

SCHEDULE.

[r. 2(3).]

FORMS.

NO. 1.

表格第一款

Oath by Administrator.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
遺囑檢定裁判權
遺產管理人宣誓書

IN THE ESTATE of
關於死者

.....

.....

....., deceased.
之遺產事。

I, A.B. (description) of in the Colony of Hong
本人，(某甲)(身份)現居於香港
Kong, do hereby solemnly, sincerely and truly affirm and say/make oath
茲謹以至誠，據實聲明/宣誓如
and say as follows—
下——

1. The abovenamed and described deceased died at
一、上述姓名及身份之死者已在
on the day of, 19....., intestate, leaving him
逝世，日期為一九 年 月 日，死時並無遺囑，
surviving the following persons as being his only next of kin—
遺下尚存者有下開各人士，為其僅有之近親——

(Their names, relations and ages.)
(該等人士之姓名，其與死者之關係及其年齡)

.....

.....

The deceased was domiciled in
死者前居於

2. Since the death of the deceased, I have made a diligent search
二、自死者逝世後，本人曾盡力從其文件
among his papers and effects for any will made by him, but I have been
及財物中搜尋其有否立下遺囑，但無法尋
unable to find such will.
獲其任何遺囑。

3. The estate of the said deceased and the value thereof at the date
三、關於在上述死者逝世之日，根據法律規定
of his death which by law devolves to and vests in the personal representa-
應移交及授予其私人代表管理之遺產及該遺產
tives of the said deceased, are as set out in the Estate Duty Commissioner's
之價值，直至現時所能確定者，均已開列於遺
Schedule of Property filed herein so far as at present can be ascertained.
產稅局長之財產附表內，並附呈此處存案，該
The gross value of the estate amounts to \$
遺產之總值共計 元。

4. To the best of my knowledge, information and belief, there is
四、據本人所知，直至現時所能確定者，
no other property real or personal under any title whatsoever, which by
除已附呈此處存案之上述財產附表所開列
law devolves to and vests in the personal representatives of the said
者外，並無其他可根據任何權利而享有之
deceased, in respect of which estate duty is payable to the Hong Kong
不動產與動產係依照法律規定應移交及授
Government upon the death of the said deceased, beyond that to which
予上述死者之私人代表管理，兼且如在上
reference has already been made in the said Schedule of Property filed
述死者逝世後，係應向香港政府繳付遺產
herein so far as at present can be ascertained.
稅者。

5. I will well and truly administer and faithfully dispose of, all such
五、本人定當忠誠妥善管理及忠實分配由上述姓
property and estate, rights and credits as the abovenamed deceased at the
名之死者在其逝世時在香港所享有之財產、遺產、
time of his death was entitled to within the Colony of Hong Kong, and I
權利及債權；本人定當盡該財產、遺產、權利及
will pay whatever debts the deceased did owe, so far as such property and
債權之所及而清償死者所確欠之任何債務；又本
estate, rights and credits, shall extend, and I will exhibit a true and perfect
人定當隨時依照法律之規定將上述所有各項遺產
inventory of all and singular the said estate and effects and render a just
及財物開列一真實完備之清單並提出公正確實之
and true account thereof whenever required by law so to do.
報告。

6. Minority and/or life interest arises under the intestacy.
六、在此無遺囑死亡之事件內，繼承人中有尚未成年及/或享有終身權益者。

7. I am applying as the (*relation*) of the said deceased for letters of administration to the said estate.
七、本人現在係以上述死者()之關係申請有關上述遺產之管理書。

AFFIRMED/SWORN at the Supreme Court, 上述聲明/宣誓乃在香港高等法院，於一九... day of 19..... 年 月 日舉行，the same having been first interpreted 其內容已先由業經宣誓之傳譯員以中國之 dialect of the 方言向聲明/宣誓者傳譯，傳譯員 Chinese language by:
簽署：

Sworn Interpreter,

Before me,

該項傳譯及聲明/宣誓均在本人面前進行，

A Commissioner &c.

監誓官。

Note: Additional matters should be included to meet the circumstances
附註：為配合個別案件之情況起見，其他有關事項，例如：of each case, e.g. power of attorney, renunciation, clearing off of 委託權，放棄代表權，及將具有優先資格之人士別 persons having priority, etc. etc. 除等均應一併包括入內。

NO. 2.

表格第二款

Oath by Executor.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
遺囑檢定裁判權
遺囑執行人宣誓書

IN THE ESTATE of
關於死者

....., deceased.
之遺產事。

I, A.B. (*description*) of in the Colony of Hong
本人(某甲)(身份)現居於香港
Kong, do hereby solemnly, sincerely and truly affirm and say/make oath
茲謹以至誠，據實聲明/宣誓
and say as follows—
如下——

1. The abovenamed and described deceased died at
一、上述姓名及身份之死者已在
on the day of 19....., having made and execute
逝世，日期為一九...年...月...日，並已預立及簽
his last will and testament dated the day of 19.....
署其最終遺囑，日期係一九...年...月...日，
whereof he appointed the sole executor/executors
該遺囑內委派 為其專責之遺囑執行人。
thereof. The deceased was domiciled in
死者前居於

2. The estate of the said deceased and the value thereof at the date
二、關於在上述死者逝世之日，根據法律規
of his death which by law devolves to and vests in the personal representa-
定應移交及授予其私人代表管理之遺產及該
tives of the said deceased, are as set out in the Estate Duty Commissioner's
遺產之價值，直至現時所能確定者，均已開
Schedule of Property filed herein, so far as at present can be ascertained.
列於遺產稅局長之財產附表內，並附呈此
The gross value of the estate amounts to \$
處存案，該遺產之總值共計 元。

3. To the best of my knowledge, information and belief, there is no
三、據本人所知，直至現時所能確定者，
other property real or personal under any title whatsoever, which by law
除已附呈此處存案之上述財產附表所開
devolves to and vests in the personal representatives of the said deceased,
列者外，並無其他可根據任何權利而享
in respect of which estate duty is payable to the Hong Kong Government
有之不動產與動產係依照法律規定應移
upon the death of the said deceased, beyond that to which reference has
交及授予上述死者之私人代表管理，兼
already been made in the said Schedule of Property filed herein so far as
且如在上述死者逝世後，係應向香港政
at present can be ascertained.
府繳付遺產稅者。

4. I believe the paper writing shown to me and marked "A" by me
四、本人相信，該份顯示與本人及由本人以 "A"
to contain the true and original last will and testament of the said deceased,
號註明之文件係載有上述死者最終遺囑之正確原
and I will administer according to the law all the estate which by law
文，本人定當依照法律之規定，將根據法律規定應
devolves to and vests in the personal representatives of the said deceased
移交及授予上述死者之私人代表管理之遺產，妥
and I will exhibit a true and perfect inventory of all and singular the said
為管理，又，本人定當隨時依照法律之規定將上述所

estate and effects and render a just and true account thereof whenever
有各項遺產及財物開列一真實完備之清單並提出
required by law so to do.
公正確實之報告。

5. I am applying as the executor named in the said will for probate
五、本人現在係以上述遺囑所指明之執行人之資格申請該遺
thereof.
囑之檢定。

AFFIRMED/SWORN at the Supreme Court,
上述聲明/宣誓乃在香港
Victoria, Hong Kong, this
高等法院，於一九 年
day of, 19
月 日舉行，其內
the same having been first interpreted to
容已先由業經宣誓之傳
the Affirmant/Deponent in the
譯員以中國之
dialect of the Chinese language by:
方言向聲明/宣誓者傳譯，傳譯員簽署：

Sworn Interpreter,

Before me,

該項傳譯及聲明/宣誓均在本人面前進行，

A Commissioner, &c.

監督官。

NO. 3.

表格第三款

Oath by Administrator with Will.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院

遺囑檢定裁判權

附有遺囑之遺產管理人宣誓書

IN THE ESTATE of

關於死者

.....

....., deceased.

之遺產事。

I, A.B. (description) of in the Colony of Hong
本人，(某甲)(身份)現居於香港
Kong, do hereby solemnly, sincerely and truly affirm and say/make oath
茲謹以至誠，據實聲明/宣誓
and say as follows—
如下——

1. The abovenamed and described deceased died at
一、上述姓名及身份之死者已在
on the day of, 19....., having made and
逝世，日期為一九 年 月 日，並已預立及
executed his last will and testament dated the day of
簽署其最終之遺囑，日期係一九 年 月
19....., whereof he appointed the executor/s
日，該遺囑內委派 為遺囑執行人
thereof (or named the beneficiary/ies in
(或指明 為其遺產之受益人)。
the estate). The deceased was domiciled in
死者前居於 。

2. The estate of the said deceased and the value thereof at the date
二、關於在上述死者逝世之日，根據法律規定應
of his death which by law devolves to and vests in the personal representa-
移交及授子其私人代表管理之遺產及該遺產之
tives of the said deceased, are as set out in the Estate Duty Commissioner's
價值，直至現時所能確定者，均已開列於遺產
Schedule of Property filed herein, so far as at present can be ascertained.
稅局長之財產附表內，並附呈此處存案，該遺
The gross value of the estate amounts to \$.....
產之總值共計 元。

3. To the best of my knowledge, information and belief, there is no
三、據本人所知，直至現時所能確定者，除已
other property real or personal under any title whatsoever, which by law
附呈此處存案之上述財產附表所開列者外，
devolves to and vests in the personal representatives of the said deceased,
並無其他可根據任何權利而享有之不動產
and in respect of which estate duty is payable to the Hong Kong Government
與動產係依照法律規定應移交及授予
upon the death of the said deceased, beyond that to which reference has
上述死者之私人代表管理，兼且如在
already been made in the said Schedule of Property filed herein so far as
上述死者逝世後，係應向香港政府繳
at present can be ascertained.
付遺產稅者。

4. I believe the paper writing shown to me and marked "A" by me
四、本人相信，該份顯示與本人及由本人以“A”號
to contain the true and original last will and testament of the said deceased,
註明之文件係載有上述死者最終遺囑之正確原

and I will administer according to the law all the estate which by law devolves to and vests in the personal representatives of the said deceased and I will exhibit a true and perfect inventory of all and singular the goods and effects and render a just and true account thereof whenever required by law so to do.

文，本人定當依照法律之規定，將根據法律規定應移交及授予上述死者之私人代表管理之遺產，妥為管理，又，本人定當隨時依照法律之規定將上述遺產及財物開列一真實完備之清單並提出公正確實之報告。

5. I am applying as (*capacity of the person applying*) for letters of administration with the said will annexed.

五、本人現在係以()之資格申請附有上述遺囑之遺產管理書。

6. Minority and/or life interest arises under the said will.

六、根據該遺囑，繼承人中有尚未成年及/或享有終身權益者。

AFFIRMED/SWORN at the Supreme Court, Victoria, Hong Kong, this day of, 19....., the same having been first interpreted to the Affirmant/Deponent in the dialect of the Chinese language by:

上述聲明/宣誓乃在香港高等法院於一九.....年.....月.....日舉行，其內容已先由業經宣誓之傳譯員以中國之方言向聲明/宣誓者傳譯，傳譯員簽署：

Sworn Interpreter,

Before me,
該項傳譯及聲明/宣誓均在本人面前進行，

A Commissioner, &c.
監誓官。

NOTE: If the estate is not fully disposed of by the will, a paragraph showing the deceased's next of kin beneficially entitled in the upper part of the residue of the estate, should be inserted immediately after paragraph 1 hereof.

附註：如遺產未全部由遺囑處置者，應在緊接上文第一段之後加插一段文字，以說明有權享有該剩餘遺產之死者近親。

Additional matters should be included to meet the circumstances of each case, e.g. power of attorney, renunciation, clearing off as to persons having priority, etc. etc.

其他有關事項，例如：委託權，放棄代表權及將具有優先資格之人士剔除等均應一併包括入內。

NO. 4.
表格第四款

Affirmation of Identity.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
遺囑檢定裁判權
證明身份聲明書

IN THE ESTATE of
關於死者

....., deceased.
之遺產事。

I,
本人，

do hereby solemnly, sincerely and truly affirm and say that I knew and was well acquainted with the deceased aforesaid, and also know and am well acquainted with
亦與

I have been acquainted with the said
認識及相熟，本人與該 相識
for years. The said
已有 年。該 乃

is the
上述死者之
of the said deceased and is a native of
且原籍為 。

I am not a relation to the abovenamed deceased or to the said
本人與上述死者或該

by blood, marriage or adoption.
均無血親，姻親，或領養之關係。

(The date of the deceased's marriage to (*here give name of Kit Fat or Tin Fong wife or concubine*) was the day of
房)或妾侍之姓名) 締婚之日期為一九.....年.....月.....日。)

Complete if appropriate.
如適用者，請填寫此段。

AFFIRMED at the Supreme Court, Victoria,
 上述聲明乃在香港高等法院於
 Hong Kong this day of
 一九 年 月 日
 19....., having been duly interpreted to
 舉行，其內容已由業經宣誓之
 the Affirmant in the dialect
 傳譯員以中國之 方言向
 of the Chinese language by:
 聲明者妥為傳譯，傳譯員簽署：

Sworn Interpreter,

Before me,

該項傳譯及聲明均在本人面前進行，

A Commissioner, &c.

監督官。

NO. 5.

表格第五款

Affirmation of Death.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
 遺囑檢定裁判權
 證明死亡聲明書

IN THE ESTATE of
 關於死者

....., deceased.
 之遺產事。

I,
 本人，

do hereby solemnly, sincerely and truly affirm and say as follows—
 茲謹以至誠據實聲明如下——

I knew and was well acquainted with the abovenamed deceased when alive.
 本人與上述死者在生時認識及相熟。
 The said deceased died on the day of 19.....
 上述死者係於一九 年 月 日

at
 在

..... 逝世。
 I was present when died and/or I also
 本人於 死時係在場及/或曾
 attended
 參加 之
 funeral. 喪禮。

AFFIRMED at the Supreme Court, Victoria,
 上述聲明乃在香港高等法院，
 Hong Kong this day of
 於 一九 年 月 日
 19....., having been duly interpreted to
 舉行，其內容已由業經宣誓之傳
 the Affirmant in the dialect
 譯員以中國之 方言
 of the Chinese language by:
 向聲明者妥為傳譯，傳譯員簽署：

Sworn Interpreter,

Before me,

該項傳譯及聲明均在本人面前進行，

A Commissioner, &c.

監督官。

NO. 6.

表格第六款

Affirmation of the Execution of the Will.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
 遺囑檢定裁判權
 證明簽立遺囑聲明書

IN THE ESTATE of
 關於死者

....., deceased.
 之遺產事。

I,
本人，

hereby solemnly, sincerely and truly affirm and say as follows—
茲謹以至誠據實聲明如下—

1. I am one of the subscribing witnesses to the last will and testa-
一、本人乃曾在上述死者
ment of the abovenamed deceased,
之最終遺囑上簽署見證者之其中
the said will bearing date the day of
一名人士，遺囑簽立日期為一九 年 月 日，
19....., being now produced to me and marked "A".
該遺囑亦即現時出示與本人及以"A"號註明者。

2. The said testator executed the said will on the day of
二、上述有遺囑之死者乃於一九 年
....., 19....., by signing his name at the foot
月 日簽立該遺囑並將其姓名簽
or end thereof as the same now appears thereon, in the presence of me
署於遺囑之末端或結尾處，一如現時在遺囑上所示；而在場者有本
and of
人及
the other subscribed witness thereto, both of us being present at the same
亦即另一名在該遺囑上簽署之見證人；余等兩人均
time and we thereupon (to wit, after the testator had so signed) attested
同一時間在場，隨後（即在立遺囑人簽署後），余
and subscribed the said will in the presence of the said testator.
等在上述立遺囑人面前證明及簽署該遺囑。

AFFIRMED at the Supreme Court, Victoria, }
上述聲明乃在香港高等法院， }
Hong Kong this day of }
於一九 年 月 日 }
19....., having been duly interpreted to }
舉行，其內容已由業經宣誓之 }
the Affirmant in the dialect }
傳譯員以中國之 方言 }
of the Chinese language by: }
向聲明者妥為傳譯，傳譯員簽署： }

Sworn Interpreter,

Before me,

該項傳譯及聲明均在本人面前進行，

A Commissioner, &c.
監 誓 官 。

NO. 7.

