

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 21st December 1966****PRESENT**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR DAVID CLIVE CROSBIE TRENCH, KCMG, MC
THE HONOURABLE THE COLONIAL SECRETARY
MR MICHAEL DAVID IRVING GASS, CMG
THE HONOURABLE THE ATTORNEY GENERAL
MR DENYS TUDOR EMIL ROBERTS, OBE, QC
THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS
MR DAVID RONALD HOLMES, CBE, MC, ED
THE HONOURABLE THE FINANCIAL SECRETARY
MR JOHN JAMES COWPERTHWAITTE, CMG, OBE
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 ROBERT MARSHALL HETHERINGTON, DFC
COMMISSIONER OF LABOUR
THE HONOURABLE ALASTAIR TODD
DIRECTOR OF SOCIAL WELFARE
THE HONOURABLE IAN MACDONALD LIGHTBODY
DISTRICT COMMISSIONER, NEW TERRITORIES
THE HONOURABLE TERENCE DARE SORBY
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE GEOFFREY MARSH TINGLE
DIRECTOR OF URBAN SERVICES
THE HONOURABLE KENNETH JOHN ATTWELL
ACTING DIRECTOR OF EDUCATION
THE HONOURABLE DHUN JEHangIR RUTTONJEE, CBE
THE HONOURABLE KAN YUET-KEUNG, OBE
THE HONOURABLE LI FOOK-SHU, OBE
THE HONOURABLE FUNG HON-CHU, OBE
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 SZETO WAI
THE HONOURABLE WILFRED WONG SIEN-BING
THE HONOURABLE ELLEN LI SHU-PUI, OBE
THE HONOURABLE JAMES DICKSON LEACH, OBE

IN ATTENDANCE

THE DEPUTY CLERK OF COUNCILS
MR DONALD BARTON

MINUTES

The minutes of the meeting of the Council held on 7th December 1966 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>
Subsidiary Legislation: —	
Companies Ordinance.	
Companies (Forms) (Amendment) Order 1966	79
Defences (Firing Areas) Ordinance.	
Defences (Firing Areas) (Amendment of Schedules) Order 1966	80
Air Navigation.	
Hong Kong Air Navigation (Investigation of Accidents) (Amendment) (No 2) Regulations 1966	82
Wild Birds and Wild Mammals Protection Ordinance 1954.	
Wild Birds and Wild Mammals (Amendment of Second Schedule) Order 1966	83
District Court (Civil Jurisdiction and Procedure) Ordinance 1962.	
District Court Civil Procedure (Costs) (Amendment) Rules 1966	84
District Court (Civil Jurisdiction and Procedure) Ordinance 1962.	
District Court Civil Procedure (Fees) (Amendment) Rules 1966	85
Sessional Papers 1966: —	
No 28—Annual Report by the Controller, Public Enquiry Service for the year 1965-66.	
No. 29—Annual Report by the Director of Public Works for the year 1965-66.	
Miscellaneous Papers: —	
Report of the Brewin Trust Fund Committee on the Administration of the Brewin Trust Fund for the year ending 30th June 1966.	
Annual Report by the Grantham Scholarships Fund Committee for the period 1st September 1965 to 31st August 1966.	

**ILLEGAL STRIKES AND LOCK-OUTS ORDINANCE,
CHAPTER 61**

THE ATTORNEY GENERAL moved the following resolution: —

Resolved, pursuant to section 8 of the Illegal Strikes and Lock-outs Ordinance, Chapter 61, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January 1967.

He said: —Sir, I move the first resolution standing in my name on the Order paper, for the extension of the duration of the Illegal Strikes and Lock-outs Ordinance, Chapter 61, for a further year with effect from 1st January 1967.

This Ordinance, which closely follows the Trade Disputes and Trade Union Act 1927, makes strikes and lock-outs illegal if they have any object other than the furtherance of a genuine trade dispute and are designed or calculated to coerce the Government. The Ordinance has no effect on a strike or lock-out the object of which is solely the furtherance of a trade dispute.

