

**THE LEGISLATIVE COUNCIL DEBATES
OFFICIAL REPORT
THE SESSION OF THE LEGISLATIVE COUNCIL OF
HONG KONG
WHICH OPENED 1ST OCTOBER 1975
IN THE
TWENTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN ELIZABETH II**

LEGISLATIVE COUNCIL CHAMBER

Wednesday, 1st October 1975

The Council met at half past two o'clock

PRESENT

THE HONOURABLE THE COLONIAL SECRETARY (*PRESIDENT*)
SIR DENYS TUDOR EMIL ROBERTS, KBE, QC, JP
THE HONOURABLE THE FINANCIAL SECRETARY
MR CHARLES PHILIP HADDON-CAVE, CMG, JP
THE HONOURABLE THE ATTORNEY GENERAL
MR JOHN WILLIAM DIXON HOBLEY, QC, JP
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR DENIS CAMPBELL BRAY, CVO, JP
DR THE HONOURABLE GERALD HUGH CHOA, CBE, JP
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE IAN MACDONALD LIGHTBODY, CMG, JP
SECRETARY FOR HOUSING
THE HONOURABLE DAVID HAROLD JORDAN, CMG, MBE, JP
DIRECTOR OF COMMERCE AND INDUSTRY
THE HONOURABLE LI FOOK-KOW, CMG, JP
SECRETARY FOR SOCIAL SERVICES
THE HONOURABLE DAVID AKERS-JONES, JP
SECRETARY FOR THE NEW TERRITORIES
THE HONOURABLE LEWIS MERVYN DAVIES, CMG, OBE, JP
SECRETARY FOR SECURITY
THE HONOURABLE KENNETH WALLIS JOSEPH TOPLEY, JP
DIRECTOR OF EDUCATION
THE HONOURABLE IAN ROBERT PRICE, TD, JP
COMMISSIONER FOR LABOUR
DR THE HONOURABLE CHUNG SZE-YUEN, CBE, JP
THE HONOURABLE LEE QUO-WEI, OBE, JP
THE HONOURABLE OSWALD VICTOR CHEUNG, OBE, QC, JP
THE HONOURABLE ROGERIO HYNDMAN LOBO, OBE, JP

THE HONOURABLE MRS CATHERINE JOYCE SYMONS, OBE, JP
 THE HONOURABLE PETER GORDON WILLIAMS, OBE, JP
 THE HONOURABLE JAMES WU MAN-HON, OBE, JP
 THE HONOURABLE HILTON CHEONG-LEEN, OBE, JP
 THE HONOURABLE LI FOOK-WO, OBE, JP
 THE HONOURABLE JOHN HENRY BREMRIDGE, JP
 DR THE HONOURABLE HARRY FANG SIN-YANG, OBE, JP
 THE HONOURABLE MRS KWAN KO SIU-WAH, MBE, JP
 THE HONOURABLE LO TAK-SHING, JP
 THE HONOURABLE FRANCIS YUAN-HAO TIEN, OBE, JP

ABSENT

THE HONOURABLE JAMES JEAVONS ROBSON, CBE, JP
 SECRETARY FOR THE ENVIRONMENT
 THE HONOURABLE DAVID WYLIE MCDONALD, JP
 DIRECTOR OF PUBLIC WORKS
 THE HONOURABLE ALEX WU SHU-CHIH, OBE, JP

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL
 MR KENNETH HARRY WHEELER

Papers

The following papers were laid pursuant to Standing Order 14(2):—

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<i>Subject</i>	<i>LN No</i>
Mass Transit Railway Corporation Ordinance 1975.	
Mass Transit Railway Corporation Ordinance 1975 (Commencement) Notice 1975	227
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Sessional Papers 1975-76:	
No 1—Report on the Administration of the Fire Services Welfare Fund for the year ended 31st March 1975 (published on 1.10.75).	
No 2—Supplementary Provisions for the Quarter ended 31st March 1975 (Final) (published on 1.10.75).	
No 3—Annual Report of the Hong Kong Housing Authority for the year 1974-75 (published on 1.10.75).	
No 4—Annual Report of the Hong Kong Export Credit Insurance Corporation for the year 1974-75 (published on 1.10.75).	
No 5—Income and Expenditure Account of the Prisons Department Welfare Fund for the year ended 31st March 1975 (published on 1.10.75).	

