"constitution" means the constitution for the time being in force governing the corporation together with any amendment thereto made from time to time in accordance with such constitution;

"corporation" means The Hong Kong Council of the Church of Christ in China incorporated under section 3;

"executive committee" means the executive committee which has the power of management and control of the affairs of the corporation in accordance with the constitution;

"general secretary" means the general secretary appointed by the executive committee;

"members" means the active pastors, ministers and preachers holding office in the corporation and the delegates of the local churches, co-operating missions and church bodies, educational institutions, medical and religious institutions and missionary bodies as are or shall become members of The Hong Kong Council of the Church of Christ in China in accordance with the constitution;

"treasurer" means the treasurer appointed by the executive committee.

Incorporation.

3. The members for the time being of The Hong Kong Council of the Church of Christ in China shall be a body corporate and shall have the corporate name, "The Hong Kong Council of the Church of Christ in China", and in that name shall have perpetual succession and shall and may sue and be sued in all courts in the Colony and shall and may have and use a common seal and may from time to time, break, change, alter and make anew the said seal as to the corporation may seem fit.

Powers of corporation.

4. (1) The corporation shall have power to acquire, accept and grant leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever situate, and also to build, rebuild, alter, vary, renew, maintain and repair any building, messuage or tenement, and also to invest moneys upon mortgages of any lands, buildings, messuages or tenements, or in debentures, stocks, funds, shares or securities of any government, municipality, corporation, or company, and also to purchase, acquire and possess goods and chattels of what nature and kind soever.

(2) Notwithstanding the provisions of subsection (1), the corporation shall be subject to the provisions of the Charities (Land Acquisition) Ordinance, 1958.

(3) The corporation shall further have power by deed under its seal to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, pledge, demise, reassign, transfer or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares or securities or goods and chattels whatsoever, which are for the time being vested in or belonging to the corporation, upon such terms as to the corporation may deem fit.

Execution of deeds.

5. (1) All deeds, documents and other instruments requiring the seal of the corporation shall be—

(*a*) sealed in the presence of any three of the following persons namely, the chairman or in his absence from the Colony, of the vice-chairman, the treasurer, the general secretary and any two members of the executive committee; and

(*b*) signed by three of the persons named above in whose presence the seal was affixed.

(2) The seal shall be kept in the custody of the chairman, or in his absence from the Colony, in the custody of the vice-chairman.

Vesting of property.

6. (1) Notwithstanding the provisions of subsection (2) of section 4, all those pieces or parcels of ground the particulars whereof are contained and more particularly described in the first column of the Schedule together with all rights, easements and appurtenances thereunto belonging or appertaining shall upon registration by the corporation in the appropriate Land Office of a memorial of this Ordinance be transferred to and be vested in the corporation for the residues now unexpired of the terms created therein by the Crown Leases thereof respectively, subject to the payment of the rents reserved by the said Crown Leases respectively and the performance and observance of the lessees' covenants and the conditions therein contained, and subject also to such mortgages, charges, leases, tenancies and other agreements (if any) and upon such trusts, conditions and stipulations, as may be subsisting in relation to such premises upon the commencement of this Ordinance.

(2) On the coming into operation of this Ordinance all other property goods and chattels and rights which immediately before the commencement of this Ordinance were held in trust for The Hong Kong Council of the Church of Christ in China shall be transferred to and become vested in the corporation.

Proof of membership of the corporation and proof of the constitution.

7. A certificate under the hand of the chairman, or in his absence from the Colony, of the vice-chairman—

(*a*) that any active pastors, ministers or preachers holding office in the corporation or any local church, co-operating mission and church body, educational institution, medical institution, religious institution or missions body named therein is a member of the corporation; or

(*b*) that any rules or regulations annexed to such certificate are the constitution;

shall be accepted for all purposes as sufficient proof of the fact that such active pastors, ministers or preachers, local church, co-operating mission and church body, educational institution, medical institution, religious institution or missionary body is a member of the corporation, or that the constitution was duly made and is in force.

Registration with Registrar of Companies.

8. (1) The corporation shall send to the Registrar of Companies for registration—

(*a*) notice of the address of the principal office of the corporation and any change thereof;

(*b*) a copy of the constitution certified as correct by the chairman, or in his absence from the Colony, the vice-chairman;

(*c*) a list of the names and addresses of the chairman, vice-chairman, treasurer, general secretary and members of the executive committee, and any change therein, certified as correct by the chairman, or in his absence from the Colony, the vice-chairman.

(2) Notification in accordance with subsection (1) shall be made within six weeks of the commencement of this Ordinance or within four weeks of the making of any amendment or change as the case may be:

Provided that the Registrar of Companies may for good cause shown extend any such period.

(3) The registration of the list mentioned in paragraph (*c*) of subsection (1) shall be conclusive evidence of the appointments to the offices mentioned therein.

(4) A fee of five dollars shall be payable for registering any document under this section.

(5) Upon payment of a fee of one dollar, any person may inspect any of the documents registered with the Registrar of Companies under this section.

Internal management of the corporation.

9. All matters affecting the corporation and its internal management including any amendment of the constitution shall be settled and carried out in accordance with the constitution.

Saving.

10. Nothing in this Ordinance shall affect or be deemed to affect the rights of Her Majesty the Queen, Her Heirs or Successors, or the rights of any body politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

SCHEDULE.

Description of Property.	*Registered Owner.*
All those pieces or parcels of land registered as Lots Nos. 3303 and 3304 in Demarcation District No. 102 in the New Territories, together with the messuages or dwelling houses buildings and erections thereon.	The Hong Kong New Territory Evangelization Society of Hong Kong.

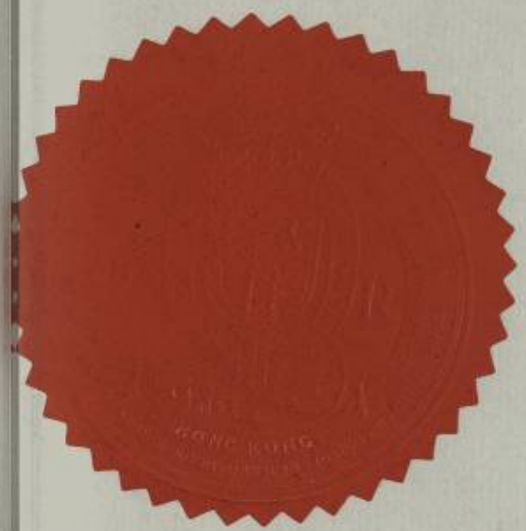
Passed the Legislative Council of Hong Kong, this 3rd day of September, 1958.

Deputy Clerk of Councils.

(Secretariat GR8/3231/58)

HONG KONG

No. 34 OF 1958.



I assent.

Governor.

2nd October, 1958.

An Ordinance to consolidate the law relating to the control of the entry into, exit from and movement within the Colony of immigrants; and to the use of documents for the purpose of travel, identification, entry or re-entry into the Colony, or residence; and to make provision for the prevention of forgery of such documents and the making of untrue statements for the purpose of procuring them.

[ ]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

PART I.

Immigration Procedure.

Short title and commencement.

1. This Ordinance may be cited as the Immigration (Control and Offences) Ordinance, 1958, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*.

Inter-pretation.

