

Amendment of
section 29.

4. Section 29 of the principal Ordinance is amended by deleting subsection (2) and substituting the following—

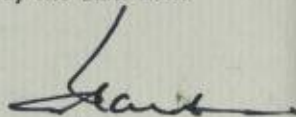
“(2) The Governor may by order published in the *Gazette* provide for all or any of the following matters—

- (a) the form of certificate to be issued under section 23 which shall contain such particulars as may be prescribed:

Provided that any particulars prescribed in addition to name, surname, sex and date of birth shall not include any particulars relating to parentage or adoption contained in the records and registers in the custody of the Registrar;

- (b) the particulars to be furnished by applicants for such certificates;
- (c) the manner in which such certificates are to be compiled;
- (d) the amendment of the Schedules; and
- (e) the due carrying out of the Ordinance.”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 12th day of July, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

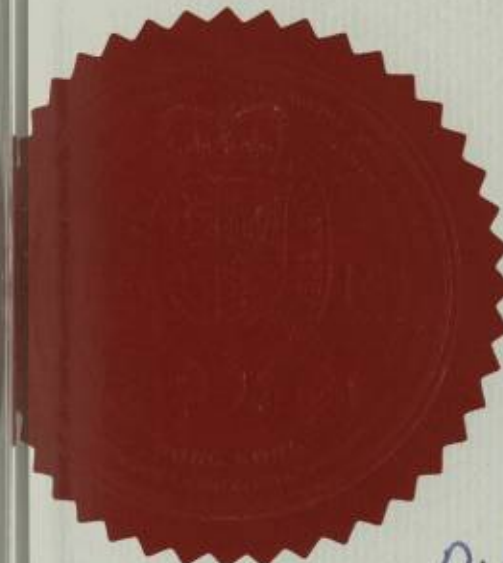


Deputy Clerk of Councils.

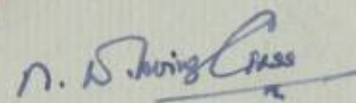
(Secretariat GR 3/1806/52)

HONG KONG

No. 41 OF 1967.



I assent.



Officer administering the Government.

13th July, 1967.

An Ordinance to amend the Births Registration (Special Registers) Ordinance.

[14th July, 1967.]

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

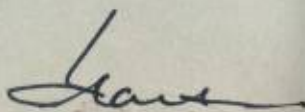
1. This Ordinance may be cited as the Births Registration (Special Registers) (Amendment) Ordinance 1967. Short title.

2. Section 13 of the principal Ordinance is amended by deleting subsection (2) and substituting the following— Amendment of section 13. (Cap. 175.)

“(2) The Governor may by order published in the *Gazette* provide for—

- (a) the amendment of the Schedules; and
- (b) the due carrying out of the Ordinance.”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 12th day of July, 1967, and is found by me to be a true and correctly printed copy of the said Bill.



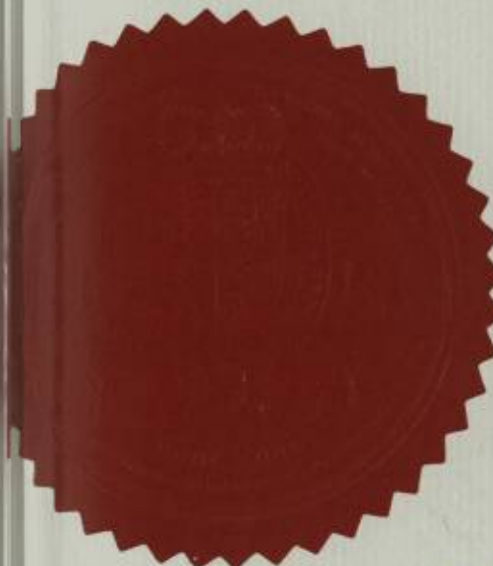
Deputy Clerk of Councils.

(Secretariat GR 3/1806/52)

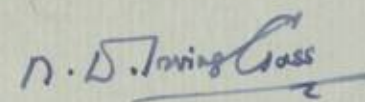


HONG KONG

No. 42 OF 1967.



I assent.



Officer administering the Government.

13th July, 1967.

An Ordinance to amend the Deaths Registration (Special Registers) Ordinance.

[14th July, 1967.]

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

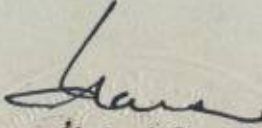
1. This Ordinance may be cited as the Deaths Registration (Special Registers) (Amendment) Ordinance 1967. Short title.

2. Section 13 of the principal Ordinance is amended by deleting subsection (2) and substituting the following— Amendment of section 13. (Cap. 176.)

“(2) The Governor may by order published in the Gazette provide for—

- (a) the amendment of the Schedules; and
- (b) the due carrying out of the Ordinance.”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 12th day of July, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

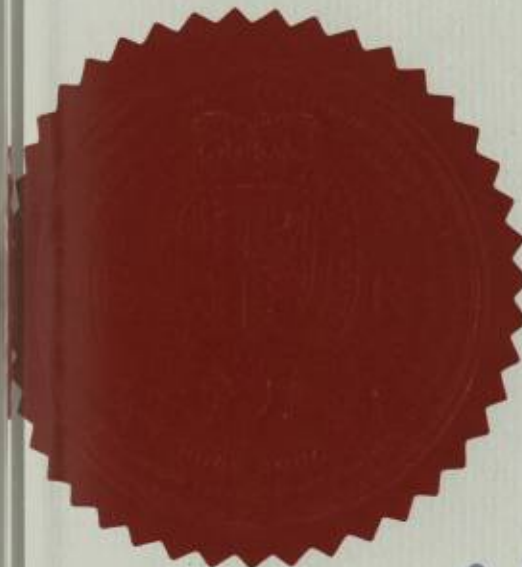

Deputy Clerk of Councils.

(Secretariat GR 3/1806/52)

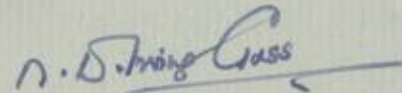


HONG KONG

No. 43 OF 1967.



I assent.


Officer administering the Government.

13th July, 1967.

An Ordinance to amend section 7 of the Factories and Industrial Undertakings Ordinance.

[14th July, 1967.]

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 Factories and Industrial Undertakings (Amendment) Ordinance 1967.

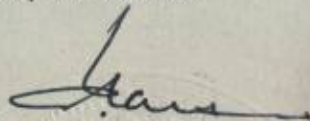
Short title.

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

Amendment of
section 7.
(Cap. 59.)

“(2A) Without prejudice to the generality of the power to make regulations under subsection (1), the Commissioner of Labour may make special regulations controlling the employment of women and young persons in any prescribed class or description of industrial undertaking.”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 12th day of July, 1967, and is found by me to be a true and correctly printed copy of the said Bill.



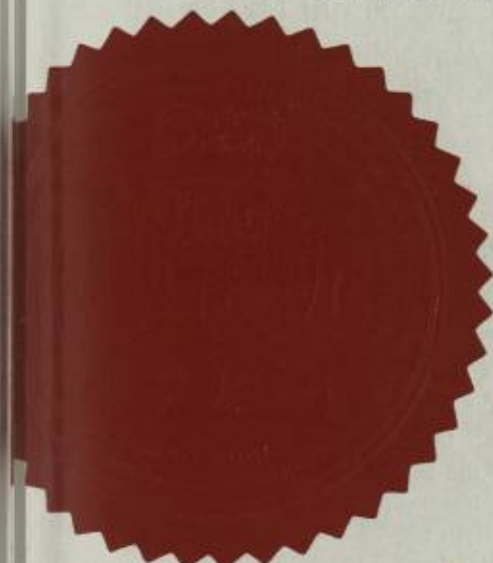
Deputy Clerk of Councils.

(Secretariat CR 169/65II)

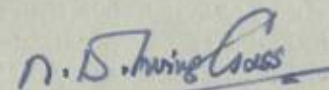


HONG KONG

No. 44 OF 1967.



I assent.



Officer administering the Government.

13th July, 1967.

An Ordinance to incorporate the members for the time being of the Board of Governors of New Asia College and to provide for the constitution of New Asia College and matters connected with the purposes aforesaid.

[14th July, 1967.]

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

PART I.

SHORT TITLE AND INTERPRETATION.

1. This Ordinance may be cited as the New Asia College Short title.
Incorporation Ordinance 1967.
2. In this Ordinance, unless the context otherwise requires— Interpretation.
"Board of Governors" means the Board of Governors of New Asia College;

"constitution" means the constitution of New Asia College for the time being in force under section 11;

"corporation" means the corporation established by section 3;

"New Asia College incorporated" means New Asia College incorporated under the Companies Ordinance.

(Cap. 32.)

PART II.

INCORPORATION, VESTING OF PROPERTY AND DISSOLUTION OF NEW ASIA COLLEGE INCORPORATED, ETC.

Incorporation.

3. The members for the time being of the Board of Governors of New Asia College shall be a body corporate, by the name "The Board of Governors of New Asia College" in English and "新亞書院董事會" in Chinese, and in those names shall have perpetual succession and may sue and be sued.

Seal of corporation.

4. The corporation shall have a common seal, and the fixing of the seal shall be authenticated by the signature of the chairman or vice-chairman of the Board of Governors or of such other person as the Board of Governors may appoint.

Certain contracts and instruments not required to be under seal.

5. Any contract or instrument which, if entered into or executed by a person not being a body corporate would not be required to be under seal, may be entered into or executed on behalf of the corporation by any person generally or specially authorized in writing for that purpose by the Board of Governors.

Board of Governors. Schedule.

6. The persons whose names appear in the Schedule shall constitute the Board of Governors until a constitution for New Asia College is prescribed under section 11 and shall then cease to hold office pursuant to this section.

Vesting of property.

7. On the commencement of this Ordinance—

- (a) all that piece and parcel of ground known and registered in the Land Office as Kowloon Inland Lot 6262 shall vest in the corporation subject to the payment of the rent and compliance with the conditions reserved by and contained in the Conditions of Grant of the said Lot known and registered in the Land Office as Conditions of Grant No. 6506; and

- (b) the corporation shall succeed to all other property, rights, privileges, obligations and liabilities of New Asia College incorporated.

8. (1) On the commencement of this Ordinance, the Registrar of Companies shall strike New Asia College incorporated off the register kept for the purposes of the Companies Ordinance, and shall publish notice thereof in the *Gazette* and on the publication in the *Gazette* of this notice the company shall be dissolved.

Dissolution of New Asia College incorporated. (Cap. 32.)

(2) After the commencement of this Ordinance, no proceedings shall be taken under the Companies Ordinance in respect of New Asia College incorporated.

PART III.

POWERS OF CORPORATION, CONSTITUTION OF NEW ASIA COLLEGE, ETC.

9. (1) Subject to this Ordinance and the constitution, the corporation shall have the management of New Asia College and may do all such things as it considers necessary for that purpose or conducive to the furtherance of the aims and objects of New Asia College as set forth in the constitution.

Powers of corporation.

(2) Without prejudice to subsection (1), the corporation may—

- (a) subject to the Charities (Land Acquisition) Ordinance, acquire, hold and dispose of property;
- (b) enter into any contract;
- (c) invest money on deposit in any bank in the Colony or elsewhere or in such other manner as it thinks fit;
- (d) borrow or otherwise raise money on such security as it thinks fit, and for that purpose charge all or any of the property of New Asia College, other than land held from the Crown on a grant by private treaty.

(Cap. 305.)

10. The corporation may delegate any person or the person for the time being holding any office designated by it to exercise such of its powers, other than the power to acquire, hold and dispose of property, or perform such of its functions or duties on its behalf as it may specify.

Delegation by corporation.

Constitution
of College.

11. The Board of Governors may prescribe a constitution for New Asia College and may amend the same in accordance with its provisions.

Constitution
to be delivered
to Registrar
General, etc.

12. (1) Within one month after the commencement of this Ordinance, the corporation shall deliver to the Registrar General—

- (a) notice of the address of the corporation; and
- (b) notice of the name of any person appointed for the purposes of section 4 or authorized for the purposes of section 5.

(2) Within one month after a constitution is prescribed for New Asia College under section 11, the corporation shall deliver to the Registrar General—

- (a) a copy of the constitution certified as being a true copy by the chairman of the Board of Governors; and
- (b) a list containing the names and addresses of the members of the Board of Governors.

(3) Within one month after the constitution has been amended at any time, the corporation shall deliver to the Registrar General a copy of the constitution as amended, certified as being a true copy by the chairman of the Board of Governors.

(4) Within one month after any change in any of the particulars required by subsection (1) or paragraph (b) of subsection (2) to be delivered to the Registrar General, the corporation shall deliver to the Registrar General notice of the change.

(Cap. 32.)

(5) Any instrument delivered to the Registrar General pursuant to this section may be inspected by any person on payment of such fee as may be appointed under section 305 of the Companies Ordinance for the inspection of documents kept by the Registrar of Companies.

(6) A fee of five dollars shall be payable in respect of each instrument delivered to the Registrar General pursuant to this section.

Saving.

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

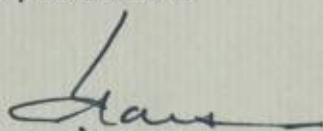
SCHEDULE.

[s. 6.]

MEMBERS OF FIRST BOARD OF GOVERNORS.

John Tung	Madam Aw Boon Haw
Tsai Ching Yan	Runde Shaw
Ch'ien Mu	Leung Kwai Yee
Arthur E. Wang	Liu Han Tung
Tseng Yu-mei	B. P. Schoyer
D. Y. Lin	Ou Tsuin-chen
Shen Ye	Henry M. Sperry
Hui Yeung Shing	B. Mellor
Stanley Cheng Dai Kuo	Tsufa Lee
Shum Wai Yau	

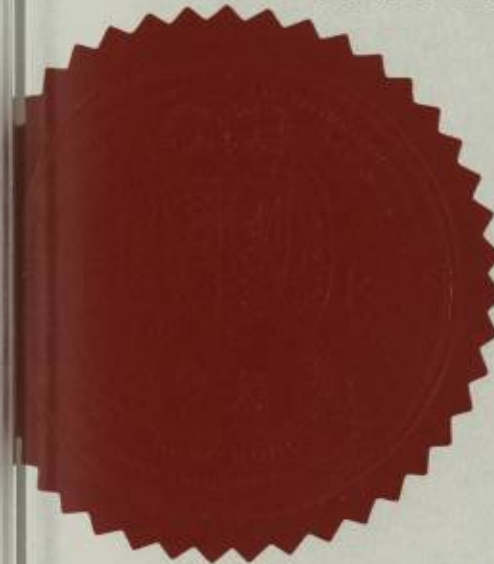
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 12th day of July, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat GR 21/2041/62)

HONG KONG

No. 45 OF 1967.



I assent.

N. S. Ming Cass

Officer administering the Government.

3rd August, 1967.

An Ordinance to amend the Perjury Ordinance.

[4th August, 1967.]

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 Perjury (Amendment) Ordinance 1967. Short title.

2. Section 2 of the principal Ordinance is repealed and replaced by the following— Repeal and replacement of section 2. (Cap. 214.)

"Inter-pretation.
1 & 2 Geo. 5,
c. 6, s. 15(2).

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

"judicial proceeding" includes a proceeding before any court, tribunal or person having by law power to hear, receive and examine evidence on oath."

Addition of
new sections
2A and 2B.

3. The principal Ordinance is amended by adding the following new sections after section 2—

"Extra-
curial state-
ments on
oath made
for purposes
of a judicial
proceeding.

2A. (1) Where a statement made for the purposes of a judicial proceeding is not made before a court, tribunal or person having by law power to hear, receive and examine evidence on oath but is made on oath before a person authorized by law to administer an oath to the person who makes the statement and to record or authenticate the statement, it shall be deemed for the purposes of this Ordinance to have been made in a judicial proceeding.

(2) A statement made by a person lawfully sworn in Hong Kong for the purposes of a judicial proceeding elsewhere shall be deemed for the purposes of this Ordinance to have been made in a judicial proceeding in Hong Kong.

Materiality
of a state-
ment is a
question of
law.

2B. The question whether a statement on which any offence against this Ordinance is assigned was material is a question of law to be determined by the court."

Amendment of
section 3.

4. Section 3 of the principal Ordinance is amended by—

- (a) deleting "(1)"; and
- (b) deleting subsections (2), (3), (4) and (5).

Repeal and
replacement of
section 15.

5. Section 15 of the principal Ordinance is repealed and replaced by the following—

"Certified
copy of
record of
court
proceedings.

15. A document purporting to be a copy of the record of any proceedings before a court and purporting to be certified by an officer having the custody of the records of that court as a true copy of that record shall be admitted in evidence in proceedings for an offence against section 3, 9 or 10 on its production by the prosecution without further proof, and—

- (a) until the contrary is proved, the court before which such document is produced shall presume—
 - (i) that the document is certified by such officer;
 - (ii) that the document is a true copy of the record of those proceedings; and

(iii) that the evidence taken in those proceedings and recorded therein was duly taken; and

- (b) such document shall be *prima facie* evidence of the evidence taken in those proceedings and recorded therein and of all other matters contained therein."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 2nd day of August, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

Deputy Clerk of Councils.

(Secretariat GR 11/3231/64)

HONG KONG

No. 46 OF 1967.



I assent.

D. B. Spring-Cress

Officer administering the Government.

3rd August, 1967.

An Ordinance to amend the Evidence Ordinance.

