

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 12th September 1962**

PRESENT:HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)

SIR ROBERT BROWN BLACK, GCMG, OBE

HIS EXCELLENCY LIEUTENANT-GENERAL SIR REGINALD HACKETT HEWETSON,
KCB, CBE, DSO

COMMANDER BRITISH FORCES

THE HONOURABLE CLAUDE BRAMALL BURGESS, CMG, OBE

COLONIAL SECRETARY (AND FINANCIAL SECRETARY IN ADDITION)

THE HONOURABLE MAURICE HEENAN, QC

ATTORNEY GENERAL

THE HONOURABLE JOHN CRICHTON McDOUALL

SECRETARY FOR CHINESE AFFAIRS

THE HONOURABLE ALLAN INGLIS, CMG

DIRECTOR OF PUBLIC WORKS

DR THE HONOURABLE DAVID JAMES MASTERTON MacKENZIE, CMG, OBE

DIRECTOR OF MEDICAL AND HEALTH SERVICES

THE HONOURABLE KENNETH STRATHMORE KINGHORN

DIRECTOR OF URBAN SERVICES

THE HONOURABLE DHUN JEHANGIR RUTTONJEE, OBE

THE HONOURABLE FUNG PING-FAN, OBE

THE HONOURABLE RICHARD CHARLES LEE, OBE

THE HONOURABLE KWAN CHO-YIU, OBE

THE HONOURABLE KAN YUET-KEUNG, OBE

THE HONOURABLE WILLIAM CHARLES GODDARD KNOWLES

THE HONOURABLE FUNG HON-CHU

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

THE HONOURABLE PETER DONOHUE

DIRECTOR OF EDUCATION

THE HONOURABLE SIDNEY SAMUEL GORDON

MINUTES

The minutes of the meeting of the Council held on 22nd August 1962 were confirmed.

PAPERS

THE COLONIAL SECRETARY: —Sir, I rise to lay on the table certain papers copies of which are already in the hands of honourable Members. I should like, if I may, to say a few words about one of these papers, namely the Report on the Public Service.

For some years it has been the practice for the Colonial Secretary to devote some part of his budget speech to a brief report on the Public Service. In this year's debate I said, as honourable Members may recall, that I proposed to make the Public Service the subject of a separate and more detailed report which would be laid on the table in due course. That report is now before honourable Members, and I venture to think that they may feel that it tells a most interesting story and sets down in black and white, for the first time, many hitherto little known aspects of Government's personnel policies and practices.

Those practices have undergone a radical change since about the time of the Platt Salaries Commission in 1959. The officer mainly responsible for this re-organization is Mr G. C. HAMILTON, who is at present Deputy Colonial Secretary. As Establishment Officer Mr HAMILTON has gradually devised and introduced a new and much more efficient system of dealing with all our personnel problems. Under his guidance (and he has been well assisted by Mr LIGHTBODY, who is the present Establishment Officer) the Establishment Branch of the Secretariat, by the documentation of precedent, the application of modern techniques and principles, and the rationalization of procedures, has transformed itself into a highly efficient machine which has on several occasions been warmly commended both by the Finance Committee of this Council and by the Public Services Commission—bodies which the Establishment Branch has a special duty to serve. This re-organization has also made it possible for us to give better advice and to help members of the public who are interested in opportunities presented by the Government service, and also to the members of that Service itself. Hong Kong is exceptional in the number and variety of public and semi-public functions which are performed by full-time members of the Government service. This makes Government staff relations of wider impact in Hong Kong than in many other territories; and it increases of course the significance of the efforts that have been made to provide the community with a contented, well-organized and efficient Public Service.

The Establishment Officer's conclusions, at the end of his report, that the Public Service gives good value for the money spent on it, is one that I for one, would endorse; but we are never completely satisfied with things as they are and we shall continue to examine every possible way of securing a better return from our staff in the way of courteous and efficient service to the community.

*Subject**GN No*

Sessional Papers, 1962: —

No. 15 — Annual Report of the Accountant General with the
Accounts of the Colony for the year 1961-62.

No. 16 — Annual Report by the Custodian of Enemy Property
for the year 1961-62.

No. 17 — First Annual Report by the Social Work Training Fund
Trustee for the period ending on 31st March 1962.

A Report on the Public Service.

Registration of Persons Ordinance, 1960.

Registration of Persons (Re -registration) (No. 12) Order, 1962 A 88

Public Health (Animals and Birds) Ordinance.

Public Health (Animals and Birds) (Amendment) Regulations,
1962 A 89

Ferries Ordinance.

Excluded Ferries (Ma On Shan and Ho Tung Lau) (Amendment)
Regulations, 1962 A 90

Royal Hong Kong Defence Force Ordinance, 1951.

Royal Hong Kong Defence Force (Pensions) (Amendment)
Regulations, 1962 A 91

Summary Offences Ordinance.

Summary Offences (Licences and Fees) (Amendment)
Regulations, 1962 A 92

Marine Fish (Marketing) Ordinance, 1956.

Marine Fish (Marketing) Regulations, 1962 A 93

Immigration (Control and Offences) Ordinance, 1958.

Immigration (Control and Offences) (Amendment) Regulations,
1962 A 94

Pensions Ordinance.

Pensionable Offices Order, 1962 A 95

**GRANT SCHOOLS BUILDING DEPRECIATION FUND
(WINDING UP) BILL, 1962**

THE COLONIAL SECRETARY moved the First reading of a Bill intituled "An Ordinance to make provision for the winding-up of the Grant Schools Building Depreciation Fund and for matters connected therewith."

He said: Sir, as stated in the Objects and Reasons, this short measure is designed to wind-up a fund, established by Government before the War, which provided financial assistance to Grant Schools for the reconstruction of school premises which had become unfit for use. The Grant Schools Council agrees that Government assistance in this field is now sufficiently generous to make the continued operation of the fund unnecessary. However, the Bill provides that any school having a credit balance in the fund immediately prior to 1st April, 1960, shall be able to use this money for rebuilding within ten years of the Bill's enactment.

