

OFFICIAL REPORT OF PROCEEDINGS**Meeting of 21st August 1963****PRESENT:**HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)

SIR ROBERT BROWN BLACK, GCMG, OBE

HIS EXCELLENCY LIEUTENANT-GENERAL SIR RICHARD WALTER CRADDOCK, KBE,
CB, DSO

COMMANDER BRITISH FORCES

THE HONOURABLE EDMUND BRINSLEY TEESDALE, MC
COLONIAL SECRETARYTHE HONOURABLE DENYS TUDOR EMIL ROBERTS, OBE
ACTING ATTORNEY GENERALTHE HONOURABLE JOHN CRICHTON McDOUALL
SECRETARY FOR CHINESE AFFAIRSTHE HONOURABLE MICHAEL DENYS ARTHUR CLINTON, GM
ACTING FINANCIAL SECRETARYDR THE HONOURABLE DAVID JAMES MASTERTON MacKENZIE CMG, OBE
DIRECTOR OF MEDICAL AND HEALTH SERVICESTHE HONOURABLE PETER DONOHUE
DIRECTOR OF EDUCATIONTHE HONOURABLE ALEC MICHAEL JOHN WRIGHT
DIRECTOR OF PUBLIC WORKSTHE HONOURABLE GEOFFREY MARSH TINGLE
DIRECTOR OF URBAN SERVICES

THE HONOURABLE DHUN JEHANGIR RUTTONJEE, OBE

THE HONOURABLE FUNG PING-FAN, OBE

THE HONOURABLE KAN YUET-KEUNG, OBE

THE HONOURABLE WILLIAM CHARLES GODDARD KNOWLES

THE HONOURABLE SIDNEY SAMUEL GORDON

THE HONOURABLE LI FOOK-SHU, OBE

THE HONOURABLE FUNG HON-CHU

MR GORDON ERIC MATHER (*Deputy Clerk of Councils*)**ABSENT:**

THE HONOURABLE KWAN CHO-YIU, OBE

MINUTES

The minutes of the meeting of the Council held on 31st July 1963, were confirmed.

PAPERS

THE COLONIAL SECRETARY, by Command of His Excellency the Governor, laid upon the table the following papers: —

<i>Subject</i>	<i>LN No</i>
Registration of Persons Ordinance, 1960.	
Registration of Persons (re-registration) (No 30) Order, 1963	96
Registration of Persons Ordinance, 1960.	
Registration of Persons (re-registration) (No 31) Order, 1963	97
Registration of Persons Ordinance, 1960.	
Registration of Persons (Cancellation of Registration and Identity Cards) Order, 1963	99
Registration of Persons Ordinance, 1960.	
Registration of Persons (re-registration) (No 32) Order, 1963	100

**HONG KONG AND YAUMATI FERRY COMPANY (SERVICES)
ORDINANCE, 1951**

THE FINANCIAL SECRETARY moved 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 three ferry services across the harbour, namely, the services between Kowloon City Ferry Pier and North Point Ferry Pier (east berth), between Hung Horn Reclamation (berth No. 1) and North Point Ferry Pier (west berth) and between Tonnochy Road Ferry Pier and Hung Horn Reclamation (berth No. 2);
- (d) the Company has consented to the amendment of the Schedule to provide for such services:

NOW, THEREFORE, BE IT RESOLVED, with the consent of the Company, that—

(a) the Schedule to the Ordinance be amended—

(i) by the deletion of the full stop at the end of paragraph 2 and the substitution therefor of a colon and the addition thereto of the following—

"And provided further that in respect of the North Point Ferry Pier there shall be reserved to the Government the exclusive use of the Marine Department Signal Station at the end of the said pier together with access thereto by such persons and at such times as shall be necessary for the proper working of the said Signal Station.";

(ii) by the deletion, in paragraph 3, of sub-paragraph (1) 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 \$58,400.00 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) Tonnochy 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	<u>6,000</u>
	<u>\$58,400</u>

(iii) by the insertion in sub-paragraph (2) of paragraph 5, after the words "Payable as royalty", of the following—

“or as monthly fee”;

(iv) by the addition, after paragraph 5, of the following new paragraph—

"5A. The Company shall pay to the Government, for the exclusive right to operate a passenger ferry service between North Point and Hung Hom as hereinafter

provided, 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 \$20,000.00 payable in advance on or before the first day of each month."; and

(v) by the deletion of Appendix I and the substitution therefor of the following—

"APPENDIX I.