It is considered that the time has not yet come to dispense with the Ordinance and accordingly I invite Council to support this resolution.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

**DEFENCE REGULATIONS (CONTINUATION)
ORDINANCE 1958**

THE ATTORNEY GENERAL moved the following resolution: —

Resolved, pursuant to section 6 of the Defence Regulations (Continuation) Ordinance 1958, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January 1967.

He said: —Sir, I move the second resolution standing in my name, for the extension of the duration of the Defence Regulations (Continuation) Ordinance 1958 for a further year with effect from 1st January 1967.

This Ordinance keeps in force certain Defence Regulations, the most important of which deal with the control of foreign currency, gold, and securities, the licensing of imports and exports and the regulation of industry. It is considered necessary to retain them for the time being and accordingly I beg to move.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

SOCIETIES ORDINANCE, CHAPTER 151

THE ATTORNEY GENERAL moved the following resolution: —

Resolved, pursuant to section 26 of the Societies Ordinance, Chapter 151, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January 1967.

He said: —Sir, I move the third resolution standing in my name, for the extension of the life of the Societies Ordinance for a further year with effect from 1st January 1967.

This Ordinance confers on the Commissioner of Police powers which are of great assistance in controlling and curbing the activities of triad and other undesirable and unlawful societies and organizations. It is the Government's view that the continuance in force of this Ordinance is essential to the maintenance of law and order in the Colony and accordingly I so move.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

COMPANIES (PREVENTION OF EVASION OF THE SOCIETIES ORDINANCE) ORDINANCE 1959

THE ATTORNEY GENERAL moved the following resolution: —

Resolved, pursuant to section 16 of the Companies (Prevention of Evasion of the Societies Ordinance) Ordinance 1959, that the duration of the said Ordinance be extended for the term of one year with effect from 1st January 1967.

He said: —Sir, I move the fourth resolution standing in my name, for the extension of the duration of the Companies (Prevention of Evasion of the Societies Ordinance) Ordinance 1959, for a further year with effect from 1st January 1967.

This Ordinance was enacted in July 1959* in order to prevent persons who associate together for undesirable purposes from evading the control imposed by the Societies Ordinance by registering under the Companies Ordinance.

* 1959 Hansard, page 173.

It is considered that the maintenance of law and order requires that this Ordinance should remain in force and I therefore invite Council to support this resolution.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

MATRIMONIAL CAUSES BILL 1966

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to make further and better provision in respect of the law governing matrimonial causes and for matters incidental thereto or connected therewith."

He said: —Sir, this Bill seeks to replace the present Divorce Ordinance, which was passed in 1933 and last amended in 1956*, with new provisions which follow closely the existing English law on the subject and incorporate the various changes which have taken place in the past 10 years in England. The English statute law on matrimonial causes was consolidated in the Matrimonial Causes Act 1965, which is the model upon which this Bill is based. I shall confine my remarks principally to those provisions which are new to Hong Kong, since the bulk of the Bill merely repeats existing law.

I would like to emphasize the fact, so that there may be no misunderstanding about it, that by clause 9 no relief of any kind may be granted by the court under this Bill unless the marriage concerned is a monogamous marriage. This is defined in clause 2 as meaning a marriage which is celebrated under the Marriage Ordinance in Hong Kong (that is to say, in a church or registry office) or, if entered outside Hong Kong, is recognized as a monogamous marriage by the law of the place where it occurred. Thus customary marriages and what are sometimes called Chinese modern marriages, which take place in Hong Kong, do not fall within the jurisdiction of courts at all under this Bill. This is, indeed, the present situation in law and the Bill will not alter it.

Part II of the Bill deals with the jurisdiction of the court which is, for the purposes of this Ordinance, save for a few exceptions, the Supreme Court. This jurisdiction has derived in the past partly from common law and partly from statute. Part II does not alter the jurisdiction, but sets it out in full in statutory form, for easier reference. Under clause 10, English practice and procedure will apply to proceedings under the Bill, save where the Bill, or rules made by the Chief Justice under clause 54, otherwise provide.

