the shooting areas and for appointment of the Director as the licensing authority, a function now performed by the Commissioner of Police. The powers granted to the officers charged with the enforcement of the Ordinance have been revised and they now include limited power of arrest of persons committing offences

against the Ordinance and a power to seize appliances for trapping mammals and birds. A further new feature is a provision designed to ensure that persons to whom game licences are issued know at what they are shooting, it having become apparent that a number of the holders of game licences cannot identify the game which they are entitled to hunt. This Bill therefore seeks further to safeguard protected birds from destruction by empowering the licensing authority to test applicants for game licences as to their ability to distinguish one bird from another.

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 Wild Birds and Wild Mammals Protection Ordinance, No. 8 of 1954 (the principal Ordinance), gave effect to recommendations made by an informal committee appointed to advise Government as to the legislation necessary for the better conservation of wild animals and birds in the Colony. The purpose of this amending Bill is to give effect to further recommendations of that committee and set out below is a summary of the main changes proposed.

2. In order to make enforcement of the Ordinance in future the responsibility of the Department of Agriculture, Fisheries and Forestry, clause 3 adds a new section to the principal Ordinance specifically providing that the Director of that department shall be the licensing authority and clause 6, in repealing and replacing section 14, makes provision for the appointment of full-time wardens, who it is intended will be officers of that department.

3. The powers of justices of the peace, game wardens and honorary game wardens under the Ordinance are specified in section 15 as replaced by clause 7 of the Bill; these will now include power to arrest persons reasonably believed to have committed offences against the Ordinance and to seize appliances for trapping mammals and birds. Clause 9 amends section 19 to authorize forfeiture by the court of such appliances.

4. As experience has shown that holders of game licences cannot all identify the game they are entitled to hunt, clause 5 amends section 12 of the principal Ordinance to enable the licensing authority to require applicants for licences to undergo tests in the recognition of game.

SUPPLEMENTARY APPROPRIATION (1958-59) BILL, 1959.

THE FINANCIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March, 1959.

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, the Schedule and the Preamble were agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the Supplementary Appropriation (1958-59) 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.

**HONG KONG AUXILIARY POLICE FORCE
(AMENDMENT) BILL, 1959.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Hong Kong Auxiliary Police Force Ordinance, 1959".

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 Hong Kong Auxiliary Police Force (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.

INDUSTRIAL AND REFORMATORY SCHOOLS (AMENDMENT) BILL, 1959.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Industrial and Reformatory Schools Ordinance, Chapter 225."

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 5 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Industrial and Reformatory Schools (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.

ADJOURNMENT.

H. E. THE OFFICER ADMINISTERING THE GOVERNMENT: —That concludes the business for today, gentlemen. When is it your pleasure we should meet again?

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

H. E. THE OFFICER ADMINISTERING THE GOVERNMENT: —Council stands adjourned until this day three weeks.