FERRY RUNS.

- (a) Jubilee Street Pier — Jordan Road Pier.
- (b) Jubilee Street Pier — Mong Kok Pier.
- (c) Jubilee Street Pier — Sham Shui Po Pier.
- (d) Stewart Road Pier — Jordan Road Pier.
- (e) Wilmer Street Pier — Sham Shui Po Pier.
- (f) Jubilee Street Pier — Cheung Chau Pier.
- (g) Jubilee Street Pier — Silvermine Bay.
- (h) Wilmer Street Pier — Aberdeen — Cheung Chau Pier.
- (i) Wilmer Street Pier — Aberdeen — Tai O.
- (j) Jubilee Street Pier — Peng Chau — Silvermine Bay — Cheung Chau Pier.
- (k) Jubilee Street Pier — Kap Shui Mun — Castle Peak — Tung Chung — Tai O.
- (l) Jubilee Street Pier — Tai O.
- (m) Tonnochy Road Pier — Kowloon City Pier.
- (n) Tai Po Kau, Shap Sz Heung, Sham Chung, Lai Chi Chong, Tai Tan, Chek Keng, Kau Lau Wan, Tap Mun.
- (o) North Point Ferry Pier — Kowloon City Ferry Pier.
- (p) North Point Ferry Pier — Hung Horn Reclamation.
- (q) Tonnochy Road Ferry Pier — Hung Horn Reclamation.

FERRY PIERS AND FRONTAGES.

<i>Ferry Piers</i>	<i>Frontages</i>
Jubilee Street Pier	Praya from Gilman Street to Pottinger Street.
Jordan Road Pier	North side of Waterloo Road to the southern boundary of Kowloon Marine Lot No. 10, as such boundary existed on the 1st day of October, 1959.
Mong Kok Pier	North side of Waterloo Road to Prince Edward Road.
Sham Shui Po Pier	North side of Prince Edward Road to north-west boundary of Military Camp, Sham Shui Po.
Tonnochy Road Pier	Western entrance Causeway Bay Typhoon Shelter to eastern boundary of Royal Naval Dockyard.

<i>Ferry Piers</i>	<i>Frontages</i>
Wilmer Street Pier	Praya from Gilman Street to Cadogan Street.
Cheung Chau Pier	The shore of Cheung Chau Island.
Kowloon City Pier	Eastern side of Gillies Avenue to south-western boundary of Kai Tak Airport.
Stewart Road Pier	Western entrance Causeway Bay Typhoon Shelter to the eastern boundary of the Royal Naval Dockyard.
North Point Ferry Pier	East side of the Healthy Street West and the west side of Tong Shui Road.
Hung Hom Reclamation (Berth No. 1 and Berth No. 2).	The southern extremity of Whampoa Street and the east boundary of the property known as "Holts' Wharf".

FERRY POINTS AND FRONTAGES.

<i>Ferry Piers</i>	<i>Frontages</i>
Aberdeen	The whole of the village of Aberdeen to the east of Aberdeen Wholesale Fish Market.
Silvermine Bay	The eastern and western shores of Lantau Island.
Tai O	The north western shores of Lantau Island.
Peng Chau	The shore of Peng Chau Island.
Kap Shui Mun	The shore of Mah Wan Island.
Tung Chung	The north western shores of Lantau Island.
Castle Peak	The shore three miles either side of the Public Pier at Castle Peak.
Tai Po Kau	Mainland foreshore from Island House to Ma Liu Shui point.
Shap Sz Heung	
Sham Chung	
Lai Chi Chong	Mainland foreshore from western extremity U Kwai Sha Tsui to Boulder Point.
Tai Tan	
Chek Keng and Kau Lau Wan	
Tap Mun	Foreshore of Tap Mun."; and

(b) these amendments shall come into operation on the 1st day of September, 1963.