THE ATTORNEY GENERAL 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: —

This Bill proposes the repeal, with effect from 1st April, 1960, of section 45 of the Education Ordinance, 1952 and the Grant Schools Building Depreciation Fund Rules, 1952, contained in the Fourth Schedule to the Education Ordinance, 1952. Prior to the enactment of the Education Ordinance, 1952, Government had provided a fund, into which annual payments were made, to assist with the reconstruction of grant school premises which, because of depreciation, became no longer fit for use. By section 45 of the Education Ordinance, 1952 and these rules, the administration of the fund was placed on a statutory basis, under the control of a board of control elected under rule 4 of the rules. In view of the increased assistance given by Government for the rebuilding of grant schools, it is considered unnecessary to continue such fund.

2. However, it is considered equitable that every grant school which, immediately prior to 1st April, 1960 had a sum standing to its credit in the fund, for rebuilding, should be enabled to utilize such fund for such purpose within a period of ten years from the date of enactment of this Bill. Accordingly, in the Schedule to the Bill are listed the schools and school buildings which, immediately prior to 1st

April, 1960, were entitled as existing grant schools to the credits out of the fund set forth against their names therein except those schools in respect of which payment out has been made since that date and provision is made by clause 4 for the reimbursement to the registered owners of such schools, of expenditure upon the conditions set forth in that section. By clause 3, the assets of the fund are deemed to have vested in the general revenue of the Colony on 1st April, 1960. By clause 5, any payments made out of the fund after that date are deemed to have been made out of the general revenue of the Colony in accordance with the provisions of clause 4 and dividends, interest etc. accruing to the fund are similarly vested in the general revenue of the Colony.

MARINE FISH (MARKETING) (AMENDMENT) BILL, 1962

THE COLONIAL SECRETARY moved the First reading of a Bill intituled "An Ordinance to amend the Marine Fish (Marketing) Ordinance. 1956."

He said: Sir, the Marine Fish (Marketing) Ordinance was enacted in 1956 and is to become effective on a date to be appointed by proclamation. The Ordinance could not, however, be brought into operation until the necessary regulations and by-laws had been prepared. This has now been done and the regulations have been enacted and so the stage is set for the formal establishment of the Fish Marketing Organization, and its adoption of by-laws, which will subsequently be placed before this Council for approval.

Honourable Members may well feel that an interval of six years between an enactment and the proclamation bringing it into effect requires some explanation. Members will be aware that for many years the Fish Marketing scheme has operated, and indeed it still operates, under the provisions of certain Defence Orders. For a couple of years or so after the Ordinance was enacted there were special reasons for continuing to act under Defence Regulations. Since 1959, however, there has, I must admit, been some delay in transferring the authority to the substantive law. I am afraid that the main reason for this is the continuing pressure under which the draftsmen of the Legal Department have been working in recent years. The Attorney General and I meet at intervals to discuss and decide priorities, but I fear that we are still in a position where, generally speaking, the capacity of the draftsmen cannot go very far beyond legislation for which there is a demonstrably pressing need. There have recently been some sign of improvements in the recruiting position of the Legal Department and I hope that we shall shortly be able to make some inroads into the considerable volume of legal drafting which has had to yield place to more urgent work.

During the drafting of the regulations and by-laws, to which I have just referred, the opportunity has been taken to propose a few amendments to the main Ordinance.

These various amendments are described in the statement of Objects and Reasons appended to the Bill. The most important is that to Section 3 of the principal Ordinance which removes restrictions on subsequent wholesale sales following a first wholesale disposal of fish at a market. Honourable Members will also wish to know that, while the amendment to Section 4 permits the Organization to charge such fees or commissions as it thinks fit, the rate of commission for the main function of conducting wholesale sales of marine fish in markets is to be fixed by by-laws, —and these, as I have just said, have to be submitted to this Council for covering approval.

THE ATTORNEY GENERAL 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: —

Section 3 of the principal Ordinance in its present form prohibits the wholesale sale of marine fish otherwise than at a market. It is not desired to restrict the subsequent re-sale of marine fish once the fish has been sold at a market. By clause 3, therefore, the Bill seeks to remove from section 3 the restrictions on subsequent wholesale sales, following a sale at a market.

2. Apart from the primary function of conducting wholesale marine fish markets, it is planned that the Organization will provide such services in connexion with the fishing industry, as may from time to time be required; since the number of services provided is likely to be enlarged, and the type of service to vary according to demand, it is felt that it would be impossible to set out in the form of by-laws a comprehensive list of fees and rates of commission that may be charged by the Organization. The amendments to the principal Ordinance made by clauses 4 and 5 would enable the Organization to charge for all services which it may from time to time provide, and these will be subject to the directions of the Governor under section 6 of the Ordinance. The Bill, however, provides that the rate of commission to be charged by the Organization for their main function of conducting wholesale sales of marine fish in markets shall be fixed by by-laws.

3. Section 15(1)(c) of the Ordinance enables the by-laws to provide for removal of names from the registers of buyers only in the case of a breach of condition of registration. Clause 5 will enable the by-laws

to provide for the removal of names in other circumstances, such as on the death of the buyer or at his own request or where he has ceased to use the facilities of the market for a long period.

4. In clause 2, the definition of "market" has been amended to include markets already established, which will be taken over by the Organization after the Ordinance has come into operation.

AGRICULTURAL PRODUCTS (MARKETING) (AMENDMENT)

BILL, 1962

THE COLONIAL SECRETARY moved the First reading of a Bill intituled "An Ordinance to amend the Agricultural Products (Marketing) Ordinance, 1952."

He said: Sir, the Ordinance which it is now sought to amend, established the Vegetable Marketing Advisory Board, gave legal status to the Director of Marketing and conferred on him certain powers, functions and responsibilities in respect of the control and administration of the Vegetable Marketing Organization.

In the ten years in which this Ordinance has been in operation the need for certain amendments has come to light and these arise particularly from a desire to bring this Ordinance into closer relation with the Marine Fish (Marketing) Ordinance which was enacted in 1956, that is to say four years after the Ordinance which it is now sought to amend.

The amendments are mainly intended to make financial control more flexible, to clarify certain aspects of the existing law and to bring several of the provisions which confer powers and responsibilities more into line with corresponding provisions in other legislation. These changes are, I think, adequately described in the statement of Objects and Reasons.