* 1933 Hansard, pages 41-2 and 50.

1956 Hansard, pages 261-3.

In Part III, which is concerned with divorce, the only provision new to our law is clause 11(2), which permits the parties to a marriage to cohabit for up to three months with a view to a reconciliation, without this interrupting a period of desertion. No new grounds for divorce, nor indeed for any of the other forms of decree, are introduced by this Bill.

Parts IV and V, which govern nullity, judicial separation, restitution of conjugal rights and decrees of presumption of death and dissolution of marriage, reproduce existing provisions with only minor drafting amendments.

Part VI, however, greatly expands the present law on alimony and maintenance, conferring on the court much wider and more varied powers to make provision for the financial support of the parties to a marriage and their children. Clause 30 enables applications for alimony, maintenance or a settlement of property to be made by a party to a marriage at any time after a petition has been presented. Clause 34 enables a wife to secure an order for periodical payments for herself and her children where the husband has neglected to maintain them. Clauses 35 to 37 govern maintenance agreements, which are made between spouses for the purpose of their living separately. These clauses invalidate any provision in such an agreement which purports to restrict the right of a spouse to apply to the court for an order for financial provision. They also empower the court to vary such a maintenance agreement, even after the death of a party to it.

Clauses 38 to 40 will enable the survivor of a marriage, who has not been provided for reasonably in the will of his or her deceased spouse, to apply to the court for reasonable provision to be made out of the deceased's estate for the maintenance of the survivor and of the children of the marriage.

Part VII is largely new and is designed to confer additional protection on the children of a marriage. Clause 45 obliges the court, before making decrees of divorce or nullity absolute or making a decree of judicial separation, to be satisfied that proper arrangements have been made to look after any children of the marriage. Clauses 47 and 48 empower the court to place a child, who has been neglected, in the custody or under the supervision of some suitable person, including the Director of Social Welfare.

In Part VIII, clause 49 sets out the procedure for obtaining a declaration of legitimacy, or of the validity of a marriage or of being a British subject. Clause 51 is concerned with condonation; firstly, it specifies that the presumption that a matrimonial offence has been condoned if the parties live together can be rebutted by evidence to the contrary. Secondly, cohabitation for up to three months with a view

to reconciliation is not to be regarded as condonation. Thirdly, adultery cannot be revived by future marital misconduct, once it has been condoned.

As I have said, Sir, this Bill will, while introducing little new matter, save with regard to making financial provision for spouses and children and safeguarding their reasonable interests, keep our law in step with English law, as has usually been the case in matrimonial matters.

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 replace the existing Divorce Ordinance (Cap. 179) with new provisions which follow closely the existing English law on the subject and incorporate the many developments which have taken place since the Divorce Ordinance was last extensively amended in 1956. English law on matrimonial causes was consolidated in the Matrimonial Causes Act 1965 which is followed closely by the Bill.

2. Part II sets out in detail the jurisdiction of the court in the various types of matrimonial causes. In English law this jurisdiction is mainly derived from common law, with some statutory modifications. Part II makes no changes in the existing law, but sets it out in a more accessible form. Clause 9 makes it clear that the Bill is designed to deal only with monogamous marriages, as is the case under the present Divorce Ordinance. By clause 10, English practice and procedure will apply in matrimonial causes, until replaced or modified by rules made under the Bill.

3. In Part III, which deals with divorce, only clause 11(2), which allows for cohabitation with a view to reconciliation not to break a period of desertion, is new in substance, though there are many alterations in wording. Part IV (nullity) introduces no new law.

4. Part V is concerned with other matrimonial suits, and also follows existing law, with amendments of detail.

5. Part VI greatly expands the present law on alimony and maintenance, inserting the following new clauses, namely 30, 34 to 40 and 44, which substantially amend existing Hong Kong law. All these clauses follow closely equivalent provisions in the 1965 Matrimonial Causes Act.

