

LEGISLATIVE COUNCIL.

No. 718.

LEGISLATIVE COUNCIL, No. 8.

Thursday, 1st September, 1938, at 3.00 p.m.

PRESENT :

HIS EXCELLENCY THE GOVERNOR

(Sir GEOFFRY ALEXANDER STAFFORD NORTHCOTE, K.C.M.G.).

His Excellency the General Officer Commanding the Troops, (Major-General ARTHUR WOLLASTON BARTHOLOMEW, C.B., C.M.G., C.B.E., D.S.O.).

The Honourable the Colonial Secretary, (Mr. NORMAN LOCKHART SMITH, C.M.G.).

„ the Attorney General, (Mr. JOHN ALEXANDER FRASER, M.C., *Acting*).

„ the Secretary for Chinese Affairs, (Mr. ROLAND ARTHUR CHARLES NORTH).

„ the Financial Secretary, (Mr. SYDNEY CAINE).

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

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

„ Mr. THOMAS HENRY KING, (Commissioner of Police).

„ Dr. PERCY SELWYN SELWYN-CLARKE, M.C., (Director of Medical Services).

„ Mr. JOHN JOHNSTONE PATERSON.

„ Mr. CHAU TSUN-NIN, C.B.E.

„ Mr. LO MAN-KAM.

„ Mr. STANLEY HUDSON DODWELL.

„ Dr. LI SHU-FAN.

Mr. BRIAN CHARLES KEITH HAWKINS, (Deputy Clerk of Councils).

ABSENT :

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

„ Mr. LEO D'ALMADA E CASTRO, Junior.

„ Mr. ANDREW LUSK SHIELDS.

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

MINUTES.

2. The Minutes of the Meeting held on the 28th July, 1938, were confirmed.

PAPERS.

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

Rescission of the Order made by the Governor in Council on the 19th May, 1938, under section 18 of the Quarantine and Prevention of Disease Ordinance, 1936, Ordinance No. 7 of 1936, dated 28th July, 1938.

Declaration under section 18 of the Quarantine and Prevention of Disease Ordinance, 1936, Ordinance No. 7 of 1936, dated 28th July, 1938.

Amendment made by the General Officer Commanding the Troops, with the approval of the Governor after consultation with the Commandant of the Hong Kong Volunteer Defence Corps, under section 10 of the Volunteer Ordinance, 1933, Ordinance No. 10 of 1933, to the First Schedule to that Ordinance, dated 29th July, 1938.

Amendments made by the Governor in Council under sections 37 (2) and 43 (3) of the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, to Tables E, T and U in the Schedule to that Ordinance, dated 20th August, 1938.

Regulations made by the Governor in Council under section 2 of the Emergency Regulations Ordinance, 1922, Ordinance No. 5 of 1922, prohibiting the importation of milk into the Colony, dated 23rd August, 1938.

Regulations made by the Governor in Council under section 3 of the Post Office Ordinance, 1926, Ordinance No. 7 of 1926, dated 25th August, 1938.

Rates of postage determined by the Governor in Council under the Post Office Ordinance, 1926, Ordinance No. 7 of 1926, dated 25th August, 1938.

Notice to Airmen No. 4 of the year 1933, dated 22nd August, 1938.

Proclamation No. 7.—The Merchant Shipping (No. 2) Amendment Ordinance, 1934, Ordinance No. 25 of 1934, and the Merchant Shipping Amendment Ordinance, 1937, Ordinance No. 22 of 1937, to come into operation on the 1st day of September, 1938.

Administration Reports, 1937 :—

Part II.—Law and Order :—

Report of the Police Magistrates' Courts.

Sessional Papers, 1938 :—

No. 10.—Water Finances.

I. Memorandum by Financial Secretary.

II. Memorandum on Modifications decided upon in proposals made in Part I.

No. 11.—University of Hong Kong.

Despatch No. 514 of 27th June, 1938, to the Secretary of State for the Colonies.

Ordinances of Hong Kong (1937 Edition), Volume I, 1844-1900.

Regulations of Hong Kong (1937 Edition), Volume I, 1844-1900.

QUESTIONS.

4. The Hon. Mr. LO MAN-KAM, pursuant to notice, asked the following questions :—

1. With reference to my questions in this Council on the 9th March, 1938, and to the Hon. the Colonial Secretary's reply, is Government now in a position to give any indication as to when the Report will be published?

2. In regard to revenue in respect of water consumption :—

(1) According to actual receipts from 1st January, 1938, up to the end of July, 1938, (or up to the end of the latest month in respect of which actual figures are available), what was the amount received in respect of 2% of the rates?