表格第七款

Nomination of a Second Administrator.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
遺囑檢定裁判權
委派第二名遺產管理人提名書

IN THE ESTATE of
關於死者

....., deceased.
之遺產事。

WHEREAS A.B., of deceased,
茲因死者(某甲)，前居於 者，
died on the day of 19.....,
已於一九 年 月 日，
at intestate, leaving C.D., his
在 逝世，死時並無遺囑，遺下
lawful widow and relict, and E.F. and G.H. his lawful sons, together the
(某乙)，即其合法遺孀，及(某丙)與(某丁)，即其合法兒子，共為
only persons entitled to share in his estate:
有權分享其遺產之僅有人士：

AND WHEREAS the said E.F. and G.H. are now both infants of the
茲因上述之(某丙)及(某丁)現時均尚未成年，其年齡依次
ages of and respectively:
分別為 歲及 歲：

AND WHEREAS I, the said C.D., am the lawful mother and statutory
復因本人，即上述之(某乙)，乃上述未成人之合法母
guardian of the said infants:
親及法定監護人：

AND WHEREAS there is no testamentary or other lawfully appointed
又再因上述未成人未有由遺囑委派之人士或其他合法委派
guardian of the said infants:
之人士為其監護人：

Now I, the said C.D., hereby nominate and appoint J.K., of
現本人，即上述之(某乙)，茲特指名及委派(某戊)，即現居於
..... merchant, to be my co-administrator in the estate
之商人，與本人共同管理上述無遺
of the said intestate, he being a fit and proper person to act in that
囑死者之遺產，蓋該人乃執行此責任之適當正確人
capacity.
選。

Dated this day of, 19.....
日期：一九 年 月 日。

Signed by the said C.D.
上述某乙簽署：

in the presence of:
在場見證者：

(Name and address of witness.)
(見證人之姓名及地址)

[NOTE: A person entitled to a grant in his own right may nominate a second administrator only if he is the statutory, testamentary or duly elected guardian of the infant. In any other case application should be made for an order assigning the proposed second grantee as guardian for the purpose of joining in the grant.]
附註：任何人士如係因其本身資格而有權領取遺產管理書者，必須係經法定，或經遺囑委派或經正式選定為該未成人之監護人，始得提名委派第二名管理人。在任何其他情形下，則應申請頒發命令指派其所建議之第二名遺產管理書領受人（即管理人）為監護人以便共同領受該項遺產管理書。

Where all the persons entitled to share in the estate are infants and there is only one guardian (whether statutory, testamentary, or assigned) by the court, then the guardian may nominate a co-administrator. This form may be adapted for use in such a case.]
如有權分享該遺產之全部人士均屬未成人，而祇有一名監護人時（不論其係法定，或遺囑所委派，或經選任，或由該管法庭頒令委任，或指派之監護人），則該監護人可提名委派一共同管理人。在此情形下，可將本表格署為變通以適應所需。

NO. 8.
表格第八款

Power of Attorney to take Administration (Will) given by Executors.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
遺囑檢定裁判權
遺囑執行人授權領取遺產管理書（附遺囑）之授權書

IN THE ESTATE of
關於死者

....., deceased.
之遺產事。

WHEREAS A.B., of, deceased,
茲因死者（某甲），前居於 者，
died on the day of, 19.....
已於一九 年 月 日
at
在 逝世，
having made and duly executed his last will and testament, bearing date
並已預立及正式簽署其最終之遺囑，日期為
the day of, 19....., and thereof
一九 年 月 日，該遺囑內
appointed C.D. and E.F. executors:
委派（某乙）及（某丙）為遺囑執行人：

Now we, the said C.D. and E.F., at present residing at
現余等，即上述（某乙）及（某丙）；而目前係依次分別居於

and
及
respectively, do hereby nominate, constitute, and appoint G.H., of
者，茲特提名委派（某丁），即現居於

....., to be our lawful attorney for
者，為余等之合法代理人，以
the purpose of obtaining letters of administration (with the said will
便高等法院可將有關上述死者遺產之管理書（附有上述遺
annexed) of the estate of the said deceased, to be granted to him by the
囑者），頒給該代理人領取，以便余等享用該利益及截
Supreme Court for our use and benefit, and until we shall duly apply
至余等正式申請獲得有關該遺囑之檢定書頒給余等領
for and obtain probate of the said will to be granted to us,* and we
取時為止*，余等茲並應允認許及確認該代理人
hereby promise to ratify and confirm whatever our said attorney shall
在上述情況下所作或促令他人所作之任何
lawfully do or cause to be done in the premises.
合法行為。

In witness whereof we have hereunto set our hands and seals
余等茲謹簽署及加蓋封印如后為證：
this day of, 19.....
一九 年 月 日。

Signed, sealed, and delivered by the said
本授權書係由上述（某乙）及（某丙）在
C.D. and E.F. in the presence of
下述人士面前簽立及加蓋封印：

(L.S.)
(加蓋封印處)

(L.S.)
(加蓋封印處)

(Witness's name, address and occupation)
(見證人之姓名，地址及職業)

[* Where the power is given by more than four executors the limitation in the instrument must be "until any of us, not exceeding four in number shall apply for and obtain probate of the said will to be granted to us," and we hereby promise to ratify and confirm whatever our said attorney shall lawfully do or cause to be done in the premises.]

NO. 9.
表格第九款

Renunciation of Probate.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.
香港高等法院
遺囑檢定裁判權
放棄遺囑檢定權聲明書

IN THE ESTATE of
關於死者

....., deceased.
之遺產事。

WHEREAS A.B., of deceased,
茲因死者(某甲), 前居於 者, 已於
died on the day of 19.....
一九 年 月 日
at having made and duly
在 逝世, 並已預
executed his last will and testament, bearing date the day
立及正式簽署其最終之遺囑, 日期為一九 年
of 19....., and thereof appointed his
月 日, 該遺囑內委派其兒子, 即下
son, the undersigned C.D., sole executor [and residuary legatee and devisee
述簽署人(某乙), 為專責之遺囑執行人[及剩餘動產
(in trust)]*:
與不動產之繼承人(付諸託管)]*:

Now I, the said C.D., of do solemnly,
現本人, 即上述(某乙), 而係現居於
sincerely and truly affirm and say that I have not intermeddled in the
者, 茲謹以至誠據實聲明: 本人從未干預上述
estate of the said deceased, and will not hereafter intermeddle therein
死者之遺產, 而嗣後亦決不加以干預以圖欺
with intent to defraud creditors, and I do hereby renounce all my right
騙債權人, 本人茲謹將本人在檢定上述遺囑
and title to probate the execution of the said will [and to letters of
之執行[與領取關於上述死者遺產之管理書
administration (with the said will annexed) of the estate of the said
(附有上述遺囑者)]* 方面之所有權利予以
deceased].*
放棄。

Affirmed, etc.

茲謹在香港高等法院聲明, 等。

[* These words must be included in the form where the executor is also entitled in
如遺囑執行人同時享有較次等之資格, 而申請領給遺囑檢定書或遺產管
a lower character, and has to be cleared off in that character by the applicant for
理書之人士係需將該項資格剔除者, 則必須在此表格內加插該等[]括號
the grant.]
內所示之字句。]

NO. 10.
表格第十款

Renunciation of Administration (with Will annexed).

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.
香港高等法院
遺囑檢定裁判權
放棄遺產管理權(附有遺囑者)聲明書

IN THE ESTATE of
關於死者

....., deceased.
之遺產事。

WHEREAS A.B., of deceased,
茲因死者(某甲), 前居於 者,
died on the day of 19.....
已於一九 年 月 日
having made and duly executed his last will and testament, bearing date
逝世, 並已預立及正式簽署其最終之遺囑, 日期為
the day of 19....., wherein
一九 年 月 日, 該遺囑內
he did not name any executor, but appointed me, the undersigned C.D.,
並無提名任何人為遺囑執行人, 但委派本人, 即下述簽署人(某乙),
residuary legatee and devisee:
為其剩餘動產與不動產之繼承人:

Now I, the said C.D., of do
現本人, 即上述(某乙), 而係現居於 者,
solemnly, sincerely and truly affirm and say that I do hereby renounce
茲謹以至誠據實聲明: 本人茲特將本人在領取關於
all my right and title to letters of administration, with the said will
上述死者遺產之管理書(附有上述遺囑者)方面之
annexed, of the estate of the said deceased.
所有權利予以放棄。

Affirmed, etc.

茲謹在香港高等法院聲明, 等。

(Witness's name, address and occupation.)
(見證人之姓名, 地址及職業)

NO. 11.

表格第十一款

Renunciation of Administration.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
遺囑檢定裁判權
放棄遺產管理權聲明書

IN THE ESTATE of
關於死者

....., deceased.
之遺產事。

WHEREAS *A.B.*, of deceased,
茲因死者(某甲), 前居於 者,
died on the day of 19.....
已於一九 年 月 日
at
在 逝世, 死時並無遺
intestate, a widower, leaving *C.D.*, his lawful son and the only person
囑, 死者乃孀夫, 遺下(某乙), 即其合法兒子, 為唯一遺
entitled to his estate:
產繼承人:

Now I, the said *C.D.*, of
現本人, 即上述(某乙), 而係現居於 者,
solemnly, sincerely and truly affirm and say I do hereby renounce all my
茲謹以至誠據實聲明: 本人茲特將本人在領取有關上述
right and title to letters of administration of the estate of the said deceased.
死者遺產之管理書方面之所有權利予以放棄。

Affirmed, etc.

茲謹在香港高等法院聲明, 等。

NO. 12.

表格第十二款

Application for Resealing.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
遺囑檢定裁判權
重行簽蓋證書申請書

IN THE ESTATE of
關於死者

....., deceased.
之遺產事。

And
及

IN THE MATTER of
關於

事。

TO THE SUPREME COURT OF HONG KONG:

呈香港高等法院:

WHEREAS the abovenamed
茲因上述 (Name of deceased).
(死者姓名)

died at
已在 (Place of death). 逝世,
(逝世地點)

on the day of 19.....
日期為一九 年 月 日,
domiciled in intestate (or after having made
死者前居於 , 死時並無遺囑
and duly executed his/her last Will and Testament dated the day
(或已預立及正式簽署其最終之遺囑, 其日期為
of 19....., whereby he/she appointed
一九 年 月 日, 該遺囑內委派

to be the executor/s thereof).

為遺囑執行人):

AND WHEREAS on the day of 19.....
又茲因一九 年 月 日,
有關之 (Nature of grant). 已由
(所頒發證書文件名稱)

(Description of Court).
(法院名稱)

to the said
授給上述 (Name of grantee).
(領受人姓名)

of
其地址, 身份及資格為 (Address, description and capacity of grantee).
。

Now I,
 現本人, (Name of Applicant).
 (申請人姓名)
 of
 而地址、身份及資格為 (Address, description and capacity of Applicant). 者,
 do hereby apply for resealing of the accompanying
 茲謹將關於上述死者及以上述方式授給之 (Nature of grant).
 (所頒授證書文件名稱)
 of the said deceased granted as aforesaid.
 附呈, 請予重行簽蓋確認。

Dated the day of, 19.....
 日期: 一九 年 月 日

(Signature by the Applicant).
 (申請人簽署)

NO. 13.

表格第十三款

Election of Guardian for the Purpose of Nominating a Co-Administrator.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
 遺囑檢定裁判權
 委派監護人以便提名共同管理人之委派書

IN THE ESTATE of
 關於死者

....., deceased.
 之遺產事。

WHEREAS A.B., of in the Colony of
 茲因死者(某甲), 前居於香港
 Hong Kong, deceased, died on the day of, 19.....
 者, 已於一九 年 月 日
 at
 在 逝世,
 intestate a widow, leaving C.D. and E.F., her lawful children and the only
 死時並無遺囑。死者乃寡婦, 遺下(某乙)、(某丙), 即其合
 persons entitled to share in her estate; and whereas the said E.F. is now
 法子女, 為有權分享其遺產之僅有人士; 又因上述(某丙),

an infant of the age of [.....] years; and whereas there is
 現尙未成年, 僅有 [.....] 歲; 復因該某丙現
 no statutory, testamentary or other lawfully appointed guardian of the
 時並無法定或經遺囑所委派或其他合法委派之監
 said E.F.:

護人:

Now I, the said E.F., of
 現本人, 即上述(某丙), 而係現居於 者,
 do hereby nominate the said C.D., my lawful brother of the whole blood
 茲謹提名上述(某乙), 即本人之合法同胞兄弟及
 and my nearest of kin, to be my guardian for the purpose of nominating a
 本人之最近親屬, 為本人之監護人, 以便指定
 co-administrator to act with him in the administration of the estate of the
 一名共同管理人, 以與其共同管理上述死者之
 said deceased.
 遺產。

In witness whereof I have hereunto set my hand this
 本人茲謹簽署如后為證:

day of, 19.....
 一九 年 月 日

Signed by the said E.F. in the }
 本委派書係由上述(某丙)在下述人 }
 presence of }
 士面前簽署:

(Signed) E.F.
 (簽署人)(某丙)

(Name and address of witness)
 (見證人姓名及地址)

NO. 14.

表格第十四款

Election of Guardian to take Grant.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
 遺囑檢定裁判權
 委派監護人以便領取遺產管理書之委派書

IN THE ESTATE of
 關於死者

....., deceased.
 之遺產事。

WHEREAS *A.B.*, late of
 茲因死者(某甲),前居於香港
 in the Colony of Hong Kong, deceased, died on the day
 者,已於一九 年 月
 of 19..... at
 日在 逝世,
 intestate, a widower, leaving *C.B.*, *E.B.*, spinster, and *G.B.*, his lawful
 死時並無遺囑。死者乃孀夫,遺下未婚女兒(某乙),(某丙),
 children and the only persons entitled to share in his estate, who are
 及遺下(某丁),即其合法子女為有權分享其遺產之僅有人
 now infants, the said *C.B.* being of the age of years,
 士,該等人士尙未成年。上述某乙現年 歲,
 the said *E.B.* being of the age of years, and the said
 上述(某丙)現年 歲,而上述
G.B. being of the age of years.*
 (某丁)現年 歲:*

Now we, the said *C.B.* and *E.B.*, of
 現余等,即上述(某乙)及(某丙),而係現居於 者,
 do hereby nominate of
 茲謹提名 ,即現居於香港
 in the said Colony of Hong Kong,
 ,而係(身 份) 者,
 to be our guardians, for the purpose of their obtaining letters of adminis-
 為余等之監護人,以資獲得有關上述死者(某甲)之遺產管
 tration of the estate of the said *A.B.*, deceased, to be granted to them,†
 理書可頒給該等人士†,以便余等享用該利益,亦以便上
 for our use and benefit, and also for the use and benefit of the said *G.B.*,
 述(某丁)享用該利益,及截至余等其中一人年滿二十一歲
 and until one of us shall attain the age of twenty-one years.
 時為止。

In witness whereof we have hereunto set our hands this
 余等茲謹簽署如后為證:
 day of 19.....
 一九 年 月 日

Signed by the said *C.B.* and }
 本委派書係由上述(某乙)及 }
E.B. in the presence of }
 (某丙)在下述人士面前簽署: }

(Name and address of witness)
 (見證人姓名及地址)

[NOTE: * An infant under the age of sixteen years has no power of election.
 [附註:* 未滿十六歲之未成年人無委派權。]

† If the election be for the purpose of the guardian being the second
 † 如所委派之監護人即第二名遺產管理書領受人,則應將「以便余等
 grantee, the words "for our use, etc." to "twenty-one years" should be
 享用該利益,.....等,」起至「二十一歲時為止」之字樣
 omitted.]
 刪去。]

NO. 15.
 表格第十五款
 Surety's Guarantee.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
 遺囑檢定裁判權
 保證人所簽保證書

