

OFFICIAL REPORT OF PROCEEDINGS**Wednesday, 5th July 1972****The Council met at half-past Two o'clock**

[Mr PRESIDENT in the Chair]

PRESENT

HIS EXCELLENCY THE GOVERNOR (PRESIDENT)
SIR CRAWFORD MURRAY MACLEHOSE, KCMG, MBE
THE HONOURABLE THE COLONIAL SECRETARY (*Acting*)
MR MICHAEL DENYS ARTHUR CLINTON, CMG, GM*, JP
THE HONOURABLE THE ATTORNEY GENERAL
MR DENYS TUDOR EMIL ROBERTS, CBE, QC, JP
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR DONALD COLLIN CUMYNN LUDDINGTON, JP
THE HONOURABLE THE FINANCIAL SECRETARY
MR CHARLES PHILIP HADDON-CAVE, JP
THE HONOURABLE DAVID RICHARD WATSON ALEXANDER, CBE, JP
DIRECTOR OF URBAN SERVICES
THE HONOURABLE JAMES JEAVONS ROBSON, CBE, JP
DIRECTOR OF PUBLIC WORKS
THE HONOURABLE JOHN CANNING, JP
DIRECTOR OF EDUCATION
DR THE HONOURABLE GERALD HUGH CHOA, CBE, JP
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE JACK CATER, MBE, JP
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE DENIS CAMPBELL BRAY, JP
DISTRICT COMMISSIONER, NEW TERRITORIES
THE HONOURABLE PAUL TSUI KA-CHEUNG, OBE, JP
COMMISSIONER OF LABOUR
THE HONOURABLE IAN MACDONALD LIGHTBODY, JP
COMMISSIONER FOR RESETTLEMENT
THE HONOURABLE GEORGE TIPPETT ROWE, CBE, JP
DIRECTOR OF SOCIAL WELFARE
THE HONOURABLE WOO PAK-CHUEN, OBE, JP
THE HONOURABLE SZETO WAI, OBE, JP
THE HONOURABLE WILFRED WONG SIEN-BING, OBE, JP
THE HONOURABLE MRS ELLEN LI SHU-PUI, OBE, JP
THE HONOURABLE WILSON WANG TZE-SAM, OBE, JP
THE HONOURABLE HERBERT JOHN CHARLES BROWNE, OBE, JP
DR THE HONOURABLE CHUNG SZE-YUEN, OBE, JP
THE HONOURABLE LEE QUO-WEI, OBE, JP
THE HONOURABLE OSWALD VICTOR CHEUNG, OBE, QC, JP
THE HONOURABLE ANN TSE-KAI, OBE, JP
THE HONOURABLE MRS CATHERINE JOYCE SYMONS, OBE, JP
THE HONOURABLE JAMES WU MAN-HON, JP

ABSENT

THE HONOURABLE ROGERIO HYNDMAN LOBO, OBE, JP
THE HONOURABLE PETER GORDON WILLIAMS, JP

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL
MR RODERICK JOHN FRAMPTON

Oath and Affirmation

MRS C. J. SYMONS took the Oath of Allegiance, Mr James WU Man-hon made the Affirmation of Allegiance, and they both assumed their seats as Members of the Council.

HIS EXCELLENCY THE PRESIDENT: —The first thing I would like to do is to welcome Mrs SYMONS and Mr WU to this Council and also to welcome Mr ROWE back to it.

Papers

The following papers were laid pursuant to Standing Order No 14(2): —

<i>Subject</i>	<i>LN No</i>
Subsidiary Legislation: —	
Money-Lenders Ordinance.	
Money-Lenders (Registration) (Amendment) Regulations 1972	123
Hongkong and Kowloon Wharf and Godown Company Limited (By-Laws) Ordinance.	
Ocean Terminal (Parking and Waiting) By-Laws 1972	124
Interpretation and General Clauses Ordinance.	
Change of Title of Office	126
Pensions Ordinance.	
Pensionable Offices Order 1972	127
Road Traffic Ordinance.	
Road Traffic (Taxis, Public Omnibuses, Public Light Buses and Public Cars) (Amendment) (No 2) Regulations 1972	128
District Court (Amendment) Ordinance 1972.	
District Court (Amendment) Ordinance 1972 (Commencement) Notice 1972	129
Births and Deaths Registration Ordinance.	
Births and Deaths Registration (Amendment of First Schedule) (No 2) Order 1972	130
Sessional Paper 1971-72: —	
No 56—Annual Report by the Hong Kong Tourist Association for the year 1971-72 (published on 5. 7.72).	

Oral answers to questions

Under 17 identity cards

1. DR S. Y. CHUNG asked: —

Will Government state whether its review of the need for improvements in the present identity card system for young persons under 17 years of age, the need for which was first raised in this Council in January 1970, has now been completed and, if so, what new measures are proposed?

THE COLONIAL SECRETARY (ACTING) (MR M. D. A. CLINTON): —Sir, I am happy to say that the review has at last been completed and was in fact approved in principle by Your Excellency, after consultation with Executive Council, on the 4th of April. Briefly, the main purpose is to provide for first registration at eleven years of age, and for the issue at that age of juvenile identity cards with photographs, so that their holders can be readily identified. The age of re-registration for an adult identity card is to be raised from 17 to 18 years.

In order to put the scheme into effect, amending legislation is necessary and drafting instructions are almost completed. With any luck I would hope that we can get the bill to this Council before my honourable Friend finds it necessary to ask a fourth question on this subject.

DR CHUNG: —Sir, I very much welcome the proposed change. May I ask when my honourable Friend expects that all the procedures will be completed and the new system put into effect?

THE COLONIAL SECRETARY (ACTING) (MR CLINTON): —Sir, I would really be rather foolish to commit myself on a date, but I would hope within the next few months.

Piracy of phonographic recordings

2. MR P. C. WOO asked: —

Is the Government aware that the International Federation of the Phonographic Industry passed a resolution on 26th May 1972, noting the growth of record piracy in Hong Kong and appealing for the necessary legislation to remedy the same; and will Government say whether such legislation is necessary in Hong Kong?

Oral Answers

THE ATTORNEY GENERAL (MR D. T. E. ROBERTS): —Sir, the Government is aware of the resolution.

Substantial protection of copyright in records and tapes is already given by the Copyright Act 1911, which has been applied to Hong Kong, and by the Copyright Ordinance.

