

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 2nd September 1964****PRESENT:**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR DAVID CLIVE CROISBIE TRENCH, KCMG, MC
HIS EXCELLENCY LIEUTENANT-GENERAL SIR DENLS STUART SCOTT O'CONNOR,
KBE, CB
COMMANDER BRITISH FORCES
THE HONOURABLE EDMUND BRINSLEY TEESDALE, CMG, MC
COLONIAL SECRETARY
THE HONOURABLE MAURICE HEENAN, QC
ATTORNEY GENERAL
THE HONOURABLE JOHN CRICHTON McDOUALL
SECRETARY FOR CHINESE AFFAIRS
THE HONOURABLE MICHAEL DENYS ARTHUR CLINTON, GM
ACTING FINANCIAL SECRETARY
THE HONOURABLE KENNETH STRATHMORE KINGHORN
DIRECTOR OF URBAN SERVICES
DR THE HONOURABLE TENG PIN-HUI, OBE
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE JAMES JEAVONS ROBSON
ACTING DIRECTOR OF PUBLIC WORKS
THE HONOURABLE PATRICK CARDINALL MASON SEDGWICK
COMMISSIONER OF LABOUR
THE HONOURABLE DAVID RONALD HOLMES, CBE, MC, ED
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE JAMES TINKER WAKEFIELD
DISTRICT COMMISSIONER, NEW TERRITORIES
THE HONOURABLE KENNETH JOHN ATTWELL
ACTING DIRECTOR OF EDUCATION
THE HONOURABLE DHUN JEHANGIRRUTTONJEE, CBE
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 FUNG HON-CHU
THE HONOURABLE TANG PING-YUAN
THE HONOURABLE TSE YU-CHUEN, OBE
THE HONOURABLE KENNETH ALBERT WATSON, OBE
THE HONOURABLE WOO PAK-CHUEN, OBE
THE HONOURABLE GEORGE RONALD ROSS
THE HONOURABLE JAMES DICKSON LEACH, OBE
THE HONOURABLE SZETO WAI
MR ANDREW McDONALD CHAPMAN (*Deputy Clerk of Councils*)

MINUTES

The Minutes of the meeting of the Council held on 19th August 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> |
|---|--------------|
| Annual Report of the Hong Kong War Memorial Fund Committee for the year 1963. | |
| Pharmacy and Poisons Ordinance. | |
| Poisons (Amendment) Regulations, 1964 | 121 |
| Pharmacy and Poisons Ordinance. | |
| Poisons List (Amendment) Regulations, 1964 | 122 |
| Registration of Persons Ordinance, 1960. | |
| Registration of Persons (Re-registration) (No 29) Order 1964 | 123 |
| Registration of Persons Ordinance, 1960. | |
| Registration of Persons (Cancellation of Registration and Identity Cards) (No 14) Order, 1964 | 124 |
| Road Traffic Ordinance, 1957. | |
| Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulations, 1964 | 125 |
| Road Traffic Ordinance, 1957. | |
| Road Traffic (Construction and Use) (Amendment) Regulations, 1964 | 126 |
| Road Traffic Ordinance, 1957. | |
| Road Traffic (International Circulation) (Amendment) Regulations, 1964 | 127 |
| Road Traffic Ordinance, 1957. | |
| Road Traffic (Driving Licences) (Amendment) Regulations, 1964 | 128 |
| Road Traffic Ordinance, 1957. | |
| Road Traffic (Public Omnibus and Public Car) (Amendment) Regulations, 1964 | 129 |
| Registration of Persons Ordinance, 1960. | |
| Registration of Persons (Re-registration) (No 30) Order, 1964 | 130 |

QUESTIONS

MR DHUN J. RUTTONJEE, pursuant to notice, asked the following questions: —

Your Excellency, the Report of the Working Party on Export Credit Insurance was published in June 1963. Will Government state whether the delay in implementing the recommendations contained in the Report is due to difficulty in obtaining staff, and if so, whether any consideration has been given to utilising the knowledge and experience that are available in our commercial houses as an interim measure?

MR D. R. HOLMES replied as follows: —

Sir, the report of the Working Party on Export Credit Insurance, dated June 1963, was tabled in the Legislative Council on 4th December 1963 and made available to the public from that date. The recommendations of the Working Party were accepted by Government.

