

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 22nd January 1964****PRESENT:**HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)

SIR ROBERT BROWN BLACK, GCMG, OBE

HIS EXCELLENCY LIBUTENANT-GENERAL SIR RICHARD WALTER CRADDOCK, KBE,
CB, DSO

COMMANDER BRITISH FORCES

THE HONOURABLE EDMUND BRINSLEY TEESDALE, MC

COLONIAL SECRETARY

THE HONOURABLE DENYS TUDOR EMIL ROBERTS, OBE

ACTING ATTORNEY GENERAL

THE HONOURABLE JOHN JAMES COWPERTHWAITTE, CMG, OBE

FINANCIAL SECRETARY

THE HONOURABLE KENNETH STRATHMORE KINGHORN

DIRECTOR OF URBAN SERVICES

THE HONOURABLE PETER DONOHUE

DIRECTOR OF EDUCATION

THE HONOURABLE ALEC MICHAEL JOHN WRIGHT

DIRECTOR OF PUBLIC WORKS

DR THE HONOURABLE TENG PIN-HUI, OBE

DIRECTOR OF MEDICAL AND HEALTH SERVICES

THE HONOURABLE DHUN JEHANGIR RUTTONJEE, OBE

THE HONOURABLE FUNG PING-FAN, OBE

THE HONOURABLE RICHARD CHARLES LEE, CBE

THE HONOURABLE KWAN CHO-YIU, OBE

THE HONOURABLE KAN YUET-KEUNG, OBE

THE HONOURABLE WILLIAM CHARLES GODDARD KNOWLES

THE HONOURABLE SIDNEY SAMUEL GORDON

THE HONOURABLE LI FOOK-SHU, OBE

MR GORDON ERIC MATHER (*Deputy Clerk of Councils*)**ABSENT:**THE HONOURABLE JOHN CRICHTON McDOUALL
SECRETARY FOR CHINESE AFFAIRS

MINUTES

The minutes of the meeting of the Council held on 8th January 1964 were confirmed.

PAPERS

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

<i>Subject</i>	<i>LN No</i>
Report of the Education Commission, 1963, together with the Report of the Working Party on the Provision of Education for English-speaking Children (Appendix 15).	
Merchant Shipping Ordinance, 1953. Report made in accordance with Section 115(1).	
Stamp Ordinance. Stamping and Denoting of Documents (Amendment) Regulations 1964	3
Stamp Duties Management Ordinance. Stamp Duties Management (Franking Machines) (Amendment) Regulations, 1964	4
Registration of Persons Ordinance, 1960. Registration of Persons (Re-registration) (No 2) Order, 1964	5
Registration of Persons Ordinance, 1960. Registration of Persons (Cancellation of Registration and Identity Cards) (No 2) Order, 1964	6
Protected Places (Safety) Ordinance. Protected Places (Safety) (Authorized Guards) Order, 1964	7
Registration of Persons Ordinance, 1960. Registration of Persons (Re-registration) (No 3) Order, 1964	8
Registration of Persons Ordinance, 1960. Registration of Persons (Cancellation of Registration and Identity Cards) (No 3) Order, 1964	9

He said: In laying these papers, I would invite particular attention to the Report of the Education Commission which visited Hong Kong in the earlier part of last year. This Report which we received towards the end of the year is a document of the widest possible interest and deserves the most careful scrutiny not only by those concerned with the provision of education but by the members of the general public as well.

This, Sir, is an appropriate opportunity to acknowledge Hong Kong's indebtedness to Mr MARSH and Mr SAMPSON, the two Commissioners, for the careful and thorough analysis which they have given to our educational system and for the comprehensive recommendations which they have put forward for its improvement. There can be little doubt that this is a most authoritative report and that for many years to come it should prove a valuable guide to the solution of the problems which confront us in the field of education. It contains proposals that are important and far-reaching and honourable Members will wish to know that Government is now appointing a special Working Party, with strong unofficial representation, to advise on the extent to which these recommendations should be adopted and the manner and timing of their introduction. This procedure will ensure that changes which may be made in the light of the Report will be introduced in a logical and carefully-planned programme.