[4th August, 1967.]

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 Evidence (Amendment) Ordinance 1967. Short title.

2. The principal Ordinance is amended by adding the following new sections after section 23A—

"Copy of records of Royal Observatory.

23B. A document purporting to be a copy of the records or part of the records kept by the Director of the Royal Observatory and purporting to be certified by the officer having the custody of the

Addition of new sections 23B and 23C. (Cap. 8.)

records shall be admitted in evidence in criminal proceedings before any court on its production without further proof, and—

- (a) until the contrary is proved, the court before which such document is produced shall presume—
 - (i) that the document is certified by such officer;
 - (ii) that the document is a true copy of the records or part of the records to which it refers; and
 - (iii) that the records were duly made and compiled at the time referred to in the document; and
- (b) such document shall be *prima facie* evidence of all matters contained therein.

Certificate of accuracy of chronometer.

23C. A document purporting to be a record of the testing of and the accuracy of a chronometer and purporting to be certified by an officer of the Royal Observatory shall be admitted in evidence in criminal proceedings before any court on its production without further proof, and—

- (a) until the contrary is proved the court before which such document is produced shall presume—
 - (i) that the document is certified by such officer;
 - (ii) that the facts stated in the document relating to the chronometer are true; and
 - (iii) that the record was made and compiled at the time referred to in the document; and
- (b) such document shall be *prima facie* evidence of all matters contained therein.”.

Amendment of section 57.

3. Section 57 of the principal Ordinance is amended by deleting subsections (1) and (1A) and substituting the following—

“(1) Any judge of the Supreme Court may, on application or on his own motion, issue a warrant or order for bringing up any person in lawful custody before any court to enable such person to prosecute, pursue, defend or be examined as a witness in, any proceedings, either criminal or civil, before such court.

(1A) Any District Judge or magistrate may, on application or on his own motion, issue a warrant or order for bringing up any person in lawful custody before the District Court or any magistrate, as the case may be, to enable such person to prosecute, pursue, defend or be examined as a witness in, any proceedings, either criminal or civil, before such District Court or magistrate.”.

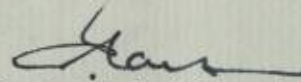
4. The enactments specified in the first column of the Schedule are amended respectively in the manner and to the extent specified in the second column thereof.

Consequential amendment of enactments. Schedule.

SCHEDULE.

Criminal Procedure Ordinance	Section 48 is repealed.	(Cap. 221.)
District Court Ordinance	Section 15 is repealed.	(Cap. 5.)

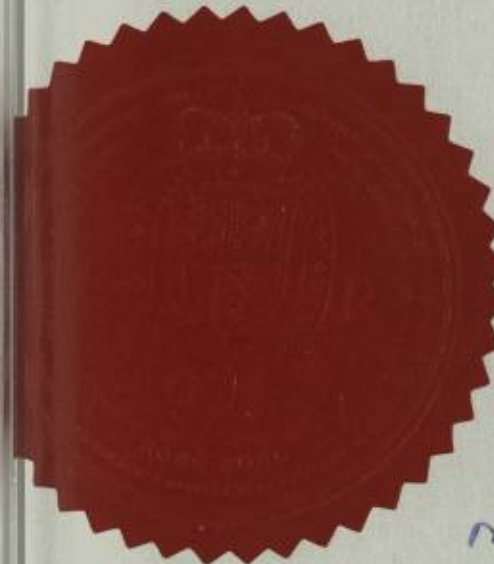
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 2nd day of August, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat GR 6/3231/65)

HONG KONG

No. 47 OF 1967.



I assent.

N. S. Ming-Cross

Officer administering the Government.

24th August, 1967.

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

[25th August, 1967.]

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 the Laws (Amendment) Ordinance 1967.

Short title.

2. Section 13 of the principal Ordinance is amended—

Amendment
of section 13.
(53 of 1965.)

(a) by deleting paragraph (a) of subsection (1) and substituting the following—

“(a) cause to be prepared and published in the form of a separate booklet—

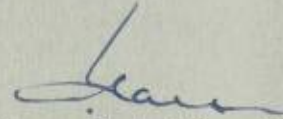
(i) a new revised edition of any Ordinance that has been amended during the period of twelve months ending on the preceding thirty-first day of December; or

(ii) where it appears to him to be convenient and appropriate so to do, a new revised edition

of the subsidiary legislation made under or by virtue of any Ordinance where any part of that subsidiary legislation has been amended during the period of twelve months ending on the preceding thirty-first day of December;".

- (b) in subsection (4),
- (i) by inserting the following after "any Ordinance"—
"or any such booklet containing subsidiary legislation only, as the case may be," and
 - (ii) by inserting the following after "that Ordinance"—
"; or, in the case of a booklet containing subsidiary legislation only, that subsidiary legislation".
- (c) by inserting the following subsection after subsection (5)—
- "(6) Where a new revised edition of the subsidiary legislation made under or by virtue of an Ordinance is published in a separate booklet under sub-paragraph (ii) of paragraph (a) of subsection (1) such booklet shall—
- (a) be part of the Chapter of the Ordinance under or by virtue of which that subsidiary legislation is made;
 - (b) in addition to the other expressions required to be contained therein, contain on the front page thereof—
 - (i) the title and Chapter number of the Ordinance under or by virtue of which that subsidiary legislation is made; and
 - (ii) the expression "Subsidiary Legislation".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 23rd day of August, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

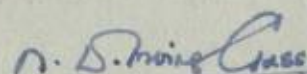

Deputy Clerk of Councils.

(Secretariat GR 7/3231/65)

HONG KONG

No. 48 of 1967.

I assent.



Officer administering the Government.

7th September, 1967.

An Ordinance to extinguish certain trusts relating to property formerly managed by a committee known as the Chinese Public Dispensaries Committee.

[8th September, 1967.]

WHEREAS—

- (a) certain leasehold and other property was from time to time vested on certain trusts in the Secretary for Chinese Affairs Incorporated on behalf of a committee known as the Chinese Public Dispensaries Committee;
- (b) the circumstances in which trusts came to be created no longer pertain, and such Committee has ceased to function;
- (c) the intention of such trusts was and is the welfare of the public, and in conformity with such intention the Secretary for Chinese Affairs Incorporated has by the surrender of certain portions of such property permitted the implementation of various projects of development in the public welfare;

- (d) it is desirable to extinguish such trusts for the purpose of enabling the Secretary for Chinese Affairs Incorporated to wind up the affairs of such Committee and to apply the residue of such property for the public welfare in such ways as may appear to be most advantageous:

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

Short title.

1. This Ordinance may be cited as the Chinese Public Dispensaries Committee (Winding Up) Ordinance 1967.

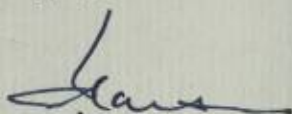
Extinction of trusts.

2. (1) Every trust attaching to property vested in the Secretary for Chinese Affairs Incorporated in trust for the Chinese Public Dispensaries Committee is extinguished—

- (a) in the case of property of which the Secretary for Chinese Affairs Incorporated has disposed prior to the commencement of this Ordinance, with effect from the disposal of the same;
- (b) in any other case, on the commencement of this Ordinance.

(2) After the commencement of this Ordinance, no action whatsoever shall be instituted in any court arising out of or in respect of any breach or alleged breach of any such trust.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 6th day of September, 1967, and is found by me to be a true and correctly printed copy of the said Bill.



Deputy Clerk of Councils.

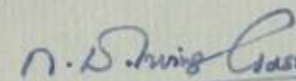
(Secretariat BL 1/3900/50)

HONG KONG

No. 49 of 1967.



I assent.



Officer administering the Government.

7th September, 1967.

An Ordinance to make provision for the better protection of certificates of origin issued by chambers of commerce and other bodies.

[8th September, 1967.]

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 Ordinance 1967.

Short title.

2. In this Ordinance, unless the context otherwise requires—
“authorized officer” means any public officer of the Commerce and Industry Department authorized in writing by the Director to carry out duties under this Ordinance;

Interpretation.

“certificate of origin” means a certificate of origin issued under section 3;

“chamber of commerce or other body” means a chamber of commerce or other body specified in the Schedule;

Schedule.

"Director" means the Director of Commerce and Industry;

"register" means any register maintained by any chamber of commerce or other body under section 5.

Power to issue certificates.

3. (1) Any chamber of commerce or other body may issue a certificate of origin in respect of any article manufactured, processed or produced in Hong Kong or any other country that has been or is to be exported or re-exported from Hong Kong.

(2) Such certificate of origin may specify or contain—

- (a) the manner in which the article has been manufactured, processed or produced;
- (b) particulars of the persons concerned in the manufacture, processing, production or exportation of the article;
- (c) particulars with respect to—
 - (i) the origin of the article to which the certificate of origin relates;
 - (ii) the materials or parts of which the article is composed or which were used during the manufacture, processing or production of the article; or
 - (iii) the method of shipment of the article; and
- (d) such other details as may—
 - (i) identify the article; or
 - (ii) generally facilitate its importation into any country.

(3) Any certificate of origin issued under this section shall be in such form as the chamber of commerce or other body issuing the certificate may specify and shall be subject to such conditions as may be endorsed therein.

Discretion to refuse to issue or to revoke certificates of origin.

4. (1) Any chamber of commerce or other body may, without assigning any reason therefor—

- (a) refuse to issue a certificate of origin;
- (b) impose such conditions on the issue of any certificate of origin or in respect of any class or type of goods for which a certificate of origin may be issued as it may think fit; and
- (c) revoke any certificate of origin.

(2) Without prejudice to the generality of paragraph (a) of subsection (1), any chamber of commerce or other body may refuse to issue a certificate of origin unless the name of the applicant therefor is registered with it under section 5.

5. (1) Any chamber of commerce or other body may maintain a register or registers in such form and manner as it may think fit containing the names and addresses of such persons as it approves for the time being as eligible to receive certificates of origin under this Ordinance.

Power to maintain register.

(2) Neither the maintenance of a register by a chamber of commerce or other body nor the inclusion or exclusion of the name of any person therein or therefrom shall affect the discretion conferred on such chamber of commerce or other body under section 4.

(3) Any chamber of commerce or other body may, without assigning any reason therefor, refuse to register the name of any person or may delete from its register the name of any person for such period or periods as it may think fit.

(4) Any chamber of commerce or other body may, if it thinks fit, publish, or cause or allow publication of, the name and address of any person whose name is entered in or deleted from its register.

(5) Any chamber of commerce or other body may require any person who applies to have his name entered in its register to give such undertaking in respect of the conduct of his business as the chamber of commerce or other body may require.

(6) Any person who contravenes any undertaking given by him under subsection (5) 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.

6. (1) Any person who wishes his name to be entered in any register or to be issued with a certificate of origin shall make application therefor in such manner and in such form as the chamber of commerce or other body may specify.

Method of making application and power to call for evidence in support.

(2) Where any person makes application to a chamber of commerce or other body—

- (a) to have issued to him a certificate of origin in respect of any article; or
- (b) to have his name entered in its register,

the chamber of commerce or other body may require the applicant to furnish in such form as it may specify such records or information in respect of the manufacture, processing, production or sale of articles as it may specify, whether or not—

- (i) the articles have been exported or are to be exported; or
- (ii) the articles are included or are to be included in any certificate of origin.

(3) Without prejudice to the generality of the discretion conferred by subsection (3) of section 5, the name of any person who fails to comply with any requirement of a chamber of commerce or other body under subsection (2) may be deleted from its register.

Offences in relation to certificates of origin.

7. (1) Any person who—

- (a) forges, or causes to be forged, any certificate of origin;
- (b) not being an officer of any chamber of commerce or other body who is authorized by such chamber of commerce or other body in that behalf, makes, or causes to be made, any alteration of, or addition to or deletion from, any certificate of origin;
- (c) knowingly utters or makes use of, or causes to be uttered or made use of, any forged certificate of origin or any certificate of origin that has been altered or added to, or from which any deletion has been made, by any person other than an officer of the chamber of commerce or other body by which the certificate of origin was issued who is authorized in that behalf;
- (d) knowingly utters or makes use of, or causes to be uttered or made use of, as applying to any article any certificate of origin which does not so apply; or
- (e) substitutes, or causes or suffers or permits any other person to substitute, any other article for any article in respect of which a certificate of origin has been issued,

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

(2) Any person who, with intent to deceive—

- (a) makes or causes to be made any false or incorrect statement in any declaration made for the purpose of obtaining a certificate of origin; or
- (b) makes or gives or causes to be made or given any false or incorrect statement or information in any document that he knows or has reason to believe may be used in support of an application for the issue of a certificate of origin; or
- (c) furnishes any false records or information under subsection (2) of section 6,

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.

8. (1) Without prejudice to the prosecution of any person for an offence under section 5 or 7, where a document in respect of which an offence has been committed under section 5 or 7 has been issued or purports to have been issued on behalf of a company, partnership or business—

Liability of company, directors, etc.

- (a) such company; and
- (b) every director, partner and other person concerned in the management of such company, partnership or business who has had such document in his possession or under his control,

shall be guilty of an offence unless it is proved that it or he—

- (i) took all practicable steps to prevent the commission of an offence under section 5 or 7; and
- (ii) on demand made by an authorized officer, gave all the information in its or his power with respect to such document.

(2) Any company or person found guilty of an offence under subsection (1) shall be liable on conviction to a fine of fifty thousand dollars.

9. A complaint may be made or an information laid in respect of an offence under any of the provisions of this Ordinance within two years from the time when the matter of such complaint or information respectively arose.

Time limit for charge of offence.

10. (1) Any authorized officer or any police officer of or above the rank of inspector may—

Powers of authorized officers.

- (a) subject to subsection (2), enter and search any place, or board and search any vessel (other than a ship of war) or any aircraft (other than a military aircraft) or search any vehicle, in which he reasonably suspects there is evidence of the commission of an offence under this Ordinance;
- (b) seize, remove and detain—
 - (i) anything in respect of which he reasonably suspects that an offence under this Ordinance has been committed; or
 - (ii) anything that appears to him to be, or to be likely to be or to contain, evidence of an offence under this Ordinance; and
- (c) enter and inspect the premises at or from which any person manufactures, processes, produces or sells any article that is included or is to be included in any certificate of origin.

(2) Where he is satisfied by information on oath that there is reasonable ground for suspecting that there is in any premises used for dwelling purposes anything that is liable to seizure under paragraph (b) of subsection (1), a magistrate may issue his warrant authorizing such premises to be entered and searched by an authorized officer or any police officer of or above the rank of inspector, and no premises used for dwelling purposes shall be entered or searched under this Ordinance except pursuant to the warrant of a magistrate issued under this subsection.

(3) Any authorized officer or any police officer of or above the rank of inspector may—

- (a) break open any outer or inner door of any place that he is empowered or authorized by or under this Ordinance to enter and search;
- (b) forcibly board any vessel, aircraft or vehicle that he is empowered by this Ordinance to board and search;
- (c) remove by force any person or thing obstructing any detention, search, inspection, seizure or removal that he is empowered by this Ordinance to make;
- (d) detain any person found in any place that he is empowered or authorized by or under this Ordinance to search until such place has been searched;
- (e) detain any vessel or aircraft that he is empowered by this Ordinance to board and search, and prevent any person from approaching or boarding such vessel or aircraft, until it has been searched;
- (f) detain any vehicle that he is empowered by this Ordinance to search until it has been searched; and
- (g) search the person and property and effects of any person whom he reasonably suspects of being guilty of an offence under this Ordinance:

Provided that no person shall be searched except by a person of the same sex, and provided that no person shall be searched in a public place if he objects to being so searched.

11. (1) Any authorized officer, in addition to the other powers conferred by this Ordinance, may arrest without warrant any person whom he reasonably suspects of being guilty of an offence under this Ordinance.

(2) Any person who is arrested by an authorized officer under this section shall be delivered into the custody of the officer in charge of a police station within twelve hours of his arrest unless in the meantime, such person has been brought before a magistrate or released.

Power of
arrest.

(3) When any such person is delivered into the custody of the officer in charge of a police station, the provisions of section 52 of the Police Force Ordinance shall apply.

(Cap. 232.)

(4) Where any person forcibly resists the endeavour of any authorized officer to arrest him or attempts to evade the arrest, the authorized officer may use all means necessary to effect the arrest.

(5) Where any authorized officer who is in pursuit of any person to be arrested has reason to believe that the person has entered into or is in any place, the person residing in or in charge of the place shall, on demand of the authorized officer, allow him free ingress thereto and afford all reasonable facilities for search therein for the person.

12. The Governor in Council may by order amend the Schedule.

Amendment of
Schedule.

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

Saving.

14. The Protection of Non-Government Certificates of Origin Ordinance is repealed.

Repeal.
(Cap. 324.)

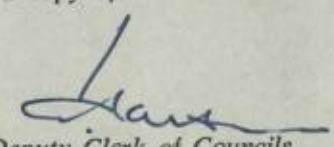
SCHEDULE.

[ss. 2 & 12.]

CHAMBERS OF COMMERCE AND OTHER BODIES TO WHOSE CERTIFICATES OF ORIGIN THE ORDINANCE APPLIES.

The Chinese Manufacturers' Association of Hong Kong.
The Federation of Hong Kong Industries.
The Hong Kong General Chamber of Commerce.
The Indian Chamber of Commerce.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 6th day of September, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat CR 7/5401/63II)

HONG KONG

No. 50 OF 1967.



I assent.

