

OFFICIAL REPORT OF PROCEEDINGS
Meeting of 17th May 1967

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 (*Acting*)
MR GRAHAM RUPERT SNEATH
THE HONOURABLE THE SECRETARY FOR CHINESE AFFAIRS (*Acting*)
MR PAUL TSUI KA-CHEUNG, MBE
THE HONOURABLE THE FINANCIAL SECRETARY (*Acting*)
MR MICHAEL DENYS ARTHUR CLINTON, GM
THE HONOURABLE ALEC MICHAEL JOHN WRIGHT, CMG
DIRECTOR OF PUBLIC WORKS
DR THE HONOURABLE TENG PIN-HUI, CMG, OBE
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE WILLIAM DAVID GREGG
DIRECTOR OF EDUCATION
THE HONOURABLE ROBERT MARSHALL HETHERINGTON, DFC
COMMISSIONER OF LABOUR
THE HONOURABLE ALASTAIR TODD
DIRECTOR OF SOCIAL WELFARE
THE HONOURABLE TERENCE DARE SORBY
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE GEOFFREY MARSH TINGLE
DIRECTOR OF URBAN SERVICES
THE HONOURABLE KENNETH STRATHMORE KINGHORN
DISTRICT COMMISSIONER, NEW TERRITORIES
THE HONOURABLE LI FOOK-SHU, 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 SZETO WAI
THE HONOURABLE WILFRED WONG SIEN-BING, OBE
THE HONOURABLE ELLEN LI SHU-PUI, OBE
THE HONOURABLE JAMES DICKSON LEACH, OBE
DR THE HONOURABLE CHUNG SZE-YUEN
THE HONOURABLE ROGERIO HYNDMAN LOBO

ABSENT

THE HONOURABLE MICHAEL ALEXANDER ROBERT YOUNG-HERRIES, MC
THE HONOURABLE DANIEL LAM SEE-HIN

IN ATTENDANCE

THE DEPUTY CLERK OF COUNCILS
MR DONALD BARTON

MINUTES

The Minutes of the meeting of the Council held on 26th April 1967 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: —	
Defence (Finance) Regulations	
General Permission of Governor	64
Auxiliary Forces Pay and Allowances Ordinance 1967	
Pay Classification (Hong Kong Regiment) Assign- ment Notice 1967	65
Auxiliary Forces Pay and Allowances Ordinance 1967	
Pay Classification (Hong Kong Auxiliary Air Force) Assignment Notice 1967	66
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Pay Classification (Hong Kong Women's Auxiliary Army Corps) Assignment Notice 1967	67
Auxiliary Forces Pay and Allowances Ordinance 1967	
Pay Classification (Hong Kong Auxiliary Police Force) Assignment Notice 1967	68
Auxiliary Forces Pay and Allowances Ordinance 1967	
Pay Classification (Auxiliary Fire Service Unit) Assignment Notice 1967	69
Auxiliary Forces Pay and Allowances Ordinance 1967	
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Pay Classification (Civil Aid Services Unit) Assign- ment Notice 1967	71
Interpretation and General Clauses Ordinance	
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THE SECRETARY FOR CHINESE AFFAIRS, by Command of His Excellency the Governor, laid upon the table the following paper:—

CHINESE MARRIAGES IN HONG KONG

He said:—Sir, copies of this paper are already in the hands of honourable Members. 5,000 copies of its Chinese translation have been printed for sale to the public and for free distribution in appropriate quarters.

Sir, this White Paper is a concise summary of the recommendations set out in a lengthy joint report compiled by Mr MCDOUALL and Mr HEENAN in 1965, and in trying to “summarize this summary” I shall clearly run the risk of over-simplifying a complex subject. Nevertheless I think I should outline for the information of this Council and of the public the main points of the legislation that is proposed.

But before I start upon this I think it is worth recalling and stating for the record that more and more people in Hong Kong are nowadays contracting registry marriages rather than following the old forms of marriage that have been common in the past. In other words the problem of the form of marriage is a diminishing problem, and one that is likely to disappear naturally with the passage of time.

