

LEGISLATIVE COUNCIL.

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No. 184.

LEGISLATIVE COUNCIL, No. 3.

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Thursday, 16th March, 1933, at 2.30 p.m.

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PRESENT :

HIS EXCELLENCY THE GOVERNOR  
(Sir WILLIAM PEEL, K.C.M.G., K.B.E.).

His Excellency the General Officer Commanding the Troops, (Major-General OSWALD CUTHBERT BORRETT, C.B., C.M.G., C.B.E., D.S.O.).

The Honourable the Colonial Secretary, (Mr. WILFRID THOMAS SOUTHOORN, C.M.G.).

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

„ the Secretary for Chinese Affairs, (Mr. EDWIN RICHARD HALLIFAX, C.M.G., C.B.E.).

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

„ Mr. EDWARD DUDLEY CORSCADEN WOLFE, C.M.G., (Inspector General of Police).

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

„ Mr. RICHARD McNEIL HENDERSON, (Director of Public Works).

„ Sir HENRY EDWARD POLLOCK, Kt., K.C.

„ Sir WILLIAM EDWARD LEONARD SHENTON, Kt.

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

„ Mr. JOSÉ PEDRO BRAGA.

„ Mr. Ts'ò SEEN-WAN, O.B.E., LL.D.

„ Mr. CHARLES GORDON STEWART MACKIE.

„ Mr. CHAU TSUN-NIN.

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

ABSENT :

The Honourable Commander JOSEPH BERNARD NEWILL, D.S.O., R.N. (Retired), (Harbour Master).

„ Mr. JOHN JOHNSTONE PATERSON.

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1. The Council met pursuant to adjournment. His Excellency the Governor occupied the Chair.

## MINUTES.

2. The Minutes of the Meeting held on the 16th February, 1933, were confirmed.

## PAPERS.

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

Amendments of the Rule made by the Governor in Council under section 17 of the Prisons Ordinance, 1932, Ordinance No. 38 of 1932, dated 14th February, 1933.

Regulation made by the Governor in Council under section 3 of the Tobacco Ordinance, 1931, Ordinance No. 39 of 1931, dated 16th February, 1933.

Order made by the Chief Justice under section 115 of the Bankruptcy Ordinance, 1931, Ordinance No. 10 of 1931, dated 6th February, 1933.

Order made by His Excellency the Governor under section 2 of the Public Revenue Protection Ordinance, 1927, Ordinance No. 9 of 1927, dated 16th February, 1933.

Regulation made by the Governor in Council under section 8 of the Dentistry Ordinance, 1914, Ordinance No. 16 of 1914, dated 20th February, 1933.

Amendment to Table T made by the Governor in Council under section 39 (1) of the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, dated 1st March, 1933.

Amendment to Table E made by the Governor in Council under section 37 (2) of the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, dated 1st March, 1933.

Rescission and substitution of Table P made by the Governor in Council under section 32 (2) of the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, dated 9th March, 1933.

Sessional Papers, 1933 :—

No. 1.—Jurors List for 1933.

## REPORT OF THE FINANCE COMMITTEE.

4. The Colonial Secretary laid on the table the Report of the Finance Committee (No. 2), dated the 16th February, 1933, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

## MOTIONS.

5. The Colonial Secretary moved :—

(a) That this Council approves the construction of the Tytam Tuk Catchwaters at an estimated cost of \$690,000.

(b) That this Council authorises the said sum of \$690,000 to be charged to a future loan and sanctions an advance of a sum of \$300,000 to be spent during the financial year 1933 from the surplus balances of the Colony.

The Colonial Treasurer seconded.

Question—put and agreed to.

6. The Colonial Treasurer moved the following resolution :—

Resolved that the duties on Tobacco set forth in the Resolution passed by this Council on the 22nd October, 1931, and published in the Government Gazette of the 23rd October, 1931, by Government Notification

No. 666 be varied and subject to the provisions of sub-section (2) of section 6 of the Tobacco Ordinance, 1931, (Ordinance No. 39 of 1931), the duties payable:—

1. upon all tobacco imported into the Colony after the coming into operation of this resolution, and
2. upon all dutiable tobacco already in the Colony at the coming into operation of this resolution

shall be as stated in the following table per pound weight: Provided that the dollars and decimals thereof stated in the table shall be conventional dollars reckoned as the equivalent of one shilling and eight pence sterling; and that consequently to arrive at the actual amount payable in Hong Kong currency the conventional dollar stated in the Table shall be multiplied by 20 and divided by a figure settled by the Colonial Treasurer from time to time representing the average opening selling rates for the previous month of the Hong Kong & Shanghai Banking Corporation for demand drafts on London and until so settled the figure shall be 15.40.