D. S. Ming-Cass

Officer administering the Government.

7th September, 1967.

An Ordinance to amend the City Hall Ordinance.

[8th September, 1967.]

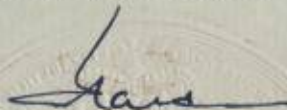
Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the City Hall (Amendment) Ordinance 1967. Short title.

2. Section 2 of the principal Ordinance is amended by deleting "comprise and are known as the city hall" in the definition of "city hall" and substituting the following— Amendment of
section 2.
(Cap. 328.)

"are within the area shown edged red on a plan dated the 28th day of July 1967, signed by the Director of Public Works and deposited in the Land Office".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 6th day of September, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

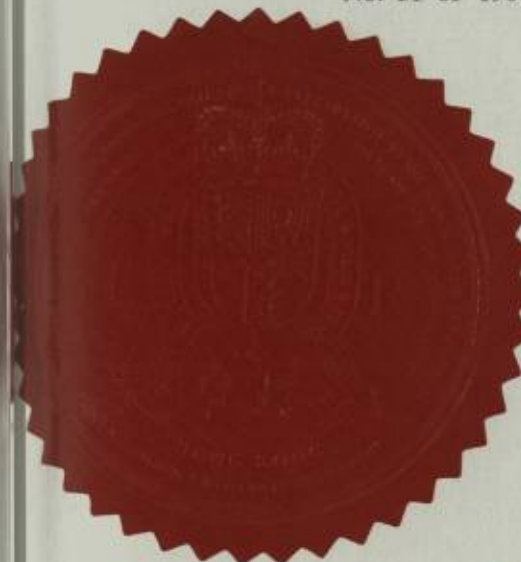

Deputy Clerk of Councils.

(Secretariat CR 6/1146/58)

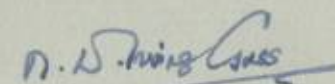


HONG KONG

No. 51 OF 1967.



I assent.


Officer administering the Government.

21st September, 1967.

An Ordinance to amend the Hong Kong Airport (Regulations) 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 Hong Kong Airport (Regulations) (Amendment) Ordinance 1967 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

Short title
and com-
mencement.

2. Section 4 of the principal Ordinance is amended in sub-section (1) by deleting paragraphs (h) and (i) and substituting the following—

Amendment of
section 4.
(Cap. 292.)

- “(h) the designation by the Director of car parks for the use of vehicles of any description or any particular type or class or for the use of persons of any particular class;
- (i) the fees payable for the use of car parks;
- (j) the control of the use of car parks;

- (k) the removal from the airport of vehicles which contravene any provision of this Ordinance, the sale of vehicles so removed, and the fees payable in respect of such removal or sale;
- (l) empowering the Director, any person authorized by him in writing for the purposes of this Ordinance or any police officer to give such orders, either orally or in writing, or to do such acts as may be specified for carrying into effect any regulation."

Addition of
new sections
6 and 7.

3. The principal Ordinance is amended by adding, after section 5, the following new sections—

"Obligation
to give
information
as to identification.

6. (1) Where the driver of a vehicle is alleged to be guilty of an offence under this Ordinance—

- (a) the driver of the vehicle shall on demand give to the Director or any person authorized by him in writing for the purposes of this Ordinance or any police officer his correct name and address and any other information concerning the vehicle which it is in his power to give;
- (b) the owner of the vehicle shall, within fourteen days of being so required (such requirement having been made within fourteen days after the date of the alleged offence), give such information as may be required by the Director or any person authorized in writing by him for the purposes of this Ordinance or any police officer as to the identity of the driver of the vehicle; and
- (c) any other person shall, within fourteen days of being so required (such requirement having been made within fourteen days after the date of the alleged offence), give such information as may be required by the Director or any person authorized in writing by him for the purposes of this Ordinance or any police officer, being information which it is in his power to give and which may lead to the identification of the driver.

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine of five hundred dollars:

Provided that in the case of any proceedings against the owner of a vehicle it shall be a sufficient defence if he proves to the satisfaction of the court or magistrate that he did not know and could not with reasonable diligence have ascertained the identity of the driver.

(3) A requirement under paragraph (b) or (c) of subsection (1) may be in writing and may be served on the owner of the vehicle or other person, as the case may be, by post.

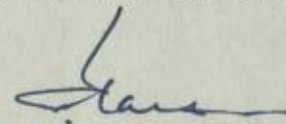
7. Where in any summary proceedings in respect of an offence under this Ordinance—

- (a) it is proved that a requirement under paragraph (b) of subsection (1) of section 6 that information be given as to the identity of the driver of a particular vehicle on the particular occasion to which the proceedings relate has been served by post on the defendant; and
- (b) a document purporting to be signed by the defendant and stating that he was the driver of that vehicle on that occasion is produced to the court or magistrate,

the court or magistrate may, until the contrary is proved, accept that document as evidence that the defendant was the driver of that vehicle on that occasion."

Proof in
summary
proceedings
of identity
of driver
of vehicle.

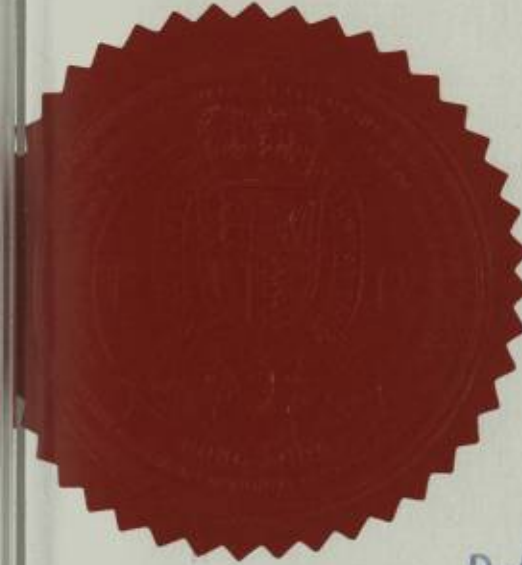
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 20th day of September, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat GR 27/3231/55II)

HONG KONG

No. 52 OF 1967.



I assent.

N. S. Ming-Cass

Officer administering the Government.

21st September, 1967.

An Ordinance to amend further the Road Traffic 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 Road Traffic (Amendment) (No. 2) Ordinance 1967, and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*.

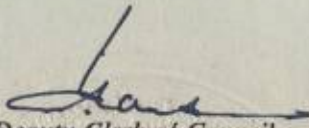
Short title and commencement.

2. Section 2 of the Road Traffic Ordinance is amended in subsection (1) by deleting the semicolon at the end of the definition of "road" and substituting the following—

Amendment of section 2.
(Cap. 220.)

" , but does not include any place within the Hong Kong Airport designated by the Director of Civil Aviation as a car park under the Hong Kong Airport (Traffic) Regulations 1967;".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 20th day of September, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

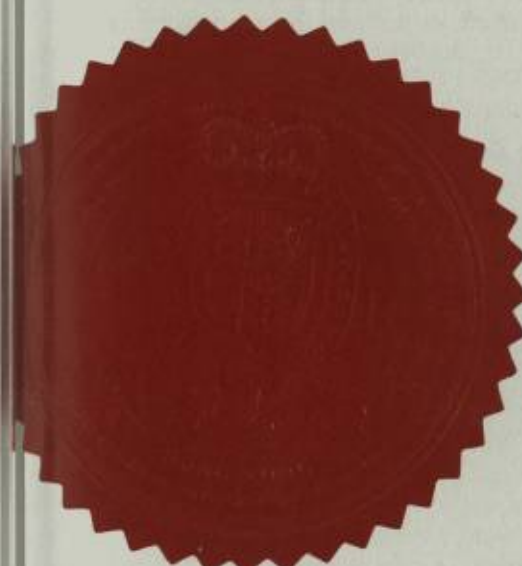

Deputy Clerk of Councils.

(Secretariat GR 27/3231/55II)

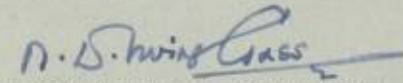


HONG KONG

No. 53 OF 1967.



I assent.


Officer administering the Government.

21st September, 1967.

An Ordinance to amend further the Immigration (Control and Offences) Ordinance.

[22nd September, 1967.]

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 Immigration (Control and Offences) (Amendment) Ordinance 1967. Short title.

2. Section 2 of the principal Ordinance is amended in subsection (1) by deleting the definition of "Director" and substituting therefor the following— Amendment of section 2. (Cap. 243.)

"Director" means the Director of Immigration and, save where the expression "Director of Immigration" is used, also means any assistant director of immigration, any principal immigration inspector and any chief immigration inspector;".

Repeal and replacement of section 49.

3. Section 49 of the principal Ordinance is repealed and replaced by the following—

"Director and other public officers to be subject to the Governor's directions.

49. (1) The Governor may give such directions as he thinks fit (either generally or in any particular case) with respect to the exercise or performance by the Director or any other public officer, other than a judge, a District Judge or a magistrate, of any powers, functions or duties under this Ordinance.

(2) The Director and every public officer shall, in the exercise or performance of any powers, functions or duties under this Ordinance, comply with any directions given by the Governor under subsection (1).

Review of decisions of Director and other public officers.

49A. (1) Any person aggrieved by a decision, act or omission of the Director or of any other public officer taken, done or made in the exercise or performance of any powers, functions or duties under this Ordinance may—

- (a) in the case of any person referred to in subsection (3) not later than twenty-four hours from the time when he was informed of the decision, act or omission or when the decision, act or omission became known to him (whichever is the earlier);
- (b) in the case of any person other than a person referred to in subsection (3) within fourteen days of the date when he was informed of the decision, act or omission or when the decision, act or omission became known to him (whichever is the earlier) or within such further period as the Governor may allow in any particular case,

by notice in writing lodge an objection to the decision, act or omission with the Clerk of Councils.

(2) Save as provided in subsection (3), the Governor in Council shall consider every objection lodged in accordance with subsection (1) and review the decision, act or omission.

(3) Where an objection lodged in accordance with subsection (1) is an objection lodged by any person who entered the Colony—

- (a) without the permission of the Director; or

- (b) at a landing place or point of entry which is not authorized in accordance with section 12,

and who in the opinion of the Director of Immigration or any assistant director of immigration has not been in the Colony for more than ten days, the Governor shall consider the objection and review the decision, act or omission.

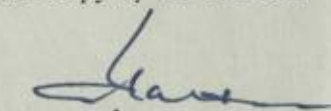
(4) On consideration of an objection lodged in accordance with subsection (1), the Governor in Council or the Governor, as the case may be, may confirm, vary or reverse any decision, act or omission of the Director or any other public officer taken, done or made in the exercise or performance of any powers, functions or duties under this Ordinance or substitute therefor such other decision or make such other order as he may think fit.

(5) The Governor in Council may at any time of his own motion vary or reverse any decision, act or omission of the Director or other public officer, other than a judge, a District Judge or a magistrate, taken, done or made in the exercise or performance of any powers, functions or duties under this Ordinance or substitute therefor such other decision or make such other order as he may think fit.

(6) For the removal of doubt, it is hereby declared that the lodging of an objection under this section shall not give the person by or on whose behalf it is lodged any right to enter or remain in the Colony pending the decision thereon of the Governor in Council or the Governor, as the case may be.

(7) Nothing in this section shall entitle any person to lodge an objection under this section to any decision, act or omission of the Governor, the Governor in Council or any court."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 20th day of September, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

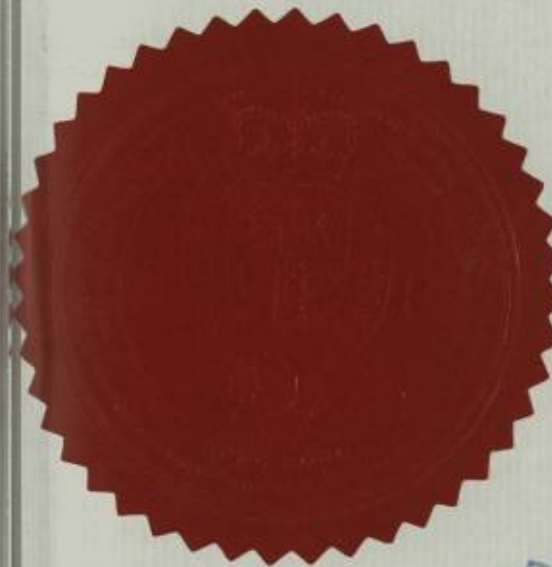


Deputy Clerk of Councils.

(Secretariat CR 1/3231/63)

HONG KONG

No. 54 OF 1967.



I assent.

D. S. Wing Lo

Officer administering the Government.

21st September, 1967.

An Ordinance to provide for the incorporation of the Hop Yat Church of The Church of Christ in China.

[22nd September, 1967.]

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 Hop Yat Church of The Church of Christ in China Incorporation Ordinance 1967. Short title.

2. In this Ordinance, unless the context otherwise requires—
"constitution" means the constitution of the Hop Yat Church approved from time to time by its members in accordance with the constitution for the time being in force; Interpretation.

"Corporation" means the body incorporated by section 3;

"Council of a Unit Church" means the Council for the time being of a Unit Church of the Corporation;

"Hop Yat Church" means the Hop Yat Church of The Church of Christ in China taken as a whole which shall include all its churches schools and other establishments and their respective members for the time being;

"ministers" and "preachers" respectively mean the ministers and preachers for the time being employed by the Hop Yat Church;

"Properties Management Committee" means the Properties Management Committee for the time being of the Corporation;

(Cap. 1027.)

"repealed Ordinance" means the Hop Yat Tong Church of Christ Hong Kong Incorporation Ordinance;

"Unit Church" means a church establishment of the Hop Yat Church.

Incorporation.

3. The Council of Representatives for the time being of the Hop Yat Church of The Church of Christ in China shall be a body corporate, hereinafter called "the Corporation", and shall have the name "The Council of Representatives of Hop Yat Church of the Church of Christ in China" and in that name shall have perpetual succession and may sue and be sued in all courts and tribunals in the Colony and shall have and may use a common seal, and may from time to time, break, change, alter and make anew the said seal as the Corporation may deem fit.

Power of Corporation.

4. The Corporation shall have full power—

(a) to manage, administer and operate the Hong Kong Hop Yat Church, the Kowloon Hop Yat Church, the Kowloon Hop Yat Church School, the Hop Yat Church Kindergarten and the Hop Yat Church Kai Chi School;

(b) to establish, manage, administer and operate any clinic or clinics, hospital or hospitals, church or churches, school or schools or educational or charitable institution or institutions as the Corporation shall think fit;

(Cap. 305.)

(c) subject to the provisions of the Charities (Land Acquisition) Ordinance, to acquire, accept leases of, purchase, take or otherwise hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever;

(d) to acquire, by purchase or otherwise, goods and chattels of what nature or kind soever;

(e) to invest moneys on deposit in any bank in the Colony or in any government bonds or on mortgage of any land, buildings, messuages, or tenements in the Colony, or in or on debentures, debenture-stocks, stocks, funds, shares or securities of any corporation or company carrying on business in the Colony;

(f) to grant, sell, convey, assign, surrender, yield up, mortgage, demise, let, reassign, transfer or otherwise dispose of, any land, buildings, messuages, tenements, mortgages, debentures, debenture-stocks, stocks, funds, shares, securities, vessels, goods or chattels for the time being vested in the Corporation, upon such terms as the Corporation may deem fit;

(g) to act as custodian trustee or manager of any property or fund for any charitable purpose;

(h) to accept gifts, donations and endowments for all or any of the purposes of the Corporation;

(i) to subscribe to and to grant donations for any charities or educational purposes;

(j) to develop either alone or jointly with other or others and turn to account any land acquired by the Corporation or in which it is interested, and in particular by laying out and preparing the same for building purposes, constructing, altering, pulling down, decorating, maintaining, fitting up, and improving buildings, and by planting, paving, draining, farming, cultivating and letting on building lease or building agreement, and by advancing money to and entering into contracts and arrangements of all kinds with builders, developers, contractors, land investment companies, land mortgage companies, building estate companies, banks, financiers, owners, lessees, tenants and others, in such manner or on such terms and conditions as the Corporation shall deem fit or expedient and to apply for and obtain exclusion orders under the Landlord and Tenant Ordinance, and to agree and pay such compensation as the Tenancy Tribunal may recommend or order; (Cap. 255.)

(k) to borrow money upon such terms as the Corporation shall think fit, and to raise money by public or private subscription; and

(l) generally to do such other things as many appear to be incidental or conducive to the aims and objects of the Corporation.

5. On the commencement of this Ordinance—

Vesting of property.

(a) all those pieces or parcels of ground specified in the second column of the Schedule, together with all rights, easements and appurtenances thereto belonging, shall vest in the Corporation for the unexpired residue of the respective terms of years created by the Crown leases and Conditions of Grant specified opposite thereto in the third column of the Schedule, subject to payment of the rent and performance of the

Schedule.

covenants and conditions reserved by and contained in the said Crown leases and Conditions of Grant; and

- (b) the Corporation shall succeed to all other property, rights, privileges, obligations and liabilities of the trustees for the time being of the Hop Yat Tong Church of Christ Hong Kong incorporated under the repealed Hop Yat Tong Church of Christ Hong Kong Incorporation Ordinance.

Members
of the
Corporation.