This legislation does not fully cover all the recent development in sound recording. The Copyright Act 1956, which does provide a more comprehensive protection, is not yet applicable here.

However, a draft Order in Council, which seeks to apply the 1956 Act to Hong Kong with suitable modifications, has been prepared and will be submitted to the Secretary of State in the near future.

If the 1956 Act is applied, and an Ordinance containing some necessary supplementary matters is enacted, the phonographic industry will enjoy adequate protection in law, though I must observe that catching record pirates is a more difficult task than legislating about them.

MR WOO: —Sir, may I ask my honourable Friend to give an assurance that, as soon as the Order in Council is made, immediate steps will be taken to enact legislation in Hong Kong to give adequate protection in law to the phonographic industry?

THE ATTORNEY GENERAL (MR ROBERTS): —Yes, I can assure the honourable Member that, if an Order in Council is made, there will be no delay in supplementing it with a local Ordinance.

MR WOO: —Sir, the catching of record pirates depends entirely on the assistance of the police and the Department of Commerce and Industry. Will my honourable Friend see that due facilities are given to those who make complaints either to the police or to the Department of Commerce and Industry?

THE ATTORNEY GENERAL (MR ROBERTS): —Yes, I will certainly do that, Sir. I have no knowledge of any examples of complaints by the industry being neglected.

Pensionability and contract terms for women civil servants

3. MRS ELLEN LI SHU-PUI asked: —

Will Government inform this Council when full details will be announced of the scheme for pensionability of married

women in Government service and of the arrangements for employment of married women on contract; and when these schemes will be implemented?

THE COLONIAL SECRETARY (ACTING) (MR CLINTON): —Sir, at the end of April the Senior Civil Service Council reached agreement on the detailed scheme the substance of which had been approved by Finance Committee in January. Necessary amendments to the pensions legislation have since been drafted and should reach Executive Council in about 3 weeks time. Full details of the approved schemes, including the terms for employing married women on contract, will be announced when the bill comes up for consideration by this Council. I hope that the schemes can then be implemented before the end of the year.

Underground car parks

4. MR SZETO WAI asked: —

Will Government consider building underground car parks as a project allied to the Mass Transit Railway?

MR J. J. ROBSON: —Sir, the Mass Transit Railway route alignment was chosen to enable the greatest number of people to travel on the railway. The routes, therefore, follow the line of the heavily trafficked streets in the most intensively developed areas where normally space is sufficient only for the construction of the Mass Transit stations.

There is thus little opportunity to build any kind of carpark in the existing urban areas in association with the Mass Transit Railway if it is built except on adjacent private property. However, in areas which are still developing such as Kwai Chung and Tsuen Wan, the opportunity has been taken to plan the immediate environment of the Mass Transit stations to include, wherever appropriate, a multi-storey carpark to cater for prospective park-and-ride passengers as well as other carparking needs. For example, four sites have been planned for multi-storey car parks adjacent to Mass Transit stations in Kwai Chung and Tsuen Wan.

However, my honourable Friend refers specifically to underground car parks and while the construction of such car parks will be considered, it is unlikely that underground car parks could be built on an appreciable scale as they are more costly than their above-ground counterparts. Also little advantage is to be gained in combining the construction of the Mass Transit Railway with underground car parks as the latter would occupy a very large area of ground compared with that required for the railway.

Oral Answers

MR SZETO: —Sir, because of the close proximity of the Admiralty station of the future mass transit line to the open space west of Police Headquarters and north of Queensway, I wonder if Government would consider building an underground carpark underneath the open space in conjunction with construction of the Admiralty station?

MR ROBSON: —The short answer is yes, Sir. I would like to add, though, that in this area we have reserved space for a number of carparks which should be sufficient to serve car parking needs; and previously, when we did an exercise on costs of a carpark under, for instance, Statue Square, we found that it was quite expensive—but certainly, Sir, the suggestion will be noted.

Value of the Hong Kong dollar against the pound sterling

5. MR WILFRED S. B. WONG asked: —

Will Government state its reasons for floating the Hong Kong dollar in line with the pound sterling and will Government state whether, in the light of experience, any modification of its decision is necessary in order to safeguard the Colony's economy?

THE FINANCIAL SECRETARY (MR C. P. HADDON-CAVE): —Sir, when we were first advised of the British Government's sudden and unexpected decision to float the pound sterling. I said that the move had created an entirely new situation. At that time the decision to leave unaltered the relationship between the Hong Kong dollar and the pound sterling was the only practicable immediate course open to us, since it was impossible to judge how events would develop and where Hong Kong's true interests would lie. We were anxious to avoid making a hasty decision about the future of the Hong Kong dollar which, as events unfolded, might not have been in our best interests. We have no intention, however, of allowing the situation to drift. Quite the contrary: we shall take a firm decision when the time is right. That decision, Sir, will be taken from a position of financial strength, not weakness, and it will be based on the most careful assessment we can make of all the various and somewhat conflicting considerations that must be taken into account. In due course, I would hope that honourable Members will wish to debate the decision taken in this Council.

Honourable Members may not regard this as a completely satisfactory answer to my honourable Friend's question, but I am sure they will appreciate the delicacy of my position at this time, and perhaps I

should add that I shall find it very difficult to elaborate any further in answer to any supplementary questions they may feel constrained to ask.

Statement

Annual Report by the Hong Kong Tourist Association for the year 1971-72

MR H. J. C. BROWNE: —Sir, among the papers laid on the table today is the Annual Report by the Hong Kong Tourist Association for 1971-72. It appears, I am glad to say, in both English and Chinese. I think perhaps this is an appropriate occasion to review some of the trends and things that have happened in the tourist industry so that we can think about the future and what plans we should be making,

In 1971 we had just over 900,000 tourists but this figure excluded the American "R. and R." people who come here. In the first half of this year the figures are running 23% ahead of the same period last year and so we should end up in 1972 with something in the region of 1,100,000 tourists. I think the nationality breakdown is of interest: in 1971 26% of our tourists were Japanese against 18% in 1970, and in the first half of this year the Japanese are up by 50% over the figures for 1971. This is perhaps, it seems to me, a reflection of the purchasing power of the yen as a result of the Japanese revaluation at the end of last year. The Americans have dropped and there is an absolute decrease in the number of Americans. All other nationalities were up this year. It is reckoned that in 1972 the total spending of tourists will be something over HK\$1,800 million and this compares with HK\$1,600 million in 1971. These are approximate figures and, of course, one could talk at length about the effects of the multiplier effect of the tourist dollar but I think it is accepted that the dollar does have a multiplying effect through the economy. Another factor of interest is that the average length of stay continues to drop and is now about 3.6 days.