- (2) In respect of the same period what was the amount received:—
- (i) For meter and fire service rental?
 - (ii) For excess consumption?
 - (iii) For shipping and construction supplies?
- (3) In respect of the same period what would have been the revenue received if the charges for water had been on the basis set out in Appendix 2 to Sessional Paper No. 4 of 1938, with separate figures for the separate categories therein shown? thus:

Flat rates	million gallons at \$0.30.	\$
Peak Supplies	million gallons at \$0.50.	\$
High Levels	million gallons at \$0.40.	\$
Shipping and Construc- tion supplies.....	million gallons at \$1.00.	\$

The Colonial Secretary replied as follows:—

1. The Government is not at the present time in a position to say when the Report in question will be published.

2. *Period 1st January, 1938, to 31st July, 1938.*

(1) Actual receipts in respect of 2% of Rates	\$ 442,892.32
<i>Actual Receipts.</i>	
(2) (i) Meter and Fire Service Rentals	243,841.02
(ii) Excess Consumption	971,553.75
(iii) Shipping and Construction Supplies	99,290.00
Total.....	<u>\$1,314,684.77</u>

(3) *Revenue for same period under new charges.*

Filtered.

(i) Peak District ...	40 M.G. @ \$0.45 per 1,000 ...	\$ 18,000.00
(ii) Higher Levels ...	100 ,, 0.35 ,, ...	35,000.00
(iii) Military.....	24 ,, 0.10 ,, ...	2,400.00
(iv) Other Districts...	3066 ,, 0.25 ,, ...	766,500.00
(v) Shipping and Construction...	99 ,, 1.00 ,, ...	99,000.00
<i>Unfiltered</i>	50 ,, 0.20 ,, ...	10,000.00
		<u>\$ 930,900.00</u>
Meter and Fire Service Rentals.....		243,841.02
		<u>\$1,174,741.02</u>

Explanatory Notes.

1 & 2 Treasury figures.

2. (1) Meter and Fire Services Rentals being payable annually in advance the total figure for the whole year will not greatly exceed the figure for the 7 months.

3. Approximate figures. Exact figures would take over a month to work out, as the recorded consumption through every meter would have to be taken.

Future revenue will be adversely affected by the water restrictions now in force. The rates for the various districts were modified subsequently to the publication of Sessional Paper No. 4 of 1938.

REPORT OF THE FINANCE COMMITTEE.

5. The Colonial Secretary laid on the table the Report of the Finance Committee (No. 6), dated 28th July, 1938, and moved its adoption.

The Financial Secretary seconded.

Question—put and agreed to.

MOTIONS.

6. The Attorney General addressed the Council and moved the following resolutions :—

Resolved that the First Volume of the new edition of the Ordinances, and the First Volume of the new edition of the Regulations of the Colony, which have been prepared under the authority of the Ordinances and Regulations of Hong Kong (1937 Edition) Ordinance, 1936, and which have this day been laid before this Council for approval, be approved.

Resolved pursuant to section 3 of the Public Officers (Changes of Style) Ordinance, 1937, that the style of the offices of "Superintendent of Prisons" be changed to that of "Commissioner of Prisons" and of "Assistant Superintendent of Prisons" to "Superintendent of Prisons" for all purposes, and that the following addition be made to the Schedule to the said Ordinance :—

<i>Old style of officer, office or department.</i>	<i>New style of officer, office or department.</i>
Superintendent of Prisons.	Commissioner of Prisons.
Assistant Superintendent of Prisons.	Superintendent of Prisons.

The Colonial Secretary seconded.

Question—put and agreed to.

7. *Female Domestic Service Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled "An Ordinance to amend the Female Domestic Service Ordinance, 1923."

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

8. *Offences Against the Person Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to repeal and replace section 45A of the Offences Against the Person Ordinance, 1865, as enacted by the Offences Against the Person Amendment Ordinance, 1929.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

9. *Waterworks Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to provide for and regulate the supply of water.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

10. *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.

11. *Sand Amendment Bill.*—The Attorney General moved the Second reading of a Bill intituled “An Ordinance to amend the Sand Ordinance, 1935.”

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.

12. *Sedition Bill.*—The Attorney General moved the Second reading of a Bill intituled “An Ordinance to make better provision for the prevention and punishment of sedition.”

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.

13. *Prohibited Publications Bill*.—The Attorney General addressed the Council and moved the Second reading of a Bill intituled “An Ordinance to prohibit the importation of undesirable publications.”

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.

14. The Council then adjourned until Thursday, the 15th day of September, 1938, at 2.30 p.m.

G. A. S. NORTHCOTE,
Governor.

Confirmed this 15th day of September, 1938.

B. C. K. HAWKINS,
Deputy Clerk of Councils.

No. 719.—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. 15 of 1938.—An Ordinance to amend the Female Domestic Service Ordinance, 1923.

Ordinance No. 16 of 1938.—An Ordinance to repeal and replace section 45A of the Offences Against the Person Ordinance, 1865, as enacted by the Offences Against the Person Amendment Ordinance, 1929.

Ordinance No. 17 of 1938.—An Ordinance to amend the Dangerous Drugs Ordinance, 1935.

Ordinance No. 18 of 1938.—An Ordinance to amend the New Territories Regulation Ordinance, 1910.