One of the recommendations was that application should be made to the British Export Credit Guarantee Department for the secondment of an experienced officer for a minimum of two years. This officer was to be responsible for devising, introducing, and operating the scheme in Hong Kong while training staff to take over subsequently. An enquiry regarding assistance from the Export Credit Guarantee Department was first made to the British Government in October 1963, but, because of its own expanding activities, the Department was unable to help at an early date. Later, in view of our further representations, the British Government suggested, and we agreed, that the possibilities of assistance from the Australian or Canadian Governments should be explored. It was, however, quite clear from subsequent correspondence that such staff are scarce and we could make no progress in this direction either. There is a world-wide shortage of export credit insurance experts as was made plain during discussions in the United Nations Trade and Development Conference in Geneva this year.

Government therefore changed its tactics and last April inquired if the Export Credit Guarantee Department could make available an officer for a period of two or three months to undertake a limited exercise of advising the Director of Commerce and Industry on the practical scope

of a viable export credit insurance organization in Hong Kong, which will in turn determine the size of the initial establishment and recruiting commitment involved. Such an arrangement was eventually found to be possible and it is hoped that, subject to the settlement of satisfactory terms regarding secondment, an officer of the Export Credit Guarantee Department will be coming to Hong Kong towards the end of this year for a period of two months. It is understood that the Officer in question has experience of setting up and running a new export credit insurance scheme in a Commonwealth territory.

Regarding that part of the question inquiring if any consideration has been given to utilising the knowledge and experience that are available in our commercial houses as an interim measure I draw the honourable Member's attention to the Financial Secretary's response on 26th March 1964, in the course of the Budget debate, to a similar suggestion by Mr GORDON that the wealth of knowledge reposing in our local insurance offices should be utilised. Mr COWPERTHWAITTE said then that this is a new field for us and a lot of public money will be at stake. It is akin not so much to insurance business as banking but that the confidential relationship between banks and their clients poses great difficulties in enlisting the aid of banks in Hong Kong.

We consider that the first important step is to obtain expert advice on the scope of the scheme in Hong Kong. This, I now hope, will shortly be forthcoming. I feel sure that the officer seconded here will undoubtedly take into account the knowledge and experience available here when he assesses the potential market for export credit insurance and the methods whereby the demand can be met.

MR DHUN J. RUTTONJEE: —Thank you.

Your Excellency, will Government indicate what steps are being taken to prevent a recurrence of the very damaging landslides which occurred at Kwun Tong Resettlement Estate recently, and why such steps were not taken in anticipation of the rains, which though heavy were not abnormally so?

MR J. J. ROBSON replied as follows: —

Your Excellency, before answering the honourable Member's questions I feel it is necessary to outline the problems which face the Public Works Department. In order to

provide sufficient sites for the Resettlement building programme it is necessary for the Public Works Department to provide approximately 50 acres of formed building land every year and the only land now available for such development consists of steep hillsides and deep valleys which have to be transformed to levelled platforms with proper road access. The scale of operations necessitates cutting, say, 100 feet off the tops of hills and the building of bunds or retaining walls in the valleys to contain filling materials to a similar depth. During the construction period natural drainage is upset and permanent drainage cannot be provided until site formation is virtually complete. The works are therefore most vulnerable to heavy rainstorms during the construction period as the temporary drainage channels cut into the earth are particularly susceptible to scour and as washouts occur if the channels became blocked during a storm.

Coming to Kwun Tong the landslide occurred in a project which consists of forming terraces in about 75 acres of hillside. This has been in hand for two years and involves about 4 million cubic yards of earth work. Out of this amount about 100,000 cubic yards or 2½% of the filling has slipped. The site is a particularly difficult one as the hillside consists of a series of spurs and valleys which are being formed into a large continuous platform by cutting off the tops of the spurs and placing the excavated material into the adjacent valleys. Intercepting channels and earth bunds were constructed to prevent water washing down the filling material and these functioned satisfactorily even during Typhoon *Viola* which gave 11½" of rain. However, the greatest amount of rain in one hour during Typhoon *Viola* was less than 1" . Typhoon *Ida* only brought 2.27" of rain on August the 8th when the initial mud wave started, but the intensity as recorded by the Royal Observatory reached around 9" per hour and it is suspected that the rainfall at Kwun Tong was even heavier.