The average age of tourists is dropping. Shopping is still important but these younger tourists want a greater variety of things to do and see, and therefore the tourist industry welcomes the new developments that have either come or are coming—and I refer particularly to the new lookout on the Peak Tram, the plans for the Oceanarium at Deep Water Bay, which the Jockey Club are building, the Government plans for a cable car up to Lion Rock, and the plans for adding convention facilities to the Excelsior Hotel. Now, in particular, I think we can welcome the Government's decision to spend up to \$30 million over the next 5 years to provide recreational areas in the countryside; and of course the tourist industry is solidly behind

[MR BROWNE] **Statement**

Government in their "Keep Hong Kong Clean" campaign and in the work of the anti-pollution committees.

There are a number of other items that have been mentioned in this Chamber and in other places which are of great interest to the tourist trade, but I would like to make the point that they are also of great interest to our own residents in Hong Kong. So they shouldn't be taken as just something we are doing for tourists. And if I might refer to them: first of all improving the roads in Macau—sorry, Lantau (*laughter*)—and thereby allowing a vehicular ferry service to be started to Lantau; secondly, I know that my honourable Friend the District Commissioner New Territories is very keen to improve the access road to and parking facilities at Lok Ma Chau—this is really very urgent; we are very hopeful that something will be done to enable resorts to be developed in the Sai Kung peninsula in due course, after the area has been opened up as a result of the High Island water scheme; and hope, too, that it will be possible to develop resorts on Lantau. The problem of lookout points for tourist buses on the Island and in the New Territories is, I know, one that the officers of my honourable Friend the Director of Public Works have with them all the time, as also is the problem of providing lavatories in the New Territories.

Two other things: I think we need further improvements to the Macau Ferry Terminal, and I think it is urgent to clean up the Kowloon-Canton Railway.

In conclusion, I would like to express thanks on behalf of those in the tourist industry for the interest and help that we have had from Government over the years.

Government business

Motions

CRIMINAL PROCEDURE ORDINANCE

THE ATTORNEY GENERAL (MR ROBERTS) moved the following motion: —

It is hereby resolved that the Criminal Appeal (Amendment) Rules 1972, made by the Acting Chief Justice on the 9th June 1972, be approved.

He said: —Sir, the present rule 22 of the Criminal Appeal Rules provides for various applications to the Full Court to be dealt with

initially by a single judge. The Criminal Appeal (Amendment) Rules 1972 replace that rule so as to include reference to an application by the Attorney General for leave to apply to the Full Court for a review of sentence. This power was conferred by the Criminal Procedure (Amendment) Ordinance 1972, which was enacted in April of this year.

A new paragraph (2) has been inserted in the rule to make it clear that a judge may exercise the powers conferred by the rule in the absence of the parties and on a written application.

The approval of this Council by resolution is required by virtue of section 9 of the Criminal Procedure Ordinance.

Question put and agreed to.

MATRIMONIAL CAUSES ORDINANCE

THE ATTORNEY GENERAL (MR ROBERTS) moved the following motion: —

It is hereby resolved that the Matrimonial Causes (Amendment) Rules 1972, made by the Acting Chief Justice on the 30th June 1972, be approved.

He said: — Sir, honourable Members will recall that two important Ordinances dealing with matrimonial affairs have recently been enacted.

The first of these, the Matrimonial Causes (Amendment) (No 2) Ordinance 1972, abolished the old grounds for obtaining a divorce and substituted a new single ground of the irretrievable breakdown of a marriage.

The second, the Matrimonial Proceedings and Property Ordinance 1972, conferred wider and more flexible powers on the courts to make financial provisions for the parties to a marriage, both during its life and after its dissolution.

Both of these Ordinances came into effect on the 1st July 1972. The changes introduced by them have made it necessary to amend the Matrimonial Causes Rules, which deal with the practice and procedure to be followed in matrimonial causes, and the Matrimonial Causes (Amendment) Rules 1972 make the necessary changes. The most important provisions in these rules are summarized in the Explanatory Note which is attached to them.

Section 54 of the Matrimonial Causes Ordinance requires the approval of this Council by resolution to any rules which are made for the purposes of Part IIA of the Matrimonial Causes Ordinance; this Part

[THE ATTORNEY GENERAL] **Matrimonial Causes Ordinance**

confers jurisdiction to hear undefended matrimonial causes on the District Court. As there are references in the amending rules to the District Court, the approval of this Council is accordingly required to them.

I must apologize to honourable Members for the fact that they did not receive copies of these very extensive and quite complicated rules until the end of last week. This is, of course, quite insufficient time to enable them to study the rules with any care.

I would not normally, in such circumstances, have asked honourable Members to approve them today. However, unless they are so approved, those who wish to conduct matrimonial causes or ancillary matrimonial proceedings will not know what procedure is to be followed.

Accordingly, I have consulted the Chief Justice who has authorized me to say that, if the rules are approved today, he undertakes to amend them in any respect which honourable Members may consider necessary, after consultation with the Registrar of the Supreme Court and myself.

I hope that honourable Members will feel, in the light of that assurance, that they could approve these rules today.

MR OSWALD CHEUNG: —Sir, these amendments are very complex and I have not had time to give them the study they deserve. There are a number of points that I would want to take up with my honourable Friend but, in view of the assurance that he has given, I would not delay the motion by asking for an adjournment.

I do hope that rule-making bodies in future would submit the draft through the Attorney General to honourable Members—certainly the draft which goes to the printer as the printer's copy—some time before the rules are printed and laid before this Council to pass by resolution.

With that remark, Sir, I would agree to the motion.

Question put and agreed to.

BANK NOTES ISSUE ORDINANCE

THE FINANCIAL SECRETARY (MR HADDON-CAVE) moved the following motion: —

It is hereby resolved, by the Legislative Council, that this Council extends the powers of all the note-issuing banks

to make, issue or re-issue, and circulate notes until and including the 12th July 1973.

He said: —Sir, The Bank Notes Issue Ordinance lays down that the powers of the note-issuing banks lapse automatically unless renewed by this Council from time to time. The present powers of these banks expire on 12th July 1972. It is proposed in this resolution that these powers should be renewed for the maximum permissible period of twelve months. It does not in any way alter them.

Question put and agreed to.