Nevertheless as we believe that this tendency should be allowed to take its own course rather than that it should be artificially hastened by legislative action, one of the main proposals contained in the White Paper is to give statutory recognition to Chinese customary marriages and validate Chinese modern marriages. The question of what form of customary Chinese marriage creates a valid customary marriage is full of obscurity and one of the proposals which we intend to put before this Council in due course is for the clarification of this question by means of a kind of codification. Paragraph 16 of the White Paper explains the nature of this proposal.

Chinese modern marriages entered into in Hong Kong fall into a different category, since in spite of their popularity during the last thirty years or so they are not held to be valid under the present law. For existing marriages of this kind entered into in Hong Kong it is proposed that they should be retrospectively validated by legislation. Paragraph 26 of the White Paper deals with this point.

For the future we propose that people should continue to be free to contract marriages in these two ways, namely by customary form or by the Chinese modern ceremony, but we propose now to lay down in both cases that certain additional formalities will have to be observed before such a marriage shall in future be valid in law. The main

additional formalities are these: —first, that prior public notice shall be given of the intention to marry; second, that the ceremony shall take place in public before witnesses; and third, most important, that the marriage shall be registered with the authorities within fourteen days of this celebration. Registration is the solution of the doubts and uncertainties that have sometimes affected these kinds of marriage in the past, and only registration can give a wife the certainty and safeguards that have sometimes been found wanting. Furthermore registration is more and more necessary in terms of the complexities of modern society such as taxation liability, travel documents and so forth. Finally the international conventions relating to human rights prescribe that marriage should be officially registered. For all these reasons we believe that the law should now be so altered as to provide for the official registration of all marriages, and proposals to this end will be laid before this Council in due course.

I turn now to the question of the dissolution of these two forms of marriage. In the case of customary marriages divorce unilaterally by the husband and by mutual consent is hallowed by many centuries of tradition, and in the case of Chinese modern marriages the Chinese Civil Code of 1930, following in fact the precedent of customary usage, provided for divorce by mutual consent. It is proposed now to provide by law for this latter form of divorce, that is divorce by mutual consent, to be available to those who marry in Hong Kong by customary usage or to the modern Chinese form, subject to a number of safeguards which will, it is hoped, protect a wife from being in any way tricked or coerced into a divorce of this kind.

Finally I deal with the controversial subject of concubinage. This form of secondary marriage still enjoys some degree of residual recognition under our law, and we believe that the time has now come to put an end to this. We do not however propose to terminate the lawful rights of existing concubines, and the proposal that will in due course be put before this Council in the form of draft legislation is that after an appointed date no woman may newly enter into any legal status as a concubine. Thus we hope to bring to a gradual and painless end an institution which we believe no longer has any proper place in a modern society. Meanwhile those women who at present have the status of concubine will continue to enjoy their present legal rights, but no more.

I should perhaps have spoken earlier of the “appointed date”, for this does not apply only to the proposed abolition of concubinage. It is the Government's intention that all these proposals should take effect not immediately upon the introduction of the legislation but rather on this “appointed date”. The reason for this is that these are personal matters and it is thought that ample notice should be given of any change in the law affecting such matters. We have not yet fully considered the question of what date should be set as the “appointed date”

and this is a matter upon which we shall in due course be seeking the benefit of honourable Members' advice.

Government hopes that these proposals will find ready acceptance in the community but it remains ready to consider any further representations and, more particularly, to elucidate any remaining doubts. In this connexion it may be recalled that on 22nd March this year, in this Chamber, and in response to the remarks made on this subject by my honourable Friends Mr P. C. Woo and Mrs Li at the Budget debate*, Mr HOLMES pointed out that apart from the fact that no consensus of opinion can be expected in this controversial field, there is a further special difficulty; namely, that the more educated and progressive elements in Hong Kong society are on the whole less likely to be affected personally by these proposals, whilst it is the less sophisticated citizen's to whom it is most important that proposals of this kind should be very clearly and fully explained. To this end, as Mr HOLMES has already said, a further limited period will be set aside for explanation and discussion and examination of public comments on the proposals made in the White Paper.

