

Amendment of section 20. 3. Section 20 of the principal Ordinance is amended by deleting "Secretary for Home Affairs" and substituting the following—

"Commissioner of Rating and Valuation".

Amendment of section 121. 4. Section 121 of the principal Ordinance is amended in subsection (3) by deleting "Secretary for Home Affairs" and substituting the following—

"Commissioner of Rating and Valuation".

Amendment of section 123. 5. Section 123 of the principal Ordinance is amended in subsections (1) and (3) by deleting "Secretary for Home Affairs" and substituting the following—

"Commissioner of Rating and Valuation".

Amendment of Third Schedule. 6. The Landlord and Tenant (Amendment) Ordinance 1953 as set out in the Third Schedule to the principal Ordinance is amended—

(a) by deleting "Secretary for Home Affairs" wherever it appears in section 29 and substituting in each place the following—

"Commissioner of Rating and Valuation"; and

(b) in Schedule A—

(i) by deleting "Secretary for Home Affairs" in paragraphs (3) and (4) of Form 4 under the sub-heading "NOTICE TO SUB-TENANTS", and substituting the following—

"Commissioner of Rating and Valuation";

(ii) by deleting "SECRETARY FOR HOME AFFAIRS" in Form 4 and substituting the following—

"COMMISSIONER OF RATING AND VALUATION";

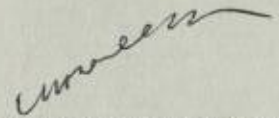
(iii) by deleting "Secretary for Home Affairs" in paragraphs (3) and (4) of Form 5 under the sub-heading "NOTICE TO SUB-TENANTS", and substituting the following—

"Commissioner of Rating and Valuation"; and

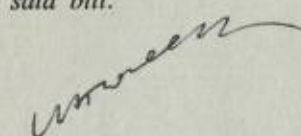
(iv) by deleting "SECRETARY FOR HOME AFFAIRS" in Form 5 and substituting the following—

"COMMISSIONER OF RATING AND VALUATION".

Passed by the Hong Kong Legislative Council this 27th day of March, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

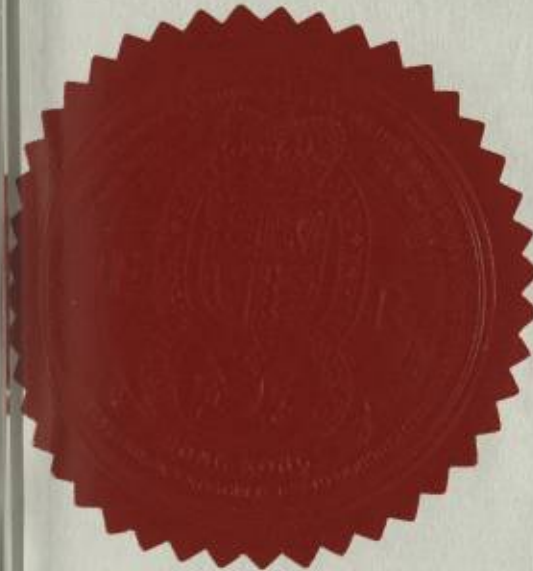


I assent.

Mr. N. L. Lohr.

HONG KONG

No. 19 OF 1974



I assent.

M. P. M. Lehn

Governor.

28th March, 1974.

An Ordinance to amend the Employment Ordinance.

[]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Employment (Amendment) Ordinance 1974 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

Short title and commencement.

2. Section 3 of the principal Ordinance is amended in subsection (2)(a) by deleting "fifteen hundred" and substituting the following—

Amendment of section 3. (Cap. 57.)

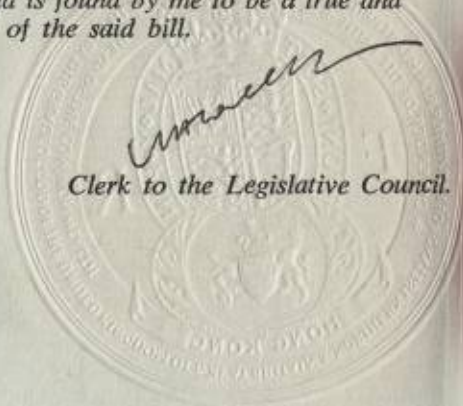
"two thousand".

Passed by the Hong Kong Legislative Council this 27th day of March, 1974.

Amwell

Clerk to the Legislative Council.

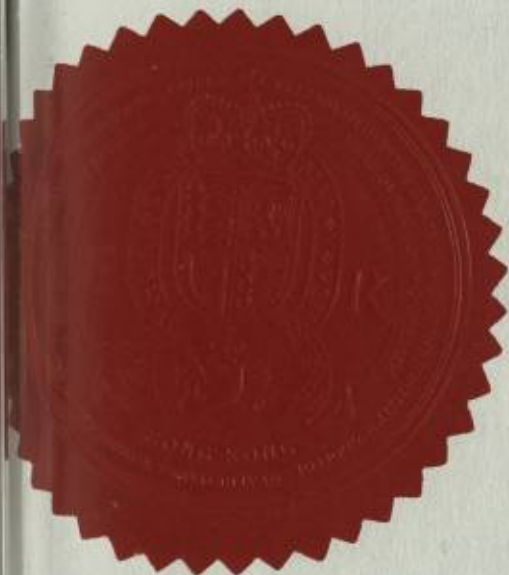
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.

HONG KONG

No. 20 OF 1974



I assent.

M. H. Lehn

Governor.

28th March, 1974.

An Ordinance to amend the Workmen's Compensation Ordinance.

[]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Workmen's Compensation (Amendment) Ordinance 1974 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

Short title and commencement.

2. Section 2 of the principal Ordinance is amended in paragraph (a) of the proviso the subsection (1) by deleting "one thousand five hundred" and substituting the following—

Amendment of section 2. (Cap. 282.)

"two thousand".

Amendment
of section 6.

3. Section 6 of the principal Ordinance is amended—
- (a) in paragraph (a)(ii) by deleting “or” in the last place where it occurs;
- (b) in paragraph (a)(iii) by inserting after “1970” the following—
“and before the 1st day of July 1974”; and
- (c) by inserting after paragraph (a)(iii) the following new sub-paragraph—
“(iv) where the accident happens on or after the 1st day of July 1974, be a sum equal to thirty-six months’ earnings or sixty thousand dollars, whichever is less:
Provided that in no case shall the sum payable under this sub-paragraph be less than nine thousand six hundred dollars.”.

Amendment
of section 7.

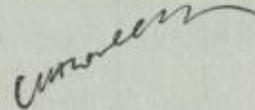
4. Section 7 of the principal Ordinance is amended—
- (a) in paragraph (b) by deleting “or” in the last place where it occurs;
- (b) in paragraph (c)—
(i) by inserting after “1970” the following—
“and before the 1st day of July 1974”; and
(ii) by deleting the full stop at the end of the proviso and substituting a semicolon; and
- (c) by inserting after paragraph (c) the following new paragraph—
“(d) where the accident happens on or after the 1st day of July 1974, be a sum equal to forty-eight months’ earnings or eighty thousand dollars, whichever is less:
Provided that in no case shall the sum payable under this paragraph be less than twelve thousand eight hundred dollars.”.

Amendment
of section 8.

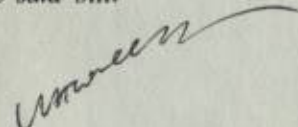
5. Section 8 of the principal Ordinance is amended by deleting subsection (4) and substituting the following—
“(4) Compensation payable under this section shall—
(a) where the accident happens before the 1st day of July 1974, not exceed twenty-four thousand dollars;

- (b) where the accident happens on or after the 1st day of July 1974, not exceed thirty-two thousand dollars.”.

Passed by the Hong Kong Legislative Council this 27th day of March, 1974.

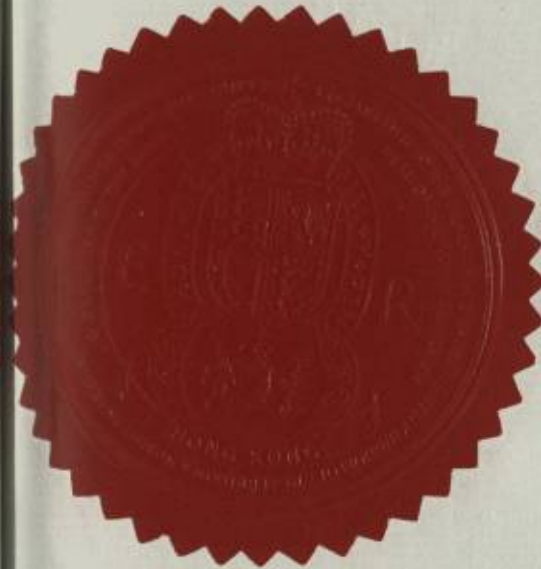

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

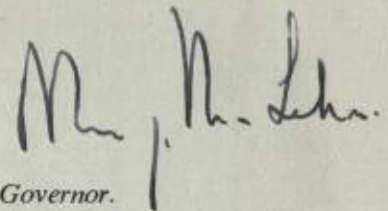

Clerk to the Legislative Council.

HONG KONG

No. 21 OF 1974.



I assent.



Governor.

24th April, 1974.

An Ordinance to amend the Streets (Alteration) Ordinance.

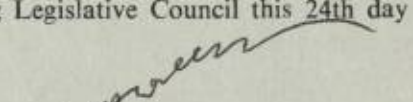
[26th April, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Streets (Alteration) Short title. (Amendment) Ordinance 1974.

2. Section 7 of the principal Ordinance is amended in subsection (1)(a) by deleting "paragraph (a) or (c) of subsection (1) of". Amendment of section 7. (Cap. 130.)

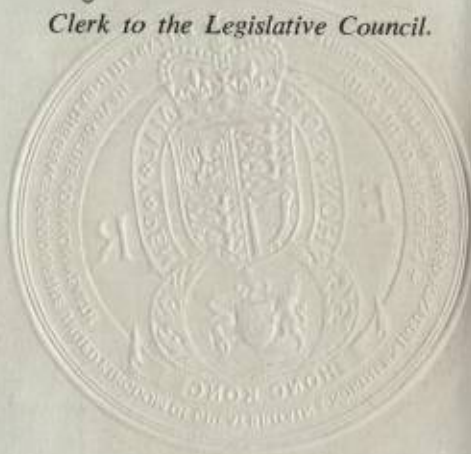
Passed by the Hong Kong Legislative Council this 24th day of April, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

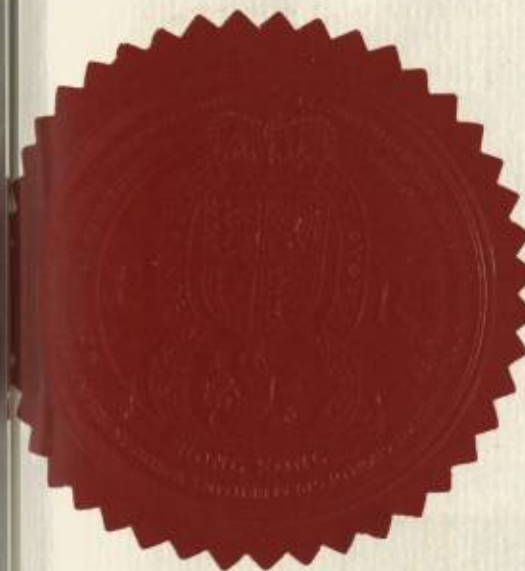
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Clerk to the Legislative Council.



HONG KONG

No. 22 OF 1974



I assent.

[Handwritten signature]

Governor.

9th May, 1974.

An Ordinance to amend the Urban Council Ordinance 1973.

[10th May, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Urban Council Short title. (Amendment) Ordinance 1974.

2. The principal Ordinance is amended by adding, after section 52, the following new section 52A—

"Prohibition of possession and use of emblem.

Fifth Schedule.

52A. (1) Except with the authority of the Council, no person shall use or have in his possession without reasonable excuse—

(a) any emblem of the Council, which emblem is portrayed in the Fifth Schedule, or any copy or replica of such emblem; or

Addition of new section 52A. (19 of 1973.)

- (b) any emblem or other device containing the words "Urban Council" or the characters "市政局"; or
- (c) any emblem or other device which so resembles any emblem of the Council as to be capable of being mistaken for such emblem.

(2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine of \$1,000."

Addition of
new Fifth
Schedule.

3. The principal Ordinance is amended by adding, after the Fourth Schedule, the following new Fifth Schedule—

"FIFTH SCHEDULE [s. 52A.]



Passed by the Hong Kong Legislative Council this 8th day of May, 1974.

W. W. W. W.
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

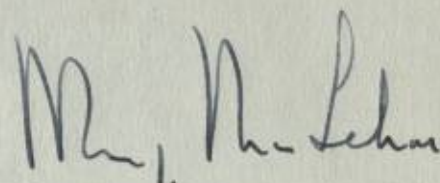
W. W. W. W.
Clerk to the Legislative Council.

HONG KONG

No. 23 OF 1974



I assent.


Governor.

9th May, 1974.

An Ordinance to amend the Inland Revenue Ordinance.

[10th May, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

- 1.** (1) This Ordinance may be cited as the Inland Revenue (Amendment) (No. 2) Ordinance 1974. Short title and commencement.
- (2) Sections 4 and 5 shall come into operation on the 1st day of July 1974.
- 2.** Section 37 of the principal Ordinance is amended— Amendment of section 37. (Cap. 112.)
- (a) in subsection (1) by deleting "equal to one-fifth of that expenditure"; and

- (b) by inserting, after subsection (1), the following new subsection—

“(1A) For the purposes of subsection (1), the initial allowance shall be—

- (a) in respect of a year of assessment up to and including the year of assessment commencing on the 1st day of April 1973, equal to one-fifth of the expenditure referred to in subsection (1); and
- (b) in respect of a year of assessment commencing on or after the 1st day of April 1974, equal to one-quarter of such expenditure.”.

3. Section 37A of the principal Ordinance is amended—

- (a) in subsection (1) by deleting “equal to one-fifth of the capital portion only of such payment”; and
- (b) by inserting, after subsection (1), the following new subsection—

“(1A) For the purposes of subsection (1), the initial allowance shall be—

- (a) in respect of a year of assessment up to and including the year of assessment commencing on the 1st day of April 1973, equal to one-fifth of the capital portion only of the instalment payment referred to in subsection (1); and
- (b) in respect of a year of assessment commencing on or after the 1st day of April 1974, equal to one-quarter of the capital portion only of such payment.”.

4. Section 71 of the principal Ordinance is amended by inserting, after subsection (5), the following new subsection—

“(5A) Where any tax is in default for a period of not less than six months from the date when it was deemed to be in default, whether such date was before or after the 1st day of July 1974, the Commissioner may order that a sum or sums not exceeding ten *per cent* in all of the total unpaid amount of—

- (a) the tax in default; and

Amendment
of section
37A.

Amendment
of section
71.

- (b) any sum or sums added thereto under subsection (5),

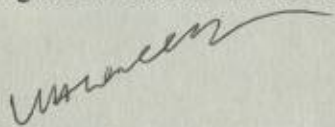
shall be added to such total unpaid amount, and recovered therewith.”.