IN THE ESTATE of
 關於死者

 deceased.
 之遺產事。

WHEREAS (1) of (2)
 茲因 (一)前居於 者(二)
 died on the day of 19.....
 已於一九 年 月 日逝世,而
 and [and] (3)
 [及](三)

(hereinafter called "the administrator(s)") is/are (4) the intended adminis-
 (下文稱「管理人」)擬成為其遺產之
 trator(s) of his estate:
 管理人:

NOW THEREFORE:
 為此,

1. I/we (4) of
 一、本人/余等(四) 即現居於 者
 [and of] (5) hereby
 [及 即現居於 者](五)茲特
 [jointly and severally] (6) guarantee that I/we (4) will, when lawfully
 [以連帶責任](六)保證本人/余等(四)定當隨時
 required to do so (7) make good any loss which any person interested in
 依照合法之規定(七)向在死者遺產管理方面
 the administration of the estate of the deceased may suffer in consequence
 享有權益之任何人士賠償其因管理人違反職
 of the breach by the administrator(s) of his/her/their (4) duty—
 責而致蒙受之任何損失,按管理人之職責為—

(a) to collect and get in the estate of the deceased and administer it
 (甲)收集死者之遺產,依照法律規定而加以
 according to law and, in particular, to pay the debts of the
 管理,尤其須按照法律所規定優先次序
 deceased according to the priorities required by law and, so far
 而清償死者之債務,並盡可能按照比例
 as possible having regard to those priorities, proportionately;
 顧及該等優先次序;

- (1) Full name of deceased.
 (一)死者全名。
- (2) Address of deceased.
 (二)死者地址。
- (3) Full name(s) and address(es) and description(s) of proposed administrator(s).
 (三)擬成為遺產管理人之人或各人士之姓名、地址及身份。
- (4) Delete whichever is inapplicable.
 (四)將不適用者刪去。
- (5) Full name(s), address(es) and description(s) of surety(ies).
 (五)保證人或各保證人之全名、地址及身份。
- (6) Delete if only one surety.
 (六)如祇有一名保證人時,則將此處刪去。
- (7) An action on the guarantee may only be brought with the leave of the court.
 (七)根據此保證書所提出之訴訟須得法院之批准。

(b) when required to do so by the court, to exhibit on oath in the court a full inventory of the estate and, when so required, to render an account of the estate; or
(乙) 隨時依照法院之規定，將遺產開列完整清單，在法院宣誓證實，並隨時依照規定提出有關該遺產之報告；及

(c) when so required by the court, to deliver up the grant to the court.
(丙) 隨時依照法院之規定，將遺產管理權交還法院。

II. The giving of time to the administrator(s) or any other forbearance or indulgence shall not in any way affect my/our (4) liability under this guarantee.
二、至於對管理人給予時間寬限或任何其他寬容或寬縱，均不影響本人/余等(四)根據此保證書所應負之責任。

III. The liability under this guarantee shall be continuing and shall be for the whole amount of the loss mentioned in paragraph I above, but [my] [our aggregate] (4) total liability shall not in any event exceed the sum of \$ (8).
三、此保證書所規定負擔之責任乃屬持續性及.....，並對上文第一段所述之損失總額負責，惟[本人]/[余等合共](四)所負擔之全部責任無論在任何情形下亦並不超過.....元(八)。

Dated this day of, 19.....

日期：一九.....年.....月.....日

Signed, sealed and delivered by the abovenamed
本保證書係由上述.....
in the presence of
在監督官.....

A Commissioner for Oaths.
面前簽立及加蓋封印者。

NO. 16.

表格第十六款

Surety's Guarantee.

On Application for Resealing.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院

遺囑檢定裁判權

申請重行簽蓋證書時由保證人所簽保證書

IN THE ESTATE of

關於死者.....

.....

....., deceased.

之遺產事。

(8) Insert gross value of estate (unless the Registrar has directed otherwise).

(八) 填寫該遺產之總值(除非經署司另有指示)。

WHEREAS (1) of (2)
茲因.....(一)前居於.....者(二)
died on the day of, 19..... and letters of
已於一九.....年.....月.....日逝世而關於
administration of his estate were on the, day of,
其遺產之管理書，已於一九.....年.....月.....
19..... granted by the (3) to

[and] (4) and are about to be resealed in Hong Kong:
[及.....](四)並即將在香港請予重行簽蓋確認：

Now THEREFORE:
為此

1. I/We (5) of
一、本人/余等(五).....即現居於.....者

[and of] (6)
[及.....即現居於.....者](六)

hereby [jointly and severally] (7) guarantee that I/we (5) will, when lawfully required to do so (8), make good any loss which any person interested in the administration of the estate of the deceased in Hong Kong may suffer in consequence of the breach by the administrator(s) of his/her/their (5) duty—
茲特[以連帶責任](七)保證本人/余等(五)定當隨時依照合法之規定(八)向在有關死者所遺下於香港之遺產管理方面享有權益之任何人士賠償其因管理人違反職責而致蒙受之任何損失，按管理人之職責為——

(a) to collect and get in the estate of the deceased which is situated in Hong Kong and administer it according to law and, in particular, to pay those debts of the deceased which fall to be paid in Hong Kong according to the priorities required by law and, so far as possible having regard to those priorities, proportionately; (甲) 收集死者在香港之遺產，依照法律規定而加以管理，尤其須按照法律所規定之優先次序將死者在香港所應清償之債務予以清償，並盡可能按照比例顧及該等優先次序；

(b) when required to do so by the court, to exhibit on oath in the court a full inventory of the estate which is situated in Hong Kong and, when so required to render an account of that estate, to render an account of that estate.
(乙) 隨時依照法院之規定，將死者在香港之遺產開列完整清單在法院宣誓證實，並隨時依照規定提出有關該遺產之報告。

II. The giving of time to the administrator(s) or any other forbearance or indulgence shall not in any way affect my/our (5) liability under this guarantee.
二、至於對管理人給予時間寬限或任何其他寬容或寬縱，均不影響本人/余等(五)根據此保證書所應負之責任。

(1) Full name of deceased.

(一) 死者全名。

(2) Address of deceased.

(二) 死者地址。

(3) Description of court by which grant was issued.

(三) 授給證書之法院名稱。

(4) Full name(s) and address(es) and description(s) of administrator(s).

(四) 管理人或各管理人之全名、地址及身份。

(5) Delete whichever is inapplicable.

(五) 將不適用者刪去。

(6) Full name(s), address(es) and description(s) of surety(ies).

(六) 保證人或各保證人之全名、地址及身份。

(7) Delete if only one surety.

(七) 如祇有一名保證人時，則將此處刪去。

(8) An action on the guarantee may only be brought with the leave of the court.

(八) 根據此保證書而提出之訴訟須得法院之批准。

III. The liability under this guarantee shall be continuing and
 三、此保證書所規定負擔之責任乃屬持續性及
 shall be for the whole amount
 ，並對上文第一段所述之
 of the loss mentioned in paragraph I above, but [my] [our aggregate] ⁽⁹⁾
 損失總額負責，惟[本人]/[余等合共](五)所負擔之
 total liability shall not in any event exceed the sum of \$ ⁽⁹⁾
 全部責任無論在任何情形下亦不超過 元(九)。

(9) Insert gross value of estate in Hong Kong (unless the Registrar has directed otherwise).

(九) 填寫在香港之遺產總值(除非經歷可另有指示)。

Dated this day of, 19.....

日期：一九 年 月 日

Signed, sealed and delivered by the abovenamed
 本保證書係由上述
 in the presence of
 在 監督官

A Commissioner for Oaths.

面前簽立及加蓋封印者。

NO. 17.

表格第十七款

Caveat.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
 遺囑檢定裁判權
 中止遺囑檢定手續申請書

Let no grant be sealed in the estate of
 關於死者

late of, deceased, who died on
 而係前居於 , 及於

the day of, 19....., at,
 一九 年 月 日在

..... without notice to
 逝世者之遺產事，在未先行通知

之前，請勿將其有關之遺囑檢定書或遺產管理書簽蓋發給。

Dated this day of, 19.....

日期：一九 年 月 日

(Signed)

(簽署)

Whose address for service is—

可將文件送達之地址為——

Solicitor for the said

上述 之律師：

NO. 18.

表格第十八款

Warning to Caveator.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
 遺囑檢定裁判權
 向中止遺囑檢定手續申請人而發之警告書

To of
 致 即現居於

a party who has entered a caveat in the estate of
 及曾就死者
 deceased.

之遺產申請中止遺囑檢定手續之當事人。

You are hereby warned within 8 days after service hereof upon you,
 茲特向 台端警告：於本文書送達 台端之
 inclusive of the day of such service, —
 日起計八天之內，——

(1) to enter an appearance either in person or by your solicitor, at
 (一) 台端應親自或由律師代表向香
 the Registry of the Supreme Court, Hong Kong, setting forth
 港高等法院登記處呈遞到案
 what interest you have in the estate of the abovenamed
 書，說明 台端在上述死者

..... of
 ，即前居於 者，

deceased contrary to that of the party at whose instance this
 之遺產所享之權益，有何者與該請求發給此警告書之當事人在此方面之
 warning is issued; or
 權益有所抵觸；或

(2) if you have no contrary interest but wish to show cause against
 (二) 如 台端並無任何相抵觸之權益，但欲提出理由反對將遺
 the sealing of a grant to such party, to issue and serve a summons
 囑檢定書或遺產管理書簽蓋發給該當事人者， 台端應
 for directions by a Registrar of the said Registry.
 發給及送達傳票，請求上述登記處之經歷司給予指示。

And take notice that in default of your so doing the court may proceed
 台端並應注意：如不照此辦理者，則縱使已申請中止遺囑檢
 to issue a grant of probate or administration in the said estate notwith-
 定手續，惟法院仍可進行發給關於上述遺產之遺囑檢定書或遺
 standing your caveat.
 產管理書。

Dated the day of, 19.....

日期：一九 年 月 日

Registrar.

經歷司。

Issued at the instance of
此警告書係應下開人士之請求而發給者：

[Here set out the name and interest (including the date of the will, (此處列明提出警告之當事人姓名及其權益(如係根據遺囑 if any, under which the interest arises) of the party warning, the name of his 享有權益者, 則列明遺囑之日期), 其代表律師之姓名及可將 solicitor and the address for service. If the party warning is acting in 文件送達之地址。如提出警告之當事人係本人親自進行者, 必 person, this must be stated.) 須予以註明。]

NO. 19.
表格第十九款

Appearance to Warning or Citation.

IN THE SUPREME COURT OF HONG KONG.

PROBATE JURISDICTION.

香港高等法院
遺囑檢定裁判權

受警告或傳召後而呈遞之到案書

Caveat No. dated the day of 19.....
中止遺囑檢定手續申請書編號, 日期: 一九 年 月 日

Citation dated the day of 19.....
傳召書日期: 一九 年 月 日

Full name and address of deceased:
死者全名及地址:

Full name and address of person warning [or citor]:
提出警告(或提出傳召)人之全名及地址:

Full name and address of caveator [or person cited]:
提出中止遺囑檢定手續申請人(或被傳召人)之全名及地址:

Enter an appearance for the abovenamed caveator [or person cited] in
茲特為上述提出中止遺囑檢定手續申請人(或被傳召人)呈遞關於此事
this matter.
之到案書。

Dated the day of 19.....
日期: 一九 年 月 日

(Signed)
(簽署)

Whose address for service is—
可將文件送達之地址為——

Solicitor (or, "In person").
律師(或,「本人」)。

Dated this 6th day of September 1971.

Chief Justice

Explanatory Note.

(This Note is not part of the rules, but is intended
to indicate their general purport).

These rules provide for the procedure to be followed in applications
for a grant of probate or letters of administration and follow closely the
English Non-Contentious Probate Rules 1954 differing only where the
circumstances of Hong Kong require.

一九七一年遺囑檢定暨遺產管理條例
(即香港法例一九七一年第二十六條)
一九七一年非訴訟性遺囑檢定規則

註釋

(本文並非該規則之任何部份, 而祇係以簡述該規則之大意為目的)。

本規則規定在申請授給遺囑檢定書或遺產管理書時所應循之程序, 其條文係參
照英國一九五四年非訴訟性遺囑檢定規則而制訂, 祇係因香港環境需要而加以變通
時始有不同。

SUPREME COURT ORDINANCE.

(Chapter 4).

**THE RULES OF THE SUPREME COURT
(AMENDMENT) (NO. 2) RULES 1971.**

We, the Rules Committee of the Supreme Court, being the Authority having for the time being power under section 38 of the Supreme Court Ordinance to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Hong Kong, hereby exercise those powers as follows:—

- | | |
|--|--|
| <p>1. These rules may be cited as the Rules of the Supreme Court (Amendment) (No. 2) Rules 1971.</p> | Citation. |
| <p>2. Order 12, rule 7 of the principal rules is amended in paragraph (1) by deleting "the Registrar".</p> | Amendment of O. 12.
(Cap. 4, sub. leg.) |
| <p>3. Order 13, rule 1 of the principal rules is amended in paragraph (1) by deleting "Registrar" and substituting "Court".</p> | Amendment of O. 13. |
| <p>4. Order 32 of the principal rules is amended—</p> <p>(a) by deleting the heading "POWERS OF THE REGISTRAR" and substituting "POWERS OF THE REGISTRAR, JUDGES AND THE COURT"; and</p> <p>(b) by deleting rule 11 and substituting the following—</p> <p style="margin-left: 40px;">"11. (1) The Registrar shall have power to transact all such business and exercise all such authority and jurisdiction as under the Ordinance or these rules may be transacted and exercised by a judge in chambers except in respect of the following matters and proceedings, that is to say—</p> <p style="margin-left: 80px;">(a) matters relating to criminal proceedings;</p> <p style="margin-left: 80px;">(b) matters relating to the liberty of the subject;</p> <p style="margin-left: 80px;">(d) subject to paragraph (2), proceedings for the grant of an injunction or other order under Order 29.</p> <p style="margin-left: 80px;">(f) any other matter or proceeding which by any of these rules is required to be heard only by a judge.</p> | Amendment of O. 32. |

(2) The Registrar shall have power to grant an injunction in the terms agreed by the parties to the proceedings in which the injunction is sought."

Dated this 13th day of September 1971.

IVO RIGBY,
Chief Justice.

G. G. BRIGGS,
Puisne Judge.

ALAN HUGGINS,
Puisne Judge.

A. M. McMULLIN,
Puisne Judge.

W. F. PICKERING,
Puisne Judge.

P. F. X. LEONARD,
Puisne Judge.

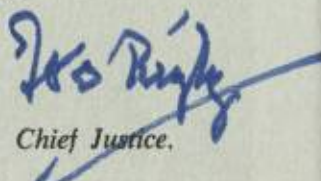
SIMON LI,
Puisne Judge.

JOHN SWAINE,
Member.

G. SINCLAIR STEVENSON,
Member.

Pursuant to section 38(6)(d) of the Supreme Court Ordinance I hereby certify that the foregoing rules have been made by the requisite quorum of the Rules Committee under and by virtue of section 38(6) of that Ordinance.

Dated this 13th day of September 1971.


Chief Justice.

Explanatory Note.

(This Note is not part of the rules, but is intended to indicate their general purport).

These rules will enable Registrars to deal with a number of cases heard in chambers which now have to be dealt with by Judges.

高等法院條例（即香港法例第四章）
一九七一年高等法院規則修訂（第二號）規則

註 釋

（本文並非該規則之任何部份，而祇係以簡述該規則之大意為目的）。
本規則旨在規定現時需由法官在內庭審訊之若干案件，可由經歷可處理。

EDUCATION REGULATIONS 1971.

CORRIGENDUM.

It is hereby notified that the Education Regulations 1971, published as Legal Notice No. 104 of 1971, are corrected—

- (a) in paragraph (a) of the Warning in Form 4, by substituting "(h)" for "(k)"; and
- (b) in paragraph (a) of the Warning in Form 8, by substituting "(g)" for "(j)".

EDUCATION ORDINANCE 1971.

(No. 52 of 1971).

EDUCATION ORDINANCE 1971 (COMMENCEMENT)

(NO. 2) NOTICE 1971.

