

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

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)  
SIR DAVID CLIVE CROSBIE TRENCH, KCMG, MC  
BRIGADIER THE HONOURABLE THOMAS HADDON, CBE  
SENIOR MILITARY OFFICER  
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 JOHN JAMES COWPERTHWAITTE, CMG, OBE  
FINANCIAL SECRETARY  
THE HONOURABLE KENNETH STRATHMORE KINGHORN  
DIRECTOR OF URBAN SERVICES  
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 WILLIAM DAVID GREGG  
DIRECTOR OF EDUCATION  
THE HONOURABLE PATRICK CARDINALL MASON SEDGWICK  
COMMISSIONER OF LABOUR  
THE HONOURABLE JAMES TINKER WAKEFIELD  
DISTRICT COMMISSIONER, NEW TERRITORIES  
THE HONOURABLE DHUN JEHANGIR RUTTONJEE, 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 SIDNEY SAMUEL GORDON  
THE HONOURABLE LI FGOK-SHU, OBE  
THE HONOURABLE FUNG HON-CHU  
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 SZETO WAI  
MR ANDREW McDONALD CHAMAN (*Deputy Clerk of Councils*)

**ABSENT:**

THE HONOURABLE DAVID RONALD HOLMES, CBE, MC, ED  
DIRECTOR OF COMMERCE AND INDUSTRY

## MINUTES

The minutes of the meeting of the Council held on 18th November 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>
Sessional Paper, 1964: —	
No 45—Annual Report by the Registrar of Trade Unions for the year 1963-64.	
No 46—Annual Report by the Director of Fire Services for the year 1963-64.	
No 47—Annual Summary by the Director of Education for the year 1963-64.	
Report of the Brewin Trust Fund Committee on the administration of the Brewin Trust Fund for the year ending 30th June, 1964.	
Registration of Persons Ordinance, 1960.	
Registration of Persons (Re-registration) (No 41) Order, 1964	166
Registration of Persons Ordinance, 1960.	
Registration of Persons (Cancellation of Registration and Identity Cards) (No 18) Order, 1964 .....	167
Pensions Ordinance.	
Pensionable Offices Order, 1964 .....	169
Road Traffic Ordinance, 1957.	
Road Traffic (Taxis, Public Omnibuses and Public Cars) (Amendment) Regulations, 1964 .....	170
Air Navigation.	
Hong Kong Air Navigation (Investigation of Accidents) (Amendment) Regulations, 1964 .....	171
Registration of Persons Ordinance, 1960.	
Registration of Persons (Re-registration) (No 42) Order, 1964	172
Registration of Persons Ordinance, 1960.	
Registration of Persons (Cancellation of Registration and Identity Cards) (No 19) Order, 1964 .....	173

**BIRTHS AND DEATHS REGISTRATION (AMENDMENT)  
BILL, 1964**

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance further to amend the Births and Deaths Registration Ordinance."

He said: Sir, under the Births and Deaths Registration Ordinance, as it stands at present, the fees have, with one unimportant exception, remained unchanged since before the war, and in some cases are the same as those originally fixed 90 years ago. An examination of the level of these fees has been carried out, and it is now considered appropriate to amend certain of them.

Although they affect all sections of the population, it is thought that the increases will not in any way deter even the poorest sections of the community from the actual registration of births and deaths. This remains free. Moreover, it is not proposed to alter the fee of 50 cents for the shortened form of birth certificate.

The new fees are not intended to cover the costs of running the Births and Deaths Registry. The additional revenue anticipated is in the order of \$180,000 per annum, which will increase the total revenue of the Registry to about \$440,000 or rather less than half the cost of the Registry.

The opportunity has also been taken to incorporate a few other amendments to the Ordinance, namely—

- (1) to repeal section 11 and Form 4 in view of the repeal in 1958 of the Vaccination Ordinance, 1923;
- (2) to increase the period within which the birth of a child may be registered without fee or penalty from 14 to 42 days; this is in line with the corresponding period prescribed in the United Kingdom;
- (3) to amend section 20 regarding the nomenclature of diseases to be used for describing causes of death for registration purposes, in order to enable such nomenclature to be prescribed by regulations;
- (4) to repeal and replace section 21, which deals with the duties of the Registrar where a deceased person has not been attended by a registered medical practitioner during his last illness, or where a registrar suspects that the reported cause of death is not the true one. The new clause clarifies the duties and powers of the Registrar, and makes it an offence for any person to obstruct the course of any inquiries instituted by the Registrar.

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" attached to the Bill were stated as follows:

This Bill seeks—

- (a) to increase the fees payable under the Births and Deaths Registration Ordinance, some of which are the same as those originally fixed in 1872;
- (b) to repeal section 11 and Form 4 in view of the repeal in 1958 of the Vaccination Ordinance, 1923;
- (c) to increase the period within which the birth of a child may be registered without fee or penalty from fourteen days to forty-two days which will be in line with the corresponding period prescribed in the United Kingdom;
- (d) to amend section 20 regarding the nomenclature of diseases for describing causes of death for registration purposes in order to enable such nomenclature to be prescribed by regulations; and
- (e) to repeal and replace section 21 in order to clarify the duties and powers of the Registrar of Births and Deaths with respect to the investigation of the cause of death of any person not attended during his last illness by a registered medical practitioner, and of the correctness of any certificate of the cause of death; and the opportunity has been taken to insert into the section a penalty in the event of any person obstructing the course of any such inquiry instituted by the Registrar.

### **VARIATION OF TRUSTS BILL, 1964**

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to extend the Jurisdiction of Courts of Law to vary trusts in the interests of the beneficiaries and to sanction dealings with trust property."

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 4 were agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Bill before Council 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.

#### **CHINESE PERMANENT CEMETERIES BILL, 1964**

THE SECRETARY FOR CHINESE AFFAIRS moved the Second reading of a Bill intituled "An Ordinance to give statutory recognition to and to regulate the provision of permanent cemeteries for persons of Chinese race permanently resident in the Colony and to provide for the proper maintenance and administration thereof, and for purposes connected therewith."

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 13 were agreed to.

Council then resumed.

THE SECRETARY FOR CHINESE AFFAIRS reported that the Bill before Council 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 three weeks, Sir.

HIS EXCELLENCY THE GOVERNOR: —Council will adjourn until this day three weeks.