**SUPPLEMENTARY PROVISIONS FOR THE QUARTER ENDED
30TH SEPTEMBER 1963**

THE FINANCIAL SECRETARY moved the following resolution: —

Resolved that the Supplementary Provisions for the Quarter ended 30th September, 1963, as set out in Schedule No 2 of 1963-64, be approved.

He said: The Schedule before Council is the second list of supplementary provisions on the 1963-64 account. The total supplementary vote required amounts to just over \$24.1 million, of which Public Works Non-recurrent accounts for \$20.7 million. This latter figure allows for certain new projects included in the Public Works programme since the beginning of the financial year but is mainly in respect of variations in the timing of expenditure on existing projects.

One item of some interest concerns a supplementary provision of just over \$1.7 million under Miscellaneous Subventions. This represents the first instalment of a grant to the Hong Kong and Kowloon Wharf and Godown Company Limited for the construction of their new Ocean Terminal, towards which public funds are contributing an outright grant of 10 per cent of the total cost and a long-term loan at 6 per cent interest of 40 per cent of the total cost.

All the items in the Schedule have been approved by Finance Committee and the covering approval of this Council is now sought.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

TELEPHONE ORDINANCE, 1951

THE FINANCIAL SECRETARY moved the following resolution: —

Resolved, in exercise of the power conferred by subsection (2) of section 29 of the Telephone Ordinance, 1951, that, with effect from the 24th day of January, 1964, the Schedule to the said Ordinance be amended by—

(a) the deletion of Part I and the substitution therefor of the following—

“PART I.

EXCHANGE LINE CHARGES.

<i>Item Particulars of Charge</i>	<i>Amount of Charge</i>	<i>Government discount</i>
1. For an exchange line used for business purposes within Victoria, Kowloon or the Peak District, or within a radius of one mile from any exchange that may be established outside those areas	\$50 for installation, payable in advance. \$300 per annum for service, payable in advance, in whole for the first year and thereafter by quarterly instalments.	Discount to be allowed to Government in respect of the charge for service.
2. For an exchange line in a <i>bona fide</i> place of residence within Victoria, Kowloon or the Peak District or within a radius of one mile from any exchange that may be established outside those areas	\$50 for installation, payable in advance. \$225 per annum for service, payable in advance, in whole for the first year and thereafter by quarterly instalments.	Discount to be allowed to Government in respect of the charge for service.
3. For each 220 yards or part thereof measured outwards from the nearest point of the boundary of the areas referred to in item 1 or 2	An additional charge of \$10 per annum.	Discount to be allowed to Government.
4. For two party-line service	75% of the charge for the area in which the service is provided.	Discount to be allowed to Government
5. For exceptional work necessitating erection of poles or excavation of ground for a subscriber's armoured cable, other than along an established telephone route	A charge calculated according to the work necessary as may be agreed between the subscriber and the company.	—

Notes: (1) An exchange line is a direct line from a subscriber's premises to one of the company's exchanges.

(2) All charges specified in items 1 to 5 inclusive include, where appropriate, the provision by the company of hand micro telephones. When hand micro telephones are not provided by the company, a rebate of \$20 per annum shall be made by the company in respect of each line not so provided.";

(b) the deletion of Part II and the substitution therefor of the following—

"PART II.

EXTENSION LINE CHARGES.

<i>Item</i>	<i>Particulars of Charge</i>	<i>Amount of Charge</i>	<i>Government discount</i>
1.	For an internal extension line and switch connecting two parts of the same building where the wiring does not exceed 50 yards in length	\$20 for installation, payable in advance. \$70 per annum for service, payable in advance, in whole for the first year and thereafter by quarterly instalments.	Discount to be allowed to Government in respect of the charge for service.
2.	For each additional 50 yards of wire or part thereof	\$30 per annum.	Discount to be allowed to Government.
3.	For switching type main and extension instruments	\$25 per annum.	Discount to be allowed to Government.
4.	For an external extension not exceeding 220 yards in length	\$20 for installation, payable in advance. \$110 per annum for service, payable in advance, in whole for the first year and thereafter by quarterly instalments.	Discount to be allowed to Government in respect of the charge for service.
5.	For each additional 220 yards of external wiring or part thereof	\$15 per annum.	Discount to be allowed to Government.
6.	For a small extension bell with 50 yards of wiring	\$30 per annum.	—
7.	For a large extension bell with 50 yards of wiring	\$40 per annum.	—

<i>Item</i>	<i>Particulars of Charge</i>	<i>Amount of Charge</i>	<i>Government discount</i>
8.	For the connexion of extension to ships	The charges calculated under items 4 and 5 may be increased by 100%.	Discount to be allowed to Government in respect of the charge for service.";

and

(c) the deletion of Part IV and the substitution therefor of the following—

"PART IV.