5. Section 72 of the principal Ordinance is amended by inserting, after “subsection (5)”, the following—

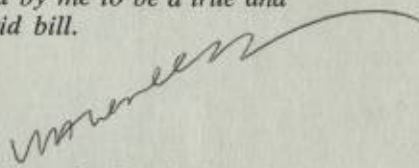
“or (5A)”.

Amendment
of section
72.

Passed by the Hong Kong Legislative Council this 8th day of May, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 24 OF 1974



I assent.

M. N. Lehn
Governor.

9th May, 1974.

An Ordinance to amend the Estate Duty Ordinance.

[1st April, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Estate Duty (Amendment) Ordinance 1974 and shall be deemed to have come into operation on the 1st day of April 1974.

Short title
and com-
mencement.

2. Section 3(1) of the principal Ordinance is amended in the definition of "applicable Schedule" by deleting "means the Tenth Schedule" and substituting the following—

Amendment
of section 3.
(Cap. 111.)

"but before the 1st day of April 1974 means the Tenth Schedule, and in the case of persons dying on or after the 1st day of April 1974 means the Eleventh Schedule".

Amendment of section 35. **3.** Section 35(4) of the principal Ordinance is amended by deleting "Eleventh" and substituting the following—
"Twelfth".

Amendment of Tenth Schedule. **4.** The Tenth Schedule to the principal Ordinance is amended by deleting "until this Schedule is superseded" and substituting the following—
"before the 1st April 1974".

Renumbering of Eleventh Schedule and insertion of new Eleventh Schedule. **5.** The principal Ordinance is amended—
(a) by renumbering the Eleventh Schedule as the Twelfth Schedule; and
(b) by inserting before the Twelfth Schedule (as so renumbered) the following new Schedule—

"ELEVENTH SCHEDULE [ss. 3, 5, 14, 16, 17, 23, 24 & 27.]

(Persons dying on or after the 1st April 1974 and until this Schedule is superseded)

Where the principal value of the estate						Estate duty shall be payable at the rate <i>per cent</i> of
	\$				\$	
Exceeds	300,000	and does not exceed			400,000	6
"	400,000	" " " "			500,000	7
"	500,000	" " " "			550,000	8
"	550,000	" " " "			600,000	9
"	600,000	" " " "			650,000	10
"	650,000	" " " "			700,000	11
"	700,000	" " " "			800,000	12
"	800,000	" " " "			900,000	13
"	900,000	" " " "			1,000,000	14
"	1,000,000				15

Passed by the Hong Kong Legislative Council this 8th day of May, 1974.

[Signature]
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

[Signature]
Clerk to the Legislative Council.

HONG KONG

No. 25 OF 1974



I assent.

Governor.

9th May, 1974.

An Ordinance to amend further the Revised Edition of the Laws Ordinance 1965.

[10th May, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Revised Edition of Short title, the Laws (Amendment) Ordinance 1974.

2. Section 13(3) of the principal Ordinance is amended by deleting paragraph (b) and substituting therefor the following—

“(b) a new revised edition—

(i) of all the subsidiary legislation made under or by virtue of any Ordinance, or

Amendment
of section
13(3).
(53 of 1965.)

(ii) of any single piece of that subsidiary legislation,


whether or not any such legislation has been amended during the period of twelve months ending on the preceding thirty-first day of December.”.

Amendment
of section
15.

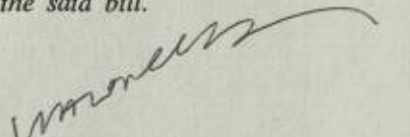
3. Section 15 of the principal Ordinance is amended by deleting subsection (3) and substituting therefor the following—

“(3) Where a new revised edition of subsidiary legislation made under or by virtue of an Ordinance is published in a separate booklet under paragraph (b) of subsection (3) of section 13 or under paragraph (c) of subsection (2) of section 14, such booklet shall be part of the Chapter of the Ordinance under or by virtue of which that subsidiary legislation is made.”.

Passed by the Hong Kong Legislative Council this 8th day of May, 1974.

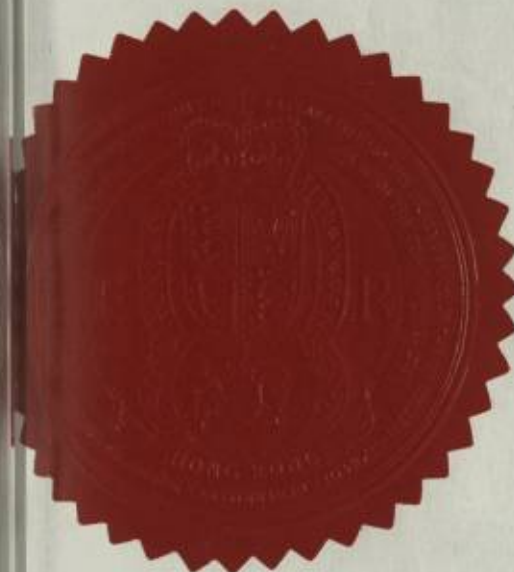

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

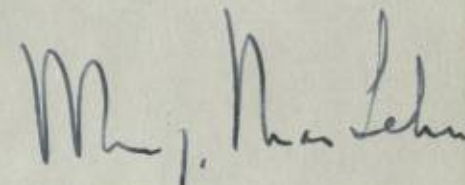

Clerk to the Legislative Council.

HONG KONG

No. 26 OF 1974



I assent.


Governor.

9th May, 1974.

An Ordinance to amend the Children's Playground Association Ordinance.

[10th May, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Children's Play- Short title.
ground Association (Amendment) Ordinance 1974.

2. Section 1 of the principal Ordinance is amended by deleting "Children's Playground Association Ordinance" and substituting the following—
Amendment of section 1.
(Cap. 1061.)

"Hong Kong Playground Association Ordinance".

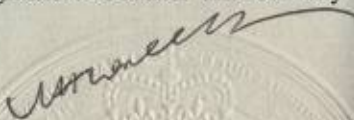
3. Section 2 of the principal Ordinance is amended by deleting "Children's" in both places where it occurs and substituting in each case the following—
Amendment of section 2.

"Hong Kong".


Amendment
of section 4.

4. Section 4 of the principal Ordinance is amended by inserting after "children" the following—
"and youth".

Passed by the Hong Kong Legislative Council this 8th day of May, 1974.


Clerk to the Legislative Council.


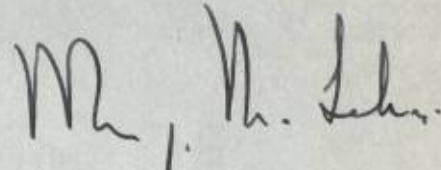
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 27 OF 1974

I assent.



Governor.

23rd May, 1974.

An Ordinance to amend the Public Services Commission Ordinance.

[24th May, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Public Services Short title, Commission (Amendment) Ordinance 1974.

2. Section 2 of the principal Ordinance is amended by inserting after the definition of "Commission" the following— Amendment
of section 2.
(Cap. 93.)

" "judicial officer" means a judge, District Judge, magistrate, president of a Tenancy Tribunal, Presiding Officer of the Labour Tribunal and the Registrar of the Supreme Court;"

Amendment
of section 3.

3. Section 3 of the principal Ordinance is amended by deleting subsection (2) and substituting the following new subsections—

“(2) The Chairman and not less than one member may exercise and perform any of the functions, powers and duties of the Commission, but the Commission shall not pass a resolution except by the unanimous vote of the Chairman and every member who considers the resolution.

(2A) The Commission may, by instrument of delegation, authorize the Chairman to exercise and perform, either generally or in any particular case, such of the functions, powers and duties of the Commission under this Ordinance as may be specified in the instrument.

(2B) Anything which may be done at a meeting of the Commission may be done by the circulation of papers for the consideration of the Chairman and not less than one member and in particular—

- (a) a resolution of the Commission may be passed without a meeting, but the resolution and the voting thereon shall be recorded in writing and the Chairman and any member who considers the resolution shall sign his name to his vote; and
- (b) advice on any matter may be formulated without a meeting, but the advice of the Chairman and any member who considers the matter shall be recorded in writing and each shall sign his name to the advice given by him.

(2C) Whenever the Chairman or any member is absent from the Colony or is unable to act, the Governor may appoint another person to act temporarily in his place.”

Amendment
of section 4.

4. Section 4 of the principal Ordinance is amended in paragraph (b) of the proviso by deleting “(2)” and substituting the following—

“(2C)”.

Amendment
of section 6.

5. Section 6 of the principal Ordinance is amended—

- (a) in subsection (1) by deleting paragraph (c) and substituting the following—

“(c) such representations from an officer as may be referred to it by the Governor or made to the

Commission in accordance with the Regulations of the Hong Kong Government;”;

- (b) in subsection (2)—

- (i) in paragraph (a), by inserting after “of the Colony” the following—

“, the Deputy Colonial Secretary”; and

- (ii) by deleting paragraph (b) and substituting the following—

“(b) any judicial officer;”.

6. Sections 7 and 8 of the principal Ordinance are amended by deleting “(2)” where it appears in each section and substituting the following—

Amendment
of sections
7 and 8.

“(2C)”.

7. Section 13 of the principal Ordinance is amended by deleting the proviso and substituting the following—

Amendment
of section
13.

“Provided that nothing in this section shall prohibit—

- (a) any person from giving a certificate or testimonial to any applicant or candidate for any public office or from supplying any information or assistance upon formal request made by the Commission; or
- (b) any officer from making representations to the Commission in accordance with the Regulations of the Hong Kong Government.”

8. Section 14 of the principal Ordinance is amended in subsection (2) by deleting “quorum thereof” and substituting the following—

Amendment
of section
14.

“Chairman and every member”.

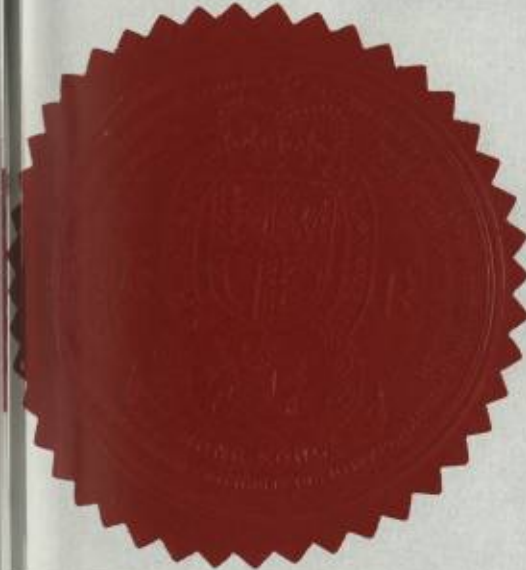
Passed by the Hong Kong Legislative Council this 22nd day of May, 1974.

Clerk to the Legislative Council.

*This printed impression has been carefully compared
by me with the bill, and is found by me to be a true and
correctly printed copy of the said bill.*

W. J. ...

Clerk to the Legislative Council.



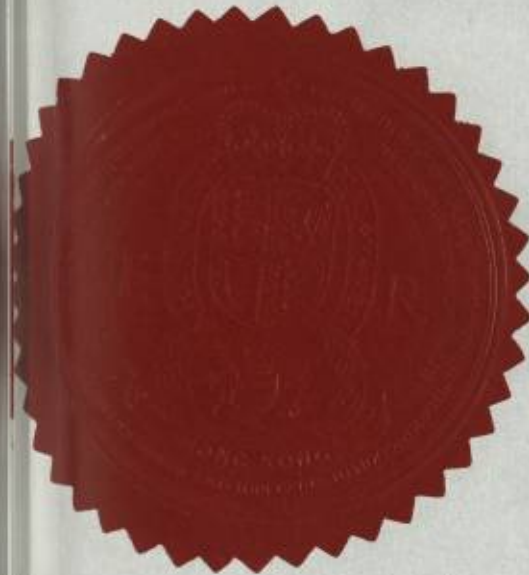
I assent.

Wm. N. ...

W. J. ...
Clerk to the Legislative Council.

HONG KONG

No. 28 OF 1974



I assent.

W. J. ...
Governor.

23rd May, 1974.

An Ordinance to amend the Nurses Registration Ordinance.

[24th May, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Nurses Registration Short title. (Amendment) Ordinance 1974.

2. Section 2 of the principal Ordinance is amended by deleting the definition of "Principal Matron" and substituting the following—

Amendment of section 2. (Cap. 164.)

"Principal Nursing Officer" means the Principal Nursing Officer in the Medical and Health Department;".

Amendment
of section 3.

3. Section 3 of the principal Ordinance is amended—

(a) by deleting subsection (2) and substituting the following—

“(2) The Board shall consist of—

- (a) the Director;
- (b) the Principal Nursing Officer;
- (c) ten members, who shall be nurses registered in accordance with the provisions of this Ordinance or State registered nurses of the United Kingdom and who shall be appointed by the Governor;
- (d) one member who shall be nominated by the University of Hong Kong and shall be appointed by the Governor; and
- (e) one member who shall be a registered nurse specially qualified in the nursing and care of persons suffering from mental diseases or in the nursing and care of the mentally subnormal and who shall be appointed by the Governor.”; and

(b) by deleting subsection (6) and substituting the following—

“(6) There shall be a secretary to the Board and the following advisers to the Board—

- (a) a legal adviser;
- (b) an education adviser who shall be nominated by the Director of Education; and
- (c) a social studies adviser who shall be nominated by The Chinese University of Hong Kong,

who shall be appointed by the Governor.”.

Amendment
of section 14.

4. Section 14 of the principal Ordinance is amended in subsection (1)—

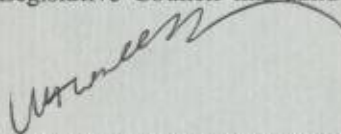
(a) by deleting the full stop at the end of paragraph (c) and substituting the following—

“; or”; and

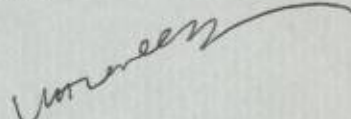
(b) by inserting after paragraph (c)(iv) the following new sub-paragraph—

“(v) he possesses a valid certificate to practise nursing issued by such certifying body, other than the Councils mentioned in sub-paragraphs (ii), (iii) and (iv), as may be recognized by the Board as constituting sufficient evidence of his competency to practise nursing.”.

Passed by the Hong Kong Legislative Council this 22nd day of May, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 29 OF 1974



I assent.

M. J. M. Lehn
Governor.

6th June, 1974.

An Ordinance to amend the Labour Tribunal Ordinance.

[7th June, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Labour Tribunal Short title. (Amendment) Ordinance 1974.

2. Section 31 of the principal Ordinance is amended in sub-section (1) by deleting "a notice of appeal and does not agree to withdraw the appeal" and substituting the following—
"an application for leave to appeal and does not agree to withdraw the application".

Amendment
of section
31.
(Cap. 25.)

Repeal and replacement of section 32.

3. Section 32 of the principal Ordinance is repealed and replaced by the following—

"Leave to appeal on point of law."

32. (1) If any party is dissatisfied with an award, order or determination by the tribunal on the grounds that the award, order or determination is—

- (a) erroneous in point of law; or
- (b) outside the jurisdiction of the tribunal,

such party may, within seven days after the date of the award, order or determination, apply to the District Court for leave to appeal and the District Court may grant such leave.

(2) An application for leave to appeal under this section shall be—

- (a) in the prescribed form which shall set out the grounds of appeal and the reasons in support of such grounds; and
- (b) lodged with the Registrar of the District Court.