Sir, perhaps I should repeat that this White Paper is a concise summary of the recommendations set out in a lengthy joint report compiled by Mr MCDOUALL and Mr HEENAN in 1965. As pointed out in paragraph 7 of Chapter I of the Paper, it attempts to set out the main proposals in a form which it is hoped will be intelligible and useful to interested members of the public at large. It is self-contained in the sense that it can be read without reference to its various earlier papers. It is a comparatively short report. May I appeal to honourable Members and to members of the public to read the White Paper itself for the full details of the proposals.

COMMISSIONER FOR TRANSPORT (TRANSFER OF POWERS) BILL 1967

THE COLONIAL SECRETARY moved the First reading of:—"A Bill to amend certain Ordinances so as to transfer to and confer upon the Commissioner for Transport certain statutory powers, functions and duties for the regulation of public transport and motor vehicles, to be exercised or performed in certain cases subject to directions given by the Governor, and for matters incidental thereto."

He said: —Sir, the need for this Bill arises from the decision taken in 1965 to establish a Transport Office and the post of Commissioner for Transport, to co-ordinate as far as practicable in one authority the Government's functions in the field of traffic and transport. At

* Page 259.

present the statutory functions involved are performed by a variety of different authorities, including among others the Director of Public Works, the Director of Marine, and particularly the Commissioner of Police.

The Transport Office has been set up and a Commissioner for Transport appointed. Accordingly it is now desired, by means of this Bill, to transfer to him formally the majority of the statutory powers exercised by the Commissioner of Police and other authorities in the transport field. The Bill seeks to effect this transfer by amending the various Ordinances listed in the Schedule to the Bill to the extent shown. The effect of the amendments is clearly explained in the Objects and Reasons appended to the Bill.

The most important changes are those made in the Road Traffic Ordinance which are set out under Item 3 of the Schedule to the Bill. These changes will relieve the Commissioner of Police of a great many of the powers, functions and duties which he now exercises in such matters as the licensing and registration of motor vehicles and drivers; parking arrangements; and the co-ordination of all matters concerning road usage.

Although this amendment would divest the Commissioner of Police of the majority of his powers under the Road Traffic Ordinance and the Regulations made under it, he would still retain all the powers he requires for the purposes of traffic control on the roads and the prosecution of traffic offences. He will also retain control over such matters as motor racing and speed trials on the Colony's roads.

The amendments proposed to sections 3, 4 and 5 of the Road Traffic Ordinance in Item 3 of the Schedule to the Bill would enable the Governor in Council to make regulations empowering the Commissioner for Transport to carry out his functions under that Ordinance and the regulations.

Under Items 7 and 8 of the Schedule the Commissioner for Transport would replace the Commissioner of Police as the authority responsible for the supervision and co-ordination of the services provided by the China Motor Bus Company and the Kowloon Motor Bus Company respectively. In the case of these two Ordinances honourable Members will wish to note that the opportunity has been taken to include in each provision for the Governor to give general or specific directions to the Commissioner for Transport regarding the exercise of his functions. A similar provision has also been inserted in the Commonwealth Preference (Motor Vehicles) Ordinance.

The statutory functions of the Commissioner of Police under the Motor Vehicles Insurance (Third Party Risks), Motor Vehicles (First Registration Tax) and Commonwealth Preference (Motor Vehicles)

Ordinances would likewise be transferred to the Commissioner for Transport by the proposed amendments to these Ordinances in Items 5, 9 and 10 respectively of the Schedule.

Finally, Sir, in the interest of introducing a maximum degree of co-ordination into Government's policy on transport and traffic matters generally, the opportunity of this Bill has also been taken to include in Items 1, 2, 4 and 6 of its Schedule provision for the transfer of a number of other minor statutory functions at present exercised by various Heads of Departments in respect of the railway, tramway and ferry services to the Commissioner for Transport.

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 transfer certain statutory functions of the Commissioner of Police and other public officers to the Commissioner for Transport; the Ordinances amended for this purpose are set out in the Schedule to the Bill.

2. Item 1 amends section 26 of the Railways Ordinance so as to replace the Colonial Secretary by the Commissioner for Transport (hereinafter referred to as the Commissioner) as the officer to whom reports of certain accidents must be made.