6. Clause 30 provides that applications for alimony or maintenance or for the disposition of settled property may be made to the court at any time after presentation of a petition for divorce, though orders therefor may only be made on a decree *nisi*, except for alimony, which may be made after presentation of the petition. Clause 34 enables a court to make an order for maintenance against a husband who neglects to maintain his wife and children.

7. Clauses 35 to 37 deal with maintenance agreements, which are made between the parties to a marriage for the purpose of their living separately. Clause 35 invalidates any provision in a maintenance agreement which purports to restrict the right to apply to the court for an order containing financial provisions. Clause 36 gives the courts power to vary maintenance agreements and clause 37 empowers the Supreme Court to alter a maintenance agreement after the death of a party to it.

8. Clause 38 enables a former wife or husband to apply to the court for an order for reasonable provision for maintenance to be made out of the estate of the deceased former spouse. Clause 39 provides for the variation or discharge of an order made under clause 39. Clause 40 contains matter supplementary to clauses 38 and 39.

9. Clause 44 enables a spouse, or former spouse, who has instituted proceedings for financial relief, to apply to the court to prevent or set aside any disposition made with the intention of defeating these proceedings.

10. In Part VII, clauses 45, 47 and 48 are new to Hong Kong. Clause 45 obliges the court to be satisfied that proper arrangements have been made for the care and upbringing of children before making absolute decrees of divorce or nullity or making a decree of judicial separation. The court may make orders with respect to the custody and education of a child, when an order for maintenance has been made under clause 34 (see clause 47). A court may put a child under the supervision of the Director of Social Welfare, if this is desirable (clause 48).

11. Part VIII deals with miscellaneous and supplementary matters, clauses 49 and 51 being new. Clause 49 sets out the procedure whereby certain persons may seek a declaration of legitimacy, or of the validity of a marriage, from the court. Clause 51 deals with condonation; a presumption of condonation may be rebutted by evidence; cohabitation for a short period with a view to reconciliation is not to count as condonation; adultery, once condoned, cannot be revived.

HONG KONG PRODUCTIVITY COUNCIL BILL 1966

MR T. D. SORBY moved the First reading of a Bill intituled “An Ordinance to provide for the establishment of the Hong Kong Productivity Council and to define its powers and functions.”

He said: — Sir, this ordinance sets out to give effect to the recommendations of the Working Committee on Productivity. The Committee's report was tabled in this Council in November 1964*, its broad recommendations having been approved in principle by Executive Council.

"The Committee was convinced that an ambitious and continuing programme of productivity was needed in Hong Kong"—said the Commissioner of Labour at that time, and he went on to say that this was necessary "if Hong Kong's industry on which the economic future of the Colony depends so heavily was to remain competitive in the international field." The report recommended establishment of a Productivity Council, with balanced representation of a wide range of interests, including Government, management and labour, which would be a general advisory and policy-making body, overseeing by means of an Executive Committee the operation of its executive arm, a Productivity Centre.

Sometimes I feel that the layman has difficulty in understanding the term "Productivity Centre", even when he has grasped the concept of productivity itself. The Centre is in fact only the organization, the administration, the office if you like, entrusted with disseminating the idea of productivity, and which at the same time is responsible for organizing and co-ordinating the methods of improving productivity at the operational level.

The Working Group of the Provisional Productivity Council appointed by you, Sir, in May 1965—the Working Group as I say under its chairman, Dr S. Y. CHUNG, envisages the Productivity Centre achieving its objectives by two main means. First, by establishing a training cadre of productivity experts in various specialized fields. And second, by moving into some form of industrial consultancy specially adapted to the needs of medium scale or smaller enterprises. It would not be appropriate for me to attempt at this juncture to enlarge upon the methods that may eventually be employed by the Centre. They will depend in great measure upon the advice tendered to the Council by the Executive Director of the Centre and such other productivity specialists as it may employ from time to time.