(3) A refusal by the District Court to grant leave to appeal shall be final."

Repeal and replacement of section 33.

4. Section 33 of the principal Ordinance is repealed and replaced by the following—

"Leave to appeal on ground of perjury."

33. (1) If any party is dissatisfied with an award, order or determination by the tribunal on the grounds that the award, order or determination is wrong in that—

- (a) a witness gave evidence which he knew to be false; and
- (b) such evidence was accepted by the presiding officer as true and was material to his determination,

such party may, within seven days after the date of the award, order or determination, apply to the District Court for leave to appeal and the District Court may grant such leave.

(2) An application for leave to appeal under this section shall be—

- (a) in the prescribed form which shall set out the grounds of appeal, a summary of the

evidence which is alleged to be false and the reasons for such allegation; and

(b) lodged with the Registrar of the District Court.

(3) A refusal by the District Court to grant leave to appeal shall be final."

5. Section 35 of the principal Ordinance is amended by inserting after subsection (3) the following new subsection—

Amendment of section 35.

"(4) A decision of the District Court or Full Court on an appeal shall be final."

6. Section 36 of the principal Ordinance is amended by deleting "An" and substituting the following—

Amendment of section 36.

"Subject to this Part, an".

7. Section 37 of the principal Ordinance is repealed and replaced by the following—

Repeal and replacement of section 37.

"Stay of execution on review or appeal."

37. Neither a decision by a presiding officer to exercise his power of review under section 31 nor the filing of an application for leave to appeal under section 32 or 33 shall operate as a stay of execution of an award or order unless the presiding officer or District Court, as the case may be, otherwise orders and any stay of execution may be subject to such conditions as to costs, payment into the tribunal, the giving of security or otherwise as the presiding officer or District Court may think fit."

8. Section 42 of the principal Ordinance is repealed and replaced by the following—

Repeal and replacement of section 42.

"Insulting behaviour."

42. If any person, in a hearing before the tribunal,—

- (a) uses a threatening or insulting expression to or concerning or in the presence of the presiding officer; or
- (b) behaves in an insulting manner or wilfully interrupts the proceedings,

the presiding officer may summarily sentence the offender to a fine of five hundred dollars and to imprisonment for two months."

Amendment
of section
45.

9. Section 45 of the principal Ordinance is amended by deleting paragraph (a) and substituting the following—

“(a) regulating the procedure for—

(i) applying for review, and the hearing of such applications, under section 31;

(ii) applying for leave to appeal, and the hearing of such applications, under section 32 or 33;

(iii) the hearing of appeals under section 35;”.

Addition of
new section
45A.

10. The principal Ordinance is amended by adding after section 45 the following new section—

“Power of
presiding
officer to
enforce
payment of
fine, etc.

45A. For the purposes of enforcing the payment of any fine imposed or giving effect to any sentence of imprisonment a presiding officer shall have the powers of a judge.”.

Repeal of
section 47.

11. Section 47 of the principal Ordinance is repealed.

Passed by the Hong Kong Legislative Council this 5th day of June, 1974.

Warner
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

Warner
Clerk to the Legislative Council.

HONG KONG

No. 30 OF 1974



I assent.

Allyp Roberts
Acting Governor.

20th June, 1974.

An Ordinance to amend the Business Registration Ordinance and the Business Registration Regulations.

[21st June, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Business Registration (Amendment) Ordinance 1974. Short title.

2. Section 11 of the principal Ordinance is amended—

(a) by deleting subsection (2); and

(b) in subsection (3)(b) by—

(i) deleting “sums” and substituting the following—
“sum”; and

(ii) deleting “or (2)”.

Amendment
of section
11.
(Cap. 310.)

Amendment
of section
15.

3. Section 15 of the principal Ordinance is amended in subsection (2)(c)(ii) by deleting "sums" and substituting the following—

"sum".

Replace-
ment of
Schedule.

4. The principal Ordinance is amended by deleting the Schedule and substituting the following—

"SCHEDULE		[ss. 7, 9, 11 & 18.]
Item	Sum	Section
1. Fee payable on registration of business, or issue of further business registration certificate, where application for registration is made or certificate expires—		
(a) before 1st April 1974	\$25	7
(b) on or after 1st April 1974	\$50	7
2. Average of total sales to exempt a business other than a new business, or a business whose profits derive primarily from the sale of services	\$1,500 per month	9(1)(a)
3. Average of total sales or receipts to exempt business whose profits derive primarily from the sale of services	\$450 per month	9(1)(b)
4. Penalty to be added to prescribed fee for non-payment thereof	\$15	11(1)".

Amendment
of regula-
tion 7 of
Business
Registration
Regulations.
(Cap. 310,
sub. leg.)

5. Regulation 7 of the Business Registration Regulations is amended—

(a) in paragraph (1) by deleting "\$10" and substituting the following—

"\$15"; and

(b) in paragraph (2) by deleting "\$2" and substituting the following—

"\$5".

Passed by the Hong Kong Legislative Council this 19th day of June 1974.

W. M. M. M.
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

W. M. M. M.
Clerk to the Legislative Council.

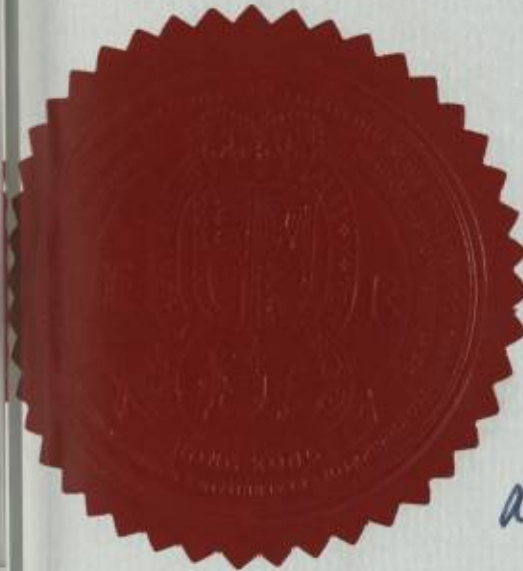


I assent.

Wm Roberts

HONG KONG

No. 31 OF 1974



I assent.

Alcup Roberts

Acting Governor.

20th June, 1974.

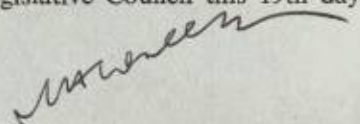
An Ordinance to amend the Motor Vehicles (First Registration Tax) Ordinance.

[21st June, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

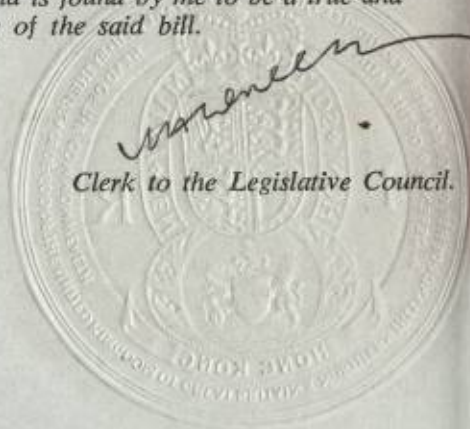
1. This Ordinance may be cited as the Motor Vehicles Short title. (First Registration Tax) (Amendment) Ordinance 1974.
2. The Schedule to the principal Ordinance is amended—
Amendment of Schedule. (Cap. 330.)
 - (a) in items 1, 2 and 3, by deleting "10" and substituting in each case the following—
"15"; and
 - (b) by deleting item 4.

Passed by the Hong Kong Legislative Council this 19th day of June 1974.



Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



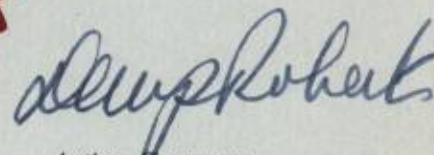
Clerk to the Legislative Council.

HONG KONG

No. 32 OF 1974



I assent.



Acting Governor.

20th June, 1974.

An Ordinance to amend the Road Traffic (Registration and Licensing of Vehicles) Regulations.

[21st June, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Road Traffic Short title. (Registration and Licensing of Vehicles) Regulations (Amendment) Ordinance 1974.

2. The Road Traffic (Registration and Licensing of Vehicles) Regulations are amended by deleting the Third Schedule and substituting the following—

"THIRD SCHEDULE [regs. 19(2), 20(2), 39(1) & 40.]

LICENCE FEES

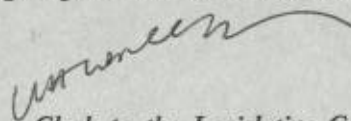
Amendment of Road Traffic (Registration and Licensing of Vehicles) Regulations. (Cap. 220, sub. leg.)

<i>Vehicle</i>	<i>Annual fee in \$</i>
1. Goods vehicle—	
(a) not exceeding 20 cwt., weight unladen;	300

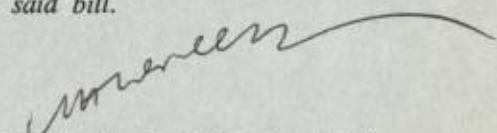
<i>Vehicle</i>	<i>Annual fee in \$</i>
(b) exceeding 20 cwt., and not exceeding 45 cwt., weight unladen;	600
(c) exceeding 45 cwt., and not exceeding 75 cwt., weight unladen;	900
(d) exceeding 75 cwt., weight unladen.	1,200
2. Goods vehicle the user of which is restricted to construction sites and to public roads only at specified hours for the purpose of proceeding to and from such sites.	10
3. Public omnibus—	
(a) for the driver; and	10
(b) an additional fee for each seat for a passenger in each vehicle.	30
4. Private omnibus—	
(a) for the driver; and	10
(b) an additional fee for each seat for a passenger in such vehicle.	25
5. Taxi—	
(a) for the driver; and	20
(b) an additional fee for each passenger permitted to be carried.	60
6. Private car of which the cylinder capacity of the engine—	
(a) does not exceed 1,000 cubic centimetres;	350
(b) exceeds 1,000 cubic centimetres but does not exceed 1,500 cubic centimetres;	500
(c) exceeds 1,500 cubic centimetres but does not exceed 2,500 cubic centimetres;	750
(d) exceeds 2,500 cubic centimetres but does not exceed 3,500 cubic centimetres;	1,000
(e) exceeds 3,500 cubic centimetres but does not exceed 4,500 cubic centimetres;	1,250
(f) exceeds 4,500 cubic centimetres.	1,500
7. Motor cycle including motor scooter and motor assisted pedal-cycle, and motor tricycle.	175
8. Trailer—for each 5 cwt. or part thereof weight unladen.	50
9. Rickshaw—	
(a) to be used as a public vehicle—	
(i) in the Island of Hong Kong, Kowloon and New Kowloon;	50

<i>Vehicle</i>	<i>Annual fee in \$</i>
(ii) in the New Territories (other than New Kowloon);	12
(iii) owner-drawn in the New Territories (other than New Kowloon);	1
(b) to be used as a private vehicle.	40
10. Sedan chair.	4
11. Tricycle.	25
12. Invalid carriage.	10
13. Public car of which the cylinder capacity of the engine—	
(a) does not exceed 1,000 cubic centimetres;	350
(b) exceeds 1,000 cubic centimetres but does not exceed 1,500 cubic centimetres;	500
(c) exceeds 1,500 cubic centimetres but does not exceed 2,500 cubic centimetres;	750
(d) exceeds 2,500 cubic centimetres but does not exceed 3,500 cubic centimetres;	1,000
(e) exceeds 3,500 cubic centimetres but does not exceed 4,500 cubic centimetres;	1,250
(f) exceeds 4,500 cubic centimetres;	1,500
together with an additional fee in each case for each seat for a passenger in the vehicle.	30
14. Public light bus.	5,000
15. Private light bus.	480".

Passed by the Hong Kong Legislative Council this 19th day of June 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 33 OF 1974



I assent.

M. S. Lehman
Governor.

4th July, 1974.

An Ordinance to make provision for the pensions of certain officers transferred from the public service to the service of the Hong Kong Polytechnic.

[1st August, 1972]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Pensions (Special Provisions) (Hong Kong Polytechnic) Ordinance 1974 and shall be deemed to have had effect as from the 1st August 1972.

Short title and commencement.

2. In this Ordinance, unless the context otherwise requires—
“Hong Kong Polytechnic” means the Hong Kong Polytechnic established under section 3 of the Hong Kong Polytechnic Ordinance;

Interpretation.

(Cap. 1075.)

(Cap. 89.) "pensionable office" has the meaning assigned thereto by section 2 of the Pensions Ordinance;

(Cap. 89.) "transferred officer" means an officer, eligible for a pension under the Pensions Ordinance, transferred from service in a pensionable office under the Government to service under the Hong Kong Polytechnic.

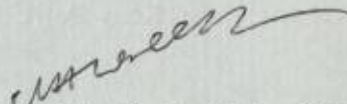
Application. 3. (1) This Ordinance applies to any transferred officer who is specified by the Governor, by notice in the *Gazette*, for the purposes of this Ordinance.

(2) A notice under subsection (1) shall specify the day on which a transferred officer shall be deemed to have transferred from service in a pensionable office under the Government to service under the Hong Kong Polytechnic.

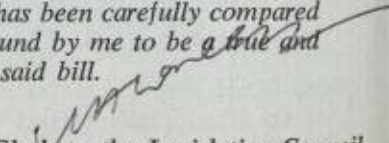
Application of the Pensions Ordinance to officers to whom this Ordinance applies. (Cap. 89.) (sub. leg.) 4. The Pensions Ordinance shall apply to any transferred officer to whom this Ordinance applies as though—

- (a) service under the Hong Kong Polytechnic were included in the definition of "public service" in section 2 of the Pensions Ordinance;
- (b) the Hong Kong Polytechnic were included in the Schedule to the Pensions Regulations; and
- (c) regulation 9 of the Pensions Regulations applied to service wholly in the Colony.

Passed by the Hong Kong Legislative Council this 3rd day of July, 1974.

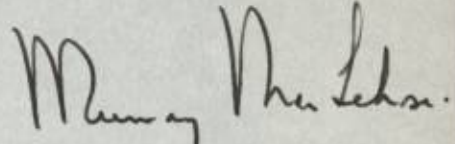

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.



I assent.


Governor.

HONG KONG

No. 34 OF 1974

(Cap. 89.)

the Pensions Ordinance, transferred from service in a pensionable office under the Government to service under the Hong Kong Polytechnic.

Application.

3. (1) This Ordinance applies to any transferred officer who is specified by the Governor, by notice in the *Gazette*, for the purposes of this Ordinance.

(2) A notice under subsection (1) shall specify the day on which a transferred officer shall be deemed to have transferred from service in a pensionable office under the Government to service under the Hong Kong Polytechnic.

Application of the Pensions Ordinance to officers to whom this Ordinance applies.
(Cap. 89.)

(Cap. 89,
sub. leg.)

4. The Pensions Ordinance shall apply to any transferred officer to whom this Ordinance applies as though—

- (a) service under the Hong Kong Polytechnic were included in the definition of "public service" in section 2 of the Pensions Ordinance;
- (b) the Hong Kong Polytechnic were included in the Schedule to the Pensions Regulations; and
- (c) regulation 9 of the Pensions Regulations applied to



I assent.

Murray MacLehose
Governor.

4th July, 1974.