3. Item 2 amends section 26 of the Tramway Ordinance so as to replace the Director of Public Works by (he Commissioner as the officer who may make representations to the Governor in Council as to the adequacy of the company's use of the tramway.

4. Item 3 amends the Road Traffic Ordinance. The new definition of "Commissioner" inserted in section 2 will have the effect of transferring to the Commissioner all the powers, functions and duties which were formerly exercised by the Commissioner of Police under that Ordinance. There are a few exceptional cases where certain powers, functions and duties will be retained by the Commissioner of Police or will be exercised by either or both of those authorities and these cases are covered by the other amendments in item 3. The amendments to sections 3, 4 and 5 enable the Governor in Council to make regulations empowering the Commissioner to carry out his functions under the Ordinance

and the regulations. Under section 15 the Commissioner will have the power to vary speed limits and to declare restricted roads. The new definition of “Commissioner” will have the like effect on all subsidiary legislation in force under the Ordinance but, to take care of certain exceptional cases, it is proposed to make amending regulations on the same lines as the Schedule to the Bill.

5. Item 4 replaces the Director of Marine by the Commissioner as the authority to be satisfied of the adequacy of the ferry services conducted under the Hong Kong and Yaumati Ferry Company (Services) Ordinance and replaces the Director of Marine by the Commissioner as the authority to approve timetables. The item also makes the same substitution in respect of the officer who may make representations to the Governor in Council on any inadequacy in the ferry services. Item 6 makes similar amendments to the “Star” Ferry Company (Services) Ordinance.

6. Item 5 gives the Commissioner certain powers under the Motor Vehicles Insurance (Third Party Risks) Ordinance with regard to forged certificates.

7. Items 7 and 8 make the Commissioner the Authority in respect of the Public Transport Services (Hong Kong Island) Ordinance and the Public Transport Services (Kowloon and New Territories) Ordinance. He will be subject to any directions which the Governor may give.

8. Item 9 transfers the functions of the Commissioner of Police under the Motor Vehicles (First Registration Tax) Ordinance to the Commissioner for Transport.

9. Item 10 places the Commonwealth Preference (Motor Vehicles) Ordinance 1967 under the administration of the Commissioner. His functions, powers and duties will be subject to any directions which the Governor may give.

ROAD TRAFFIC (AMENDMENT) BILL 1967

THE COLONIAL SECRETARY moved the First reading of:—“A Bill to amend further the Road Traffic Ordinance.”

He said:—Sir, this is a short and simple Bill, and it is related to the Commissioner for Transport (Transfer of Powers) Bill, which has just been read a first time. It provides for the Commissioner for Transport and the Commissioner of Police to comply with any special or general directions which the Governor may give them in the execution and performance of their respective powers, and functions under the Road Traffic Ordinance.

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, a complementary measure to the Commissioner for Transport (Transfer of Powers) Bill 1967, provides that the Commissioner for Transport and other public officers (who would in fact be either the Commissioner of Police or the Director of Public Works) shall be subject to any directions given by the Governor in the exercise of their respective powers under the Road Traffic Ordinance. It is appropriate, for reasons of drafting, to propose this amendment in a separate Bill.

UNCLAIMED BALANCES (AMENDMENT) BILL 1967

THE FINANCIAL SECRETARY moved the First reading of:—“A Bill to amend the Unclaimed Balances Ordinance.”

He said:—Your Excellency, the Unclaimed Balances Ordinance (Chapter 122) provides for the transfer to general revenue of certain unclaimed moneys which have been held by Government for not less than five years, and lays down the conditions attaching to such transfers. Among these conditions, section 3 of the Ordinance requires that details of all sums so transferred shall be published in the *Gazette*, while section 7 permits the Supreme Court to transfer sums which have been held in that court for not less than five years.

This Bill seeks to remove the need to publish these details in the *Gazette*. The majority of these sums are very small and it is felt that there is no need to gazette lengthy lists of often trifling amounts when five years is allowed for attempts to trace claimants. I would stress that the provisions of section 9 of the Ordinance are in no way affected. This section permits refunds to be made if a claimant is traced after any sum has been transferred to revenue.