The amendment to Section 6 of the principal Ordinance, which will enable the membership of the Advisory Board to be increased from four to six, is designed to afford, in due course, greater participation in the affairs of the Board by the Federation of Vegetable Marketing Societies. This facility will be required when we approach more nearly the stage at which, in accordance with Government's declared policy, the Vegetable Marketing Organization can be handed over to vegetable farmers to operate on a Co-operative basis.

THE ATTORNEY GENERAL 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 Agricultural Products (Marketing) Ordinance, 1952, in a number of respects.

2. Clause 2 seeks to correct a clerical error in section 4(2) of the Ordinance.

3. Clause 3 will amend section 6 of the Ordinance so as to enable the membership of the Marketing Advisory Board to be increased from four to six members and to make it clear that members, although initially appointed for one year, may be re-appointed for further terms of office.

4. Clause 4 seeks to repeal and replace section 7 of the Ordinance by three new sections designed to render financial control more flexible and to bring the accounting and auditing provisions more closely into line with those applicable to similar organizations.

5. Section 8 of the Ordinance will be amended so as to enable regulations to be made relating to—

(a) the establishment of vegetable collecting centres; and

(b) the issue of permits.

6. Sections 9 and 10 of the Ordinance, which provide powers of seizure, search, arrest and forfeiture, will be repealed and replaced by new sections that are more in line with corresponding provisions in other legislation (clause 6).

POST SECONDARY COLLEGES (AMENDMENT) BILL, 1962

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Post Secondary Colleges Ordinance, 1960."

He said: Sir, under section 4(b), of the principal Ordinance and regulation 2 of the Post Secondary Colleges Regulations, 1960, the law requires that each and every provision prescribed in regulation 2 be included in the constitution of each college. The mandatory terms of section 4(b) and regulation 2 preclude the Director of Education from exercising in relation to regulation 2 the general power afforded him under section 12(2) of the principal Ordinance of waiving any requirement of any regulation made under the Ordinance. In these circumstances, the Director is under the necessity, in certain particulars, of imposing a common form of constitution upon all post secondary colleges. Such a rigid approach has been found unsatisfactory in that

it does not permit the taking into account of any variation in the status or potential of the various individual colleges. For example, one group of colleges selected for assistance in the form of capital and recurrent grants from Government may develop rapidly towards university and college status whilst the progress of other colleges may be significantly slower.

Accordingly, Sir, the purpose of this short Bill is to amend the principal Ordinance to permit the Director to exercise in respect of regulation 2 of the Post Secondary Colleges Regulations, 1960, the powers afforded him by section 12(2) of the principal Ordinance in the same way as he may do in respect of any other of these Regulations. If enacted, this Bill will enable the Director to exempt a post secondary college from the necessity of including in its constitution any of the requirements prescribed in regulation 2 and will thus confer a degree of flexibility which will enable the grant aided colleges to continue their development without being restricted by the "leading strings" of regulation 2 whilst at the same time permitting such control over both these and other less developed colleges as may be necessary.

Sir, the Bill presently before this Council does not take account of the fact that there are two commas in paragraph (b) of section 2 of the principal Ordinance, but an appropriate amendment specifying the second comma will be introduced during the committee stage on the second reading of the 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 object of this Bill is to remove the mandatory requirement that the constitution of a Post Secondary College shall contain the matters set out in regulation 2 of the Post Secondary Colleges Regulations, 1960. This regulation is in itself mandatory but under section 12 of the Ordinance the Director of Education may exempt any college from the provisions of any regulations.

BOILERS AND PRESSURE RECEIVERS BILL, 1962

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to repeal and replace the Steam Boilers Ordinance, Chapter 56."

He said: Sir, this Bill is a lengthy one with no less than 72 clauses and many of its provisions are of a technical nature. The statement of Objects and Reasons which accompanies the Bill is also a lengthy one but as this explains in detail the salient points I propose to confine myself to a few brief remarks of a general nature.

The periodic inspection and control of steam boilers other than boilers on ships is at present ensured through the Steam Boilers Ordinance, but there is no specific legislation to control other forms of pressure equipment, such as steam receivers or air receivers which are now in common use in Hong Kong. The Steam Boilers Ordinance itself was enacted in 1909 and is in the main an enabling Ordinance which was intended to be supplemented by detailed technical regulations. There are records of pre-war attempts to draft suitable regulations but no such regulations have in fact ever been made. The result is that our present law is defective in that it does not cover all forms of pressure equipment and in that although it says that boilers must be inspected by qualified examiners at regular intervals, no guidance is given as to how inspection is to be carried out or what a boiler owner is required to do to keep his boiler in safe operating order. Although satisfactory standards have been obtained by administrative methods, the rapid growth of Hong Kong's industry and the extensive use now made in industry of pressure equipment have combined to make it desirable that new and comprehensive legislation should be introduced to lay down standard methods of inspection and control on internationally accepted lines.

To meet this need draft legislation based in the main on the provisions of sections 32 to 38 of the United Kingdom's Factories Act, 1961, which deal with the construction, maintenance, examination and use of steam boilers, steam receivers, steam containers and air receivers, was prepared and adaptations were made to meet local circumstances and to provide a suitable administrative framework. The resulting proposals were then discussed in detail by the Commissioner of Labour with those responsible for boiler inspection under the Steam Boilers Ordinance and with representatives of various Government departments, the major oil companies, the two electricity companies, the major dockyards and so on. A wide measure of support was received and in its final stages the draft was considered in detail by the Federation of Hong Kong Industries which appointed a special sub-committee for this purpose. The Bill now before Council takes account of several objections raised and suggestions made during these consultations, which were of the greatest value in the formulation of a practical scheme for the control of pressure equipment.

It is Government's intention that the administration of the Bill, if enacted, should be in the hands of the Commissioner of Labour who would be appointed Registrar and that a senior professional officer

of the Marine Department with appropriate qualifications should be appointed Principal Surveyor. Examination of boilers will be undertaken as at present by qualified marine surveyors operating on their own account, who will also examine steam receivers and steam containers and be empowered to examine air receivers and fuel oil burning pressure vessels. Marine Department surveyors will have similar powers of inspection but only for official purposes.

If it transpires that marine surveyors are not able to undertake all the extra work arising in connexion with air receivers, provision is made for the appointment of suitably qualified mechanical engineers to carry out the examination of air receivers and pressure vessels if required. In addition provision is made for the examination of fuel oil burning pressure vessels under servicing arrangements provided by the major oil companies. Enforcement will be in the hands of Labour Inspectors who will check that certificates are kept up to date and that conditions prescribed are observed.