2. (1) In this Ordinance, unless the context otherwise requires—

"alien" means any person who is unable to produce a certificate, passport or other evidence to the satisfaction of the Immigration Officer, that he is a natural born or naturalized British subject, or a British protected person (as defined in the British Nationality Act, 1948);

(11 & 12 Geo. 6, c. 56).

"crew" includes—

(*a*) every seaman on a vessel; and

(*b*) every person employed at the time when an aircraft arrives in the Colony, in the operation of such aircraft or in any service rendered to the crew or passengers in such aircraft while in flight;

"enter" means any entry into the Colony by sea, land or air other than an entry made for the purpose of complying with this Ordinance or an entry expressly or impliedly sanctioned by the Immigration Officer for the purpose of inquiry, or detention or a stay of limited duration in lieu of detention;

(Cap. 209). "forgery" has the meaning assigned to it by the Forgery Ordinance;

"holder" means the person to whom the travel document purports to have been issued but where there is any conflict between the particulars of such person and the photograph (if any) appearing in such document shall mean the person whose photograph it is;

"immigrant" means any person other than a person born in the Colony and in possession of documentary proof of such birth;

"immigration examination signal" means such signal as the Governor in Council by regulation prescribes for ships which arrive in the Colony;

"master" means any person, except a pilot, having command of any vessel;

"material particular" includes particulars of the name, national status, place and date of birth, photograph and signature or other mark;

"passenger" means any person carried in a vessel or aircraft, other than the master of such vessel, captain of such aircraft or crew;

"Registrar of Aliens" means the Immigration Officer appointed under the provisions of section 3, or such other person as the Governor may appoint thereunder to be Registrar of Aliens;

"seaman" means any person carried on the articles of a vessel as a *bona fide* member of the staff employed in the operation or service of such vessel and shall include the master;

"travel document" includes—

(*a*) any document issued by competent authority, within or without the Colony, granting permission to the person specified therein to travel, and authenticating his right to protection; and

(*b*) any document issued for the purpose solely of travel, identification, entry or re-entry into the Colony, or residence.

(2) Save where the contrary expressly appears or other provision is made by regulation any permit required by this Ordinance may be given verbally or in writing.

(3) Whenever the detention of any person is authorized by this Ordinance it shall be lawful for the Governor in Council to make provision by regulation for the place and the manner in which such detention shall be effected and until provision is made by regulation such detention shall be carried out in such place and manner as the Governor may by writing under his hand direct. Any person detained in accordance with the provisions of this Ordinance shall be deemed to be in lawful custody.

(4) This Ordinance shall have effect in relation to the citizens of the Republic of Ireland who are not British subjects in like manner as it has effect in relation to British subjects.

Appointments.

3. (1) The Governor may appoint, by name or office, any person to be the Immigration Officer or Registrar of Aliens for the Colony and he may also appoint such number of deputy immigration officers and immigration control officers as he may think fit.

(2) The powers and discretions vested in the Immigration Officer or the Registrar of Aliens hereunder and the duties required to be discharged by him may be exercised and discharged by a deputy immigration officer or an immigration control officer:

Provided that it shall be lawful for the Governor in Council by regulation to provide that such powers and discretions as may be specified in such regulation shall be exercisable by the Immigration Officer only or shall not be exercisable by a deputy immigration officer or an immigration control officer.

Prohibition of entry except at specified points and with permission; and prohibition against remaining in Colony after illegal entry.

(Cap. 243).

4. (1) Subject to the provisions of Part VI, no person—

(*a*) shall enter the Colony save—

(i) at an authorized landing place or point of entry; and

(ii) under and in accordance with a permit of the Immigration Officer; or

(*b*) having entered the Colony in contravention of paragraph (*a*) of this subsection or of section 4 of the Immigrants Control Ordinance repealed by section 44 of this Ordinance, shall remain therein save under and in accordance with a permit of the Immigration Officer.

(2) In any proceedings under this Ordinance in respect of a contravention of paragraph (*b*) of subsection (1), failure by the defendant to produce on demand by the Immigration Officer or by any police officer, an identity card relating to himself and issued under the provisions of the Registration of Persons Ordinance, shall be *prima facie* evidence that he entered the Colony in contravention of paragraph (*a*) of subsection (1) or of section 4 of the Immigrants Control Ordinance.

(Cap. 177).

Procedure on arrival of vessels.

5. (1) The master of every vessel which arrives in the Colony shall hoist the immigration examination signal and shall exhibit such signal until authorized by an Immigration Officer to haul it down.

(2) Every such master shall, if so ordered by the Immigration Officer, anchor or tie up his vessel at such place as may be ordered and shall remain there until the Immigration Officer gives him permission to leave.

(3) Save under and in accordance with a permit of the Immigration Officer no person other than the pilot or the Port Health Officer shall leave or board any such vessel until such vessel has been examined by the Immigration Officer and the immigration examination signal has been hauled down, nor shall any person (other than the crews of the vessels carrying the said officials) approach within thirty yards of the vessel.

(4) The master shall detain on his vessel every person on board until the vessel has been examined and may use any means reasonably necessary for the purpose.

Prohibition of removal of articles before examination.

6. Except in accordance with a permit of the Immigration Officer, no article or thing shall be removed or taken from, or put on board, any vessel until such vessel has been examined by the Immigration Officer, under section 7.

Production of certain lists and persons by masters of vessels and captains of aircraft.

7. (1) The master of every vessel entering or leaving the Colony shall, whenever required to do so by the Immigration Officer—

(*a*) exhibit to such officer a complete list of the officers and crew;

(*b*) produce to such officer for inspection and interrogation all the officers and members of the crew;

(*c*) submit to such search of his vessel as may be necessary to establish the presence or absence of other persons on board;

(*d*) produce his ship's papers;

(*e*) report the presence of any deportee or stowaway or any unauthorized person on board.

(2) In the case of passenger carrying vessels, the master shall, in addition, produce—

(*a*) a complete list of all the passengers arranged alphabetically, specifying their nationality, place of birth, calling or occupation, the ports or places of their embarkation and the ports or places of their disembarkation or intended disembarkation;

(*b*) all the passengers for inspection and interrogation.

(3) In the case of aircraft, the captain of the aircraft shall land his aircraft at such places and during such periods as the Governor may direct and signify by notification in the *Gazette*.

(4) The captain of an aircraft shall comply with the provisions of subsection (1) and shall, in addition, produce—

(*a*) a passenger list arranged as in paragraph (*a*) of subsection (2);

(*b*) a complete list of the officers and crew of his aircraft;

(*c*) all the passengers for inspection and interrogation.

Directions to prevent evasion.

8. The Immigration Officer may give such instructions as may be necessary to ensure that no passenger or member of a crew evades examination either of his person or his effects. Contravention of such instructions shall be an offence punishable by a fine of two thousand dollars.

Interrogation of travellers.

9. (1) Any person who arrives in the Colony or who is about to leave the Colony by sea, air or land, shall fully and truthfully answer all questions and inquiries put to him by the Immigration Officer, notwithstanding that the answers to any such question may tend to render such person liable to any restriction whatsoever or tend to incriminate him, and shall disclose and produce to any such officer on demand all documents in his possession tending directly or indirectly to establish his identity, nationality or occupation, or bearing on any of the restrictions in section 11 or on any absolute or conditional liability on his part to any military, naval or air force service in any country or state whatsoever.

(2) The Immigration Officer may require any person who arrives in the Colony or who is about to leave the Colony by sea, air or land to make and sign any prescribed form of declaration and such person shall comply with such requirement.

