

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 6th January, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 23RD DECEMBER, 1964.

2. ANNOUNCEMENT.

Appointment of Standing Law Committee.

3. PAPERS TO BE LAID.

4. GOVERNMENT BUSINESS.

(1) Hong Kong and Yaumati Ferry Company (Services) Ordinance, 1951.

The Financial Secretary to move the following resolution :-

WHEREAS -

- (a) section 5 of the Hong Kong and Yaumati Ferry Company (Services) Ordinance, 1951 (hereinafter referred to as the Ordinance) provides that the Schedule thereto may be varied at any time, with the consent of the Company, by Resolution of the Legislative Council;
- (b) it is now desired that the Schedule to the Ordinance be varied to provide for the occupation by the Company of the office accommodation on the Central Harbour Services Pier;
- (c) the Company has consented to the amendment of the Schedule to provide for the occupation of such office accommodation:

NOW, THEREFORE, BE IT RESOLVED, with the consent of the Company, that the Schedule to the Ordinance be amended by the addition to paragraph 3 of the following new sub-paragraph -

"(3) The Company shall pay to the Government for the use of the office accommodation on the Central Harbour Services Pier a monthly rent of \$19,457 inclusive of rates. The said rent shall be payable in advance on the first day of each month."

(2) Medical Clinics (Amendment) Bill, 1965.

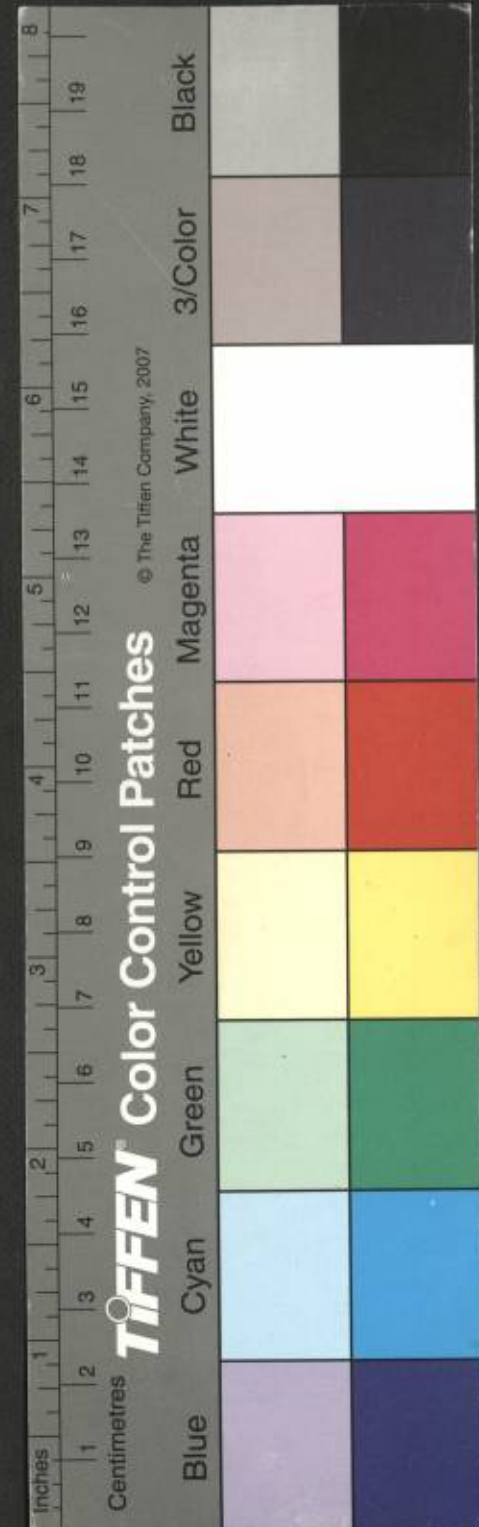
The Colonial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Medical Clinics Ordinance, 1963."

(3) Telephone (Amendment) Bill, 1965.

The Financial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Telephone Ordinance, 1951."



(4) Urban Council (Amendment) Bill, 1965.

Mr. K.S. Kinghorn to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Urban Council Ordinance, 1955."

(5) Contracts for Overseas Employment Bill, 1965.

Mr. P.C.M. Sedgwick to move the First reading of :-

A Bill intituled: "An Ordinance to control contracts of employment entered into in the Colony by manual workers proceeding overseas for employment and the obtaining and supply of such workers and to provide for matters ancillary thereto."

(6) Employers and Servants (Amendment) Bill, 1965.

Mr. P.C.M. Sedgwick to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Employers and Servants Ordinance, 1961."

(7) Employment of Young Persons and Children at Sea (Amendment) Bill, 1965.

Mr. P.C.M. Sedgwick to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Employment of Young Persons and Children at Sea Ordinance."

(8) Factories and Industrial Undertakings (Amendment) Bill, 1965.

Mr. P.C.M. Sedgwick to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Factories and Industrial Undertakings Ordinance, 1955."

(9) Boilers and Pressure Receivers (Amendment) Bill, 1965.

Mr. P.C.M. Sedgwick to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Boilers and Pressure Receivers Ordinance, 1962."

(10) Births and Deaths Registration (Amendment) Bill, 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Births and Deaths Registration Ordinance."

(11) Colonial Treasurer Incorporation (Amendment) Bill, 1965.

The Financial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Colonial Treasurer Incorporation Ordinance."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 20th January, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 6TH JANUARY, 1965.

2. AFFIRMATION.

Mr. J.P. Aserappa to make an Affirmation of Allegiance.

3. ANNOUNCEMENT.

4. PAPERS TO BE LAID.

5. QUESTIONS.

Mr. Kan Yuet-keung, pursuant to notice, will ask the following questions :-

- (1) During the Budget Debate in March 1963, in answer to a point raised by me concerning the use of the cricket ground the Honourable Colonial Secretary made the following remark :-

"I have no doubt, therefore, that we must cast around for a less central site, and that it is not too early, while there is still some balance of the lease to run, to start thinking about where this ground should be reprovisioned."

- (a) Has Government actually given consideration to this matter since that date.
- (b) In the event of a suitable alternative site being available is it Government's intention to effect the exchange immediately rather than to wait until the term of the present lease runs out.
- (c) Will Government give this Council the assurance that we will be kept closely informed of any negotiation and also that we will be consulted before any final decision is taken as to the alternative site?
- (d) Will Government further give an assurance that this Council and other interested bodies will be consulted as to the use to which this ground will be put?
- (2) Has Government enquired into the extraordinary circumstances in which a prisoner recently escaped from custody in the precincts of the Supreme Court whilst the hearing of his appeal was pending and, if so, is Government prepared to make a statement to this Council concerning this occurrence?
- (3) When will the Advisory Committee on Telephone Services issue its first report.

6. GOVERNMENT BUSINESS.

(1) Merchant Shipping (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Merchant Shipping Ordinance 1953."

(2) Dangerous Drugs (Amendment) Bill 1965.

Dr. Teng Pin-hui to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Dangerous Drugs Ordinance."

(3) Summer Time (Amendment) Bill 1965.

The Colonial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Summer Time Ordinance 1953."

(4) Medical Clinics (Amendment) Bill 1965.

The Colonial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Medical Clinics Ordinance 1963."

(5) Hongkong and Shanghai Banking Corporation (Amendment) Bill 1965.

The Financial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend The Hongkong and Shanghai Banking Corporation Ordinance."

(6) Urban Council (Amendment) Bill 1965.

Mr. K.S. Kinghorn to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Urban Council Ordinance 1955."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 10th February, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 20TH JANUARY, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) Supplementary Provisions for the Quarter ended 30th September, 1964.

The Financial Secretary to move the following resolution :-

Resolved that the Supplementary Provisions for the Quarter ended 30th September, 1964, as set out in Schedule No. 2 of 1964-65, be approved.