He said: Sir, the object of this resolution, as set forth in the preamble, is to add three new ferry services to the list of ferry services already operated by the Hong Kong and Yaumati Ferry Company Limited. These new services will run between North Point and Kowloon City, North Point and Hung Hom, and Tonnochy Road, Wan Chai, and Hung Hom; they will start on 1st September 1963.

The North Point/Kowloon City service and the Tonnochy Road/Hung Hom service were awarded to the Hong Kong and Yaumati Ferry Company as the Company has exclusive use of the Kowloon City and Tonnochy Road piers. The North Point/Hung Horn service was awarded to the company after it had been put out to public tender. A royalty of 20 per cent of net profits is payable on all services and, in addition, for the North Point/Hung Horn service, a rental of \$20,000 a month.

The opportunity has been taken to consolidate all the amendments that have been previously made to the schedule so as to provide a complete new list of the services.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

CHINESE UNIVERSITY OF HONG KONG BILL, 1963

THE COLONIAL SECRETARY moved the First reading of a Bill intituled "An Ordinance to establish the Chinese University of Hong Kong, to provide for its incorporation, constitution, functions and matters connected therewith."

He said: Sir, the introduction of this Bill into Legislative Council marks one of the more important stages in the journey towards the creation of a Chinese University in Hong Kong, a journey which began at least six years ago. It is not, therefore, the first stage in that journey and most certainly it will not be the last. Legislation alone cannot create a university. A university, even after its framework is determined by Ordinance and Statutes, is subject to constant growth, development and change. In this continuing process the teachers and students, who come together to form the university, make a vital contribution; and so does the society whose complex and diverse needs the university must, in the last analysis, endeavour to serve.

It might be said that the very first steps in the creation of the Chinese University were taken a number of years ago, with the meeting together in Hong Kong of teachers and students in search of higher education. From amongst these teachers and students grew the three Colleges which the Bill now seeks to make constituent Colleges of a new federal-type university. New Asia College was founded in 1949, Chung Chi College in 1951, and United College in 1956. In 1957, these three Colleges came together to form the Chinese Colleges Joint Council with the object of securing Government's recognition of their efforts. It was in 1959 that the evident progress which they had made gave promise of the realization, in due course, of a new university in which

Chinese would be the principal medium of instruction. There was, of course, much to be done to raise standards, to improve facilities and to obtain expert advice; and for all this finance, on a considerably greater scale than hitherto, was obviously necessary.

In October 1959, Mr. J. S. FULTON, who subsequently became Chairman of the Fulton Commission, paid his first visit to Hong Kong and advised on the general lines of development which the Colleges should pursue. In 1960, Government introduced the Post-Secondary Colleges Grant Regulations which were designed to provide financial support to the three Colleges, and at the same time to ensure that such support would be related to the measures taken to raise and maintain standards at a higher level. In the same year, Mr. L. G. MORGAN, a former Deputy Director of Education, was appointed to act as an adviser to both Government and the Colleges; arrangements were made for a tour of British Universities by the three Presidents; and, later, for three members of the administrative staffs of the Colleges to study the organization and workings of university registries overseas. In 1961, expert advisers from Britain and the United States of America visited Hong Kong to advise the three Colleges on the development of their courses in Arts, in Science, and in Economics and Business Administration.

The reports of these experts were encouraging, and in 1962 Government felt able to appoint a Commission to consider and determine whether, and how, a new Chinese University should be created. As Honourable Members are aware, this Commission—the Fulton Commission—visited Hong Kong in July and August last year and their report was laid on the table of this Council at the end of last April. The report recommended the establishment of a new university not later than 30th September this year, and the award of the first degrees on examinations to be held in the summer of 1964. The report was approved in principle by the Government on the 11th June, and on 25th June Your Excellency set up a Provisional Council and, at the same time, a Selection Committee to advise on the selection of a Vice-Chancellor. Both bodies met for the first time on the 2nd July, and the Provisional Council has given its endorsement to the Bill now before Honourable Members.