Oral answers to questions

Litter wardens

1. MR WILLIAMS asked:—

Sir, (a) has the number of litter wardens been maintained in the past twelve months; and

(b) how many prosecutions for litter offences have taken place over the period January/June 1975 compared to the two periods January/June 1974 and July/December 1974?

THE ATTORNEY GENERAL:—Sir, the number of litter wardens has dropped in the past 12 months. The approved establishment is 100,

[THE ATTORNEY GENERAL] Oral answers

of whom 73 are for the urban areas and 27 for the New Territories. In September 1974, a year ago, the actual number of litter wardens was 89; in August 1975, just over a month ago, there were 76, of whom 54 were in the urban areas and 22 in the New Territories.

Sir, the number of prosecutions for litter offences between January and June this year was 20,197, and this compares with 22,686 between January and June last year, and 25,354 between July and December last year.

US General Scheme of Preferences

2. DR CHUNG asked:—

Sir, what effort has Government made and what result has Government achieved in persuading the US Government to include Hong Kong as a beneficiary of its General Scheme of Preferences for manufactured imports coming into operation as from January 1976?

MR JORDAN:—Sir, the Government has been trying to persuade the United States Government to include Hong Kong in its Generalized Scheme of Preferences for many years, ever since the possibility of the United States establishing such a scheme first came into view.

Since the necessary legislation for the scheme came into effect in the United States as part of the 1974 Trade Act, the Hong Kong Government, energetically supported by the British Embassy in Washington, has stepped up its efforts.

The Embassy submitted a comprehensive *aide-mémoire*, the text of which was agreed with us, in February 1975. When subsequently President Ford issued a list of beneficiaries which did not include Hong Kong, but named us only as a potentially eligible territory, the Governor expressed concern at this to the United States Consul-General and he sent me to Washington in April to put our case to the United States Administration.

I have recently been in touch with the Consulate-General in Hong Kong again, and the Counsellor for Hong Kong Commercial Affairs in the Embassy in Washington has continued his efforts there.

When my honourable Friend asks what result has been achieved, I can only say that I think we have succeeded in dispelling a good deal of misconception about Hong Kong and about the extent to which it appears to be qualified for inclusion, under the Trade Act. We have at the same time given an undertaking about the removal of Common-wealth Preference in Hong Kong which ensures that that will be no obstacle.

My impression is that Hong Kong's case is now receiving favourable consideration and I am hopeful that we shall be included in this scheme before it comes into effect on 1st January 1976.

DR CHUNG:—Sir, is Government aware that in the meantime, due to the uncertain situation, some importers in the USA are transferring their orders for early 1976 shipments from Hong Kong to other territories which are already included in the list of beneficiaries, and will Government continue with its effort to ensure that Hong Kong will eventually be included in the list of beneficiaries bearing in mind that the USA is the number one market for Hong Kong exports?

MR JORDAN:—If I may take the parts of that supplementary—or those supplementary questions—the other way round, yes, Sir, we will certainly continue our effort. Of course, I am aware of this tendency which is inevitable and we have pointed out to the United States officials concerned that so long as Hong Kong situation in relation to this scheme remains uncertain then there is bound to be a tendency for United States importers, who perhaps previously place their orders in Hong Kong, to transfer their orders to another country which they already know for certain will be a beneficiary. We have made this point.

Hong Kong Juvenile Care Centre

3. MRS SYMONS asked:—

Sir, will Government confirm that it has received an application from the Hong Kong Juvenile Care Centre for a grant of land to build a prevocational school and, if so, when will the application be approved?

SECRETARY FOR SOCIAL SERVICES:—Sir, in March 1973 the Education Department received an application from the Hong Kong Juvenile Care Centre for a grant of land to build a school complex which comprises

[SECRETARY FOR SOCIAL SERVICES] Oral answers

a ten classroom special school for 200 socially deprived and maladjusted boys and a dormitory for 150. In June that year a site in Wong Chuk Hang was found and has been earmarked for this project.