Since publication of the Working Committee's report, the need for a Productivity Centre, and the Council which is to guide its operations and determine priorities among its possible activities, has been emphasized by events. A continuing shortage of skilled labour means that such skilled labour as is available must be used to the best advantage. External competition in the manufacturing field in which Hong Kong specializes is making our goods less competitive, at a time

* 1964 Hansard, pages 388-90.

when labour costs are rising; we must off-set these additional costs by greater operational efficiency, in other words, by higher productivity. Finance is sometimes less readily available for expansion; manufacturers must make the best of what they have in hand or can get. Moreover, they must learn the techniques, which have been developed and which can be learnt, of how to maximize the effectiveness of labour, finance, and all the elements which make for higher productivity. Working people must be brought to appreciate that more effective organization on the shop floor can result in higher wages and a higher standard of living, and management must appreciate that a contented work force is in itself more productive.

All these are matters for the Productivity Centre to put over to both management and employees, and not only in the production field, but in the related field of salesmanship, administration, organization, and ancillary services.

I should like to emphasize that neither management nor associations of workers can expect the Productivity Centre to produce recipes for what might be described as “instant productivity”. The Centre *can* be expected, in co-operation with other existing organizations, to initiate, publicize, organize training and advise. It cannot, and should not, be responsible for implementing improvements in individual enterprises. These will still be the task of individual managers and proprietors; the task also of the representatives of labour.

The Working Committee in its report estimated the cost of the Productivity Centre for the first five year period of operation to be in the order of \$12.5 million. About two-thirds of this expenditure is likely to be incurred by way of salaries and other emoluments of specialist trainers and consultants, and administrative expenses. The remainder will be devoted to training and training equipment, the cost of sending study teams abroad, annual membership subscription to the Asian Productivity Organization, and counterpart expenses incurred by Hong Kong participation in that organization and their overseas training projects. To off-set these costs in some measure, it is intended that the Productivity Centre should generate some income of its own, as and when its training and consultancy services become established and accepted by industry. However it is impossible at this stage to estimate how much this income is likely to be. This Council will of course be in a position to examine the annual budget of the Centre when an appropriation for its operations is sought.

I myself believe strongly in the productivity movement; and its importance for Hong Kong. I believe that we are setting out to make the movement a reality in the right way. The movement started modestly, with some trial and some error was necessary. Eight years or so ago the first hesitant steps were taken by the Commerce and Industry

Department, by the Education Department in the Technical College, the Labour Department in its Training Within Industry activities, and the University of Hong Kong in its sponsorship of management studies. All these activities continue, but a firm step forward was the establishment of the Management Association in 1960 under the auspices of the Federation of Hong Kong Industries, since when that Association has played a major role in the productivity movement.

Now we have in this bill a blueprint for a co-ordinated scientific approach to higher productivity, with what I hope will be a practical emphasis on service to manufacturing industry, as recommended in the Working Committee's report.

It is mainly because of the unremitting efforts of the Working Group of the Provisional Productivity Council under the chairmanship of Dr S. Y. CHUNG, that this Bill is ready for introduction. The draft bill was examined in detail by the Working Group and by the Government departments concerned. It has the unanimous approval of the Provisional Productivity Council.

With these remarks, Sir, I commend this Bill to this Council. It is neither long nor complex, and there is no explanation I feel I need give beyond my remarks on the general background to it. The Bill itself is concerned with institutional aspects, and these are, I think, well summarized in the Objects and Reasons.

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 follows the recommendations contained in the Report of the Working Committee on Productivity for the establishment of a Productivity Council and a Productivity Centre. The Productivity Council is to be a body corporate with perpetual succession (clause 3) and is to consist of not more than twenty members and the Chairman (clause 9). Apart from the Chairman, not more than ten members will be official members and there will be ten unofficial members representing management, labour and professional and academic interests. The Bill gives the Council the provisions usual for statutory corporations with respect to meetings, validity of proceedings, common seal and power to enter into contracts. Likewise most of the general powers of the Council are usual for statutory corporations and

the additional powers given will enable the Council to fulfil its functions of promoting and fostering an increase in the level of productivity in industry and services.