6. The Corporation shall consist of the following members—

- (a) all ministers and preachers for the time being of the Hop Yat Church;
- (b) all deacons and deaconesses for the time being of the Hop Yat Church;
- (c) the chairman, vice-chairman, and secretary for the time being of the Council of each Unit Church; and
- (d) representatives for the time being from the Council of each Unit Church, which shall be entitled to have one elected member in respect of every one hundred adult-members registered with such Unit Church to represent it in the Corporation: provided that the maximum number of the representatives of each Unit Church shall not exceed five.

Council of
Unit Church.

7. Each Unit Church shall have a Council, and the organization, powers and duties of such Council shall be prescribed by the constitution for the time being of the Hop Yat Church.

Existing
constitution
to be con-
stitution of
Corporation.

8. (1) The existing constitution of the Hop Yat Church shall be the constitution of the Corporation.

(2) Amendments to the constitution shall be proposed in writing to the Council of Representatives by two deacons and three elected members of one or more Councils of the Unit Churches or by ten voting members of the Church, and no amendments shall be made unless such amendment or amendments shall have been passed by three-fourths of the members of the Council of Representatives present at the meeting convened for the purpose.

(3) Any such amendment shall not come into operation until it has been published in the Church bulletin four consecutive weeks for the information of the members and no objection thereto has been raised within thirty days from the first publication.

(4) The constitution shall not be amended without the consent in writing of the Registrar of Companies.

9. (1) The Corporation shall forward to the Registrar of Companies for registration the following—

- (a) notice of the address of the registered office of the Corporation and any change thereto;
- (b) a copy of the constitution and any amendment thereto, certified as correct by the Chairman or Vice-Chairman of the Corporation;
- (c) a list of the names and addresses of the members for the time being of the Corporation and any change therein, certified as correct by the Chairman or Vice-Chairman of the Corporation; and
- (d) the name and address of any person appointed under section 10 to sign deeds, documents and other instruments, and any change therein certified as correct by the Chairman or Vice-Chairman of the Corporation.

(2) Notification in accordance with subsection (1) shall be made within twenty-eight days of the commencement of this Ordinance or within twenty-eight days of any amendment, change or appointment as the case may be.

(3) 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 of a document. (Cap. 32.)

(4) The Corporation shall pay such fees for registering any document with any public registry as may be prescribed under section 305 of the Companies Ordinance for the registration of a document with the Registrar of Companies.

10. (1) The seal of the Corporation shall not be affixed to any deed, document or instrument except by the authority of a resolution of the Corporation.

(2) All deeds, documents and other instruments requiring the seal of the Corporation shall be signed by any three of the six members of the Properties Management Committee of the Corporation and such signing shall be taken as sufficient evidence of the due sealing of such deeds, documents and other instruments.

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

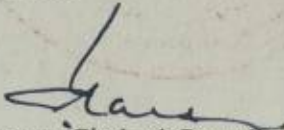
12. The Hop Yat Tong Church of Christ Hong Kong Incorporation Ordinance is repealed. Repeal.
(Cap. 1027.)

SCHEDULE.

[s. 5.]

Item.	Description of property.	Crown lease and Conditions of Grant.
1.	Section D of Inland Lot No. 590.	Crown lease dated 18th August 1859.
2.	1/11th undivided share in Section C of Sub-section 1 of Section B of Quarry Bay Marine Lot No. 4.	Crown lease dated 31st December 1932.
3.	1/7th undivided share in Subsection 5 of Section B of Kowloon Inland Lot No. 615.	Crown lease dated 30th December 1902.
4.	Remaining Portion of Kowloon Inland Lot No. 6591.	Conditions of Grant No. 5259.
5.	Remaining Portion of Kowloon Inland Lot No. 7266.	Conditions of Grant No. 5973.

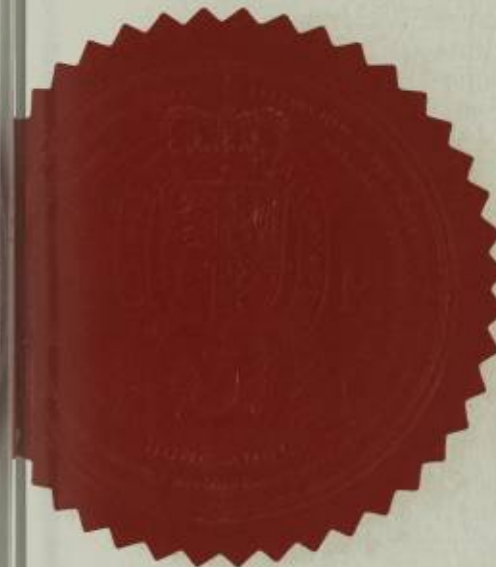
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 20th day of September, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

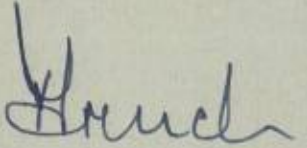
(Secretariat GR 12/3231/67)

HONG KONG

No. 55 OF 1967.



I assent.



Governor.

19th October, 1967.

An Ordinance to amend the Bills of Sale Ordinance.

[20th October, 1967.]

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 Bills of Sale (Amendment) Ordinance 1967. | Short title. |
| 2. Section 2 of the principal Ordinance is amended by deleting paragraph (a) of the proviso to the definition of "bill of sale". | Amendment of section 2. (Cap. 20.) |
| 3. Section 7 of the principal Ordinance is amended by deleting "shall be void in respect of the personal chattels comprised therein." and substituting therefor the following—
"shall—
(a) in the case of a bill of sale made or given by way of security for the payment of money, be void in respect of the chattels comprised therein; and | Amendment of section 7. |

- (b) in the case of any other bill of sale, as against all trustees or assignees of the estate of the person whose chattels, or any of them, are comprised in such bill of sale under the law relating to bankruptcy or liquidation, or under any assignment for the benefit of the creditors of such person, and also as against all bailiffs and other persons seizing any chattels comprised in such bill of sale, in the execution of any process of any court authorizing the seizure of the chattels of the person by whom or of whose chattels such bill has been made, and also as against every person on whose behalf such process shall have been issued, be deemed fraudulent and void so far as regards the property in or right to possession of any chattels comprised in such bill of sale which, at or after the time of filing the petition for bankruptcy or liquidation, or of the execution of such assignment, or of executing such process, as the case may be, and after the expiration of such seven clear days are in the possession or apparent possession of the person making such bill of sale, or of any person against whom the process has been issued under or in the execution of which such bill has been made or given, as the case may be."

Amendment of
section 9.

4. Section 9 of the principal Ordinance is amended by deleting paragraph (a) of subsection (1) and substituting therefor the following—

"(a) in the case of—

(i) a bill of sale made or given by way of security for the payment of money, the execution of the bill by the grantor shall be witnessed by one or more credible witnesses, not being a party or parties thereto; and

(ii) any other bill of sale, the execution of the bill by the grantor shall be witnessed by a solicitor of the Supreme Court if it is executed in Hong Kong or by a Commissioner to administer oaths in the Supreme Court if it is executed in any place outside of Hong Kong, and the attestation shall state that before the execution of the bill the effect thereof has been explained to the grantor by the attesting solicitor or Commissioner, as the case may be;"

5. Section 14 of the principal Ordinance is amended by deleting "a bill of sale" and substituting therefor the following—

Amendment of
section 14.

"any bill of sale made or given by way of security for the payment of money".

6. Section 16 of the principal Ordinance is amended by inserting, after "given", the following—

Amendment of
section 16.

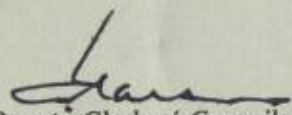
"by way of security for the payment of money".

7. Section 22 of the principal Ordinance is amended by inserting in subsection (3), after "registered bill of sale", the following—

Amendment of
section 22.

"made or given by way of security for the payment of money".

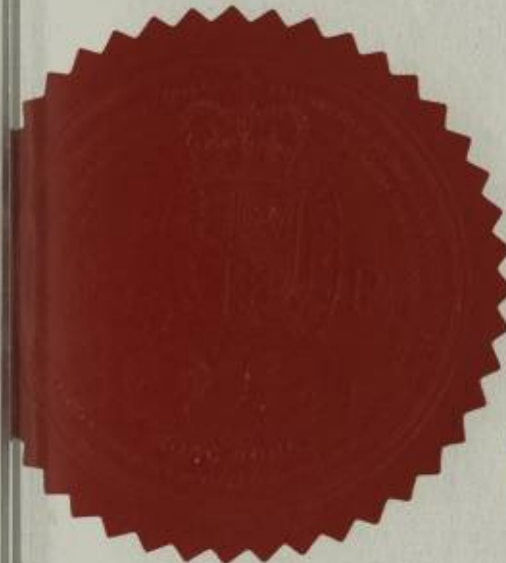
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 18th day of October, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat GR 21/3231/66)

HONG KONG

No. 56 OF 1967.



I assent.

Governor.

2nd November, 1967.

An Ordinance to amend the Diplomatic Privileges Ordinance.

[3rd November, 1967.]

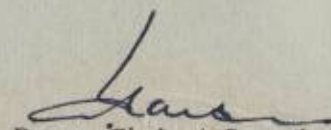
Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Diplomatic Privileges (Amendment) Ordinance 1967. Short title.

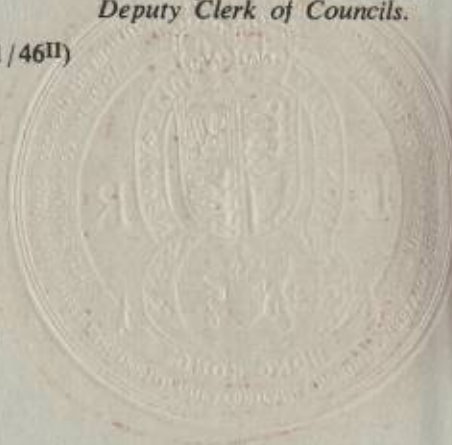
2. Section 2 of the principal Ordinance is amended by deleting subsections (2) and (3) and substituting therefor the following new subsection— Amendment of section 2. (Cap. 190.)

“(2) Where any question arises whether or not any person is entitled to any privilege or immunity conferred on any person by a notification under subsection (1), a certificate issued by the Colonial Secretary stating any fact relating to the question shall be conclusive evidence of the fact.”

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 1st day of November, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

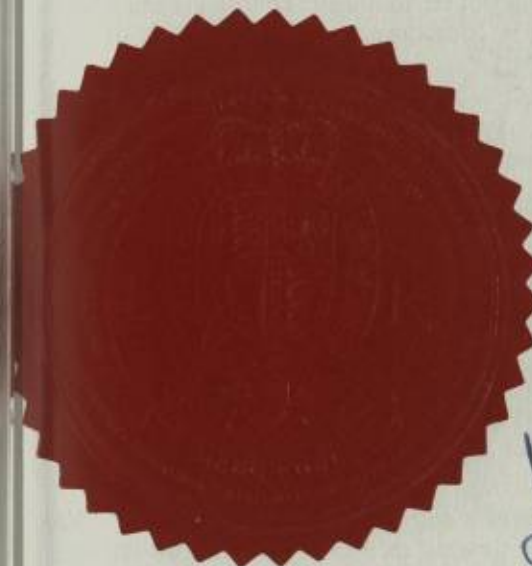

Deputy Clerk of Councils.

(Secretariat GR 1/5281/46II)

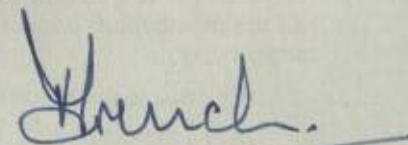


HONG KONG

No. 57 OF 1967.



I assent.


Governor.

2nd November, 1967.

An Ordinance to make provision for the appointment and duties of a coroner, for the duties of medical officers in connexion with dead bodies and for matters relating to coroners inquiries, and to make consequential amendments to other enactments.

[]

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 Coroners Ordinance 1967 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.
 - "hospital" includes a nursing home;
 - "inquiry" means any inquiry into the death of any person held by a coroner, with or without a jury, under this Ordinance;

"official custody" means detention—

- (a) in the custody of a police officer or officer of the Prisons Department; or
- (b) in any reformatory school or remand home under the management, control or administration of the Director of Social Welfare in consequence of any detention or committal order; or
- (c) in any place of refuge under paragraph (a) of subsection (1) of section 35 of the Protection of Women and Juveniles Ordinance; or
- (d) in a mental hospital under Part IV of the Mental Health Ordinance.

(Cap. 213.)

(Cap. 136.)

Appointment of coroner.

3. (1) The Governor may by warrant under his hand appoint a coroner or coroners and every such appointment shall be notified in the *Gazette*.

(Cap. 227.)

(2) The Chief Justice may appoint in writing a magistrate appointed under section 5 of the Magistrates Ordinance to exercise all the jurisdiction, powers and duties conferred on a coroner under any law—

- (a) where the office of a coroner is vacant by death or otherwise, until such time as an appointment be made; or
- (b) in the case of the illness or absence of a coroner, until such time as the coroner resumes his duties as coroner; or
- (c) for a particular inquiry, where, in the opinion of the Chief Justice, it is inexpedient for a coroner to perform his duties at such inquiry.

Place for post-mortem examination.

4. (1) The Governor may by order set apart suitable places for the reception of dead bodies for the purpose of post-mortem examination and provide for the management of such places.

(2) A coroner may order the removal of any dead body to and from any such place for the purpose of any post-mortem examination, and may order the cost of the removal to be a charge on the general revenue of the Colony.

Preliminary examination of body.

5. (1) Whenever a dead body is brought to a hospital, the medical officer in charge of the hospital or such other Government medical officer or registered medical practitioner as he may depute shall make a preliminary external examination of the body and report in writing to a coroner, who may, if he considers it necessary, order a post-mortem examination.

(2) The medical officer who makes the post-mortem examination shall report on the cause of death to the coroner who ordered the post-mortem examination.

6. (1) Whenever any person dies suddenly, or by accident or violence, or under suspicious circumstances, or whenever the dead body of any person is found within the Colony or is brought into the Colony, a coroner may, if he considers that an inquiry is necessary, inquire into the cause of and the circumstances connected with the death of such person, with or without a view of the body as he may think fit, and may determine the cause of death.

Inquiry into cause of sudden or violent death, etc.

(2) A coroner may hold an inquiry under this section without a jury or, if he thinks fit, with a jury of three persons as hereinafter provided.

(3) Such inquiry may be held notwithstanding that the cause of death did not arise within the Colony.

(4) Before deciding to hold an inquiry under this section the coroner may, if he considers it necessary, order a post-mortem examination.

(5) If a coroner considers that an inquiry is not necessary, he shall forthwith forward to the Attorney General all papers, documents and other evidence relating to such death which he has considered.

7. (1) Whenever judgment of death is executed on any offender, a coroner shall within twenty-four hours after the execution (or forty-eight hours if a general holiday intervenes in respect of which the coroner is not exempted from the operation of the Holidays Ordinance) inquire into and ascertain the identity of the body and the cause of death, and whether judgment of death was duly executed on the offender.

Executions and deaths in prison, etc.

(Cap. 149.)

(2) Whenever any person dies whilst in official custody, a coroner shall as soon as practicable inquire into the cause of death.

(3) A coroner shall hold an inquiry under this section with a jury of three persons as hereinafter provided.

8. A coroner shall when required by the Attorney General hold an inquiry into the cause of and the circumstances connected with the death of any person.

Power to Attorney General to require inquiry.

9. A coroner may, notwithstanding that he considers that an inquiry is necessary, order any body to be buried or cremated and he shall in such case give a certificate of his order in the form prescribed for the purposes of the proviso to subsection (1) of section 17 of the Births and Deaths Registration Ordinance.

Power of coroner to make burial or cremation order.

(Cap. 174.)

Panel for jury.

10. (1) Whenever the Registrar of the Supreme Court is notified by a coroner that an inquiry is to be held with a jury, he shall draw either from the common jurors ballot box or from the special jurors ballot box, as the coroner may direct, the names of six jurors to form a panel and shall transmit such panel to the coroner.

(Cap. 3.)

(2) The provisions of the Jury Ordinance shall, so far as they are applicable, apply to the drawing of the names of the jurors under subsection (1).

Summoning of jurors.

11. (1) Every juror whose name is drawn under subsection (1) of section 10 shall be served with a summons in the prescribed form, requiring the attendance of the jurors drawn.

(2) Every such summons shall be served either personally or by leaving the same at the juror's residence or place of business, or by sending the same by registered post addressed to such juror at his residence or place of business:

Provided that if any such summons be not served personally it shall be served four clear days before the day appointed for the holding of the inquiry, and, in the case of service by post, an additional two clear days shall be allowed for delivery.

(3) A summons served by post under the provisions of subsection (2) and not returned as undelivered shall, in the absence of evidence to the contrary, be deemed to have been duly served.

(4) Any juror who, having been served with a summons in accordance with this section, fails to attend an inquiry pursuant to such summons or at any adjournment of an inquiry shall be guilty of an offence and shall be liable to a fine of five hundred dollars.

(5) The coroner shall select the three jurors required from the panel by ballot, and may, if necessary, require any fit and proper person or bystander to serve as a juror, provided that such person or bystander is not exempted from jury service by section 5 of the Jury Ordinance.

(Cap. 3.)

(6) The finding of the majority of the jurors shall be the finding of the jury.

Procedure with jury.

12. The jury shall be sworn or declared in the prescribed form and the oath may be administered to or the declaration made by two or more jurors at once.

Recording of finding.

13. (1) At the conclusion of an inquiry the coroner shall record in writing his finding or the finding of the jury and in a case where there is a jury each member thereof shall sign the finding.