Sketch plans for the school portion were presented by the sponsor at the beginning of this year. Unfortunately, the limited funds likely to be available during the next three years will have to be earmarked for other school projects which are already in the pipe-line and are at a more advanced stage.

I should mention that capital subsidy and recurrent subventions to schools exclude boarding facilities under existing policy and the Juvenile Care Centre has accordingly applied to the Director of Social Welfare for assistance from the Lotteries Fund for the dormitory and welfare block. However, the Social Welfare Advisory Committee has not approved this application on account of the present competing claims on the limited resources of the fund.

If the sponsor is able to embark on the dormitory portion with its own resources or if the centre finds it possible to revise its plans by abandoning the boarding facilities, I will consider, in consultation with my honourable colleague, the Director of Education, the possibility of allocating a higher priority to the school project. But I am not very optimistic that this project will be able to get off the ground in the near future unless there is a substantial increase in the funds voted for capital subsidy for school projects.

Government business**Motion****LOANS ORDINANCE 1975**

THE FINANCIAL SECRETARY moved the following motion:—

In exercise of the powers conferred by section 3(1) of the Loans Ordinance and in substitution for the resolution passed by this Council on the 13th August 1975 and published as Legal Notice 197 of 1975, that the Government be authorized to borrow for the purposes of general revenue a sum or sums not exceeding in total the equivalent of US\$60 million.

He said:—Sir, on 13th August last this Council made two resolutions authorizing the Government to raise funds under the Loans Ordinance and the Loans (Government Bonds) Ordinance†.

In referring at that time to an amount of US\$50 million or its equivalent to be borrowed under the Loans Ordinance, I said that this amount was about as low as we could go in tapping the offshore loan market in order to establish a credit rating. In fact, as the discussions with the prospective lenders have proceeded, it has become apparent that there would be no difficulty, and indeed some advantage, in arranging a rather larger facility in this first venture into the offshore market.

I do not anticipate that the surpluses in our recurrent account will be sufficient to finance the deficits in our capital account for another year or two at least, though let me hasten to add and to emphasize that I have no intention of exceeding the limits for the creation of public debt which I established in paragraphs 166-169* of this year's budget speech. But a facility of US\$60 million to be drawn down over a maximum period of two years, rather than US\$50 million, will obviously not involve a breach of these limits and certainly US\$60 million will not be excessive in relation to our likely total requirement of loan funds this year and next. The terms offered are favourable and as soon as documents have been exchanged between myself and the managing bank of the syndicate they will be laid on the table of this Council.

Question put and agreed to.

Motion (in committee)

Supplementary provisions for the quarter ended

31st March 1975 (Final)

Council went into Committee, pursuant to Standing Order 58(2), to consider the motion standing in the name of the FINANCIAL SECRETARY.

THE FINANCIAL SECRETARY moved the following motion:—

That this Council approves the proposals set out in Paper No 2.

† 1974-75 Hansard pages 1015-8.

* 1974-75 Hansard page 516.

[THE FINANCIAL SECRETARY] Motion

He said:—Sir, the final schedule of supplementary provision for the year 1974-75 covers a total of \$191.7 million of which \$58 million is simply to allow for an increase in the Government Supplies Department's holdings of unallocated stores, thus reducing the effective supplementary provision to \$133.7 million. Of this sum, \$3.1 million is for Public Works Non-Recurrent projects and \$67.2 million results from the 1974 salaries revision.

Other items worth mentioning include \$37.6 million for actual net expenditure on unallocated stores yet to be issued to departments, \$9.2 million for emergency relief, public assistance and disability and infirmity allowances, \$2.1 million for meeting typhoon and rainstorm damage and emergency repairs, \$1.5 million for paying subsistence allowances to rank and file of the Fire Services Department, and \$1.2 million for meeting the increased cost of paper and printing requisites for the Printing Department.

This schedule, Sir, brings the total supplementary provision in respect of the financial year 1974-75 to \$1,423.6 million. But because of savings in other subheads, actual total expenditure at \$6,255.2 million was only \$508.4 million higher than the original estimate. I summarized the causes of this increase in paragraph 25* of the budget speech in February.