(3) If any person arriving in the Colony refuses to answer any questions put to him under this section or gives unsatisfactory answers or refuses to make and sign any prescribed form of declaration, the Immigration Officer may prohibit him from landing and may in his discretion detain him or, in lieu thereof, permit him to remain in the Colony for a limited period subject to such conditions as the Immigration Officer may impose under section 15, pending an opportunity to return him to his place of embarkation or to the country of his birth or citizenship.

(4) All such answers and documents shall be admissible in evidence in any proceedings under this Ordinance against the person making, disclosing or producing the same:

Provided that nothing in this section shall be construed as rendering any such answer inadmissible in any other proceedings in which they would otherwise be admissible.

Places of examination.

10. Any person who arrives in the Colony or who is about to leave the Colony by sea, air or land, shall, if so directed by the Immigration Officer, proceed, at or before such time as is directed by such officer, to such place or places as such officer directs for further examination of his case and shall remain at such place until permitted to leave by the Immigration Officer.

Power to prohibit landing, and consequences of prohibition.

11. (1) If, during the examination of persons arriving, or who have arrived, in the Colony irrespective of whether the landing places or points of entry of such persons were authorized or unauthorized, or upon information available to the Immigration Officer, it is found that any immigrant—

(*a*) does not have the means of subsistence and is diseased, maimed, blind, lunatic or decrepit or an idiot and may be hindered by his state from earning a livelihood; or

(*b*) is unable to show that he has the means of decently supporting himself and his dependants, if any, until he obtains a livelihood; or

(*c*) is a person likely to become a vagrant, beggar or a charge upon any public or private charitable institution; or

(*d*) is a person suffering from a contagious disease which is loathsome or dangerous; or

(*e*) being a person required to be in possession of a valid travel document is not in possession of such document or is in possession of a forged or altered travel document or a travel document which does not fully comply with any enactment or legal requirement in force; or

(*f*) has been removed from any country or state by the government authorities of any such country or state for any reason whatever; or

(*g*) is suspected of being likely to promote sedition or to cause a disturbance of the public tranquillity; or

(*h*) is unable to show that he has definite employment awaiting him or that he has a reasonable prospect of obtaining such employment or that he is a person of independent means; or

(*i*) is a prostitute, a person living on the earnings of prostitution or a person of known immoral character; or

(*j*) is not in possession of such certificates as may be necessary under the quarantine regulations in force; or

(*k*) is prohibited from entering the Colony under any other enactment for the time being in force,

the Immigration Officer may prohibit such person from landing in the Colony and may in his discretion detain him or, in lieu thereof, permit him to remain in the Colony for a limited period subject to such conditions as the Immigration Officer may impose under section 15, until an opportunity arises to return such person to his place of embarkation or to the country of his birth or citizenship.

(2) If any such immigrant refuses to answer any questions put to him under this section or gives unsatisfactory answers, the Immigration Officer may prohibit him from landing and may in his discretion detain him or, in lieu thereof, permit him to remain in the Colony for a limited period subject to such conditions as he may impose under section 15, pending an opportunity to return him to his place of embarkation or to the country of his birth or citizenship.

(3) If as a result of the exercise of the powers conferred by subsections (1) and (2)—

(*a*) an immigrant is prohibited from landing from a vessel or aircraft, the master of such vessel or the captain of such aircraft shall if so required by the Immigration Officer remove him from the Colony by the same vessel or aircraft; and

(*b*) an immigrant who has been detained in the Colony or, who, in lieu of detention, has been permitted to remain therein for a limited period subject to such conditions as the Immigration Officer may impose under section 15, has not been removed therefrom in accordance with paragraph (*a*) hereof the master of such vessel and the captain of such aircraft, as the case may be, and the owner, charterer, agent or consignee of the vessel or aircraft shall whether or not any requirement has been made under paragraph (*a*) hereof be liable to pay to the Government all costs incurred by the Colony for the maintenance of and removal from the Colony of such person.

(4) The master of a vessel or the captain of an aircraft shall give to the Immigration Officer any information relating to any person on board the vessel or aircraft suspected of belonging to any of the classes mentioned in subsection (1) as is reasonably required for the purposes of this Ordinance, and shall answer to the best of his knowledge and belief all such questions touching such persons as are put to him.

(5) If any person enters without permission of the Immigration Officer—

(*a*) such person may be arrested without a warrant by any police officer and shall be liable to a fine of five thousand dollars and to imprisonment for twelve months; and

(*b*) the master of the vessel and the captain of the aircraft, as the case may be, and the owner, charterer, agent or consignee of the vessel or aircraft by which such person was brought to the Colony shall, unless any one of them can satisfy a magistrate that such entry was not due to any act or default on his part or of any person employed by him, be liable to a fine of five thousand dollars; and

(*c*) the Governor may, whether or not any such lastly mentioned fine is imposed, make an order directing that such person shall be returned as soon as possible at the expense of the owner, charterer, agent or consignee of the vessel or aircraft to the place of embarkation or country of birth or country of citizenship of such person.

(6) A copy of the lists required under section 7 shall be furnished to the Immigration Officer within forty-eight hours after such arrival or departure, as the case may be, by the master of every vessel and the captain of every aircraft, or other person in charge, as the case may be, and by the owner, charterer, agent or consignee of such vessel or aircraft which arrives in the Colony or departs therefrom, and every such master, captain, person, owner, charterer, agent or consignee who fails to furnish such copy or who furnishes any list or copy thereof which he knows, or could by the exercise of reasonable diligence have ascertained, to be false, shall be guilty of an offence.

Authorized landing places and points of entry.

12. The Governor may, by notification in the *Gazette*, authorize such landing places or such points of entry as he may consider necessary to carry out the provisions of this Ordinance.

Powers of Immigration Officer.

13. (1) The Immigration Officer or any police officer authorized by him in writing in that behalf, either generally or for a particular occasion, may—

(*a*) detain for a period not exceeding four days for further inquiries under this Ordinance any person concerning whom he has reason to believe that such further inquiries should be made;

(*b*) arrest and bring before a magistrate any person whom he has reason to suspect of having contravened or attempted to contravene any of the provisions of this Ordinance;

(*c*) search the person and property and effects of any person whom it is lawful for such officer to detain or arrest or who arrives in or is about to leave the Colony:

Provided that a female shall be searched by a female, and that no person shall be searched in a public place if he objects to being so searched;

(*d*) search any place or vessel (not being a ship of war), aircraft, train or vehicle, in which such officer has reason to suspect that there may be anything which may be

evidence of any contravention or intended contravention of any of the provisions of this Ordinance, or which may belong to or be in the possession of or under the sole or partial control of any person whom it is lawful for such officer to detain or arrest;

(*e*) seize, remove and detain anything which appears to be evidence of any contravention of the law or which it is desirable to detain for further examination or which appears to belong to or to be in the possession of or to be under the sole or partial control of any person whom it is lawful for such officer to detain or arrest;

(*f*) seize, remove and detain any vessel (not being a ship of war), aircraft, train or vehicle which such officer has reason to suspect is about to be used, is being used, or has been used for the commission of an offence against the provisions of this Ordinance save that no vessel exceeding 250 gross tons and no aircraft or train may be seized, removed and detained without the prior consent of the Colonial Secretary.