I said earlier that this Bill is based in the main on corresponding provisions in the United Kingdom Factories Act. Account has however been also taken of certain non-statutory industrial practices which are widely followed in the United Kingdom, largely at the insistence of insurance companies whose inspectors in practice carry out a more comprehensive regular examination of all parts of a pressure system than the Act itself requires.

The main differences between this Bill and sections 32 to 38 of the Factories Act are as follows. Special provision is made to control portable gas generators, a cheap but potentially very dangerous form of apparatus which is occasionally found in use here. Kerosene burning pressure stoves and heaters are also widely used in Hong Kong for non domestic purposes. Under the Factories Act apparatus of this kind would be classified as air receivers but the application of the Factories Act provisions to such equipment would be unduly expensive in local conditions. With the agreement of the major oil companies special provision has been included in the Bill for regular testing to take place as part of the normal servicing arrangements.

The Factories Act does not require that piping under pressure as part of a pressure system should be regularly examined, although inspection of piping is carried out regularly in the United Kingdom on a voluntary basis. As the insurance of boilers and other pressure equipment is not common here, it has been considered advisable that inspection of the piping of boilers and steam receivers should be required under the Hong Kong Law. Normally only visual inspection will be required except on initial installation or after major repairs and in view of the expense and inconvenience only the Principal Surveyor is authorized to require a hydraulic test in cases other than initial installation or after major repairs. It is not practicable for the piping

leading from an air receiver to working apparatus to be subject to examination but an examiner inspecting the piping connecting an air receiver to its source of supply of air must satisfy himself that it is of adequate strength before he issues a certificate of fitness.

Other provisions included in the Bill which do not appear in the Factories Act are the requirements that boilers and steam receivers should be operated under the direct supervision of competent persons and that fuel burning installations attached to boilers should be examined periodically. These are considered necessary to ensure reasonable standards of safety here.

Honourable Members will note that under clause 9(1) the Principal Surveyor has wide powers of exemption in respect of individual boilers or pressure receivers, if he is satisfied that any provisions of the Bill cannot reasonably be applied. It is intended that full use should be made of these powers to meet any genuine difficulties which may arise, particularly in the transitional period after the introduction of this legislation. These powers are in fact wider than those accorded under section 38 of the United Kingdom Factories Act to the Chief Factories Inspector who is only empowered, as is the Registrar under clause 10(1) of this Bill, to exempt classes or types of pressure apparatus. This extra degree of flexibility is considered desirable until such time as experience can show whether any permanent modifications are desirable or whether certain relaxations can be made with safety under local conditions.

Honourable Members will also note that if enacted, the Bill as a whole will not come into operation until a day to be appointed by Your Excellency, by Proclamation in the *Gazette*. This postponement is to give time to owners of pressure equipment to familiarize themselves with the requirements of the new legislation and for the necessary administrative preparations to be made. A period of approximately 3 months is envisaged as being sufficient for this purpose. Even when the Bill as a whole is brought into operation, clause 1(2) provides for a further interval before the clauses relating to oil fired pressure burning equipment become operative. It is thought that the lapse of a year may be desirable in this case. A similar interval is also envisaged before clause 49(7) comes into force. These intervals are designed to give time for the Principal Surveyor to consider and announce which types or makes of pressure vessels he is prepared to approve for the issue to applicants who directly supervise the operation of boilers and steam receivers of the necessary certificates of competency.

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: —

This Bill is designed to replace the Steam Boilers Ordinance (Chapter 56). It is very much more comprehensive than the existing Ordinance, both in its application and in the provisions that it makes. Save as provided in subclause (1) of clause 3, it will apply to all boilers and, unlike the existing Ordinance, will also apply to pressure receivers, that is to say, steam receivers, air receivers and portable gas generators. The class of equipment that falls within the generic description "air receiver" includes the many types of kerosene pressure stove that are in use in the Colony. For the purposes of the Bill, they are designated "pressure vessels". *Inter alia*, subclause (1) of clause 3 provides that the Bill will not apply to any boiler or pressure receiver that is used solely for domestic purposes or to small pressure vessels having a maximum storage capacity that does not exceed one gallon.

The existing system under which boilers are examined and tested, primarily at least, by suitably qualified private individuals, and not by Government officers, is continued and is extended to the examination and testing of pressure receivers. Government officers will, therefore, carry out examinations and tests only in specified circumstances. The examination and testing of a boiler or steam receiver must be carried out by a boiler inspector and the examination and testing of an air receiver (other than a pressure vessel) must be carried out by a boiler inspector or an air receiver inspector. Provision for the appointment by the Governor of boiler inspectors and air receiver inspectors is made in clause 4(1)(c). A pressure vessel must be examined and tested by a boiler inspector or an air receiver inspector or by a pressure vessel inspector appointed by the Principal Surveyor under clause 5. The examination and testing of pressure vessels is a comparatively simple matter and it is unnecessary to require them to be examined only by boiler inspectors or air receiver inspectors, who are invariably fully qualified engineers. It is for this reason that the new class of pressure vessel inspector has been created. Throughout the Bill, the term "appointed examine" as defined in clause 2, is used to refer to all three classes of inspector.

2. The provisions of the Bill can be conveniently summarized under three main headings—

- (a) administrative provisions;
- (b) the maintenance and examination of boilers and pressure receivers; and
- (c) offences and ancillary provisions.

It is proposed to deal with each of these three headings in turn.

3. *Administrative provisions.*

The Bill provides for the appointment of public officers as Registrar of Boilers and Pressure Receivers and Principal Surveyor of Boilers and Pressure Receivers (clause 4(1)(a) and (b)). The Registrar will be responsible for the overall administration of the Bill and the Principal Surveyor will have certain important specific functions, which are adverted to hereinafter.