2. Clause 14 empowers the Council to establish a Productivity Centre the activities of which are set out in subclause (2) of that clause. Since the Productivity Council will be a policy-making body the implementation of its policies and the giving of practical assistance in increasing productivity will be done by the Productivity Centre. Clause 15 provides for the Council to elect an Executive Committee whose duty it shall be to manage the Productivity Centre. The Council is also empowered to appoint an Executive Director to be the chief administrative officer of the Productivity Centre (clause 5(1)(h)). With the exception of the powers indicated in clause 5(3), the Council will be empowered to delegate to either the Executive Committee or the Executive Director all or any of its powers in respect of the development of the activities of the Productivity Centre with limits as to the expenditure which may be incurred without further authorization from the Council (clause 5(j)).

3. The Council will be required to keep proper accounts and to appoint auditors, and at the conclusion of each financial year the Council will be required to draw up an annual account which shall be certified by the auditors and, together with a report on its activities, forwarded to the Governor for laying on the table of the Legislative Council (clauses 17—19). Clause 16 lays down the form in which the estimates of the Council are to be set out when they are forwarded to the Governor for approval. The Council is granted limited powers to transfer sums from one major head to another major head of the approved estimates, and general powers to transfer sums from one sub-head to another sub-head of the same major head of the approved estimates.

HONG KONG EXPORT CREDIT INSURANCE CORPORATION BILL 1966

THE FINANCIAL SECRETARY moved the Second reading of a Bill intituled "An Ordinance to provide for the establishment of the Hong Kong Export Credit Insurance Corporation, and to define its powers and functions."

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.

HIS EXCELLENCY THE GOVERNOR: —With your permission we will take the clauses in blocks of not more than 5.

Clauses 1 to 25 were agreed to.

Clause 26.

THE FINANCIAL SECRETARY: —Sir, I rise to move that clause 26 be amended as set forth in the paper before honourable Members.

The clause as it stands at present may be read as implying a limitation on the Director of Audit's independent authority to examine public accounts on his own initiative. There is, of course, no such intention and the amendment will remove the possible implication.

Proposed Amendment.

Clause

26 In the first line—

delete the words "When requested by the Financial Secretary, the" and substitute therefor the following—

"The".

Clause 26, as amended, was agreed to.

Clauses 27 to 32 were agreed to.

The First and Second Schedules were agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the Hong Kong Export Credit Insurance Corporation Bill 1966 had passed through Committee with one 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.

ADJOURNMENT

THE COLONIAL SECRETARY moved the adjournment.

THE ATTORNEY GENERAL seconded.

MR DHUN J. RUTTONJEE addressed the Council.

He said: —Your Excellency, it is now eighteen months since Government rejected the only tender that was received for the former Royal Naval Dockyard. At that time, it was indicated that the proposed redevelopment plan was to be abandoned and that the project was to be referred back to the Town Planning Board.

It is now agreed that the earlier plan was too ambitious and, in particular, placed too many restrictions on any would-be developer. This is an important central site and, quite apart from any aesthetic consideration, represents a very large capital investment by Government. The public expects to be informed of what its plans to recoup this sum or to provide amenities to justify their disbursement.

The tourist industry is, after textiles, the largest single revenue producer for the Colony. With the advent of jumbo and supersonic jets, more and more overseas organizations will look to Hong Kong as a possible venue for conventions and congresses but unless definite plans are made now for a large convention hall, they will have to look elsewhere. I believe that this site has been considered in connection with the proposed comprehensive Conference and Exhibition Complex. There is already a shortage of hotel accommodation in the Colony and maybe it would be possible to utilize part of this site in this way. If it is the intention of Government to finance a part of the cross-harbour Tunnel, I would rather see this sum invested in a Convention Hall, which is necessary for the expansion of the tourist industry and the economic growth of the Colony. The Convention Hall would also provide a quicker return than the Tunnel.