The mudslide occurred in the early hours of the morning and no one can tell what really happened. Usually in these cases a small slip occurs which blocks the drain. This overflows and causes a larger slip which blocks further drainage systems and so on. The torrent of water going down the hillside then either causes landslides or large scale washouts. This is probably what happened at Kwun Tong.

The first landslide carried away the temporary drainage channels which had been provided and attempts were made to cut another channel in the filled area around the top of the slip to prevent further erosion. Heavy rain occurred on August 15th and there was no trouble. On August 16th, however, the rain scoured out the channel and a second slip occurred. We were most unfortunate in having a second cloudburst at this time which, according to the Royal Observatory records, brought 1½" of rain in one hour with a maximum intensity of over 8" per hour. I am satisfied that all reasonable precautions were taken to provide temporary drainage and to protect the works during construction, and I have nothing but admiration for the way in which the Public Works Department staff and contractors, ably assisted by the staffs of the Resettlement Department, Police, Fire Services and the Army, tackled the emergency work of clearing the Resettlement Estate and worked against the weather to construct alternative temporary drainage channels.

I consider that the Public Works Department took all reasonable precautions on this occasion, but that these precautions were frustrated by the exceptional intensity of the downpour on two separate occasions. The Public Works Department will continue to take all reasonable precautions to prevent landslides when site formation is taking place but it must be appreciated that there is no way of guaranteeing that landslides will not occur as this threat is present on any steep hillside during heavy rains of the type which occurred recently.

MR DHUN J. RUTTONJEE: — Thank you, Sir.

Your Excellency, since the need for an ambulance is often a matter of life or death, will Government request the Telephone Company to provide a more easily remembered number for the ambulance service than 237031, it being noted that dialling "999" is not always immediately responsive, the initial number "9" being an extremely busy one?

Having regard to the general difficulty of obtaining any telephone number commencing with "9", will Government, in order to speed up its communications, request the Telephone Company to provide it with a more useful commencing number?

THE COLONIAL SECRETARY replied as follows: —

Sir, 237031 is one of six telephone numbers, three on each side of the harbour, for calling Police, Fire and Ambulance Services. I understand that the Telephone Company would be willing to consider allocating numbers which are more easy to remember, but they point out that all six numbers are now printed at the bottom of the front cover, as well as on the first inside page, of the new telephone directory which is now in the course of being issued. A change in any of these numbers at this moment, rather than when the next directory is printed, is therefore liable to cause confusion. But my honourable Friend's suggestion will be kept in mind for next year.

Meanwhile it is widely known that the ambulance service can be obtained in an emergency by dialling 999. The congestion on telephones beginning with the number "9" is likely to be relieved by the opening last week-end of the new central exchange, where additional equipment will provide more outlets for such numbers, and I am told that they will no longer be difficult to obtain. However, special checks will be made in the forthcoming weeks on numbers beginning with 9 connected with Government offices to see whether the congestion has in fact been relieved. These checks will include telephone numbers in the Central Government Offices starting with 95. The Police, in particular, will be keeping checks on 999.

MR DHUN J. RUTTONJEE: —Thank you, Sir.

MR G. R. ROSS, pursuant to notice, asked the following question:

Sir, in his reply given on 20th May in Legislative Council to a question asked by the Honourable W. C. G. KNOWLES, the Honourable Colonial Secretary said, inter alia, that the Standing Committee on Vocational Training and Technical Education had recently completed a review of apprenticeship and made recommendations which included the establishment of an Apprenticeship Board. My honourable Friend also indicated that it might be possible for the functions of the Apprenticeship Board to be extended to cover all forms of vocational training, and referred to a pilot enquiry by the Labour Department into the vocational training needs of the garment industry, as a result of which proposals had been made to Government.

May I ask whether Government have yet reached conclusions on these various recommendations and proposals, and when action on this urgent and important matter may be expected?