An Ordinance to amend the Rating Ordinance 1973.

[1st August, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Rating (Amendment) Ordinance 1974 and shall come into operation on the 1st day of August 1974. Short title and commencement.

2. Section 22 of the principal Ordinance is amended— Amendment of section 22. (11 of 1973.)
(a) by inserting, after subsection (2), the following new subsection—

“(2A) Where any rates are in default for a period of not less than six months from the date when they were deemed to be in default, whether such date was before or after the 1st day of August

1974, the Collector of Rates may order that a sum or sums not exceeding ten *per cent* in all of the total unpaid amount of—

- (a) the rates in default; and
- (b) any sum added thereto under subsection (2), shall be added to such total unpaid amount, and recovered therewith.”; and

(b) in subsection (3) by inserting, after “subsection (2)”, the following—

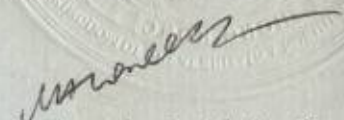
“or (2A)”.

Amendment
of section
29.

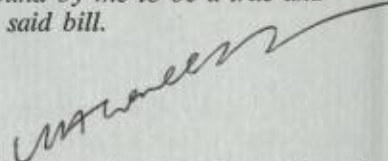
3. Section 29(3) is amended by inserting, after “Section 22(2)”, the following—

“, (2A)”.

Passed by the Hong Kong Legislative Council this 3rd day of July, 1974.

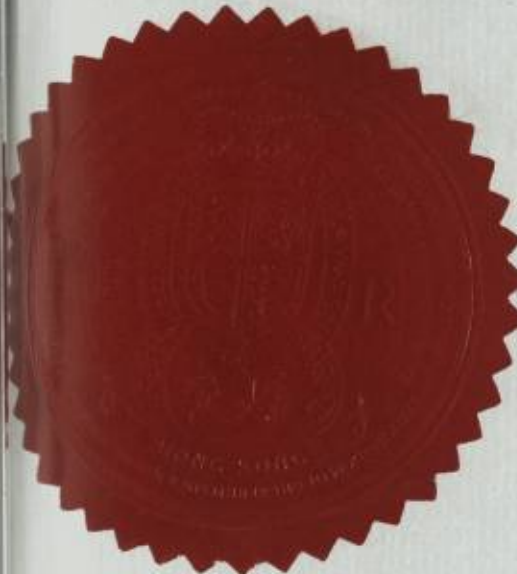

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

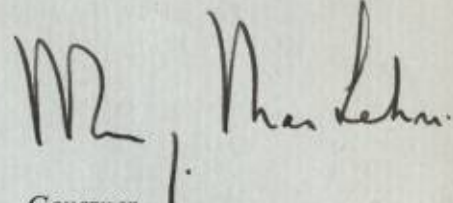

Clerk to the Legislative Council.

HONG KONG

No. 35 OF 1974



I assent.


Governor.

4th July, 1974.

An Ordinance to amend the Rating Ordinance 1973.

[5th July, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Rating (Amendment) Short title. (No. 2) Ordinance 1974.

2. Section 19 of the principal Ordinance is amended by deleting subsections (1) and (2) and substituting the following—

Amendment
of section
19.
(11 of 1973.)

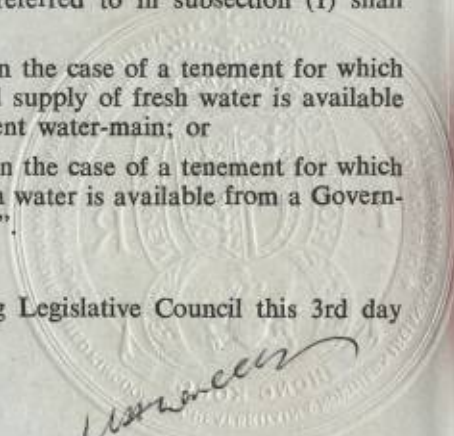
“(1) Subject to this Ordinance there shall be payable with effect from the 1st day of April in each year, on the rateable value of every tenement, which is situated in the New Territories (other than New Kowloon) and included in a valuation list in force, general rates, which shall be fifteen *per cent* of the rateable value of the tenement:

Provided that in the case of a specified area for which a valuation list first came into force on or after the 1st day of April 1974, general rates shall be eleven *per cent* of the rateable value of any tenement within that area for a period of four years from when the first valuation list came into force.

(2) The percentages referred to in subsection (1) shall be reduced—

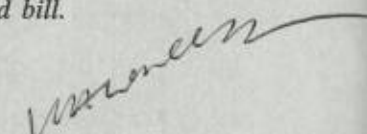
- (a) by one *per cent* in the case of a tenement for which only an unfiltered supply of fresh water is available from a Government water-main; or
- (b) by two *per cent* in the case of a tenement for which no supply of fresh water is available from a Government water-main.”

Passed by the Hong Kong Legislative Council this 3rd day of July, 1974.



W. W. Wong
Clerk to the Legislative Council.


This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



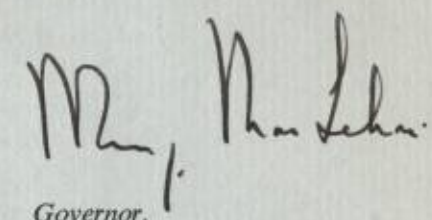
W. W. Wong
Clerk to the Legislative Council.

HONG KONG

NO. 36 OF 1974



I assent.



M. P. Ho
Governor.

4th July, 1974.

An Ordinance to amend the Stamp Ordinance.

[5th July, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Stamp (Amendment) Short title Ordinance 1974.

2. The Schedule to the principal Ordinance is amended— Amendment
of Schedule.
(Cap. 117.)
(a) by adding, after head 14(1), the following—

“Exemption

Bond for securing the refund to the Government of loans made by the Government to persons receiving full time education at a university, college, school or other similar educational establishment.”;

- (b) in head 48(1) by deleting the exemption and substituting the following—

"Exemption

(a) Transfers of share warrants to bearer.

(b) Transfers of shares or marketable securities operating as a voluntary disposition *inter vivos* where the beneficial interest therein passes by way of gift from the registered owner or transferor of the shares or marketable securities to or on trust for an exempted institution.";

- (c) by adding, after head 53(1), the following—

"Exemption

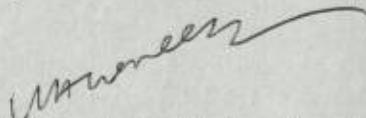
Voluntary dispositions *inter vivos* of land, and conveyances or transfers of land operating as voluntary dispositions *inter vivos* where the beneficial interest therein passes by way of gift from the person entitled to the beneficial interest in such land to or on trust for an exempted institution."; and

- (d) by adding after head 53(2), the following—

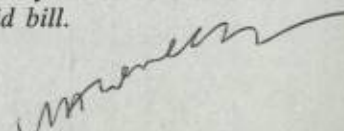
"Exemption

Voluntary dispositions *inter vivos* of land or other property, and conveyances or transfers of land or other property operating as voluntary dispositions *inter vivos*, other than that to which subhead (1) of this head applies, where the beneficial interest therein passes by way of gift from the person entitled to the beneficial interest in such land or other property to or on trust for an exempted institution.".

Passed by the Hong Kong Legislative Council this 3rd day of July, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

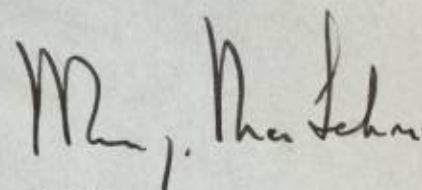

Clerk to the Legislative Council.

HONG KONG

No. 37 OF 1974



I assent.


Governor.

4th July, 1974.

An Ordinance to amend the Police Force Ordinance.

[5th July, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Police Force Short title. (Amendment) Ordinance 1974.

2. Section 3 of the principal Ordinance is amended—

Amendment
of section 3.
(Cap. 232.)

(a) in the definition of "gazetted police officer" by deleting "police cadet" and substituting the following—

"superintendent";

(b) by deleting the definition of "police cadet" and substituting the following—

"police cadet" means a person undergoing training at the Royal Hong Kong Police Cadet School;"; and

(c) in the definition of "police officer" by inserting, after "police force", the following—

“, but does not include a police cadet”.

Amendment
of section
39.

3. Section 39 of the principal Ordinance is amended in subsection (3)—

(a) by deleting "and" at the end of paragraph (b);

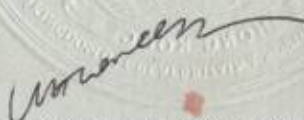
(b) by deleting the full stop at the end of paragraph (c) and substituting the following—

“; and”; and

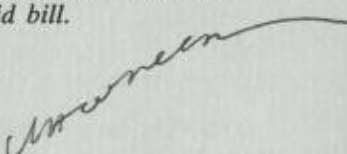
(c) by inserting, after paragraph (c), the following—

“(d) procuring for police cadets comforts, conveniences and other advantages not chargeable to the public revenue.”.

Passed by the Hong Kong Legislative Council this 3rd day of July, 1974.


Clerk to the Legislative Council.


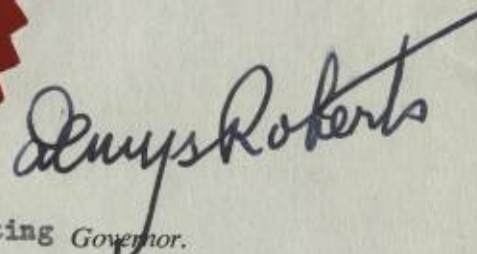
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 38 OF 1974

I assent.



Acting Governor.

18th July, 1974.

An Ordinance to amend the Copyright Ordinance 1973.

[19th July, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Copyright (Amendment) Ordinance 1974. Short title.

2. Section 4 of the principal Ordinance is amended—

(a) in subsection (1), by deleting the following—

“within the meaning of section 40 of the Act”; and

(b) by inserting after subsection (1) the following—

Inf. 1956
c. 74,
s. 40(4).]

(1A) If, in the circumstances mentioned in subsection (1), the person causing the programme to be transmitted, infringed

Amendment
of section 4.
(5 of 1973.)

the copyright in question, by reason that the broadcast was not an authorized broadcast—

- (a) no proceedings shall be brought against that person under the Act or this Ordinance in respect of his infringement of that copyright; but
- (b) it shall be taken into account in assessing damages in any proceedings against the organization specified in the Schedule making the television broadcast or sound broadcast in respect of that copyright, in so far as that copyright was infringed by such organization in making the broadcast.”.

Amendment of section 5. 3. Section 5 of the principal Ordinance is amended in subsection (3) by deleting “a police officer or”.

Amendment of section 6. 4. Section 6 of the principal Ordinance is amended in subsections (1) and (2) by deleting “police officer not below the rank of Inspector or any”.

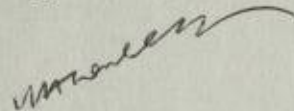
Amendment of section 7. 5. Section 7 of the principal Ordinance is amended—

- (a) in subsection (1) by deleting “a police officer or”;
- (b) in subsections (2) and (3) by deleting “a police officer not below the rank of Inspector or”;
- (c) in subsection (4) by—
 - (i) deleting “A police officer not below the rank of Inspector or an” and substituting the following—
“An”; and
 - (ii) deleting “any police officer or”.

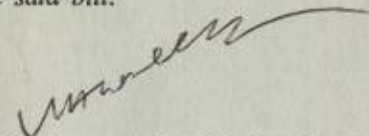
Amendment of section 8. 6. Section 8 of the principal Ordinance is amended—

- (a) in subsection (1)—
 - (i) in paragraph (a), by deleting “a police officer or”;
 - (ii) in paragraphs (b) and (c), by deleting “police officer or”; and
- (b) in subsection (2), by deleting “to a police officer or” and “police officer or”.

Passed by the Hong Kong Legislative Council this 17th day of July, 1974.

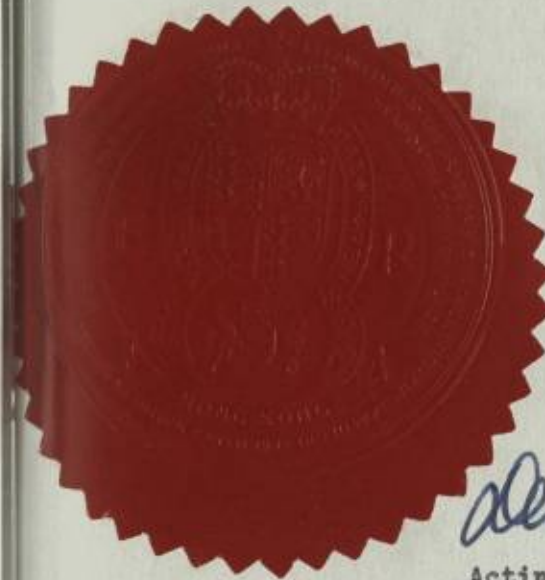

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 39 OF 1974



I assent.

deuphobats
Acting Governor.

18th July, 1974.

An Ordinance to amend the Medical Registration Ordinance.

[19th July, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Medical Registration (Amendment) Ordinance 1974. Short title.

2. Section 21 of the principal Ordinance is amended—

(a) in subsection (1)—

(i) by deleting the comma at the end of paragraph (iv) and substituting the following—

“; or”; and

Amendment
of sec-
tion 21.
(Cap. 161.)

(ii) by inserting, after paragraph (iv), the following—

“(v) order that a warning letter be served on the registered medical practitioner.”;

(b) by deleting subsection (5) and substituting the following—

“(5) Within one month after the expiry of the time within which an appeal against an order under subsection (1) may be made under section 26 or, if such an appeal has been made, within one month after a decision affirming or varying such order, the Council—

(a) shall, in the case of an order made under paragraphs (i), (ii), (iii) or (iv) of subsection (1), publish the order or the order as varied on appeal in the *Gazette*; and

(b) may, in the case of an order made under paragraph (v) of subsection (1), publish the order in the *Gazette*.”; and

(c) by inserting, after subsection (5), the following new subsection—

“(6) Where any order is published in the *Gazette* under subsection (5), the Council—

(a) shall publish with such order sufficient particulars to acquaint the public with the nature of the matter to which the order relates; and

(b) may publish with such order an account of the proceedings at the inquiry at which the order was made.”.

Amendment
of sec-
tion 25.

3. Section 25 of the principal Ordinance is amended—

(a) in subsection (1) by inserting, after “order made under”, the following—

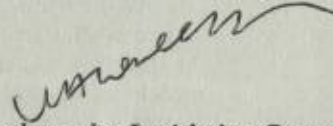
“paragraph (i), (ii), (iii) or (iv) of”; and

(b) by inserting, after subsection (1), the following new subsection—

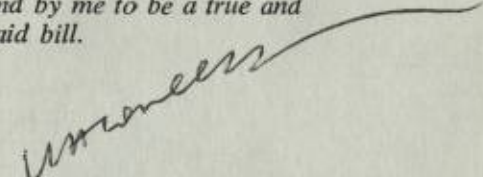
“(1A) Where the Council makes an order under paragraph (v) of subsection (1) of section 21, the Registrar shall forthwith serve the warning letter

upon the registered medical practitioner concerned either personally or by registered post addressed to his registered address.”.

Passed by the Hong Kong Legislative Council this 17th day of July, 1974.