First reading

CRIMES (AMENDMENT) BILL 1972

ROAD TRAFFIC (AMENDMENT) BILL 1972

**PUBLIC HEALTH AND URBAN SERVICES (AMENDMENT) (NO 2)
BILL 1972**

BUILDINGS (AMENDMENT) BILL 1972

Bills read the first time and ordered to be set down for second reading pursuant to Standing Order No 41 (3).

Second reading

CRIMES (AMENDMENT) BILL 1972

THE ATTORNEY GENERAL (MR ROBERTS) moved the second reading of: —"A bill to amend the Crimes Ordinance."

He said: —Sir, this bill is based on the provisions of the English Criminal Damage Act 1971, which was enacted as a result of reports by the English Criminal Law Revision Committee and the English Law Commission. Both of these bodies described the previous English law on the subject, which is still substantially that in force in Hong Kong, as having many unsatisfactory features.

The Hong Kong Malicious Damage Ordinance and the provisions in other Ordinances, all of which will be repealed by this bill, sometimes classify offences of damage to property by the type of property damaged, sometimes by the means employed to damage it and sometimes by both these tests. Maximum penalties vary from 2 months' imprisonment to death. Many of the different offences overlap and some involve the courts in a difficult assessment of the intentions of the accused at the time of the offence.

[THE ATTORNEY GENERAL] **Crimes (Amendment) Bill—second reading**

The object of this bill is to simplify and rationalize an unnecessarily complicated subject and to substitute simpler provisions giving a wide latitude in the matter of sentence. Thus a high maximum punishment is provided for serious cases, though in practice most offences of criminal damage will be dealt with by the magistrates' courts, which will impose only moderate punishments.

The essence of the new offence of criminal damage, which is contained in the new sections to be found in clause 3, is the destruction of or damage to the property of another without lawful excuse. Distinctions based on the nature of the property, its situation, the means used to destroy it or the circumstances in which it is destroyed do not affect the nature of the offence, though they may be proper consideration for the court when sentence is being assessed.

The new section 20, which is to be found on page 2 of the bill, creates the basic offence of destroying or damaging property belonging to another in very wide terms, designed to cover the majority of offences involving criminal damage. For this, a maximum penalty of 10 years' imprisonment is provided by section 23(2).

Section 23(1) specifies a maximum punishment of life imprisonment on conviction for an aggravated offence. This is committed if the person damaging or destroying the property does so in circumstances in which he intends to endanger the life of another person or is reckless as to whether or not the life of another person is endangered, or if he destroys or damages property by fire, that is to say, by committing what will still be described as arson although the old common law offence "arson" would be abolished.

Section 21 and 22 introduce two subsidiary offences, also carrying a maximum imprisonment of 10 years cover threats to destroy or damage property and possession of anything with intent to destroy or damage property.

"Property" is, Sir, defined in the new section 19 in wide terms to include all tangible property, including money and tame animals, but excluding flowers and plants, which are protected under other legislation.

It will be a defence to a charge of destroying or damaging property that the person responsible had a lawful excuse and, in addition to the ordinary meaning to be given to this term, section 24 provides certain special defences of lawful excuse.

Section 25 confers powers of search and seizure and section 26 ensures that in civil proceedings which arise out of destruction of or

damage to property, self-incrimination as to an offence under the bill will not be a ground for refusing to answer a question or comply with an order.

The English Criminal Damage Act provides for compensation to be paid by a person convicted of an offence involving damage to property. When the adoption of this Act was being considered, it was found that there were discrepancies in the powers to award compensation which are conferred on Hong Kong courts by various Ordinances.

The Magistrates Ordinance allows a magistrate to order an offender to pay a maximum of \$500, by way of compensation, on conviction for any offence by which injury or loss to person or property is caused.

The Probation of Offenders Ordinance allows a magistrates' court to award damages for injury or compensation for loss up to a maximum of \$500, and the Supreme Court and the District Court to make a similar award, but without limit.

Section 15 of the Juvenile Offenders Ordinance gives any court power to order a juvenile offender or his parent or guardian to pay damages without limit.

The Criminal Procedure Ordinance, however, empowers the Supreme Court and the District Court only to award a maximum of \$1,000 for loss of property.

Items 12, 14, 15 and 22 of the Schedule to the Bill will have the effect of replacing these varied provisions with new powers. These will enable any court, where a person is convicted of any offence, to order compensation to be paid to any aggrieved person for personal injury or for loss of or damage to property.

The maximum amount will be limited to \$5,000 in the case of a magistrates' court or a juvenile court, but will not be limited in the case of the District Court or the Supreme Court.

I should like to make it clear that an order for compensation made under any of these sections will not preclude the person who has suffered damage from initiating separate civil proceedings in respect of his loss, insofar as this may exceed the amount of any compensation which is being ordered to be paid to him by the court. Summary compensation in a criminal case is not intended to be a substitute for civil proceedings but, where small amounts are involved, it provides a simple and speedy relief.

The bill does, I think, achieve a considerable simplification of a complicated part of the criminal law and I commend it to honourable Members accordingly.

Crimes (Amendment) Bill—second reading

Motion made. That the debate on the second reading of the bill be adjourned—THE ATTORNEY GENERAL (MR ROBERTS).

Question put and agreed to.

Explanatory Memorandum

Clause 2 repeals section 6 of the principal Ordinance, since the offence of arson of Her Majesty's ships will be covered by new section 20 in clause 3.

New Part IV, contained in clause 3, brings the law on criminal damage to property into line with the English Criminal Damage Act 1971 (c. 48), which was based on a report in 1970 of the English Law Commission on the subject of Offences of Damage to Property (Law Com. No. 29).

The 1971 Act modernizes and simplifies the law governing offences of damage to property and rationalizes the penalties. The 1971 Act creates (a) one basic offence to cover the whole field of damage to another's property without lawful excuse, with a maximum penalty of 10 years, except where it is committed by the use of fire, when the penalty is life imprisonment; (b) one aggravated offence, with a maximum penalty of life imprisonment, where the destroying or damaging of any property is done with intent to endanger the life of another or recklessly; and (c) two subsidiary offences covering threats to destroy property and possession of anything with intent to destroy property, each with a maximum penalty of 10 years' imprisonment.

New Part IV, which generally follows the 1971 Act, replaces the Malicious Damage Ordinance (repealed by clause 4). The provisions of the new Part are—

Section 19: "Property" is widely defined to include all tangible property except wild mushrooms and the flowers, fruit or foliage of wild plants.