(2) Whenever an inquiry is made under subsection (2) of section 7 into the death of a person dying in official custody, the coroner shall furnish to the person in whose custody such person died a copy of the finding of the jury signed by him and the jurors.

14. (1) A coroner may adjourn any inquiry either to a fixed date or to a date to be fixed subsequently, and may, if he considers it necessary, use the same jury when the inquiry is subsequently held or resumed.

Adjournment of inquiry.

(2) A coroner shall adjourn an inquiry if, before the close of the inquiry, any person has been charged before a magistrate with the murder, manslaughter or infanticide of the person whose death is the subject of the inquiry or with dangerous driving causing the death of such person.

[cf. 16 & 17 Geo. 5, c. 59, s. 20(1).]

(3) Whenever a new jury is empanelled on the resumption of an inquiry which has been adjourned in accordance with subsection (1) or (2), the coroner shall proceed in all respects as if the inquiry had not previously begun, and this Ordinance shall apply accordingly as if the resumed inquiry were a new inquiry:

[cf. 16 & 17 Geo. 5, c. 59, s. 20(3).]

Provided that the deposition of a witness who was examined at the original inquiry and is dead or unable to be present at the resumed inquiry may be read as evidence at the resumed inquiry.

(4) Whenever a coroner resumes an inquiry which has been adjourned under subsection (1) or (2), being an inquiry by the coroner without a jury or with the jury empanelled at the original inquiry, the coroner may proceed at the resumed inquiry as if the inquiry had not been adjourned.

15. A coroner shall have in relation to the inquiries provided for in sections 6, 7 and 8 the same powers in all respects as a magistrate has under Part II of the Magistrates Ordinance.

General powers of coroner. (Cap. 227.)

16. (1) A coroner may, at the conclusion of an inquiry, issue his warrant in the prescribed form for the apprehension and committal to prison of any person to be brought before a magistrate to be prosecuted according to law and he may bind over any witness who shall have been examined at the inquiry in a recognizance with or without surety to appear and give evidence on such prosecution:

Power to issue warrant, etc.

Provided that no person who has been charged on indictment may be charged with any offence of which he could have been convicted on the indictment.

[cf. 16 & 17 Geo. 5, c. 59, s. 20(2).]

(2) Any person committed to prison under subsection (1) shall, on application by himself or by his solicitor made on his behalf to the coroner's clerk—

[Cap. 227, s. 86(2), (3).]

(a) be furnished free of charge before his trial with one copy of the depositions and any documents which have been

produced in evidence, together with a list signed by the coroner of all the exhibits produced in evidence;

- (b) be furnished with further copies of all or any of the documents referred to in paragraph (a) on payment of fifteen cents for each folio of seventy-two words.

Bail.

17. (1) No coroner shall admit any person to bail for treason or murder, nor shall such person be admitted to bail except by order of a judge.

(2) Subject to subsection (1) when a coroner has committed any person to prison under subsection (1) of section 16, the coroner may in his discretion admit such person to bail, on his procuring or producing such surety or sureties as, in the opinion of the coroner, will be sufficient to ensure the appearance of such person at the time and the place when he is to be tried for the offence for which he had been committed and thereupon the coroner shall take the recognizance of such person and his surety or sureties conditioned for his appearance at the time and place of trial and that he will then surrender and take his trial and will not depart the court without leave.

Power of coroner to order exhumation. (Cap. 132.)

18. Notwithstanding anything contained in Part XI of the Public Health and Urban Services Ordinance, a coroner may order the exhumation of the body of any person, or the remains of the body of any person, for the purpose of inquiring into the cause of death of such person in accordance with the provisions of this Ordinance.

Forwarding depositions.

19. As soon as practicable after the conclusion of an inquiry the coroner shall deliver to the Attorney General—

- (a) the depositions taken by him on such inquiry;
- (b) any documents which have been produced in evidence;
- (c) a list signed by the coroner of all exhibits produced in evidence; and
- (d) a certificate in the prescribed form duly filled up and signed by him.

Power to Attorney General to direct further investigation in certain cases.

20. Notwithstanding that an inquiry has been concluded, the Attorney General may, if it appears to him that further investigation is necessary, require the coroner to reopen such inquiry and make further investigation, and thereupon the coroner shall reopen the inquiry and proceed to make further investigation in the same manner as if the proceedings at such inquiry had not been concluded.

21. The Governor may from time to time by order published in the *Gazette*, prescribe the fees to be paid to any medical practitioner, not being a public officer, who has made a post-mortem examination pursuant to the order of a coroner under section 5 or section 6, or who has, pursuant to a summons, attended an inquiry as a medical witness.

Fees for medical evidence.

22. The Chief Justice may make rules—

- (a) for regulating the practice and procedure at or in connexion with inquiries and post-mortem examinations;
- (b) prescribing the forms to be used under this Ordinance.

Rules.
[cf. 16 & 17 Geo. 5,
c. 59, s. 26.]

23. Nothing in this Ordinance shall affect the provisions of Article 6 of the United Kingdom Forces (Jurisdiction of Colonial Courts) Order 1965.

Saving.
(S.I. 1965
No. 1203.)

24. The enactments specified in the first column of the Schedule are amended respectively in the manner and to the extent specified in the second column thereof.

Consequential amendment of enactments.
Schedule.

25. The Magistrates (Coroners Powers) Ordinance is repealed.

Repeal of
Cap. 14.

SCHEDULE.

[s. 24.]

Enactment.	Amendment.	
Jury Ordinance.	(1) In subsection (1) of section 13, by deleting "other than under section 8 of the Magistrates (Coroners Powers) Ordinance".	(Cap. 3.)
	(2) In subsection (2) of section 16, by deleting "section 8 of the Magistrates (Coroners Powers) Ordinance" and substituting the following— "the Coroners Ordinance 1967".	
Public Health and Urban Services Ordinance.	Section 121 is repealed and replaced by the following— "Disposal of exhumed bodies. 121. Where any body, or part of any body, has been exhumed under section 18 of the Coroners Ordinance 1967, the Authority shall provide for the reburial or other disposal of such body in such manner as it may think fit."	(Cap. 132.)
Births and Deaths Registration Ordinance.	(1) In section 14, by deleting "magistrate" wherever it occurs and substituting "coroner" in each case. (2) In section 16, by deleting "magistrate" and substituting "coroner".	(Cap. 174.)

*Enactment.**Amendment.*

- (3) In section 17, by deleting "any magistrate" and substituting "a coroner".
- (4) In section 18, by deleting "magistrate" and substituting "coroner".
- (5) In paragraph (c) of section 20, by deleting "magistrate" and substituting "coroner".
- (6) In paragraph (d) of section 20, by deleting "any magistrate" and substituting "a coroner".
- (7) In section 24, by deleting "magistrate" and substituting "coroner".
- (8) In section 27, by deleting "magistrate" wherever it occurs and substituting "coroner" in each case.

(Cap. 234.) Prisons Ordinance.

In section 16, by deleting "section 7 of the Magistrates (Coroners Powers) Ordinance" and substituting the following—
"the Coroners Ordinance 1967".

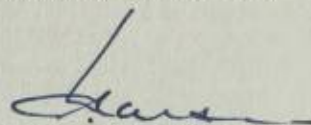
(Cap. 285.) Mining Ordinance.

In section 50, by deleting "magistrates under the Magistrates (Coroners Powers) Ordinance", and substituting the following—
"coroners under the Coroners Ordinance 1967".

(Cap. 132, sub. leg.) Funeral Parlour By-laws.

In by-law 3, by deleting "section 4 of the Magistrates (Coroners Powers) Ordinance" in paragraph (b) of the definition of "funeral parlour" and substituting the following—
"the Coroners Ordinance 1967".

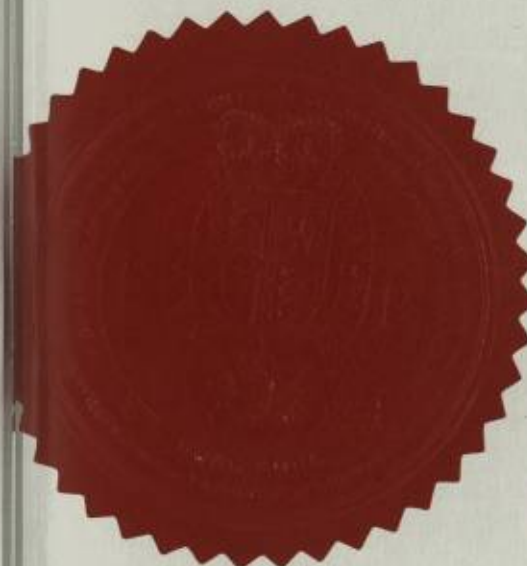
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 1st day of November, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

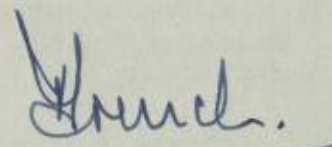
(Secretariat CR 48/65)

HONG KONG

No. 58 OF 1967.



I assent.


Governor.

2nd November, 1967.

An Ordinance to amend further the Magistrates Ordinance.

[3rd November, 1967.]

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 Magistrates (Amendment) Ordinance 1967. Short title.

2. Section 78 of the principal Ordinance is amended in subsection (1) by deleting— Amendment of section 78. (Cap. 227.)

- (a) the words "the oath of"; and
- (b) the words and comma "and will not voluntarily appear at the time and place appointed for the examination of the witnesses against the accused,".

Deletion and
replacement of
First Schedule.

3. The First Schedule to the principal Ordinance is deleted and replaced by the following—

"FIRST SCHEDULE.

[s. 8.]

Item.	Ordinance.
(Cap. 59.) 1.	Factories and Industrial Undertakings Ordinance.
(Cap. 95.) 2.	Fire Services Ordinance.
(Cap. 98.) 3.	Post Office Ordinance.
(Cap. 109.) 4.	Dutiable Commodities Ordinance.
(Cap. 114.) 5.	Miscellaneous Licences Ordinance.
(Cap. 132.) 6.	Public Health and Urban Services Ordinance.
(Cap. 143.) 7.	Marine Stores Protection Ordinance.
(Cap. 148.) 8.	Gambling Ordinance.
(Cap. 166.) 9.	Pawnbrokers Ordinance.
(Cap. 167.) 10.	Dogs and Cats Ordinance.
(Cap. 172.) 11.	Places of Public Entertainment Ordinance.
(Cap. 220.) 12.	Road Traffic Ordinance.
(Cap. 228.) 13.	Summary Offences Ordinance.
(Cap. 295.) 14.	Dangerous Goods Ordinance."

Amendment of
Second
Schedule.

4. The Second Schedule to the principal Ordinance is amended in Part I by inserting the following in paragraph 2, after "burglary"—

"and robbery".

Amendment of
Third Schedule.

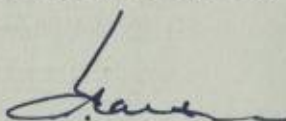
5. The Third Schedule to the principal Ordinance is amended by deleting paragraph 1 and substituting therefor the following new paragraph—

"1. Summary Offences.

Any offence against subsection (11) of section 4 or subsection (1) of section 4A (Nuisances committed in public places, etc.) or subsection (1) of section 13 (Making noise at night) of the Summary Offences Ordinance."

(Cap. 228.)

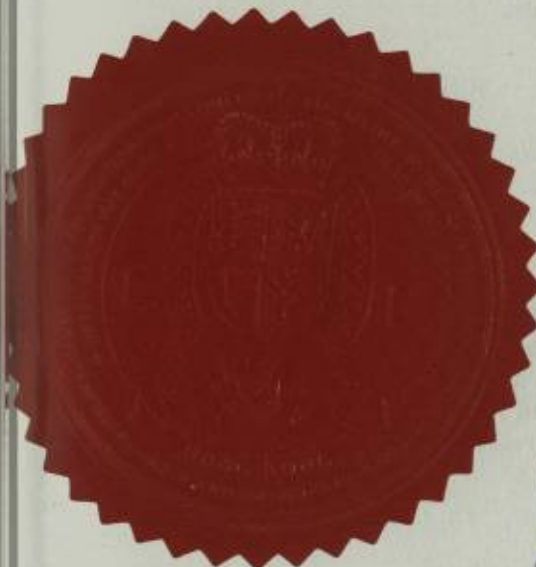
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 1st day of November, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

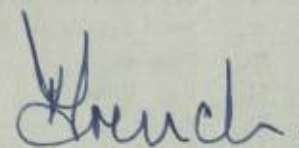
(Secretariat GR 9/3231/5311)

HONG KONG

No. 59 OF 1967.



I assent.



Governor.

2nd November, 1967.

An Ordinance to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March 1967.

[3rd November, 1967.]

WHEREAS it has become necessary to make further provision for the public service of the Colony for the financial year ended the 31st day of March 1967, in addition to the charge upon the revenue and other funds of the Colony authorized by the Appropriation (1966-67) Ordinance 1966:

Preamble.

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

1. This Ordinance may be cited as the Supplementary Short title.
Appropriation (1966-67) Ordinance 1967.

Appropriation
from general
revenue and
other funds.

Schedule.

2. A sum of ninety-two million, one hundred and thirty-three thousand nine hundred and thirty-two dollars is hereby charged upon the revenue and other funds of the Colony for the service of the financial year ended the 31st day of March 1967, the appropriation of the sum so charged being approved as specified in the Schedule.

SCHEDULE.

Number of Vote.	Head of Expenditure.	Amount of Vote.
		\$
21.	His Excellency the Governor's Establishment	43,475
23.	Audit Department	4,842
35.	Defence: Miscellaneous Measures	8,540,706
38.	Immigration Department	54,972
42.	Kowloon-Canton Railway	1,215,168
45.	Legal Department	96,942
48.	Miscellaneous Services	42,902,932
49.	New Territories Administration	122,285
50.	Pensions	8,526,918
53.	Post Office	7,231,951
57.	Public Services Commission	1,017
59.	Public Works Recurrent	9,224,754
70.	Secretariat for Chinese Affairs	180,952
75.	Subventions: Medical	837,629
77.	Subventions: Miscellaneous	9,695,413
78.	Treasury	231,885
79.	Urban Services Department and Urban Council ...	2,602,650
83.	Colonial Development and Welfare Schemes	305,253
85.	University Grants Committee	314,188
	TOTAL	\$92,133,932

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 1st day of November, 1967, and is found by me to be a true and correctly printed copy of the said Bill.

[Signature]
Deputy Clerk of Councils.

(Secretariat FIN 2/2311/66)

HONG KONG

No. 60 OF 1967.

I assent.

[Signature]
Governor.

2nd November, 1967.

An Ordinance to amend the Boilers and Pressure Receivers Ordinance.

[3rd November, 1967.]

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 Boilers and Pressure Receivers (Amendment) Ordinance 1967. Short title.

2. Section 2 of the principal Ordinance is amended by deleting the definition of "pressure vessel" and substituting the following—
Amendment of section 2. (Cap. 56.)

"pressure vessel" means a vessel intended or adapted for the expulsion by compressed air of liquid fuel or fuel vapour stored therein."

Amendment of
section 3.

3. Subsection (1) of section 3 of the principal Ordinance is amended—

- (a) in paragraph (c), by deleting “of a ship, boat or other such vessel or of a motor vehicle or tramcar” and substituting the following—

“supplying motive power to a vehicle intended or adapted for use on a road or tramway or to a vessel”; and

- (b) in paragraph (d), by inserting the following after “gallon”—

“of liquid fuel or 277 cubic inches of fuel vapour”.

Amendment of
section 16.

4. Section 16 of the principal Ordinance is amended by deleting “marked on the boiler, pressure receiver or steam container in a conspicuous position” in subsection (2) and substituting the following—

“engraved, whether by impression or incision, in a conspicuous position on the boiler, pressure receiver or steam container and to be clearly legible”.

Amendment of
section 20.

5. Section 20 of the principal Ordinance is amended by deleting subsection (3) and substituting the following—

“(3) The owner of a pressure vessel shall cause the registration number thereof, notified by the Registrar under subsection (2), to be engraved, whether by impression or incision, in a conspicuous position on the pressure vessel and to be clearly legible at all times.”.

Repeal and
replacement of
section 27.

6. Section 27 of the principal Ordinance is repealed and replaced by the following—

“Periodic
examination
of boilers
and pressure
receivers.

27. (1) Save as otherwise provided—

- (a) a boiler, other than a boiler to which paragraph (b) applies, shall be examined by an appointed examiner within fourteen months after the date of any certificate of fitness issued in respect thereof; and
- (b) the following shall be examined by an appointed examiner within twenty-six months after the date of any certificate of fitness issued in respect thereof—

- (i) any boiler to which this paragraph applies, in the case of which a period of

twenty-one years has not expired since it was first taken into use;

(ii) any air receiver, other than a pressure vessel; and

(iii) any steam receiver.

(2) Paragraph (b) of subsection (1) shall apply to a boiler of any of the following kinds—

- (a) a water tube boiler of which the drums and any headers are of fusion welded or solid forged construction and which has an evaporative capacity of not less than 50,000 pounds of steam per hour;

- (b) a boiler in a group of water tube boilers of which the drums and any headers are of fusion welded or solid forged construction, being a group in which—

(i) each boiler has an evaporative capacity of not less than 25,000 pounds of steam per hour; and

(ii) the total evaporative capacity of all the boilers is not less than 100,000 pounds of steam per hour; and

- (c) a boiler which is a waste heat boiler or heat exchanger with fusion welded longitudinal and circumferential seams, or a super-heater of fusion welded construction, and which is an integral part of a continuous flow installation in a chemical or oil refinery processing plant.