(2) Lepers (Repeal) Bill 1965.

Dr. Teng Pin-hui to move the First reading of :-

A Bill intituled: "An Ordinance to repeal the Lepers Ordinance."

(3) Telephone (Amendment) Bill 1965.

The Financial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Telephone Ordinance 1951."

(4) Contracts for Overseas Employment Bill 1965.

Mr. P.C.M. Sedgwick to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to control contracts of employment entered into in the Colony by manual workers proceeding overseas for employment and the obtaining and supply of such workers and to provide for matters ancillary thereto."

(5) Employment of Young Persons and Children at Sea (Amendment) Bill 1965.

Mr. P.C.M. Sedgwick to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Employment of Young Persons and Children at Sea Ordinance."

(6) Factories and Industrial Undertakings (Amendment) Bill 1965.

Mr. P.C.M. Sedgwick to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Factories and Industrial Undertakings Ordinance 1955."

(7) Boilers and Pressure Receivers (Amendment) Bill 1965.

Mr. P.C.M. Sedgwick to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Boilers and Pressure Receivers Ordinance 1962."

4. UNOFFICIAL MEMBERS' MOTION.

Director of the Universities Service Centre Incorporation Bill 1965.

Mr. Fung Ping-fan to move the First reading of :-

A Bill intituled: "An Ordinance to provide for the operations of the Universities Service Centre for the incorporation of the Director thereof and for other purposes connected therewith."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Thursday, 25th February, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 10TH FEBRUARY, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) Resolution regarding the draft Estimates of Revenue and Expenditure for 1965-66.

The Financial Secretary to move the following resolution :-

Resolved that the draft Estimates of Revenue and Expenditure for 1965-66 be referred to a Select Committee composed of the Colonial Secretary (Chairman), the Financial Secretary and all the Unofficial Members.

(2) Dangerous Drugs (Amendment) Bill 1965.

Dr. Teng Pin-hui to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Dangerous Drugs Ordinance."

4. UNOFFICIAL MEMBERS' MOTION.

Director of the Universities Service Centre Incorporation Bill 1965.

Mr. Fung Ping-fan to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to provide for the operations of the Universities Service Centre for the incorporation of the Director thereof and for other purposes connected therewith."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Thursday, 11th March and Friday, 12th March, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 25TH FEBRUARY, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) Streets (Alteration) (Amendment) Bill 1965.

The Colonial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Streets (Alteration) Ordinance."

(2) Widows and Orphans Pension (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Widows and Orphans Pension Ordinance."

(3) Hawker Control Force (Amendment) Bill 1965.

Mr. K.S. Kinghorn to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Hawker Control Force Ordinance 1960."

(4) Lepers (Repeal) Bill 1965.

Dr. Teng Pin-hui to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to repeal the Lepers Ordinance."

(5) Employers and Servants (Amendment) Bill 1965.

Mr. P.C.M. Sedgwick to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Employers and Servants Ordinance 1961."

(6) Hong Kong and Yaumati Ferry Company (Services) Ordinance 1951.

The Financial Secretary to move the following resolution :-

Whereas -

- (a) section 4 of the Hong Kong and Yaumati Ferry Company (Services) Ordinance 1951 (hereinafter referred to as the Ordinance) provides that the ferry services authorized by the Ordinance shall be maintained and operated upon the terms and conditions specified in the Schedule thereto;

- (b) section 5 of the Ordinance provides that the Schedule thereto may be varied at any time, with the consent of the Company by Resolution of the Legislative Council;
- (c) it is now desired that the Schedule to the Ordinance be varied to provide for the operation by the Company of one further ferry service, namely a vehicular ferry service between North Point and Kowloon City;
- (d) the Company has consented to the amendment of the Schedule to provide for such service:

Now, therefore, be it resolved, with the consent of the Company, that the Schedule to the Ordinance be amended -

- (a) by the insertion, after paragraph 1, of the following new paragraph -

"Vehicular ferry service. 1A. The Company shall, until the 26th January, 1980, conduct a ferry service for the conveyance of vehicles, goods being carried by vehicles and persons travelling in vehicles on the "ferry run" specified in Appendix I at item (t).";

- (b) by the deletion of sub-paragraph (1) of paragraph 3 and the substitution therefor of the following -

"(1) The Company shall pay as pier rent to the Government for the use of the piers specified in this paragraph the total sum of \$68,900.00 a month inclusive of rates. The said rent shall be payable in advance on the first day of each month and shall be apportioned among the piers as follows -

(a) Jubilee Street Ferry Pier	\$ 22,000
(b) Jordan Road Ferry Pier	13,500
(c) Mong Kok Ferry Pier	2,500
(d) Sham Shui Po Ferry Pier	2,500
(e) Tomnochy Road Ferry Pier	2,000
(f) Wilmer Street Ferry Pier	3,000
(g) Cheung Chau Ferry Pier	400
(h) Stewart Road Ferry Pier	1,500
(i) Kowloon City Ferry Pier	5,000
(j) North Point Ferry Pier	6,000
(k) North Point Vehicular Ferry Pier	6,000
(l) Kowloon City Vehicular Ferry Pier	4,500
	\$ 68,900 "

- (c) by the addition, after paragraph 5A, of the following new paragraph -

"Royalty etc. for vehicular ferry service. 5B. The Company shall pay to the Government, for the exclusive right to maintain and operate a ferry service for the conveyance of vehicles, goods being carried by vehicles and persons travelling in vehicles between North Point and Kowloon City, in addition to the pier rent in accordance with paragraph 3 and the royalty of twenty-five per cent of the net profit of the Company in accordance with paragraph 5, a monthly fee of \$100,000.00 payable in advance on or before the first day of each month.";

- (d) by the addition, after paragraph 6, of the following new paragraph -

"Governor 6A. The Governor in Council may, in respect of the service specified in item (t) of Appendix I, at any time, require the Company to introduce and operate a twenty-four hour ferry service upon the terms and conditions specified in paragraph 6.";

- (e) by the deletion of sub-paragraph (1) of paragraph 16 and the substitution therefor of the following -

"(1) The Company has represented that the Company is and will continue to be a public company; that the Company shall take such steps as are reasonable in consultation with the Hong Kong Stock Exchange to have and to continue to have the shares of the Company listed and quoted on the Hong Kong Stock Exchange; that the majority of the directorate are and will continue to be British subjects; that the management and the administrative staff, or an effective majority thereof to the satisfaction of the Governor in Council, are and will be British subjects; that the control is and will be within the Colony and essentially British; that all the books and accounts of the Company will be kept in the English language; that at all times and in all circumstances (including any and every emergency) the Government may be assured that the ferry services will be duly and loyally maintained; and that the situation as above will continue and be observed with the utmost good faith during the subsistence of the concession. Such representation shall be the basis upon which the Company may maintain the ferry services and if at any time the Governor in Council be satisfied that any such representation as aforesaid has failed then the Governor in Council may terminate the concession, in which event the ferry services shall be deemed to have been discontinued and the provisions of sub-paragraphs (2) and (3) of paragraph 3 shall apply.";

- (f) by the deletion of paragraph 21;

- (g) in Appendix I, by the insertion under the heading "Ferry Runs", after item (s), of the following -

"(t) North Point Vehicular Ferry Pier - Kowloon City Vehicular Ferry Pier.";

- (h) in Appendix I, by the deletion under the heading "Ferry Piers and Frontages" of the item "Kowloon City Pier" and the substitution therefor of the following -

"Kowloon City Pier and Kowloon City Vehicular Ferry Pier The southern extremity of Whampoa Street to the south-western boundary of Kai Tak Airport."; and

- (i) in Appendix I, by the insertion under the heading "Ferry Piers and Frontages", in the item "North Point Ferry Pier", the words "and North Point Vehicular Ferry Pier.".