(2) Such officer may—

(*a*) break open any outer or inner door of or in any such place;

(*b*) forcibly enter any such vessel, aircraft, train or vehicle and every part thereof;

(*c*) remove by force any person or material obstruction to any arrest, detention, search, seizure or removal which he is empowered to make;

(*d*) detain every person found in such place or on board such vessel, aircraft, train or vehicle until such place or vessel, aircraft, train or vehicle has been searched.

(3) No person shall obstruct any detention, arrest, search, seizure or removal which is authorized by this Ordinance.

Release of detained person on his entering into a recognizance. (Cap. 227).

14. The Immigration Officer may in the exercise of his discretion release a person detained under this Ordinance upon his entering into a recognizance with or without sureties, for a reasonable amount recoverable summarily as a civil debt under the Magistrates Ordinance to appear before the Immigration Officer for further inquiries at the time and place mentioned in such

recognizance or in the case of the person detained being a person recently arrived in the Colony for the return of such person to the place whence he came. The liberty granted after recognizance shall be subject to such conditions of residence and report as the Immigration Officer thinks fit.

Conditional landing or entry.

15. (1) The Immigration Officer—

(*a*) may by order, notice or otherwise impose such conditions either general or special—

(i) where in exercise of the powers conferred by subsection (3) of section 9 and subsections (1) and (2) of section 11, he permits, in lieu of detention, an immigrant to remain in the Colony for a limited period; and

(ii) in or upon the occasion of or subsequent to any permit granted to an immigrant to enter, whether for the purpose of residence, sojourn or transient visit or for transhipment at a port in the Colony,

and the Immigration Officer may at any time vary or add to these conditions as he may think fit; and

(*b*) he may, in addition or in the alternative, require such immigrant—

(i) to enter into a recognizance with or without sureties, for a reasonable amount recoverable summarily as a civil debt under the Magistrates Ordinance; or (Cap. 227).

(ii) to furnish security in cash or otherwise, or part of one and part of the other, of such amount as he may deem sufficient forfeitable to the Crown without any legal formality,

for the due observance of the conditions so imposed or for the due appearance of such immigrant before the Immigration Officer at such time and place and for such purposes as he may require.

(2) Nothing in this section shall be taken to derogate from the law for the time being in force in relation to deportation and expulsion of persons from the Colony.

Power of master of vessel to detain by force.

16. A master of a vessel may use all reasonable means, including force and restraint, to secure the continued presence on board of any person who has not been permitted to enter and while such person is so detained he shall be deemed to be in legal custody.

False representation an offence.

17. Any person on board a vessel or aircraft who falsely represents himself to an immigration control officer to be a member of the crew and any member of such crew who aids and abets or otherwise connives at such false representation shall be guilty of an offence and may be arrested without a warrant.

PART II.

Travel documents.

Prohibition of entry without valid documents.

18. No person may enter the Colony without a valid travel document which establishes the identity and nationality of the holder and authorizes him to travel to and to enter the Colony, issued and indorsed, in the case of a British subject and British protected person by a competent British official, and in other cases by an official having authority to issue and indorse such document in respect of the person in question:

Provided that the Immigration Officer may waive the requirements of this section in respect of a child under the age of sixteen years or a person or class of persons.

Possession of valid travel document vests no right to enter.

19. The possession of a valid travel document shall not be deemed to imply that the holder will be permitted to enter as of right, nor, if he is permitted to enter, that he will be permitted to remain; nor shall it serve as an excuse for disobedience of any order of removal, deportation, expulsion or banishment made under any enactment for the time being in force.

Validity of travel documents.

20. No travel document shall be deemed to be valid unless it bears where necessary—

(*a*) an indication, either specific or in general terms, not otherwise invalidated by any other indorsement, that it is valid for Hong Kong; and

(*b*) an indication that it is still valid according to the laws of the country or state by which it was issued; and

(*c*) a photograph of the holder so affixed and authenticated that removal of such photograph and substitution by another is unlikely; and

(*d*) in the case of non-British subjects and non-British protected persons, a visa granted by a British consular officer, or where there is no consular system, by a British official of similar authority and status, which was granted not more than one year before the arrival of the holder in the Colony and is still within the period of its validity, and which is either specifically or generally applicable to the journey on which the holder is engaged or which he has completed by his arrival in the Colony.

Transit visas.

21. The holder of a valid travel document, which bears a transit visa only, shall not remain in the Colony longer than is reasonably necessary to enable him to tranship or to find other means by which to proceed to his destination; and if the visa is for direct transit, he shall proceed by the most direct and speedy means:

Provided that the Immigration Officer may, for any reason which he shall deem sufficient, grant an extension.

Discretion to limit period of stay.

22. The Immigration Officer shall, at all times, have discretion to limit the stay of any immigrant entering the Colony.

PART III.

Aliens.

Power to require declaration of alien.

23. Any alien arriving in or having entered the Colony, on being required to do so by general or specific instruction from the Immigration Officer, shall make a declaration as to whether he is carrying or conveying any letters, written messages or memoranda, or any written or printed matter, including plans, photographs and other pictorial representations, and, if so required, shall produce such articles to the Immigration Officer.

Registration requirements.

24. Every alien who has attained the age of sixteen years shall comply with the following requirements as to registration—

(*a*) he shall furnish to the Registrar of Aliens such particulars and photographs and within such time as the Registrar of Aliens may prescribe by notice in the *Gazette;*

(*b*) he shall within forty-eight hours of any occurrence affecting the accuracy of information already given furnish to the Registrar of Aliens details of the change;

(*c*) he shall, if he is about to change his residence, notify to the Registrar of Aliens the details of such change within forty-eight hours of the occurrence;

(*d*) he shall not leave the Colony, without notifying the Registrar of Aliens of his intended departure;

(*e*) if he is granted a stay of three months or more he shall obtain a registration book from the Registrar of Aliens and comply with any conditions applicable to him indorsed therein;

(*f*) an alien who has no permanent residence must report each address in the Colony at which he stays to the Registrar of Aliens:

Provided that if the name and address of a British subject is supplied as a guarantor, this condition may be relaxed by the Registrar of Aliens within his discretion.

Power to demand production of documents.

25. (1) Every alien shall on the demand of the Immigration Officer or of any deputy immigration officer or of any immigration control officer or of any police officer or of any member of Her Majesty's forces acting in the execution of duty, either—

(*a*) produce his registration document; or

(*b*) produce a valid travel document; or

(*c*) give a satisfactory explanation of the absence of either of such documents.

(2) If such alien fails to do so, he may be detained.

Obligations of keepers of residential accommodation.

26. (1) It shall be the duty of the keeper of any premises whether furnished or unfurnished where lodging or sleeping accommodation is provided for reward, to keep a record in such form as may be prescribed, of all persons staying at the premises who are not under the age of sixteen years.

(2) If so directed, the said keeper shall furnish to the Registrar of Aliens such true returns as may be prescribed.

(3) It shall be the duty of every person (whether an alien or not) staying at any such premises to sign, when so required, a statement of his nationality and, if an alien, to furnish and sign a statement of such other particulars as may be prescribed.

(4) All registers so kept shall be available at all times for inspection by the Registrar of Aliens or by any police officer.

Obligation of occupier of premises to which section 26 does not apply.

27. Where there is resident in any premises to which section 26 does not apply, including hospitals, nursing homes, schools and other institutions, any person whom the occupier of the premises knows or has reasonable cause to believe to be an alien, it shall be the duty of the occupier to satisfy himself as far as he reasonably can that the provisions of this Ordinance with respect to the registration of and reporting of his movements by that person have been complied with and if he is not so satisfied to report the presence of that person to the nearest police station within forty-eight hours.