Section 7 of the Ordinance allows the Supreme Court to transfer to revenue unclaimed moneys which have accrued in that Court after five years. For the removal of doubt this section is amended to make it clear that it also applies to the District Court and thereby to regularize payments to revenue of the comparatively small sums which accrue from time to time for periods in excess of five years in this Court. It also makes a change in the procedure of transfer by empowering the Chief

Justice (and not the Supreme Court, as at present) to order the transfer of unclaimed moneys, whether they are in the Supreme Court or the District Court.

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: —

Under section 3 of the Unclaimed Balances Ordinance, balances in the Treasury or in the hands of a Government officer which remain unclaimed for five years may be transferred by order of the Governor to the general revenue. By virtue of section 3(3), the order making the transfer must contain details of the balances, and section 3(4) requires that the order be published in the *Gazette*. As most of the balances transferred are of trifling amounts, it is considered that the statutory requirement to publish details in the *Gazette* is unnecessary. Accordingly, subsections (3) and (4) of section 3 are to be deleted.

Section 7 of the Ordinance is being amended so as to make it applicable to unclaimed sums of money in the District Court. Consequentially, a change in the procedure for the transfer to general revenue of unclaimed moneys is proposed. It is intended that the Chief Justice should be empowered to order the transfer, whether the moneys are in the Supreme Court or the District Court.

GOVERNMENT LOTTERIES (AMENDMENT) BILL 1967

THE FINANCIAL SECRETARY moved the First reading of:—“A Bill to amend the Government Lotteries Ordinance.”

He said:—Sir, as described in the Objects and Reasons which have been published with the Bill, its primary purpose is to provide that all receipts and payments concerning Government lotteries be paid into and from the Lotteries Fund.

The Government Lotteries Ordinance as it now stands, requires that the net proceeds of Government lotteries shall be paid into the general revenue of the Colony, and allocated to expenditure for the purposes of Social Welfare. This arrangement was in general unsatisfactory, and in particular did not demonstrate adequately how the proceeds were utilized. It meant that following the crediting of net proceeds to general revenue, expenditure could only be achieved by the creation of a subhead

of expenditure in the Colony's estimates, and consequently it was not easy to relate such expenditure to the net proceeds.

A partial solution was found to this problem when the Lotteries Fund was established by Resolution of this Council* on 30th June 1965. One purpose of that Resolution was to enable accumulated net proceeds of lotteries which had been paid into general revenue to be transferred to the Fund from time to time. This has been done, and expenditure from the Fund, duly authorized in the terms of the Resolution, has since been made direct from the Fund. These payments are listed for public information in Appendix TV to the annual Estimates of Expenditure. However, before money can be transferred to the Fund, the accounts have to be netted and finalized and authorized by Resolution of this Council all of which takes time. The amendments to the Ordinance obviate this roundabout procedure by enabling gross proceeds to be paid almost immediately into the Fund, and for prize-money and expenses arising from the conduct of a lottery to be paid out of the Fund. There is no intention, however, of altering the established method of approving expenditure from the Fund in respect of Social Welfare purposes.

In addition to streamlining the present accounting procedures, the Bill also provides that the Accountant General shall keep the accounts and that they shall be laid annually on the table of this Council.

The opportunity has also been taken to incorporate provision for charging an annual supervision fee to be determined by the Financial Secretary. This is now a standard provision in statutory funds and is intended to meet the indirect expenses incurred by the provision of Government accounting, administrative and other staff who assist in carrying out the operation of the lotteries.

I should also mention that, on the enactment of this Bill, it is proposed that the Government Lotteries Rules shall be amended, and draft amending Rules have already been published in the *Gazette*, to enable unclaimed prize-money to be credited to the Fund without remaining a permanent contingent liability on the Fund by stipulating that prize-money may not, in any circumstances, be claimed after a period of 24 months has elapsed. The present right to petition against the forfeiture of unclaimed prize-money will be extinguished. Unclaimed prize-money already amounts to about \$1.6 million and on the making of these Rules, it will be possible, subject to the approval of Finance Committee, to transfer this sum plus interest to the credit of the Fund.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

* 1965 Hansard, Pages 408-410.