(7) Factories and Industrial Undertakings Ordinance 1955.

Mr. P.C.M. Sedgwick to move the following resolution :-

Resolved, in exercise of the powers conferred by section 5 of the Factories and Industrial Undertakings Ordinance 1955, that the Factories and Industrial Undertakings (Notification of Occupational Diseases) Regulations 1965, made by the Commissioner of Labour on the 3rd day of March, 1965 under section 5 of the said Ordinance, be approved.

(8) Resolution regarding the Report of the Select Committee on the Estimates for 1965-66.

The Colonial Secretary to move the following resolution :-

Resolved that the Report of the Select Committee, to which was referred the draft Estimates of Revenue and Expenditure for 1965-66, be adopted.

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Thursday, 25th March and Friday, 26th March, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 11TH/12TH MARCH, 1965.

2. PAPERS TO BE Laid

3. GOVERNMENT BUSINESS.

(1) Report of the Select Committee on the Estimates for 1965-66.

Resumption of debate on the motion for adoption of the Report of the Select Committee.

(2) Resolution regarding the Estimates of Revenue and Expenditure for 1965-66.

The Financial Secretary to move the following resolution :-

Resolved that the Estimates of Revenue and Expenditure for 1965-66 as amended by the Report of the Select Committee be approved.

(3) Bankruptcy (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Bankruptcy Ordinance."

(4) Companies (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Companies Ordinance."

(5) Appropriation (1965-66) Bill 1965.

The Financial Secretary to move the First, Second and Third readings of :-

A Bill intituled: "An Ordinance to apply a sum not exceeding one thousand seven hundred and eleven million, four hundred and eight thousand and forty dollars to the Public Service of the financial year ending the 31st day of March, 1966."

(6) Workmen's Compensation (Amendment) Bill 1965.

Mr. P.C.M. Sedgwick to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Workmen's Compensation Ordinance 1953."

(7) Merchant Shipping (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Merchant Shipping Ordinance 1953."

(8) Hawker Control Force (Amendment) Bill 1965.

Mr. K.S. Kinghorn to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Hawker Control Force Ordinance 1960."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 14th April, 1965 at 2.30 p.m.

ORDER OF BUSINESS1. CONFIRMATION OF MINUTES OF MEETING HELD ON 25TH/26TH MARCH, 1965.2. PAPERS TO BE LAID.3. QUESTIONS.

Mr. Woo Pak-chuen, pursuant to notice, will ask the following question :-

As it is Government's policy to recruit overseas officers in the public services only if there are no suitable local officers, was the newly created post of Principal Amenities Officer advertised in the local press for local candidates prior to the recruitment abroad, and if not, why not?

4. GOVERNMENT BUSINESS.(1) Magistrates Ordinance Chapter 227.

The Attorney General to move the following resolution :-

Resolved that, in exercise of the powers conferred by section 18 of the Magistrates Ordinance, the Third Schedule to the said Ordinance be amended -

(a) by the deletion of item 3 and the substitution therefor of the following -

"3. Road Traffic.

- | | |
|------------------|---|
| (39 of 1957). | (1) Any offence against subsection (1) of section 17 of the Road Traffic Ordinance 1957. |
| (G.N.A. 88/56). | (2) Any offence against the Road Traffic (Driving Licences) Regulations 1956. |
| (G.N.A. 89/56). | (3) Any offence against the Road Traffic (Registration and Licensing of Vehicles) Regulations 1956, other than a contravention of any of the provisions of regulation 26. |
| (G.N.A. 106/56). | (4) Any offence against the Road Traffic (Construction and Use) Regulations 1956, other than a contravention of any of the provisions of paragraph (2) of regulation 94, |

- sub-paragraph (a) of regulation 94A or paragraph (2) of regulation 95.
- (G.N.A. 62/57). (5) Any offence against the Road Traffic (Lighting and Guarding of Road Works) Regulations 1957.
- (G.N.A. 77/57). (6) Any offence against the Road Traffic (Road Crossing) Regulations 1957.
- (G.N.A. 77/58). (7) Any offence against the Road Traffic (Parking and Waiting) Regulations 1958, other than a contravention of any of the provisions of paragraph (2) of regulation 3.
- (G.N.A. 106/59). (8) Any offence against the Road Traffic (Roads and Signs) Regulations 1959.
- (G.N.A. 36/60). (9) Any offence against the Road Traffic (International Circulation) Regulations 1960.
- (G.N.A. 25/61). (10) Any offence against the Road Traffic (Public Omnibus and Public Car) Regulations 1961.
- (G.N.A. 129/61). (11) Any offence against the Road Traffic (General) Regulations 1961.
- (L.N. 46/63). (12) Any offence against the Road Traffic (Temporary Car Parks) Regulations 1963.
- (L.N. 134/64). (13) Any offence against the Road Traffic (Taxis, Public Omnibuses and Public Cars) Regulations 1964, other than a contravention of any of the provisions of paragraph (2) of regulation 7 or of regulation 33 or 38."; and

(b) by the insertion, after item 4, of the following new item -

"5. Tramway.

- (Vol. IX, p.261). (1) Any offence against rule 5 of the Tramway Working Rules.
- (G.N.A. 77/57). (2) Any contravention of the Road Traffic (Road Crossing) Regulations 1957 that is an offence under regulation 13 of the said Regulations by virtue of rule 5A of the Tramway Working Rules."

(2) Limitation Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance to consolidate and amend the law relating to the limitation of actions and arbitrations."

(3) Land Registration (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Land Registration Ordinance."

(4) Summary Offences (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Summary Offences Ordinance."

(5) Radiation (Amendment) Bill 1965.

Dr. Teng Pin-hui to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Radiation Ordinance 1957."

(6) Streets (Alteration) (Amendment) Bill 1965.

The Colonial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Streets (Alteration) Ordinance."

(7) Widows and Orphans Pension (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Widows and Orphans Pension Ordinance."

(8) Bankruptcy (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Bankruptcy Ordinance."

(9) Companies (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Companies Ordinance."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 28th April, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 14TH APRIL, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) Education Policy.

Mr. W.D. Gregg to move the following resolution :-

Resolved that the White Paper on Education Policy be adopted as a basis for future action.

(2) Miscellaneous Licences (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Miscellaneous Licences Ordinance."

(3) Charities (Land Acquisition) (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Charities (Land Acquisition) Ordinance 1958."

(4) Workmen's Compensation (Amendment) Bill 1965.

Mr. P.C.M. Sedgwick to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Workmen's Compensation Ordinance 1953."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 12th May and Thursday, 13th May, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 28TH APRIL, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) "Star" Ferry Company (Service) (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the "Star" Ferry Company (Service) Ordinance 1951."

(2) Ferries (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Ferries Ordinance."

(3) Land Registration (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Land Registration Ordinance."

(4) Summary Offences (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Summary Offences Ordinance."

(5) Radiation (Amendment) Bill 1965.

Dr. Teng Pin-hui to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Radiation Ordinance 1957."

(6)

- (6) Supplementary Provisions for the Quarter ended 31st December, 1964.

The Financial Secretary to move the following resolution :-

Resolved that the Supplementary Provisions for the Quarter ended 31st December, 1964, as set out in Schedule No. 3 of 1964-65, be approved.

- (7) Radiation Ordinance 1957.

Dr. Teng Pin-hui to move the following resolution :-

Resolved, pursuant to the provisions of section 14 of the Radiation Ordinance 1957, that the following regulations made by the Radiation Board on the 30th day of January, 1965 be approved -

- (a) Radiation (Control of Radioactive Substances) Regulations 1965; and
- (b) Radiation (Control of Irradiating Apparatus) Regulations 1965.

- (8) Factories and Industrial Undertakings Ordinance 1955.