PART IV.

Crew of vessels and aircraft.

Prohibition of entry or discharge of crew without permission and provision for taking security and forfeiture thereof.

28. (1) No member of a crew who is an immigrant may enter the Colony save under and in accordance with the permit of the Immigration Officer.

(2) The Immigration Officer—

(*a*) may in his absolute discretion require security, whether in cash or otherwise and whether by way of deposit or otherwise, from the master of any vessel, the captain of any aircraft, or the owner, charterer, agent or consignee of a vessel or aircraft, for the compliance by the members of the crew of such vessel or aircraft with the terms of any permit granted under subsection (1) and may refuse to release the vessel or aircraft from examination until such security is furnished; and

(*b*) if any member of such crew fails to comply with the terms of any such permit, it shall be lawful for the Immigration Officer to order in writing that such security shall be forfeited to the Crown without any legal formality.

(3) No member of a crew who is an immigrant may be discharged or paid off in the Colony without the permit of the Immigration Officer. In any instance of contravention of this subsection and in any instance of contravention by any member of a crew of the terms of a permit granted under subsection (1), the master of the vessel or the captain of the aircraft to which such member belongs, and the owner, charterer, agent or consignee shall, in addition to any forfeiture ordered under subsection (2), be liable for the maintenance of the person concerned until his repatriation and for the cost of such repatriation to his place of birth or citizenship.

Exemption of certain aliens from residential provisions of Part III.

29. The provisions of Part III, other than sections 25, 26 and 27, shall not apply to an alien who is a member of a crew unless he is discharged or paid off.

PART V.

Registration of immigrants other than aliens.

Part V only to be enforced on Governor's Proclamation.

30. This Part shall be in force during such period or periods as the Governor may from time to time by Proclamation in the *Gazette* specify.

Duty to make return to Commissioner of Police when so required.

31. Every immigrant not registered as an alien under Part III shall, when required, make and sign a return in such form as may be prescribed and true to the best of his knowledge and belief and shall deliver such return to the Commissioner of Police at such time and place as the Commissioner of Police may direct.

Power to require attendance.

32. If in any case it appears to the Commissioner of Police, or any officer deputed by him to receive and record such returns, that any return has not been duly made or that it is incomplete or incorrect or requires verification, the Commissioner of Police may in his absolute discretion by a notice served on such person require his attendance at such time and place as may be specified in the notice, and every person whose attendance is so required shall attend thereat on the date and at the time specified in the notice and answer truthfully to the best of his knowledge and belief such questions as may be addressed to him by a police

officer for the purpose of making, completing, correcting or verifying the return. Any notice referred to in this section may be addressed to any person at his place of residence or business and served by post.

PART VI.

Temporary exemption of servicemen.

Interpretation.

33. In this Part—

"serviceman" means a serving member of Her Majesty's regular naval, military or air forces.

Exemption of members of Her Majesty's forces.

34. Subject to the provisions of sections 35 and 36, servicemen shall be exempted from the provisions of this Ordinance.

Result of cessation of service.

35. Where any serviceman ceases to serve as such, he shall for the purposes of this Ordinance be deemed to be a person seeking to enter the Colony with effect from the date when he ceased so to serve.

Duty to make application.

36. Any serviceman who ceases to serve as such, shall make application to the Immigration Officer within seven days—

(*a*) from the date of the cessation of his service; or

(*b*) from his discharge from prison or other place of detention if he has been sentenced to a term of imprisonment,

and the provisions of this Ordinance shall, where applicable, apply to him.

PART VII.

Offences, penalties and forfeiture.

Forgery of travel documents or making untrue statement, etc. to procure such a document. [*cf.* 15 & 16, Geo. 5, c. 86, s. 36.]

37. The forgery of any travel document, or the making by any person of a statement, or the production by him of any document, which is to his knowledge untrue for the purposes of procuring any travel document, whether for himself or any other person, shall be a misdemeanor punishable with a fine of five thousand dollars and imprisonment for two years.

Possession of travel document false in a material particular to be an offence and onus of proving falsity or otherwise to shift in certain circumstances.

38. (1) It shall be an offence to be the holder, or to be in possession, of any travel document which is false in any material particular.

(2) Whenever a person is charged with an offence against this section and it is proved that any material particular in the travel document is incorrect the onus of proving that he was unaware that such material particular was incorrect shall lie upon him and unless he discharges such onus he shall be guilty of an offence against this section.

(3) Whenever the holder of a travel document is charged with an offence against this section and it is proved—

(*a*) that he is the holder of another travel document which contains any material particular differing from a material particular in the travel document alleged to be false; or

(*b*) that he has given any material particular to any public officer which does not tally with a material particular in the travel document alleged to be false,

he shall be guilty of an offence against this section unless he can satisfy the magistrate before whom he is charged either that the particular in the travel document alleged to be false is correct or that he was unaware that such material particular was incorrect.

(4) Whenever the holder of a travel document is charged with an offence against this section and the travel document states that the holder was born in Hong Kong and it is proved that such holder has given to a police or other public officer any particular concerning any person whom he claims to be his relative which is in conflict with any particular in the register of births kept under the Births and Deaths Registration Ordinance the magistrate shall require such holder to prove that he was born in Hong Kong and failing such proof such holder shall be guilty of an offence against this section unless the magistrate is satisfied that such holder genuinely believed that he was born in Hong Kong. (Cap. 174).

General.

39. (1) It shall be an offence under this Ordinance to contravene any of the conditions imposed in pursuance of section 14 or 15 or any of the following provisions of this Ordinance—

(*a*) sections 4 to 7;

(*b*) subsections (1) and (2) of section 9;

(*c*) section 10;

(*d*) subsections (3) and (4) of section 11;

(*e*) subsection (3) of section 13;

(*f*) section 17;

(*g*) section 18;

(*h*) sections 23 to 28;

(*i*) sections 31 and 32;

(*j*) section 36.

(2) Any regulation made under this Ordinance may provide that a contravention thereof shall be an offence and prescribe penalties therefor:

Provided that no penalty so prescribed shall exceed a fine of two thousand dollars and imprisonment for twelve months.

(3) Any person guilty of an offence for which no penalty is expressly provided shall be liable to a fine of two thousand dollars and to imprisonment for twelve months.

(4) Any immigrant who enters without a permit from the Immigration Officer or who enters in breach of any of the provisions of this Ordinance or of the regulations made thereunder or who contravenes any condition subject to which his entry has been permitted shall upon conviction be liable in addition to expulsion from the Colony by order of the Governor. Any such order shall be sufficient authority for any police officer to arrest and detain such immigrant and to do all such other acts as may be necessary to enable such person to be removed from the Colony. Without prejudice to the provisions of subsection (5) of section 11 such person may be removed from the Colony by such method and route as the Governor may determine.

Offence to aid, abet or harbour illegal immigrant.

40. Any person who aids, abets, counsels or procures the commission of an offence against the provisions of this Ordinance or the regulations made thereunder or harbours an immigrant who entered or remains in the Colony in contravention of the provisions of this Ordinance shall be liable to a fine of two thousand dollars and to imprisonment for twelve months.

Forfeiture.

41. (1) Anything seized under paragraph (*e*) of subsection (1) of section 13 which is evidence of any contravention of the law shall be forfeited to the Crown whether any person has been convicted in respect thereof or not.