In exercise of the powers conferred by section 1 of the Education Ordinance 1971, the Governor hereby appoints the 30th day of September 1971 as the day on which all sections, other than sections 9(3), 73, 74, 75, 76, 77, 78 and 84, of the said Ordinance shall come into operation.

By Command,

Mugh Anwarul Karim

Colonial Secretary.

17th September 1971.

EDUCATION REGULATIONS 1971.

**EDUCATION REGULATIONS 1971 (COMMENCEMENT)
NOTICE 1971.**

In exercise of the powers conferred by regulation 1 of the Education Regulations 1971, the Governor hereby appoints the 30th day of September 1971 as the day on which the said Regulations shall come into operation.

By Command,



Ngai Man-wai

Colonial Secretary.

17th September 1971.

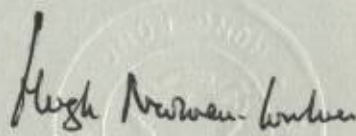


EDUCATION (EXEMPTION) (AMENDMENT) ORDER 1971.

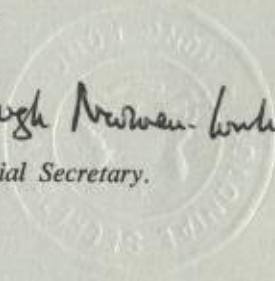
**EDUCATION (EXEMPTION) (AMENDMENT) ORDER 1971
(COMMENCEMENT) NOTICE 1971.**

In exercise of the powers conferred by paragraph 1 of the Education (Exemption) (Amendment) Order 1971, the Governor hereby appoints the 30th day of September 1971 as the day on which the said Order shall come into operation.

By Command,



Colonial Secretary.



17th September 1971.



NON-CONTENTIOUS PROBATE RULES 1971.

CORRIGENDUM.

It is hereby notified that the Non-Contentious Probate Rules 1971, published as Legal Notice No. 113 of 1971, are corrected by deleting—

“Dated this day of, 1971.

.....
Chief Justice.”

at the end of the Rules and substituting the following—

“Dated this 6th day of September 1971.

Ivo RIGBY,
Chief Justice.”

FIRE SERVICES ORDINANCE.

(Chapter 95).

FIRE SERVICE (INSTALLATIONS AND EQUIPMENT) REGULATIONS 1971.

In exercise of the powers conferred by section 25 of the Fire Services Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Fire Service (Installations and Equipment) Regulations 1971 and shall come into operation on the day appointed for the commencement of the Fire Services (Amendment) Ordinance 1971.

Citation and commencement.

2. In these regulations, unless the context otherwise requires—

Interpretation.

“equipment list” means the list kept under regulation 4;

“portable equipment” means any fire service equipment which is manufactured, used or designed to be used as an independent unit for the purpose of extinguishing, attacking, preventing or limiting a fire;

“registered contractor” means a person whose name appears in the register of registered contractors kept under the Fire Service (Installation Contractors) Regulations 1971.

3. (1) The Director may from time to time approve for sale or supply any type of portable equipment.

Approval of portable equipment.

(2) Any person aggrieved by any decision of the Director under paragraph (1) may, within fourteen days after the date when such decision has come to that person’s notice, appeal by way of petition to the Governor who may confirm, vary or reverse the decision.

(3) The decision of the Governor on the appeal shall be final.

4. (1) The Director shall cause a list to be kept of portable equipment approved by him under regulation 3.

List to be kept of approved portable equipment.

(2) A list of portable equipment approved by the Director shall—

(a) be published in the Gazette at least once in every year; and

(b) be made available for inspection by any person at all reasonable times free of charge at the offices of the Fire Services Department and at each fire station in Hong Kong.

Prohibition on sale of certain portable equipment.

5. No person shall sell or supply any portable equipment which is not included in the equipment list.

Installation of fire service installations of equipment.

6. (1) Subject to paragraph (2), no fire service installation or equipment shall be installed in any premises by any person other than a registered contractor.

(2) Paragraph (1) shall not apply to any portable equipment which is not required by law to be installed in any premises.

Maintenance or repair of fire service installations or equipment.

7. (1) Subject to paragraph (2), no person other than a registered contractor shall maintain or repair any fire service installation or equipment which is installed in any premises.

(2) Paragraph (1) shall not apply to any portable equipment which is not required by law to be installed in any premises.

Duty of owners of fire service installations or equipment.

8. The owner of any fire service installation or equipment which is installed in any premises shall—

- (a) keep such fire service installation or equipment in efficient working order at all times; and
- (b) have such fire service installation or equipment inspected by a registered contractor at least once in every twelve months.

Issue of certificates by registered contractors.

9. (1) Whenever a registered contractor installs, maintains, repairs or inspects any fire service installation or equipment in any premises, he shall within fourteen days after completion of the work issue to the person on whose instructions the work was undertaken a certificate and forward a copy thereof to the Director.

(2) A certificate issued under paragraph (1) shall state—

- (a) the address of the premises in which the work was carried out;
- (b) a description of the fire service installation or equipment concerned;
- (c) the nature of the work carried out; and
- (d) whether or not the fire service installation or equipment is in efficient working order.

(3) Any registered contractor who—

- (a) contravenes paragraph (1); or

(b) issues or forwards a certificate thereunder, or a copy thereof, which he knows is false or misleading,

shall be guilty of an offence and shall be liable on conviction to a fine of two thousand dollars and to imprisonment for six months.

10. (1) The Director may, by notice in the *Gazette*, prescribe a Code of Practice which shall govern the inspection and testing of fire service equipment.

Standard of inspection.

(2) Any fire service installation or equipment shall be deemed to be in efficient working order if it complies with the requirements specified by the Director in the Code of Practice prescribed under paragraph (1).

(3) The Code of Practice prescribed under paragraph (1) shall—

- (a) be published in the *Gazette* at least once in every year and
- (b) be made available for inspection by any person at all reasonable times free of charge at the offices of the Fire Services Department and at each fire station in Hong Kong.

11. The Director may authorize the Deputy Director or a Chief Fire Officer to exercise any of the powers or duties conferred or imposed on him by these regulations.

Delegation of powers.

12. Any person who contravenes any of the provisions of regulation 5, 6, 7 or 8 shall be guilty of an offence and shall be liable on conviction to a fine of two thousand dollars.

Penalty.

J. A. Hammond

Clerk of Councils.

COUNCIL CHAMBER,

28th September 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations control the sale, supply, installation, repair, maintenance and inspection of fire service installations and equipment.

Regulation 3 enables the Director to approve portable equipment and provides for an appeal against his decision to be made to the Governor, and regulation 4 provides for the keeping of a list of approved portable equipment.

Regulation 5 prohibits the sale or supply of any portable equipment which is not approved by the Director.

Regulation 6 provides that only registered contractors may install fire service installations or equipment, required by law, in any premises, while regulation 7 applies the same conditions to maintenance and repair.

Regulation 8 imposes an obligation on the owner of any fire service installation or equipment which is installed in any premises to keep such installation or equipment in efficient working order and to have it inspected by a registered contractor at least once in every twelve months.

Regulation 9 makes it obligatory for a registered contractor who installs, maintains, repairs or inspects any fire service installation or equipment in any premises, to issue a certificate to the person at whose instructions the work was undertaken, and prescribes the penalty for contravention of this regulation.

Regulation 10 provides for a Code of Practice, which is to be the standard of inspection.

Regulation 11 provides that the Director may only delegate his powers under the regulations to the Deputy Director or a Chief Fire Officer.

Regulation 12 prescribes the penalty for contravention of any of the provisions of regulation 5, 6, 7 or 8.

消防事務條例（即香港法例第九十五章） 一九七一年消防事務（裝置及設備）規例

註釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。

本規例對消防裝置及設備之售賣，供應，安裝，修理，保養及檢驗事宜加以管制。

規例第三款授權消防事務處處長對手提設備加以認可及規定凡不服處長之決定者可向總督上訴。規例第四款規定設置名單，列明各種經認可之手提設備。

規例第五款禁止售賣或供應未經該處長認可之任何手提設備。

規例第六款規定祇准由註冊承辦商將法律所規定之消防裝置或設備安裝在樓宇內。規例第七款則將相同規條引用於保養及修理方面。

規例第八款規定凡安裝在樓宇內之消防裝置或設備，其物主必須負責使該等裝置或設備保持良好效能及每十二個月須聘請註冊承辦商最少檢驗一次。

規例第九款規定註冊承辦商於安裝，保養，修理或檢驗在樓宇內之消防裝置或設備後必須發給證明書予聘請其承辦該項工程之人士。該款復規定對違犯此規例者之處罰。

規例第十款訂定檢驗程序法，作為檢驗時之標準。

規例第十一款規定消防事務處處長祇可將本規例所授予之權力轉授副處長或消防總長。

規例第十二款規定對違犯規例第五，第六，第七或第八各款之規定者所施之處罰。

FIRE SERVICES ORDINANCE.

(Chapter 95).

FIRE SERVICE (INSTALLATION CONTRACTORS) REGULATION 1971.

In exercise of the powers conferred by section 25 of the Fire Services Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Fire Service (Installation Contractors) Regulations 1971 and shall come into operation on the day appointed for the commencement of the Fire Services (Amendment) Ordinance 1971.

Citation and commencement.

2. In these regulations, unless the context otherwise requires—

Interpretation.

“class” means a class specified in regulation 4;

“portable equipment” means any fire service equipment which is manufactured, used or designed to be used as an independent unit for the purpose of extinguishing, attacking, preventing or limiting a fire;

“register” means the register kept under regulation 5;

“registered contractor” means a person whose name appears in the register.

3. (1) Any person holding the qualifications specified in regulation 4 who desires to be registered as a fire service installation contractor may apply to the Director in the form in the Schedule.

Application to be a registered contractor.

Schedule.

(2) As soon as may be after the receipt of an application under paragraph (1), the Director shall determine, by examining the applicant or by such other means as the Director may decide, if the applicant is fit to be a registered contractor in any class.

4. (1) The classes of registered contractors shall be—

Class 1: Persons who are fit to install, maintain, repair and inspect any fire service installation or equipment (other than portable equipment) which contains an electrical circuit or other apparatus for the detection and warning, by alarm or otherwise, of smoke or fire.

Classes of registered contractors and minimum qualifications for registration.

Class 2: Persons who are fit to install, maintain, repair and inspect any fire service installation or equipment (other than portable equipment) which contains—

- (a) pipes and fittings designed or adapted to carry water or some other fire extinguishing medium; or
- (b) any type of electrical apparatus.

Class 3: Persons who are fit to maintain, repair and inspect portable equipment.

(2) An applicant for registration in class 1 shall produce evidence to the Director that he or a member of his staff—

- (a) is registered as a wiring contractor with a company supplying electricity in Hong Kong; and
- (b) holds a degree in electrical engineering or a qualification recognized as equivalent to a degree by any engineers association or institution recognized by the Director; and
- (c) is the manufacturer or designer of an electrical circuit or other apparatus, recognized by the Director, for the detection by alarm or otherwise of smoke or fire; or
- (d) is an authorized agent for a manufacturer of the type of apparatus specified in paragraph (c).

(3) An applicant for registration in class 2 shall produce evidence to the Director that he or a member of his staff is—

- (a) a licensed plumber under the Waterworks Ordinance; and
- (b) registered as a wiring contractor with a company supplying electricity in Hong Kong.

(4) An applicant for registration in class 3 shall satisfy the Director at an interview that his knowledge of the function and maintenance of portable equipment is adequate.

5. (1) The Director shall cause a register to be kept of all persons whom he has determined under regulation 3(2) to be fit to be registered contractors.

(2) The class of each registered contractor and his full name and address shall be entered in the register.

- (3) The Director may amend any entry in the register.
- (4) The register shall—
 - (a) be published in the *Gazette* at least once in every year; and

(Cap. 102.)

Register.

(b) be made available for inspection by any person free of charge at all reasonable times at the offices of the Fire Services Department and at every fire station in Hong Kong.

6. (1) Any person aggrieved by any determination or decision of the Director under regulation 3(2) or 5(3) may, within fourteen days after the date when such determination or decision has come to that person's notice, appeal by way of petition to the Governor who may confirm, vary or reverse the determination or decision.

(2) The decision of the Governor on the appeal shall be final.

7. Any registered contractor, registered by virtue of the qualifications of an employee, who terminates the employment of such employee shall, within fourteen days from the termination of such employment notify the Director in writing accordingly.

8. The Director shall remove from the register the name of any registered contractor—

- (a) who dies;
- (b) who ceases, for any reason, to be a fire service installation contractor; or
- (c) in compliance with an order made by the disciplinary board under regulation 10(2).

9. (1) The Governor may appoint a disciplinary board which shall inquire into and deal with any matters referred to it under regulation 10(1).

(2) The disciplinary board shall consist of—

- (a) a member of the committee of the Fire Insurance Association of Hong Kong nominated by that Association;
- (b) a public officer nominated by the Building Authority;
- (c) a public officer nominated by the Water Authority;
- (d) a registered contractor nominated by the Director;
- (e) the Director or his representative; and
- (f) a legal adviser appointed by the Director.

(3) The Governor may appoint one of the persons specified in paragraph (2) as chairman of the disciplinary board, and the legal adviser shall conduct the proceedings under the direction of the chairman.

Appeal against decision of Director.

Registered contractor to notify Director of the termination of employment of a qualified employee.

Removal of name from register.

Appointment of disciplinary board.

Disciplinary proceedings.

10. (1) If it appears to the Director that a registered contractor has been convicted by any court of such an offence, or has been guilty of such improper conduct or negligence in the installation, maintenance, repair or inspection of any fire service installation or equipment, as to—

- (a) render him unfit to be on the register; or
- (b) make his continued inclusion in the register prejudicial to the due administration of the Ordinance,

the Director may refer the matter to the disciplinary board.

(2) If, after due inquiry, the disciplinary board is satisfied that a registered contractor has been convicted of an offence or has been guilty of improper conduct or negligence, of the kind mentioned in paragraph (1), the disciplinary board may order—

- (a) that the name of the registered contractor be removed, either permanently or for such period as it thinks appropriate, from the register;
- (b) that the registered contractor be reprimanded; or
- (c) that the class of the registered contractor be varied in such manner as it thinks fit.

(3) Subject to paragraph (4), the Director shall comply with any order made under paragraph (2) and shall record the order in the register.

(4) The Director shall not take any action in compliance with an order made under paragraph (2)—

- (a) if an appeal is lodged under regulation 12(1), until the appeal is disposed of; or
- (b) until the time within which an appeal may be lodged under regulation 12(2) has expired.

Powers of disciplinary board.

11. (1) For the purposes of an inquiry the disciplinary board shall have the following powers—

- (a) to hear and examine witnesses on oath;
- (b) to summon any person to attend any hearing of the disciplinary board to give evidence or produce any document or other thing in his possession and to examine him as a witness or require him to produce any document or other thing in his possession subject to all just exceptions;
- (c) to order the inspection of premises in which any fire service installation or equipment has been installed, maintained, repaired or inspected; or

(d) to enter upon and view such premises.

(2) A witness summons shall be in such form as the chairman of the disciplinary board shall direct and shall be signed by the chairman.

(3) Any person who being summoned to attend as a witness or to produce any document or any other thing at a hearing of the disciplinary board refuses or neglects to do so or to answer any questions put to him by or with the concurrence of the disciplinary board shall be guilty of an offence and shall be liable on conviction to a fine of five hundred dollars and to imprisonment for three months:

Provided that no person shall be bound to incriminate himself and every witness shall in respect of any evidence given by him before the disciplinary board be entitled to the same privileges to which he would be entitled if giving evidence in civil proceedings before the Supreme Court.

(4) Any person who behaves in an insulting manner or uses any threatening or insulting expression to or in the presence of the disciplinary board shall be guilty of an offence and shall be liable on conviction to a fine of five hundred dollars and to imprisonment for three months.

12. (1) A registered contractor who is aggrieved by an order made in respect of him by a disciplinary board under regulation 10(2) may appeal to the Supreme Court which may confirm, reverse or vary the order of the disciplinary board, and may exercise any power which the board might have exercised.