I said earlier that this Bill alone is not the most important step in the establishment of the Chinese University. What it does, is to create the framework in which a university can be established and can operate. When these provisions come into force, which is to be on a day to be proclaimed by Your Excellency in the Gazette, it will be possible to create a University Council, a Senate, Boards of Studies and those other bodies necessary to regulate the academic and administrative affairs of the three Colleges in a manner suitable to an institution of

university status. But the real significance of this step lies not merely in the passage of the Bill and Statutes, but in the determination, understanding and devotion with which the constituent colleges will, as we believe, instill life and purpose into the machinery of this new federal University. This is so important for success that I may perhaps be excused if I quote from what the Fulton Report says about federal universities.

"There must be a strong individual life pulsing through each of the colleges; there must be powers of regulation, co-ordination and control exercised by the university Somehow the colleges must be made to feel 'We are the university' and therefore to accept responsibility for the whole, to look outwards as well as inwards Experience of federal universities shows that the university as a whole gains in stability if each individual college avoids looking anxiously inwards at its own interests and thinking of itself as 'we' and the other colleges as 'they' The colleges in any federal university must carry out individual tasks in teaching and in research; but unless they come together for academic tasks which they jointly undertake and carry out in common through machinery which only the existence of the university offers the association will not bear full fruit or enjoy the strength which should flow from the rich diversity of its parts. When they accept full responsibility for one another, the members of the colleges breathe life into the university; they largely provide its government and largely inspire its policies; by their association in joint tasks they look outwards as well as inwards, and they grow in strength and stature both as individual colleges and as partners in the university enterprise."

No one, I am sure, will fail to endorse the wisdom of this advice, advice which is pertinent at any stage in the life of a federal University, but particularly applicable at the stage marked by the introduction of this Bill, a stage at which the three Colleges will move into a field of greater autonomy in the administration and direction of their own affairs. Government is confident that they will be able to take these steps successfully, more particularly now that it will prove possible to make available a generous area of land adjoining Chung Chi College wherein the whole of the future development of the University's activities can be co-ordinated on a central site.

Finally, Sir, I should make reference to Clause 27 of the Bill which provides for the appointment by Your Excellency of the first Vice-Chancellor. Naturally this is a matter of deep concern and interest to the whole community. The Selection Committee set up at the beginning of lam month, in accordance with the recommendations of the Fulton Report, has met on several occasions but is not yet in a position to make a final recommendation. They have an exceedingly difficult task. The post of Vice-Chancellor is one of the utmost importance to the

new University in its early and formative years, and we must find, if we can, a man of unusual and outstanding qualities who, in addition, is willing or available to take over a post which must carry with it heavy responsibilities in these years. On the other hand, neither Government nor the Provisional Council considers that this should delay the timetable for bringing the new university into existence; and, in the meantime, I am able to say that it will be the intention, with the full support of the Provisional Council and of the three Colleges, to propose, at the committee stage of this Bill, an amendment to Clause 27 to provide for the appointment of the first Pro-Vice-Chancellor by Your Excellency, in the same manner as is proposed for the first Vice-Chancellor. I am also able to say that Your Excellency proposes to appoint Dr. C. T. YUNG, the President of Chung Chi College, as first Pro-Vice-Chancellor. Dr. CHIEN MU, the Senior College President, is unable to assume these duties for reasons of ill-health.

Sir, if this Bill commends itself to honourable Members and is passed into law before the end of next month, it will also be Your Excellency's intention to preside at a formal inauguration ceremony of the new University at an early date thereafter. This ceremony would be, once again, only a further step in a long, continuous, and, I hope, successful progress. But the measure of that success will lie, not merely in the Ordinance and Statutes which provide the framework for the University, nor in the ceremony of inauguration which marks its birth, important though these are. Success, above all, will rest in the hands of the teachers and students who together form the new University. There is no doubt that they have deserved the opportunities which now lie ahead of them, and Government believes that they will continue to deserve the confidence of a community which, throughout, has given its full support to the ideas enshrined in this Bill.