The Finance Committee has approved all the items in the schedule and the purpose of this motion is simply to seek the covering authority of this Council.

Question put and agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the motion had been agreed to in committee without amendment.

Question agreed by the whole Council pursuant to Standing Order 58(4).

* 1974-75 Hansard page 473.

First reading of bills

INLAND REVENUE (AMENDMENT) (NO 5) BILL 1975
FIRE AND MARINE INSURANCE COMPANIES DEPOSIT (AMENDMENT) BILL 1975
LIFE INSURANCE COMPANIES (AMENDMENT) BILL 1975
JUDICIAL SERVICE COMMISSION BILL 1975
COPYRIGHT (AMENDMENT) BILL 1975
INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) (NO 2) BILL 1975
PUBLIC SERVICES COMMISSION (AMENDMENT) BILL 1975
ROAD TRAFFIC (AMENDMENT) BILL 1975
MEDICAL REGISTRATION (AMENDMENT) BILL 1975
THE CHINESE UNIVERSITY OF HONG KONG (AMENDMENT) BILL 1975

Bills read the first time and ordered to be set down for second reading pursuant to Standing Order 41(3).

Second reading of bills**INLAND REVENUE (AMENDMENT) (NO 5) BILL 1975**

THE FINANCIAL SECRETARY moved the second reading of:—"A bill to amend the Inland Revenue Ordinance."

He said:—Sir, when I spoke in this Council on 16th July last on the second reading of the Loans (Government Bonds) Bill*, I mentioned our intention that interest on the bonds and profits from their sale should be free of tax, and that these exemptions would be provided for through an amendment to the Inland Revenue Ordinance. These exemptions coupled with the exemptions from stamp duty, for which provision has already been made in the Loans (Government Bonds) Ordinance itself, should lower the yield on which the bonds can be sold and should also make the bonds more marketable.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

* 1974-75 Hansard page 909.

**FIRE AND MARINE INSURANCE COMPANIES DEPOSIT
(AMENDMENT) BILL 1975**

THE FINANCIAL SECRETARY moved the second reading of:— "A bill to amend the Fire and Marine Insurance Companies Deposit Ordinance."

He said:—Sir, before a company is permitted to operate in the insurance business in Hong Kong it is required to maintain a deposit with the Registrar of Companies. However, section 11(1) of the Fire and Marine Insurance Companies Deposit Ordinance and section 31(1) of the Life Insurance Companies Ordinance provide, *inter alia*, that a company may be exempted from this requirement if it can satisfy the Registrar of Companies that it has complied with United Kingdom legislation relating to insurance companies. This has generally been in the form of an annual certificate issued by the Department of Trade.

Following the enactment of the 1974 Insurance Companies Act, some insurance companies have been unable to obtain certificates from the Department of Trade because of difficulties in complying with the new form and content of the accounts and returns that have to be submitted. To overcome this problem, the Registrar of Companies has initiated discussions with the Department of Trade and, as a result, a modified certificate has been devised.

Clause 2 of the bill authorizes the Registrar of Companies to exempt those insurance companies, which have obtained the new certificate of compliance from the Department of Trade, from the requirement of having to lodge a deposit.

Motion made. That the debate on the second reading of the bill be adjourned—THE FINANCIAL SECRETARY.

Question put and agreed to.

LIFE INSURANCE COMPANIES (AMENDMENT) BILL 1975

THE FINANCIAL SECRETARY moved the second reading of:—"A bill to amend the Life Insurance Companies Ordinance."

He said:—Clause 2 of this bill, Sir, has exactly the same purpose as clause 2 of the Fire and Marine Insurance Companies Deposit (Amendment) Bill.

Motion made. That the debate on the second reading of the bill be adjourned—THE FINANCIAL SECRETARY.

Question put and agreed to.

JUDICIAL SERVICE COMMISSION BILL 1975

THE ATTORNEY GENERAL moved the second reading of:—"A bill to constitute a Judicial Service Commission."

He said:—Sir, it seeks to establish a Commission whose function will be to advise the Governor on appointments to all judicial offices. The Commission will also advise on other matters affecting judicial officers which are referred to it by the Governor.