Appeal from disciplinary board.

(2) Notice of an appeal under paragraph (1) shall be given by the registered contractor within thirty days from the date on which the order of the disciplinary board is served upon him.

(3) Save as otherwise provided in these regulations, the practice in relation to an appeal under this regulation shall be subject to any rules of court made under the Supreme Court Ordinance.

(Cap. 4.)

(4) The decision of the Supreme Court on the appeal shall be final.

13. Any person who contravenes regulation 7 shall be guilty of an offence.

Contravention of regulation 7 an offence.

14. A registered contractor who undertakes any work in connexion with fire service installations or equipment, except work of the class in respect of which his name is entered in the register, shall be guilty of an offence.

Registered contractor undertaking work outside his class.

Delegation
of powers.

15. The Director may authorize the Deputy Director or a Chief Fire Officer to exercise any of the powers or duties conferred or imposed on him by these regulations.

Penalties.

16. Any person guilty of an offence under regulation 13 or 14 shall be liable on conviction to a fine of two thousand dollars.

SCHEDULE. [reg. 3(1).]

FIRE SERVICE (INSTALLATION CONTRACTORS)
REGULATIONS 1971.

一九七一年消防事務(裝置承辦商)規例

(Regulation 3(1)).
(規例第三款第一(一)段)

APPLICATION.

For Registration as a Fire Service Installation Contractor.
消防裝置承辦商註冊申請書

To: The Director of Fire Services.
消防事務處處長鈞鑒:

I hereby make application to be registered as a Fire Service Installation Contractor.
逕啟者，本人茲申請註冊為消防裝置承辦商。

1. Registered name of company or firm
一、公司或商號之註冊名稱：
2. Registered address of company or firm
二、公司或商號之註冊地址：
3. Qualifications and experience of applicant
三、申請人在安裝、保養、修理及檢驗消防裝置及設備方面所具備之技術人員之姓名和在此方面
and/or names, qualifications and experience of technical staff in installation, maintenance, repair and inspection of fire service installations and equipment. 備之資歷與經驗，及／或其屬
所具備之資歷與經驗：.....
4. I request to be registered under—
四、本人請求註冊為下開等級之承辦商：—

* Class 1
第一級

Class 2
第二級

Class 3
第三級

.....
Signature of applicant.
申請人簽署

Date
日期

* See regulation 4 and indicate in the square the class under which registration is requested.
請參閱規例第四款；並在方格內指明所請求註冊之等級。

J.A. Hammond
Clerk of Councils.

COUNCIL CHAMBER,
28th September 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations provide for the registration and control of fire service installation contractors.

Regulation 3 provides for the form of an application to be a registered contractor and empowers the Director to determine fitness for registration.

Regulation 4 specifies the classes and minimum qualifications of registered contractors and regulation 5 provides for a register of registered contractors to be kept.

Regulation 6 provides for an appeal to the Governor by way of petition against the decision of the Director under regulation 3(2) or 5(3).

Regulation 7 provides that a registered contractor registered by virtue of the qualifications of an employee shall notify the Director of the termination of the employment of such employee within fourteen days of termination.

Regulation 8 prescribes the circumstances in which the Director may remove the name of any person from the register.

Regulation 9 provides for the appointment and constitution of a disciplinary board. Regulation 10 prescribes the circumstances in which the Director may refer a matter to a disciplinary board and sets out the orders which a board may make. The Director is obliged to comply with any such order, subject to the outcome of an appeal, if any. Regulation 11 prescribes the powers of a disciplinary board for the purposes of an inquiry.

Regulation 12 gives a registered contractor a right to appeal to the Supreme Court against any order made under regulation 10.

Regulation 13 makes it an offence to contravene regulation 7, and regulation 14 makes it an offence for a registered contractor to undertake fire service installation or equipment work outside his class. Regulation 15 provides that the Director may only delegate his powers under the regulations to the Deputy Director or a Chief Fire Officer. Regulation 16 prescribes the penalty for contravening the provisions of regulation 13 or 14.

消防事務條例（即香港法例第九十五章）
一九七一年消防事務（裝置承辦商）規例

註釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。

本規例對消防裝置承辦商之註冊及管制事宜加以規定。

第三款對用以申請註冊為承辦商之表格加以規定，並授權消防事務處處長決定申請人是否適合註冊。

第四款規定註冊承辦商之等級及各級最低限度之資格，第五款則規定設置註冊承辦商之登記冊。

根據第六款之規定，任何人士，如不服處長根據規例第三款第（二）段或第五款第（三）段所作之決定者，均可以請願方式向總督上訴。

第七款規定：凡根據其僱員之資歷而獲准註冊之註冊承辦商，如遇該僱員解僱時，必須於解僱之日起十四天內通知處長。

第八款規定在何種情形下處長得將任何人士從登記冊內除名。

第九款規定委任一紀律委員會，並規定其組織成員。第十款規定在何種情形下處長得將事件提交紀律委員會處理，並開列該委員會可發出之各項命令。處長必須遵行該等命令，但如有人提出上訴時，則以上訴之結果為準。第十一款規定紀律委員會在調查方面之權力。

第十二款規定：註冊承辦商，如不服任何根據第十款所發之命令者，有權向高等法院提出上訴。

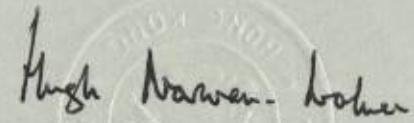
第十三款規定，凡違反第七款之規定者均屬違法；第十四款規定：註冊承辦商如其所承接有關消防裝置或設備之工程係在其等級之範圍以外者，即屬違法。第十五款規定消防事務處處長祇可將本規例所授予之權力轉授副處長或消防總長。第十六款規定違反規例第十三或第十四款者所受之處罰。

INTESTATES' ESTATES ORDINANCE 1971.
(No. 1 of 1971).

INTESTATES' ESTATES ORDINANCE 1971
(COMMENCEMENT) NOTICE 1971.

In exercise of the powers conferred by section 1 of the Intestates' Estates Ordinance 1971, the Governor hereby appoints the 7th October 1971 as the day on which the said Ordinance shall come into operation.

By Command,


Colonial Secretary.

27th September 1971.



MARRIAGE REFORM ORDINANCE.

(Chapter 178).

MARRIAGE REFORM REGULATIONS 1971.

In exercise of the powers conferred by section 24 of the Marriage Reform Ordinance, the Governor has made the following regulations—

1. These regulations may be cited as the Marriage Reform Regulations 1971.

Citation.

2. (1) Every notice of intention to dissolve a marriage under section 16(1) of the Ordinance shall be given at the office of a designated public officer.

Notices to be given at office of designated public officer.

(2) Every notice of cancellation under section 16(2) of the Ordinance shall be given to, and at the office of, the designated public officer to whom the notice of intention to dissolve a marriage has been given.

3. A designated public officer shall—

Exhibition of notice and entry of notice in dissolution of marriage notice book.

(a) exhibit at his office one copy of every notice given under section 16(1) of the Ordinance until either a notice of cancellation is given or the marriage in question is dissolved;

(b) enter one copy of every notice given under section 16 of the Ordinance, with the date of such entry, in a book to be called the dissolution of marriage notice book; and

(c) allow any person to inspect such book during office hours without fee.

By Command

Colonial Secretary (Acting).

23rd September 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations provide for the manner in which notices under section 16 of the principal Ordinance shall be given and exhibited.

修訂婚姻制度條例（即香港法例第一七八章）
一九七一年修訂婚姻制度規例

註 釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。
本規例對於原有條例第十六款所規定之通知書送交及張貼之方式，加以規定。



MARRIAGE REFORM ORDINANCE.

(Chapter 178).

MARRIAGE REFORM (FEES) (AMENDMENT)
REGULATIONS 1971.

In exercise of the powers conferred by section 24 of the Marriage Reform Ordinance and section 28 of the Interpretation and General Clauses Ordinance, the Governor has made the following regulations—

1. These regulations may be cited as the Marriage Reform (Fees) (Amendment) Regulations 1971.
2. The Schedule to the principal regulations is amended by inserting after item 5 the following new items—

"6. Filing of Notice of Intention to dissolve a Marriage under section 16(1) of the Marriage Reform Ordinance	\$ 5
7. Filing of Notice of Cancellation of a Notice of Intention to dissolve a Marriage under section 16(2) of the Marriage Reform Ordinance	\$ 5
8. Statement of Designated Public Officer under section 17(2) of the Marriage Reform Ordinance, in duplicate	\$50".

Citation.

Amendment of
Schedule.
(Cap. 178, sub. leg.)

By Command,

Colonial Secretary (Acting).

23rd September 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations amend the principal regulations so as to enable fees to be charged under sections 16 and 17 of the Ordinance.

修訂婚姻制度條例（即香港法例第一七八章）
一九七一年修訂婚姻制度（費用）（修訂）規例

註 釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。
本規例將原有規例修訂，以便可根據條例第十六及第十七款收取各項費用。



MARRIAGE REFORM ORDINANCE.

(Chapter 178).

MARRIAGE REFORM (FORMS) (AMENDMENT) REGULATIONS 1971.

In exercise of the powers conferred by section 24 of the Marriage Reform Ordinance, the Governor has made the following regulations—

1. These regulations may be cited as the Marriage Reform (Forms) (Amendment) Regulations 1971. Citation.

2. The Schedule to the principal regulations is amended by inserting after Form 7 the following new forms— Amendment of Schedule. (Cap. 178, sub. leg.)

"FORM 8.
表格第八款



MARRIAGE REFORM ORDINANCE.

修訂婚姻制度條例

SECTION 16(1).

第十六款第(一)段

Notice of Intention to dissolve a Marriage.

擬解除婚姻通知書

No. of 19.....
編號 年份：一九

To:, a designated public officer.

In *the Headquarters of the Secretariat for Home Affairs/
the Headquarters of the New Territories Administration/
the District Office.

*民政司署總辦事處 } 指定主管人員
新界民政署總辦事處 }
理民府。 }

..... 鑒：

We, the parties to a *customary/validated marriage particulars
逕啟者：余等乃締結*舊式婚姻/有效之新式婚姻之
of which are given below, hereby give you notice in accordance with
男女雙方，其有關情形詳載下文，茲特依照修訂婚姻制
section 16(1) of the Marriage Reform Ordinance of our intention to dis-
度條例第十六款第(一)段向 台端通知：余等擬依照該
solve our marriage in accordance with Part V of the Ordinance.
條例第五部之規定將余等之婚姻解除。

2. Our marriage, which took place on the day of
 二、該婚姻係於 一九 年 月 日
 19....., has been registered in accordance with
 舉行，並已依照該條例第四部
 Part IV of the Ordinance and was subsisting on the appointed day
 之規定而註冊，且在指定日期（即一九七一年十月七
 (7.10.1971). A copy of the certificate of marriage (issued under section 9
 日）仍然存在。茲將婚姻證明書（根據該條例第九款發
 of the Ordinance) is attached.
 給者）附呈。

3. *Both of us have [One of us, namely has]
 三、*余等兩人均[余等其中一人，即]
 a substantial connexion with Hong Kong.
 係與香港有實際關係。

Dated this day of, 19.....
 日期： 一九 年 月 日

.....
 (Signature of husband).
 (丈夫簽署)

Hong Kong Identity Card No.
 香港身份證號碼

Address:
 地址

.....
 (Signature of wife).
 (妻室簽署)

Hong Kong Identity Card No.
 香港身份證號碼

Address:
 地址

Fee: \$5.00
 費用：五元

* Delete whichever is not applicable.
 * 請將不適用者刪去。

FORM 9.
 表格第九款



MARRIAGE REFORM ORDINANCE.

修訂婚姻制度條例

SECTION 16(2).

第十六款第(二)段

Notice of Cancellation of a Notice of Intention to dissolve a Marriage.
 擬解除婚姻通知書撤消通知書

No. of 19.....
 編號 年份：一九

To:, a designated public officer.

In *the Headquarters of the Secretariat for Home Affairs/
 the Headquarters of the New Territories Administration/
 the District Office.

*民政司署總辦事處 } 指定主管人員
 新界民政署總辦事處 }
 理民府。

..... 鑒：

On the day of, 19....., my *husband/
 選啟者：查一九 年 月 日，余與*丈夫/
 wife (state name) and I gave you notice
 妻室（註明姓名）曾依照修訂婚姻
 in accordance with section 16(1) of the Marriage Reform Ordinance of
 制度條例第十六款第(一)段向 台端通知，謂余等擬依照
 our intention to dissolve our *customary/validated marriage in accordance
 該條例第五部之規定將余等之舊式婚姻/有效之新式婚
 with Part V of the Ordinance.
 姻解除。

2. I hereby cancel the abovementioned notice in accordance with
 二、茲特依照該條例第十六款第(二)段將上述通知書
 section 16(2) of the Ordinance.
 撤消。

Dated this day of, 19.....
 日期： 一九 年 月 日

.....
 (Signature of *husband/wife).
 (*丈夫/妻室簽署)

Hong Kong Identity Card No.
香港身份證號碼

Address:
地址

Fee: \$5.00
費用：五元

* Delete whichever is not applicable.
* 請將不適用者刪去。

Note: This notice must be given to the same designated public officer to whom the notice under section 16(1) of the Ordinance was given.

附註：本通知書必須送交前此根據該條例第十六款第(一)段規定之通知書所送交之指定主管人員。

FORM 10.
表格第十款



MARRIAGE REFORM ORDINANCE.
修訂婚姻制度條例

SECTION 17(2).
第十七款第(二)段

Statement of Designated Public Officer.
由指定主管人員發給之聲明書

(WARNING: This is not a Certificate of Dissolution of a Marriage).
(注意：本聲明書並非解除婚姻證明書)

No. of 19.....
編號 年份：一九

On the day of, 19.....,
查一九 年 月 日
..... (husband) and (wife),
(丈夫)及 (妻室)；

who are parties to a *customary/validated marriage, gave me notice in accordance with section 16(1) of the Marriage Reform Ordinance of their intention to dissolve their marriage in accordance with Part V of the Ordinance. The marriage, which took place on the day of 19....., was dissolved in accordance with section 17(2) of the Ordinance. The marriage, which took place on the day of 19....., was dissolved in accordance with section 17(2) of the Ordinance.

....., 19..... has been registered in accordance with Part IV of the Ordinance and was subsisting on the appointed day (7.10.1971). *Both the parties have [One of the parties, namely] a substantial connexion with Hong Kong.

2. I, having interviewed the abovementioned parties in accordance with sections 17 and 18 of the Ordinance, hereby state that I am satisfied that—
二、本人已依照該條例第十七及第十八兩款之規定接見上述男女雙方，特此聲明本人確信——

- (a) the notice of intention to dissolve the marriage was given to me
(甲) 該份擬解除婚姻通知書係由上述男女雙方根據該條例第十六款第(一)段送交本人者，而雙方並無依照第十六款第(二)段發出改變主意之通知；及
- (b) the parties understand that the effect of dissolution is to put an end to the marriage so as to permit them to marry again should either of them so wish; and
(乙) 雙方均明瞭解除婚姻之意義為將婚姻結束，以便任何一方有此意向時均可再婚；及
- (c) the parties freely and voluntarily desire to dissolve the marriage.
(丙) 雙方均係自願及自動將婚姻解除者。

Dated this day of, 19.....
日期：一九 年 月 日。

.....
Designated Public Officer.
指定主管人員簽署

*Headquarters, Secretariat for Home Affairs/
Headquarters, New Territories Administration/
..... District Office.

*民政司署總辦事處
新界民政署總辦事處
理民府。

Fee: \$50.
費用：五十元

* Delete whichever is not applicable.
* 請將不適用者刪去。

Note: (a) This statement is to be signed in duplicate and delivered one copy to each of the parties.

附註：(甲) 本聲明書須簽署一式兩份分交雙方各自收執。

(b) The parties are advised to note carefully the provisions of sections 19 and 20 of the Marriage Reform Ordinance which are reproduced overleaf.

(乙) 男女雙方均須注意背頁所摘錄之修訂婚姻制度條例第十九及第二十兩款之規定。

(Back page).