(2) Any vessel not exceeding 250 gross tons and any vehicle seized under paragraph (*f*) of subsection (1) of section 13 in respect of which an offence against the provisions of this Ordinance has been committed shall be forfeited to the Crown whether any person has been convicted in respect thereof or not.

(3) Whenever any seizure has been made, unless in the possession or presence of the offender, master or owner, as forfeited under this Ordinance the Immigration Officer shall give notice in writing of such seizure and of the grounds thereof to the master or owner of the thing, vessel or vehicle seized, if known, either by delivering such notice to him personally or by letter addressed to him and sent by post to or delivered at his last known place of abode or business, if known, and all seizures made under this Ordinance shall be deemed and taken as condemned, and may be sold or otherwise disposed of in such manner as the Immigration Officer may direct, unless the person from whom such seizure has been made or the owner thereof, or some person authorized by him shall within one month from the date of the seizure give notice in writing to the Immigration Officer that he claims the thing, vessel or vehicle so seized or intends to claim it whereupon proceedings shall be taken for the forfeiture and condemnation thereof by information exhibited before a magistrate:

Provided that any seizures which, in the opinion of the Immigration Officer are perishable or liable to loss or damage or the retention of which is likely to involve unreasonable expense or inconvenience, may by the direction of the Immigration Officer be sold forthwith and the proceeds thereof retained to abide the result of any claim that may legally be made in respect thereof.

(4) When any information has been exhibited before a magistrate for the forfeiture of any thing, vessel or vehicle seized under this Ordinance such magistrate is hereby required to summon the owner of such thing, vessel or vehicle or the person from whom it was seized to appear before him or any other magistrate and upon his appearance or default of appearance, due service of such summons being proved, such magistrate may

proceed to the examination of the matter and on proof that such thing, vessel or vehicle is liable to forfeiture under the provisions of this Ordinance shall condemn it.

(5) Where proceedings for forfeiture and condemnation are taken as aforesaid the magistrate may order delivery to the claimant of the thing, vessel or vehicle seized on security being given for the payment to the Immigration Officer of the value thereof in the case of condemnation.

(6) Notwithstanding the earlier provisions of this section it shall be lawful for the Governor in Council in his absolute discretion to entertain by way of petition and give effect to any moral claim to or in respect of any thing, vessel or vehicle forfeited thereunder.

PART VIII.

General.

Power of Governor in Council to make regulations.

42. The Governor in Council may by regulation prescribe or provide for—

(*a*) the powers and duties of deputy immigration officers and immigration control officers;

(*b*) requirements relating to documents for the purpose of travel, identification, entry or re-entry into the Colony, or residence, as the case may be, in respect of persons entering or leaving the Colony;

(*c*) places of detention and their regulation and management;

(*d*) an immigration examination signal;

(*e*) the furnishing of particulars, returns and photographs for the purposes of this Ordinance to the Registrar of Aliens and to the Commissioner of Police;

(*f*) exemption of any person or class of persons, either unconditionally or subject to such conditions as may be specified, from complying with all or any of the provisions of this Ordinance;

(*g*) forms and fees;

(*h*) generally, the carrying into effect the provisions of this Ordinance.

Appeal to the Governor in Council.

43. (1) Any person, other than a person who is outside the Colony, who is dissatisfied with any decision made or which purports to have been made under this Ordinance by a public officer, other than a judge of the Supreme Court, a judge of the District Court or a magistrate, may, within fourteen days of the date the decision was communicated to him, appeal therefrom by way of petition to the Governor in Council.

(2) On consideration of any such petition, the Governor in Council may confirm, revoke or modify the decision appealed against, and the decision of the Governor in Council shall be final.

(3) If on the consideration of any such petition, the Governor in Council desires the assistance of the Full Court on any point of law with a view to the determination of the petition, he may refer that point to the Full Court for its opinion thereon, and the court shall consider the point so referred and furnish the Governor in Council with its opinion thereon accordingly.

(4) No legal proceedings whatsoever shall be taken against the Governor in Council in respect of anything done or omitted to be done in the exercise of the powers conferred upon the Governor in Council by this section.

(5) Nothing contained in this section shall be deemed to prevent any person from instituting legal proceedings in respect of a decision of a public officer made or which purports to have been made under this Ordinance:

Provided however that—

(i) institution of such proceedings shall operate as an absolute bar to any appeal to the Governor in Council; and

(ii) appeal to the Governor in Council shall operate as an absolute bar to the institution of legal proceedings.

Repeal. (Cap. 243; 13 of 1952).

44. The Immigrants Control Ordinance and the Passport Ordinance, 1952, are hereby repealed.

Passed the Legislative Council of Hong Kong, this 1st day of October, 1958.

Deputy Clerk of Councils.

(Secretariat CR52/3231/48)

HONG KONG

No. 35 OF 1958.

I assent.

Governor.

2nd October, 1958.

An Ordinance to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March, 1958.

[3rd October, 1958.]

WHEREAS it has become necessary to make further provision for the public service of the Colony for the financial year ended the 31st day of March, 1958, in addition to the charge upon the revenue of the Colony authorized by the Appropriation (1957-58) Ordinance, 1957 :

NOW, THEREFORE, BE IT ENACTED by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Supplementary Appropriation (1957-58) Ordinance, 1958. **Short title.**

Appropriation from the general revenue and other funds.

2. A sum of thirty-three million, five hundred and sixty-eight thousand, five hundred and sixty dollars is hereby charged upon the revenue and other funds of the Colony for the service of the financial year ended the 31st day of March, 1958, the appropriation of the sum so charged being approved as specified in the Schedule.

Schedule.

SCHEDULE. [s. 2.]

Number of vote.	*Head of Expenditure.*	*Amount of vote.*
		$
1.	His Excellency the Governor's Establishment	68,022
9.	Defence:	
	E—Auxiliary Fire Service	10,463
	F—Auxiliary Medical Service	126,720
	I—Directorate of Manpower	17,199
	J—Miscellaneous Measures	1,316,869
14.	Kowloon Canton Railway	389,633
19.	Miscellaneous Services	5,735,709
21.	Pensions	803,377
23.	Post Office	1,719,874
30.	Public Works Recurrent	4,429,816
32.	Quartering	65,455
35.	Registry of Trade Unions	1,924
38.	Secretariat for Chinese Affairs:	
	A—Secretariat for Chinese Affairs	7,828
39.	Stores Department	18,855,611
41.	Treasury:	
	A—Treasury	20,060
	Total	$33,568,560

Passed the Legislative Council of Hong Kong, this 1st day of October, 1958.

Deputy Clerk of Councils.

(Secretariat GR1/2311/57)

HONG KONG

No. 36 OF 1958.

I assent.

Governor.

23rd October, 1958.

An Ordinance to amend the Road Traffic Ordinance, 1957.

[24th October, 1958.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

Short title.

1. This Ordinance may be cited as the Road Traffic (Amendment) Ordinance, 1958.

Amendment of section 2. (39 of 1957).

2. Section 2 of the Road Traffic Ordinance, 1957 (hereinafter referred to as the principal Ordinance) is amended—

(*a*) by the deletion at the end thereof of the full stop and the substitution therefor of a semi-colon; and

(*b*) by the addition at the end thereof of the following—

"(*l*) dual purpose vehicles, that is to say motor vehicles constructed or adapted for the carriage both of passengers and of goods or equipment in accordance with the provisions of any regulations made under this Ordinance.".