The Chief Justice will be the Chairman of the Commission. There will be two *ex-officio* members—the Attorney General and the Chairman of the Public Services Commission—and the Governor may appoint up to three other members.

The establishment of the Commission will not affect the Governor's responsibility under the law for judicial appointments. What it will do is to provide the Governor and, in the case of senior judicial appointments, the Secretary of State, with independent and impartial advice.

The existing arrangement under which the Chief Justice advises the Governor on appointments to judicial offices, after consultation with the heads of the other Government legal departments in the case of senior appointments, has served well. I have no doubt, however, that honourable Members will agree that the time has come when advice to the Governor on these appointments of great significance should be more broadly based and in particular include advice from outside the public service.

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

Question put and agreed to.

COPYRIGHT (AMENDMENT) BILL 1975

THE ATTORNEY GENERAL moved the second reading of:—"A bill to amend the Copyright Ordinance."

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

He said:—Sir, section 5 of the Copyright Ordinance makes it an offence to possess for trade or business purposes an infringing copy of a work in which copyright subsists or a plate which is used or intended for use for making such an infringing copy. The penalty, on a first conviction, is a fine only—of \$500 for each offending article, whether a copy of the work or a plate.

Sir, a serious view must be taken of these offences for it is a regrettable fact that "pirating" of copyright works and trading in "pirated" works is all too common. And it has become quite clear that the present penalty in the case of first offenders is inadequate.

Accordingly, Sir, this bill proposes that the distinction as to penalty between first offenders and others be abolished. At the same time, it introduces a distinction between possession of infringing copies and possession of plates to be used for making infringing copies. In future, the maximum penalty on conviction for the offence of possessing the copies for trade or business purposes will be a fine of \$1,000 for each copy and imprisonment for 12 months. The maximum penalty on conviction for the offence of possessing plates for trade or business purposes will be a fine of \$50,000 and imprisonment for two years.

The bill also empowers a court to forfeit articles used in connection with an offence under the Copyright Ordinance or the Copyright Act as extended to Hong Kong. At present, forfeiture is limited to infringing copies and plates for use for making such copies. Under the proposed provision, a court could, for example, order the forfeiture of any equipment used in making infringing copies.

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

Question put and agreed to.

**INTERPRETATION AND GENERAL CLAUSES
(AMENDMENT) (NO 2) BILL 1975**

THE ATTORNEY GENERAL moved the second reading of:—"A bill to amend the Interpretation and General Clauses Ordinance."

He said:—Sir, the bill proposes four changes in the Interpretation and General Clauses Ordinance.

In January this year, this Council passed the Interpretation and General Clauses (Amendment) Bill which provided, among other matters, for the taking by the courts of judicial notice of subsidiary legislation.

Since then, the point has been taken that the form in which that provision was made may be such as to debar a court from inquiring into the validity of subsidiary legislation. That, Sir, was certainly not intended and the matter is of such importance that doubt of any kind is unacceptable. Accordingly, a revised provision is proposed which, whilst providing for judicial notice of subsidiary legislation, cannot in my opinion be said to cast any doubt on the authority of the courts to inquire into its validity.

Secondly, the bill will empower this Council by resolution to transfer statutory functions vested in a public officer to another such officer. This is not a common occurrence, but where the need arises the transfer can as the law stands be effected only by legislation.

Thirdly, Sir, the bill enables the Colonial Secretary, in a notice under section 55 of the principal ordinance declaring a change in the title of a public office or other statutory authority, to make such amendments to the law as are necessary in consequence of the change in title and to substitute the new title in contracts and legal proceedings. This is considered preferable to the existing provision under which relevant laws are to be read as though they referred to the new title without there being a substantive amendment of the law.

Finally, the bill amends section 84 of the principal ordinance, which deals with the liability of directors and other officers of a company for criminal offences committed by the company. The object of the amendment is to extend that liability to a person who purported at the material time to act as a director or officer. The new provision will, for example, meet the situation which arises where a person who has acted as a director was not duly appointed as such for some reason.

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

Question put and agreed to.