The Registrar is required to keep registers of boilers and pressure receivers. There will be one register for boilers and pressure receivers other than pressure vessels and a separate register for pressure vessels (clause 7(1)(a) and (b)). The particulars that are to be recorded in these registers are specified in subclauses (2) and (3), respectively, of clause 7. One of the more important particulars that must be recorded in the register of boilers and pressure receivers will be the maximum permissible working pressure of each registered boiler or pressure receiver as determined in accordance with Part VI of the Bill (clause 7(2)(a)(v) and (b)). The appointed examiner who carries out the first examination for the purposes of the Bill of a boiler or pressure receiver (other than a pressure vessel), whether it is a new boiler or pressure receiver or an existing boiler or pressure receiver (that is to say, one that is in use in the Colony when the Bill comes into operation), is required to determine the maximum permissible working pressure at which it may be operated and to report the result to the Registrar (clause 47(2)). The owner of a boiler or pressure receiver who is dissatisfied with the examiner's determination may appeal to the Principal Surveyor (clause 48). The maximum permissible working pressure thus determined by the appointed examiner or by the Principal Surveyor will be the maximum pressure at which the boiler or pressure receiver may thereafter be permitted to be operated, though a lesser pressure may be specified by an appointed examiner on the occasion of any subsequent examination of the boiler or pressure receiver for the purposes of the Bill (clause 33(4)(a)). The initial determination under Part VI of the Bill of the maximum permissible working pressure of a boiler or pressure receiver is, therefore, of considerable importance, and it is on that account that there will be a right of appeal to the Principal Surveyor from the appointed examiner's decision. There will be no such right of appeal from the decision of an appointed examiner to reduce the maximum permissible working pressure of a boiler or pressure receiver on the occasion of any subsequent periodic or other examination for the purposes of the Bill—the conditions on which an appointed examiner is prepared to issue his certificate of fitness after such an examination is entirely a matter for him. In order to provide the Registrar with a complete record of each registered boiler or pressure receiver and to provide the Principal Surveyor with the information that he requires to enable him to make his own assessment of the maximum permissible

working pressure at which each such boiler or pressure receiver may be operated, subclause (1) of clause 11 and clause 13 (in relation to existing boilers or pressure receivers and new boilers or pressure receivers, respectively) provide for the delivery to the Registrar of certain documents, which, in the case of an existing boiler or pressure receiver, must be delivered prior to the first examination of the boiler or pressure receiver for the purposes of the Bill and, in the case of a new boiler or pressure receiver, must be delivered not later than thirty days before the boiler or pressure receiver is put into use. To ensure that the documents so delivered apply to the boiler or pressure receiver in respect of which they are delivered, clause 15 provides that each must be endorsed by an appointed examiner with a declaration to that effect. In the case of new boilers or pressure receivers, it is envisaged that the documents specified in clause 13 will always be available and will normally be sufficient to enable the Principal Surveyor to make his own assessment of the normal working pressure at which the boiler or pressure receiver may be operated. The same cannot be said of existing boilers and pressure receivers, and subclause (2) of clause 11 provides that, where the documents specified in subclause (1) of that clause are not delivered to the Registrar or where the documents that are delivered are not adequate to enable the Principal Surveyor to make his own assessment of the maximum permissible working pressure at which the boiler or pressure receiver in question may be operated, the Principal Surveyor may require the owner to have the boiler or pressure receiver surveyed by an appointed examiner, who must on the result of his survey prepare, and deliver to the Registrar, plans of the boiler or pressure receiver. The intention is that, where such a survey is required, it will be carried out at the same time as the first examination of the boiler or pressure receiver for the purposes of the Bill. It is after these documents and any plans that may have been required under subclause (2) of clause 11 have been delivered to the Registrar that a boiler or pressure receiver will be registered (clause 16(1)). The effect, therefore, of all the foregoing provisions is that, before or shortly after any boiler or pressure receiver has first been examined for the purposes of the Bill, the boiler or pressure receiver will be registered and its basic maximum permissible working pressure will be determined. There may be occasions when, in order to enable him to make his own assessment of the maximum permissible working pressure at which a boiler or pressure receiver may be operated, the Principal Surveyor will require particulars of the boiler or pressure receiver in addition to those contained in the documents delivered pursuant to subclause (1) of clause 11 or clause 13. Clause 18, therefore, vests in the Principal Surveyor the power to require additional details to be delivered to him, and will apply to both new and existing boilers or pressure receivers. The provisions of this clause are without prejudice to the provisions of subclause (2) of clause 11 in relation to existing boilers or pressure receivers.

The registration of pressure vessels is provided for by clause 20. The Registrar is required to register every pressure vessel in respect of which he has received notice under clause 19 and may register any other pressure vessel that comes to his notice if it is in use. Clauses 19 and 20 will not come into operation immediately for reasons that are explained hereinafter, and there will, therefore, be some delay before work on the compilation of the register of pressure vessels begins.

Subclause (1) of clause 17 requires the sale or hiring of a registered boiler or pressure receiver (other than a pressure vessel) to be notified to the Registrar and subclause (1) of clause 21 makes similar provisions with respect to the sale of registered pressure vessels. The owner of a registered boiler or pressure receiver is also required to notify the Registrar of any change in his address and, in the case of a pressure vessel, of any change in the place at which it is being used (clause 17(2) and 21(2)).

The Registrar will also be required to keep a register of boiler inspectors and air receiver inspectors, a register of pressure vessel inspectors and a register of competent persons (clause 7(1)(c), (d) and (e)). The register of competent persons will contain a list of all persons to whom the Principal Surveyor has issued certificates of competency under clause 6. Subclause (7) of clause 49 of the Bill provides that a boiler or steam receiver may not be operated except under the direct supervision of a competent person. This is an entirely new provision and has been introduced on account of the danger that may arise where a boiler or steam receiver is operated by a person who has insufficient experience. The standard that will be required before the Principal Surveyor issues a certificate of competency will not be high, but will be sufficient to ensure that the more elementary risks are avoided. Although the Principal Surveyor will receive applications for certificates of competency as soon as the Bill comes into force and work will begin on the compilation of the register of competent persons, subclause (7) of clause 49 will not come into operation for some twelve months (clause 1(3)), during which time it is hoped that it will be possible to issue certificates of competency to all persons who are at present boiler attendants. The Principal Surveyor will have power to revoke a certificate of competency at any time (clause 6(4)(a)).