THE COLONIAL SECRETARY replied as follows: —

No, Sir, we have not yet reached conclusions on these matters, but I can assure my honourable Friend that their importance is fully appreciated and that the consideration now being given to them will be pushed forward as quickly as possible.

ROAD TRAFFIC ORDINANCE, 1957

THE ATTORNEY GENERAL moved the following resolution: —

Resolved that, in exercise of the powers conferred by subsection (2) of section 5A of the Road Traffic Ordinance, 1957, paragraph (6) of regulation 8 of the Road Traffic (Parking and Waiting) Regulations, 1958, be approved in its application to the new paragraphs (5) and (5A) of that regulation substituted by paragraph (b) of regulation 3 of the Road Traffic (Parking and Waiting) (Amendment) (No 2) Regulations, 1964.

He said: Sir, subsection (2) of section 5A of the Road Traffic Ordinance, 1957, requires the approval of this Council for any traffic regulation which provides that, in any criminal proceedings for a contravention thereof, facts may be presumed until the contrary is proved. The existing paragraph (6) of regulation 8 of the Road Traffic (Parking and Waiting) Regulations, 1958, is such a provision in that it deems, unless the contrary is proved, that the road signs erected pursuant to the previous paragraphs of that regulation are of the prescribed size, colour and type and have been lawfully erected. Sir, this is a usual provision in traffic legislation, designed to save the delay and expense which would result from having, in every case, to prove such minor matters which, in any event, are very rarely disputed. The erection of the signs referred to in regulation 8 is dealt with in paragraph (5) of the regulation. However, by paragraph (b) of regulation 3 of the recently enacted Road Traffic (Parking and Waiting) (Amendment) (No 2) Regulations, 1964, the old paragraph (5) of regulation 8 of the principal regulations is replaced by two new paragraphs—(5) and (5A), and paragraph (6) of the principal regulation 8 will automatically apply to these two new paragraphs to the extent of deeming, unless the contrary is proved, that the signs have been lawfully erected in accordance with these new paragraphs. Accordingly, paragraph (6), in its application to these two new paragraphs, requires the approval of this Council.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

ROAD TRAFFIC ORDINANCE, 1957

THE ATTORNEY GENERAL moved the following resolution: —

Resolved that, in exercise of the powers conferred by subsection (2) of section 5A of the Road Traffic Ordinance, 1957, paragraph (4) of regulation 15 of the Road Traffic (Taxis, Public Omnibuses and Public Cars) Regulations, 1964, be approved.

He said: Sir, I have already explained, in connexion with item 4(1) on the Order Paper, the circumstances in which section 5A(2) of the Road Traffic Ordinance requires the approval of this Council for a traffic regulation. Regulation 15(4) of the Road Traffic (Taxis, Public Omnibuses and Public Cars) Regulations, 1964, is a regulation which requires such approval. It provides that in any proceedings for a contravention of the regulations in respect of a taxi stand, the taxi stand shall be deemed to have been set aside in accordance with regulation 12 and, in the case of a reserved or a New Territories taxi stand, to have been designated as such in accordance with the appropriate regulation, unless the contrary is proved. This provision is not new. It was contained in the 1960 regulations which the 1964 regulations now replace. As with other similar provisions of the traffic legislation, it is designed to save the delay and expense which would result from having, in every case, to prove those minor matters which, in any event, are not often disputed.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

SCHOOL MEDICAL SERVICE BOARD INCORPORATION BILL, 1964

DR TENG PIN-HUI moved the Second reading of a Bill intituled "An Ordinance to make provision for the establishment and incorporation of a Board to operate a scheme to provide economical medical treatment for the pupils of schools participating therein and for matters ancillary thereto."

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 10 were agreed to.

Council then resumed.

DR TENG PIN-HUI reported that the School Medical Service Board Incorporation Bill, 1964, 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.

BUILDINGS (AMENDMENT) (NO 2) BILL, 1964

MR J. J. ROBSON moved the Second reading of a Bill intituled "An Ordinance further to amend the Buildings Ordinance, 1955."

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 were agreed to.

Council then resumed.

MR J. J. ROBSON reported that the Buildings (Amendment) (No 2) Bill, 1964, 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: —That concludes the business for today, gentlemen. When is it your pleasure that we should meet again?

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

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