
 LEGISLATIVE COUNCIL.

No. 406.

 LEGISLATIVE COUNCIL, No. 8.

 Thursday, 9th June, 1932, at 2.30 p.m.

PRESENT:

 HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT
 (Hon. Mr. WILFRID THOMAS SOUTHORN, C.M.G.).

 His Excellency the General Officer Commanding the Troops, (Major-General JAMES
 WALTER SANDILANDS, C.B., C.M.G., D.S.O.).

The Honourable the Colonial Secretary, (Mr. EDWIN RICHARD HALLIFAX, C.M.G., C.B.E.).

 „ the Attorney General, (Mr. CHALONER GRENVILLE ALABASTER, K.C.,
 O.B.E.).

„ the Secretary for Chinese Affairs, (Mr. ALAN EUSTACE WOOD).

„ the Colonial Treasurer, (Mr. EDWIN TAYLOR).

„ Mr. HAROLD THOMAS CREASY, C.B.E., (Director of Public Works).

„ Commander GEORGE FRANCIS HOLE, R.N. (Retired), (Harbour Master).

 „ Dr. ARTHUR ROBARTES WELLINGTON, (Director of Medical and Sanitary
 Services).

„ Mr. THOMAS HENRY KING, (Acting Inspector General of Police).

„ Mr. WILLIAM EDWARD LEONARD SHENTON.

„ Mr. ROBERT HORMUS KOTEWALL, C.M.G., LL.D.

„ Mr. JOSÉ PEDRO BRAGA.

„ Mr. TS'Ō SEEN-WAN, O.B.E., LL.D.

„ Mr. JOHN JOHNSTONE PATERSON.

„ Mr. CHAU TSUN-NIN.

„ Mr. WILLIAM HENRY BELL.

„ Mr. ROLAND ARTHUR CHARLES NORTH, (Deputy Clerk of Councils).

ABSENT:

 The Honourable Sir HENRY EDWARD POLLOCK, Kt., K.C.

1. The Council met pursuant to adjournment. His Excellency the Officer Administering the Government occupied the Chair.

MINUTES.

2. The Minutes of the Meeting held on the 26th May, 1932, were confirmed.

PAPERS.

3. The following papers were laid on the table:—

Order under section 3A of the Public Revenue Protection Ordinance, 1927, authorising the Superintendent of Imports and Exports to refuse to allow the delivery of dutiable liquors and dutiable tobacco for local use, etc.

Rescission of the Order made by the Governor in Council under the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, dated 20th May, 1932.

Order made by the Governor in Council under section 210 of the Public Health and Buildings Ordinance, 1903, Ordinance No. 1 of 1903, dated 28th May, 1932.

Regulations made by the Governor in Council under section 3 of the Post Office Ordinance, 1926, Ordinance No. 7 of 1926, dated 28th May, 1932.

Rescission of the Order made by the Governor in Council under the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, dated 2nd June, 1932.

Order made by His Excellency the Officer Administering the Government under section 2 of the Public Revenue Protection Ordinance, 1927, Ordinance No. 9 of 1927, dated 2nd June, 1932.

Notification under Regulation No. 11 of the Regulations made under the provisions of the Dangerous Drugs Ordinance, 1923-1928.

Administrative Reports, 1931 :—

Part I.—General Administration :—

Report on the Finances.

Report of the Superintendent of Imports and Exports.

Part II.—Law and Order :—

Report of the Land Officer.

Report on the New Territories.

Report of the Superintendent of Prisons.

QUESTION.

4. The Hon. Mr. W. E. L. SHENTON, pursuant to notice, asked the following question :—

On behalf of the Unofficial Members of this Council, I desire to know whether the Government has since the 27th May last received any reply from the Home Authorities, in reference to the commencement of the second section of the Shing Mun Water Scheme?

The Colonial Secretary replied as follows :—

A telegram has been received this morning in which the Secretary of State states that he hopes to let us have a reply very shortly regarding the Shing Mun Scheme.

MOTIONS.

5. *City Hall Resumption Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance for the resumption of the City Hall property.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

6. *Liquors Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Liquors Ordinance, 1931.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

7. *Registration of United Kingdom Patents Amendment Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance to amend the law relating to the Registration of United Kingdom Patents.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

8. *Pensions Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance to consolidate and amend the law regulating the granting of Pensions, Gratuities and other Allowances in respect of public service.”

The Colonial Secretary seconded.

Hon. Mr. J. P. BRAGA and Hon. Mr. R.H. KOTEWALL, C.M.G. LL.D. addressed the Council. The Attorney General replied.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

Clause 2 (*d*) the words “High Commissioner for Transport in Kenya and Uganda”, were deleted and the words “Board of Education for England and Wales, or the Crown Agents for the Colonies, or the Colonial Audit Department (Home Establishment), or the Kenya and Uganda Railways and Harbour Administration”, were substituted therefore.

Clause 10 was deleted and the following new clause was substituted.

Compulsory Retirement.

- 10.—(1) It shall be lawful for the Governor in Council to require any officer other than a judge, whenever appointed, to retire from the public service of this Colony who:—
- (a) appears to the Governor to be unable to discharge efficiently the duties of his office; or
 - (b) being a woman who has entered the public service after the commencement of this Ordinance is married.
- (2) The normal age of retirement for any public officer, other than a judge, shall be deemed to have been attained if he or she—
- (a) has attained the age of fifty-five years, or
 - (b) being an Indian subordinate officer of the Prison Department, lady medical officer, lady serving in the Education Department, or a European attendant at a Government mental hospital, or a matron, nursing sister or nurse in a Government hospital, has attained the age of fifty years.

and any such officer, who shall have attained the normal age of retirement, shall retire from the public service of the Colony unless the Governor in Council decides that his or her services shall be retained. In no case, however, except with the approval of the Secretary of State, shall the services of any such officer be retained for more than five years after he or she has attained the normal age of retirement.

At the end of Clause 16 the following words were added:—

“Such gratuity, if granted to the legal personal representative, shall form part of the estate of the officer for purposes of distribution under

any testamentary disposition made by him or under an intestacy, as the case may be; but, nevertheless, no estate duty shall be payable in respect thereof, and its addition to the principal value of the estate shall not be taken into consideration for the purpose of increasing the rate at which estate duty on the remainder of the estate may be payable."

In the marginal note of Clause 17 the words "or after" were deleted.

On Council resuming, the Attorney General reported that the Bill had passed through Committee with material amendment and that in accordance with Standing Order No. 28 the third reading should be postponed to a subsequent meeting of the Council.

9. *Vagrancy Amendment Bill*.—The Attorney General moved the Second reading of the Bill intituled "An Ordinance to amend the law relating to Vagrancy."

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

ADJOURNMENT.

10. The Council then adjourned until Thursday, the 16th day of June, 1932, at 2.30 p.m.

W. T. SOUTHORN,

Officer Administering the Government.

Confirmed this 23rd day of June, 1932.

R. A. C. NORTH,

Deputy Clerk of Councils.

No. 407.—His Excellency the Officer Administering the Government has given his assent, in the name and on behalf of His Majesty the KING, to the following Ordinances passed by the Legislative Council:—

Ordinance No. 20 of 1932.—An Ordinance to amend the Liquors Ordinance, 1931.

Ordinance No. 21 of 1932.—An Ordinance to consolidate and amend the law regulating the granting of Pensions, Gratuities and other Allowances in respect of public service.

Ordinance No. 22 of 1932.—An Ordinance for the resumption of the City Hall property.