MISCELLANEOUS CHARGES.

<i>Item</i>	<i>Particulars of Charge</i>	<i>Amount of Charge</i>	<i>Government discount</i>
1.	For an indicator on a private branch exchange switchboard	\$5 per annum.	Discount to be allowed to Government.
2.	For a power circuit to a private branch exchange switchboard	\$120 per annum.	Discount to be allowed to Government.
3.	For a ringing circuit to a private branch exchange switchboard	\$120 per annum.	Discount to be allowed to Government.
4.	For an additional automatic dial (one dial to be provided free of charge for each exchange line)	\$9 per annum.	Discount to be allowed to Government.
5.	For a private wire, not exceeding one mile per cable pair	\$200 per annum per cable pair.	—
6.	For each additional 220 yards or part thereof per cable pair	\$10 per annum per cable pair.	—
7.	For a submarine cable pair	\$1,000 per annum.	—
8.	For each additional operator's headgear set	\$20 per annum.	—
9.	Disconnecting plug and socket	\$10 per annum.	—
10.	Burglar alarm	\$150 per annum.	—

<i>Item</i>	<i>Particulars of Charge</i>	<i>Amount of Charge</i>	<i>Government discount</i>
11.	For each additional point to burglar alarm	\$40 per annum.	—
12.	For a coloured plastic hand micro telephone	\$20 per annum.	—
13.	For automatic private line equipment	\$50 per annum.	—
14.	For a typhoon warning service	\$20 per annum.	—
15.	For a ship telephone service	\$20 per day.	—
16.	For each additional entry in either English or Chinese section of Telephone Directory	\$10 per annum.	—
17.	For each additional copy of Telephone Directory (one copy to be provided free for each instrument)	\$5.	—
18.	For changing a number at request of subscriber	\$10.	—
19.	For a private automatic branch exchange	A charge as may be agreed between the subscriber and the company.	—
20.	For an installation at subscriber's request which is not otherwise provided for in this Schedule	A charge as may be agreed between the subscriber and the company.	—

He said: The Telephone (Amendment) Ordinance, No 2 of 1964, which was passed by Council two weeks ago, will come into operation on 24th January 1964. The purpose of the amending ordinance was to make it easier to amend the schedule to the principal ordinance; the need to amend it having arisen as a consequence of an agreement between the company and Government designed to remove doubts regarding those items in the schedule which attract a Government discount and those which do not.

Under section 2 of the Telephone (Amendment) Ordinance, 1964, the schedule may be amended by resolution of the Council. The resolution now before members would replace, with effect from 24th January 1964, parts I, II and IV of the existing schedule in accordance with the agreement to which I have already referred. The rate of discount allowed to Government is 50 per cent for each item attracting discount in accordance with section 3 of the Telephone (Amendment) Ordinance, 1964.

Honourable members will recall that, when introducing the amending bill in December I said that, before this resolution was introduced, application would be made to the Finance Committee of this Council for the formal writing off of Government's claims against the Company for the period from 1955 to date. This application has been made and write-off approved.

THE COLONIAL SECRETARY seconded.

MR R. C. LEE and MR F. S. LI declared their interest and abstained from voting.

The question was put and agreed to.

DANGEROUS GOODS (AMENDMENT) BILL, 1964

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Dangerous Goods Ordinance, 1956."

He said: The object of this Bill is to introduce various amendments to the Dangerous Goods Ordinance, which are necessary before the revised Dangerous Goods (General) Regulations can be brought into effect.

Clause 2 of the Bill introduces some new definitions.