Clause 8 provides for the holding of inquiries into explosions in boilers or pressure receivers. Useful lessons can frequently be learned if the cause of a boiler explosion is authoritatively determined, and guidance for the future provided by publication of the results of the inquiry. This has been the practice in the United Kingdom for many years and the necessary statutory provisions are made in relation to boilers by the Boiler Explosions Acts, 1882 and 1890. Clause 8 is modelled on section 6 of the Act of 1882 and provides for the holding of a preliminary inquiry by the Principal Surveyor and for the holding

of a full inquiry by a Board of Inquiry appointed by the Registrar. The composition of a Board of Inquiry is prescribed in subclause (2) of clause 8 and the powers that the Principal Surveyor and a Board of Inquiry will require are provided by subclauses (3) and (4), respectively. Subclause (5) provides for the publication of the result of an inquiry. It is essential that the Principal Surveyor should be notified as soon as possible if an explosion occurs in a boiler or pressure receiver and, accordingly, clause 63 requires the owner to notify the Principal Surveyor of an "accident" (as defined) in or to a boiler or pressure receiver and also requires him to notify the existence of any defect therein that is likely to be dangerous. These provisions have been adapted from section 5 of, and the Schedule to, the Act of 1882. Unlike that Act, however, they apply to pressure receivers as well as to boilers.

Clauses 9 and 10 provide for the grant of exemptions. Under clause 9, the Principal Surveyor will be able to exempt individual boilers from specified requirements of the Bill and under clause 10 the Registrar will be empowered to exempt by order particular classes or types of boiler or pressure receiver.

4. *The maintenance and examination of boilers and pressure receivers.*

Every boiler or pressure receiver will have to be properly maintained (clause 22(1)). Specific provisions with respect to the maintenance of steam containers, fuel burning installations, boiler-houses and fire-fighting equipment, respectively, are made by subclauses (2), (3), (4) and (5) of clause 22.

Subject to the particular examinations that are provided for in clauses 23, 24, 25 and 26, every boiler must be examined by an appointed examiner within fourteen months after the day on which the preceding certificate of fitness was issued in respect of the boiler and every steam receiver and air receiver, other than a pressure vessel, must be examined by an appointed examiner within twenty-six months after the day on which the preceding certificate of fitness was issued in respect of the steam receiver or air receiver (clause 27). The particular examinations referred to above are as follows. Firstly, clause 23 provides for the first examination for the purposes of the Bill of existing boilers or pressure receivers (other than pressure vessels). Subclause (1) deals with existing boilers and provides that they must first be examined within twelve months after their last examination under the repealed Steam Boilers Ordinance or not later than two months after the Bill comes into operation, whichever is the later. The alternative provision that applies where the period of twelve months from the last examination of a boiler under the Steam Boilers Ordinance expires within the first two months after the Bill comes into operation is designed to give owners of existing boilers a reasonable time within which to comply

with subclause (1) of clause 11 and will, incidentally, provide for the case where it is impracticable to have a boiler examined immediately upon the expiry of that period. Subclause (2) of clause 23 provides for the first examination for the purposes of the Bill of existing pressure receivers (other than pressure vessels). They will have to be examined by an appointed examiner within twelve months after the Bill comes into operation. This period is considered reasonable having regard to the fact that there has hitherto been no statutory provision for the examination of pressure receivers. Secondly, clause 24 requires new boilers or pressure receivers (other than pressure vessels) to be examined by an appointed examiner before they are put into use. Thirdly, a boiler or steam receiver that is to be put into use in premises other than those in which it has previously been used must be examined by an appointed examiner before it is put into use in the new premises (clause 25) and, fourthly, a boiler or pressure receiver to which extensive repairs have been carried out or that has been moved from one part of any premises to another part must, unless in the latter case the boiler or pressure receiver is designed to be transportable from place to place, be examined by an appointed examiner before it is again put into use (clause 26). A boiler or pressure receiver must not be used unless it has been examined in accordance with the Bill and a certificate of fitness issued in respect thereof after the examination (clause 49(1) and (8)).

Separate provision is made by clause 31 for the examination of pressure vessels. This clause, like clauses 19 and 20, will not come into operation for some twelve months after the Bill as a whole comes into operation. All existing pressure vessels (that is to say, pressure vessels that are in use in the Colony when clause 31 comes into operation) will have to be examined within twelve months after that clause comes into operation (clause 31(1)), and new pressure vessels will have to be examined within twelve months after they are first put into use (clause 31(2)). Subject to those provisions, every pressure vessel must be examined within twelve months after the date on which the preceding examination thereof was completed (clause 31(3)). The period of twelve months fixed by subclause (1) of clause 31 for the first examination of an existing pressure vessel is considered reasonable having regard to the fact that, as is the case with pressure receivers generally, there has hitherto been no statutory provision for the examination of pressure vessels. A pressure vessel must not be used unless it has been examined in accordance with the Bill and certified to be in safe working order (clause 49(2) and (8)).

In addition to providing for the examination of boilers and pressure receivers as a whole, the Bill also provides for the examination or testing in specified circumstances of certain auxiliary equipment provided in connexion with a boiler or steam receiver, namely, fuel burning

installations, heaters fitted in fuel burning installations, fuel pipes and steam or water pipes (clauses 29 and 30).

Probably the most important single clause in the Bill is clause 32, which empowers the Principal Surveyor to prohibit the further use and operation of a boiler or pressure receiver if, *inter alia*, it appears to him that it is not in safe working order (clause 32(1)(a)) or has not been duly examined or tested (clause 32(1)(b)). It is by means of the power so vested in the Principal Surveyor that the provisions of Part IV of the Bill will, in the final analysis, be enforced, since the sanction that will most likely induce an owner to comply with those provisions will be his inability to make use of his boiler or pressure receiver. An order under clause 32 in respect of a boiler or pressure receiver (other than a pressure vessel) will continue in force until the Principal Surveyor has permitted its use to be resumed, which he may not do unless an appointed examiner has examined the boiler or pressure receiver and issued a certificate of fitness in respect thereof, and an order under that clause in respect of a pressure vessel will continue in force until an appointed examiner has examined the pressure vessel and certified that it is in safe working order (clause 32(2)). By subclause (3) of clause 32, the Principal Surveyor is empowered to take such steps as he considers necessary to procure the immediate stoppage of the use of a boiler or pressure receiver in respect of which an order has been issued under subclause (1). If a boiler or pressure receiver in respect of which such an order has been issued is used during the continuance in force of the order, the owner will be guilty of an offence (clause 49(6) and (10)).