PUBLIC SERVICES COMMISSION (AMENDMENT) BILL 1975

THE ATTORNEY GENERAL moved the second reading of:—"A bill to amend the Public Services Commission Ordinance."

[THE ATTORNEY GENERAL] **Public Services Commission (Amendment) Bill—
second reading**

He said:—Sir, there has always been a limited number of offices in the public service appointment to which is outside the purview of the Public Services Commission.

As the principal ordinance stands, an amending ordinance is required whenever a further public office is to be excluded from the Commission's purview. It is considered that a simpler procedure will be appropriate and this bill will enable this Council to exclude offices by resolution. The proposal does not affect in substance the control of this Council over the exclusion of public offices, which will in any event continue to be exceptional.

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

Question put and agreed to.

ROAD TRAFFIC (AMENDMENT) BILL 1975

THE ATTORNEY GENERAL moved the second reading of:—"A bill to amend the Road Traffic Ordinance."

He said:—Sir, honourable Members will be aware of the extent to which buses are overloaded by the carriage of passengers in excess of the number authorized by the Commissioner for Transport, which includes, Sir, the number of standing passengers who may be carried. This may be dangerous both for the passengers and for other road users.

Particularly where a bus is manned only by the driver, it would be unjust to prosecute him for the offence under the Road Traffic (Construction and Use) Regulations of driving a bus carrying excess passengers. And as the law stands there is some doubt as to the circumstances in which a bus company is criminally liable as the operator when its bus is overloaded. That it is the responsibility of a bus company to prevent overloading is beyond question and a change in the law is contemplated so that it will reflect that responsibility without doubt. Any change in the law will be effected by regulations under the Road Traffic Ordinance, but that ordinance does not at present authorize the making of regulations imposing on bus operators the strict liability which is under consideration. The imposition, Sir, of strict criminal liability by subsidiary legislation needs clear authority in the enabling

ordinance and accordingly the first amendment proposed in this bill is a change in the power of the Governor in Council to make regulations. The bill also makes it clear that regulations may restrict the number of passengers who may be carried in any vehicle.

The second amendment proposed in the bill is one which will enable the evidence of a police officer relating to certain matters to be given by certificate. The matters as to which evidence may be so given relate to plans or drawings made by the officer and statements made to the officer as to who was driving or using, or as to who owned, a particular vehicle on a particular occasion. The proposed new section 30A of the Road Traffic Ordinance is modelled on English legislation and also follows comparable Hong Kong provisions in other fields. The officer will, of course, have to be called to give evidence in the normal way if the matters in the certificate are disputed, but the introduction of this provision will in general effect a considerable saving in police time and some saving in court time.

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

Question put and agreed to.

MEDICAL REGISTRATION (AMENDMENT) BILL 1975

DR CHOA moved the second reading of:—"A bill to amend the Medical Registration Ordinance."

He said:—Sir, the bill seeks to effect two main amendments of the principal ordinance dealing with

- (a) the terms of appointment and eligibility of persons for membership of the Medical Council; and
- (b) the issue by the Medical Council of annual practising certificates for registered medical practitioners.

The Medical Registration Ordinance presently contains only limited provision concerning the terms of appointment and eligibility of persons to be members of the Medical Council. Clauses 3 and 4 of the bill therefore introduce additional provisions to this end. The new clauses include provision for the registration of members during their period of appointment, for the filling of vacancies, for the disqualification of members in the case of specified events, for the ineligibility for membership of persons in specified circumstances, and for the appointment of temporary members in the absence of a member of the Council.

[DR CHOA] Medical Registration (Amendment) Bill—second reading

The opportunity is also being taken to ensure that the power in section 3(3) of the principal ordinance to reappoint members of the Council applies also in the case of members nominated by the Hong Kong Medical Association referred to in section 3(2)(f) of the principal ordinance.

The second main purpose of the bill is that it makes provision for the issue of practising certificates to be in future the responsibility of the Registrar of Medical Practitioners (clause 7). At present registered medical practitioners are required by section 25 of the Stamp Ordinance to obtain annually a certificate to practise at a fee of \$50 *per annum*.