(背頁)

MARRIAGE REFORM ORDINANCE.

修訂婚姻制度條例

(Chapter 178).

(即香港法例第一七八章)

"Memorandum of dissolution of marriage."
解除婚姻備忘錄

19. (1) The parties to marriage may, within one month of the delivery to them under section 17 of the prescribed forms by a designated public officer, sign, in Hong Kong in the presence of each other and in the presence of two other adult persons who shall also sign as attesting witnesses, an agreement or memorandum in writing for the dissolution of the marriage unequivocally with effect from registration under section 20.

第十九款、(一) 締婚之男女雙方可於指定主管人員根據第十七款將規定之表格分交其收執後之一個月內一同在本港及在兩名成年人面前用書面簽署一份將婚姻解除之清楚書面合約或備忘錄，agreement or memorandum in writing for the dissolution of the marriage unequivocally with effect from registration under section 20.

生效。

(2) An agreement or memorandum for the dissolution of a marriage, signed and witnessed in the manner required by subsection (1), shall have the effect, as from registration under section 20 of dissolving the marriage.

(二) 解除婚姻之書面合約或備忘錄如經依照本款第(一)段所規定之方式予以簽訂及簽署見證後，自根據第二十款予以登記時起，該婚姻即告解除。

Registration of memorandum for dissolution of marriage.
解除婚姻備忘錄之登記

20. The parties to an agreement or memorandum for the dissolution of a marriage signed under and in accordance with section 19 shall, within fourteen days from the date of signature or such longer period as the designated public officer before whom the parties appeared under section 17 may for special reasons in any particular case permit, register, either personally or through their duly authorized agent, particulars of the agreement or memorandum for dissolution of marriage with the designated public officer before whom the parties appeared under section 17; and that officer shall endorse on the agreement or memorandum a record of registration under this section.

第二十款、根據第十九款簽訂解除婚姻合約或備忘錄之男女雙方須於簽署後十四天內或於該名指定主管人員在特別情形下因特殊理由所准許之較長期間內，親自或透過其正正式授權之代理人，將解除婚姻合約 authorized agent, particulars of the agreement or memorandum for dissolution of marriage with the designated public officer before whom the parties appeared under section 17; 登記，該公務人員必須將已根據本款登記之紀錄批註在合約或備忘錄內。

public officer before whom the parties appeared under section 17 may for special reasons in any particular case permit, register, either personally or through their duly authorized agent, particulars of the agreement or memorandum for dissolution of marriage with the designated public officer before whom the parties appeared under section 17; and that officer shall endorse on the agreement or memorandum a record of registration under this section.

內。

By Command



Colonial Secretary (Acting).

23rd September 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations amend the principal regulations by inserting in the Schedule new forms for use under sections 16 and 17 of the Ordinance.

修訂婚姻制度條例(即香港法例第一七八章)
一九七一年修訂婚姻制度(表格)(修訂)規例

註釋

(本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的)。

本規例將原有規例修訂，即在附表內加插新訂表格以應該條例第十六及第十七兩款之需。

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MARRIAGE REFORM ORDINANCE.

(Chapter 178).

DESIGNATION OF PUBLIC OFFICERS.

In exercise of the powers conferred by section 22 of the Marriage Reform Ordinance, the Governor hereby designates the following public officers for the purposes of Part V of the Marriage Reform Ordinance—

Mediation Officer, Headquarters, Secretariat for Home Affairs.
Assistant Mediation Officer, Headquarters, Secretariat for Home Affairs.
City District Officer, City District Office (Central).
Assistant City District Officer (Internal), City District Office (Central).
Assistant City District Officer (External), City District Office (Central).
City District Officer, City District Office (Wan Chai).
Assistant City District Officer (Internal), City District Office (Wan Chai).
Assistant City District Officer (External), City District Office (Wan Chai).
City District Officer, City District Office (Eastern).
Assistant City District Officer (Internal), City District Office (Eastern).
Assistant City District Officer (External), City District Office (Eastern).
City District Officer, City District Office (Sham Shui Po).
Assistant City District Officer (Internal), City District Office (Sham Shui Po).
Assistant City District Officer (External), City District Office (Sham Shui Po).
City District Officer, City District Office (Mong Kok).
Assistant City District Officer (Internal), City District Office (Mong Kok).
Assistant City District Officer (External), City District Office (Mong Kok).
City District Officer, City District Office (Yau Ma Tei).
Assistant City District Officer (Internal), City District Office (Yau Ma Tei).
Assistant City District Officer (External), City District Office (Yau Ma Tei).
City District Officer, City District Office (Kowloon City).
Assistant City District Officer (Internal), City District Office (Kowloon City).

Assistant City District Officer (External), City District Office (Kowloon City).
 City District Officer, City District Office (Wong Tai Sin).
 Assistant City District Officer (Internal), City District Office (Wong Tai Sin).
 Assistant City District Officer (External), City District Office (Wong Tai Sin).
 City District Officer, City District Office (Kwun Tong).
 Assistant City District Officer (Internal), City District Office (Kwun Tong).
 Assistant City District Officer (External), City District Office (Kwun Tong).
 Liaison Officer, Headquarters, New Territories Administration.
 Liaison Officer, District Office, Islands.
 Liaison Officer, District Office, Sai Kung.
 Liaison Officer, District Office, Tsuen Wan.
 Liaison Officer, District Office, Tai Po.
 Liaison Officer, District Office, Yuen Long.

By Command,

Colonial Secretary (Acting).

23rd September 1971.

124

PLACES OF PUBLIC ENTERTAINMENT ORDINANCE.
 (Chapter 172).

FILM CENSORSHIP (AMENDMENT) REGULATIONS 1971.

In exercise of the powers conferred by section 7 of the Places of Public Entertainment Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Film Censorship (Amendment) Regulations 1971. Citation.

2. Regulation 10 of the principal regulations is amended in paragraph (1) by deleting "consisting of the Secretary for Home Affairs, the Director of Education, the Commissioner of Police and such other persons as may from time to time be nominated by the Governor." and substituting the following—
 Amendment of regulation 10. (Cap. 172, sub. leg.)

"consisting of—

- (a) the Secretary for Home Affairs or his representative, who shall be a Deputy or Assistant Secretary for Home Affairs;
- (b) the Commissioner of Police or his representative who shall be a Deputy, Senior Assistant or Assistant Commissioner of Police;
- (c) the Director of Education or his representative, who shall be a Deputy or Assistant Director of Education; and
- (d) the Director of Social Welfare or his representative, who shall be a Deputy or Assistant Director of Social Welfare."

Clerk of Councils.

COUNCIL CHAMBER,
 5th October 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

Under the principal regulations the appeal board of review established to determine appeals against decisions of the film censor consists of the Secretary for Home Affairs, the Director of Education, the Commissioner

of Police and such other persons as may from time to time be nominated by the Governor. (In 1962 the Director of Social Welfare was nominated as a member of the board) It has been found that membership of the board of review imposes excessively heavy demands on the time of the Heads of Departments referred to. The purpose of these regulations is to provide that representatives of the heads of these Departments may act as alternate members of the Board to the Departmental heads.

公眾娛樂場所條例 (即香港法例第一七二章)
一九七一年電影檢查 (修訂) 規例

註 釋

(本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的)。

電影檢查覆審委員會之設立，旨在裁決因不滿電影檢查委員之決定而提出之上訴，根據原有規例，該覆審委員會之成員包括民政司、教育司、警務處長及隨時由總督委任之其他人士。(於一九六二年，社會福利署署長亦受委為該委員會之委員) 惟現已發覺，該覆審委員會之工作，實耗費上述各部門首長之時間過多，是以本規例乃規定各該部門首長之代表可代替各該首長出席該覆審委員會以執行工作。



INTERPRETATION AND GENERAL CLAUSES
ORDINANCE.

(Chapter 1).

SPECIFICATION OF PUBLIC OFFICE.

In exercise of the powers conferred on him by section 43 of the Interpretation and General Clauses Ordinance, the Governor hereby specifies the public office mentioned in the first column of the Schedule hereto for the purpose of the regulations mentioned opposite such public office in the second column of the Schedule hereto.

SCHEDULE.

Public Office.	Regulations for which specified.
Director of Commerce and Industry	Importation and Exportation (Registration of Imports and Exports) Regulations (Chapter 50, subsidiary legislation).

By Command,

Colonial Secretary (Acting).

23rd September 1971.



**FIXED PENALTY (TRAFFIC CONTRAVENTIONS)
ORDINANCE.**
(Chapter 237).

**FIXED PENALTY (TRAFFIC CONTRAVENTIONS)
(AMENDMENT) (NO. 3) REGULATIONS 1971.**

In exercise of the powers conferred by section 25 of the Fixed Penalty (Traffic Contraventions) Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Fixed Penalty (Traffic Contraventions) (Amendment) (No. 3) Regulations 1971.

Citation.

2. Regulation 3 of the principal regulations is amended by adding, after paragraph (2), the following new paragraphs—

Amendment of regulation 3.
(Cap. 237, sub. leg.)

“(3) If the fixed penalty is not paid within the period of time stated in the notice in Form 2 in the Schedule and a summons is issued for the recovery of the fixed penalty as a civil debt, liability under the summons shall be discharged and the defendant shall not be required to appear in court in answer to the summons if he pays, in accordance with paragraph (4), the fixed penalty and an additional sum of fifteen dollars as costs.

(4) Payment under paragraph (3) shall be made to the court from which the summons is issued personally or through an agent not later than seventy-two hours before the time specified in the summons for the appearance of the defendant and the summons shall be produced at the time of the payment.”.

Clerk of Councils.

COUNCIL CHAMBER,
12th October 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

Under the principal regulations a person who is served with a notice in Form 2 may pay the fixed penalty of \$30 within the time specified in the notice. If payment is not so made, the Ordinance provides that the fixed penalty may be recovered as a civil debt by proceedings in a magistrate's court.

2. These regulations provide that a person who is served with a summons is not required to appear in court if he pays the fixed penalty and an additional sum of \$15 as costs. Payment is to be made to the court from which the summons is issued not later than 72 hours before the time fixed in the summons for appearance.

定額罰款（交通違例事項）條例（即香港法例第二三七章）
一九七一年定額罰款（交通違例事項）（修訂）（第三號）規例

註 釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。

根據原有規例之規定，凡接獲第二款表格之通知書者，須於通知書所指定之期間內繳交定額罰款三十元。原有條例規定，如不依照通知繳款者，當局得在裁判司署起訴，追收該筆視作民事債項之定額罰款。

二、本規例規定，凡接獲傳票之人士如繳交該定額罰款及另加之十五元訴訟費者，則毋須到庭答辯。該筆款項應於傳票所規定到庭時間之最低限度七十二小時前送達發出傳票之裁判司署。



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MARRIAGE REFORM ORDINANCE.

(Chapter 178).

DESIGNATION OF PUBLIC OFFICERS.

In exercise of the powers conferred by section 22 of the Marriage Reform Ordinance, the Governor hereby designates the following public officers for the purposes of Part V of the Marriage Reform Ordinance—

City District Officer, City District Office (Western).

Assistant City District Officer (Internal), City District Office (Western).

Assistant City District Officer (External), City District Office (Western).

By Command,

Hugh Norman-Walker
Colonial Secretary.

8th October 1971.



PUBLIC HEALTH AND URBAN SERVICES ORDINANCE.

(Chapter 132).

**MILK (NEW TERRITORIES) (AMENDMENT)
REGULATIONS 1971.**

In exercise of the powers conferred by section 56 of the Public Health and Urban Services Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Milk (New Territories) (Amendment) Regulations 1971. Citation.

2. Regulation 3 of the principal regulations is amended— Amendment of regulation 3.

(a) by inserting after the definition of "bottling" the following new definition— (Cap. 132, sub. leg.)

"“business as a milk factory” means such a business as is described in regulation 13(2);” and

(b) by inserting after the definition of "heat-treatment" the following new definition—

"“licence” means a milk factory licence granted under regulation 13;”.

3. Regulation 5 of the principal regulations is amended in paragraph (1)— Amendment of regulation 5.

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

“; or”; and

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

“(d) it contains at any time after heat-treatment by the Ultra High Temperature Method a colony count of 10 or more.”.

4. Regulation 13 of the principal regulations is revoked and replaced by the following— Revocation and replacement of regulation 13.

“Business of milk factory not to be carried out except by licence. **13.** (1) Save under and in accordance with a milk factory licence granted by the Director and in such premises as shall be specified in such licence, no person shall carry on a business as a milk factory.

(2) For the purpose of this regulation, a person carries on a business as a milk factory if he processes

or reconstitutes any milk or causes any milk to be processed or reconstituted for the purpose of sale.

(3) This regulation does not apply to milk which is processed or reconstituted on premises in relation to which a restaurant licence has been granted by the Director under the Food Business (New Territories) Regulations and such milk is solely for consumption on those premises.”.

(Cap. 132,
sub. leg.)

Amendment of
regulation 17.

5. Regulation 17 of the principal regulations is amended by deleting paragraph (1) and substituting the following—

“(1) No licensee under this Part shall distribute in the course of the business in respect of which such licence was granted, or shall have in his possession for the purpose of such distribution, any milk which—

- (a) has been heat-treated more than once;
- (b) contains at any time before heat-treatment more than 200,000 bacteria per millilitre or any coliform organisms in 1/1000th (0.001) of a millilitre;
- (c) after having been subjected to heat-treatment whether by him or any other person, contains at any time more than 30,000 bacteria per millilitre or any coliform organisms in 1/10th (0.1) of a millilitre;
- (d) after having been subjected to heat-treatment by the Ultra High Temperature Method whether by him or any other person, has a colony count of 10 or more; or
- (e) fails to comply with the standards of composition relating to milk specified in the Food and Drugs (Composition and Labelling) Regulations.”.

(Cap. 132,
sub. leg.)

Insertion of
regulation 20A.

6. The principal regulations are amended by inserting after regulation 20 the following new regulation—

“Licensee
not to
process milk
from un-
licensed
dairies.
(Cap. 139,
sub. leg.)

20A. No licensee under this Part shall process or cause to be processed any milk unless such milk is obtained from a dairy in relation to which a licence has been granted under the Dairies Regulations.”.

7. Regulation 39 of the principal regulations is amended in paragraph (a) by inserting after “19.”, the following—

Amendment of
regulation 39.

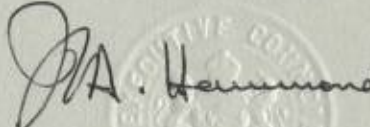
“20A.”.

8. The First Schedule to the principal regulations is amended by deleting paragraph 2 and substituting the following—

Amendment of
First Schedule.

“2. Sterilization—

- (a) by homogenizing the milk by means of any process whereby the globules of butter fat in the milk are broken up so as to remain suspended uniformly throughout the milk which is then heated to and retained at a temperature of not less than 100 degrees Celsius for a period of not less than twenty-five minutes in the same containers as those in which the milk is to be disposed of for human consumption; or
- (b) by the “Ultra High Temperature Method”, namely, by heating the milk to a temperature of not less than 132 degrees Celsius and retaining it at not less than that temperature for at least one second and thereafter putting it immediately into the sterilized containers in which it is to be supplied to the consumer, which shall be filled and sealed at the premises at which the treatment has been carried out with such aseptic precautions as will ensure the protection of the milk from risk of contamination.”.


J.A. Hammond

Clerk of Councils.

COUNCIL CHAMBER,
19th October 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations add the “Ultra High Temperature Method” to the methods of heat-treatment of milk prescribed in the principal regulations. Regulation 4 replaces regulation 13 of the principal regulations with a new regulation so that processing and reconstitution of milk for the purpose of sale, except where the milk is for consumption on the premises, can only be carried out by the holder of a milk factory licence. Regulation 17 of the principal regulations is amended by regulation 5 so as to tighten control over contaminated or adulterated milk.

Regulation 6 adds a new regulation 20A which prohibits licensees of milk factories from processing milk obtained from unlicensed dairies.