Addition of new section 5A.

3. The principal Ordinance is amended by the addition after section 5 of the following new section—

"Onus of proof in certain cases.

5A. (1) Any regulation made under this Ordinance may provide that in any criminal proceedings for a contravention thereof—

(*a*) it shall be for the person charged with such contravention to prove certain facts; or

(*b*) facts may be presumed, with or without proof of other facts, until the contrary is proved.

(2) All regulations made heretofore under this Ordinance making provision that in any criminal proceedings for a contravention thereof for—

(*a*) the person charged with such contravention to prove certain facts; or

(*b*) certain facts to be presumed, with or without the proof of other facts, until the contrary is proved,

shall be deemed to have been made under subsection (1).".

Addition of new section 8A.

4. The principal Ordinance is amended by the addition after section 8 of the following new section—

"Prohibition of hire of bicycles and tricycles to young children.

8A. (1) No person shall hire a bicycle or tricycle to a child of eight years or under.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and upon summary conviction shall be liable to a fine of five hundred dollars.".

Amendment of section 13.

5. Subsection (1) of section 13 of the principal Ordinance is amended—

(*a*) by the insertion in paragraph (*a*) after the word "at" where it occurs a second time of the following—

"a speed exceeding";

(*b*) by the insertion in paragraph (*b*) after the word "at" of the following—

"a speed exceeding"; and

(*c*) by the insertion in paragraph (*c*) after the word "at" of the following—

"a speed exceeding".

Amendment of section 14.

6. Section 14 of the principal Ordinance is amended by the insertion after the word "ambulance" in the third line of the following—

", preventive service".

Amendment of section 20.

7. Section 20 of the principal Ordinance is amended by the deletion, in subsection (4), of paragraph (*a*) and the substitution therefor of the following—

"(*a*) in the case of an offence under section 9, 10 or 13 of this Ordinance or under section 4 of the Motor Vehicles Insurance (Third Party Risks) Ordinance, 1951, for which a minimum period of disqualification is required to be imposed, the date of expiration of such period; and".

(39 of 1951).

Amendment of section 29.

8. Subsection (1) of section 29 of the principal Ordinance is amended by the deletion of the words "Any person who" and the substitution therefor of the following—

"Any person who, with intent to defraud,—".

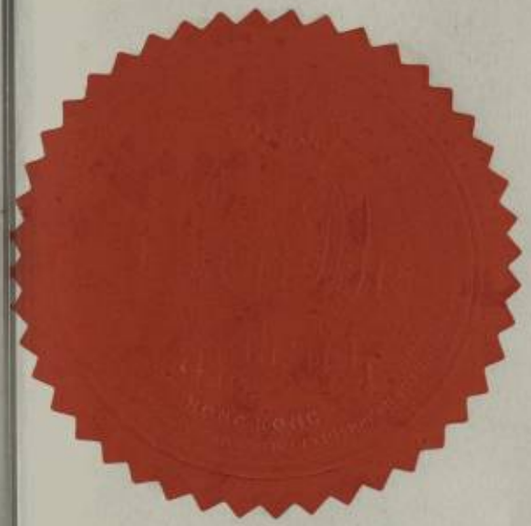
Passed the Legislative Council of Hong Kong, this 22nd day of October, 1958.

Deputy Clerk of Councils.

(Secretariat GR33/3231/54)

HONG KONG

No. 37 OF 1958.



I assent.

Governor.

20th November, 1958.

An Ordinance to make provision for the continuation in force of certain enactments made pursuant to powers conferred by the Emergency Powers (Defence) Acts, 1939 to 1945, and for purposes connected therewith.

[21st November, 1958.]

WHEREAS by virtue of the Defence Regulations (Continuation and Modification) (No. 1) Order, 1948, the enactments specified in the Schedule to this Ordinance (hereinafter referred to as the scheduled enactments) are now in force: **Preamble.**

AND WHEREAS the said Order was enacted by virtue of powers in that behalf conferred upon the Governor by subsections (1) and (2) of section 1 and by section 3 of the Supplies and Services (Transitional Powers) Act, 1945, as extended and applied to the Colony by the Supplies and Services (Transitional Powers) (Colonies, etc.) Order in Council, 1946:

AND WHEREAS it is considered essential to continue the scheduled enactments in force independently of the said Act until the 31st day of December, 1959, inclusive, and thereafter for such further periods not exceeding one year at any one time, as may be authorized by resolution of the Legislative Council :

NOW, THEREFORE, BE IT ENACTED by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

Short title.

1. This Ordinance may be cited as the Defence Regulations (Continuation) Ordinance, 1958.

Enactments continued in force.

2. The scheduled enactments shall, unless sooner revoked, continue in force for the duration of this Ordinance.

Power to revoke enactments.

3. It shall be lawful for the Governor in Council by order to revoke any of the scheduled enactments.

Effect of non-continuation of Defence Regulations, etc.

4. Section 10 of the Interpretation Ordinance shall apply in respect of those regulations of the Defence Regulations, 1940, and those enactments made thereunder which are not continued in force by section 2 as if such non-continuation constituted their repeal.

Continuation of certain requisitions.

5. For the avoidance of doubt, it is hereby declared that any requisition of land or chattels which was made pursuant to regulation 52 of the Defence Regulations, 1940, and which is still effective at the commencement of this Ordinance, shall continue to be effective, unless sooner terminated, for the duration of this Ordinance.

Duration of Ordinance.

6. (1) Subject as hereinafter provided, this Ordinance shall continue in force until the 31st day of December, 1959, inclusive, and shall then expire :

Provided that, at any time while this Ordinance is in force, it shall be lawful for the Legislative Council from time to time by resolution to extend the duration of this Ordinance for such term, not exceeding one year at any one time, as may be specified in such resolution.

(2) Section 10 of the Interpretation Ordinance shall apply upon the expiry of this Ordinance as if this Ordinance and the scheduled enactments in force immediately before its expiry had been repealed.

Provision for reprinting of all or any of the scheduled enactments.

7. (1) The Government Printer shall, if directed by the Governor, cause to be prepared and published a reprint or reprints of all or any of the scheduled enactments.

(2) The publication of any such reprint shall be notified by the Colonial Secretary in the *Gazette* and, with effect from the date of such notification, the reprint shall be deemed an authentic copy of the relevant enactment, and shall be judicially noticed as such, and further shall be deemed to be an official copy for the purposes of subsection (3) of section 7 of the Interpretation Ordinance.

(3) If any inconsistency is shown to exist between a provision of any enactment authorized to be published in any such reprint and that provision as published in such reprint, the provision as enacted shall prevail.

SCHEDULE. [section 2.]

REGULATIONS.

Regulations 2, 3, 4, 37, 39, 43, 46, 47, 50, 50A, 52, 54, 55, 56, 57, 69, 73, 75, 76, 77, 78, 79, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92 and 93 of the Defence Regulations, 1940.

The Defence (Finance) Regulations, 1940.

ORDERS.