Objects and Reasons

The “Objects and Reasons” for the Bill were stated as follows: —

The main purpose of this Bill is to provide for all receipts and payments concerning lotteries to be paid into and from the Lotteries Fund which was established by resolution of the Legislative Council on the 30th day of June 1965.

2. Clause 2 adds a definition of Lotteries Fund to the principal Ordinance.

3. Clause 3 repeals and replaces section 6 of the principal Ordinance and makes more detailed provisions concerning the proceeds of lotteries. Subsection (4) is in terms similar to those used in the resolution of the Legislative Council establishing the Lotteries Fund. It is to be noted that no expenses will be paid out of the general revenue.

4. Clause 4 repeals section 7 and replaces it with two new-sections 7 and 7A dealing with the keeping and tabling of accounts and an administration fee which may be charged against the Fund's income.

LEGAL AID (AMENDMENT) BILL 1967

THE ATTORNEY GENERAL moved the Second reading of:—“A Bill to amend the Legal Aid Ordinance 1966.”

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.

Clause 5.

THE ATTORNEY GENERAL:—Sir, I beg to move that clause 5 be amended as set forth in the paper before honourable Members.

*Proposed Amendment.**Clause*

5. Leave out the new section 19A and substitute the following —

<p>“All moneys due to aided person to be paid to Director.</p>	<p>19A. (1) All moneys which may become payable to an aided person— (a) by virtue of an order made in connexion proceedings to which his legal aid certificate relates;</p>
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- (b) by virtue of any agreement made in connexion with the proceedings to which his legal aid certificate relates, whether such agreement be made before or after the proceedings are actually begun;
- (c) being moneys paid into court by him or on his behalf in connexion with the proceedings to which his legal aid certificate relates and ordered to be repaid to him; or
- (d) being moneys standing in court to the credit of any proceedings to which his legal aid certificate relates,

shall be paid or repaid, as the case may be, to the Director.

(2) Subsection (1) shall not apply where any court, authority or person, in exercise of a power under any law, gives any direction or exercises any discretion as to the payment of any sum to an aided person, and in such case the court, authority or person shall provide that the sum payable to the aided person shall be subject to a first charge for the benefit of the Director for any sum due to be paid or repaid to him under this Ordinance.

(3) The provisions of this section shall apply in relation to all sums which may become payable to an aided person, notwithstanding any provision in—

- (Cap. 282.) (a) the Workmen's Compensation Ordinance; or
- (cap. 4.) (b) the Supreme Court Ordinance; or
- (c) any other law,

which—

- (i) restricts the payment of any sum to any person; or
- (ii) prohibits the payment of any sum to any person.

(4) Only the Director shall be capable of giving a good discharge for moneys which may become payable to the Director under this section.”.

Clause 5, as amended, was agreed to.

Council then resumed.

THE ATTORNEY GENERAL reported that the Legal Aid (Amendment) Bill 1967 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.

STAMP (AMENDMENT) BILL 1967

THE FINANCIAL SECRETARY moved the Second reading of: —“A Bill to amend the Stamp 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 to 4 were agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the Stamp (Amendment) Bill 1967 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.

DEFENCE (FINANCE) REGULATIONS (VALIDATION OF CONTRACTS) BILL 1967

THE FINANCIAL SECRETARY moved the Second reading of: —“A Bill to provide for the validity of certain contracts.”

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 Defence (Finance) Regulations (Validation of Contracts) Bill 1967 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.

GIRL GUIDES ASSOCIATION (HONG KONG BRANCH) (AMENDMENT) BILL 1967

MRS ELLEN LI SHU-PUI moved the First reading of:—"A Bill to amend the Girl Guides Association (Hong Kong Branch) Ordinance."

She said:—Your Excellency, this is a very simple and straight forward Bill in order to effect and facilitate a more efficient administration for the ever expanding Girl Guide movement in Hong Kong. The Bill involves three changes.