Mr. P.C.M. Sedgwick to move the following resolution :-

Resolved, pursuant to the provisions of section 5 of the Factories and Industrial Undertakings Ordinance 1955, that the following regulations made by the Commissioner of Labour on the 1st day of February, 1965 be approved -

Factories and Industrial Undertakings (Radiation) (Revocation) Special Regulations 1965.

- (9) Statement of Aims and Policy for Social Welfare.

The Colonial Secretary to move the following resolution :-

Resolved that the White Paper entitled "Statement of Aims and Policy for Social Welfare in Hong Kong" tabled in this Council on 4th November, 1964, as modified by the Table of Changes dated May 1965, be adopted.

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 26th May, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 12TH/13TH MAY, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

- (1) Education Policy.

Resumption of debate on the following motion :-

Resolved that the White Paper on Education Policy be adopted as a basis for future action.

Mr. P.C.M. Sedgwick to move the following amendment :-

Insert at the end of the resolution the words :

"It being understood that this resolution does not imply the taking of any decision on salaries and terms of service or on any other matter on which Government has expressed reservations in Appendix I to the White Paper."

(Note :- After the question has been put on the amendment, Mr. Ruttonjee will move a motion under Standing Order 14(9) that the debate on the substantive motion be postponed for a further period of one month.)

- (2) Schedule of Write-offs for the Financial Year 1964/65.

The Financial Secretary to move the following resolution :-

Resolved that the Write-offs for the Financial Year 1964/65, as set out in the Schedule, be approved.

- (3) Radiation Ordinance 1957.

Dr. Teng Pin-hui to move the following resolution :-

Resolved, pursuant to section 22 of the Radiation Ordinance 1957, that the Radiation Ordinance (Amendment of Schedule) Order 1965, made by the Radiation Board under section 22 of the said Ordinance on the 26th day of April, 1965, be approved.

(4) Miscellaneous Licences (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Miscellaneous Licences Ordinance."

(5) Charities (Land Acquisition) (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Charities (Land Acquisition) Ordinance 1958."

(6) "Star" Ferry Company (Service) (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the "Star" Ferry Company (Service) Ordinance 1951."

(7) Ferries (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Ferries Ordinance."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 9th June, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 26TH MAY, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) Probate and Administration Ordinance Chapter 10.

The Attorney General to move the following resolution :-

Resolved, pursuant to section 69 of the Probate and Administration Ordinance, that the Probate (Order of 1941) (Cancellation) Order 1965, made by the Chief Justice under section 69 of the said Ordinance on the 20th day of May, 1965, be approved.

(2) Rent Increases (Domestic Premises) Control (Amendment) Bill 1965.

The Colonial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Rent Increases (Domestic Premises) Control Ordinance 1963."

(3) Telephone (Amendment) (No. 2) Bill 1965.

The Financial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Telephone Ordinance 1951."

(4) Inland Revenue (Amendment) Bill 1965.

The Financial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Inland Revenue Ordinance."

(5) Limitation Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to consolidate and amend the law relating to the limitation of actions and arbitrations."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 23rd June, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 9TH JUNE, 1965.

2. OATH.

Mrs. Ellen Li Shu-pui to take the Oath of Allegiance.

3. PAPERS TO BE LAID.

4. GOVERNMENT BUSINESS.

(1) Education Policy.

Resumption of debate on the following motion :-

Resolved that the White Paper on Education Policy be adopted as a basis for future action, it being understood that this resolution does not imply the taking of any decision on salaries and terms of service or on any other matter on which Government has expressed reservations in Appendix I to the White Paper.

(2) Television (Amendment) Bill 1965.

The Colonial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Television Ordinance 1964."

(3) Immigration (Control and Offences) (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Immigration (Control and Offences) Ordinance 1958."

(4) Rent Increases (Domestic Premises) Control (Amendment) Bill 1965.

The Colonial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Rent Increases (Domestic Premises) Control Ordinance 1963."

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 30th June, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 23RD JUNE, 1965.

2. PAPERS TO BE LAID.

3. QUESTION.

Mr. Kan Yuet-keung, pursuant to notice, will ask the following question :-

May this Council be informed how it was possible for a local newspaper to publish the recommendations of the Salaries Commission before its Interim Report was even considered by the Executive Council.

4. GOVERNMENT BUSINESS.

(1) Tenancy (Notice of Termination) (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Tenancy (Notice of Termination) Ordinance 1962."

(2) Lotteries Fund.

The Financial Secretary to move the following resolution :-

Resolved --

1. that with effect from the 30th day of June, 1965, there shall be established a fund styled the LOTTERIES FUND:
2. that the Fund or any part of it may be held in Hong Kong dollars or in sterling and shall be administered by the Financial Secretary and may be invested in such securities as may be approved by him;
3. that there shall be credited to the Fund -
 - (a) a sum of \$7,418,920 to be appropriated from the general revenue of the Colony with effect from the date of creation of the Fund;
 - (b) such appropriations from the general revenue of the Colony as may from time to time be made by this Council;
 - (c) such sums as may be required by or under any Ordinance to be credited thereto;

- (d) all sums received by way of repayment of loans or advances granted from the Fund;
- (e) all sums received by way of interest or dividend on investments, deposits, loans or advances of the Fund;
- (f) such donations as may be offered to the Fund and which have been approved by the Finance Committee of this Council;

4. that the Financial Secretary may from time to time appropriate from the Fund monies for the purpose of financing by way of a grant, a loan or an advance the support and development of such social welfare services in the Colony as may be approved by the Governor, after receiving and giving consideration to the advice of the Social Welfare Advisory Committee, provided that the amount of any appropriation, and the terms and conditions of the grant, loan or advance, shall in every case be subject to the prior approval of the Finance Committee of this Council.

(3) Education Policy.

Resumption of debate on the following motion :-

Resolved that the White Paper on Education Policy be adopted as a basis for future action, it being understood that this resolution does not imply the taking of any decision on salaries and terms of service or on any other matter on which Government has expressed reservations in Appendix I to the White Paper.

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 7th July, 1965 at 2.30 p.m.

ORDER OF BUSINESS.

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 30TH JUNE, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) Bank Notes Issue Ordinance.

The Financial Secretary to move the following resolution :-

Resolved, pursuant to the proviso to section 5 of the Bank Notes Issue Ordinance, Chapter 65, that this Council hereby extends the powers of all the note-issuing banks to make, issue or re-issue and circulate notes until and including the 12th day of July, 1966.

(2) Television (Amendment) Bill 1965.

The Colonial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Television Ordinance 1964."

(3) Telephone (Amendment) (No. 2) Bill 1965.

The Financial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Telephone Ordinance 1951."

(4) Inland Revenue (Amendment) Bill 1965.

The Financial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Inland Revenue Ordinance."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 28th July, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 7TH JULY, 1965.

2. AFFIRMATION.

Dr. Chung Sze-yuen to make an Affirmation of Allegiance.

3. PAPERS TO BE LAID.

4. QUESTIONS.

(1) Mr. Kan Yuet-keung, pursuant to notice, will ask the following questions :-

1. What is Government's present policy regarding the imposition of penalties for delay in (a) compliance with Exclusion Orders and (b) fulfilment of building covenants under Government grants generally?
2. In his speech at the Budget Debate last March, the Commissioner of Labour stated that the smoke problem caused by the power station of the China Light & Power Co. in Kowloon was under active discussion between the Company and various Government departments concerned.

Is Government now in a position to state

- (a) What are the results of these discussions; and
- (b) Whether any effective measures have been devised for the abatement of this smoke nuisance?
3. (a) Will Government inform this Council what is its attitude towards the discriminatory treatment by the Philippine Government towards Hongkong residents of Chinese origin in requiring finger-printing upon entry into the Philippines?
- (b) Why does Government consider it inappropriate or unnecessary to take counter-measures in regard to entry of Philippine nationals into Hongkong?