It may perhaps be argued that the property market is still depressed and the time not suitable for the development of the site. But surely this is a negative attitude. What is needed now is a positive lead by Government to demonstrate its confidence in the continued prosperity of Hong Kong. The injection of public funds into this development would do more than act as a tonic to the construction industry. It would generate confidence and the return would be great.

However, until such time—and I trust it will not be long delayed—as a decision as to the future of the site is made, cannot something be done immediately to convert it into a temporary open space? The popularity of Statue Square is a clear indication of the public's demand for more open space in the urban area.

MR A. M. J. WRIGHT addressed the Council.

He said: —Your Excellency, it is correct that in May 1965, for the reasons given by Mr RUTTONJEE, Your Excellency ordered that under Section 11 of the Town Planning Ordinance the Approved Comprehensive Redevelopment Plan for the Central District should be referred back to the Town Planning Board for amendment.

The Town Planning Board had made considerable progress in preparing an alternative and less sophisticated scheme when a new factor emerged. At the end of June 1965 funds were voted for a Feasibility Study and Report on Alternative Mass Transport Systems; consultants were appointed and they started work on 1st August, 1965.

The Mass Transport Consultants were invited to attend a meeting of the Town Planning Board in October 1965 and early in 1966 they advised that the former Naval Dockyard area would be of extreme importance to any proposals they might submit for an overhead or underground railway system, particularly if it were associated with a cross-harbour link. The Town Planning Board accepted this advice and decided that it would be unwise to prepare and publish a revised draft plan prior to members being able to study the recommendations of the Mass Transport Consultants.

Progress on the Mass Transport Feasibility Study is satisfactory and present indications are that the consultants' proposals will be in the hands of Government by June 1967, so it is possible that the Town Planning Board will be able to complete its revised plan before the end of 1967. While I do not for a moment expect that the consultants will recommend the use of the entire Dockyard area to meet the demands of public transport they have not yet reached the stage in their investigations when they can tell us how much land they need, or its location. Until this information is available it is simply not possible to finalize the layout which is, of course, an essential preliminary to the disposal of land within the Dockyard area.

Mr RUTTONJEE suggested that until a decision has been made the land might be used as a temporary open space, and he quoted the popularity of Statue Square in support of his suggestion. The success of Statue Square and its popularity is unquestioned, but it cost some \$1,950,000 to develop and I am sure that Mr RUTTONJEE is not suggesting expenditure of this order on a temporary open space in the Dockyard area.

Honourable Members will recollect that the original plan provided for a public open space at the eastern end of the Dockyard. This area is at present largely occupied by Island Command Fire Headquarters, as well as an operational fire station, and it cannot be vacated until a new building to house these essential facilities has been built. At present the project is in Category C of the Public Works Programme. The remaining buildings within the Dockyard are also being put to good use to meet various government needs pending the construction of permanent accommodation.

The western end of the Dockyard is at present used for free parking, but shortly it will be levelled and paved, after which a charge will

be made for car parking. Quite apart from meeting a need as a car park, it is some distance from any residential development and would be of little value as a pleasure ground or recreation area without the expenditure of funds which could not be justified for temporary use.

To sum up, Sir, until the Mass Transport Consultants have completed their study it is not possible for the Town Planning Board to complete its revised plan. The whole future of this important and valuable area, as well as the planning of a mass transport system, could be prejudiced by the premature disposal of land in this area.

The question was put and agreed to.

NEXT MEETING

HIS EXCELLENCY THE GOVERNOR: —Before I adjourn Council may I wish all honourable Members a very merry Christmas and a Happy New Year. Council will now adjourn. The next meeting will be held on 4th January 1967.