

OFFICIAL REPORT OF PROCEEDINGS.**Meeting of 29th June, 1960.**

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 RODERICK WILLIAM McLEOD, K.C.B., C.B.E.

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.

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 ROBERT MARSHALL HETHERINGTON, D.F.C.

(Commissioner of Labour).

THE HONOURABLE HECTOR WILLIAM FORSYTH

(Acting Director of Public Works).

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

THE HONOURABLE KWOK CHAN, O.B.E.

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

THE HONOURABLE DHUN JEHangIR 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.

THE HONOURABLE GEORGE MACDONALD GOLDSACK.

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

MINUTES.

The minutes of the meeting of the Council held on 15th June, 1960, 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>
Sessional Paper, 1960: —	
No. 15—Annual Report by the Public Relations Officer for the year 1958/59.	
Dangerous Drugs Ordinance.	
Dangerous Drugs (Amendment of Schedule) Order, 1960	A. 52.
Pharmacy and Poisons Ordinance.	
Poisons List (Amendment) (No. 3) Regulations, 1960	A. 53.
Pharmacy and Poisons Ordinance.	
Poisons (Amendment) (No. 3) Regulations, 1960	A. 54.
Road Traffic Ordinance, 1957.	
Road Traffic (Parking and Waiting) (Amendment) Regulations, 1960	A. 55.
Stamp Ordinance.	
Stamp (Bank Authorization) (No. 2) Order, 1960	A. 56.
Births and Deaths Registration Ordinance.	
Births and Deaths Registration (Amendment of First Schedule) (No. 2) Regulations, 1960	A. 57.

BANK NOTES ISSUE ORDINANCE—RESOLUTION.

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 or re-issue and circulate notes until and including the 12th day of July, 1961.

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.

**HONG KONG TOURIST ASSOCIATION (AMENDMENT)
BILL, 1960.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance further to amend the Hong Kong Tourist Association Ordinance, 1957."

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.

Clause 4.

THE ATTORNEY GENERAL: —I rise to move the amendment standing in my name. This proposed amendment has been placed before honourable Members with an explanation which I think is sufficient, and I therefore beg to move.

Proposed Amendment.

4. Delete and replace by the following—

"Amendment of section 9. Section 9 of the principal Ordinance is amended by the deletion therefrom of subsections (2) to (6) inclusive and the substitution therefor of the following—

"(2) (a) The Board shall consist of eleven members, each of whom shall be appointed by the Governor and shall hold office for such period not exceeding three years as the Governor shall provide.

(b) Six of the members of the Board shall be selected by the Governor and each of the remaining five members thereof (hereinafter referred to as the nominated members of the Board) shall be an ordinary

member of the Association, not being a company or a firm, or the accredited representative of an ordinary member which is a company or a firm, recommended for appointment under the provisions of paragraph (a), (b) or (d), as the case may be, of subsection (3).

(c) In paragraph (b), the expression "accredited representative" means the person designated by an ordinary member which is a company or a firm to be its representative for the purposes of the said paragraph, being a person who is engaged in the day to day business of such company or firm and who has been accepted by the Board (which expression includes the Board appointed under this section prior to its amendment by the Hong Kong Tourist Association (Amendment) Ordinance, 1960) as such representative.

(3) (a) Each of the following classes of ordinary members, that is to say—

(i) international passenger carriers who carry passengers by sea;

(ii) international passenger carriers who carry passengers by air;

(iii) hotel proprietors;

(iv) recognized travel agents;

(v) tourist agents,

may, within one month of the commencement of the Hong Kong Tourist Association (Amendment) Ordinance, 1960, recommend a person for appointment as a nominated member of the Board.

(b) When for any reason a vacancy occurs in the office of a nominated member of the Board, the class of ordinary members by, or as representing, whom such member was recommended for appointment may, within one month of the occurrence of such vacancy, recommend another person for appointment as a nominated member of the Board.

(c) Where he thinks fit, the Governor may, after consultation with those persons who are members of the Board, decline to appoint as a nominated member of the Board any person who has been recommended for such appointment under the provisions of paragraph (a) or (b).

(d) Where—

(i) within one month of the commencement of the Hong Kong Tourist Association (Amendment) Ordinance, 1960, any such class of ordinary members has not recommended a person for appointment as a nominated member of the Board; or

(ii) within one month of the occurrence of any vacancy in the office of a nominated member of the Board, the class of ordinary members by, or as representing, whom such member was recommended for appointment has not recommended another person for appointment as a nominated member of the Board; or

(iii) the Governor declines to appoint as a nominated member of the Board any person who has been recommended for such appointment under the provisions of paragraph (a) or (b) by any such class of ordinary members,

those persons who are members of the Board at the expiry of such month or at the time the Governor so declines to appoint a person as a nominated member of the Board, as the case may be, may recommend a person for appointment as a nominated member of the Board as representing that class of ordinary members.

(e) Every recommendation under the provisions of paragraph (a) or (b) shall be made in accordance with such procedure as the Board may prescribe.

(4) When for any reason a vacancy occurs in the office of a member of the Board selected for appointment by the Governor, such vacancy shall be filled by appointment by the Governor.

(5) The Governor shall appoint a member of the Board as chairman thereof, and may appoint another member of the Board to act as chairman thereof during the temporary incapacity by illness or during the temporary absence from the Colony of the chairman.

(6) The Governor may appoint any person to be temporarily a member of the Board during the temporary incapacity by illness or during the temporary absence from the Colony of any member of the Board, and, where the member so incapacitated or absent is a nominated member of the Board, the person appointed under the provisions of this subsection shall be appointed as representing the class of ordinary members by, or as representing, whom such member was recommended for appointment. ". "

Clause 4, as amended, was agreed to.