(2) Mr. Szeto Wai, pursuant to notice, will ask the following questions :-

1. Is Government aware of the fears which have arisen from the recent accidental drowning of four schoolboys at the Hunghom reclamation and of another young person in a disused quarry pit, and will Government investigate what steps can be taken to prevent future occurrences of this nature?
2. (a) Does Government agree that the protection in typhoon weather of the increasing number of small craft in local waters is becoming a problem through congestion of the existing sheltering facilities, especially in the harbour, and that this problem may become aggravated in one case by the possible development of a cross-harbour road link with its attendant landfall development?
- (b) What plans does Government have to alleviate these conditions both for the present and in the future?

5. GOVERNMENT BUSINESS.

(1) Supplementary Provision for the Quarter ended 31st March, 1965.

The Financial Secretary to move the following resolution :-

Resolved that the Supplementary Provisions for the Quarter ended 31st March, 1965, as set out in Schedule No. 4 of 1964-65, be approved.

(2) Inland Revenue Ordinance Chapter 112.

The Financial Secretary to move the following resolution :-

Resolved, pursuant to section 85 of the Inland Revenue Ordinance, that the Inland Revenue (Amendment) Rules 1965, made by the Board of Inland Revenue on the 9th day of July 1965 under section 85 of that Ordinance, be approved.

(3) Frozen Confections (Amendment) By-laws 1965.

Mr. K.S. Kinghorn to move the following resolution :-

Resolved, pursuant to section 144 of the Public Health and Urban Services Ordinance 1960, that the Frozen Confections (Amendment) By-laws 1965, made by the Urban Council under section 56 of the said Ordinance on the 6th day of July, 1965, be approved.

(4) Ventilation (Amendment) By-laws 1965.

Mr. K.S. Kinghorn to move the following resolution :-

Resolved, pursuant to section 144 of the Public Health and Urban Services Ordinance 1960, that the Ventilation (Amendment) By-laws 1965, made by the Urban Council under section 88 of the said Ordinance on the 6th day of July, 1965, be approved.

(5) Cross-Harbour Tunnel.

Mr. A.M.J. Wright to move the following resolution :-

Resolved that this Council approves in principle the grant of a franchise to construct and operate a tunnel across the harbour between Wanchai and Hung Hom in accordance with the basic conditions set down in the Schedule.

SCHEDULE

- (1) The Victoria City Development Company (or such other company as may with the approval of the Company and Government be substituted for it) (hereinafter referred to as "the Company") to be granted an exclusive franchise to construct and operate a four-lane vehicular tunnel between Wanchai and Hung Hom.
- (2) The franchise to bear no rights for the construction of a second tunnel on the same or any other route.
- (3) The franchise to run for 30 years from the date (hereinafter referred to as the "start of construction") on which permission is given by Government to commence physical construction works on the tunnel site. There is to be no right of renewal thereafter.
- (4) (a) A royalty of 12½% on gross operating receipts to be payable for the period of the franchise provided that on application by the Company the annual cash payment during the first ten years of operation of the tunnel, may be reduced so that it is less than

12½%, but not less than 7½%. Any arrangements for reduced royalty are to be reviewed annually. The difference between the amount due at 12½% and the actual cash payment at the reduced rate to be credited to Government in the accounts of the Company and the balance to earn compound interest at 7% per annum compounded quarterly. This account to be liquidated not less than 5 years before the end of the franchise.

- (b) Royalty payments to be paid quarterly in arrears within one month of the quarter to which the operating receipts relate.
 - (c) "Operating receipts" to include all revenue received by the Company in consideration of goods and services offered but to exclude income earned on investments and interest received on current assets.
- (5) (a) Government is to assume liability for any compensation which it may be decided to pay to the ferry companies arising from the 1956 Government statement.
 - (b) The Hong Kong and Yaumati Ferry Company Limited and the Star Ferry Company Limited to be given the option of taking up to 5% each of the equity capital of the Company. In the event that either ferry company does not take up the option in full the difference may be offered to the other ferry company. All options are to be kept open for one month from the date of offer.
 - (6) The Company to pay from the start of construction an annual rent of \$75,000 to Government for way-leave over the Crown land (including sea-bed) occupied by the tunnel itself and its approaches as determined under sub-paragraph (25) below, subject to Government retaining full development rights over the land in question to the extent that such development does not interfere with traffic using the tunnel and excluding the site of any building for which a lease may be granted as set out in sub-paragraph (7) below.
 - (7) The Company to be granted for a period coterminous with the franchise a lease of, and to pay a premium at the rate of \$250 per square foot in respect of, land for the erection of such buildings as may be agreed between the Director of Public Works and the Company as being necessary for the efficient operation of the franchise (other than toll booths, which, it is assumed, would be of simple one or two storey construction). Such premium to be payable, at the Company's option, by equal annual instalments over the period of the franchise, less the last year, with interest at 5%. Zone Crown Rent at \$5,000 per acre per annum to be charged for the land on which the toll booths stand, and Government to be entitled if it so desired in connexion with the exercise of its development rights under sub-paragraph (6) to relocate the existing toll booths either separately or as part of a building erected in the exercise of its development rights.

- (8) The Company to pay to Government the sum of \$12 million as a contribution towards the cost of constructing roads and other engineering works which would not otherwise be required or would cost less if the tunnel were not built. This sum to be paid in 2 equal consecutive biennial instalments without interest commencing 24 months from the start of construction. Government undertakes to complete sufficient road works to enable the tunnel to operate as soon as it is complete and hopes to complete all ancilliary works by this time.
- (9) The Company to raise not less than 25% of the capital cost of the tunnel in the form of equity capital exclusive of any equity capital that may be contributed by Government.
- (10) Government to be given the option of taking up to 25% of any equity capital of the Company and, if Government takes up not less than 10% thereof, to be allocated seats on the Board of Directors of the Company in the same ratio as the amount taken up bears to the total issued equity capital (fractions of a seat not to count) but in any case not less than two seats.
- (11) (a) The Company to apply for and take all reasonable steps to obtain a quotation of its shares on the Hong Kong Stock Exchange before the second anniversary of the opening of the tunnel for traffic or such longer period as may be agreed by the Governor in Council.

(b) The public to be given an opportunity to participate in not less than 25% of the equity capital of the Company which shall be provided pro rata by all shareholders if called upon.
- (12) Rates to be payable by the Company in accordance with the provisions of the Rating Ordinance.
- (13) The Company to furnish to Government before any major contract is let or commitments are entered into for construction, a complete statement of its financing arrangements.
- (14) The Governor in Council to have power to approve or disapprove the fare structure but not so as to deny the Company a reasonable return on its capital. The initial basic fare structure shall be: \$2.50 for a private car, \$5.00 for a double-decker bus and \$7.50 for a lorry.
- (15) Government to have powers to take over the undertaking in the event of serious default on the terms of the franchise with such compensation for the assets as may be determined by arbitration less such penalty as the Governor in Council may deem appropriate, and to impose penalties by way of fines for lesser infringements.
- (16) On termination of the franchise the physical assets of the Company to revert to Government without compensation, except that the cost of any machinery and equipment purchased in the final 5 years with the agreement of Government to be reimbursed at the depreciated value for Inland Revenue purposes.

- (17) Government to have powers to impose safety requirements and to enable the Police to control traffic provided that within the tunnel the Company would be required to provide its own policing arrangements for which bye-laws would be enacted.
- (18) The tunnel to be completed within 5 years from the date on which the offer of a franchise by the Government is accepted by the Company or such extended period as the Governor in Council may allow, failing which the franchise to terminate without compensation.
- (19) The Company to permit on request electric power cables, telephone and other communication cables, water, and other pipes to be run through the tunnel if technically possible, provided the capital cost of installation is borne by the owners. The Company to be entitled to charge a reasonable fee for providing such facilities, such fee to be determined in the absence of agreement by arbitration. Government does not guarantee any wayleave for any public utility to or from the tunnel.
- (20) The Company, on request by the Colonial Secretary and if necessary, to give priority to Crown vehicles i.e. vehicles on His Excellency the Governor's establishment, vehicles of H.M. Armed Forces and those of the Police and Fire Services including ambulances and such other vehicles as the Colonial Secretary may from time to time consider warrant priority, and no other priority shall be given.
- (21) (a) The Company to be permitted, subject to the agreement of Government, to advertise on the tunnel structure and toll booths.