The issue of certificates of fitness in respect of boilers or pressure receivers (other than pressure vessels) is provided for in clause 33. The whole of the examination of a boiler or pressure receiver is not always carried out by the same appointed examiner and account of this is taken in subclause (2)(b) of clause 33, which provides that each appointed examiner who carried out any part of an examination must record in the certificate of fitness details with respect to the part that he carried out. A certificate must be signed by the examiner who examined the boiler or pressure receiver when it was under pressure or, in the case of a pressure receiver, by the examiner who carried out the pressure accumulation test (clause 33(1)) and may be issued only when he is satisfied as to the matters set out in paragraphs (i), (ii) and (iii) of subclause (3) of clause 33 and if he is satisfied that the result of any part of the examination that he did not carry out himself was satisfactory (clause 33(2)(a)). Subclause (5) enables an appointed examiner to issue a certificate of fitness subject to conditions requiring the repair of the boiler or pressure receiver. It is not unusual for a certificate of fitness to be issued in respect of a boiler or a pressure receiver that requires repairs if the repairs are not urgent, though in such a case the maximum permissible working pressure of the boiler or pressure receiver

will probably be reduced under subclause (4)(b) pending the carrying out of the repairs. The procedure to be followed where an appointed examiner refuses to issue a certificate of fitness is prescribed in subclause (7), and a right of appeal to the Principal Surveyor from the decision of an appointed examiner who refuses to issue a certificate of fitness will be provided by clause 34.

Certificates of fitness will not be issued after the examination of pressure vessels. All that is necessary is that the pressure vessel should carry some indication of the date when the last satisfactory examination thereof was completed and clause 35 provides accordingly. An examiner who is not satisfied that a pressure vessel is in safe working order will be required to notify the owner, who will have a right of appeal to the Principal Surveyor (clause 36).

Part V of the Bill contains detailed provisions with respect to the manner in which examinations of boilers or pressure receivers (other than pressure vessels) are to be carried out. The requirements vary according to the provision of the Bill for the purposes of which the examination is carried out.

5. *Offences and ancillary provisions.*

The only offences that call for comment in addition to those already referred to are the offences under subclause (3) of clause 49 and clause 56. Subclause (3) of clause 49 prohibits the use of a new pressure vessel that has not been approved by the Principal Surveyor or that is not of a type or brand that has been approved by the Principal Surveyor. In the context, a "new" pressure vessel is one that is first put into use in the Colony after subclause (3) of clause 49 comes into operation, which will be some twelve months after the Bill as a whole comes into operation. Although the majority of pressure vessels that are at present in use in the Colony were manufactured by reputable concerns, there are others that are either home-made or of doubtful origin. A pressure vessel that is not manufactured in accordance with a proper specification can be highly dangerous and, having particular regard to the fact that they are commonly used at cooked food stalls in crowded streets and in factories, it is considered essential to prevent further unsatisfactory pressure vessels from being put into use. This can best be achieved by prohibiting the use of new pressure vessels that have not been approved or that are not of an approved type or brand. Hence, the provisions of subclause (3) of clause 49. The necessary provisions relative to the approval of pressure vessels and brands or types of pressure vessel are to be found in clause 58. The standard that will apply will be that required by the current British Standard Specification (clause 58(3)(b)), to which all pressure vessels that are manufactured by reputable concerns are constructed. Clause 58 will come into operation at the same

time as the majority of the provisions of the Bill, but it will be some time before the Principal Surveyor is able to consider all applications for his approval. It is for this reason that the commencement of subclause (3) of clause 49 will be postponed. It is for a connected reason that clauses 19, 20, 21, 31 and subclause (3) of clause 50 will also not come into operation immediately, namely, that if they were to do so a distinction would have to be drawn between new and existing pressure vessels for the purposes of subclause (3) of clause 49 and new and existing pressure vessels for the purposes of those clauses. This is likely to lead to confusion and in the circumstances the commencement of all the provisions of the Bill relating to pressure vessels, other than clause 58, will be postponed until a reasonable opportunity for the submission of applications for approval has been provided and the applications have been considered by the Principal Surveyor (clause 1(2)).

Clause 56 deals with corruption. It is considered desirable to make specific provision with respect to the offering of bribes to, and the taking of bribes by, appointed examiners who are not public officers. The Prevention of Corruption Ordinance (Chapter 215) will, of course, apply to appointed examiners who are public officers.

The following are the more important ancillary provisions.

- (a) Special provision will be made for one class of pressure receiver, namely, portable gas generators, for which the provisions of the Bill relating to pressure receivers generally are not suitable. Subclause (1) of clause 53 prohibits the use of a portable gas generator save with the permission of the Principal Surveyor, which may be granted subject to conditions as to operation, maintenance and inspection (clause 59(2)). Parts II, III, IV, V and VI of the Bill, together with certain other clauses, will not apply to portable gas generators (clause 3(2)).
- (b) Subclause (1) of clause 64 will place certain limitations on the liability of the Government and subclause (2) of that clause provides that public officers will not be liable personally for acts done by them bona fide for the purpose of executing the Bill.
- (c) Clause 66 vests in public officers and appointed examiners the powers that they will require for the due execution of the Bill.

FISHERIES PROTECTION BILL, 1962

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to promote the conservation of fish and other forms of aquatic life within the waters of the Colony and to regulate fishing practices and to prevent activities detrimental to the fishing industry."

He said: Sir, this Bill in the main is an enabling one which, if enacted, will permit the making of regulations designed to encourage the conservation of fish and other forms of aquatic life within the Colony waters and to control or prohibit activities detrimental to the fishing industry. Sir, one of the main difficulties in the way of enforcing fisheries protection legislation is that of obtaining the evidence necessary to establish a contravention of the law. With this problem in view, clause 5 of the Bill seeks to confer wide powers of boarding, entry, search and seizure without warrant whilst clause 8 seeks to introduce certain rebuttable presumptions regarding the presence of explosives or poison or of fish captured by these means. Although the Government Fisheries staff have been very active in advising of the danger to life and limb and of the waste ensuing from the widespread destruction of fish and fish fry, regrettably the use of explosives for the purpose of capturing fish remains widespread. Poison is not used at present for fishing in Colony waters but its use is current in neighbouring countries and could easily be extended to Hong Kong should effective control of the use of explosives be enforced. Accordingly, if this Bill is enacted it is intended forthwith to make regulations prohibiting the use of explosives or toxic substances for the purpose of fishing.