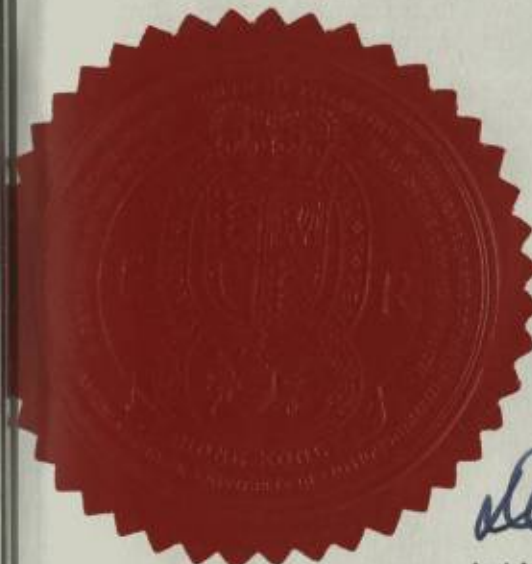

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 40 OF 1974



I assent.

Henry Roberts
Acting Governor.

18th July, 1974.

An Ordinance to amend the Dutiable Commodities Ordinance and the Dutiable Commodities Regulations.

[19th July, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Dutiable Com- Short title.
modities (Amendment) Ordinance 1974.

2. The long title to the principal Ordinance is amended Amendment
by deleting “, methyl alcohol”. (Cap. 109.)

3. Section 3 of the principal Ordinance is amended in Amendment
subsection (1) by deleting “, hydrocarbon oils, table waters and of section 3.
methyl alcohol” and substituting the following—

“and hydrocarbon oils”.

Amendment of section 6. 4. Section 6 of the principal Ordinance is amended in subsection (1) by inserting after paragraph (i) the following new paragraph—

“(ia) exemptions from or refunds of duty which are required by any Ordinance as to immunities and privileges of a diplomatic, consular or similar nature;”.

Amendment of section 24. 5. Section 24 of the principal Ordinance is amended in subsection (1) by inserting after “be kept” the following—

“in the prescribed manner or, in the absence of such provision,”.

Amendment of section 39. 6. Section 39 of the principal Ordinance is amended—

- (a) in paragraph (e) by inserting “or” after the semicolon;
- (b) by deleting paragraph (f);
- (c) in paragraph (g) by deleting “; or” and substituting a comma; and
- (d) by deleting paragraph (h).

Amendment of section 46. 7. Section 46 of the principal Ordinance is amended in subsection (1) by deleting “68, 72, 73 and 74” and substituting the following—

“64A and 68”.

Amendment of section 46A. 8. Section 46A of the principal Ordinance is amended in subsection (2)(a) by deleting “, 72, 73 or 74” and substituting the following—

“or 64A”.

Addition of new section 64A. 9. The principal Ordinance is amended by adding after section 64, the following new section—

“Storage of methyl alcohol.

64A. A distiller, importer, dealer or retailer of intoxicating liquor shall not bring onto or have in any premises used for holding intoxicating liquor the substance variously known as methyl alcohol and methanol.”.

Repeal of Part VI. 10. Part VI of the principal Ordinance is repealed.

Repeal of Part VII. 11. Part VII of the principal Ordinance is repealed.

12. The Dutiable Commodities Regulations are amended—
(a) by revoking regulation 15 and replacing it with the following—

“Refund of duty on goods supplied for consular etc. use.
(Cap. 190.)
(Cap. 259.)

15. Any person who in the course of business has supplied duty-paid goods for the use or consumption of a person who is entitled to be accorded immunity or exemption from duty by operation of the Diplomatic Privileges Ordinance or the Consular Relations Ordinance shall, if he has complied with such terms and conditions as the Director may specify, either generally or in any particular case, be entitled to a refund of the duty paid on those goods.”;

Amendment of Dutiable Commodities Regulations.
(Cap. 109, sub. leg.)

(b) in the Schedule, by deleting Part V.

13. Regulation 15 of the Dutiable Commodities Regulations, as replaced by section 12(a), shall apply to duty-paid goods supplied after the 1st January 1974.

Application of section 12(a).
(Cap. 109, sub. leg.)

14. Anything done or omitted to be done under the principal Ordinance by the Director or any other person after the 31st March 1973 in respect of the import, export, production, manufacture, sale or supply of table waters shall be as valid as if sections 3 (so far as it deletes table waters from section 3(1) of the principal Ordinance), 6(b), 10 and 12(b) had come into operation on 1st April 1973.

Validation.

Passed by the Hong Kong Legislative Council this 17th day of July, 1974.

Warren
Clerk to the Legislative Council.

Warren
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

Warren
Clerk to the Legislative Council.

HONG KONG

No. 41 OF 1974



I assent.

Alun Roberts
Acting Governor.

18th July, 1974.

An Ordinance to amend the Protection of Non-Government Certificates of Origin Ordinance.

[19th July, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Protection of Non-Government Certificates of Origin (Amendment) Ordinance 1974. Short title.

2. Section 2 of the principal Ordinance is amended in the definition of "Director" by inserting after "Industry" the following— Amendment of section 2. (Cap. 324.)

"and any Deputy or Assistant Director of Commerce and Industry".

Amendment
of section 7.

3. Section 7 of the principal Ordinance is amended by inserting after subsection (2) the following new subsections—

“(3) Any person who furnishes or causes to be furnished to any other person a document which—

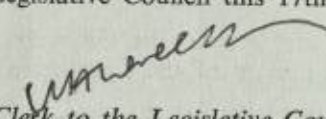
- (a) he knows or has reason to believe may be used in support of an application for the issue of a certificate of origin; and
- (b) has been signed by him in blank or with the material particulars incomplete,

shall be guilty of an offence and shall be liable on conviction to a fine of fifty thousand dollars and to imprisonment for one year.

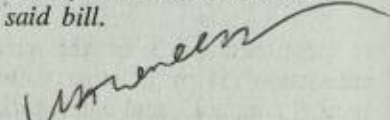
(4) For the purposes of subsection (3), the following shall be material particulars—

- (a) particulars of the place at which an article was manufactured, processed or produced;
- (b) particulars of the principal materials used in the manufacture, processing or production of an article and the source thereof;
- (c) particulars of the manner in which in substance an article has been manufactured, processed or produced;
- (d) a description of an article including any brand name or trade mark; and
- (e) particulars of the quantity or weight of an article.”.

Passed by the Hong Kong Legislative Council this 17th day of July, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 42 OF 1974

I assent.



Acting Governor.

18th July, 1974.

An Ordinance to amend the Corporal Punishment Ordinance.

[19th July, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Corporal Punish- Short title.
ment (Amendment) Ordinance 1974.

2. Section 3 of the principal Ordinance is amended by inserting the following new subsection after subsection (3)— Amendment
of section 3.
(Cap. 222.)

“(4) Without prejudice to subsection (3), where any male person is convicted by a court of any offence under section 8 or 36 of the Dangerous Drugs Ordinance, which was committed whilst such person was in the custody of the Commissioner of Prisons, the Court may, in addition to or in lieu of

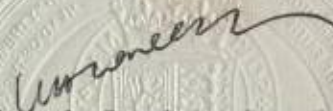
(Cap. 134.)

any other punishment for such offence, sentence the offender to be caned.”.

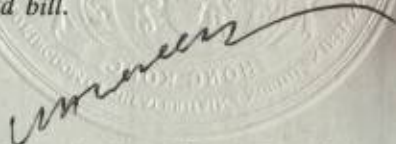
Amendment of Schedule. 3. The Schedule to the principal Ordinance is amended by inserting in Part I, after item 10, the following new item—

(Cap. 134.) “11. Any offence against section 4, 5, 6, 7, 35 or 37 of the Dangerous Drugs Ordinance.”.

Passed by the Hong Kong Legislative Council this 17th day of July, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 43 OF 1974

I assent.



Acting Governor.

18th July, 1974.

An Ordinance to amend the Dangerous Drugs Ordinance.

[19th July, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Dangerous Drugs Short title. (Amendment) Ordinance 1974.

2. Section 4 of the principal Ordinance is amended in sub-section (3) by—

Amendment of section 4. (Cap. 134.)

(a) deleting “one hundred thousand” in paragraph (a) and substituting the following—

“five million”; and

- (b) deleting "fifty" in paragraph (b) and substituting the following—
"five hundred".

Amendment
of section 6.

3. Section 6 of the principal Ordinance is amended—

- (a) in subsection (1), by deleting "no person shall manufacture a dangerous drug." and substituting the following—
"no person shall—
(a) manufacture a dangerous drug; or
(b) do or offer to do an act preparatory to or for the purpose of manufacturing a dangerous drug."; and

- (b) in subsection (2), by deleting "one hundred thousand" and substituting the following—
"five million".

Amendment
of section 7.

4. Section 7 of the principal Ordinance is amended in subsection (2)—

- (a) by deleting "one hundred thousand" in paragraph (a) and substituting the following—
"five million"; and
(b) by deleting "fifty" in paragraph (b) and substituting the following—
"five hundred".

Amendment
of section
35.

5. Section 35 of the principal Ordinance is amended in subsection (2)—

- (a) by deleting "one hundred thousand" in paragraph (a) and substituting the following—
"five million"; and
(b) by deleting "ten" in paragraph (b) and substituting the following—
"five hundred".

Amendment
of section
37.

6. Section 37 of the principal Ordinance is amended in subsection (2)—

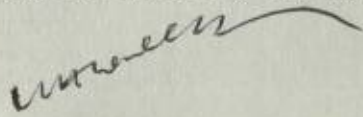
- (a) by deleting "fifty thousand dollars and to imprisonment for ten" in paragraph (a) and substituting the following—
"five million dollars and to imprisonment for fifteen"; and

- (b) by deleting "ten" in paragraph (b) and substituting the following—
"five hundred".

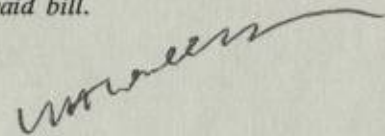
7. Section 38 of the principal Ordinance is amended in subsection (4) by deleting "ten" and substituting the following—
"five hundred".

Amendment
of section
38.

Passed by the Hong Kong Legislative Council this 17th day of July, 1974.

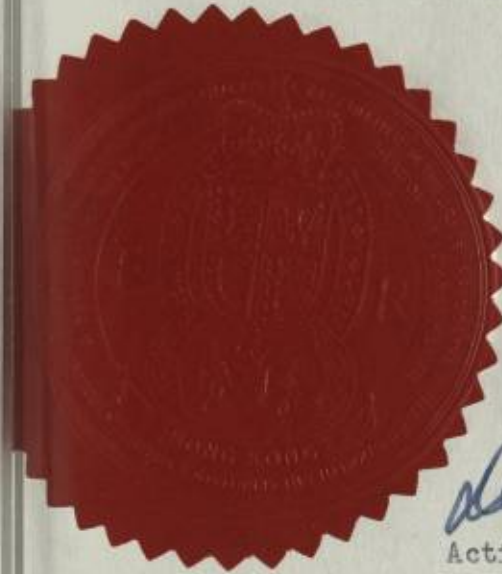

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 44 OF 1974



I assent.

Leung Roberts
Acting Governor.

18th July, 1974.

An Ordinance to repeal and replace the Waterworks Ordinance.

[]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

PART I

PRELIMINARY

1. This Ordinance may be cited as the Waterworks Ordinance 1974 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*. Short title and commencement.
2. In this Ordinance, unless the context otherwise requires— Interpretation.
 - “agent” means a person who is approved under section 7 as an agent of a communal service;
 - “charge” means any charge for water, any fee, the cost of repairs or other works carried out by the Water Authority under section 17, and any other charge, including a surcharge, which is payable under this Ordinance;

"communal service" means that part of a fire service or inside service which is used in common by more than one consumer in the same premises;

"connexion to the main" means the pipe between the main and the control valve which is nearest to the main and which regulates the flow of a supply from the main into a fire service or inside service, such control valve and all fittings between such control valve and the main;

"consumer" means a person who is approved under section 7 as a consumer of a fire service or inside service;

"consumption" means the supply obtained;

"deposit" means a deposit under section 19;

"domestic purpose" means a purpose connected solely with the occupation of a dwelling-house and does not include a purpose connected with a garden, lawn, playground or swimming pool appurtenant to a dwelling-house;

"fire service" means the pipes and fittings in premises, and any pipes and fittings between the premises and a connexion to the main, which are used or are intended to be used for a supply solely for the purposes of fire fighting;

"fitting" means—

(a) any apparatus, cistern, cock, equipment, machinery, material, tank, tap and valve; and

(b) any appliance or device other than a meter,

which is installed or used in a fire service or inside service;

"gathering ground" means any surface of land—

(a) in or by which rain or other water is collected and from which water is, or is intended to be, drawn for the purposes of a supply; and

(b) which is mapped as a gathering ground under section 23;

"inside service" means the pipes and fittings in premises, and any pipes and fittings between the premises and a connexion to the main, (other than the pipes and fittings forming part of a fire service) which are used or are intended to be used for the purposes of a supply;

"land held by the Crown" means land which is not—

(a) leased land; or

(b) occupied under—

(i) a licence issued under section 5 of the Crown Land Ordinance;

(ii) a licence or permit granted or issued under any other Ordinance; or

(iii) a deed or memorandum of appropriation;

"leased land" means land which is—

(a) held under a Crown lease; or

(b) vested in a person by an Ordinance;

"licensed plumber" means a person licensed under this Ordinance to construct, install, maintain, alter, repair or remove fire services or inside services, and a person deemed under this Ordinance to be a licensed plumber;

"main" includes a connexion to the main and any pipe owned by the Government and maintained by the Water Authority for the purposes of a supply;

"meter" means an appliance or device owned by the Government and maintained by the Water Authority for the purpose of measuring consumption;

"premises" means any building or structure or any part thereof and any place—

(a) in which there is a fire service, inside service or any part of the waterworks; or

(b) in which a fire service or inside service is intended to be constructed or installed;

"public standpipe" means a standpipe owned by the Government and established by the Water Authority under section 13;

"supply" means a supply of water provided by the Water Authority from the waterworks;

"Water Authority" means the Director of Public Works;

"waterworks" means any property occupied, used or maintained by the Water Authority for the purposes of this Ordinance and any gathering ground.

PART II

DUTIES AND POWERS OF WATER AUTHORITY

3. (1) Subject to subsection (2), the Water Authority shall have the custody and control of the waterworks and of all water therein. Control of waterworks.

(2) Subsection (1) shall not apply to leased land within a gathering ground.

Duties of
the Water
Authority.

4. (1) The duties of the Water Authority shall be—
- (a) to supply water from the waterworks in accordance with this Ordinance;
 - (b) to acquire and conserve water;
 - (c) to supervise and regulate consumption;
 - (d) to ensure the proper administration and management of the waterworks, and to make due provision for the security thereof;
 - (e) to require payment of any charge and take such steps as may be necessary to enforce such payment; and
 - (f) generally to administer the provisions of this Ordinance.

(2) The Water Authority may do all things necessary or convenient to be done for and in connexion with or incidental to the due discharge of his duties under this Ordinance and in particular may construct, install, inspect, test, regulate, alter, repair or remove any part of the waterworks in, under or over any street or land held by the Crown.

Delegation
by the Water
Authority.