(b) The Company to be permitted, subject to the agreement of Government, to advertise on the approaches of the tunnel i.e. the areas for which the Company is responsible for construction as defined in sub-paragraph (25) below but excluding any development carried out by Government in exercise of Government's development rights as stated in sub-paragraph (6).

(c) Permission to advertise may be refused where this would interfere with safety requirements or where in the opinion of the Colonial Secretary it may be unsightly or unsuitable.
- (22) During construction of the tunnel the Company to take all reasonable steps to minimise interference with shipping and harbour traffic and to comply with such safety precautions as may be required by the Director of Marine. Any spoil which is dredged to be disposed of as approved by the Director of Public Works and after the tunnel construction is complete the sea bed including any protective mound or backfilling shall be restored so as to be at least 40 feet below Mean Low Water Ordinary Spring Tide where the sea bed is now 40 feet or more below Mean Low Water Ordinary Spring Tide and elsewhere shall generally be in accordance with the profile shown in drawing T.2 in Volume II of the Joint Consulting Engineers Report of April 1961.

- (23) Any ancillary land which may temporarily be made available for the construction of the tunnel to attract permit fees or rents at the standard rates prevailing at the time or at such rents as the Government may determine. The manner in which such land is used to be subject to such conditions as the Director of Public Works may determine and to be restored to its original state on termination of use.
- (24) The tunnel and its approaches to be regarded as a road within the meaning of the Road Traffic Ordinance 1957 except insofar as this is incompatible with the legislation governing the franchise.
- (25) The Company to be responsible for constructing at their expense all that portion from and including the toll plaza on the Kowloon side to a line where the tunnel rises to general ground level on the Hong Kong side. Once road lines at the tunnel extremities have been finalized a plan will be prepared to define the portion referred to.
- (26) The Company will not be entitled to assign (except by way of mortgage for the purpose of financing the construction of the tunnel), under let, sub-grant or otherwise dispose of any rights granted to it.

(6) Magistrates (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Magistrates Ordinance."

(7) District Court (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the District Court Ordinance 1953."

(8) Hotel Accommodation Tax Bill 1965.

The Financial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance to impose a tax on hotel accommodation charges."

(9) Buildings (Amendment) Bill 1965.

Mr. A.M.J. Wright to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Buildings Ordinance 1955."

(10) Immigration (Control and Offences) (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Immigration (Control and Offences) Ordinance 1958."

(11) Tenancy (Notice of Termination) (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Tenancy (Notice of Termination) Ordinance 1962."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 11th August, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 28TH JULY, 1965.

2. PAPERS TO BE LAID.

3. QUESTIONS.

Mr. G.R. Ross, pursuant to notice, will ask the following question :-

It has been publicly stated that the re-construction of Nathan Road between Arran Street and Changsha Street will take approximately sixteen months to complete. Is it not possible to expedite this work on this very busy thoroughfare?

4. GOVERNMENT BUSINESS.

(1) Cross Harbour Tunnel.

Resumption of debate on the following resolution :-

Resolved that this Council approves in principle the grant of a franchise to construct and operate a tunnel across the harbour between Wanchai and Hung Hom in accordance with the basic conditions set down in the Schedule.

SCHEDULE

- (1) The Victoria City Development Company (or such other company as may with the approval of the Company and Government be substituted for it) (hereinafter referred to as "the Company") to be granted an exclusive franchise to construct and operate a four-lane vehicular tunnel between Wanchai and Hung Hom.
- (2) The franchise to bear no rights for the construction of a second tunnel on the same or any other route.
- (3) The franchise to run for 30 years from the date (hereinafter referred to as the "start of construction") on which permission is given by Government to commence physical construction works on the tunnel site. There is to be no right of renewal thereafter.
- (4) (a) A royalty of 12½% on gross operating receipts to be payable for the period of the franchise provided that on application by the Company the annual cash payment during the first ten years of operation of the tunnel, may be reduced so that it is less than 12½%, but not less than 7½%. Any arrangements for reduced royalty are to be reviewed annually. The difference between the amount due at 12½% and the actual cash payment at the reduced rate to be credited to Government in the accounts of the Company and the balance to earn compound interest at 7% per annum compounded quarterly. This account to be liquidated not less than 5 years before the end of the franchise.

- (b) Royalty payments to be paid quarterly in arrears within one month of the quarter to which the operating receipts relate.
 - (c) "Operating receipts" to include all revenue received by the Company in consideration of goods and services offered but to exclude income earned on investments and interest received on current assets.
- (5) (a) Government is to assume liability for any compensation which it may be decided to pay to the ferry companies arising from the 1956 Government statement.
- (b) The Hong Kong and Yaumati Ferry Company Limited and the Star Ferry Company Limited to be given the option of taking up to 5% each of the equity capital of the Company. In the event that either ferry company does not take up the option in full the difference may be offered to the other ferry company. All options are to be kept open for one month from the date of offer.
- (6) The Company to pay from the start of construction an annual rent of \$75,000 to Government for way-leave over the Crown land (including sea-bed) occupied by the tunnel itself and its approaches as determined under sub-paragraph (25) below, subject to Government retaining full development rights over the land in question to the extent that such development does not interfere with traffic using the tunnel and excluding the site of any building for which a lease may be granted as set out in sub-paragraph (7) below.
- (7) The Company to be granted for a period coterminous with the franchise a lease of, and to pay a premium at the rate of \$250 per square foot in respect of, land for the erection of such buildings as may be agreed between the Director of Public Works and the Company as being necessary for the efficient operation of the franchise (other than toll booths, which, it is assumed, would be of simple one or two storey construction). Such premium to be payable, at the Company's option, by equal annual instalments over the period of the franchise, less the last year, with interest at 5%. Zone Crown Rent at \$5,000 per acre per annum to be charged for the land on which the toll booths stand, and Government to be entitled if it so desired in connexion with the exercise of its development rights under sub-paragraph (6) to relocate the existing toll booths either separately or as part of a building erected in the exercise of its development rights.

- (8) The Company to pay to Government the sum of \$12 million as a contribution towards the cost of constructing roads and other engineering works which would not otherwise be required or would cost less if the tunnel were not built. This sum to be paid in 2 equal consecutive biennial instalments without interest commencing 24 months from the start of construction. Government undertakes to complete sufficient road works to enable the tunnel to operate as soon as it is complete and hopes to complete all ancillary works by this time.
- (9) The Company to raise not less than 25% of the capital cost of the tunnel in the form of equity capital exclusive of any equity capital that may be contributed by Government.
- (10) Government to be given the option of taking up to 25% of any equity capital of the Company and, if Government takes up not less than 10% thereof, to be allocated seats on the Board of Directors of the Company in the same ratio as the amount taken up bears to the total issued equity capital (fractions of a seat not to count) but in any case not less than two seats.
- (11) (a) The Company to apply for and take all reasonable steps to obtain a quotation of its shares on the Hong Kong Stock Exchange before the second anniversary of the opening of the tunnel for traffic or such longer period as may be agreed by the Governor in Council.
- (b) The public to be given an opportunity to participate in not less than 25% of the equity capital of the Company which shall be provided pro rata by all shareholders if called upon.
- (12) Rates to be payable by the Company in accordance with the provisions of the Rating Ordinance.
- (13) The Company to furnish to Government before any major contract is let or commitments are entered into for construction, a complete statement of its financing arrangements.
- (14) The Governor in Council to have power to approve or disapprove the fare structure but not so as to deny the Company a reasonable return on its capital. The initial basic fare structure shall be: \$2.50 for a private car, \$5.00 for a double-decker bus and \$7.50 for a lorry.
- (15) Government to have powers to take over the undertaking in the event of serious default on the terms of the franchise with such compensation for the assets as may be determined by arbitration less such penalty as the Governor in Council may deem appropriate, and to impose penalties by way of fines for lesser infringements.
- (16) On termination of the franchise the physical assets of the Company to revert to Government without compensation, except that the cost of any machinery and equipment purchased in the final 5 years with the agreement of Government to be reimbursed at the depreciated value for Inland Revenue purposes.