公眾衛生及市政事務條例（即香港法例第一三二章）
一九七一年牛奶業（新界）（修訂）規例

註釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。

本規例在原有規例所規定各項將牛奶加熱處理之方法中加插一項「超高温加熱法」。本規例第四款將原有規例第十三款取消而代之以一款新訂規例以便規定凡供作售賣之牛奶，除在該樓宇內飲用者外，其加工及再造過程必須由牛奶廠持牌人進行。本規例第五款將原有規例第十七款修訂，以便對受沾污或攙雜之牛奶加以更緊密之管制。

本規例第六款在原有規例內加插新訂規例第二十甲款，禁止牛奶廠持牌人由未領牌牛奶場取奶加工。



RESETTLEMENT ORDINANCE.
(Chapter 304).

RESETTLEMENT (AMENDMENT) (NO. 2)
REGULATIONS 1971.

In exercise of the powers conferred by section 51 of the Resettlement Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Resettlement Citation.
(Amendment) (No. 2) Regulations 1971.

2. The Second Schedule to the principal regulations is amended in Part I by inserting, in item 4, at the end of sub-item (a) thereof, in the second, third, fourth, fifth, sixth and seventh columns and as shown hereunder, the following—

<i>"Converted Room</i>					
Grade F	236	47.50	10.50	Nil	58.00
Grade G	210	42.00	9.50	Nil	51.50
Grade H	190	38.00	8.50	Nil	46.50
Grade I	180	36.00	8.00	Nil	44.00
Grade J	167	33.50	7.50	Nil	41.00
Grade K	140	28.00	6.50	Nil	34.50".

J.A. Hammond
Clerk of Councils.

COUNCIL CHAMBER,
19th October 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations amend the Second Schedule to the principal regulations so as to provide for the rents to be paid in respect of converted domestic rooms in Mark IV blocks.

徙置條例（即香港法例第三零四章）
一九七一年徙置（修訂）（第二號）規例

註釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。

本規例將原有規例第二附表修訂以便規定關於租用第四型樓宇內經改建之住房所應繳之租金。



PUBLIC HEALTH AND URBAN SERVICES
(AMENDMENT) ORDINANCE 1971.

(No. 16 of 1971).

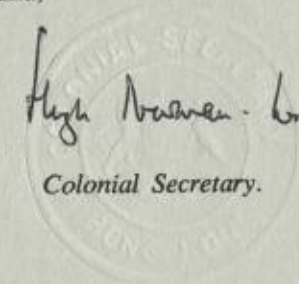
PUBLIC HEALTH AND URBAN SERVICES
(AMENDMENT) ORDINANCE 1971
(COMMENCEMENT) NOTICE 1971.

In exercise of the powers conferred by section 1 of the Public Health and Urban Services (Amendment) Ordinance 1971, the Governor hereby appoints the 1st November 1971 as the day on which the said Ordinance shall come into operation.

By Command,

Colonial Secretary.

14th October 1971.



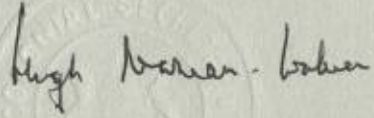


**SLAUGHTER-HOUSES (NEW TERRITORIES)
(AMENDMENT) REGULATIONS 1971.**

**SLAUGHTER-HOUSES (NEW TERRITORIES)
(AMENDMENT) REGULATIONS 1971
(COMMENCEMENT) NOTICE 1971.**

In exercise of the powers conferred by regulation 1 of the Slaughter-houses (New Territories) (Amendment) Regulations 1971, the Governor hereby appoints the 1st November 1971 as the day on which the said Regulations shall come into operation.

By Command,


Hugh Norman-Lobster
Colonial Secretary.

14th October 1971.



FUGITIVE OFFENDERS ACT 1967.

**FUGITIVE OFFENDERS (DESIGNATED
COMMONWEALTH COUNTRIES) (AMENDMENT)
ORDER 1971.**

In exercise of the powers conferred by sections 2(1) and 20 of the Fugitive Offenders Act 1967 (as modified and adapted by the Fugitive Offenders (Hong Kong) Order 1967), the Acting Governor, with the approval of the Secretary of State, has made the following order—

(L.N. 12/68).

1. This order may be cited as the Fugitive Offenders (Designated Commonwealth Countries) (Amendment) Order 1971.

Citation.

2. The Schedule to the principal order is amended by inserting, after "Mauritius", the following—

Amendment of Schedule. (App. I, p. 21.)

"Nauru".

By Command,

Colonial Secretary (Acting).

23rd October 1971.

Explanatory Note.

(This Note is not part of the order, but is intended to indicate its general purport).

This order amends the Schedule to the Fugitive Offenders (Designated Commonwealth Countries) Order by including a reference to Nauru, which is now an independent country within the Commonwealth.

一九六七年逃犯法

一九七一年逃犯(指定之英聯邦國家)(修訂)令

註釋

(本文並非該法令之任何部份，而祇係以簡述該法令之大意為目的)。

本法令將逃犯(指定之英聯邦國家)令內開附表修訂，此即將現已成為英聯邦內一獨立國家之「那盧」包括在原有法令範圍內。

**THE RULES OF THE SUPREME COURT (AMENDMENT)
RULES 1971.**

CORRIGENDUM.

It is hereby notified that the Rules of the Supreme Court (Amendment) Rules 1971, published as Legal Notice No. 77 of 1971, are corrected by deleting "R. H. MILLS-OWENS," at the end of the Rules and substituting the following—

"G. G. BRIGGS,"



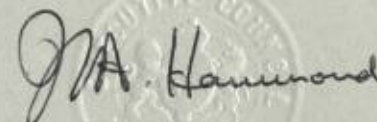
DRUG ADDICTION TREATMENT CENTRES
ORDINANCE.

(Chapter 244).

DRUG ADDICTION TREATMENT CENTRES
(AMENDMENT) REGULATIONS 1971.

In exercise of the powers conferred by section 10 of the Drug Addiction Treatment Centres Ordinance, the Governor in Council has made the following regulations—

1. These regulations may be cited as the Drug Addiction Treatment Centres (Amendment) Regulations 1971. Citation.
2. Regulation 2 of the principal regulations is amended by inserting, after the definition of "inmate", the following definition— Amendment of regulation 2.
(Cap. 244, sub. leg.)
 "Senior Superintendent" means a Senior Superintendent of Prisons;".
3. Regulation 6 of the principal regulations is amended in paragraph (1)(a) by inserting after "Deputy Commissioner" the following— Amendment of regulation 6.
 "or a Senior Superintendent".


Clerk of Councils.

COUNCIL CHAMBER,
2nd November 1971.

Explanatory Note.

(This Note is not part of the regulations, but is intended to indicate their general purport).

These regulations will enable either the Deputy Commissioner or a Senior Superintendent to act as Chairman of a Board of Review for an addiction treatment centre.

戒毒所條例（即香港法例第二四四章）

一九七一年戒毒所（修訂）規例

註 釋

（本文並非該規例之任何部份，而祇係以簡述該規例之大意為目的）。

本規例旨在使副監獄署長或高級監獄長可擔任任何戒毒所之審查委員會主席。



HONG KONG ROYAL INSTRUCTIONS

1917 to 1971.

STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG.

RESOLUTION OF THE LEGISLATIVE COUNCIL.

Resolution made and passed by the Legislative Council under Clause XXIII of the Hong Kong Royal Instructions 1917 to 1971 on the 3rd November 1971.

IT IS HEREBY RESOLVED that the Standing Orders of the Legislative Council of Hong Kong made by the said Council on the 9th day of October 1968, be amended, with effect from the 1st day of December 1971 in accordance with the Schedule to this Resolution.

SCHEDULE.

Standing Order No.	Amendment.	Reasons for amendment.
1(1)	<p><i>First amendment.</i> In the third line leave out the words "before the Council".</p> <p><i>Second amendment.</i> In the fourth line leave out the words "in the form prescribed by law" and insert in lieu the words "in accordance with the provisions of the Promissory Oaths Ordinance (Chapter 90)".</p>	To bring the Standing Orders into line with the provisions of the Promissory Oaths Ordinance.
2(1)	Leave out the existing paragraph and insert in lieu the following— "(1) A Member may address the Council in either the English or the Cantonese language."	To provide for proceedings to be conducted in either English or Cantonese.
2(3)	In the second and third lines leave out the words "the Member presenting the petition" and insert in lieu the words "a court translator".	At present, a Member presenting a petition in Chinese is obliged to certify the English translation as being correct. It would in future be so certified by a court translator.
2(4)	Add the following to Standing Order No. 2 as paragraph (4)— "(4) A petition in the English language shall be accompanied by a Chinese translation certified to be correct by a court translator."	Consequent upon the amendment to S. O. 2(1).

2

Standing Order No.	Amendment.	Reasons for amendment.
2(5)	Add the following to Standing Order No. 2 as paragraph (5)— "(5) This Standing Order shall come into effect on such date as the Governor may appoint by notice in the <i>Gazette</i> ."	To delay the coming into effect of S.O. 2 as amended until simultaneous interpreting facilities have been installed in the Council Chamber.
4(6)	In the third line leave out the words "speeches made" and insert in lieu the word "proceedings".	The official report covers all proceedings, not only speeches.
5(3)	Leave out the existing paragraph and insert in lieu the following— "(3) A session shall, subject to paragraph (2) of this Order, begin at such time as the Governor may appoint by notice published in the <i>Gazette</i> ."	To avoid the need for a formal proclamation.
6(1)	Leave out the existing paragraph.	To avoid the need for a proclamation to be read at the first sitting of a session.
6(2)	In the first line, before the word "Members", add the words "At the first sitting of a session".	In the interests of clarity.
6(3)	In the first and second lines leave out the words "deliver a speech to" and insert in lieu the word "address".	In the interests of more compact phraseology.
6(4)	In the first and second lines leave out the words "delivered such a speech" and insert in lieu the words "addressed the Council".	Consequent upon amendment to S.O. 6(3).

3

Standing Order No.	Amendment.	Reasons for amendment.
6(5)	In the last line leave out the word "speech" and insert in lieu the word "address".	Consequent upon amendment to S. OO. 6(3) and 6(4).
6(6)	Leave out the words after "form:" and insert in lieu "That this Council thanks the Governor for his address."	Less archaic phraseology, which avoids the need to present a formal address.
9(2)	Leave out the existing paragraph and insert in lieu the following— “(2) Such a motion shall not require notice and may be moved only between two items of business. It shall be moved by an <i>ex officio</i> Member, save that an Unofficial Member may move such a motion, with the permission of the President, if the President is satisfied that the adjournment is for the purpose of discussing a specific matter of urgent public importance.”	To enable an Unofficial Member to move the adjournment, in order to secure a debate on a "definite matter of urgent public importance".
9(5)	In the second line leave out the words ", who has obtained the right to do so."	Phrase unrelated to any of the preceding Standing Orders.
9(6)	In the third line leave out the word "three" and insert in lieu the word "four".	Longer notice is needed of the subject of adjournment debates. This will bring the period of notice into line with that for notice of questions (S.O. 17(2)) and motions (S.O. 21(1)).
9(8)	In the fourth line after the word "question" add the words "provided that, with the permission of the President, valedictory speeches may be made without notice on the occasion of the retirement of a Member from the Council".	So that valedictory speeches can be made not counting as part of the 30 minutes allowed for the adjournment debate.

Standing Order No.	Amendment.	Reasons for amendment.
10(1)	In the second line leave out the word "excluding" and insert in lieu the word "including".	To accord with Royal Instruction XIX.
11(1)	<i>First amendment.</i> Leave out sub-paragraph (d) and insert in lieu— “(d) Laying on the Table of papers and of reports of select committees.” <i>Second amendment.</i> After sub-paragraph (i) add the following as sub-paragraph (j)— “(j) Proceedings on motion for the adjournment of Council under Standing Order No. 9(4) to (8).”	See S.O. 14 below. To reflect present practice.
14	Leave out the existing Standing Order and insert in lieu the following— “Presentation of Papers. 14. (1) A paper may be presented to the Council by an <i>ex officio</i> Member or an Official Member or, with the permission of the President, by an Unofficial Member. (2) Whenever a Member wishes to present a paper he shall send a copy of it to the Clerk, who shall distribute a copy to each Member and may also arrange for its publication. A copy of the paper shall be laid on the Table of the Council at the opening of the next sitting and the Clerk shall record its laying and the date of publication in the minutes of the proceedings of that sitting.”	To enable an Unofficial Member, with the permission of the President, to present a paper to the Council and, if he wishes, to speak on it. The amendment also brings the Standing Order into line with present practice, whereby presentation of a paper to the Council may be effected by the distribution of a copy by the Clerk to each Member followed by publication of the report without awaiting its formal tabling at the next sitting of the Council.

Standing Order No.	Amendment.	Reasons for amendment.
	<p>(3) Whenever a paper has been laid on the Table of the Council, the Member presenting it may, with the permission of the President, address the Council thereon."</p>	
15(2)	<p>Add the following new paragraph— “(2) A question shall specify whether an oral or a written reply is required.”</p>	To provide for written answers to questions.
17(2)	<p>In the second line delete the word “five” and insert in lieu the word “four”.</p>	To bring notice for questions into line with that for adjournment debates (S.O. 9(6)) and motions (S.O. 21(1)).
19(3)	<p>In the second line after the word “shall” insert the words— “except in the case of a question for which a written answer has been sought”.</p>	Consequent upon amendment to S.O. 15(2).
19(7)	<p>Add the following as new paragraph (7)— “(7) In the case of a question for which a written answer has been sought, a written answer shall be supplied to each Member and shall be printed in the Official Report.”</p>	To provide for written answers to questions.
21(1)	<p>In the third line leave out the word “three” and insert in lieu the word “four”.</p>	Longer notice is needed.

Standing Order No.	Amendment.	Reasons for amendment.
23	<p>Leave out the existing Standing Order and insert in lieu the following— “Motion and Amendments requiring Recommendation. 23. A motion or amendment, the object or effect of which may, in the opinion of the President or Chairman, be to dispose of or charge any part of the revenue or other funds of the Colony of Hong Kong, shall, unless moved by an <i>ex officio</i> Member or an Official Member, require the recommendation of the Governor, which shall be notified by the Unofficial Member when moving the motion or amendment.”</p>	To avoid the need to signify formally the Governor's recommendation to the moving of a motion imposing a charge or tax, when moved by an <i>ex officio</i> or Official Member.
25(1)	<p>In the fourth line leave out the words “, stating its terms”.</p>	It is not the practice to do so.
25(3)	<p>In the second and third lines leave out the words “on the amendment to the Council or committee;” and insert in lieu the words “that the amendment be made;”.</p>	Follows House of Commons Standing Order 32A. Furthermore, this is in fact the practice in the Hong Kong Legislative Council (see also S.O. 46(3)).
25(4)	<p>Leave out sub-paragraphs (a), (b), (c) and (e).</p>	Consequential upon the amendment to S.O. 25(3).
30(1)	<p>In the second line delete the words “proposed by the President”.</p>	To permit a Member moving a motion to there-after move that debate be adjourned.
38(7)	<p>Leave out the existing paragraph.</p>	It is not always practicable to comply with this requirement.