THE ATTORNEY GENERAL seconded.

The question was put and agreed to.

The Bill was read a First time.

Objects and Reasons

The "Objects and Reasons" for the Bill were stated as follows: —

The Report of the Fulton Commission, 1963, recommended the establishment of a Federal-type Chinese University in which the principal language of instruction should be Chinese. The Report included a draft Bill and Statutes, which were modelled in part on the University Ordinance, 1958 and the Statutes contained in the Schedule thereto.

2. This Bill is based on the draft Bill and Statutes contained in the Report of the Fulton Commission, 1963. It follows closely the substance of the draft Bill and Statutes, though changes have been made as to the layout of the clauses and other changes have been made as to form and to substance where the draft Bill did not appear fully to take account of local circumstances.

3. Clause 18 which provides for appointed teachers, directors of studies and recognized lecturers is an addition to the draft Bill.

4. To enable the University to function for the initial period of two years, interim Statutes have been included in the Schedule to this Bill. These will remain in operation for a period of two years from the commencement of the Bill, when enacted, or until they are replaced by the Council's exercise of the Statute making power in clause 20, whichever period is the shorter.

5. In due course, the constitutions of the Foundation Colleges will be examined in order to ascertain whether or not any of the provisions of their constitutions are inconsistent with or repugnant to the provisions of this Bill. Meanwhile clause 26 has been included in this Bill.

6. The Provisional Council appointed upon the recommendation of the Fulton Commission suggested changes in the composition of the Council and the Senate from those appearing in the draft Bill and Statutes contained in the Report of the Fulton Commission, 1963. Those suggested changes are included in this Bill.

CROWN LANDS RESUMPTION (AMENDMENT) BILL, 1963

THE ATTORNEY GENERAL moved the First reading of a Bill intituled "An Ordinance to amend the Crown Lands Resumption Ordinance, Chapter 124."

He said: Sir, the reason for this measure is fully set out in the Objects and Reasons of the Bill and I have nothing further to add.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a First time.

Objects and Reasons

The "Objects and Reasons" for the Bill were stated as follows: —

The purpose of this Bill is to seek the extension of the class of persons who may at present act as chairman of a Crown Lands Resumption Board to include barristers at law and solicitors. The reason for this measure is that the number of such Boards required to be appointed

has so far increased over recent years that the work involved is becoming a serious burden upon the limited class of persons at present eligible for appointment as chairman, namely, magistrates, justices of the peace and, in certain cases, judges.

LANDLORD AND TENANT (AMENDMENT) BILL, 1963

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Landlord and Tenant Ordinance, Chapter 255."

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a Second time.

Council then went into Committee to consider the Bill clause by clause.

Clause 1 was agreed to.

ATTORNEY GENERAL: —I rise to move that Clause 2 be amended as set forth in the paper before honourable Members.

Proposed Amendment

Clause

- 2 In the new paragraph (a), leave out the words "the Colonial Legal Service or a barrister or solicitor of not less than 5 years' standing" and substitute therefor the following—

"Her Majesty's Overseas Judiciary, a legal officer within the (cap. 87). meaning of section 2 of the Legal Officers Ordinance or a barrister or solicitor of not less than five years' standing".

Clause 2, as amended, was agreed to.

Clause 3 was agreed to.

THE ATTORNEY GENERAL reported that the Landlord and Tenant (Amendment) Bill, 1963, had passed through Committee with one amendment and moved the Third reading.

THE COLONIAL SECRETARY seconded.

The question was put and agreed to.

The Bill was read a Third time and passed into law.

ADJOURNMENT

HIS EXCELLENCY THE GOVERNOR: —That concludes the business for to-day, gentlemen. When is it your pleasure that we should meet again?

THE ATTORNEY GENERAL: —Sir, may I suggest Wednesday, 4th September?

HIS EXCELLENCY THE GOVERNOR: —Council stands adjourned until Wednesday, 4th September.