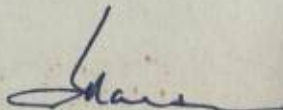
(3) For the purposes of this section—

- (a) “boiler” and “steam receiver” include the auxiliary equipment of any such boiler or steam receiver;

- (b) “air receiver” includes the fittings and attachments thereof;

- (c) the date of a certificate of fitness shall, where different dates are entered therein in respect of different examinations and tests carried out, be deemed to be the date first in time of such dates.”.

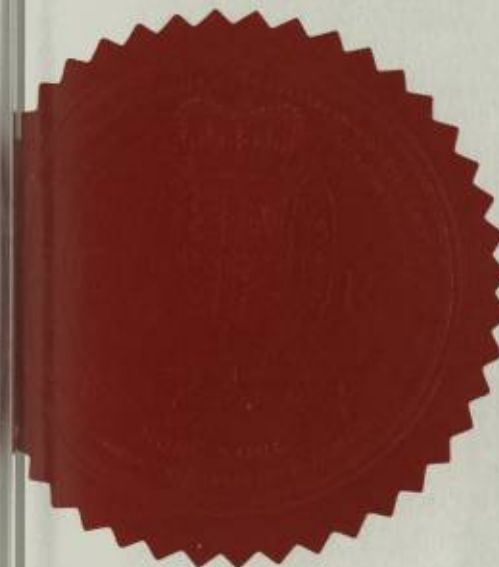
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 1st day of November, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

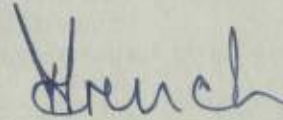
(Secretariat GR 26/3231/55)

HONG KONG

No. 61 OF 1967.



I assent.



Governor.

16th November, 1967.

An Ordinance to amend the Dogs and Cats 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 Dogs and Cats (Amendment) Ordinance 1967, 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 by deleting the definition of "officer of the Department of Agriculture and Fisheries".

Amendment of section 2. (Cap. 167.)

3. Section 3 of the principal Ordinance is amended by—

Amendment of section 3.

(a) deleting paragraph (f) of subsection (1) and substituting the following—

"(f) the fees payable on the grant or renewal of any licence or permit under this Ordinance;"

(b) deleting the semicolon at the end of paragraph (d) of subsection (2) and substituting a full stop; and

(c) deleting paragraph (e) of subsection (2).

Addition of
new section
3A.

4. The principal Ordinance is amended by adding the following new section after section 3—

"Governor
to prescribe
certain fees,
etc.

3A. (1) The Governor may by order published in the *Gazette* prescribe the fees payable in any of the following cases—

- (a) for the inoculation of any dog in accordance with this Ordinance by a public officer;
- (b) in respect of the detention of any dog or cat under this Ordinance in an observation kennel, a quarantine station or any other place.

(2) Any inoculation fee payable pursuant to an order under subsection (1) shall be payable on demand.

(3) Any fees, other than inoculation fees, payable in respect of any dog or cat pursuant to an order under subsection (1) shall be payable on demand and any such fees unpaid at the time a dog or cat comes to be removed from an observation kennel, a quarantine station or other place in which it has been detained under this Ordinance shall be paid before the dog or cat is removed.

(4) If a dog or cat which has been detained under this Ordinance in an observation kennel or quarantine station is not removed therefrom within seven days after the expiry of the observation or quarantine period decided or prescribed under this Ordinance, a veterinary officer may cause the dog or cat to be destroyed, sold or otherwise disposed of.

(5) Where a dog or cat is sold under subsection (4), a veterinary officer may deduct from the proceeds of sale any fees payable in respect of the dog or cat pursuant to an order under subsection (1) and shall pay the balance thereof to the person by whom the dog or cat was owned at the time it was sold or to some person on his behalf."

Repeal and
replacement of
section 5.

5. Section 5 of the principal Ordinance is repealed and replaced by the following—

"Powers
of police
officers and
authorized
officers.

5. (1) Any police officer, or any officer of the Agriculture and Fisheries Department authorized in writing for the purposes of this section by the Director, may—

- (a) subject to subsection (4), enter and search any premises or place, or board and search

any vessel or aircraft, in which he has reason to believe there is—

(i) a rabid dog or cat or a dog or cat which may be rabid;

(ii) a dog or cat which has been or may have been in contact with a rabid dog or cat or a dog or cat which may be rabid;

(iii) a dog or cat which has bitten any person;

(iv) evidence of a contravention of any provision of this Ordinance relating to the importation, movement or slaughter of dogs or cats or the sale or use of the flesh of dogs or cats;

(b) seize, shoot or otherwise destroy—

(i) any dog or cat which appears to him to be rabid or suffering from any other infectious disease; or

(ii) any dog which appears to him to be neither licensed nor under the control of any person;

(c) inspect, seize, remove and detain any dog or cat in respect of which it appears to him that any provision of this Ordinance relating to the importation of dogs or cats has been contravened;

(d) inspect, seize, remove and detain the carcase or flesh of any dog or cat which it appears to him has been slaughtered, sold or used in contravention of any provision of this Ordinance.

(2) Any police officer or any officer of the Agriculture and Fisheries Department may—

(a) break open any outer or inner door of any premises or place which he is empowered to enter and search by or under this section;

(b) forcibly enter any vessel or aircraft which he is empowered by this section to board and search;

(c) detain any person found in any such premises or place or on board any such vessel or aircraft until the same has been searched;

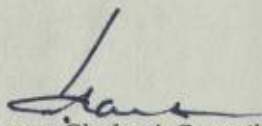
(d) remove by force any person or thing obstructing any search, inspection, seizure, removal or detention which he is empowered by or under this section to make.

(3) If a veterinary officer has reason to believe that a dog or cat has been or may have been in contact with a rabid dog or cat or a dog or cat which may be rabid, he may shoot or otherwise destroy the dog or cat or cause the same to be shot or otherwise destroyed.

(4) No premises or place used solely for dwelling purposes shall be entered or searched under subparagraph (iv) of paragraph (a) of subsection (1) except pursuant to the warrant of a magistrate issued under subsection (5).

(5) If a magistrate is satisfied by information on oath that any police officer, or any officer of the Agriculture and Fisheries Department authorized in writing for the purposes of this section by the Director, has reason to believe that there is in any premises or place used solely for dwelling purposes evidence of a contravention of any provision of this Ordinance relating to the importation, movement or slaughter of dogs or cats or the sale or use of the flesh of dogs or cats, he may issue a warrant authorizing any police officer, or any officer of the Agriculture and Fisheries Department authorized in writing for the purposes of this section by the Director, to enter and search such premises or place."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 15th day of November, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

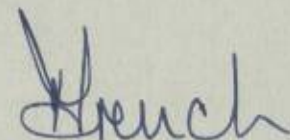
(Secretariat ECON 63/3231/49)

HONG KONG

No. 62 OF 1967.



I assent.



Governor.

16th November, 1967.

An Ordinance to amend the Road Traffic Ordinance to provide for the making of regulations in connexion with the use in Hong Kong of international road traffic circulation licences and permits granted outside of Hong Kong and in connexion with the issue of such licences in Hong Kong for use outside of Hong Kong.

[3rd May, 1960.]

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 (Amendment) (No. 3) Ordinance 1967, and shall be deemed to have had effect as from the 3rd day of May 1960.

Short title and commencement.

Addition of
section 5A.
(Cap. 220.)

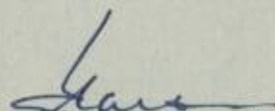
2. The principal Ordinance is amended by adding the following new section after section 5—

"Inter-
national
agreements.
15 & 16 Geo.
6 & 1 Eliz. 2,
c. 39, s. 1.

5A. (1) For the purpose of enabling effect to be given to any international agreement for the time being in force in respect of the Colony, the Governor in Council may make regulations for the following purposes—

- (a) the grant and authentication of any permits, certificates or other documents relating to vehicles or the drivers of vehicles which may be required for the purposes of travel outside the Colony by persons resident in the Colony; and
 - (b) the use of vehicles brought temporarily into the Colony by persons resident outside the Colony and the use of such vehicles by persons so resident who are temporarily in the Colony.
- (2) Any regulation made under this section may provide for—
- (a) any matter appearing to the Governor in Council to be incidental to or connected with the matters regulated by any such international agreement;
 - (b) the extension of any privilege conferred by the regulations to persons resident outside the Colony who are temporarily in the Colony but are not entitled thereto by virtue of any such international agreement, or in respect of vehicles brought temporarily into the Colony by such persons, being persons or vehicles satisfying such conditions as may be specified in the regulations; and
 - (c) the payment in respect of such documents as are mentioned in paragraph (a) of subsection (1) of such fees as appear to the Governor in Council to be appropriate having regard to any service performed in connexion therewith under the regulations."

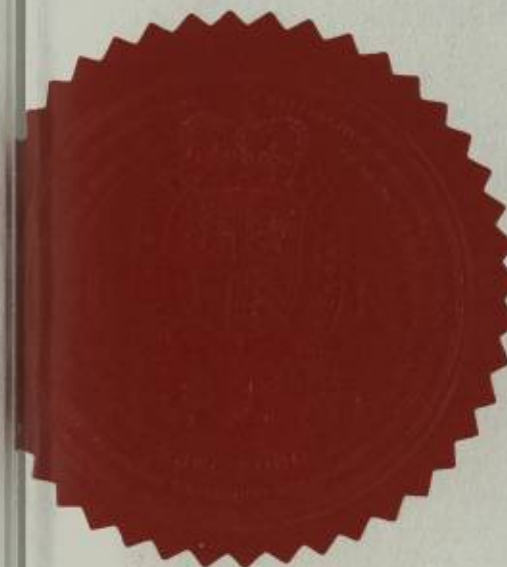
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 15th day of November, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

(Secretariat GR 18/3231/58)

HONG KONG

No. 63 OF 1967.



I assent.

Governor.

16th November, 1967.

An Ordinance to validate certain regulations purporting to have been made in exercise of powers conferred by the Road Traffic Ordinance.

[17th November, 1967.]

WHEREAS in purported exercise of the powers conferred by section 3 of the Road Traffic Ordinance the Governor in Council made the Road Traffic (International Circulation) Regulations on the 3rd day of May 1960:

Preamble.

(Cap. 220, sub. leg.)

AND WHEREAS section 3 of the said Ordinance did not confer upon the Governor in Council power to make the said Regulations:

AND WHEREAS it is desirable to validate the making of the said Regulations and all acts and things which purported to be done or omitted to be done thereunder:

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

1. This Ordinance may be cited as the Road Traffic (International Circulation) Regulations (Validation) Ordinance 1967.

Short title.

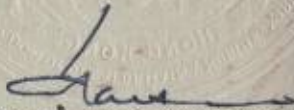
Validation.
(Cap. 220, sub. leg.)

(Cap. 220.)

2. (1) The Road Traffic (International Circulation) Regulations and all regulations amending the said Regulations shall be deemed as from the date of the making thereof to have been made by the Governor in Council under section 5A of the Road Traffic Ordinance.

(2) Without limiting or derogating from the provisions of subsection (1), every act and thing which purported to be done, or suffered or omitted to be done, under and pursuant to the provisions of the said Regulations and which would have been validly done, or validly suffered or omitted to be done, if the said Regulations had been law at the time are hereby validated.

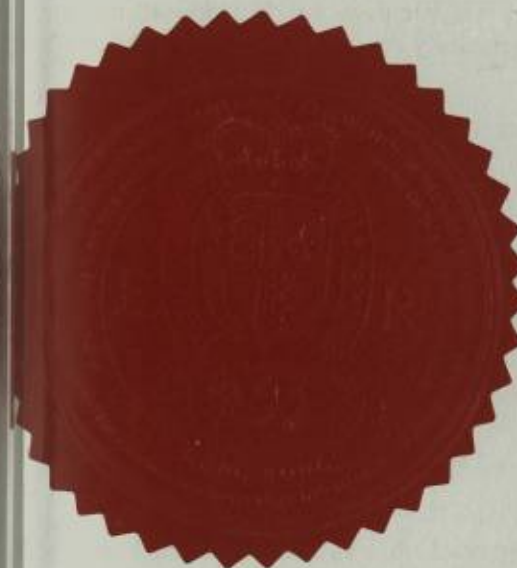
This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 15th day of November, 1967, and is found by me to be a true and correctly printed copy of the said Bill.


Deputy Clerk of Councils.

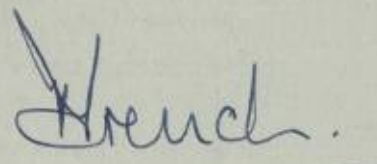
(Secretariat GR 18/3231/58)

HONG KONG

No. 64 OF 1967.



I assent.


Governor.

16th November, 1967.

An Ordinance to consolidate and amend the law relating to the maintenance of public order, the control of organizations, meetings, places, vessels and aircraft, unlawful assemblies and riots and matters incidental thereto or connected therewith.

[17th November, 1967.]

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 Public Order Ordinance 1967. Short title.

Interpretation.

2. In this Ordinance, unless the context otherwise requires—
- “closed area” means any area or place declared to be a closed area by order under section 36;
- “meeting” means any gathering or assembly of persons convened or held for any purpose, but does not include any meeting convened or held exclusively for the purposes of any public body;
- “offensive weapon” means any article made, or adapted for use, or suitable, for causing injury to the person, or intended by the person having it in his possession or under his control for such use by him or by some other person;
- “political organization” means any organization which has among its objects any political object or pursues any political purpose;
- “public gathering” means a public meeting, a public procession and any other meeting, gathering or assembly of ten or more persons in any public place;
- “public meeting” means any meeting held or to be held in a public place;
- “public place” means any place to which for the time being the public or any section of the public are entitled or permitted to have access, whether on payment or otherwise, and, in relation to any meeting, includes any place which is or will be, on the occasion and for the purposes of such meeting, a public place;
- “public procession” means any procession in, to or from a public place;
- “society” means any club, company, partnership, association or body of persons.

PART II.

CONTROL OF ORGANIZATIONS.

Power to
prohibit flags,
etc.

3. (1) Any police officer of or above the rank of inspector may—
- (a) prohibit the display at a public gathering of any flag, banner or other emblem;

- (b) prohibit the owner, tenant, occupier or person in charge of any premises or place from permitting the display of any flag, banner or other emblem on or at the premises or place,

if the display of any flag, banner or emblem is, in the opinion of such police officer, likely to cause or lead to a breach of the peace.

(2) Where a prohibition is issued under subsection (1), any police officer may seize and detain any flag, banner or emblem, and may if necessary enter any premises or place whatsoever, using such force as may be necessary for these purposes.

(3) Any person who displays or permits the display of any flag, banner or other emblem in contravention of any prohibition issued under subsection (1) shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

(4) No prosecution for an offence under this section shall be instituted without the consent of the Attorney General.

4. (1) Any person who in any public place or at any public gathering wears any uniform signifying his association with any political organization or with the promotion of any political object shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for three years.

Prohibition of
uniforms in
connexion with
political objects.

(2) The Commissioner of Police may, if he is satisfied that the wearing of any such uniform as aforesaid on any ceremonial, anniversary or other special occasion will not be likely to involve risk of public disorder, by order in writing permit the wearing of such uniform on that occasion either absolutely or subject to such conditions as he may specify in the order.

(3) Any person who contravenes any condition imposed by the Commissioner of Police under subsection (2) shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars and to imprisonment for twelve months.

5. (1) If the members or adherents of any society are—

- (a) organized or trained or equipped for the purpose of enabling them to be employed in such a manner that such employment usurps, may usurp, tends to usurp or

Prohibition of
quasi-military
organizations.

appears to usurp the functions of the police or the armed forces of the Crown; or

- (b) organized and trained or organized and equipped for the purpose of enabling them to be employed for the use or display of physical force in promoting any political object, or in such manner as to arouse reasonable apprehension that they are organized and either trained or equipped for that purpose,

then—

- (i) any person who is a member or adherent of such society shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for three years; and
- (ii) any person who takes part in the control or management of such society, or in organizing or training or equipping as aforesaid any members or adherents of the society, shall be guilty of an offence and shall be liable on conviction on indictment to imprisonment for ten years and on summary conviction to a fine of five thousand dollars and to imprisonment for five years.

(2) In any criminal proceedings under this section, proof of things done or of words spoken, written or published, whether or not in the presence of a party to the proceedings, by any person taking part in the control or management of a society or in organizing, training or equipping members or adherents of a society shall be admissible as evidence of the purposes for which, or the manner in which, members or adherents of the society (whether those persons or others) were organized or trained or equipped.

PART III.

CONTROL OF PUBLIC MEETINGS AND PROCESSIONS.

6. The Commissioner of Police may, if it appears to him to be necessary or expedient in the interests of public order so to do, in such manner as he may think fit by order—

- (a) notwithstanding the issue of any permit under paragraph (29) of section 4 of the Summary Offences Ordinance, control and direct the extent to which music may be played, or to which music or human speech or any other sound may be amplified, broadcast, relayed, or otherwise reproduced by artificial means, in public places;

- (b) control and direct the conduct of all public gatherings and specify the route by which, and the time at which, any public procession may pass;
- (c) for any of the purposes aforesaid, give or issue such orders as he may consider necessary or expedient.