The present objective is that of enabling more accurate statistics to be obtained about the numbers of medical practitioners actually practising medicine in Hong Kong. It is considered that the most appropriate method of obtaining these statistics is for the Registrar of Medical Practitioners to issue practising certificates to those persons actually practising medicine rather than have the Collector of Stamp Revenue continue to issue certificates. The bill provides for this to take effect for certificates relating to 1976.

The bill contains supporting provisions under which a person who is required to obtain a practising certificate shall not be entitled to recover any professional fees, costs of remuneration on any course of action unless he was, at the relevant time, the holder of a valid practising certificate. The relevant fee payable in respect of the issue of a practising certificate may be recovered as a civil debt, with surcharge and a power of the Medical Council to order the removal from the register of names of medical practitioners is broadened to cover the case of a medical practitioner who carries on a medical practice in Hong Kong for a period exceeding six months without having obtained a certificate.

Clause 9 makes it possible for the detailed regulations to provide for different fees for different categories of doctors. The fees proposed have already been agreed by the Medical Council and it is hoped to introduce the relevant regulations in the near future.

Clause 8 also extends provision for exemption from the requirement to register to doctors employed in the University of Hong Kong in the Departments of Community Medicine and Psychiatry in the Faculty of Medicine.

Motion made. That the debate on the second reading of the bill be adjourned—DR CHOA.

Question put and agreed to.

**THE CHINESE UNIVERSITY OF HONG KONG
(AMENDMENT) BILL 1975**

SECRETARY FOR SOCIAL SERVICES moved the second reading of:— "A bill to amend the Chinese University of Hong Kong Ordinance."

He said:—Sir, the purpose of this bill is to provide for the division of the existing Faculty of Commerce and Social Science into two separate faculties; namely, the Faculty of Social Science and the Faculty of Business Administration.

The economic growth of Hong Kong has led to an increasing demand for trained executives of a higher general educational back-ground and with managerial skills in particular. This is borne out by the rapid expansion of the number of students taking business administration in recent years. In order to meet the needs of the community, the Chinese University has recommended that a separate Faculty of Business Administration should be established.

Motion made. That the debate on the second reading of the bill be adjourned—SECRETARY FOR SOCIAL SERVICES.

Question put and agreed to.

Committee stage of bill

Council went into Committee.

INLAND REVENUE (AMENDMENT) (NO 5) BILL 1975

Clauses 1 to 4 were agreed to.

Council then resumed.

Third reading of bill

THE ATTORNEY GENERAL reported that the Inland Revenue (Amendment) (No 5) Bill 1975 had passed through Committee without amendment and moved the third reading of the bill.

Question put and agreed to.

Bill read the third time and passed.

Unofficial Member's bill**First reading of bill****CHATER MASONIC SCHOLARSHIP FUND (AMENDMENT)
BILL 1975**

Bill read the first time and ordered to be set down for second reading pursuant to Standing Order 41(3).

Second reading of bill**CHATER MASONIC SCHOLARSHIP FUND
(AMENDMENT) BILL 1975**

MR LEE moved the second reading of:—"A bill to amend the Chater Masonic Scholarship Fund Ordinance."

He said:—Sir, the objects and reasons for the amendment of the principal ordinance are clearly set out in the explanatory memorandum and I have nothing further to add.

However, since the publication of the bill, the Trustees of the Chater Masonic Scholarship Fund have decided that they should have wider powers in awarding scholarships to masons and the dependents of masons who should not be subject to the means test as laid down by the Hong Kong and South China Masonic Benevolence Fund Corporation but rather on the merits of each individual case.

Accordingly I shall move an amendment to section 1A (1) (b) of the bill at the committee stage.

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

Question put and agreed to.

DR CHUNG:—Sir, my Unofficial colleagues and I were very sorry indeed to hear about the painful accident suffered by His Excellency the Governor during his stroll in Pak Sin Shan some ten days ago. We do hope the injury is making good progress and we all wish His Excellency will soon be fit and well again.

THE PRESIDENT:—Thank you, Dr CHUNG. I am sure His Excellency will be delighted to hear of the Unofficial Members' sympathy and consideration and I will pass the message on to him.

DR CHUNG:—Thank you.

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 the 8th of October.

Adjourned accordingly at ten minutes past three o'clock.

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