- (17) Government to have powers to impose safety requirements and to enable the Police to control traffic provided that within the tunnel the Company would be required to provide its own policing arrangements for which bye-laws would be enacted.
- (18) The tunnel to be completed within 5 years from the date on which the offer of a franchise by the Government is accepted by the Company or such extended period as the Governor in Council may allow, failing which the franchise to terminate without compensation.
- (19) The Company to permit on request electric power cables, telephone and other communication cables, water, and other pipes to be run through the tunnel if technically possible, provided the capital cost of installation is borne by the owners. The Company to be entitled to charge a reasonable fee for providing such facilities, such fee to be determined in the absence of agreement by arbitration. Government does not guarantee any wayleave for any public utility to or from the tunnel.
- (20) The Company, on request by the Colonial Secretary and if necessary, to give priority to Crown vehicles i.e. vehicles on His Excellency the Governor's establishment, vehicles of H.M. Armed Forces and those of the Police and Fire Services including ambulances and such other vehicles as the Colonial Secretary may from time to time consider warrant priority, and no other priority shall be given.
- (21)
 - (a) The Company to be permitted, subject to the agreement of Government, to advertise on the tunnel structure and toll booths.
 - (b) The Company to be permitted, subject to the agreement of Government, to advertise on the approaches of the tunnel i.e. the areas for which the Company is responsible for construction as defined in sub-paragraph (25) below but excluding any development carried out by Government in exercise of Government's development rights as stated in sub-paragraph (6).
 - (c) Permission to advertise may be refused where this would interfere with safety requirements or where in the opinion of the Colonial Secretary it may be unsightly or unsuitable.
- (22) During construction of the tunnel the Company to take all reasonable steps to minimise interference with shipping and harbour traffic and to comply with such safety precautions as may be required by the Director of Marine. Any spoil which is dredged to be disposed of as approved by the Director of Public Works and after the tunnel construction is complete the sea bed including any protective mound or backfilling shall be restored so as to be at least 40 feet below Mean Low Water Ordinary Spring Tide where the sea bed is now 40 feet or more below Mean Low Water Ordinary Spring Tide and elsewhere shall generally be in accordance with the profile shown in drawing T.2 in Volume II of the Joint Consulting Engineers Report of April 1961.

- (23) Any ancillary land which may temporarily be made available for the construction of the tunnel to attract permit fees or rents at the standard rates prevailing at the time or at such rents as the Government may determine. The manner in which such land is used to be subject to such conditions as the Director of Public Works may determine and to be restored to its original state on termination of use.
- (24) The tunnel and its approaches to be regarded as a road within the meaning of the Road Traffic Ordinance 1957 except insofar as this is incompatible with the legislation governing the franchise.
- (25) The Company to be responsible for constructing at their expense all that portion from and including the toll plaza on the Kowloon side to a line where the tunnel rises to general ground level on the Hong Kong side. Once road lines at the tunnel extremities have been finalized a plan will be prepared to define the portion referred to.
- (26) The Company will not be entitled to assign (except by way of mortgage for the purpose of financing the construction of the tunnel), under let, sub-grant or otherwise dispose of any rights granted to it.

(2) Library Bill 1965.

Mr. K.S. Kinghorn to move the First reading of :-

A Bill intituled: "An Ordinance to make provision for the management of public libraries maintained by the Government in the urban area."

(3) School Medical Service Board Incorporation (Amendment) Bill 1965.

Dr. Teng Pin-hui to move the First reading of :-

A Bill intituled: "An Ordinance to amend the School Medical Service Board Incorporation Ordinance 1964."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 25th August, 1965 at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 11TH AUGUST, 1965.

2. PAPERS TO BE LAID.

3. QUESTIONS.

Mr. Li Fook-shu, pursuant to notice, will ask the following questions :-

- (i) In view of the shortage of drivers for the additional 550 taxi licences authorised last February, will Government consider appointing additional examiners in order to speed up the testing of applicants for taxi driving licences?
- (ii) Can Government say how many applications for licences to drive taxis have been received as well as how many issued since 19th February 1965 and what has been the average interval between the receipt of an application and the date of the test?

4. GOVERNMENT BUSINESS.

(1) Supplementary Provisions for the Quarter ended 31st March, 1965.

The Financial Secretary to move the following resolution :-

Resolved that the Supplementary Provisions for the Quarter ended 31st March, 1965, as set out in Schedule No. 5 (Final) of 1964-65, be approved.

(2) Public Health and Urban Services Ordinance 1960.

Mr. K.S. Kinghorn to move the following resolution :-

Resolved, pursuant to section 144 of the Public Health and Urban Services Ordinance 1960, that the Pleasure Grounds (Amendment) By-laws 1965, made by the Urban Council on the 3rd day of August, 1965, under section 109 of that Ordinance, be approved.

(3) Protection of Women and Juveniles (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Protection of Women and Juveniles Ordinance 1951."

(4) District Court (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the District Court Ordinance 1953."

(5)

(5) Hotel Accommodation Tax Bill 1965.

The Financial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to impose a tax on hotel accommodation charges."

(6) Buildings (Amendment) Bill 1965.

Mr. A.M.J. Wright to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Buildings Ordinance 1955."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 15th September, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 25TH AUGUST, 1965.

2. PAPERS TO BE LAID.

3. QUESTIONS.

Mr. Woo Pak-chuen, pursuant to notice, will ask the following question :-

As there appears to be a high percentage of failures in the Hong Kong English School Certificate Examination this year, will Government explain whether this is due to the raising of the standard of the said Examination or to some other causes, and if due to other causes, will Government investigate into the matter?

4. GOVERNMENT BUSINESS.

(1) Resettlement (Amendment) Bill 1965.

The Colonial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Resettlement Ordinance 1958."

(2) Chinese University of Hong Kong (Amendment) Bill 1965.

The Colonial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Chinese University of Hong Kong Ordinance 1963."

(3) Airport Fees (Validation) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance to provide that certain directions purporting to have been given in exercise of powers conferred by the Air Navigation (Colonies, Protectorates and Mandated Territories) Order 1927, and certain regulations purporting to have been made in exercise of powers conferred by the Colonial Air Navigation Order for the time being in force in the Colony, but not validly given or made by reason of the fact that the Order under which the said directions or regulations purported to have been given or made did not confer power in that behalf in respect of Government aerodromes, shall be deemed to have had the full force and effect of law."

(4) Supplementary Appropriation (1964-65) Bill 1965.

The Financial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March, 1965."

(5) Waterworks (Amendment) Bill 1965.

Mr. A.M.J. Wright to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Waterworks Ordinance."

(6) Library Bill 1965.

Mr. K.S. Kinghorn to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to make provision for the management of public libraries maintained by the Government in the urban area."

(7) School Medical Service Board Incorporation (Amendment) Bill 1965.

Mr. W.D. Gregg to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the School Medical Service Board Incorporation Ordinance 1964."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 29th September, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 15TH SEPTEMBER, 1965.