5. (1) The Water Authority may, either generally or in any particular case, delegate any public officer to exercise or perform on his behalf any of the powers conferred or duties imposed upon him under this Ordinance.

(2) Where any power conferred or duty imposed upon the Water Authority is exercised or performed by a public officer, the Water Authority shall, unless the contrary is proved, be deemed to have delegated the public officer under subsection (1) to exercise the power or perform the duty.

Power of
Governor
to give
directions.

6. (1) The Governor may give to the Water Authority and to any public officer, other than a judge, a district judge or a magistrate, such directions as he thinks fit with respect to the exercise or performance of their respective powers or duties under this Ordinance, either generally or in any particular case.

(2) A person to whom a direction is given by the Governor under subsection (1) shall, in the exercise or performance of his powers or duties under this Ordinance, comply with that direction.

7. (1) The Water Authority may approve, as the consumer of a fire service or inside service in any premises, any person who—

Approval of
consumer
and agent.

- (a) occupies the premises; or
- (b) is responsible for the management of the premises or any part thereof; and
- (c) gives an undertaking, in such form as the Water Authority may specify,—
 - (i) to pay any charge due in respect of the fire service or inside service; and
 - (ii) to accept responsibility for the custody of the fire service or inside service and any meter pertaining to the fire service or inside service.

(2) The Water Authority may approve, as the agent of a communal service in any premises, any person who—

- (a) occupies the premises; or
- (b) is responsible for the management of the premises or any part thereof; and
- (c) gives an undertaking, in such form as the Water Authority may specify,—
 - (i) to pay any charge due in respect of the communal service; and
 - (ii) to accept responsibility for the custody of the communal service.

(3) A consumer or agent may at any time apply to the Water Authority for cancellation of an undertaking given by him under this section and the Water Authority shall, if all charges due from the consumer or agent have been paid, cancel the undertaking whereupon he shall cease to be the consumer or agent.

8. (1) The Water Authority may refuse to connect or reconnect a fire service or inside service to the main if—

Refusal of a
connexion or
reconnec-
tion.

- (a) the fire service or inside service, or any alteration thereto, is not approved by the Water Authority; or

- (b) there is no consumer for the fire service or inside service or, if there is a communal service, no agent for the communal service.

(2) Where the Water Authority refuses to connect or reconnect a fire service or inside service to the main he shall serve on the applicant for the connexion or reconnexion notice of such refusal and the notice shall specify the reasons for the refusal.

Restriction or suspension of a supply.

9. The Water Authority may restrict or suspend a supply, for such time as he thinks fit, if he is satisfied that this is necessary or expedient—

- (a) to conserve water;
- (b) to prevent waste of water;
- (c) to construct, install, inspect, test, regulate, alter, repair or remove any part of the waterworks or any fire service or inside service;
- (d) to avoid damage to, or a breakdown in, the waterworks or any fire service or inside service, whether from fire, pollution, waste or otherwise; or
- (e) for the protection of life or property.

Disconnection of a fire service or inside service.

10. The Water Authority may disconnect a fire service or inside service if—

- (a) any charge in respect of the fire service or inside service is not paid;
- (b) there is no consumer for the fire service or inside service or, if there is a communal service, no agent for the communal service;
- (c) the fire service or inside service does not, in the opinion of the Water Authority, comply with the provisions of this Ordinance;
- (d) the fire service or inside service is constructed, installed, or altered without his permission;
- (e) the consumer or agent, on receipt of a notice under section 16, fails to carry out the repairs or other works specified in the notice;

- (f) the Water Authority, or any person authorized by him in writing, is obstructed from entering the premises or carrying out any function under section 12; or
- (g) the Water Authority is satisfied that waste, misuse or pollution of the supply has occurred or is likely to occur.

11. (1) Except in the case of an unforeseen emergency, prior notice of any restriction or suspension of a supply under section 9, or of disconnexion of a fire service or inside service under section 10, shall be served on the consumer and agent by the Water Authority and the notice shall specify the reasons for the restriction, suspension or disconnexion.

Notice of restriction, suspension or disconnexion.

(2) Notice under subsection (1) shall, where there is no consumer or agent, be served on the occupier of the premises or left at the premises.

12. (1) Subject to subsection (2), the Water Authority, and any person authorized by him in writing, may enter at any reasonable time, or in case of urgency at any time, any premises to—

Power of entry into premises.

- (a) ascertain consumption;
- (b) restrict or suspend a supply under section 9;
- (c) disconnect a fire service or inside service under section 10 or 19(2);
- (d) ascertain whether there is in respect of a fire service or inside service on the premises any contravention of this Ordinance;
- (e) install, inspect, test, regulate, alter, repair or remove any part of the waterworks or any fire service or inside service therein.

(2) Except in case of urgency, neither the Water Authority nor a person authorized by him may enter any premises under subsection (1) unless he—

- (a) first obtains the consent of the occupier of such premises; or
- (b) first obtains a warrant under subsection (3).

(3) If it is shown to the satisfaction of a magistrate or justice of the peace on sworn information in writing that—

- (a) admission to any premises has been refused, or refusal is apprehended, or the premises are unoccupied, or the occupier is temporarily absent, or an application for admission would defeat the object of the entry;
- (b) there is reasonable ground for entry into the premises for any purpose specified in subsection (1); and
- (c) notice of the intention to apply for the warrant has been served on the occupier of the premises, or such notice cannot be served because the premises are unoccupied or the occupier is temporarily absent, or the serving of such notice would defeat the object of the entry,

the magistrate or justice of the peace may by warrant authorize the Water Authority, or any person authorized by the Water Authority in writing, to enter the premises, if need be by force.

(4) The Water Authority, or any person authorized by him, entering any premises under this section may take with him such persons as may be necessary, and on leaving any unoccupied premises which he has entered shall leave them as effectually secured against trespassers as he found them to be at the time of entry.

(5) Every warrant issued under subsection (3) shall continue in force until the purpose of which the entry is necessary has been satisfied.

Public
standpipes.

13. (1) The Water Authority may establish public standpipes in any place to supply water to the public free of charge.

(2) Except with the permission in writing of the Water Authority, no person shall take water from a public standpipe for any purpose other than a domestic purpose.

(3) Any person who contravenes subsection (2) shall be guilty of an offence.

PART III

FIRE SERVICES AND INSIDE SERVICES

Construction, etc.,
of fire
services
and inside
services.

14. (1) Subject to subsection (2), no person shall, except with the permission in writing of the Water Authority, construct, install, alter or remove a fire service or inside service.

(2) The Water Authority may waive the requirement of permission under subsection (1) in the case of alterations to a

fire service or inside service which are, in his opinion, of a minor nature.

(3) The construction or installation of a fire service or inside service shall be carried out in such manner as may be prescribed and the nature, size and quality of the pipes and fittings of the fire service or inside service shall be as prescribed.

(4) Any person who contravenes subsection (1) or (3) shall be guilty of an offence.

15. (1) Subject to subsection (2), no fire service or inside service shall be constructed, installed, maintained, altered, repaired or removed by a person other than a licensed plumber or a public officer authorized by the Water Authority. Construction, etc., by licensed plumbers.

(2) Alterations or repairs to a fire service or inside service which are, in the opinion of the Water Authority, of a minor nature, or the rewashing of a tap, may be carried out by a person other than a licensed plumber or a public officer authorized by the Water Authority.

(3) Subject to subsection (2), any person who—

(a) contravenes subsection (1); or

(b) employs or permits a person other than a licensed plumber or a public officer authorized by the Water Authority to construct, install, maintain, alter, repair or remove a fire service or inside service,

shall be guilty of an offence.

16. (1) The Water Authority may, if he is satisfied that a fire service or inside service—

(a) is in such a condition that waste or pollution of a supply has occurred or is likely to be caused thereby;

(b) has been altered without his permission; or

(c) does not comply with the provisions of this Ordinance,

by notice require the consumer to carry out the repairs or other works specified in the notice to the fire service or inside service.

Water
Authority
may require
repairs to
be carried
out.

(2) If under subsection (1) repairs or other works are to be carried out to a communal service, the notice requiring the repairs or other works shall be served on the agent.

Cost of constructing, etc., fire services and inside services.

17. (1) Subject to subsection (2), a consumer shall bear the cost of constructing, installing, maintaining, altering, repairing or removing a fire service or inside service.

(2) The cost of maintaining, altering, repairing or removing—

- (a) a communal service shall be borne by the agent;
- (b) any part of a fire service or inside service which is on land held by the Crown shall be borne by the Water Authority.

(3) The Water Authority may alter or repair a fire service or inside service at the request of a consumer, or a communal service at the request of an agent, and the cost thereof shall, subject to subsection (2)(b), be payable by the person at whose request such alteration or repair is carried out.

(4) If a consumer or agent, on receipt of a notice under section 16, fails to carry out the repairs or other works specified in the notice, the Water Authority may carry out the repairs or other works and the cost thereof shall be payable by the consumer or agent.

Supply to be metered.

18. Except where this Ordinance otherwise provides, a supply shall be measured by meter or in such other manner as the Water Authority may determine.

PART IV

DEPOSITS AND CHARGES

Deposits.

19. (1) The Water Authority may fix the amount of, and require the payment of, a deposit by a consumer to cover any charge due or which may become due.

(2) If payment of a deposit is required from a consumer of an existing fire service or inside service, the Water Authority may disconnect the fire service or inside service if the deposit is not paid within 14 days after the date of service of the notice requiring the payment.

(3) If payment of a deposit is required from a consumer of a new fire service or inside service, the Water Authority may refuse to connect the fire service or inside service to the main until the deposit is paid.

(4) A deposit paid under this section—

- (a) shall not bear interest;
- (b) shall not be transferable; and
- (c) may, without prejudice to the exercise of any other power under this Ordinance, be applied by the Water Authority at any time to the payment of any charge.

(5) Subject to subsection (4)(c), a deposit shall be refunded to a consumer if—

- (a) another consumer is approved by the Water Authority in his place;
- (b) an undertaking given by him under section 7 is cancelled by the Water Authority; or
- (c) the Water Authority is of the opinion that the deposit is no longer required.

20. (1) Unless otherwise expressly provided in this Ordinance, all charges arising in connexion with or in consequence of a supply, including the charges for making a connexion to the main and installing a meter, shall be payable by the consumer. Liability for charges.

(2) The liability of a consumer and agent under an undertaking given under section 7 shall continue until—

- (a) another consumer or agent is approved by the Water Authority in his place; or
- (b) the undertaking is cancelled by the Water Authority,

notwithstanding that—

- (i) he ceases to occupy the premises;
- (ii) he ceases to be responsible for the management of the premises or any part thereof; or
- (iii) the Water Authority exercises any power under section 8, 9, 10 or 19(2).

21. (1) A charge which is not paid shall be a debt due to the Crown. Unpaid charges.

(2) Where a charge is not paid on or before the date specified in a notice of demand, a surcharge on the unpaid charge

may be levied in accordance with regulations made under this Ordinance.

Reduction
etc., of
charges.

22. The Water Authority may in any particular case reduce, waive or refund, in whole or in part, a charge.

PART V

GATHERING GROUNDS

Mapping of
gathering
grounds.

23. (1) The Water Authority shall prepare maps showing all gathering grounds existing at the commencement of this Ordinance.

(2) Where a new gathering ground, or an extension of a gathering ground mapped under this section, is required for the purpose of extending or augmenting a supply, the Water Authority shall, after giving consideration to the preservation of traditional rights of any person to take water for agricultural and domestic purposes—

- (a) mark the limits or area of the new gathering ground on any map prepared under this section;
- (b) prepare a new map for the new gathering ground; or
- (c) alter the limits or area of the gathering ground on any map prepared under this section.

(3) Where there has been a reduction in the area of any gathering ground, the Water Authority shall accordingly alter the limits or area of that gathering ground on any map prepared under this section.

(4) Any map prepared, or any additions or alterations made thereto, under this section shall be signed and dated by the Water Authority.

(5) A map of a gathering ground prepared under this section shall be deposited—

- (a) if the map is in respect of a gathering ground in Hong Kong (other than the New Territories), in the Land Office established under the Land Registration Ordinance;
- (b) if the map is in respect of a gathering ground in the New Territories, in the appropriate New Territories Land Office within the meaning of section 10(2) of the New Territories Ordinance.

(Cap. 128.)

(Cap. 97.)

(6) A notice of a map prepared under this section and of any additions or alterations made thereto shall be published in the *Gazette* together with the address of the Land Office in which the map is deposited under subsection (5).

24. (1) The Governor may by notice in writing require a lessee of land within a gathering ground to drain, treat, or develop his leased land, in such manner as the Governor may specify, for any purpose connected with the waterworks, including the prevention, control or rectification of contamination or damage to the waterworks.

Control of
leased land
in gathering
grounds.

(2) Where the lessee carries out any work in compliance with a notice under subsection (1), the reasonable cost of the work shall be paid by the Water Authority.

(3) No payment under subsection (2) shall be made unless the work is carried out to the satisfaction of the Water Authority.

25. (1) If a lessee fails to comply with a notice under section 24(1), or requests the Water Authority in writing to carry out the work specified in the notice, the Governor may require the Water Authority to comply with the notice.

Carrying out
of work
by Water
Authority.

(2) The Water Authority, and any person authorized by him in writing, may enter any leased land to comply with a requirement under subsection (1) on giving the lessee 14 days' notice of the intention to so enter.

(3) Where the Water Authority carries out any work under this section, the cost of the work shall be borne by the Water Authority.

26. (1) A lessee who suffers damage or loss as a result of compliance with a notice under section 24(1), whether the work is carried out by the lessee or the Water Authority, and who claims compensation in respect thereof, shall deliver to the Water Authority particulars in writing of such damage or loss and of his claim for compensation, and the Governor may, if he thinks fit, negotiate with the lessee for the settlement or compromise of the claim.

Compensa-
tion.

(2) If the Governor and the lessee do not agree on the settlement or compromise of the claim within 3 months of the delivery of particulars, the lessee may notify the Water Authority that he desires a reference to a tribunal; and the Governor shall thereupon refer the claim with the particulars thereof to a tribunal, consisting of a District Judge nominated by the Chief Justice for the purpose.

(3) The tribunal shall hear any evidence which the Water Authority or the lessee may wish to tender and, if so desired, hear counsel on behalf of the Government and the lessee, and shall determine the amount of compensation, if any, to be paid to the lessee.

(4) For the purposes of subsection (3), the tribunal shall have powers similar to those vested in the Supreme Court for hearing evidence, determining claims for damages and awarding costs.

(5) The practice and procedure in connexion with any proceedings before a tribunal under this section shall be such as the tribunal may determine.

(6) Any award or decision of a tribunal under this section shall be final:

Provided that any party dissatisfied with the decision as being erroneous in point of law, may, within one month after the decision, require the tribunal to state and sign a case for the decision of the Full Court.

27. Compensation awarded under section 26 shall be paid from such money as may be provided from time to time by the Legislative Council.

PART VI

MISCELLANEOUS

28. Any person who wastes or misuses, or causes or permits to be wasted or misused, a supply shall be guilty of an offence.

29. (1) Except with the permission of the Water Authority, no person shall—

- (a) take water from the waterworks other than through a fire service, inside service or public standpipe;
- (b) take water through a fire service for any purpose other than for fire fighting;
- (c) take water through an inside service for any purpose other than that for which the water is supplied;
- (d) subject to section 18, take through a fire service or inside service water which is not measured by a meter; or
- (e) divert water from the waterworks.