Section 20(1) creates the simple offence of destroying or damaging tangible property by any means and replaces many offences in the Malicious Damage Ordinance, common law arson and some offences of damage to property in other Ordinances.

Section 20(2) creates the aggravated offence. This arises if the accused intended by the destruction or damage to endanger the life of another or was reckless as to this. In this offence the property may belong to another or to the accused himself.

Section 20(3) creates a statutory offence of arson, in place of common law arson, which is abolished by clause 4(3).

Section 21 creates a general offence of threatening to destroy or damage—

- (a) property belonging to the person threatened or a third person; or
- (b) the accused's own property in a way which he knows is likely to endanger the life of the person threatened or of a third person.

The threat must be made (a) without lawful excuse and (b) intending that the person threatened would fear that it would be carried out.

Section 22 creates the offence of having the custody or control of anything intending without lawful excuse to use it, or cause or permit another to use it, to destroy or damage property belonging to another or to destroy any property in a way which the accused knows is likely to endanger the life of another.

Section 23 provides the maximum penalties for offences under new Part IV.

Section 24 provides certain special lawful excuses, in addition to the ordinary defence of this nature.

Section 25 confers powers of search and seizure.

Section 26 ensures that, in civil proceedings arising out of destruction of or damage to property, self-incrimination as to an offence under Part IV is no ground for refusing to answer a question or comply with an order.

Clause 4 contains repeals and transitional provisions.

The Schedule contains various amendments, one of which extends section 73 of the Criminal Procedure Ordinance, so as to empower the Supreme Court and the District Court to order compensation to be paid by a person convicted of an offence for personal injury or damage to property. Similar powers already exist in the Juvenile Offenders Ordinance, the Magistrates Ordinance and the Probation of Offenders Ordinance and these Ordinances are amended to raise the maximum compensation to \$5,000, instead of the present limit of \$500 in the Probation of Offenders Ordinance.

ROAD TRAFFIC (AMENDMENT) BILL 1972

THE FINANCIAL SECRETARY (MR HADDON-CAVE) moved the second reading of: —"A bill to amend the Road Traffic Ordinance."

Road Traffic (Amendment) Bill—second reading

He said: —Sir, I couldn't honestly claim that this bill is a matter of very great importance in these eventful times, but it is an important little bill in its own way. Its main purpose is to enable the Governor in Council to make regulations for the sale by auction of car registration numbers. It is a well known fact in Hong Kong that certain car numbers, because of the absence of prefixes, the low number of digits or the unusual combination' of figures, are generally associated with good fortune or with prestige. Such numbers, as a result, are in great demand, and car owners are known to have paid hundreds or even thousands of dollars to obtain one of these numbers.

This situation, obviously, is one which can and does create embarrassment for the Transport Department, whose function it is to allocate car registration numbers. In practice, apart from a small batch of registration numbers which have hitherto been reserved for honourable Members of the Legislative Council and of the Executive Council, and apart from numbers allocated to Government vehicles, new registration numbers are allocated in strict sequence. "Good" numbers, naturally, come up from time to time, and an applicant for vehicle registration—usually a motor trader acting on a customer's behalf—can often, by judicious estimation, obtain one by submitting his application at just the right time. The Government charges no extra fee for allocating a "good" number as opposed to an indifferent number. Whether or not individual motor salesmen charge their customers for the extra service they render in the judicious timing of applications is not a matter into which the Government proposes to enquire.

But the fact is that "good" registration numbers are in demand, and the fact is that many car owners are prepared to, and in practice do, pay large sums of money for them. It seems reasonable in the circumstances to suggest that the distribution of lucky or prestigious numbers should be regulated by the price mechanism. But let me say at once, Sir, before I'm accused of insatiable greed, that this suggestion is not made on fiscal grounds. Let me say also, that it is not meant to be a hidden weapon of transport policy to make car ownership more expensive. The scheme which the bill before honourable Members foreshadows and which has been endorsed by the Transport Advisory Committee, is that certain lucky or prestigious car registration numbers should be set aside and sold periodically at public auctions. The proceeds from these auctions would be paid into the Lotteries Fund and used for charitable purposes. By way of such an arrangement, the Transport Department will be rid of a continuing and considerable source of embarrassment, and the substantial sums of money now paid by car owners, one way or another, for "good" numbers will be capable of being pooled together and used for the benefit of the community as a whole.

Arrangements for the sale of lucky or prestigious car numbers by auction are to be worked out in consultation with the Government Lotteries Management Committee. Quite a few details have yet to be settled, including a possible need to amend the Government Lotteries Ordinance to enable the Lotteries Fund to receive the proceeds of the auctions. In due course, Sir, draft regulations incorporating the procedure to be followed will be presented to the Governor in Council for consideration.

The bill before honourable Members also seeks to remove a doubt which has been expressed regarding the Commissioner of Transport's authority to retest drivers already holding driving licences.

Motion made. That the debate on the second reading of the bill be adjourned—THE ATTORNEY GENERAL (MR ROBETRS).

Question put and agreed to.

Explanatory Memorandum

The main purpose of this Bill is to enable the Governor in Council to make regulations for the sale of registration numbers.

The opportunity is taken to insert a new definition of "weight unladen" in the interpretation section, and to amend section 5 in order to remove any doubt as to the legality of retesting holders of driving licences under regulation 17 of the Road Traffic (Driving Licences) Regulations.

PUBLIC HEALTH AND URBAN SERVICES (AMENDMENT) (NO 2) BILL 1972

MR D. R. W. ALEXANDER moved the second reading of: —"A bill to amend the Public Health and Urban Services Ordinance."

He said: —Sir, as honourable Members are aware, the Government has pledged itself to a massive "Keep Hong Kong Clean" campaign, starting in November and covering all of Hong Kong, Kowloon and the New Territories. The publicity "run-up" for this major project is scheduled to start next month.

In order to make existing legislation dealing with public cleansing and the prevention of litter more effective, stronger in certain aspects, and generally easier to enforce, the Public Health and Urban Services (Amendment) (No 2) Bill is brought before honourable Members this afternoon. They will no doubt recall that, in my speech on 29th March this year in this Chamber, I emphasized that cleaning up Hong

[MR ALEXANDER] **Public Health and Urban Services (Amendment) (No 2)**
 Bill—second reading

Kong was not at all a question of providing my Department with the necessary basic and mechanical resources to do the job. Rather it was a task of, first of all, enlisting the co-operation of the people of Hong Kong in understanding the problem and assisting to overcome it. For the first three months then, from August to October, the staff of the several Government departments most closely involved will be undertaking this task by carrying out the programme set by the "Keep Hong Kong Clean" Campaign Committee and endorsed by the Environmental Hygiene Select Committee of the Urban Council—both under the chairmanship of Dr Denny M. H. HUANG. In the New Territories, where I am the authority, I shall be setting up a similar programme.