### TABLE.

For the purpose of this Table tobacco shall be deemed to be of "Empire Origin" if it is proved to the satisfaction of the Superintendent of Imports and Exports to have been grown and consigned from the British Empire, which for the purposes of this Table shall be deemed the United Kingdom, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland, India including Burmah, any British Colony, any territory under His Majesty's protection, the Mandated territories of Tanganyika, or Cameroons under British Mandate, or Togoland under British Mandate; and tobacco shall be deemed to be of "Empire Manufacture" if it is proved to the satisfaction of the Superintendent of Imports and Exports to have been substantially manufactured in and consigned from the British Empire, as defined above: Provided that no tobacco shall be deemed to be substantially manufactured within the British Empire unless, in the opinion of the Superintendent of Imports and Exports, at least one quarter of its value is the result of labour within such Empire.

### Scale of Tobacco Duties.

*per pound weight.*

A.—On unmanufactured tobacco.

(1) If unstripped:—

(a) containing 10 pounds or more of moisture  
per 100 pounds weight thereof:

- |                              |           |
|------------------------------|-----------|
| I. If of Empire Origin ..... | 63 cents. |
| II. Other tobacco .....      | 70 cents. |

(b) containing less than 10 pounds of moisture  
per 100 pounds weight thereof:

- |                              |           |
|------------------------------|-----------|
| I. If of Empire Origin ..... | 72 cents. |
| II. Other tobacco .....      | 79 cents. |

*per pound weight.*

(2) If stripped :—

(a) containing 10 pounds or more of moisture  
per 100 pounds weight thereof :

I. If of Empire Origin .....76 cents.

II. Other tobacco .....84 cents.

(b) containing less than 10 pounds of moisture  
per 100 pounds weight thereof :

I. If of Empire Origin .....84 cents.

II. Other tobacco .....93 cents.

B.—On manufactured tobacco :

(1) Cigars :

I. If of Empire Origin and manufacture .....\$1.60

II. If of Empire manufacture only .....\$1.80

III. Other cigars .....\$2.00

(2) Cigarettes :

I. If of Empire Origin and manufacture .....\$0.81

II. If of Empire manufacture only .....\$0.90

III. Other cigarettes .....\$0.99

(3) Other manufactured tobacco, including snuff  
and cigar cuttings :

I. If of Empire Origin and manufacture .....\$0.81

II. If of Empire manufacture only .....\$0.90

III. Chinese prepared tobacco .....\$0.90

IV. Other varieties .....\$0.99

The Colonial Secretary seconded.

The Attorney General moved that the final figure in paragraph (1) (b) of A be raised to "80 cents": in paragraph (2) of B the figure "\$0.81" be reduced to "\$0.80" and the figure "\$0.99" be raised to "\$1.00" and in paragraph (3) the figure "\$0.81" be reduced to "\$0.80" and the figure "\$0.99" be raised to "\$1.00".

The Secretary for Chinese Affairs seconded.

Question—put and agreed to.

7. *Criminal Procedure Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled "An Ordinance to amend the Criminal Procedure Ordinance, 1899."

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

8. *Summary Offences Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled "An Ordinance to amend the Summary Offences Ordinance, 1932."

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

9. *New Territories Regulation Amendment Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the New Territories Regulation Ordinance, 1910.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

10. *Full Court Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend and consolidate the Full Court Ordinances.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

ADJOURNMENT.

11. The Council then adjourned until Thursday, the 23rd day of March, 1933, at 2.30 p.m.

W. PEEL,  
*Governor.*

Confirmed this 23rd day of March, 1933.

R. A. C. NORTH,  
*Deputy Clerk of Councils*

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No. 185.—His Excellency the Governor 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. 5 of 1933.—An Ordinance to amend the Criminal Procedure Ordinance, 1899.

Ordinance No. 6 of 1933.—An Ordinance to amend the Summary Offences Ordinance, 1932.

Ordinance No. 7 of 1933.—An Ordinance to amend the New Territories Regulation Ordinance, 1910.

Ordinance No. 8 of 1933.—An Ordinance to amend and consolidate the Full Court Ordinances.