2. PAPERS TO BE LAID.

3. QUESTIONS.

Mr. Woo Pak-chuen, pursuant to notice, will ask the following questions :-

- (i) Since Government has now increased the fees for the secondary schools, what steps have been taken by Government to implement the other proposals contained in the White Paper on Education Policy which was approved by this Council on the 30th June, 1965?
- (ii) Will Government inform this Council the number of free places allotted to students in (a) primary schools and (b) secondary schools?

4. GOVERNMENT BUSINESS.

(1) Pensions Ordinance Chapter 89.

The Colonial Secretary to move the following resolution :-

WHEREAS -

- (1) Bessie Cheng Social Welfare Officer of the Department of Social Welfare (hereinafter referred to as the said officer) was first appointed to the non-pensionable post of Female Inspector Secretariat for Chinese Affairs on 3rd March, 1941.
- (2) The said officer was confirmed to the pensionable establishment with effect from the 1st day of May 1946 on the recommendation of Secretariat Circular No. 15.
- (3) Such confirmation should not have been given as the said officer was not serving on probation to the permanent establishment prior to the 25th day of October 1941 the date referred to in the above mentioned Secretariat Circular there was at that time no post against which the said officer could have been on probation to the permanent establishment.
- (4) Notwithstanding that the said officer was therefore serving in a non-pensionable post from the 3rd day of March 1941 to the 31st day of March 1948 and that Regulation 19(2)(a) of the Pensions Regulations Chapter 89 provides that three quarters of such period may be taken into account for pension purposes

it is desired that the pension to which the said officer is entitled shall be supplemented by an ex gratia award calculated by counting in full the said officer's service for pension purposes from the date on which she was wrongly confirmed to the pensionable establishment namely the 1st day of May 1946 and by counting three quarters of the said officer's service for pension purposes from the 3rd day of March 1941 to the 30th day of April 1946.

Resolved that in addition to the maximum gratuity of \$36,180, and reduced pension of \$8,683.20 per annum to which the said officer is entitled there be granted to the said officer an ex gratia gratuity of \$810 and an ex gratia pension of \$194.40 per annum.

(2) Chinese University of Hong Kong (Amendment) Bill 1965.

The Colonial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to amend the Chinese University of Hong Kong Ordinance 1963."

(3) Protection of Women and Juveniles (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Protection of Women and Juveniles Ordinance 1951."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 13th October, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 29TH SEPTEMBER, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) Inland Revenue Ordinance Chapter 112.

The Financial Secretary to move the following resolution :-

Resolved, pursuant to section 85 of the Inland Revenue Ordinance, that the Inland Revenue (Amendment) (No. 2) Rules 1965, made by the Board of Inland Revenue on the 7th day of October, 1965 under section 85 of that Ordinance, be approved.

(2) Public Health and Urban Services Ordinance 1960.

Mr. K.S. Kinghorn to move the following resolution :-

Resolved, pursuant to section 144 of the Public Health and Urban Services Ordinance 1960, that the Pleasure Grounds (Amendment) (No. 2) By-laws 1965, made by the Urban Council on the 5th day of October, 1965, under section 109 of that Ordinance, be approved.

(3) Widows and Orphans Pension (Clive Robert Carter) (Exemption) Bill 1965.

The Colonial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance to make special provision to exempt Clive Robert Carter from the obligation to be a contributor under the Widows and Orphans Pension Ordinance and to refund to the said Clive Robert Carter contributions made by him under the said Ordinance."

(4) Resettlement (Amendment) Bill 1965.

The Colonial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Resettlement Ordinance 1958."

(5)/

(5) Airport Fees (Validation) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to provide that certain directions purporting to have been given in exercise of powers conferred by the Air Navigation (Colonies, Protectorates and Mandated Territories) Order 1927, and certain regulations purporting to have been made in exercise of powers conferred by the Colonial Air Navigation Order for the time being in force in the Colony, but not validly given or made by reason of the fact that the Order under which the said directions or regulations purported to have been given or made did not confer power in that behalf in respect of Government aerodromes, shall be deemed to have had the full force and effect of law."

(6) Supplementary Appropriation (1964-65) Bill 1965.

The Financial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March, 1965."

(7) Waterworks (Amendment) Bill 1965.

Mr. A.M.J. Wright to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Waterworks Ordinance."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 27th October, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 13TH OCTOBER, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) Public Health and Urban Services Ordinance 1960.

Mr. K.S. Kinghorn to move the following resolution :-

Resolved, pursuant to section 144 of the Public Health and Urban Services Ordinance 1960, that the Food Business (Amendment) By-laws 1965, made by the Urban Council on the 5th day of October, 1965, under section 56 of that Ordinance, be approved.

(2) Wild Birds and Wild Mammals Protection (Amendment) Bill 1965.

The Colonial Secretary to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Wild Birds and Wild Mammals Protection Ordinance 1954."

(3) Hong Kong Tourist Association (Amendment) Bill 1965.

Mr. Hetherington to move the First reading of :-

A Bill intituled: "An Ordinance further to amend the Hong Kong Tourist Association Ordinance 1957."

(4) Magistrates (Amendment) Bill 1965.

The Attorney General to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Magistrates Ordinance."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 24th November, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 27TH OCTOBER, 1965.

2. PAPERS TO BE LAID.

3. GOVERNMENT BUSINESS.

(1) Supplementary Provisions for the Quarter ended 30th June, 1965.

The Financial Secretary to move the following resolution :-

Resolved that the Supplementary Provisions for the Quarter ended 30th June, 1965, as set out in Schedule No. 1 of 1965-66, be approved.

(2) Revised Edition of the Laws Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance to make provision for the preparation, publication and periodical revision of a revised edition of the laws of the Colony."

(3) Widows and Orphans Pension (Clive Robert Carter) (Exemption) Bill 1965.

The Colonial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance to make special provision to exempt Clive Robert Carter from the obligation to be a contributor under the Widows and Orphans Pension Ordinance and to refund to the said Clive Robert Carter contributions made by him under the said Ordinance."

(4) Wild Birds and Wild Mammals Protection (Amendment) Bill 1965.

The Colonial Secretary to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Wild Birds and Wild Mammals Protection Ordinance 1954."

(5) Hong Kong Tourist Association (Amendment) Bill 1965.

Mr. R.M. Hetherington to move the Second and Third readings of :-

A Bill intituled: "An Ordinance further to amend the Hong Kong Tourist Association Ordinance 1957."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.

LEGISLATIVE COUNCIL

Meeting to be held on Wednesday, 8th December, 1965, at 2.30 p.m.

ORDER OF BUSINESS

1. CONFIRMATION OF MINUTES OF MEETING HELD ON 24TH NOVEMBER, 1965.

2. PAPERS TO BE LAID.

3. QUESTIONS.

Mr. K.A. Watson, pursuant to notice, will ask the following questions :-

1. Would Government agree that the piece of land lying between Murray Barracks Open Air Car Park and Garden Road, which appears to be reserved for the parking of 6 cars, is very uneconomically used, bearing in mind :
 - (a) That by 11 a.m. there is almost always a queue of cars waiting to use the car park;
 - (b) that if the fence were removed at least 20 extra cars could be parked in this area.
2. Are there any good reasons why this area should not be incorporated in the Murray Barracks Open-Air Car Park?
3. What are Government's immediate plans for relieving the present shortage of parking spaces in and around the Central District?

4. GOVERNMENT BUSINESS.

(1) Explosive Substances (Amendment) Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance to amend the Explosive Substances Ordinance."

(2) Application of English Law Bill 1965.

The Attorney General to move the First reading of :-

A Bill intituled: "An Ordinance to declare the extent to which English law is in force in the Colony."

(3) City Hall (Amendment) Bill 1965.

Mr. K.S. Kinghorn to move the First reading of :-

A Bill intituled: "An Ordinance to amend the City Hall Ordinance 1961."

A. CHAPMAN,
DEPUTY CLERK OF COUNCILS.