The amendment bill now before honourable Members proposes changes in the principal Ordinance to facilitate my staff's task of bringing home to the public the vital part they must play in this campaign to clean up Hong Kong and to keep it clean.

Clause 2 of the bill seeks, by amending section 15(1) of the Ordinance, to strengthen the provisions covering the prevention of nuisances and danger to health by

firstly, empowering the Authority to make regulations prescribing or providing for the prevention of nuisances or danger to health *anywhere in Hong Kong*;

secondly, adding additional subsections (*aa*) and (*ab*) to cover the prevention, control and collection of litter and the cleaning of any premises or place by any person.

An additional subsection 15(1)(*h*) will enable the Authority to regulate or prohibit the employment of children in the removal or disposal of refuse.

Clause 3 of the bill, repealing and replacing section 20 of the Ordinance, enables the Authority to serve a notice—with not less than 24 hours' grace within which to comply—requiring the removal of refuse, filth and obnoxious or other matter and cleaning of the area in which this is found. The notice may be served on the owner of the refuse or on the person responsible for putting it there or on the occupier of the place where it is found. If the person on whom it is served fails to comply with the notice, he is guilty of an offence, and the Authority may remove and dispose of the refuse or filth. On conviction, the recipient of the notice may also be ordered by the court to pay the expenses incurred by the Authority in removing and destroying or disposing of the refuse, or in cleaning the area where it was found.

Clause 4, amending section 22 of the Ordinance, enables the Authority to specify in a notice, which may be either served on the owner of an article which obstructs scavenging operations or attached to the article, a period within which the article must be completely removed and the period within which the owner of the article is required to prevent the article from causing similar obstruction. If the article is not removed or is found to cause obstruction, within the time specified in the notice, the article may be seized by the Authority.

Clause 5 empowers a public officer authorized by the Authority to require a person suspected of contravening the public cleansing and anti-litter laws to give his correct name and address and to produce evidence to that effect to the public officer. If he refuses to do so, the public officer may arrest him.

By clause 6, which adds a new section to the Ordinance, the Authority may publish in a newspaper the name of a person convicted of an offence against any of the provisions governing public nuisances, cleansing, or litter disposal, the nature of the offence, and the fine or penalty imposed upon him.

Clauses 7, 8, 9 and 10 amend the First, Third, Sixth and Ninth Schedules in consequence of the amendments made by clauses 3, 4, 5 and 6—the penalties for an offence under the new section 20(3)(b) being a \$1,000 fine and a \$50 daily penalty for a continuing offence.

Motion made. That the debate on the second reading of the bill be adjourned—MR ALEXANDER.

Question put and agreed to.

Explanatory Memorandum

Clause 2 amends section 15 of the principal Ordinance so as to enable regulations to be made for the control of litter, the cleansing of premises and other places, the prevention of nuisances or danger to health or person arising from refuse or other matter anywhere in Hong Kong and for the control of employment of children in removing refuse.

Clause 3 enables the Authority to serve a notice requiring the removal of refuse and cleaning of the area in which refuse is found. The notice may be served on the owner of the refuse, or on the person responsible for putting it there, or on the occupier of the place where it is found. If the person on whom it is served fails to comply with the notice, he is guilty of an offence and the Authority may remove and dispose of it. The recipient of the notice may also be ordered by the court to pay the expenses

Public Health and Urban Services (Amendment) (No 2) Bill—second reading

[*Explanatory Memorandum*]

incurred by the Authority in removing and destroying or disposing of the refuse or cleaning the area where it was found.

Clause 4 enables the Authority to specify in a notice, which may be served on the owner of an article which obstructs scavenging operations or may be attached to the article, the period within which the article must be removed and the period within which the owner of the article is required to prevent the article from causing similar obstruction. If the article is not removed, or is found to cause obstruction, within the time specified in the notice, the article may be seized by the Authority.

Clause 5 empowers a public officer authorized by the Authority to require a person suspected of contravening cleansing provisions to give his correct name and address and to produce evidence to that effect to the public officer. If he refuses to do so, the public officer may arrest him.

By clause 6, the Authority may publish in a newspaper the name of a person convicted of a cleansing offence, the nature of the offence and the fine or penalty imposed on him.

Clauses 7, 8, 9 and 10 amend the First, Third, Sixth and Ninth Schedules, in consequence of the amendments made by clauses 3, 4, 5 and 6.

BUILDINGS (AMENDMENT) BILL 1972

MR ROBSON moved the second reading of: —"A bill to amend the Buildings Ordinance."

He said: —Sir, as mentioned in the Explanatory Memorandum describing the bill's objects and reasons, the bill is an emergency measure to relieve pressure on the Buildings Ordinance Office which is now heavily committed in inspecting and making safe properties endangered or damaged by the recent natural disasters. Over three hundred requests for assistance or to inspect private buildings have been received by the Office since the 17th of June and around seventy orders closing buildings have had to be made. All staff of the Office previously processing plans and inspecting building schemes have been diverted to this emergency work and in consequence it is now quite impossible to approve plans or give consent to building or street works or to issue occupation permits within the statutory periods laid down under the Buildings Ordinance.

If, however, these approvals, consents or permits are not given within the statutory periods then under the Ordinance they are deemed to have been granted by default. The bill before honourable Members sets out to remedy this situation and, if enacted, with effect from the 15th of June 1972 no approval of plans or consent to commence building works shall be deemed to have been given under section 15(1) of the Ordinance and no occupation permit shall be deemed to have been granted under section 21(7) of the Ordinance where these approvals, consents or permits have not been specifically given within the time limits laid down.

By clause 2(2) of the bill the amendment to the principal Ordinance will cease to have effect on the 30th of September unless some other date is specified by the Governor in Council by notice in the *Gazette*. I can, however, assure honourable Members that the staff of the Buildings Ordinance Office will be diverted back to their normal duties just as soon as possible. They will then concentrate, in order of priority, on:

- (a) the issue of permits to occupy buildings;
- (b) authorities to commence building works; and
- (c) the approval of building plans.