Compensation to be paid from funds provided by the Legislative Council.

Waste or misuse of a supply

Unlawful taking of water.

(2) Any person who contravenes this section shall be guilty of an offence.

30. (1) Any person who deposits, or causes or permits to be deposited, any solid or liquid matter in such a manner or place that it may fall or be washed or carried into water forming part of the waterworks shall be guilty of an offence.

(2) Any person who—

- (a) enters, or bathes or washes in, water forming part of the waterworks;
- (b) washes or causes or permits any animal to enter therein; or
- (c) throws or places any thing therein,

shall be guilty of an offence.

(3) No act shall be an offence under this section if it is done with the permission in writing of the Water Authority.

(4) Any person guilty of an offence under this section shall be liable on summary conviction to a fine of \$10,000 and to imprisonment for 2 years.

31. Any person who, without the permission in writing of the Water Authority, alters, interferes with, damages or destroys any part of the waterworks shall be guilty of an offence.

32. Any person who obstructs the Water Authority, or any person authorized by him in writing, exercising any power, performing any duty, or carrying out any function, under this Ordinance shall be guilty of an offence and shall be liable on conviction to a fine of \$5,000 and to imprisonment for 6 months.

33. (1) The Water Authority may carry out repairs or other works to any fire service, inside service or any part of the waterworks which is altered, interfered with, damaged, or destroyed as a result of the commission of an offence, and the cost of such repairs or other works may, upon an order of a magistrate, be recovered from the person convicted of the offence in the same manner as if it were a fine imposed by a magistrate under the Magistrates Ordinance.

(2) If the Water Authority suffers any damage or loss as a result of the commission of any offence referred to in subsection (1), such damage or loss may, upon an order of a magistrate, be

Pollution.

Damage, etc., to waterworks.

Obstruction.

Cost of repairing damage and recovery of damages or loss.

(Cap. 227.)

recovered from the person convicted of the offence in the same manner as if it were a fine imposed by a magistrate under the Magistrates Ordinance.

Presump-
tions and
evidence in
writing.

34. (1) In any civil or criminal proceedings it shall be presumed, until the contrary is proved, that—

- (a) in the case of any alteration or repairs to a fire service or inside service (other than a communal service), the consumer has caused or permitted the alteration or repairs;
- (b) in the case of any alteration or repairs to a communal service, the agent has caused or permitted the alteration or repairs.

(2) In any civil or criminal proceedings a document, purporting to be signed by the Water Authority, or other person authorized by him, stating—

- (a) the name of a consumer of a fire service or inside service, or the name of an agent of a communal service;
- (b) the location of the fire service, inside service or communal service;
- (c) in the case of proceedings for the recovery of an unpaid charge,—
 - (i) the name of the person liable to pay the charge;
 - (ii) the amount of the charge;
 - (iii) the nature and other particulars of the charge; and
 - (iv) that the charge remains unpaid;
- (d) in the case of proceedings in respect of alterations or repairs to a fire service, inside service or communal service, the nature and other particulars of the alterations or repairs,

shall be admitted in evidence without further proof.

(3) When a document is admitted in evidence under subsection (2)—

- (a) until the contrary is proved, it shall be presumed that the document is so signed;
- (b) the document shall be *prima facie* evidence of the facts stated therein.

35. (1) Any person who is guilty of an offence under this Ordinance shall, unless a penalty is otherwise expressly provided, be liable on summary conviction to a fine of \$5,000. Penalties.

(2) Any person convicted of an offence under section 29 or section 30(1) or (2) shall, if the offence is a continuing one, be liable to a further fine of \$200 for every day or part of a day during which the offence continues.

36. (1) Any public officer, authorized in writing in that behalf by the Water Authority, may arrest any person whom he reasonably suspects of having committed an offence under section 29(1)(e), 30, 31 or 32. Power of arrest.

(2) Where a public officer arrests a person under subsection (1) he shall forthwith take that person to the nearest police station and hand him over to the custody of a police officer, and thereupon section 52 of the Police Force Ordinance shall apply. (Cap. 232.)

37. (1) The Governor in Council may make regulations for all or any of the following matters— Regulations.

- (a) the quality and type of a supply;
- (b) the construction, installation, maintenance, cleanliness, alteration, repair or removal of a fire service or inside service;
- (c) the connexion or reconnexion of a fire service or inside service to the main and the conditions subject to which such connexion or reconnexion may be made;
- (d) the method of measuring or assessing consumption;
- (e) the provision, number, size, installation, maintenance, repair, removal and custody of meters in premises;
- (f) the use of a supply for any particular purpose;
- (g) the prevention of waste or misuse of a supply;
- (h) the control of consumption from public standpipes;
- (i) the restriction or suspension of a supply or the disconnexion of a fire service or inside service;
- (j) the charges payable under this Ordinance;
- (k) the deposits to be paid by consumers;
- (l) the surcharge which may be levied on an unpaid charge;
- (m) the licensing of plumbers for the purposes of this Ordinance and control of licensed plumbers;

- (n) the taking of fish in waters forming part of the waterworks and the arrest by an officer empowered under such regulations of any person who he has reason to believe has contravened any specified regulation made under this paragraph;
- (o) the prohibition and control of access to gathering grounds;
- (p) the provision and control of burial grounds, camping sites and recreational facilities in gathering grounds;
- (q) the control over the use of gathering grounds for any purpose other than those specified in paragraph (p);
- (r) the service of any notice, form or other document under this Ordinance;
- (s) the signature on any notice, form or other document under this Ordinance or the printing of a name in lieu of the signature;
- (t) prescribing anything which under this Ordinance is to be or may be prescribed; and
- (u) generally for the better carrying out of this Ordinance.

(2) A regulation made under this section may provide that a contravention thereof shall be an offence and may prescribe a penalty for such offence not exceeding a fine of \$2,000.

(3) Regulations made under subsection (1)(o), (p) or (q) shall not apply to leased land within a gathering ground.

Water Authority may specify notices and forms.

38. (1) A notice under this Ordinance shall be in writing and shall be in such form as may be specified by the Water Authority.

(2) The Water Authority may specify any forms required for the purposes of this Ordinance.

(3) The Water Authority may publish in the *Gazette* any forms specified by him under subsection (2).

Repeal.
(Cap. 102.)

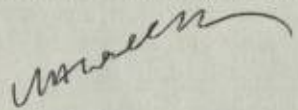
39. The Waterworks Ordinance is repealed.

Transitional and saving provisions.
(Cap. 102.)

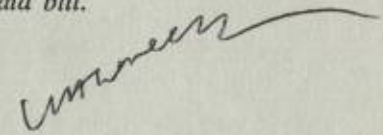
40. (1) Any notice served, or map of a gathering ground prepared, under the Waterworks Ordinance (hereinafter referred to as the repealed Ordinance), and in force at the commencement of this Ordinance, shall be deemed to have been served or prepared under this Ordinance.

(2) Any person who is a consumer under the repealed Ordinance shall be deemed to be a consumer under this Ordinance and an undertaking given or a deposit paid by a consumer under the repealed Ordinance shall be deemed to be an undertaking given or a deposit paid under this Ordinance.

Passed by the Hong Kong Legislative Council this 17th day of July, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 45 OF 1974



I assent.

Deputy Roberts
Acting Governor.

18th July, 1974.

An Ordinance to provide for control of the use of water-front areas by persons, vehicles and vessels and generally for control of the handling of cargo in such areas.

[]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Port Control (Cargo Working Areas) Ordinance 1974 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

Short title and commencement.

2. In this Ordinance, unless the context otherwise requires—
“berth” means to berth, moor, anchor or secure any vessel;
“cargo” means any freight carried, or intended to be carried, in or on any vessel or vehicle and means also ships’ stores;

Interpretation.

"cargo container" includes an empty container of any kind used, or intended to be used, for the carriage of cargo and includes also any packing material used, or intended to be used, for or in connexion with the carriage of cargo;

"Director" means the Director of Marine;

"excluded water-front" means an area declared under section 3 to be an excluded water-front;

"public cargo working area" means an area declared under section 3 to be a public cargo working area;

"public water-front" means an area declared under section 3 to be a public water-front;

"vehicle" means any vehicle intended or adapted for use on roads;

"vessel" includes any ship, boat, junk or lorcha and any other description of vessel used in navigation and includes also any floating wharf, ramp, pontoon or landing place.

Declaration of areas to be public cargo working areas, public water-fronts and excluded water-fronts.

3. (1) The Governor may, by order published in the *Gazette*, declare any area of unleased Crown land (including any road), and any area of water adjoining any such area, to be—

- (a) a public cargo working area;
- (b) a public water-front; or
- (c) an excluded water-front.

(2) The Director of Public Works shall cause to be prepared and deposited in the Land Office a plan of every public cargo working area, public water-front or excluded water-front.

(3) A copy of any plan deposited in the Land Office in accordance with subsection (2) purporting to be certified by the Director as a true copy of such plan may be admitted without further proof in any criminal or civil proceedings before any court.

Public cargo working areas, etc. deemed to be public places. (Cap. 228.)

4. Every public cargo working area, public water-front or excluded water-front shall be a public place for the purposes of the Summary Offences Ordinance.

Director's powers in respect of abandoned cargo, etc.

5. (1) If the Director is satisfied that any cargo or cargo container has been left or abandoned in a public cargo working area or a public water-front, he may affix to it in a prominent position a notice requiring the owner thereof to remove it from

the public cargo working area or public water-front within a time specified in the notice.

(2) If any cargo or cargo container to which a notice has been affixed under subsection (1) is not removed from the public cargo working area or public water-front within the time specified in the notice, the Director may cause it to be seized and removed.

(3) If the owner of any cargo or cargo container which has been seized and removed under subsection (2) claims the same, by notice in writing to the Director, within 7 days after its seizure and removal, the Director shall, on payment to him of the costs incurred in seizing, removing and storing the same, release it to the owner thereof.

(4) If the owner of any cargo or cargo container does not claim the same under subsection (3), the Director may cause it to be sold or otherwise disposed of in such manner as he thinks fit.

(5) Any proceeds from the sale or disposal of any cargo or cargo container under subsection (4) shall be paid into the public revenue.

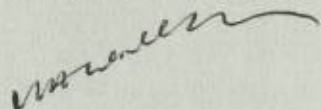
6. (1) The Governor in Council may make regulations for Regulations. all or any of the following purposes—

- (a) providing for any matter or thing which is to be or may be prescribed under this Ordinance;
- (b) regulating entry to and the use of any public cargo working area, public water-front or excluded water-front;
- (c) controlling or providing for the control of—
 - (i) the handling, inspection or weighing of cargo or cargo containers in any public cargo working area, public water-front or excluded water-front;
 - (ii) vessels and vehicles in any public cargo working area, public water-front or excluded water-front;
- (d) empowering the Director—
 - (i) to give directions in relation to such matters as may be specified;
 - (ii) to take such action as may be necessary to give effect to any such direction which is not complied with;
 - (iii) to recover the cost of any such action taken by the Directors;

- (e) empowering the Director to require any person using any public working area to provide his name and address, and requiring owners of vehicles or vessels to provide information as to the identity of the driver or person in charge thereof if he is suspected of committing an offence under this Ordinance;
- (f) empowering the Director to require persons using any public cargo working area, public water-front or excluded water-front, and the owner of any cargo or cargo container handled therein, to give any specified information in respect of the use of such area or water-front or in respect of any such cargo or cargo containers;
- (g) prescribing fees;
- (h) empowering the Director to waive the payment of any fee or to remit any fee so paid; and
- (i) generally for the better carrying out of the purposes of this Ordinance.

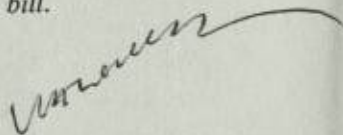
(2) Regulations made under this section may provide that a contravention thereof shall be an offence and prescribe a penalty on conviction of any such offence not exceeding a fine of five thousand dollars and imprisonment for a term not exceeding six months.

Passed by the Hong Kong Legislative Council this 17th day of July, 1974.



Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



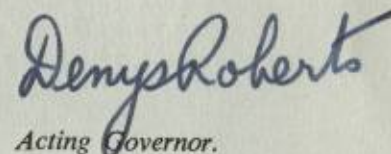
Clerk to the Legislative Council.

HONG KONG

No. 46 OF 1974



I assent.



Acting Governor.

1st August, 1974.

An Ordinance to amend the Multi-storey Buildings (Owners Incorporation) Ordinance.

[2nd August, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Multi-storey Buildings (Owners Incorporation) (Amendment) Ordinance 1974. Short title.

2. The principal Ordinance is amended by adding, after section 2, the following new section— Addition of new section 2A. (Cap. 344.)

"Ordinance not to apply in certain cases.

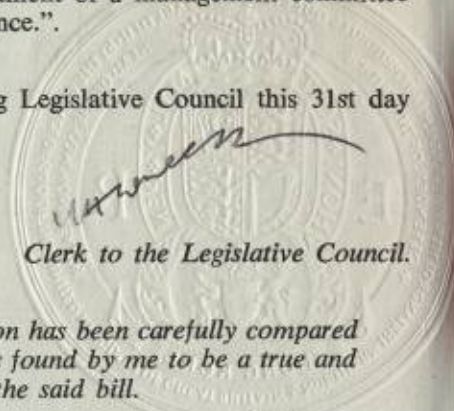
2A. (1) Subject to subsection (2), this Ordinance shall not apply where—

- (a) a person has given an undertaking in writing to, or has entered into an agreement with, the Government to manage or be responsible for the management of a building; and

(b) the undertaking or agreement has been registered in the Land Office.

(2) This Ordinance shall apply in respect of a building referred to in subsection (1) only if there is registered in the Land Office a certificate by the Colonial Secretary that the Government has no objection to the appointment of a management committee under this Ordinance.”.

Passed by the Hong Kong Legislative Council this 31st day of July, 1974.



W. H. Moon
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

W. H. Moon
Clerk to the Legislative Council.




I assent.

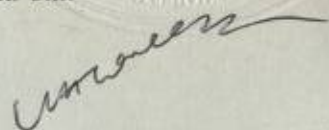
Alwyn Roberts
Acting Governor.
1st August, 1974.

(2) This Ordinance shall apply in respect of a building referred to in subsection (1) only if there is registered in the Land Office a certificate by the Colonial Secretary that the Government has no objection to the appointment of a management committee under this Ordinance."

Passed by the Hong Kong Legislative Council this 31st day of July, 1974.


Clerk to the Legislative Council.


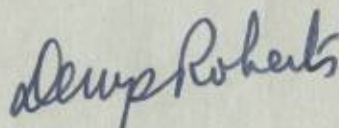
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



HONG KONG

No. 47 OF 1974

I assent.

Acting Governor.

1st August, 1974.

An Ordinance to provide for the establishment of the Hong Kong Arts Centre and for matters connected therewith.