<i>Standing Order No.</i>	<i>Amendment.</i>	<i>Reasons for amendment.</i>
40	<p>Leave out the existing Standing Order and insert in lieu the following—</p> <p>"Presentation and Publication of Bills.</p> <p>40. (1) The Clerk shall, after receipt of a bill for presentation to the Council, cause the text of the bill and its explanatory memorandum to be published in the <i>Gazette</i> unless—</p> <p>(a) the Governor directs that the bill shall not be published in the <i>Gazette</i> before it has been read the first time; or</p> <p>(b) the bill has already been published in the <i>Gazette</i> in accordance with paragraph (3) of Standing Order No. 39.</p> <p>(2) The Clerk shall, after receipt of a bill for presentation to the Council, cause a copy of the bill and its explanatory memorandum to be sent to every Member present within Hong Kong, whereupon the bill shall be deemed to have been presented to the Council."</p>	<p>The revised S.O. 40 seeks to avoid a third publication in the <i>Gazette</i> of an Unofficial Member's bill and to afford the Governor discretion to direct that a bill shall not be gazetted prior to its introduction into the Council.</p>
41(1)	<p>Leave out the existing paragraph and insert in lieu the following—</p> <p>"(1) The short title of a bill presented to the Council in accordance with paragraph (2) of Standing Order No. 40 (Presentation and Publication of Bills) shall be placed on the Order Paper for first reading at such sitting as may be specified to the Clerk by the Member in charge of the bill."</p>	<p>To provide for greater flexibility.</p>

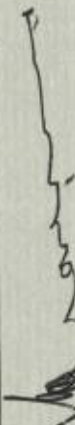
<i>Standing Order No.</i>	<i>Amendment.</i>	<i>Reasons for amendment.</i>
45(6)	<p>Leave out the existing paragraph and insert in lieu the following—</p> <p>"(6) An amendment, the object or effect of which may, in the opinion of the Chairman, be to dispose of or charge any part of the revenue or other funds of the Colony of Hong Kong, shall, unless moved by an <i>ex officio</i> Member or an Official Member, require the recommendation of the Governor, which shall be notified by the Unofficial Member when moving the amendment."</p>	<p>Consequent upon the amendment to S.O. 23.</p>
46(1)	<p>Leave out the existing paragraph and insert in lieu the following—</p> <p>"(1) The Chairman in Committee of the whole Council shall propose "That the following clauses stand part of the bill", and shall direct the Clerk to call the numbers of the clauses, singly or in groups of clauses. On the number or numbers of any clause or group of clauses being called, the question that that clause or group of clauses stand part of the bill shall be deemed to have been put. In the event of a clause being amended the number of the clause, as amended, shall be called again by the Clerk, and the question that the clause as amended stand part of the bill shall be deemed to have been put."</p>	<p>To bring Standing Orders into line with present practice.</p>
46(11)	<p>In the second and third lines leave out the words "the Member in charge of the bill" and insert in lieu "a Member".</p>	<p>To provide for greater flexibility in reporting bills from Committee.</p>

Standing Order No.	Amendment.	Reasons for amendment.
51(3)	After the word "bill" wherever it appears in this paragraph insert the words "(or bills)".	To provide for third reading bills to be dealt with <i>en bloc</i> .
52	At the end of the second line after the word "withdraws" insert the words "or postpones".	To provide for the postponement of proceedings on a bill.
55(3)	Leave out the existing paragraph and insert in lieu the following— “(3) On the consideration of a schedule, the Chairman shall propose “That the sums for the following heads stand part of the schedule”, and shall direct the Clerk to call the numbers of the heads singly or in groups. On the number or numbers of any head or group of heads being called, the question that the sums in that head or group of heads stand part of the schedule shall be deemed to have been put. Unless an amendment is proposed under the provisions of the next succeeding order, a debate may take place on that question. Any such debate shall be confined to the policy of the service for which the money is to be provided and shall not deal with the details of any item or subhead but may refer to the details or revenue or funds for which that service is responsible.”	To bring Standing Orders into line with present practice.
55(5)	Leave out the existing paragraph and insert in lieu the following— “(5) When every schedule has been disposed of, the Chairman shall propose “That the following clauses stand	To bring Standing Orders into line with present practice.

Standing Order No.	Amendment.	Reasons for amendment.
56(1)	part of the bill”, and shall direct the Clerk to call the numbers of the clauses. On the number of any clause being called, the question that the clause stand part of the bill shall be deemed to have been put. In the event of a clause being amended, the number of the clause, as amended, shall be called again by the Clerk, and the question that the clause as amended stand part of the bill shall be deemed to have been put.”	To accord with the amendments to Standing Orders 23 and 45(6).
59	Leave out the existing paragraph and insert in lieu the following— “(1) An amendment which, in the opinion of the Chairman, would increase the sum allotted to any head of expenditure whether in respect of any item or sub-head or of the head itself shall, unless moved by an <i>ex officio</i> Member or an Official Member, require the recommendation of the Governor, which shall be notified by the Unofficial Member when moving the amendment.”	To simplify the phraseology.
	Leave out first three lines and insert in lieu the words— “If a Supplementary Appropriation Bill is presented appropriating only sums of money which have been”	

Standing Order No.	Amendment.	Reasons for amendment.
69	<p>Leave out the existing Standing Order and insert in lieu—</p> <p>69. In any matter not provided for in these Standing Orders, the practice and procedure to be followed in the Council shall be such as may be decided by the President who may, if he thinks fit, be guided by the practice and procedure of the House of Commons of the United Kingdom."</p>	<p>The adoption of Commons practice as a whole is sometimes unsatisfactory. The extent of some of these practices is obscure and some of them are inappropriate to Hong Kong.</p>
70	<p>Leave out the existing Standing Order and insert in lieu—</p> <p>"Interpretation.</p> <p>70. In these Standing Orders, unless the context otherwise requires—</p> <p>(a) references to printing include references to all mechanical, electrical and photographic methods of reproducing words in visible form;</p> <p>(b) the expression "clear days" excludes the day of the giving of a notice, the day of a sitting and intervening public holidays."</p>	<p>To add a definition of "clear days".</p>

COUNCIL CHAMBER,
3rd November 1971.


Clerk to the Legislative Council.

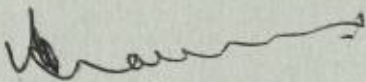
INLAND REVENUE ORDINANCE.
(Chapter 112).

RESOLUTION OF THE LEGISLATIVE COUNCIL.

Resolution made and passed by the Legislative Council under section 85 of the Inland Revenue Ordinance on the 3rd November 1971.

IT IS HEREBY RESOLVED that the following Rules, made by the Board of Inland Revenue on the 17th June 1971, be approved—

- (a) Inland Revenue (Amendment) Rules 1971; and
- (b) Inland Revenue (Retirement Scheme) (Amendment) Rules 1971.



Clerk to the Legislative Council.

COUNCIL CHAMBER,
3rd November 1971.

INLAND REVENUE ORDINANCE.

(Chapter 112).

INLAND REVENUE (AMENDMENT) RULES 1971.

In exercise of the powers conferred by section 85 of the Inland Revenue Ordinance, We, the Board of Inland Revenue, hereby make the following rules—

1. These rules may be cited as the Inland Revenue (Amendment) Rules 1971.

Citation.

2. The heading to rule 6 of the principal rules is amended by deleting "income" and substituting the following—

Amendment of heading to rule 6.
(Cap. 112, sub. leg.)

"interest".

3. Rule 6 of the principal rules is revoked and replaced by the following rule—

Revocation and replacement of rule 6.

"Apportionment of annuity.

6. (1) For the purposes of an assessment to interest tax under Part V of the Ordinance, an annuity payable in respect of valuable consideration given shall first be apportioned as between capital and interest in accordance with this rule; and the proportion which the capital element in any annuity payment bears to the total amount of that payment shall be constant for all payments on account of the annuity.

(2) In the case of an annuity where neither the term of the annuity nor the amount of any annuity payment depends on any contingency other than the duration of a human life or lives, the capital element shall be the same proportion of the annuity as the proportion which the total amount or value of the consideration bears to the actuarial value of the annuity payments as determined in accordance with paragraph (3); and the amount of the excess of the annuity over the capital element so determined shall be deemed to be interest chargeable to interest tax.

(3) The actuarial value of the annuity payments shall—

- (a) be their value as at the date when the first of such payments begins to accrue; and
- (b) be determined in accordance with the select tables in the volume of tables published in

1953 at the University Press, Cambridge, for the Institute of Actuaries and the Faculty of Actuaries entitled The a(55) Tables for Annuitants in the United Kingdom,

without discounting any payment for the time to elapse between the date when the first payment begins to accrue and the date on which payment is made.

(4) In the case of an annuity payable for a term of years certain the capital element shall be obtained by dividing the total amount or value of the consideration for the annuity by the number of years in the term; and the excess of the annuity over the amount so obtained shall be deemed to be interest chargeable to interest tax.

(5) In any case not covered by paragraph (2) or (4), the capital element of any annuity payment shall be such proportion of such payment as the Commissioner, having regard to paragraph (2) and to the contingencies affecting the annuity, considers on reasonable grounds to be just.

(6) This rule shall be construed subject to the following provisions—

- (a) no apportionment to capital shall be made in respect of any consideration given by a person other than the annuitant, or his or her spouse; and
- (b) any premium or portion of a premium which has been allowed as a deduction under section 42B of the Ordinance, shall be excluded from the amount of the consideration.”.

Dated this 17th day of June 1971.

J. J. COWPERTHWAITTE

Chairman.

G. M. MACWHINNIE,

Member.

P. C. WOO,

Member.

D. W. A. BLYE,

Member.

Explanatory Note.

(This Note is not part of the rules, but is intended to indicate their general purport).

Rule 6 of the principal rules is revoked and replaced in modern form. The new rule implements the recommendations of the Inland Revenue Ordinance Review Committee concerning the determination of the interest element of a purchased annuity and the substitution of a reference to the tables now used in the United Kingdom for the determination of annuity payments for the existing table to rule 6, which is now out of date.

稅務條例（即香港法例第一一二章）

一九七一年稅務（修訂）規則

註 釋

（本文並非該規則之任何部份，而祇係以簡述該規則之大意為目的）。

本規則將原有規則第六款撤銷而代之以切合時宜之條文規定。該新訂規則旨在實施稅務條例檢討委員會之建議，該建議係關於購進之年金中之利息因素之決定問題，並提供現時聯合王國所使用之年金支付額計算表，以代替第六款內已屬不合時宜之現有計算表。

INLAND REVENUE ORDINANCE.

(Chapter 112).

INLAND REVENUE (RETIREMENT SCHEME)
(AMENDMENT) RULES 1971.

In exercise of the powers conferred by section 85 of the Inland Revenue Ordinance, We, the Board of Inland Revenue, hereby make the following rules—

1. These rules may be cited as the Inland Revenue (Retirement Scheme) (Amendment) Rules 1971.

Citation.

2. The Schedule to the principal rules is amended by deleting paragraph 3 and substituting the following—

Amendment of Schedule.
(Cap. 112, sub. leg.)

“3. The benefits afforded by the retirement scheme shall accrue only—

- (a) on retirement from the service of the employer at some specified age of not less than forty-five years; or
- (b) on retirement after some specified period of service with the employer of not less than ten years; or
- (c) on attaining the age of sixty years or some specified age for retirement whichever is the later; or
- (d) on earlier incapacity or death.

Where, however, the retirement scheme provides for proportionate or reduced benefits in the event of an employee leaving the employer's service prior to attaining the specified age or completing the specified period of service, the provision for such benefits shall not in itself disqualify the scheme from approval.”

Dated this 17th day of June 1971.

J. J. COWPERTHWAITTE
Chairman.

G. M. MACWHINNIE,
Member.

P. C. WOO,
Member.

D. W. A. BLYE,
Member.

Explanatory Note.

(This Note is not part of the rules, but is intended to indicate their general purport).

Paragraph 3 of the Schedule to the principal rules is revoked and replaced in modern form. Sub-paragraph (c) of that paragraph is added in order to broaden the scope of the rules.

稅務條例 (即香港法例第一一二章)
一九七一年稅務 (退休金計劃) (修訂) 規則

註 釋

(本文並非該規則之任何部份，而祇係以簡述該規則之大意為目的)。

本規則將原有規則之附表內第三款撤銷而代之以切合時宜之條文規定。在該款內所加插之(丙)段，旨在將該規則之範圍擴大。

SUPREME COURT ORDINANCE.

(Chapter 4).

THE RULES OF THE SUPREME COURT
(AMENDMENT) (NO. 3) RULES 1971.

We, the Rules Committee of the Supreme Court, being the authority having for the time being power under section 38 of the Supreme Court Ordinance to make, amend or revoke rules regulating the practice and procedure of the Supreme Court do hereby in exercise of such power make the following rules—

1. These rules may be cited as the Rules of the Supreme Court (Amendment) (No. 3) Rules 1971 and shall come into operation on the 5th day of November 1971.

Citation and commencement.

2. The Rules of the Supreme Court are amended by adding, after Order 75, the following new order—

Addition of new Order 76.
(Cap. 4, sub. leg.)

"ORDER 76.

PROBATE PROCEEDINGS.

Application and interpretation.

1. (1) This Order applies to probate causes and matters and the other provisions of these rules apply to those causes and matters subject to the provisions of this Order.

(2) In these rules "probate action" means an action for the grant of probate of the will, or letters of administration of the estate, of a deceased person or for the revocation of such a grant or for a decree pronouncing for or against the validity of an alleged will, not being an action which is non-contentious or common form probate business.

(3) In this Order—

"The Ordinance" means the Probate and Administration Ordinance 1971.

Requirement in connexion with issue of writ.

2. (1) A probate action must be begun by writ.

(2) Before a writ beginning a probate action is issued it must be indorsed with a statement of the nature of the interest of the plaintiff and of the defendant in the estate of the deceased person to which the action relates.

(3) A writ beginning an action for the revocation of the grant of probate of the will, or letters of administration of the estate, of a deceased person shall not be issued until a citation under rule 7 has been issued or the probate or letters of administration, as the case may be, has or have been lodged in the Registry.

Service of writ out of jurisdiction.

3. (1) Subject to paragraph (2), service out of the jurisdiction of a writ, or notice of a writ, by which a probate action is begun is permissible with the leave of the Court.

(2) Order 11, rule 3 and rule 4(1), (2) and (4) shall apply in relation to an application for the grant of leave under this rule as they apply in relation to an application for the grant of leave under rule 1 or 2 of that Order.

Intervener in probate action.

4. (1) A person not a party to a probate action may apply to the Court for leave to intervene in a probate action.

(2) An application under this rule must be made by summons supported by an affidavit showing the interest of the applicant in the estate of the deceased person.

(3) An applicant who obtains leave to intervene in a probate action shall not be entitled to be heard in the action unless he enters an appearance therein.

(4) When the Court grants leave under this rule, it may give such directions as to service of pleadings, the filing of an affidavit of testamentary scripts or other matters as it thinks necessary.

Citation to see proceedings.

5. (1) On the application of the plaintiff, or of any other party who has pleaded in a probate action, a citation may be issued against any person not a party to the action who has an adverse interest to the applicant notifying him that if he does not enter an appearance in the action judgment may be given therein without further notice to him.

(2) Where a person on whom a citation under this rule is served fails to enter an appearance in the action, the party on whose application the citation was issued shall not be entitled to be heard at the trial of the action without the leave of the Court unless he has filed an affidavit proving due service of the citation on that person.

Entry of appearance.

6. Order 12, rules 1, 3 and 4 shall apply to the entry of appearance by a person authorized to intervene in a probate action, and by a person cited under rule 5, as if—

- (a) that person were a defendant; and
- (b) the parties to the action (in the case of an intervener) or the party at whose instance the citation was issued (in the case of a person cited) were the plaintiff.

Citation to bring in grant.

7. In an action for the revocation of the grant of probate of the will, or letters of administration of the estate, of a deceased person, a citation against the person to whom the probate or letters of administration, as the case may be, was or were granted requiring him to bring into and leave at the Registry the probate or letters of administration, as the case may be, may be issued on the application of the plaintiff.

Citations.

8. (1) A citation under rule 5 or 7 must be settled by the Court before it is issued.

(2) Before such a citation is issued an affidavit verifying the statements of fact to be made in the citation must be sworn by the person applying for it to be issued:

Provided that the Court may in special circumstances allow the affidavit to be sworn by that person's solicitor.

(3) Issue of a citation takes place upon its being sealed with the seal of the Court.

(4) Without prejudice to Order 65, rule 4, a citation under rule 5 or 7 must be served personally on the person cited.

(5) Service out of the jurisdiction of a citation under rule 5 or 7 is permissible but, in the case of a citation under rule 7, only with the leave of the Court.

(6) Order 11, rule 4(1) and (2) shall apply in relation to an application for a grant of leave under paragraph (5) as they apply in relation to an application for the grant of leave under rule 1 or 2 of that Order.

(7) An order granting leave to serve a citation under rule 7 out of the jurisdiction must limit a time within which the person to be served with the citation must comply with it.