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 provide powers for the introduction of regulations aimed at promoting the conservation of fish and other forms of aquatic life and prohibiting or controlling the more wasteful and destructive methods of fishing, particularly with regard to the use of explosives and toxic substances in fishing; and generally to prevent activities detrimental to the fishing industry.

MENTAL HEALTH (AMENDMENT) BILL, 1962

DR D. J. M. MACKENZIE moved the First reading of a Bill intituled "An Ordinance to amend the Mental Health Ordinance, 1960."

He said: Sir, experience of the working of this Ordinance has shown that certain amendments are necessary to facilitate its administration in respect of persons whom it is impracticable to bring before a court because of mental illness and also in respect of persons detained

under a Hospital Order, who after treatment, should no longer be detained in a mental hospital. Clause 2 deals with the former category, by the deletion in Sub-section (3) of Section 46 of the reference to Sub-section (3) of Section 54. Clauses 6 and 7 deal with the latter category and the purpose of these two Clauses 6 and 7 is fully explained in paragraph 1 of the Objects and Reasons.

Clause 5 increases the period of detention laid down in Section 55 for observation, in a mental hospital, of prisoners or of young persons detained in a remand home or reformatory school, from seven days to fourteen days as this lesser period has proved in practice to be too short a time for the purpose.

The opportunity has been taken to effect further minor amendments to Sections 52 and 54 by the insertion of Clauses 3 and 4.

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: —

Hospital orders made by courts under section 45 in respect of convicted persons authorize, and warrants executed by the Governor under section 57 in respect of persons found guilty but insane direct, that the person concerned be detained in a mental hospital. Since the only sufficiently secure part of the present mental hospital at Castle Peak is the refractory ward, it is considered desirable to provide for the detention elsewhere of such a person who is no longer in need of treatment in a mental hospital. Clause 7 will insert a new section 57B empowering the Governor to order that such a person be transferred to and detained in the custody of the Commissioner of Prisons. Clause 6 will amend section 57 by adding a new subsection intended to preserve the prerogative power vested in the Governor of declaring Her Majesty's pleasure with respect to persons found guilty but insane, so that this power could be exercised as an alternative to that already conferred under this section, that is to say, of committing the person to a mental hospital.

2. Section 55 enables persons in the custody of the Commissioner of Prisons or the Director of Social Welfare to be detained for observation in a mental hospital for seven days, and clause 5 will amend the section so as to increase this period to fourteen days. Section 38 empowers a medical superintendent to transfer to hospital those certified or temporary patients (non-voluntary patients) in need of special medical treatment. The proposed new section 57A (clause 7) will apply this

provision to the cases of other non-voluntary patients, for example, persons undergoing imprisonment or detained under a hospital order. Clauses 2, 3 and 4 effect two minor changes in the Ordinance.

YAN CHAI HOSPITAL BILL, 1962

DR D. J. M. MACKENZIE moved the First reading of a Bill intituled "An Ordinance to provide for the management of the Yan Chai Hospital and for the incorporation of the Board of Directors of the Hospital."

He said: Sir, in May 1960 certain public spirited residents of Tsuen Wan indicated their desire to raise funds to build and maintain a private hospital in Tsuen Wan near Kwai Chung. This will be a general hospital, initially of 100 beds, with the majority of beds available to the public for treatment free or at low cost. This hospital is to be known as the Yan Chai Hospital and there is planning provision for extension, later, to 200 beds or more.

A Fund Raising Committee in Tsuen Wan has undertaken to raise \$750,000 for this purpose provided that Government will contribute a like amount and give some recurrent support towards maintenance costs. A free grant of land is to be made and Finance Committee has approved a capital subvention on a dollar for dollar basis up to a maximum of \$750,000 with a recurrent subvention of \$3,000 a bed a year. The balance of the costs of maintenance are to be met by the proposed Board of Directors.

Until a Board of Directors has been incorporated a grant of land cannot be made and the collection of donations cannot begin. The purpose of this Bill is to provide for this incorporation so that the land can be granted, plans drawn and funds which are raised brought to account. Clause 3 provides for the District Commissioner, New Territories, to nominate the first Board of Directors, and to approve the Constitution governing the general management of the affairs of the Board and of the hospital.

Clause 8 requires the Board of Directors to make provision for the appointment of an Executive Committee to which it shall delegate the day to day administration of the hospital. The composition of this Executive Committee is expected to be similar to that appointed for the Pok Oi Hospital.

In moving this Bill, Sir, I would like to express Government's appreciation of this public spirited move by the residents of Tsuen Wan.

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: —

This Bill seeks to provide for the appointment of the first Board of Directors of the proposed Yan Chai Hospital, which will be situated at Tsuen Wan in the New Territories, and to provide for the incorporation of the Board of Directors for the time being of the Hospital.

2. Under clause 3(3), the District Commissioner, New Territories, will approve a constitution for the Hospital as soon as practicable after the first Board of Directors has been appointed. The constitution so approved will thereafter regulate the appointment of the Board of Directors and the construction and management of the Hospital.

SUPPLEMENTARY APPROPRIATION (1961-62) BILL, 1962

THE COLONIAL 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, 1962."

THE ATTORNEY GENERAL 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 COLONIAL SECRETARY reported that the Supplementary Appropriation (1961-62) Bill, 1962 had passed through Committee without amendment and moved the Third reading.

THE ATTORNEY GENERAL seconded.

The question was put and agreed to.

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

DISTRICT COURT (AMENDMENT) (NO. 2) BILL, 1962

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance further 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) (No. 2) Bill, 1962 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.

GAMBLING (AMENDMENT) BILL, 1962

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the Gambling Ordinance, Chapter 148."

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 Gambling (Amendment) Bill, 1962 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

HIS EXCELLENCY THE GOVERNOR: —Well, gentlemen, that concludes today's business. When is it your pleasure that we should meet again?

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

HIS EXCELLENCY THE GOVERNOR: —Council stands adjourned until this day two weeks.