Firstly, the name of the Association be amended to read: "The Girl Guides Association (Hong Kong Branch)", using the brackets for the words "Hong Kong Branch" instead of a comma.

Secondly, section 9—subsection 1: the words "assistant colony commissioner" be amended to read the "assistant colony commissioners" in plural in order to make it possible for more than one Assistant Colony Commissioner to serve in the Association.

Thirdly, the Bill seeks to repeal and replace section 11 of the Ordinance. This would make it possible for one of the Assistant Colony Commissioners to be on hand to assist the Colony Commissioner or the Deputy Colony Commissioner in the execution of documents.

MR K. A. WATSON 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 effect smoother and more efficient administration and generally to facilitate the requirements of an ever-increasing Girl Guides' movement in Hong Kong.

ADJOURNMENT

THE COLONIAL SECRETARY moved the Adjournment.

THE ATTORNEY GENERAL seconded.

MR P. C. Woo addressed the Council:—

He said:—Your Excellency, since the last sitting of this Council we, the people of Hong Kong, are now facing a very serious and difficult situation. It is most regrettable that a dispute, which might happen any time, has turned and developed into a political issue. I am expressing the deep appreciation and thanks to Your Excellency for the determination you have taken to preserve law and order in the Colony in order to protect the life and property of the people.

We cannot allow disturbances to disturb the normal life of our City, and I think my Unofficial Colleagues agree with me that we should pursue these with vigour in order that the law and order is preserved. No matter what the outcome is and most important, I think that we should do our best to settle the trade disputes in a satisfactory manner to all concerned, and in this connexion may I suggest that my honourable Friend, the Commissioner of Labour, do his best to settle this dispute properly together with the Federation of Industries and probably with my Friend, the Director of Commerce and Industry.

Sir, you have expressed your views in this matter but any further information will be useful to the interests of the public and I should like to know whether my honourable Friend, the Colonial Secretary, has any further note to add to that so the people of Hong Kong may know what is happening up to now. Thank you.

Mr P. Y. TANG: I fully support my Colleague.

THE COLONIAL SECRETARY replied as follows:—

He said:—Sir, I welcome the honourable Member's words this afternoon and the support he has obviously had in this Council. These disturbances that we have had over the last few days, a week or so, are, as he says, deeply to be regretted and especially that they should have arisen out of trade disputes or labour disputes.

We all appreciate the work that has been done by the Police in the very difficult circumstances and I think it is a great tribute to them that the casualties have been so small. They have used every restraint to avoid these disturbances escalating in any way. They have done it by themselves; the rumours that the military have been called in are quite false.

Sir, this, as the honourable Member has said, has turned into a matter of political significance and the Government in Peking having handed over a statement to Her Majesty's representative there means, of course, that any answer to that statement will come from Her Majesty's Government in Britain. It may take a day or so but I hope it will not be too long delayed. Meanwhile, Sir, there is every intention to maintain the present policy of keeping and restoring where necessary but maintaining peace and order in Hong Kong. This, I am sure, is the wish of a very, very large majority of the people and it is encouraging to see the number of individuals and bodies, responsible bodies, that have come out with statements in favour of the present policy of maintaining peace and order over the last few days.

It is obviously essential, if we are going to maintain confidence in Hong Kong and our prosperity, and I agree with the honourable Member that we must do our very best to get rid of the basic causes of these particular disturbances, which were the labour arguments in the two factories. This needs and calls for the goodwill and the spirit of good reason from both sides in these disputes, and I hope that both the management and the workers' Unions concerned will come together and realize that what is happening now is merely disturbing Hong Kong unnecessarily. The Commissioner of Labour is doing all he can and will continue to do it to get the parties together. At the moment we have had difficulties in finding neutral ground for them to meet and so on but I hope that this will be overcome. There is no real need for disputes of this sort to go on and on without settlement.

That, Sir, I think is all I would say at the moment, to confirm Government's intention to keep the peace in Hong Kong without any changes of policy and to get these labour difficulties settled.

The question was put and agreed to.

NEXT MEETING

HIS EXCELLENCY THE GOVERNOR: —Council will now adjourn. The next meeting of Council will be held on 31 May.