7. (1) No public meeting and no public procession shall take place save under and in accordance with the terms and conditions of a licence in that behalf issued under this section, and no public meeting and no public procession shall be advertised or otherwise publicized unless such a licence therefor has been issued.

(2) Any person wishing to hold, convene, organize or form a public meeting or a public procession shall make application for a licence in that behalf to the Commissioner of Police not less than seven days before the public meeting or public procession is to be held, convened, organized or formed and the Commissioner of Police shall, if he is satisfied that the public meeting or public procession is not likely to prejudice the maintenance of public order or be used for any unlawful or immoral purpose, issue a licence in writing in such form as he may determine, specifying the name of the licensee and defining the conditions on which the public meeting or public procession may take place.

(3) The Commissioner of Police may attach to a licence issued under subsection (2) such conditions as he may think fit.

(4) Without prejudice to the provisions of subsection (2), the Commissioner of Police may refuse to grant a licence under this section if—

- (a) the applicant or any person or society associated directly or indirectly with the application or likely in the opinion of the Commissioner of Police to be concerned in the holding, convening, organizing or forming of the public meeting or public procession has, in relation to any public gathering, at any time contravened the provisions of this Ordinance or of any other law or any condition of a licence issued under this Ordinance or any other law; or
 - (b) the public meeting or public procession has been advertised or otherwise publicized in contravention of subsection (1).
- (5) This section shall not apply to—
- (a) any public meeting exclusively for religious purposes;

Licensing of
public meetings
and public
processions.

Control of
public
gatherings.

(Cap. 228.)

(Cap. 172.)

- (b) any public meeting taking place in a place of public entertainment licensed under section 4 of the Places of Public Entertainment Ordinance and in accordance with that Ordinance and the conditions of the licence and any permission granted under that Ordinance; or
- (c) any public meeting taking place with the permission of the Commissioner of Police granted under section 8 of the Places of Public Entertainment Ordinance and in accordance with the conditions to which such permission is subject.

Cancellation and amendment of licences.

8. (1) The Commissioner of Police may at any time, if it appears to him to be necessary or expedient in the interests of public order or for preventing the carrying out of any unlawful or immoral purpose so to do—

- (a) cancel any licence issued by him under section 7; or
- (b) amend the conditions of any such licence.

(2) Notice of any such cancellation or amendment shall be given—

- (a) in writing to the licensee;
- (b) in writing to any other person concerned in the holding, convening, organizing or forming of the public meeting or public procession; or
- (c) by publication in such manner, or by posting in such place, as the Commissioner of Police may think fit.

Conditions of licences.

9. It shall be a condition of every licence issued under section 7 that the licensee shall be present at the public meeting or public procession from the first assembly thereof to the final dispersal thereof, and shall forthwith comply with any directions which may be given to him by any police officer for ensuring the due performance of and compliance with the conditions of the licence and the maintenance of public order throughout the period of assembly, conduct and dispersal of the public meeting or public procession and the period of one hour immediately following the final dispersal thereof.

Appeals.

10. Where under section 7 or 8 a licence is refused or cancelled, or is issued subject to conditions, or the conditions of any such licence are amended, the applicant or licensee, as the case may be, may appeal in writing to the Governor against such refusal or cancellation or the imposition or amendment of such conditions or any of them, and the Governor may on any such appeal confirm, reverse or vary the decision appealed against.

Police powers over meetings, processions and gatherings.

11. (1) Any police officer may prevent the holding of, stop or disperse any public meeting or public procession which is required to be licensed under section 7 and is not so licensed or in regard to which any condition of a licence issued under section 7 is being or has been contravened.

(2) Any police officer of or above the rank of inspector may—

- (a) prevent the holding of, stop, disperse or vary the place or route of any public gathering, other than a public meeting exclusively for religious purposes, whether or not the public gathering is required to be or is licensed under section 7; or
- (b) stop or disperse any public meeting exclusively for religious purposes or any meeting convened or held in any premises or place which is not a public place or any gathering or procession of persons whatsoever or wheresoever,

if the same is causing or is in his opinion likely to cause or lead to a breach of the peace.

(3) For the purpose of exercising the powers conferred by subsections (1) and (2), respectively, a police officer and a police officer of or above the rank of inspector may give or issue such orders as he may consider necessary or expedient, and such police officer and any other police officer may—

- (a) use such force as may be necessary to prevent the holding of, stop or disperse, as the case may be, the public meeting, public procession, public gathering or other meeting, gathering or procession of persons; and
- (b) enter any premises or place whatsoever in which any meeting is taking place or any persons are gathered.

(4) If a police officer of or above the rank of inspector has reason to believe that a public meeting or public procession which is required to be licensed under section 7 and is not so licensed is likely to take place or form in any public place, he may cause access to that public place and to any other public place adjacent thereto to be barred and to be closed to the public or to any person or class of persons for such time as may be necessary to prevent the public meeting or public procession taking place.

(5) The closure of any public place under subsection (4) shall be notified by means of notices exhibited, or physical barriers erected, at the places of access thereto, or by oral public announcement in the vicinity thereof, or in such other manner as the police officer aforesaid may think fit.

Offences in
relation to
sections 6,
7 and 11.

(6) Any police officer may use such force as may be necessary to prevent any person from entering or remaining in any public place to which access has been closed to him under this section.

12. (1) Any person who—

- (a) neglects or refuses to obey any order given or issued under section 6 or subsection (3) of section 11; or
- (b) contravenes any condition of a licence issued under section 7 or suffers or permits any such contravention; or
- (c) without the permission of any police officer on duty there, enters or remains in a public place to which access has been closed to him under subsection (4) of section 11; or
- (d) prints, publishes, displays, distributes or circulates a notice of, or in any other manner advertises or publicizes, a public meeting or public procession which is not licensed under section 7,

shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for twelve months.

(2) Where—

- (a) any public meeting or public procession takes place without a licence under section 7; or
- (b) three or more persons taking part in or forming part of a public gathering neglect or refuse to obey an order given or issued under section 6; or
- (c) three or more persons taking part in or forming part of a public meeting, public procession or public gathering, or other meeting, procession or gathering of persons neglect or refuse to obey an order given or issued under subsection (3) of section 11,

the public meeting, public procession or public gathering, or other meeting, procession or gathering of persons, as the case may be, shall be deemed to be an unlawful assembly.

(3) Where any public meeting, public procession or public gathering, or other meeting, procession or gathering of persons, is deemed to be an unlawful assembly by virtue of subsection (2)—

- (a) every person who takes or continues to take part in, or forms or continues to form part of, any such unlawful assembly; and
- (b) every person who—
 - (i) holds, convenes, organizes, forms or collects, or assists or is concerned in the holding, convening, organizing, forming or collecting of, any public meeting or public procession such as is referred to in paragraph (a) of subsection (2); or

(ii) continues or attempts to continue to hold or conduct, or to direct otherwise than for the purpose of securing obedience to an order given or issued under section 6 or subsection (3) of section 11, any public gathering such as is referred to in paragraph (b) of subsection (2), or any public meeting, public procession or public gathering, or other meeting, procession or gathering of persons, such as is referred to in paragraph (c) of subsection (2),

after the same has become an unlawful assembly as aforesaid,

shall be guilty of an offence and shall be liable—

- (i) on conviction on indictment, to imprisonment for five years; and
- (ii) on summary conviction, to a fine of five thousand dollars and to imprisonment for three years.

13. (1) Any person who at any public gathering acts in a disorderly manner for the purpose of preventing the transaction of the business for which the public gathering was called together or incites others so to act shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for twelve months.

Disorder in
public places.

(2) Any person who behaves in a noisy or disorderly manner, or uses threatening, abusive or insulting words, with intent to provoke a breach of the peace, or whereby a breach of the peace is likely to be caused, shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for twelve months.

14. (1) Any person who, while present at any public meeting or on the occasion of any public procession, has with him any offensive weapon, otherwise than in pursuance of lawful authority, shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

Prohibition
of offensive
weapons at
public meetings
and processions.

(2) For the purposes of this section, a person shall not be deemed to be acting in pursuance of lawful authority unless he is on duty as—

- (a) a police officer;
- (b) a member of the Hong Kong Auxiliary Police Force when the Force or the part of the Force to which such member belongs, or such member, has been called out under subsection (1) or (2) of section 16 of the Hong Kong Auxiliary Police Force Ordinance;

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- (c) a member of the Fire Services Department;
- (d) a public officer;
- (e) a member of Her Majesty's forces; or
- (f) a member or officer of the Royal Hong Kong Defence Force when the Force has been called out under subsection (1) of section 16 of the Royal Hong Kong Defence Force Ordinance or the unit or part of the Force to which such member or officer belongs, or such member or officer, has been called out under subsection (1) of section 17 of the Royal Hong Kong Defence Force Ordinance.

(3) Where any person is convicted of an offence under subsection (1), the court may make an order for the forfeiture of any offensive weapon in respect of which the offence was committed.

15. (1) The Commissioner of Police may, if it appears to him to be necessary or expedient in the interests of public order so to do, prohibit the holding or continuance of a public gathering in any area, premises or place or on any particular day.

(2) Notice of a prohibition under subsection (1) shall be given—

- (a) either orally or in writing, to the person or to one of the persons (if more than one) promoting, directing, organizing or managing the public gathering; or
- (b) by publication, either orally or in writing, in such manner, or by posting a notice thereof in such place, as the Commissioner of Police may think fit.

(3) Any person who takes part in the promotion, direction, organization or management of a public gathering which is held or continued in contravention of a prohibition under subsection (1) shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for three years.

(4) Any police officer may give or issue such orders and use such force as may be necessary to prevent the holding or continuance of a public gathering the holding or continuance of which has been prohibited under subsection (1) and to disperse any gathering of persons thereat.

(5) Any person who neglects or refuses to obey any order given or issued under subsection (4) shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for twelve months.

16. (1) The Governor in Council may, if he is satisfied that, by reason of particular circumstances existing in Hong Kong or in any part thereof, it is necessary for the prevention of serious public disorder to prohibit the holding of public gatherings in

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Power of
Commissioner
of Police to
prohibit public
gatherings.

Power of
Governor in
Council to
prohibit public
gatherings.

Hong Kong or any part thereof, prohibit the holding in Hong Kong or any part thereof of all public gatherings, or of any class of public gatherings, for such period not exceeding three months as may be specified.

(2) Any person who—

- (a) takes part in the promotion, direction, organization or management of a public gathering which is held or intended to be held in contravention of a prohibition under this section; or
- (b) takes part in or attends, or incites any other person to take part in or attend, any such public gathering,

shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for three years.

17. A certificate purporting to be under the hand of the Commissioner of Police specifying— Proof.

- (a) the terms and date of any order given or issued under section 6;
- (b) the terms, date and conditions of any licence issued under section 7;
- (c) the terms, date and the manner of service of any notice given under subsection (2) of section 8;
- (d) the terms, date and method of giving notice of any prohibition or order given or issued under subsection (1) or (4) of section 15,

shall be *prima facie* evidence of such matter contained in such certificate in all legal proceedings.

PART IV.

UNLAWFUL ASSEMBLIES, RIOTS AND SIMILAR OFFENCES.

18. (1) When three or more persons, assembled together, conduct themselves in a manner intended or likely to cause any person reasonably to fear that the persons so assembled will commit a breach of the peace, or will by such assembly provoke other persons to commit a breach of the peace, they are an unlawful assembly.

Unlawful
assembly.

(2) It is immaterial that the original assembly was lawful, if being assembled, they conduct themselves in such a manner as aforesaid.

(3) Any person who takes part in an unlawful assembly shall be guilty of the offence of unlawful assembly and shall be liable—

- (a) on conviction on indictment, to imprisonment for five years; and
- (b) on summary conviction, to a fine of five thousand dollars and to imprisonment for three years.

Riot.

19. (1) When any person taking part in an unlawful assembly commits a breach of the peace, the assembly is a riot and the persons assembled are riotously assembled.

(2) Any person who takes part in a riot shall be guilty of the offence of riot and shall be liable—

- (a) on conviction on indictment, to imprisonment for ten years; and
- (b) on summary conviction, to a fine of five thousand dollars and to imprisonment for five years.

Rioters
demolishing
buildings, etc.

20. (1) Any person taking part in a riot who unlawfully pulls down or destroys or begins to pull down or destroy any motor vehicle, tramcar, aircraft, vessel, building, railway, machinery or structure shall be guilty of an offence and shall be liable—

- (a) on conviction on indictment, to imprisonment for fourteen years; and
- (b) on summary conviction, to imprisonment for five years.

(2) A person may be convicted of an offence under this section whether or not he has been charged with or convicted of any other offence under this Part.

Rioters
damaging
buildings,
machinery, etc.

21. (1) Any person taking part in a riot who unlawfully damages any of the things specified in section 20 shall be guilty of an offence and shall be liable—

- (a) on conviction on indictment, to imprisonment for ten years; and
- (b) on summary conviction, to imprisonment for five years.

(2) A person may be convicted of an offence under this section whether or not he has been charged with or convicted of any other offence under this Part.

Riotously
preventing the
sailing of ship,
aircraft or train.

22. (1) Any person taking part in a riot who unlawfully and with force prevents, hinders or obstructs, or attempts to prevent, hinder or obstruct, the loading or unloading, or the movement, of any motor vehicle, tramcar, aircraft, train or vessel, or unlawfully and with force boards, or attempts to board, any motor vehicle, tramcar, aircraft, train or vessel with intent to do so,

shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for three years.

(2) A person may be convicted of an offence under this section whether or not he has been charged with or convicted of any other offence under this Part.

23. (1) Any person who enters on any premises in a violent manner, whether or not he is entitled to enter thereon and whether such violence consists in actual force applied to any other person or in threats or in breaking open any building or in collecting an unusual number of people, shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

Forcible entry.

(2) Nothing in this section shall make it an offence for a person to enter upon premises of his own which are in the custody of his servants or his bailiff.

24. Any person who, being in unlawful possession of premises, holds possession of them, in a manner likely to cause a breach of the peace or to cause any person reasonably to fear that a breach of the peace may occur, against a person entitled by law to the possession of the premises shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

Forcible
detainer of
premises.

25. Any person who takes part in a fight in a public place shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for twelve months.

Fighting in
public.

26. Any person who, without lawful authority, at any public gathering makes any statement, or behaves in a manner, which is intended or is likely to incite or induce any person—

- (a) to kill or do physical injury to any person or to any class or community of persons;
- (b) to destroy or do any damage to any property; or
- (c) to deprive any person by force or fear of the possession or use of any property either permanently or temporarily,

Proposing
violence at
public
gatherings.

shall be guilty of an offence and shall be liable—

- (i) on conviction on indictment, to imprisonment for five years; and
- (ii) on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

PART V.

INTIMIDATION AND INTIMIDATING ASSEMBLIES.

Intimidation.

27. Any person who, without lawful excuse—

(a) does or says anything, or behaves in a manner, or utters or distributes any publication, which is likely to or might make some other person apprehensive as to what may happen—

(i) to such other person or to any member of the family or any dependant of such other person;

(ii) to any property, business, undertaking or interest of such other person or of any member of the family or any dependant of such other person;

(iii) to any building or place occupied by such other person or by any member of the family or any dependant of such other person; or

(iv) to any business or undertaking in which such other person or any member of the family or any dependant of such other person is employed;

(b) does or says anything, or behaves in a manner, which is likely to or might compel or induce some other person to do anything which such other person is not legally obliged to do or counsels some other person to do any such thing;

(c) does or says anything, or behaves in a manner, which is likely to or might compel or induce some other person to refrain from doing anything which such other person is legally entitled to do or counsels some other person to refrain from doing any such thing;

(d) watches or besets any building or place or the approaches to any building or place; or

(e) persistently follows some other person about from place to place,

shall be guilty of an offence and shall be liable—

(i) on conviction on indictment, to imprisonment for five years; and

(ii) on summary conviction, to a fine of five thousand dollars and to imprisonment for two years.

Intimidating assembly.

28. (1) Where there is an unlawful assembly and any person in such assembly does or says anything, or behaves in a manner, which is likely to or might alarm or intimidate some other person or make some other person apprehensive as to what

may happen to him or any other person, the assembly shall be an intimidating assembly.

(2) Any person who takes part in an intimidating assembly shall be guilty of an offence and shall be liable—

(a) on conviction on indictment, to imprisonment for five years; and

(b) on summary conviction, to a fine of five thousand dollars and to imprisonment for three years.

29. Any person who directs, organizes, arranges, encourages, counsels, causes, procures or commands any intimidation which is an offence under section 27 shall be guilty of an offence and shall be liable—

Directing, organizing, etc intimidation.

(a) on conviction on indictment, to imprisonment for five years; and

(b) on summary conviction, to a fine of five thousand dollars and to imprisonment for three years.

30. Any person who directs, organizes, arranges, encourages, counsels, causes, procures or commands an assembly which is or becomes an intimidating assembly under section 28 shall be guilty of an offence and shall be liable—

Organization of intimidating assembly.

(a) on conviction on indictment, to imprisonment for five years; and

(b) on summary conviction, to a fine of five thousand dollars and to imprisonment for three years.

PART VI.

CONTROL OF PLACES, VESSELS, OFFENSIVE WEAPONS, ETC.