Clauses 3 and 9 are intended to lessen the burden on the Government Chemist and his staff of having to give oral evidence in all prosecutions for offences under the Ordinance or any regulations made under it. These Clauses would enable certificates signed by the Government Chemist (or any other person authorized by the Director of Medical and Health Services) to be produced as *prima facie* evidence of the matters stated in the certificate, without the need for the Chemist to be called as a witness.

Clause 4 seeks to replace section 5 of the principal Ordinance to clarify the circumstances in which dangerous goods do not need a licence under the Ordinance.

Clauses 5 and 6 confer on the Commissioner of Mines and officers of the Mines Department respectively the powers of removal of vessels and of entry, search and detention of dangerous goods which are already conferred by the principal Ordinance on various other public officers, since it is proposed to impose certain duties on the Mines Department under the new regulations.

Clause 7 amends section 11 of the principal Ordinance so that in future reports of accidents by explosion or fire need be reported only to the Director of Fire Services, and not both to him and to the Commissioner of Police, as at present.

Clause 8 widens the effect of paragraph (b) of subsection (3) of section 12 of the principal Ordinance by making it an offence to give false information, or to refuse to give any information, as to the sources of dangerous goods.

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 measure is to introduce certain amendments to the Dangerous Goods Ordinance, 1956, coincidental with and consequent upon a comprehensive revision and replacement of the Dangerous Goods (General) Regulations, 1962.

2. Clause 2 of the Bill introduces certain new definitions.
3. Clauses 3 and 9 introduce provisions to render admissible as *prima facie* evidence in the courts the contents of certificates issued by the Government Chemist and his staff relating to analysis of dangerous goods.
4. Clause 4 repeals and replaces section 5 of the Ordinance in order to clarify the circumstances under which the provisions of the Ordinance relating to the licensing of dangerous goods will not apply.
5. Clauses 5 and 6 refer to the Commissioner of Mines who will in future be responsible for certain functions under the new regulations referred to above.
6. Clause 7 relieves members of the public of the need to report accidents occurring in certain circumstances both to the Commissioner of Police and to the Director of Fire Services, it being considered sufficient that one report be made to the Director of Fire Services only.
7. Clause 8 broadens the effect of paragraph (b) of subsection (3) of section 12 of the Ordinance in order to facilitate the discovery of the sources from which illegally possessed dangerous goods have come.

SUMMARY OFFENCES (AMENDMENT) BILL, 1964

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Summary Offences Ordinance and to revoke the Fireworks (Special Permits) Regulations."

He said: Sir, the object of this Bill is to repeal subsection (15) of section 3 of the Summary Offences Ordinance, which makes it an offence to let off fireworks without a permit, and the Fireworks (Special Permits) Regulations, since fireworks will be fully controlled in future by the new Dangerous Goods (General) Regulations.

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 delete paragraph (15) of section 3 of the Summary Offences Ordinance and to revoke the Fireworks (Special Permits) Regulations as the control of discharge of fireworks has been incorporated in the Dangerous Goods (General) Regulations, 1964.

JURY (AMENDMENT) BILL, 1963

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance further to amend the Jury Ordinance."

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 Jury (Amendment) Bill, 1963, 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.

SOCIETIES (AMENDMENT) BILL, 1963

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Societies Ordinance."

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 Societies (Amendment) Bill, 1963, 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.

EXCHANGE FUND (AMENDMENT) BILL, 1963

The FINANCIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to amend the Exchange Fund Ordinance."

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 FINANCIAL SECRETARY reported that the Exchange Fund (Amendment) Bill, 1963 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.

**LIFTS AND ESCALATORS (SAFETY) (AMENDMENT)
BILL, 1963**

MR A. M. J. WRIGHT moved the Second reading of a Bill intituled "An Ordinance to amend the Lifts and Escalators (Safety) Ordinance, 1960."

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.

MR A. M. J. WRIGHT reported that the Lifts and Escalators (Safety) (Amendment) Bill, 1963, 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: —Gentlemen, that concludes the business for to-day. When is it your pleasure that we should meet again?

THE ATTORNEY GENERAL: —Sir, may I suggest Wednesday, 12th February.

HIS EXCELLENCY THE GOVERNOR: — Council stands adjourned until Wednesday, 12th February.