Furthermore, I would like to give an assurance that temporary occupation permits will be issued by the Building Authority as freely as is reasonably possible in order to ensure that completed buildings do not remain unoccupied unnecessarily.

MR CHEUNG: —Sir, I would be happier, as this is an emergency measure, if there were public debate on any question of extension to be allowed and I think it might be advantageous if the last words in subsection 2 were changed so that any extension may be done by resolution of this Council. Perhaps this is a matter that can be considered between now and the committee stage . . . I apologize for not having noticed that today is also the committee stage. I have given no notice of an amendment.

THE ATTORNEY GENERAL (MR ROBERTS): —I think technically, Sir, there has been no notice of an amendment. Therefore the amendment is out of order, unless consent is given to an amendment being moved today.

MR SZETO: —Sir, as an emergency measure for a duration of a few months, this bill would have the understanding of the general public who would realize the tremendous strain that has been imposed on the staff of the Buildings Ordinance Office as a result of the recent natural disasters. The magnitude and extreme urgency of the

[MR SZETO] **Buildings (Amendment) Bill—second reading**

emergency work they have been called upon to perform, as described by my honourable Friend the Director of Public Works, is indeed staggering, and I am sure no member of the public will reasonably expect them to find it possible at the same time to discharge their normal duties of examining and approving voluminous building plans and reports, as well as answering the many calls which arise from the normal process of construction from commencement to completion. The suspension of section 15(1) and section 21(7), which though undoubtedly will cause great inconvenience, hardship and even financial loss to many building owners, must be accepted as a necessity under the present circumstances.

I am satisfied by the assurance given by my honourable Friend that as soon as possible the staff of the Buildings Ordinance Office will return to their normal duties and that priority will be placed on the various spheres and stages of their work as outlined by him. This order of priority appears to be appropriate under the circumstances, since the staff of this office cannot be expected upon their return to cut through speedily the tremendous backlog of work which has built up during the emergency period. In this connection, I hope special emphasis will be laid on new school buildings as most of these are usually scheduled for completion and occupation at this particular time of the year in order to avoid adverse effects on the community through unnecessarily delayed commencement of school term.

It is also to be emphasized that between commencement and completion of any building work, there are many operations such as minor amendments to planning, testing of piles and drains, *etc.* for which the Building Authority's ready approval and response are needed to ensure non-interruption of building progress. It is hoped that during the emergency period expedient means could be devised by the Buildings Ordinance Office to entrust such duties to the architects or engineers responsible for the building works, for otherwise construction progress will be bound to suffer and complete stoppage of work may even result thereby giving rise to contractual complications.

Sir, with these remarks, I support the motion.

DR CHUNG: —Sir, I can appreciate the great demand for manpower in the Building Authority to cope with the extra work as a result of the recent land slide disasters, and accordingly would support this bill. However, we must not overlook the urgent need for continual housing development and I am therefore glad to hear that Government will take every effort to avoid further extension of the period beyond the end of September this year. I would like to warn, Sir, that we must not leave

too many newly completed flats unoccupied. This Council would be doing a disservice to the community if, on the one hand, people are waiting for housing and, on the other, newly constructed flats are left unoccupied due to non-possession of occupation permits. I hence hope that my honourable Friend the Director of Public Works will, despite the suspension of section 21(7), not delay the issue of occupation permits unduly longer than 14 days.

MR ROBSON: —Sir, I was, of course, aware of the situation which has been described by honourable Members who have spoken on this bill and my honourable Friend Mr SZETO Wai kindly let me have a copy of his speech earlier today. I should like to announce that an instruction has already been issued that temporary occupation permits will be granted as quickly as possible and in fact—I have forgotten the actual number—but at 12 o'clock I think at least eight or ten had in fact been issued. I would also like to assure my honourable Friend Mr SZETO Wai that school buildings will of course get at least temporary occupation permits in order that they can be operated next term. I also agree entirely, Sir, with my honourable Friend's suggestion of the procedural checks which are carried out by the Buildings Ordinance Office, such as pile testing, drain testing, *etc.* Arrangements again have been made that these checks will not be done at this moment in time, but they can be carried out at sometime in the future, so these checks will not be allowed to delay the actual construction of buildings. I am hoping, Sir, that with these assurances my honourable Friend Mr OSWALD CHEUNG's suggestion for an amendment may not be necessary, but I wasn't quite sure what his proposal was and perhaps we could discuss it at the committee stage.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order No 43(1).

Explanatory Memorandum

The effect of the Bill is to suspend, as from the 15th June 1972, the operation of sections 15(1) and 21(7) of the principal Ordinance, which provide that applications submitted to the Building Authority for approval of, or consent to, plans shall be deemed to have been given and occupation permits shall be deemed to have been granted, if the applications are not refused on specified grounds within prescribed periods of time.

Buildings (Amendment) Bill—second reading

[Explanatory Memorandum]

2. The Bill is an emergency measure due to the heavy claims on the resources of the Building Authority arising out of the recent natural disasters in Hong Kong. The suspension of the above-mentioned provisions will cease to have effect on the 30th September 1972 or on such other date as may be specified by the Governor in Council by notice in the *Gazette*.

NURSES REGISTRATION (AMENDMENT) BILL 1972**Resumption of debate on second reading (21st June 1972)**

Question again proposed.

MR WOO: —Sir, the object of the Nurses Registration Ordinance is to provide for the registration or enrolment of nurses as the case may be and for the better control of nursing. My honourable Friend the Director of Medical and Health Services has rightly pointed out that nurses working in Hong Kong, who are trained and qualified elsewhere and have been working in private hospitals or other institutions in Hong Kong, are not bound to apply for enrolment as enrolled nurses.

However, it is felt that as they are qualified elsewhere Government should consider whether they should be given a status other than enrolled nurses, which is a secondary grade of nurse, and that they should be allowed to apply for registration as nurses if they attain a certain standard, particularly since there is a great shortage of nurses in Hong Kong.

One further point, although clause 4 proposes to amend subsection (3) of section 14 by extending the time for enrolment to the 31st December 1972, I repeat that it is never intended to be compulsory.

Sir, I support the motion.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order No 43(1).

Committee stage

Council went into Committee.

LOANS (ASIAN DEVELOPMENT BANK) BILL 1972

Clauses 1 to 7 and First and Second Schedules were agreed to.