31. (1) The Governor may, if he is satisfied that it is necessary in the interests of public order so to do, by order (hereinafter referred to as a curfew order) direct that, within such area and during such hours as may be specified in the curfew order, every person, or, as the case may be, every member of any class of persons specified in the curfew order, shall, save under and in accordance with a permit issued by the Commissioner of Police under subsection (2), remain indoors.

Curfew orders.

(2) (a) The Commissioner of Police may issue to any person a permit for the purposes of subsection (1).

(b) A permit issued under this subsection shall be subject to such conditions as the Commissioner of Police thinks fit, and may be cancelled by the Commissioner of Police at any time.

(3) A curfew order shall—

- (a) come into force at such time as may be specified therein or, if no time is so specified, immediately upon the making thereof by the Governor;
- (b) be published in the *Gazette* as soon as may be reasonably practicable after the making thereof; and
- (c) remain in force for the period specified therein or until earlier cancelled by the Governor in accordance with subsection (4).

(4) The Governor may vary or cancel a curfew order by order which shall come into force and be published in like manner as that provided in subsection (3) for a curfew order.

(5) Any person who contravenes—

- (a) any of the provisions of a curfew order; or
- (b) any condition to which a permit issued under subsection (2) is subject,

shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

(6) The following persons shall, notwithstanding the provisions of this section, not be subject to or obliged to comply with any of the provisions of a curfew order when on duty or proceeding to or from duty—

- (a) a police officer;
- (b) a member of the Hong Kong Auxiliary Police Force when the Force, or the part of the Force to which such member belongs, or such member, has been called out under subsection (1) or (2) of section 16 of the Hong Kong Auxiliary Police Force Ordinance;
- (c) a member of the Fire Services Department;
- (d) a member of the Prisons Department;
- (e) a member of the Preventive Service;
- (f) a member of Her Majesty's forces;
- (g) a member or officer of the Royal Hong Kong Defence Force when the Force has been called out under subsection (1) of section 16 of the Royal Hong Kong

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Defence Force Ordinance or the unit or part of the Force to which such member or officer belongs, or such member or officer, has been called out under subsection (1) of section 17 of the Royal Hong Kong Defence Force Ordinance;

- (h) any person, whether or not he is a member of the Essential Services Corps, in possession of a valid warrant signed by the Commissioner of the Essential Services Corps and certifying that such person is engaged on essential duties; and
- (i) any servant of the Crown, other than a public officer, in possession of a permit issued by the Commissioner of Police for the purposes of this paragraph.

(7) Whenever the Governor considers it necessary, a curfew order may provide that subsection (6) shall not apply in the case of that curfew order with respect to such of the persons specified in that subsection as may be prescribed by the curfew order.

32. (1) Any person who, without lawful authority, carries or has in his possession in any area in which a curfew order is in force and during the hours during which the curfew imposed thereby is operative any offensive weapon shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for three years.

Carrying offensive weapons during curfew.

(2) A person shall not be convicted of an offence under this section if he proves to the satisfaction of the court that he carried or had in his possession the offensive weapon—

- (a) solely for domestic or defensive purposes within enclosed premises which he was lawfully occupying or in which he was lawfully present; or
- (b) with the authority of his employer and solely for domestic or defensive purposes within enclosed premises in the lawful occupation of his employer.

(3) Where any person is convicted of an offence under subsection (1), the court may make an order for the forfeiture of any offensive weapon in respect of which the offence was committed.

33. (1) Any person who, without lawful authority or reasonable excuse, has with him in any public place any offensive weapon shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

Possession of offensive weapon in public place.

(2) Where any person is convicted of an offence under subsection (1), the court may make an order for the forfeiture of any offensive weapon in respect of which the offence was committed.

Power of Governor to prohibit the movement of vessels or aircraft.

34. (1) The Governor may, if he is satisfied that it is necessary in the interests of public order so to do, by order prohibit or control the landing, taking off or movement of any aircraft or class of aircraft or the movement or anchorage of any vessel or the use of any waters in Hong Kong by all vessels or any vessel or class of vessel during such hours and for such a period and subject to such conditions as may be specified in the order.

(2) Any person who contravenes any provision of any order made under subsection (1) shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

(2) Any police officer or any public officer may take such steps and use such force as may be necessary to secure compliance with any order made under subsection (1).

Detention of vessels and aircraft.

35. (1) The Governor may, if he is satisfied that it is necessary in the interests of public order so to do, give such orders as may appear to him to be necessary for the detention of any vessel or aircraft, or any class of vessel or aircraft, and for the detention of any of the persons on board the vessel or aircraft so far as this may be necessary to ensure the detention of the vessel or aircraft.

(2) Any person detained in accordance with an order issued under subsection (1) shall be deemed to be in lawful custody.

(3) Any police officer or any public officer may, in relation to any vessel or aircraft, or any persons on board, take such steps and use such force as may be necessary to secure compliance with any order made under subsection (1).

(4) The Governor may give orders for the release of any vessel, aircraft or person detained under this section, and for the departure thereof from Hong Kong.

(5) In this section, "person on board" means any person who is or was on board the vessel or aircraft—

- (a) at the time of its arrival in Hong Kong; or
- (b) at the time of its detention under this section; or
- (c) at any time between the time of its arrival or detention and its final departure from Hong Kong.

(6) This section shall be in addition to and not in derogation of any other law in relation to deportation or expulsion of persons from Hong Kong.

PART VII. CLOSED AREAS.

36. The Governor may by order declare any area or place to be a closed area. Closed areas.

37. (1) In the case of a closed area which is an area or place occupied by Her Majesty's forces or for other purposes of the Crown in right of Her Majesty's government in the United Kingdom, the Commander British Forces or any commissioned officer in Her Majesty's forces authorized by him for the purposes of this subsection may issue to any person a permit allowing such person to enter and leave the closed area. Permits to enter and leave closed area.

(2) In the case of any other closed area, the Commissioner of Police may issue to any person a permit allowing such person to enter and leave the closed area.

(3) A permit issued under subsection (1) or (2) shall be subject to such conditions as the person by whom it is issued thinks fit, and may be cancelled by such person at any time.

38. Any person who—

- (a) enters or leaves a closed area save under and in accordance with a permit issued under section 37; or
- (b) contravenes any condition to which any such permit is subject,

Prohibition on entering or leaving closed area without permit.

shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars and to imprisonment for two years.

39. (1) Without prejudice to the provisions of this Ordinance or of any other law, any member of Her Majesty's forces, or any person posted to guard a closed area by or under the authority of the Governor or the Commander British Forces, may arrest—

Power of arrest.

- (a) any person who he finds in a closed area if he has reason to suspect that such person has committed any offence;
- (b) any person who he finds committing any offence in a closed area;
- (c) any person who he finds attempting to enter a closed area if he has reason to suspect that such person has not been issued with a permit under section 37,

and may use such force as may be necessary for the purpose.

(2) Any person arrested under subsection (1) shall be delivered into the custody of a police officer as soon as practicable.

PART VIII.

SPECIAL CONSTABLES.

Power of Governor to authorize appointment of special constables.

40. The Governor may at any time by order authorize any magistrate to appoint any person who is willing so to act as a special constable for such period as may be specified in such order by the Governor.

Power of special constable.

41. (1) A person appointed as a special constable shall, when acting as such, have the same duties, powers, protection and immunities as are imposed or conferred by this Ordinance or any other law on a police officer.

(2) A special constable shall comply with all such orders as may be given to him by the Commissioner of Police.

(3) Nothing in this section shall entitle a special constable to any pay, pension or other reward.

Special constable refusing to obey orders.

42. Any special constable who, without reasonable excuse, neglects or refuses to obey such orders as may be given to him for the performance of the duties of his office under subsection (2) of section 41 shall be guilty of an offence and shall be liable on summary conviction to a fine of one thousand dollars and to imprisonment for two months.

PART IX.

GENERAL.

Security for good behaviour from suspected persons, etc.

43. If a magistrate is satisfied that—

- (a) any person is attempting to conceal his presence in Hong Kong with a view to committing an offence;
- (b) there is in Hong Kong a person who cannot give a satisfactory account of himself;
- (c) any person has, either orally or in writing, disseminated or attempted to disseminate, or has in any way abetted the dissemination of, any seditious matter, that is to say, any matter the publication of which is punishable under section 4 of the Sedition Ordinance; or
- (d) any person has committed, or is about to commit or attempt to commit, any act calculated to interfere with the administration of the law or with the maintenance of law and order,

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the magistrate may, in accordance with section 44, require such person to show cause why he should not be ordered to execute a bond with sureties for his good behaviour for a period not exceeding two years.

44. (1) When a person is required to show cause under section 43, the magistrate shall make an order in writing setting forth—

Order to be made.

- (a) the substance of the information received;
- (b) the amount of the bond to be executed;
- (c) the term for which it is in force;
- (d) the number, character and class of sureties, if any, required.

(2) If a person required to show cause under section 43 is present in court, the order shall be read over to him, and, if necessary, the substance of it explained.

(3) If a person required to show cause under section 43 is not in court, the magistrate shall bring him before the court by summons or by warrant as he deems appropriate in the circumstances of the case.

(4) A summons or warrant issued under subsection (3) shall be accompanied by a copy of the order and such copy shall be delivered by the officer executing the process.

(5) When a person appears or is brought before a court in pursuance of an order as aforesaid, the magistrate shall inquire into the truth of the information as far as is practicable in the manner prescribed for summary trials, except that no charge need be framed.

(6) If the magistrate is satisfied that it is necessary for the maintenance of the peace or of good behaviour, as the case may be, that the person named in the order should execute a bond with or without sureties, he shall make an order accordingly.

(7) If the magistrate is satisfied that it is not necessary to execute a bond, the person named in the order shall be discharged from the inquiry.

(8) A bond executed by a person to keep the peace or be of good behaviour, as the case may be, shall be deemed to be broken by the commission of any offence punishable with imprisonment.

(9) A magistrate may, in his discretion, refuse to accept any person offered as surety for good behaviour.

(10) If any person ordered to give security does not give such security on or before the date of the commencement of such

security, he shall be committed to prison until the expiration of such term as the magistrate may direct or until he shall furnish such security to the magistrate who made the order:

Provided that the period of imprisonment for failure to give security shall not exceed the period for which security is ordered to be given.

(11) Any person so imprisoned may be released by an order made by a magistrate if such magistrate considers he may be released without hazard to the community or any person.

(12) Any surety for peaceable conduct or good behaviour may apply to a magistrate to cancel any bond executed under this section. In such a case, the magistrate shall call for fresh security for the unexpired term and if not forthcoming shall order imprisonment accordingly.

Use of
necessary force.

45. Without prejudice to any other powers conferred by this Ordinance, any police officer may use such force as may be necessary—

- (a) to prevent the commission or continuance of any offence under this Ordinance;
- (b) to arrest any person committing or reasonably suspected of being about to commit or of having committed any offence under this Ordinance; or
- (c) to overcome any resistance to the exercise of any of the powers conferred by this Ordinance.

Restriction on
use of force.

46. (1) Whenever in this Ordinance it is provided that such force as may be necessary may be used for any purpose, the degree of force which may be so used shall not be greater than is reasonably necessary for that purpose.

(2) Nothing in this section shall derogate from the lawful right of any person to use force in the defence of person or property.

(3) Any person who uses such force as may be necessary for any purpose, in accordance with the provisions of this Ordinance, shall not be liable in any criminal or civil proceeding for having, by the use of such force, caused injury or death to any person or damage to or loss of any property.

Offences by
societies, etc.

47. Where any offence under this Ordinance is committed by any society, every person charged with, or concerned or acting in, the control of management of the affairs or activities of such society shall be guilty of that offence and liable to be punished accordingly, unless it is proved by such person that, through no

act or omission on his part, he was not aware that the offence was being or was intended or about to be committed, or that he took all reasonable steps to prevent its commission.

48. Section 65 of the Criminal Procedure Ordinance (whereby the proof of lawful or reasonable authority or purpose or excuse shall lie upon the person charged with the offence) shall apply to all proceedings for any offence under this Ordinance in any court.

Proof of lawful
authority or
excuse.
(Cap. 221.)

49. (1) Without prejudice to any other provision of this Ordinance, any police officer of or above the rank of inspector, with the assistance of such other police officers as may be necessary, may—

Power of entry
and search, etc.

- (a) enter and search any premises or place whatsoever if he knows or has reason to suspect that an offence under this Ordinance is being or has been committed therein or that there is therein any evidence of the commission of an offence under this Ordinance;
- (b) search any person found in any premises or place which he is empowered to enter and search under paragraph (a);
- (c) stop, board and search any vessel or stop and search any motor vehicle or tramcar if he knows or has reason to suspect that there is therein any evidence of the commission of an offence under this Ordinance;
- (d) seize, remove and detain anything which is or contains or appears to him to be or to contain, or to be likely to be or to contain, evidence of the commission of an offence under this Ordinance.

(2) Any police officer may use such force as may be necessary for the exercise of the powers conferred by subsection (1), and any person found in any premises or place, or in any vessel, vehicle or tramcar, may be detained by any police officer until the same has been searched under subsection (1).

(3) Any police officer may, using such force as may be necessary, enter any premises or place whatsoever if he knows or has reason to suspect that—

- (a) any person who has lately been in an unlawful assembly, a riot or an intimidating assembly, or engaged in any unlawful purpose, has escaped into such premises or place; or
- (b) persons about to commit a breach of the peace are assembled therein.

(4) A woman shall not be searched under this section except by a woman.

Powers of members of certain auxiliary services and Her Majesty's forces.

(Cap. 233.)

50. (1) Without prejudice to the provisions of this Ordinance or of any other law, a member of the Hong Kong Auxiliary Police Force on duty, and while proceeding to and from duty, when the Force or the part of the Force to which such member belongs, or such member, has been called out under subsection (1) or (2) of section 16 of the Hong Kong Auxiliary Police Force Ordinance shall have the same duties, powers, protection and immunities as are imposed or conferred by this Ordinance or any other law on a police officer of equivalent rank.

(Cap. 199.)

(2) (a) A member or officer of the Royal Hong Kong Defence Force on duty, and while proceeding to and from duty, when the Force has been called out under subsection (1) of section 16 of the Royal Hong Kong Defence Force Ordinance or the unit or part of the Force to which such member or officer belongs, or such member or officer, has been called out under subsection (1) of section 17 of the Royal Hong Kong Defence Force Ordinance shall have the same power of arrest as is conferred on a police officer by section 50 of the Police Force Ordinance and may use such force as may be necessary for that purpose.

(Cap. 232.)

(b) Whenever the Governor so directs, a member or officer of the Royal Hong Kong Defence Force on duty, and while proceeding to and from duty, when the Force has been called out under subsection (1) of section 16 of the Royal Hong Kong Defence Force Ordinance or the unit or part of the Force to which such member or officer belongs, or such member or officer, has been called out under subsection (1) of section 17 of the Royal Hong Kong Defence Force Ordinance shall have the same powers, protection and immunities as are imposed or conferred by this Ordinance or any other law on a police officer of equivalent rank.

(3) Without prejudice to the provisions of this Ordinance or of any other law, any member of Her Majesty's forces acting in aid of the civil power shall have the same powers, protection and immunities as are imposed or conferred by this Ordinance or any other law on a police officer.

(4) Without prejudice to the provisions of this Ordinance or of any other law, any commissioned officer in Her Majesty's forces acting in aid of the civil power shall have the powers conferred by subsections (2), (3) and (4) of section 11 and subsection (1) of section 49 on a police officer of or above the rank of inspector.

(5) A certificate purporting to be signed by the Colonial Secretary and stating that a member of Her Majesty's forces was,

at the time specified therein, acting in aid of the civil power shall be conclusive evidence thereof in all proceedings and for all purposes.

51. (1) The Governor may give such directions as he thinks fit with respect to the exercise or performance by the Commissioner of Police or any other police officer of the powers, functions or duties conferred or imposed on him by or under this Ordinance, either generally or in any particular case.

Power of Governor to give directions.

(2) The Commissioner of Police and any other police officer shall, in the exercise or performance of such powers, functions or duties, comply with any directions given by the Governor under subsection (1).

52. The Commissioner of Police may—

Delegation of powers.

- (a) delegate to any police officer of the rank of inspector or above any of the powers conferred on him by section 4, 6, 7, 31, 37 or 41; and
- (b) delegate to any police officer of the rank of assistant superintendent or above any of the powers conferred on him by any other provision of this Ordinance.

53. Without prejudice to the provisions of section 46, no person acting in good faith under the provisions of this Ordinance shall be liable in damages or otherwise for any act done by him in pursuance or exercise of any obligation, duty or power imposed or conferred, or reasonably supposed to be imposed or conferred, on him by this Ordinance, if done in good faith, and done or purported to be done in the execution of his duty or for the public safety or for the defence of Hong Kong or for the enforcement of discipline or otherwise in the public interest, if such person be a person holding office under or employed in the service of the Crown in any capacity, whether naval, military, air force or civil, or be an officer or member of the Royal Hong Kong Defence Force or a member of the Hong Kong Auxiliary Police Force acting as such or be a person acting under the authority of a person so holding office or so employed or such an officer or member.

Indemnity to persons acting under Ordinance.

54. The Peace Preservation Ordinance and the Public Order Ordinance are repealed.

Repeal.
(Cap. 244.)
(Cap. 245.)

55. (1) Sections 12 and 13 of the Malicious Damage Ordinance are repealed.

Amendments.
(Cap. 211.)

(2) The Corporal Punishment Ordinance is amended by deleting paragraph 9 of the First Schedule thereto.

(Cap. 222.)