Item.	*Citation.*	*Made under Regulation No.*	*G.N. No.*
1.	Defence (Bunker Coal and Oil) Order, 1940.	46	179/40
2.	Port Executive Committee Order, 1946.	37, 39, 43, 46, 47, 50, 50A, 56, 57, 69 and 73.	B.M.A. Gazette of 30.4.46
3.	Order made in 1946 relating to requisitions.	55	205/46
4.	Prohibited Exports Order, 1946.	50	238/46
5.	Marketing of Fish Order, 1946.	50	363/46
6.	Import Control Order, 1947.	50	489/47
7.	Declaration of Essential Services Order, 1948.	2(1)	A. 96/48
8.	Marketing (Marine Fish) Order, 1950.	50	A. 74/50
9.	Export Control Order, 1950.	50	A. 144/50
10.	Marketing (Marine Fish) Authorized Officers Order, 1955.	50	A. 18/55

MISCELLANEOUS.

Item.		*G.N. No.*
1.	Appointment of Postmaster General as Competent Authority for the purposes of Regulation 73.	746/39
2.	Establishment of Wholesale Fish Market at Marine Lot No. 87, Tung Kun Street, Yaumati, under the Marketing (Marine Fish) Order, 1950.	A. 123/50
3.	Establishment of Wholesale Fish Market on Island Road, Aberdeen, under the Marketing (Marine Fish) Order, 1950.	A. 116/52
4.	General Licence No. 1 under Import Control Order, 1947.	A. 22/55
5.	Appointment of the Director of Commerce and Industry to be competent authority for the purposes set out in regulations 50, 50A and 73 of the Defence Regulations, 1940.	788/50

Passed the Legislative Council of Hong Kong, this 19th day of November, 1958.

Deputy Clerk of Councils.

(Secretariat CR7568/45)

HONG KONG

No. 38 OF 1958.

I assent.

Governor.

4th December, 1958.

An Ordinance to amend the Supreme Court Ordinance, Chapter 4.

[5th December, 1958.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Supreme Court (Amendment) (No. 2) Ordinance, 1958. Short title.

2. Section 12 of the Supreme Court Ordinance (hereinafter referred to as the principal Ordinance) is amended— Amendment of section 12. (Cap. 4).

(*a*) in subsection (1), by the insertion of a comma after the expression "a Chief Justice", and by the insertion thereafter of the following—

"a Senior Puisne Judge";

(*b*) in subsection (2), by the insertion of a comma after the expression "Every Chief Justice", and by the insertion thereafter of the following—

"every Senior Puisne Judge".

Addition of new section 12A.

3. The principal Ordinance is amended by the addition, after section 12, of the following new section—

"Precedence.

12A. The judges shall take precedence in the following order—

(*a*) the Chief Justice;

(*b*) the Senior Puisne Judge;

(*c*) the Puisne Judges, who among themselves shall rank according to the priority of their respective appointments:

Provided that where the Secretary of State is of opinion that there are sufficient reasons for so doing, he may determine the precedence of the Puisne Judges irrespective of the priority of their appointments;

(*d*) persons appointed, under subsection (2) of section 13, to act as Puisne Judges, who among themselves shall rank according to the priority of their respective appointments:

Provided that where the Governor is of opinion that there are sufficient reasons for so doing, he may determine the precedence of acting Puisne Judges irrespective of the priority of their appointments;

(*e*) persons appointed, under subsection (3) of section 13, to be temporary additional judges, who among themselves shall rank according to the priority of their respective appointments:

Provided that where the Governor is of opinion that there are sufficient reasons for so doing, he may determine the precedence of persons appointed to be temporary additional judges irrespective of the priority of their appointments.".

Amendment of section 13.

4. Section 13 of the principal Ordinance is amended—

(*a*) in subsection (1), by the insertion of a comma after the expression "Chief Justice", and by the insertion thereafter of the following—

"Senior Puisne Judge";

(*b*) in subsection (2)—

(i) by the insertion of a comma after the expression "Chief Justice" in the first place where it occurs, and by the insertion thereafter of the following—

"the Senior Puisne Judge"; and

(ii) by the insertion of a comma after the expression "Chief Justice" in the second place where it occurs, and by the insertion thereafter of the following—

"Senior Puisne Judge".

Amendment of section 14.

5. Section 14 of the principal Ordinance is amended—

(*a*) by the insertion after the expression "Chief Justice," in the first place where it occurs of the following—

"Senior Puisne Judge,"; and

(*b*) by the insertion of a comma after the expression "Chief Justice" in the second place where it occurs, and by the insertion thereafter of the following—

"the Senior Puisne Judge".

Amendment of section 15.

6. Section 15 of the principal Ordinance is amended by the insertion of a comma after the expression "No Chief Justice", and by the insertion thereafter of the following—

"Senior Puisne Judge".

Amendment of section 37.

7. Paragraph (*a*) of subsection (6) of section 37 of the principal Ordinance is amended by the deletion of the expression "the senior puisne judge," and the substitution therefor of the following—

"the Senior Puisne Judge,".

Passed the Legislative Council of Hong Kong, this 3rd day of December, 1958.

Deputy Clerk of Councils.

(Secretariat GR42/3231/50)

HONG KONG

No. 39 OF 1958.

I assent.

Governor.

4th December, 1958.

An Ordinance to amend the Full Court Ordinance, Chapter 2.

[5th December, 1958.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Full Court (Amendment) Ordinance, 1958. **Short title.**

2. Section 3 of the Full Court Ordinance is amended by the deletion of subsection (2) and the substitution therefor of the following— **Amendment of section 3. (Cap. 2).**

"(2) The judges shall take precedence in the following order—

(*a*) the Chief Justice;

(*b*) the Chief Justice of Singapore;

(*c*) the Senior Puisne Judge;

(*d*) the Puisne Judges, including persons appointed to act as Puisne Judges, who among themselves shall rank according to their precedence as judges of the Supreme Court;

(*e*) persons appointed to be temporary additional judges of the Supreme Court, who among themselves shall rank according to their precedence as judges of that Court.".

Passed the Legislative Council of Hong Kong, this 3rd day of December, 1958.

Deputy Clerk of Councils.

(Secretariat GR42/3231/50)

HONG KONG

No. 40 OF 1958.

I assent.

Governor.

18th December, 1958.

An Ordinance to amend the Medical Registration Ordinance, 1957.

[19th December, 1958.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Medical Registration (Amendment) (No. 3) Ordinance, 1958. **Short title.**

2. The Medical Registration Ordinance, 1957, is amended by the addition after section 10 of the following new section— **Addition of new section 10A.** (25 of 1957).

"Alternative requirements as to experience in certain cases.

10A. If a person who claims registration under section 7 and—

(*a*) claims such registration by virtue of a qualification granted before the 1st day of July, 1953; or

(*b*) is the holder, in addition to the qualification by virtue of which he claims registration, of a qualification granted outside the United Kingdom and the Republic of Ireland which is recognized by the Council for the purposes of this section as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of medicine, surgery and midwifery,

makes application in that behalf to the Council, the Council may direct that, as an alternative to the requirements as to experience specified in section 9, it shall be sufficient for him to satisfy the Council that he has rendered satisfactory service in an appointment or appointments (whether within or outside Her Majesty's dominions) such as in the opinion of the Council confer experience of the practice of medicine and surgery, or medicine, surgery and midwifery, not less extensive than that required for a certificate under the said section 9, or that he has otherwise acquired such experience as aforesaid.".

Passed the Legislative Council of Hong Kong, this 17th day of December, 1958.

Deputy Clerk of Councils.

(Secretariat CR8/3231/53II)

PUBLIC RECORDS OFFICE
OF HONG KONG
H.K.R.S. No. 30
28.29