[]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

PART I

PRELIMINARY

1. This Ordinance may be cited as the Hong Kong Arts Centre Ordinance 1974 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*. Short title and commencement.
2. In this Ordinance, unless the context otherwise requires— Interpretation.
"Board" means the Board of Governors of the Hong Kong Arts Centre established under section 7;

"Centre" means the Hong Kong Arts Centre established under section 3;

"Committee" means the Committee of the Hong Kong Arts Centre and a Committee appointed by the Board under section 10(2);

"Constitution" means the Constitution of the Hong Kong Arts Centre referred to in section 11;

"financial year" means the period commencing on the 1st day of April each year and ending on the 31st day of March in the year following except that the period from the establishment of the Centre to the 31st day of March next thereafter shall be deemed to be a financial year;

"Secretary" means the Secretary of the Hong Kong Arts Centre appointed under the Constitution.

PART II

ESTABLISHMENT OF THE HONG KONG ARTS CENTRE

Establishment of the Hong Kong Arts Centre.

3. (1) There is hereby established a corporation to be known as the "Hong Kong Arts Centre (香港藝術中心)" which shall in that name be a body corporate with perpetual succession and shall be capable of suing and being sued and, subject to this Ordinance, of doing and suffering all such other acts and things as bodies corporate may lawfully do and suffer.

(2) The Centre shall have a common seal which shall not be affixed except pursuant to a resolution of the Committee and in the presence of two members of the Committee and of the Secretary, or some other person appointed in his place by the Committee, each of whom shall sign his name.

(3) Any document purporting to be a document duly executed under the seal of the Centre authenticated in accordance with subsection (2) shall be received in evidence and shall, until the contrary is proved, be deemed to be a document so executed.

Objects of the Centre.

4. The objects of the Centre are, subject to this Ordinance—

- (a) to promote, encourage and provide for the appreciation of and participation in the visual, musical and performing arts in Hong Kong;
- (b) to exhibit, display and perform such arts publicly and otherwise;

(c) to support and promote the learning and practising of such arts;

(d) to provide facilities in Hong Kong for learning and practising such arts;

(e) to co-operate with and assist societies, bodies, associations or clubs which have as their objects any of the objects specified in paragraphs (a) to (d); and

(f) such objects ancillary and incidental to the objects specified in paragraphs (a) to (e) as the Board may consider appropriate.

5. Subject to this Ordinance the Centre may through the Committee do all such things as are necessary for, or incidental or conducive to the better carrying out of the objects of the Centre, and, in particular, but without prejudice to the generality of the foregoing, may—

Powers of Centre.

(a) acquire, take on lease, purchase, hold and enjoy any property and sell, let or otherwise dispose of the same;

(b) enter into any contract;

(c) provide appropriate amenities for members of the Centre;

(d) employ staff;

(e) provide residential accommodation for staff and visiting artists;

(f) provide or contribute to pensions for staff;

(g) invest the funds of the Centre in such manner and to such extent as the Board thinks appropriate or expedient;

(h) borrow money in such manner and on such securities or terms as the Committee with the approval of the Board thinks appropriate or expedient;

(i) apply for any grant in aid for the functions of the Centre on such conditions as the Board thinks appropriate or expedient.

6. On the commencement of this Ordinance the Centre shall succeed to all property, rights, privileges, obligations and liabilities of The Hong Kong Arts Centre Limited existing at the date of such commencement.

Vesting of property.

PART III
THE BOARD

Establishment of the Board.

7. (1) There is hereby established a Board to be known as the Board of Governors of the Hong Kong Arts Centre.

(2) The Board shall consist of—

- (a) such members, not exceeding 8, of whom 1 shall be a member of the Urban Council, as may be appointed by the Governor;
- (b) one member nominated by the Committee immediately after the annual general meeting of the Centre.

(3) The Governor shall, from the members appointed under subsection (2)(a), appoint—

- (a) a Chairman; and
- (b) a Deputy Chairman, who shall act as Chairman during the absence or incapacity of the Chairman or if that office becomes vacant for any reason.

(Cap. 1.)

(4) Without prejudice to section 42 of the Interpretation and General Clauses Ordinance, a member of the Board appointed under subsection (2)(a) shall be appointed for a period of 3 years, or for such lesser period as the Governor may in any particular case appoint, but may from time to time be reappointed.

(5) A member of the Board may at any time resign by notice in writing to the Governor.

(6) Subject to section 10(1), 5 members shall form a quorum at a meeting of the Board.

Powers and functions of the Board.

8. (1) The Board shall keep the activities of the Committee under review with the object of ensuring that the Centre remains financially viable and is conducted in accordance with the provisions of this Ordinance and the Constitution for the benefit of the community as a whole.

(2) For the purposes of subsection (1), the Board may from time to time—

- (a) require the Committee to provide information relating to the financial affairs or conduct of the Centre; and
- (b) upon reasonable notice, give such directions to the Committee as it thinks appropriate and expedient either generally or in a particular case.

(3) The Committee shall comply with any requirement or direction of the Board under subsection (2).

PART IV
THE COMMITTEE

9. (1) There is hereby established a Committee to be known as the Committee of the Hong Kong Arts Centre.

Establishment of the Committee.

(2) The Committee shall consist of—

- (a) such members as may be provided for by the Constitution; and
- (b) one member appointed by the Board.

(3) The Committee shall be the executive body of the Centre and shall provide for the custody and use of the Centre's seal and, subject to this Ordinance, shall administer the property of the Centre and manage the business and affairs of the Centre in accordance with the Constitution.

10. (1) The Board may, by the votes of not less than 6 members of the Board, dismiss the Committee if the Committee has failed to comply with any requirement or direction of the Board under section 8(2).

Powers of Board to dismiss the Committee.

(2) Where the Committee is dismissed under subsection (1), the Board shall appoint a Committee of 3 persons who shall be the Committee and exercise the powers and perform the functions of the Committee under this Ordinance until a new Committee has been appointed by the Centre under the Constitution.

(3) Where the Committee is dismissed under subsection (1) and notwithstanding the appointment of a Committee under subsection (2)—

- (a) the Chairman of the Board shall as soon as practicable, cause a new Committee to be formed in accordance with the Constitution; and
- (b) the Board shall appoint the member of the new Committee under section 9(2)(b).

PART V
MISCELLANEOUS

11. (1) The Constitution of the Centre shall be as set out in a document entitled the "Constitution of the Hong Kong Arts

Constitution.

Centre (香港藝術中心)" signed by the Colonial Secretary and bearing date the 1st day of July 1974.

(2) Within 14 days after the commencement of this Ordinance, the Chairman of the Committee shall deliver to the Registrar of Companies for registration a copy of the Constitution certified by the Chairman of the Committee as being a true copy.

(3) The Constitution, with the prior approval of the Governor, may be amended by the Centre at any time and from time to time in accordance with the provisions of the Constitution for the time being in force.

(4) It shall not be necessary to publish the Constitution or any amended Constitution in the *Gazette*.

Particulars
to be
delivered to
Registrar of
Companies.

12. (1) Within 14 days after the commencement of this Ordinance, the Chairman of the Committee shall deliver to the Registrar of Companies for registration—

- (a) notice of the address of the Centre;
- (b) a list containing the names and addresses of the members of the Committee;
- (c) the names and addresses of the Secretary and Treasurer of the Centre.

(2) Within 14 days after the Constitution has been amended at any time under section 11(3), the Chairman of the Committee shall deliver to the Registrar of Companies for registration a copy of the Constitution as amended, certified by the Chairman of the Committee as being a true copy.

(3) Within 14 days after any change in any of the particulars required by subsection (1)(a), (b) or (c) to be delivered to the Registrar of Companies, the Chairman of the Committee shall deliver notice of the change to the Registrar of Companies for registration.

(4) Not later than 6 months after the end of each financial year a statement of income and expenditure during that financial year and of the assets and liabilities of the Centre on the last day of that financial year prepared in accordance with the Constitution, and the report of the auditor thereon made under the Constitution, shall be delivered by the Chairman of the Board to the Registrar of Companies for registration.

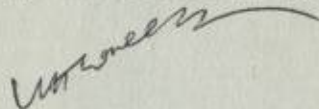
(5) Any person may inspect any of the documents registered under this section, upon payment of such fee as may be prescribed

under section 305 of the Companies Ordinance for the inspection (Cap. 32.) of a document.

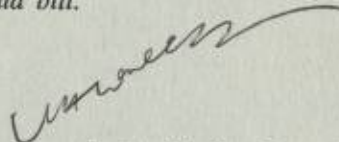
(6) The Centre shall pay such fees for registering any document under this section as may be specified in the Eighth Schedule to the Companies Ordinance as if the Centre were a Company not having a share capital.

13. Nothing in this Ordinance shall affect or be deemed to ^{Saving.} 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 as are mentioned in this Ordinance and those claiming by, from or under them.

Passed by the Hong Kong Legislative Council this 31st day of July, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

Amendment
of section 23.

4. Section 23 of the principal Ordinance is amended—

(a) by deleting subsection (7) and substituting the following—

“(7) If the court or magistrate orders a disqualification to be removed, the court or magistrate shall cause notice of the order to be sent to the Commissioner and may in any case order the applicant to pay the whole or any part of the costs of the application.”; and

(b) in subsection (8) by inserting before “Commissioner of Police”, in the first place where it occurs, the following—
“Commissioner and the”.

Addition of
new section
23A.

5. The principal Ordinance is amended by adding after section 23 the following new section—

“Record
of convictions.

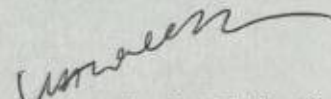
23A. (1) The Commissioner of Police shall on payment of the prescribed fee issue to the holder of a driving licence a record of all convictions of offences under this Ordinance recorded in respect of that person.

(2) Neither the Government nor any public officer shall be subject to any action, liability, claim or demand whatsoever arising out of compliance with, or any failure to comply in any respect with, subsection (1).”.

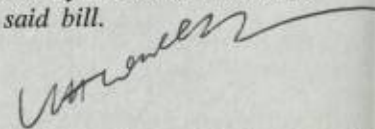
Repeal of
section 26.

6. Section 26 of the principal Ordinance is repealed.

Passed by the Hong Kong Legislative Council this 31st day of July, 1974.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

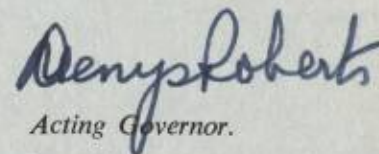

Clerk to the Legislative Council.

HONG KONG

No. 49 OF 1974



I assent.


Acting Governor.

1st August, 1974.

An Ordinance to amend the Road Traffic Ordinance.

[2nd August, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Road Traffic Short title. (Amendment) (No. 2) Ordinance 1974.

2. Section 2(1) of the principal Ordinance is amended by inserting after the definition of “teacher” the following new definition—

Amendment
of section 2.
(Cap. 220.)

““traffic warden” means a traffic warden and a senior traffic warden;”.

Amendment of section 3. **3.** Section 3 of the principal Ordinance is amended by inserting after paragraph (o) the following—

“(oa) the—

- (i) discipline;
- (ii) duties;
- (iii) promotion;
- (iv) control and administration, of traffic wardens;”.

Addition of new sections 7B and 7C. **4.** The principal Ordinance is amended by adding after section 7A the following new sections—

“Appoint-
ment of
traffic
wardens.

7B. (1) The Commissioner of Police may appoint such persons as he thinks fit to be traffic wardens or senior traffic wardens.

(2) Traffic wardens shall discharge, in aid of the Police Force, the following functions—

(Cap. 237.)

- (a) the enforcement of the Fixed Penalty (Traffic Contraventions) Ordinance;
- (b) the control and regulation of vehicular traffic and pedestrians, whether on a road or not, and any functions incidental to, or connected with, the control and regulation of such traffic or pedestrians, which are normally undertaken by the Police Force; and
- (c) any other functions which may be conferred on them by or under this or any other Ordinance.

(3) Subject to subsection (4), for the purposes of discharging his functions under subsection (2), a traffic warden shall have all the powers and duties of a police officer.

(4) Notwithstanding subsection (3), a traffic warden shall not have power—

- (a) to arrest or detain a person; or
- (b) to search a person.

(5) Traffic wardens shall be subject to the orders and directions of the Commissioner of Police.

(6) A traffic warden shall obey all lawful orders given to him by a police officer of or above the rank of sergeant.

Provisions
applicable
to traffic
wardens.

7C. (1) A traffic warden shall be deemed to be always on duty when required to act as such and shall discharge his functions as such in any and every place in Hong Kong where he may be doing duty.

(2) An identity card shall be issued to every traffic warden and shall be evidence of his appointment.

(3) A traffic warden whilst on duty shall wear the uniform of a traffic warden.

(4) If any person who is not a traffic warden—

- (a) wears, without the permission of the Commissioner of Police, the uniform of a traffic warden or any dress having the appearance, or bearing any of the distinctive marks of that uniform;
- (b) has in his possession, without the permission of the Commissioner of Police, an identity card issued to a traffic warden under subsection (2),

he shall be guilty of an offence and shall be liable on conviction to a fine of \$5,000 and to imprisonment for 6 months.

(5) Any person who ceases to be a traffic warden, whether in consequence of resignation or dismissal or otherwise, shall thereupon deliver up his uniform and his identity card and any other Government property which may be in his possession.

(6) Save with the consent of the Commissioner of Police, no traffic warden shall be a member of a trade union.”.

5. Section 19 of the principal Ordinance is amended by inserting after “police officer” the following—

“or traffic warden”.

Amendment
of section
19.

Passed by the Hong Kong Legislative Council this 31st day of July, 1974.

W. W. Wong

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

W. W. Wong

Clerk to the Legislative Council.

HONG KONG

No. 50 OF 1974



I assent.

Douglas Roberts

Acting Governor.

1st August, 1974.

An Ordinance to amend the Fixed Penalty (Traffic Contraventions) Ordinance.

[2nd August, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Fixed Penalty Short title. (Traffic Contraventions) (Amendment) Ordinance 1974.

2. Section 2 of the principal Ordinance is amended by—

(a) deleting the full stop at the end of the definition “sum adjudged to be paid” and substituting therefor a semicolon; and

Amendment
of section 2.
(Cap. 237.)

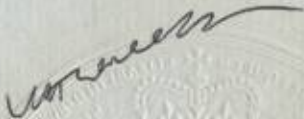
(b) inserting after the definition “sum adjudged to be paid” the following new definition—

““traffic warden” means a traffic warden and a senior traffic warden.”.

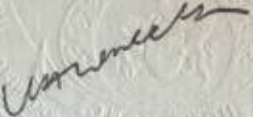
Amendment
of section
15.

3. Section 15(7) of the principal Ordinance is amended by inserting after "Force" the following—
"and a traffic warden".

Passed by the Hong Kong Legislative Council this 31st day of July, 1974.


Clerk to the Legislative Council.


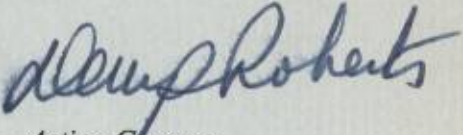
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.

HONG KONG

No. 51 OF 1974

I assent.



Acting Governor.

1st August, 1974.

An Ordinance to amend the Employment Ordinance.

[2nd August, 1974]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Employment Short title. (Amendment) (No. 2) Ordinance 1974.

2. Section 4 of the principal Ordinance is amended in subsection (2) by deleting "This Ordinance" and substituting the following—
"Subject to Part IVA, this Ordinance".

Amendment
of section 4.
(Cap. 57.)

3. The principal Ordinance is amended by adding after Part IV, the following new Part—
Part IVA.

Addition of
Part IVA.