THE ATTORNEY GENERAL: —I beg to move the addition of a new clause which is also before honourable Members and this, too, has sufficient explanation. I therefore beg to move.

Proposed Amendment.

“Amendment of section 6. Section 6 of the principal Ordinance is amended by the deletion from subsection (1) thereof of the words and comma "and in the case of an application for associate membership, shall be sponsored by two ordinary members”.”.

New clause, as added, was agreed to.

Council then resumed.

THE ATTORNEY GENERAL: —Sir, I have to report this Bill through Committee with amendments some of which I consider material within the meaning of Standing Order 28. If Your Excellency is of the same opinion I seek leave to move the suspension of Standing Orders to allow the Bill to be read a Third time.

H. E. THE GOVERNOR: —I am of that opinion.

THE ATTORNEY GENERAL: —I therefore beg to move suspension of Standing Orders.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

THE ATTORNEY GENERAL moved the Third reading of the Bill.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

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

**PUBLIC HEALTH (ANIMALS AND BIRDS) (AMENDMENT)
BILL, 1960.**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance further to amend the Public Health (Animals and Birds) Ordinance, Chapter 139."

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 Public Health (Animals and Birds) (Amendment) Bill, 1960, 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.

FEDERATION OF HONG KONG INDUSTRIES BILL, 1960.

THE FINANCIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to provide for the establishment, regulation and management of a federation to be known as the Federation of Hong Kong Industries, and for matters connected with the purposes 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 9 were agreed to.

Clause 10.

THE FINANCIAL SECRETARY: —I rise to move that clause 10 be amended as set forth in the papers before honourable Members. This amendment and some others which I shall propose later on have been agreed by the Working Party.

Proposed Amendment.

10. In sub-clause (2) —

(a) delete the comma at the end of paragraph (b) and substitute therefor the following—

“; and”;

(b) insert the following after paragraph (b) —

"(c) who is not eligible for ordinary membership by virtue of the provisions of paragraph (c) of subsection (1),".

Clause 10, as amended, was agreed to.

Clauses 11 to 13 were agreed to.

Clause 14.

THE FINANCIAL SECRETARY: —I rise to move that clause 14 be amended as set forth in the papers before honourable Members.

Proposed Amendment.

14. In sub-clause (1), insert the following at the end thereof, after the words "this Ordinance"—

“and of any rules which may have been made by the general committee under the provisions of section 51”.

Clause 14, as amended, was agreed to.

Clauses 15 to 44 were agreed to.

Clause 45.

THE FINANCIAL SECRETARY: —Sir, I rise to move that clause 45 be amended as set forth in the papers in the hands of honourable Members.

Proposed Amendment.

- 45.** (1) In sub-clause (3), insert the following at the end of paragraph (b), after the words "First Schedule"—

"and add any group to, or delete any group from, the Third Schedule so far as may be necessary in consequence of the addition of any group to, or the deletion of any group from, the First Schedule".

- (2) In sub-clause (4), insert the following after the words "First Schedule"—

"or the Third Schedule".

Clause 45, as amended, was agreed to.

Clauses 46 to 50 were agreed to.

Clause 51.

THE FINANCIAL SECRETARY: —Sir, I rise to move that clause 51 be amended as set forth in the papers before honourable Members.

Proposed Amendment.

- 51.** (1) In paragraph (b) of sub-clause (1) —

(a) delete the word "other";

(b) insert the following at the end thereof, after the words "the Federation"—

"or the furtherance of any of its objects".

- (2) Add the following as sub-clause (3) —

"(3) Rules made under this section may provide that the general committee may impose on any member who contravenes specified provisions thereof such penalty as may be prescribed by such rules:

Provided that no penalty so prescribed shall exceed five thousand dollars. "

Clause 51, as amended, was agreed to.

Clauses 52 to 56 were agreed to.

Clause 57.

THE FINANCIAL SECRETARY: —I rise to move that clause 57 be amended as set forth in the papers before honourable Members.

Proposed Amendment.

57. Insert the following as sub-clause (3) —

"(3) The Governor may appoint another such member of the general committee to act as chairman or deputy chairman thereof, for such period as he may specify, during the temporary incapacity by illness or during the temporary absence from the Colony of the Chairman or deputy chairman thereof, as the case may be."

Clause 57, as amended, was agreed to.

The Schedules were agreed to.

Council then resumed.

THE FINANCIAL SECRETARY: —Sir, I have to report this Bill through Committee with amendments which I consider material within the meaning of Standing Order 28. If, Sir, you are therefore of the same opinion I move the suspension of Standing Orders necessary to allow the Bill to be read a Third Time.

H. E. THE GOVERNOR: —I agree with your interpretation.

THE FINANCIAL SECRETARY: —I beg to move the suspension of Standing Orders.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

THE FINANCIAL SECRETARY moved the Third reading of the Bill.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

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

**BUILDINGS ORDINANCE, 1955, (APPLICATION TO THE
NEW TERRITORIES) BILL, 1960.**

MR. H. W. FORSYTH moved the Second reading of a Bill intituled "An Ordinance to extend the operation of the Buildings Ordinance, 1955, to the New Territories, subject to certain modifications."

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 7 and the Schedule were agreed to.

Council then resumed.

MR. H. W. FORSYTH reported that the Buildings Ordinance, 1955, (Application to the New Territories) Bill, 1960, 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: —That concludes the business for to-day, 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 stands adjourned until this day two weeks.