**PUBLIC HEALTH AND URBAN SERVICES
(AMENDMENT) BILL 1972**

Clauses 1 to 7 were agreed to.

BUILDINGS (AMENDMENT) BILL 1972

Clause 1 was agreed to.

Clause 2.

MR CHEUNG: —Sir, may I have your leave to amend subclause 2 of the bill by deleting the words "may be specified by the Governor in Council by notice in the *Gazette*" and substituting the words "Legislative Council by resolution may specify".

THE ATTORNEY GENERAL (MR ROBERTS): —While I appreciate the basis of my honourable Friend's amendment, I am afraid it won't work in this form because this Council will be in recess from late August or early September until the middle of October and therefore there will not be an opportunity to extend from the 30th September by resolution of this Council unless that resolution is passed very much earlier than a date on which we shall know whether any extension is in fact necessary. The alternative, which perhaps might commend itself to the honourable Member, is for the proposed section 30A(2) to be slightly amended to provide that the other date should be specified by the Governor in Council by regulation. If that is done there will then be an obligation for that regulation to be laid on the table of this Council at its next sitting thereafter. When it is so laid it would be subject to debate at the following sitting. I think that this would probably satisfy the honourable Member, if the Chairman will give his consent to the amendment being moved without notice.

MR CHEUNG: —I would accept that amendment, Sir.

(The Chairman having given leave, the following amendment was put.)

*Proposed Amendment**Clause*

- 2 That subsection (2) of the proposed new section 30A be amended by deleting the words "notice in the *Gazette*." and substituting "regulation."

Buildings (Amendment) Bill—committee stage

The amendment was agreed to.

Clause 2, as amended, was agreed to.

Council then resumed.

Third reading

THE ATTORNEY GENERAL (MR ROBERTS) reported that the

Loans (Asian Development Bank) Bill 1972

Public Health and Urban Services (Amendment) Bill 1972

had passed through Committee without amendment and that the

Buildings (Amendment) Bill 1972

had passed through Committee with amendment and moved the third reading of each of the bills.

Question put on each bill and agreed to.

Bills read the third time and passed.

Valedictory to Sir Yuet-keung KAN, Mr G. M. B. Salmon and Mr K. S. LO

HIS EXCELLENCY THE PRESIDENT: —Honourable Members, before I adjourn this sitting I would like to pay tribute to the service rendered by Sir Yuet-keung KAN, Mr SALMON and Mr LO, all of whom have retired from the Council as from the 1st July 1972.

Sir Yuet-keung was appointed a substantive Member on 1st July 1961 and he succeeded Mr RUTTONJEE as Senior Unofficial Member on the 1st July 1968. We shall very much miss not only his stimulating and pertinent contributions to our debates in the full Council but also his contribution, which was most frank and sincere, on the Finance Committee. He was no respecter of persons and he could always be relied on to say what was apposite and to say it very well. We are fortunate that he will be remaining on the Executive Council and various other public bodies—notably the Trade Development Council, of which he is Chairman—to offer his usual sound contribution to the tackling of our problems present and future.

Mr SALMON was appointed to the Council on the 1st July 1970 and has rendered valuable service on the Finance Committee and its Public

Works Sub-Committee. In addition to the keen interest he has taken in such fields as public transport, trade, ecology, public works, and social problems, he served on the Select Committee of this Council which was appointed to enquire into the costs of running English-Speaking schools and also on the Chinese Language Committee.

Mr Lo also became a Member on the 1st July 1970, and since that time he has made many a valuable contribution both in the Chamber and during the meetings of the Finance Committee and its Establishment Sub-Committee. His interests have ranged over such fields as preservation of the countryside, town planning, public welfare and Hong Kong's economy and last year he was a member of the Salaries Commission. I am sure that honourable Members will wish to join me in regretting that poor health has impelled him to reduce the enormous amount of work he contributes to the public good, and thus deprive us of his services, and to wish him a speedy return to full health.

MR WOO:—Your Excellency, it is unusual for one Unofficial Member to say anything about another—at any rate in public. (*Laughter.*) But I feel, as do my Unofficial colleagues, that the departure from this Council of our former leader Sir Yuet-keung KAN is a rather special occasion. My task in saying a few words is made easier by the fact that Sir Yuet-keung is not here today. There can be no embarrassment—whatever I may say. I know Sir Yuet-keung well. Our fathers were great friends and both of us were born and educated in Hong Kong and we studied law at the same time in London. We were the last two solicitors admitted in Hong Kong immediately prior to the outbreak of the Pacific war. Sir Yuet-keung is, as we all well know, a man of talent, with great personality and drive. He possesses the rare combination of a brilliant brain with great physical energy. These qualities we are going to miss greatly. Sir Yuet-keung has guided and inspired the Unofficial Members since July 1968 when he first became the Senior Unofficial Member of this Council. If there is more cohesion between us than there used to be; if we ask too many questions; if our voices are heard more often and our criticism is more strong, then the credit or the blame—I hope Your Excellency will consider it to be the former—rests largely with Sir Yuet-keung. He is a fearless and forthright man and he has done a great deal to show the Unofficial Members what part they should play in the business of this Council. I shall myself find it extremely difficult to shoulder his mantle which now falls upon me. Nevertheless, Sir, you may be assured that we, the Unofficial Members, will try to carry on in the way that Sir Yuet-keung would wish us to do; not by opposing for the mere sake of opposition, but by putting forward constructive criticism and suggestions in an endeavour to make more effective the steps taken by

[MR WOO] **Valedictory to Sir Yuet-keung KAN, Mr G. M. B. SALMON
and Mr K. S. LO**

the legislature to make this Colony a better place to live in. May I, therefore, Sir, on behalf of all the Unofficial Members of this Council, thank Sir Yuet-keung KAN for the inspiration and guidance which he has given us in the past and wish him well for the future.

I would also like to say how sorry we are that Mr SALMON and Mr K. S. LO are no longer with us, and I would like to associate myself, on behalf of all the Unofficial Members, with Your Excellency's sentiments.

THE COLONIAL SECRETARY (ACTING) (MR CLINTON): —Sir, on behalf of my Official colleagues—may I say how much we shall miss Sir Yuet-keung KAN, Mr SALMON and Mr LO. Their wide ranging contributions to the work of this Council and its various committees have been of immense value and Sir Yuet-keung, in particular, with his wise counsel and debating skill, has won the respect of us all.

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT: —In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on Wednesday 19th July.

Adjourned accordingly at twenty-one minutes to four o'clock.